



VILLAGE OF

PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

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

BOT Meeting Date: 1/10/2017

Item Type: Resolution

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

Description	Yes	No	Description	Yes	No
Fiscal Impact	☒	☐	Public Hearing Required	☒	☐
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area Redeveloping the United Hospital Site		
	Yes	No			
Agreement	☐	☒	Manager Priorities		
Strategic Plan Related	☒	☐	Planning & Zoning		

Agenda Heading Title

(Will appear as indicated below on Agenda)

Starwood/United Hospital: Accepting the FEIS for the Proposed Redevelopment of the United Hospital Site as Complete and Scheduling a Public Hearing

Summary

At the request of the Board of Trustees, consideration of the completeness of the FEIS for the proposed development of the United Hospital Site and the scheduling of a public hearing was placed on the January 10, 2017 Board of Trustees agenda. **As discussed below, it is the opinion of the Village’s Consultants that the FEIS is complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)]. This does not represent an approval or adoption of any aspect of the project; rather it is a necessary step in the SEQRA process.**

PC 406 BPR LLC and PC 999 High Street Corp (the "Applicant") has submitted a revised Final Environmental Impact Statement ("FEIS") to the Village Board in three parts.

1) On December 12, 2016, the Applicant submitted all revised FEIS Chapters and Analyses, *except Traffic and its related appendices*. (Previously transmitted to Board.)

2) On December 14, 2016, the Applicant submitted a revised air quality analysis (Appendix I), and a revised sewer report (FEIS Appendix D) that contained confirmatory information on previously submitted sewer flow calculations requested by the Village Consulting Engineer. (Previously transmitted to Board.)

3) On January 3, 2017, the Applicant submitted a revised traffic chapter and supporting appendices. (Transmitted to Board with this memorandum.)

As stated in the December 15, 2016 memorandum from Peter Feroe and Mark Chertok (Exhibit A to the resolution), the Village's Consultants reviewed the amended chapters and analyses submitted by the Applicant on December 12, 2016, as well as the air quality analysis submitted on December 14, 2016, and it is their opinion that those chapters and analyses are complete. Based on comments at the December 19, 2016 meeting, Village Consultants recommend that two changes to the FEIS text be made to the final accepted version. These changes are shown in Exhibit D to the resolution.

With respect to the revised sewer report submitted on December 14, 2016, the Village's Consulting Engineer has reviewed the report and has determined that it is complete. (See attached memorandum dated December 16, 2016.)

On January 3, 2017, the Applicant submitted a revised traffic chapter and supporting appendices. This submission reflects comments from the Board of Trustees, Village Staff, and the Village's Traffic Consultant, Adler Consulting. It is the opinion of the Village's Traffic Consultant that the revised traffic chapter and appendices are complete, subject to the text changes attached to this memorandum. These changes are shown in Exhibit D to the resolution.

Background

As noted previously, 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. The current proposal for such zoning change is termed the "Proposed Revised Zoning" as it differs from the Applicant's original zoning proposals.

On April 27, 2016, the Applicant submitted a preliminary Final Environmental Impact Statement ("pFEIS") and Proposed Revised Zoning for the Board's consideration, which were 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 fiscal and economic concerns and impacts to the school district. The pFEIS was submitted as a working document in order to receive further input from the Village, staff, consultants, and the public prior to its acceptance as complete.

To that end, the Board held public hearings on the pFEIS on May 24, 2016 and June 1, 2016 and held a written comment period open until June 17, 2016. In addition, the pFEIS was referred to the Planning Commission and the Westchester County Planning Board for their review and recommendation.

The Applicant, on July 25, 2016, submitted a revised pFEIS for consideration by the Village. Based on comments from Village staff, the Village's traffic consultant, and the NYSDOT, the Applicant has revised their traffic study subsequent to the July 2016 submission. In addition, over the course of a number of Board meetings, policy issues such as community benefits agreements, affordable housing, housing preferences, apprenticeship programs, and wages have been discussed and Special Counsel Mark Chertok has continued to advise the Board on such issues.

Since the July 25, 2016 submittal, Village staff and its consultants have been reviewing the document in order to determine if it is complete, meaning does the FEIS 1) include all substantive comments, 2) respond to such comments in a satisfactory manner, 3) complete all requested studies and analyses, and 4) otherwise comply with the requirements of 6 NYCRR 617.9(b). Village staff and its consultants summarized the outstanding issues prior to completeness in an October 13, 2016 memorandum.

Based upon that review and the additional comments, the Applicant submitted a revised pFEIS for consideration by the Village on November 14, 2016. At the November 7, 2016 Board of Trustees meeting, the Applicant requested a special meeting to be scheduled to discuss the completeness of the pFEIS for November 29, 2016. The Board granted that request.

The Board held a special meeting on the completeness of the FEIS on November 29, 2016. Based upon that meeting, other comments from the public, Board of Trustees, staff and its consultants, and interested and involved agencies, the Applicant revised the FEIS on December 12, 2016, December 14, 2016, and January 3, 2016.

Recommendation

It is the opinion of the Village's Consultants that the FEIS is complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)]. As such, we recommend that the Board consider adoption of the November 14, 2016 pFEIS, as amended on December 12, 2016, December 14, 2016, and January 3, 2016 as complete, subject to the text changes attached to this memorandum. If the pFEIS is adopted as complete, it is recommended that the Board schedule a public hearing on the FEIS and proposed zoning for January 31, 2017 or soon thereafter, as practicable.

Acting on this matter would not involve approval or adoption of the proposed zoning by the Board. Such action would be considered after the Board adopts a Statement of Findings, which “consider[s] the relevant environmental impacts, facts and conclusions...weigh[s] and balance[s] relevant environmental impacts with social economic and other considerations...[and] provide[s] a rationale for the agency’s decision.” (6 NYCRR §617.11(d)). Village staff and Special Counsel will continue to provide guidance and direction to the Board during the adoption of Findings.

Therefore, should the Board wish to proceed, the attached resolution undertakes the following action:

1. Accepts the Final Environmental Impact Statement (FEIS) as complete, subject to certain text revisions.
2. Schedules a public hearing for January 31, 2017 or soon thereafter, as practicable.

Note that the Village’s special counsel, Mark Chertok of Sive, Paget & Riesel (“SPR Law”), Peter Feroe from AKRF Inc., and Bernie Adler from Adler Consulting will be present on January 10, 2017 to answer any questions from the Board of Trustees on this matter.

Proposed Action
• Accept FEIS as complete • Schedule Public Hearing for January 31, 2017 or soon thereafter, as practicable

Attachment
• Amended pFEIS Traffic Chapter and Appendices (via CD) • December 16, 2016 Completeness Memorandum from Dolph Rotfeld Engineering • January 5, 2017 Completeness Memorandum from Adler Consulting

It is noted that to assist the reader, the public comments submitted as part of the DEIS review and the preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

INTRODUCTION

As part of the EIS process, TRC (Traffic Consultant for the Applicant) has met with various review agencies and their consultants to discuss some of the more substantive comments that were provided on the DEIS, as well as preliminary comments on the FEIS. In addition, the New York State Department of Transportation (NYSDOT) convened ~~five~~^{six} meetings between the Villages, City, and NYSDOT analysts. In attendance at all or most of these meetings were representatives from TRC (Applicant Traffic Consultant), Adler Consulting (Village of Port Chester Traffic Consultant), AKRF (Village of Port Chester Planning Consultant), Village of Port Chester Planning Department, Maser Consulting (City of Rye Traffic Consultant) and Frederick P. Clark Associates (Village of Rye Brook Traffic Consultant) and NYSDOT.

Based upon comments received on the DEIS, as well as subsequent discussions/meetings with the foregoing review agencies on preliminary results of the FEIS Traffic Study, many of the base parameters utilized in the DEIS Traffic Study were re-evaluated and modified where appropriate. The following is a discussion on these base parameters. This introduction focuses on those changes that have been made since the DEIS Traffic Study.

STUDY LOCATIONS

Based upon comments received on the DEIS, the following Study Locations were added to the FEIS Traffic Study:

1. Purchase Street and Ridge Street.
2. South Ridge Street and Bowman Avenue.
3. South Ridge Street/North Ridge Street and Westchester Avenue.

These Study Locations, as well as the previously-analyzed DEIS Study Locations are illustrated on Exhibit FEIS III.E-1.

EXISTING TRAFFIC VOLUMES

In order to determine Existing Traffic Volumes at the three (3) additional study locations, representatives of TRC conducted manual turning movement traffic counts on Tuesday, October 20, 2015 from 6:30 AM to 9:30 AM and 3:30 PM to 6:30 PM, as well as on Saturday, October 17, 2015 from 11:30 AM to 2:30 PM. Additionally, manual turning movement traffic counts were conducted during the same time periods at the following previously-analyzed DEIS study locations:

1. US Route 1 (Boston Post Road) & South Regent Street.
2. US Route 1 (Boston Post Road) & I-287 EB Off-Ramp/I-95 SB On-Ramp.
3. US Route 1 (Boston Post Road) & Peck Avenue.
4. Ridge Street & High Street.
5. Purchase Street & Hillside Avenue/Wappanocca Avenue.

The manual turning movement traffic counts included both vehicular and pedestrian movements at each intersection. In addition to the manual turning movement traffic counts, Automatic Traffic Recorder (ATR) machine counts were conducted from October 16, 2015 to October 24, 2015 at the following locations:

1. US Route 1 (Boston Post Road) between I-287 EB Off-Ramp and I-287 WB On-Ramp.
2. US Route 1 (Boston Post Road) between South Regent Street and Olivia Street.
3. Ridge Street between High Street and Wyman Street.

The updated traffic counts were conducted at the previously-analyzed DEIS study locations to verify whether the volumes counted in May 2014 were representative of typical conditions in the area. The following Table III.E-1 May 2014 vs. October 2015 Traffic Count Comparison, summarizes the comparison between the May 2014 traffic counts and the October 2015 traffic counts:

Table FEIS III.E-1			
May 2014 vs. October 2015 Traffic Count Comparison			
	Peak AM Hour	Peak PM Hour	Peak Saturday Hour
US Route 1 (Boston Post Road & South Regent Street)			
May 2014	2,157	2,597	2,614
October 2015	2,122	2,360	2,569
Difference	+35	+237	+45
US Route 1 (Boston Post Road) & I-287 EB Off-Ramp/I-95 SB On-Ramp			
May 2014	1,973	2,338	2,109
October 2015	1,932	2,169	2,012
Difference	+41	+169	+97
US Route 1 (Boston Post Road) & Peck Avenue			
May 2014	1,650	1,760	1,637
October 2015	1,541	1,638	1,495
Difference	+109	+122	+142
Ridge Street & High Street			
May 2014	811	1,167	985
October 2015	844	1,197	973
Difference	-33	-30	+12

Source: TRC Engineers, Inc.

As can be seen in the Table III.E-1, above, the May 2014 traffic counts were higher than the October 2015 counts in all instances except at Ridge Street and High Street, during the Peak AM and Peak PM Hours. In these instances the May 2014 traffic counts were within 4% of the October 2015 traffic counts, which is more than acceptable when compared against industry standards. For instance, the New Jersey Department of Transportation State Highway Access Management Code requires manual counts to be within 10% of machine counts (New York has no comparable standard). Based on the foregoing, the traffic counts utilized in the DEIS are acceptable. The updated Existing Traffic Volumes, to include the three (3) additional study locations, are illustrated on Exhibits FEIS III.E-2 (vehicular) and FEIS III.E-3 (pedestrian). The Traffic Count Data is contained in FEIS Appendix E.

In addition to the updated counts conducted by the Applicant, Maser (City of Rye Traffic Consultant) conducted a count at the intersection of the Boston Post Road and the I-287 eastbound off-ramp/I-95 southbound on-ramp on Friday, May 6, 2016 and Saturday, May 7, 2016. This location was further analyzed utilizing the traffic count volumes provided by Maser Consulting for the Peak weekday PM and Peak midday Saturday hours, which was greater than the counts collected by the Applicant. The intersection will continue to operate at similar or better Levels of Service when taking into account the improvement listed in the FEIS, even with the traffic counts provided by Maser Consulting. Detailed results of this Sensitivity Analysis are contained in Appendix E.

NO-BUILD TRAFFIC VOLUMES

Based upon comments on the DEIS, additional investigation was conducted to determine the level of occupancy at the Kohl's Shopping Center at the time of the May 2014 traffic counts. Based upon this investigation, it was determined that approximately 3,500 square feet (sf) of retail space contiguous to the Whole Foods Market was unoccupied. This is a nominal amount, as compared to the total 450,000 sf (+/-) of the Shopping Center, and is adequately accommodated in the 2% background growth rate applied to the Existing Traffic Volumes. This is so because the traffic movements into and out of the Kohl's Shopping Center were also grown by the 2% annual growth rate (over 8% total growth). Growing private development traffic is not typical, since it is generally assumed that the site is fully built and occupied or any unoccupied portion of the development is specifically accounted for via ITE Trip Generation Rates. When accounting for the 3,500 square feet with ITE Rates, the increase in traffic would be approximately 85% less than the increase applied to the Kohl's Shopping Center traffic volumes, via the 2% growth rate. Therefore, the background traffic development associated with the unoccupied portion of the Kohl's Shopping Center provides a more than conservative approach.

Another concern raised by the City of Rye Traffic Consultant, as well as the Village of Port Chester Traffic Consultant, was consideration of the recent Site Plan Application for 314-316 Boston Post Road in the background traffic volumes for this analysis. The nearest Study

Location to this proposed development is the Boston Post Road and South Regent Street. The background traffic added to this location in the FEIS analysis ranged from a total of 184 to 222 vehicles, depending upon the Peak Hour. Based upon the Traffic Impact Study prepared for the 314-316 development, this development would only account for an additional 14 to 59 trips at this location, during any of the Peak Hours. Therefore, it is the Applicant's opinion that the 2% growth rate utilized in the Proposed Project's traffic analysis adequately accommodates for the 314-316 development in the background traffic. Additionally, as part of the Site Plan Approval for the 314-316 development, the 314-316 project has subsequently been scaled down by 25% from what was analyzed in that project's Traffic Impact Study.

The No-Build Traffic Volumes are illustrated on Exhibit FEIS III.E-4.

In order to further verify the 2% background growth rate utilized in the DEIS, TRC referenced the NYSDOT Traffic Data Forecaster (<https://www.dot.ny.gov/highway-data-services>) for roadways in the Village of Port Chester and the City of Rye. An average of growth rates for these two municipalities yields an annual growth rate of only 0.32% per year. Therefore, the 2% background growth rate is more than conservative. Furthermore, some comments questioned whether an analysis for Estimated Time of Completion plus 10 years (ETC +10) would need to be conducted. When applying the 2% annually compounded growth rate for 4 years (2014 to 2018 Design Year) a total growth rate of 8.24% was applied to the Existing Traffic Volumes. Applying the 0.32% for a total of 14 years yields a total growth rate of 4.57%. Therefore, the analysis conducted in the DEIS and updated in the FEIS serves as an ETC+10 analysis.

Based on the foregoing, it is the Applicant's opinion that the base traffic volumes utilized in the DEIS Traffic Analysis, as well as the updated FEIS Traffic Analysis provide a very conservative approach to determining potential traffic impacts.

TRIP GENERATION

Additional verification was conducted for the Trip Generation utilized in the DEIS. This verification focused on the following items:

Mix of Retail Uses

A comparison was conducted between modeling the Proposed Project's retail use under three different scenarios versus how it was modeled in the DEIS. These three scenarios were as follows:

1. Consider the Specialty Retail component (ITE LUC 826) as Shopping Center (ITE LUC 820).
2. Consider the Specialty Retail and Supermarket (ITE LUC 850) as Shopping Center.
3. Consider all Retail and Restaurant (ITE LUC 931, 932 and 933) as Shopping Center.

The following Table III.E-2, Retail Use Trip Generation Comparison, summarizes the comparison of the DEIS Trip Generation versus these three scenarios:

Table FEIS III.E-2									
Retail Use Trip Generation Comparison									
Scenario	Peak AM Hour			Peak PM Hour			Peak Saturday Hour		
	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
DEIS	625	355	980	432	464	896	554	433	987
Scenario 1	599	302	901	441	472	913	583	436	1,019
Difference	-26	-53	-79	9	8	17	29	3	32
Scenario 2	591	299	890	429	466	895	570	420	990
Difference	-34	-56	-90	-3	2	-1	16	-13	3
Scenario 3	431	235	666	360	503	863	519	421	940
Difference	-194	-120	-314	-72	39	-33	-35	-12	-47

Source: TRC Engineers, Inc.

As can be seen in Table III.E-2 above, the Trip Generation utilized in the DEIS is higher than any of the other scenarios or within 3% of any scenario where it was lower. Based on the foregoing, it is the Applicant's opinion that the Trip Generation Rates utilized for the Retail component of the Proposed Project are appropriate. Additional detail for the Trip Generation of each scenario is provided in FEIS Appendix E.

Mass Transit Credit

In order to verify the adequacy of the Mass Transit Credit utilized in the DEIS, walking distance measurements were calculated from the Project Site to the Rye and Port Chester Metro-North Train Stations. Based upon these measurements, it was determined that the walking distance to the Rye and Port Chester stations was 0.64 miles and 0.72 miles, respectively. In the Applicant's opinion, these distances are adequate to support the Mass Transit Credits utilized in the DEIS, which were based upon Census Data for Port Chester and Rye.

Transportation Service & Jitney

The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

The Post Implementation Traffic Study, discussed below, will not be undertaken until the Proposed Project is at 'full occupancy' for a certain period of time. To determine the impact of discontinuing the service, the Post Implementation Traffic Study will include ridership numbers for the jitney. The additional trips that would be generated if the service were to be eliminated will be applied to the number of actual vehicle trips entering and exiting the Project Site. These totals can then be compared to the originally projected numbers and assuming that the total entering and exiting trips are below the original projections, and therefore fully anticipated in the original mitigation, discontinuation of the service, as proposed by the Applicant, will be at its discretion.

Based on the foregoing it is the Applicant's opinion that the Mass Transit Credit utilized in the DEIS is appropriate.

In order to determine any potential impact if a lesser Mass Transit Credit is realized at the Project Site, a Sensitivity Analysis has been conducted with a lowered Mass Transit Credit for the residential uses. This Sensitivity Analysis utilized a Mass Transit Credit of 25%, as recommended by the Village of Port Chester's Traffic Consultant. The Sensitivity Analysis was conducted during the Peak AM, Peak PM and Peak Saturday Hours at the following locations:

1. US Route 1 and South Regent Street
2. US Route 1 and Kohl's Driveway/Proposed Project Site Access
3. US Route 1 and High Street
4. US Route 1 and I-287 Westbound On-Ramp/I-95 Northbound Off Ramp
5. US Route 1 and I-287 Eastbound Off-Ramp/I-95 Southbound On-Ramp

The reduction in the Mass Transit Credit results in an overall increase in the Proposed Project-generated Traffic Volumes by less than 5%, during any of the Peak Hours, which would be further distributed amongst the Project Site Driveways and subsequently dispersed amongst the various Study Locations. This means that any one study location would experience even less than the 5% increase in Project-generated Traffic Volumes. The Trip Generation Table for the Sensitivity Analysis is contained in Appendix E.

In order to provide a Level of Service Comparison for the Sensitivity Analysis, the Build with Improvements Conditions were analyzed at the five Sensitivity Analysis Study Locations. All analysis includes adequate pedestrian crossing times in the associated vehicular traffic signal phase. The following Table provides an Overall Level of Service Comparison between the FEIS Level of Service results versus the Sensitivity Analysis Level of Service results:

**TABLE FEIS III.E-3
MASS TRANSIT SENSITIVITY ANALYSIS LEVEL OF SERVICE SUMMARY**

	Peak AM Hour		Peak PM Hour		Peak Saturday Hour	
	FEIS LOS (Delay)	Sensitivity LOS (Delay)	FEIS LOS (Delay)	Sensitivity LOS (Delay)	FEIS LOS (Delay)	Sensitivity LOS (Delay)
US Route 1 and South Regent Street	F (~~483.3~~ <u>171.1</u>)	F (~~482.7~~ <u>172.0</u>)	F (~~306.6~~ <u>222.8</u>)	F (~~309.5~~ <u>223.9</u>)	F (~~295.0~~ <u>176.3</u>)	F (~~295.2~~ <u>176.9</u>)
US Route 1 and Kohl's Driveway/Propose d Project Site Access	D (~~37.0~~ <u>49.2</u>)	D (~~37.6~~ <u>50.4</u>)	~~D~~ (~~53.4~~ <u>E</u> (<u>70.2</u>))	~~D~~ (~~53.9~~ <u>E</u> (<u>72.4</u>))	E (~~61.4~~ <u>79.8</u>)	~~E~~ (~~62.3~~ <u>F</u> (<u>81.2</u>))
US Route 1 and High Street	A (~~8.0~~ <u>B</u> (<u>10.7</u>))	A (~~8.2~~ <u>B</u> (<u>11.0</u>))	B (~~19.2~~ <u>C</u> (<u>30.9</u>))	B (~~19.4~~ <u>C</u> (<u>31.6</u>))	B (~~10.5~~ <u>13.8</u>)	B (~~10.8~~ <u>14.1</u>)
US Route 1 and I- 287 Westbound On-Ramp/I-95 Northbound Off Ramp	d (~~32.6~~ <u>34.0</u>)	d (~~32.8~~ <u>34.2</u>)	d (~~33.0~~ <u>e</u> (<u>38.2</u>))	d (~~34.8~~ <u>e</u> (<u>40.6</u>))	c (19.6)	c (20. <u>20</u>)
US Route 1 and I- 287 Eastbound Off- Ramp/I-95 Southbound On- Ramp	~~D~~ (~~36.4~~ <u>F</u> (<u>101.0</u>))	~~D~~ (~~37.6~~ <u>F</u> (<u>101.9</u>))	~~D~~ (~~42.4~~ <u>F</u> (<u>87.9</u>))	~~D~~ (~~44.3~~ <u>F</u> (<u>90.1</u>))	~~E~~ (~~54.3~~ <u>55.7</u> (<u>93.4</u>))	~~E~~ (~~34~~ <u>E</u> (<u>56.2</u>))

Note: - Signalized intersections represented by upper case letters.
 - Unsignalized intersections represented by lower case letters.
 - Delay is in seconds per vehicle.

Source: TRC Engineers, Inc.

As can be seen in the Table III.E-3, Mass Transit Sensitivity Analysis LOS above, there would be minimal change in Overall Levels of Service at the Sensitivity Analysis Study Locations with the adjusted Mass Transit Credit. The largest increase in average vehicular delay only represents a 5.4% increase in delay with the lowered Mass Transit Credit. 6.3% increase in delay with the lowered Mass Transit Credit. This occurs at the intersection of US Route 1 and I-287 Westbound On-Ramp/I-95 Northbound Off Ramp, during the Peak PM Hour, and is only a 2.4 second increase in delay and maintains the same Level of Service 'D'. All other locations and time periods would not experience more than a 3.5% increase in delay with the lowered Mass Transit Credit. Based on the foregoing, it is the Applicant's opinion that the change in Mass

Transit Credit will not have any significant impact upon the findings of the FEIS Traffic Analysis. Detailed Level of Service Tables and Capacity Analysis Worksheets for the Mass Transit Sensitivity Analysis are contained in Appendix E. Although more vehicles are present along the roadways with the lower transit credit, in certain circumstances, the minor increase in overall delay averaged over a greater number of vehicles could result in slightly lower average vehicle delay on a particular movement.

Restaurant Hourly Distribution on a Saturday

High-Turnover and Quality Sit-Down Restaurants typically peak in the evening on a Saturday. Therefore, a factor was applied to the Trip Generation calculated for these two uses to account for their actual Trip Generation during the Peak Saturday Midday Hour. For High-Turnover Restaurant, the Hourly Distribution provided in the Institute of Transportation Engineers (ITE) publication entitled “Trip Generation”, 9th Edition was applied. For Quality Restaurant, the Hourly Distribution provided in the Urban Land Institute (ULI) publication entitled “Shared Parking”, 2nd Edition was applied. These hourly distributions are accepted throughout industry practice, and thus are appropriate to be applied in the case of the Proposed Project. Back-up information concerning these hourly distributions are contained in FEIS Appendix E.

TRIP DISTRIBUTIONS

Based upon comments from the Lead Agency’s Traffic Consultant, and various review interested and involved agencies (Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant), referred to in this Chapter as the “various review agencies”, travel time runs were conducted along certain anticipated travel routes to and from the Project Site during the peak roadway periods. The following routes were identified based upon feedback from the Village of Port Chester’s Traffic Consultant:

1. I-287 via Exit 10 to Purchase Street to Ridge Street to High Street to the Project Site
2. I-287 via Exit 10 to Westchester Avenue to Ridge Street to High Street to the Project Site
3. I-287 via Exit 11 to The Boston Post Road to Project Site
4. I-95 via Exit 2 (Delavan Avenue) to Main Street to The Boston Post Road to the Project Site
5. I-95 via Exit 21 (Midland Avenue) to Peck Avenue to The Boston Post Road to the Project Site

The travel time runs were conducted by personnel driving these travel routes to and from the Project Site, during the following time periods:

1. Saturday, April 9, 2016 from 1:00 PM to 3:00 PM

2. Tuesday, April, 12, 2016 from 7:00 AM to 9:00 AM
3. Tuesday, April 12, 2016 from 4:45 PM to 6:45 PM

Detailed information concerning the travel time runs are contained in Appendix E. Based upon these travel time runs, as well as input received from the various review agencies (~~Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant~~), the Trip Distributions were revised to provide an understanding of anticipated impacts, if any, should traffic arrive/depart the Project Site in a different manner from what was analyzed in the DEIS (i.e., if cars would take different routes to and from the Project Site). The two main adjustments to the Trip Distributions, were as follows:

- 5% more traffic oriented to I-95 to the north utilizing Midland Avenue/Peck Avenue to travel to/from the Project Site. This traffic was previously estimated to arrive/depart via Boston Post Road to the north.
- 5% more traffic utilizing Exit 10 off I-287 versus Exit 11 and subsequently utilizing Purchase Street/Ridge Street/High Street to travel to/from the Project Site.

The Arrival and Departure Distributions with the shifts noted above are illustrated on Exhibits FEIS III.E-5 through FEIS III.E-12. These Distributions illustrate the Trip Distributions without the proposed High Street turning restrictions. Exhibits FEIS III.E-13 through FEIS III.E-20 illustrate the Trip Distributions with the proposed High Street turning restrictions.

In addition to the Proposed Project-generated Trip Distributions, there are also existing traffic volumes that would need to be re-routed due to the proposed High Street turning restrictions. These re-routed Traffic Volumes are illustrated on Exhibit FEIS III.E.21. Finally, existing traffic volumes associated with current 999 High Street residents entering and exiting the Project Site must be removed from the background traffic. These traffic volumes are illustrated on Exhibit FEIS.III.E.22.

It should also be noted that the Pass-By Trips utilized in the DEIS Traffic Study incorrectly accounted for twice as many Pass-By Trips at the Project Site driveway locations. The appropriate Pass-By Trip Volumes have been utilized in the FEIS Traffic Study. ~~These Pass-by Trip Volumes are in accordance with the Pass-by Trips outlined in the Trip Generation that was included in the Trip Generation Table of the DEIS and subsequently received no comments from the reviewing agencies at that time and the analysis now reflects the appropriate volumes. It is further noted that although the corrected Pass-by Trip Volumes reduce the volumes entering and exiting the Project Site Driveways, it increases the volumes on the corresponding mainline movements that had been previously reduced in the DEIS Traffic Study.~~ The Pass-By Trip Volumes are illustrated on Exhibit FEIS III.E.22A contained at the end of this Chapter, as well as in Appendix E.

BUILD TRAFFIC VOLUMES

Utilizing the Trip Distributions illustrated on Exhibits FEIS III.E-5 through FEIS III.E-12, Proposed Project-generated Traffic Volumes were developed for the Build without Improvements Condition (no High Street turning restrictions). These Proposed Project-generated Traffic Volumes are illustrated on Exhibit FEIS III.E-23. These Proposed Project-generated Traffic Volumes were combined with the No-Build Traffic Volumes illustrated on Exhibit FEIS III.E-4, as well as the 999 High Street removed Traffic Volumes illustrated on Exhibit FEIS III.E-22 to yield the Build without Improvements Traffic Volumes illustrated on Exhibit FEIS III.E-24.

Utilizing the Trip Distributions illustrated on Exhibits FEIS III.E-13 through FEIS III.E-20, Proposed Project-generated Traffic Volumes were developed for the Build with Improvements Condition (includes High Street turning restrictions). These Proposed Project-generated Traffic Volumes are illustrated on Exhibit FEIS III.E-25. These Proposed Project-generated Traffic Volumes were combined with the No-Build Traffic Volumes illustrated on Exhibit FEIS III.E-4, as well as the High Street Re-routed Traffic Volumes illustrated on Exhibit FEIS III.E-21 and 999 High Street removed Traffic Volumes illustrated on Exhibit FEIS III.E-22 to yield the Build with Improvements Traffic Volumes illustrated on Exhibit FEIS III.E-26.

TRAFFIC ANALYSIS

Certain base parameters previously utilized in the DEIS traffic analysis have been further investigated and adjusted where appropriate, based on comments received on the DEIS, as well as subsequent comments received on the preliminary FEIS traffic analysis. Some of these base parameters include the following:

- Pedestrian Lead Interval – NYSDOT issued a Pedestrian Safety Action Plan, dated June 20, 2016 (copy contained in Appendix E). As part of this plan, the NYSDOT has an objective to provide Pedestrian Lead Intervals for crossings at all signalized intersections along the Boston Post Road corridor. This would provide a 5-second Pedestrian Lead Interval for each Pedestrian Traffic Signal Phase. This would increase All-Red signal time for vehicular traffic by an additional 5 seconds for every Pedestrian Signal Phase provided at each intersection. This safety improvement will have significant vehicular capacity impacts, which would occur with or without the Proposed Project. The FEIS Traffic Analysis conservatively assumes that the Pedestrian Lead Interval will occur during every traffic signal cycle, when in reality the Pedestrian Lead Interval would only occur for the corresponding pedestrian crossing if the pedestrian push button was pressed for that crossing. The implementation of the Pedestrian Lead Interval will result in the loss of available vehicular capacity that would have otherwise been available to offset a portion of the traffic impacts from the Proposed Project. Since the Pedestrian Lead Interval is a NYSDOT-initiated Project, it is the Applicant's opinion that any additional vehicular traffic impacts associated with this pedestrian safety

improvement are not the burden of the Applicant and should not result in the provision of additional mitigation by the Applicant that would otherwise not be warranted without implementation of the Pedestrian Lead Interval. This is further discussed below where most applicable to a particular location, such as the Proposed Project Site Driveway intersection with the Boston Post Road.

- Right-turn on Red (RTOR) Restrictions - RTOR movements that would conflict with a pedestrian movement must be restricted during the associated Pedestrian Lead Interval Phase. It should be noted that RTOR movements can be maintained during non-conflicting phases by use of LED blankout signs. To be conservative the FEIS Traffic Analysis has restricted all RTOR movements at each location, at all times. As noted previously, since the Pedestrian Lead Interval is a NYSDOT-initiated Project, it is the Applicant's opinion that any additional vehicular traffic impacts associated with this pedestrian safety improvement are not impacts of the Proposed Project and should not result in the provision of additional mitigation by the Applicant that would otherwise be warranted without implementation of the Pedestrian Lead Interval. This is further discussed below where most applicable to a particular location, such as the Proposed Project Site Driveway intersection with the Boston Post Road.
- Central Business District (CBD) – The 2010 Highway Capacity Manual provides an input parameter to be utilized when an intersection is in a CBD type of environment. The 2010 Highway Capacity Manual states: “An intersection is considered to be in a CBD, or similar type of area, when its characteristics include narrow street right-of-way, frequent parking maneuvers, vehicle blockages, taxi and bus activity, small-radius turns, limited use of exclusive turn lanes, high pedestrian activity, dense population, and midblock curb cuts”. Although all Study Area intersections do not exhibit all of these characteristics, it was agreed upon by the various review agencies (~~Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant~~) that utilization of this parameter along the Boston Post Road would provide the most accurate analysis of baseline conditions and anticipated Project impacts on traffic. Based on the foregoing, all Study Area intersections along the Boston Post Road Corridor utilized the CBD parameter in the FEIS Traffic Analysis. It is the Applicant's opinion that full inclusion of this parameter at locations that do not fully exhibit all the criteria listed above, provides a conservative analysis of future conditions.
- Additional Pedestrian Volumes – The Village of Port Chester Traffic Consultant has provided pedestrian volumes to be included in the FEIS Traffic Analysis that considers additional Proposed Project-generated pedestrian traffic walking to/from the Project Site to/from the Port Chester and Rye train stations. These pedestrian volumes are illustrated on Exhibits FEIS.III.E-3A and FEIS.III.E-3B. These pedestrian volumes were conservatively included in the FEIS Traffic Analysis even though the Applicant is committed to providing a jitney service between the Project Site and the Port Chester

and/or Rye train station(s). In the Applicant's opinion, inclusion of these pedestrian volumes and identification of potential vehicular traffic impacts associated with them demonstrate the benefit of providing the jitney service.

- South Regent Street Single Lane Approach – Due to the substandard right-turn lane currently provided on the South Regent Street approach to the Boston Post Road, it was agreed amongst the various review agencies that the FEIS Traffic Analysis should consider treatment of this approach as a single lane approach. The FEIS Traffic Analysis conservatively analyzes the approach as one 12-foot lane. Although the right-turn lane is substandard and blocked by left turning vehicles a significant amount of time during the Peak Hours, there is some benefit provided with the substandard right-turn lane. Therefore, the results of the analysis presented herein are a worst case scenario and in reality the operations will be better than indicated by the capacity analyses. The left-turn and right-turn factors utilized in this analysis are in conformance with the HCM methodology.
- High Street Single Lane Approach – The DEIS traffic analysis considered the High Street approach to the Boston Post Road as a two-lane approach under current geometry, due to the wider lane that flares out as a vehicle approaches the Boston Post Road. It was agreed amongst the various review agencies that the FEIS traffic analysis should consider treatment of this approach as a single lane approach, since the two lanes are not specifically designated via striping at this location. The FEIS Traffic Analysis conservatively analyzes the approach as one 12-foot lane. It should be noted that the Build with Improvements condition in the FEIS traffic analysis already considered conversion of this approach to a single right-turn lane (with left-turns restricted).
- Peak Hour Factors (PHF) – PHF is the proportion of peak hour volume occurring in the peak 15 minutes. The Peak 15-minute volume is computed as the hourly volume divided by four times the PHF. The DEIS traffic analysis utilized calculated PHF's for each individual movement based upon the actual counts in the field. Additional information is provided in Appendix E for how these PHF's were calculated. These PHF's are representative of actual field conditions, which was verified through the Synchro/SimTraffic Simulation Model calibration. Therefore, these calculated PHF's have been used in the FEIS traffic analysis. It should also be noted that the use of calculated PHF's for each individual movement represents a worst-case approach as it creates a scenario where each movement will peak in the same 15-minute period during the peak hour, when in reality this scenario does not always occur. The Highway Capacity Manual recommends the use of a single PHF for the entire intersection to avoid creating traffic volume demand scenarios that are disproportionate to the actual traffic volumes.

- Saturated Flow Rates – The Ideal Saturated Flow Rate is a value that specifies the maximum steady flow rate at which previously stopped passenger cars can cross the stop line of a signalized intersection under typical conditions, assuming that the green signal is available and no lost times are experienced. The Saturated Flow Rate utilized in the analysis is in accordance with the recommended value in the Highway Capacity Manual and the Saturated Flow Rates are per the calculated values derived via the Synchro software. Additionally, the conditions are representative of actual field conditions, which was verified through the Simulation Model calibration.
- Left-turn Factor – The Left-turn Factor on the I-287 eastbound off-ramp (Exit 11) approach to The Boston Post Road has been adjusted to better represent actual field conditions, due to the skewed angle of the approach. This factor was adjusted for both Existing and proposed Improvement Conditions, based upon the geometry that exists/would exist under either condition. The proposed Improvement Condition will lessen the skew and thus improve the Existing Condition. Detailed information on the Left-turn Factor calculations are provided in Appendix E.
- Percent turns in shared lane – The updated improvement on the I-287 eastbound off ramp (Exit 11) now proposes ~~two~~one dedicated left-turn lane, one shared left-turn/right-turn lanes and one dedicated right-turn lane. Since both the right-turn and left-turn movements have the option of performing their turning maneuver from a dedicated lane or a shared lane, the percent turns for each movement utilizing the shared lane must be identified. Therefore, this input parameter~~The updated analysis utilized the default calculation of percent turns in the shared lane, which is no longer applicable to this location~~calculated in accordance with HCM methodology.
- Pedestrian signal timings and counts – All analyses have been updated to properly incorporate the required pedestrian signal timings and pedestrian crossing counts at each associated location. As~~A separate pedestrian phase was not added to the model for signals where pedestrian crossing time is adequately accommodated in the vehicular phasing/timing per the Synchro User Manual (see Appendix E). It should be noted that previously,~~ the NYSDOT has also provided information with respect to a Statewide Pedestrian Safety Action Plan recently adopted that would enhance pedestrian safety by providing a Pedestrian Lead Interval for all pedestrian crossings along the Boston Post Road corridor. A separate pedestrian phase was not added to the model for signals where pedestrian crossing time is adequately accommodated in the vehicular phasing/timing per the Synchro User Manual (see Appendix E). This is discussed in more detail in the Supplemental Traffic Analysis Section outlined below.

The FEIS traffic analysis was conducted utilizing these updated base parameters, as well as the Existing, No-Build, Build and Build with Improvements Traffic Volumes (Exhibits FEIS.III.E-2, FEIS.III.E-4, FEIS.III.E-24 and FEIS.III.E-26, respectively). It is the Applicant's opinion that

utilization of all these base parameters, which may not be fully representative of the conditions at particular locations (i.e. CBD parameter) and inclusion of items that are still indeterminate as to timing or actual implementation (i.e. Pedestrian Lead Interval) in combination with the very conservative background traffic volume development and inclusion of pedestrian volumes that would be served by the proposed jitney service, and thus may never materialize, provides a very conservative projection of future traffic operating conditions. This is discussed in more detail below in the discussions concerning the analysis results for the Proposed Project Site Driveway and South Regent Street intersections with the Boston Post Road. For instance, and as discussed below, the utilization of the CBD parameter at the Proposed Project Site Driveway intersection results in up to 31% more Overall Delay at that particular location, versus not utilizing the CBD parameter. Additionally, this location only exhibits a fraction of the characteristics (three of the nine) that are associated with the CBD parameter. Finally, two of three characteristics it does exhibit (narrower right-of-way widths and high pedestrian activity) are already specifically addressed via adjustment of other parameters such as entering the specific lane widths for each movement and accounting for the Pedestrian Lead Interval. The Capacity Analysis Worksheets are included in Appendix E. The following Tables III.E-4, Level of Service Summary for 2014 Existing Conditions, III.E-5, Level of Service Summary for 2018 No-Build Conditions, III.E-6, Level of Service Summary for 2018 Build Conditions, III.E-7, Level of Service Summary for 2018 Build with Improvements Conditions, III.E-8, 2018 Level of Service Summary Table, summarize the Overall Levels of Service for each Study Location (detailed Level of Service Summary Tables are provided in Appendix E):

Table FEIS III.E-4
Level of Service Summary for 2014 Existing Conditions

Study Location		Peak AM Hour		Peak PM Hour		Peak Sat. Hour	
		LOS	Delay	LOS	Delay	LOS	Delay
1	Project Site Access & High Street	b	11.3	b	12.4	b	12.3
2	Boston Post Road & Slater Street	B	19.7	C	21.3	B	18.5
3	Boston Post Road & Pearl Street	D	37.8	C	34.3	C	26.7
4	Boston Post Road & South Regent Street	~~FE~~	~~32166.9~~	F	~~300.4119.7~~	~~FE~~	~~239.276.6~~
5	Boston Post Road & Kohl's Driveway/Proposed Project Site Driveway	B	10.1	B	17.7	B	17.6

6	Boston Post Road & High Street	B	~~13.3~~ <u>19.0</u>	~~CF~~	~~24.8~~ <u>83.2</u>	~~CD~~	~~22~~ <u>45.6</u>
6a	Weave from I-95 to High Street	~~bc~~	~~28.3~~ <u>18.4</u>	~~bd~~	~~23.0~~ <u>35.4</u>	~~bc~~	~~23.6~~ <u>36.3</u>
7	Boston Post Road & I-287 WB On-Ramp/I-95 NB Off-Ramp	c	15.9	c	18.6	b	13.7
8	Boston Post Road & I-287 EB Off-Ramp/I-95 SB On-Ramp	E	~~56.9~~ <u>61.5</u>	D	51.9	~~CD~~	~~34.7~~ <u>37.6</u>
9	Boston Post Road & Hillside Road	c	17.6	d	26.0	c	23.0
10	Ridge Street & High Street	A	~~8.7~~ <u>0</u>	A	~~9.0~~ <u>8.1</u>	A	~~9.8~~ <u>0</u>
11	High Street & Grandview Avenue	b	10.6	b	11.4	b	10.9
12	High Street & Evergreen Avenue	b	10.0	b	11.7	b	11.3
13	Boston Post Road & Cedar Street	C	28.8	C	21.2	B	13.9
14	Boston Post Road & Peck Avenue	C	34.2	C	25.2	C	25.8
15	Peck Avenue & Midland Avenue	~~DC~~	~~40.7~~ <u>29.8</u>	~~DC~~	~~38.5~~ <u>28.2</u>	D	~~55.0~~ <u>38.4</u>
16	Hillside Road/Wappanocca Avenue & Purchase Street (NY Route 120)	c	22.7	c	25.0	c	18.0
17	Hillside Road & Grandview Avenue	a	8.8	a	7.7	a	7.5
18	Boston Post Road/Purdy Ave. & Grace Church St./S. Main St (US Rt. 1)	B	19.9	C	23.4	C	21.0
19	Boston Post Road & Olivia Street	a	1.4	a	1.5	a	0.9
20	Purchase Street and Ridge Street	~~eb~~	~~14.6~~ <u>15.7</u>	~~dc~~	~~26.6~~ <u>23.5</u>	c	~~17.5~~ <u>16.1</u>
21	South Ridge Street and Bowman Avenue	D	~~48.7~~ <u>41.0</u>	D	~~44~~ <u>36.3</u>	C	~~32.0~~ <u>29.7</u>
22	South Ridge Street/North Ridge Street and Westchester Avenue	~~FE~~	~~94.6~~ <u>64.4</u>	F	~~126.1~~ <u>89.0</u>	C	~~33~~ <u>29.6</u>

Note: - Signalized intersections represented by upper case letters.

- Unsignalized intersections represented by lower case letters.

- Delay is in seconds per vehicle.

- LOS for unsignalized intersections are based upon the critical approach.

- Weave analysis for Study Location 6a is in passenger cars/miles/lane. ~~The weave analysis utilizes the minimum allowed weaving distance of 300 feet; however, the optimal weaving distance from the ramp to High Street is only 195 feet, and even less or non-existent when Boston Post Road queues are accounted for.~~

~~Therefore, this analysis does not truly represent the actual operating conditions, which are likely better than the model predicts. Results indicated represent proportioned results, based upon actual weaving length compared to minimum 300-foot weaving length allowed in software analysis.~~

Source: TRC Engineers, Inc.

Table FEIS III.E-5
Level of Service Summary for 2018 No-Build Conditions

Study Location		Peak AM Hour		Peak PM Hour		Peak Sat. Hour	
		LOS	Delay	LOS	Delay	LOS	Delay
1	Project Site Access & High Street	b	11.7	b	13.0	b	12.8
2	Boston Post Road & Slater Street	~~GD~~	~~21.836.3~~	~~GE~~	~~24.857.4~~	~~GD~~	~~21.141.0~~
3	Boston Post Road & Pearl Street	~~DE~~	~~45.064.4~~	~~DE~~	~~43.563.7~~	~~GD~~	~~31.346.6~~
4	Boston Post Road & South Regent Street	F	~~378.9168.5~~	F	~~352.3228.4~~	F	~~287.4173.9~~
5	Boston Post Road & Kohl's Driveway/Proposed Project Site Driveway	B	~~40.813.5~~	~~GD~~	~~21.947.2~~	C	~~23.330.7~~
6	Boston Post Road & High Street	~~BF~~	~~13.0103.6~~	~~DF~~	~~45.3238.0~~	~~DF~~	~~39.9205.3~~
6a	Weave from I-95 to High Street	~~bc~~	~~20.130.9~~	~~ee~~	~~25.138.6~~	~~ee~~	~~25.839.7~~
7	Boston Post Road & I-287 WB On-Ramp/I-95 NB Off-Ramp	c	17.7	c	21.9	b	14.4
8	Boston Post Road & I-287 EB Off-Ramp/I-95 SB On-Ramp	F	~~80.7113.2~~	~~EF~~	~~67.990.2~~	~~DE~~	~~46.257.4~~
9	Boston Post Road & Hillside Road	c	19.6	d	31.8	d	26.7
10	Ridge Street & High Street	A	~~9.08.2~~	A	~~9.78.6~~	~~BA~~	~~10.39.4~~
11	High Street & Grandview Avenue	b	10.8	b	11.8	b	11.3
12	High Street & Evergreen Avenue	b	10.2	b	12.2	b	11.7
13	Boston Post Road & Cedar Street	~~GD~~	~~34.453.0~~	C	~~23.033.5~~	B	~~45.117.9~~
14	Boston Post Road & Peck Avenue	D	~~4144.7~~	C	~~26.931.3~~	C	~~33.127.8~~

15	Peck Avenue & Midland Avenue	D	~~54.0~~ <u>37.8</u>	D	~~50.8~~ <u>35.7</u>	~~ED~~	~~71.2~~ <u>50.0</u>
16	Hillside Road/Wappanocca Avenue & Purchase Street (NY Route 120)	d	26.0	d	29.4	c	19.8
17	Hillside Road & Grandview Avenue	a	9.1	a	7.8	a	7.5
18	Boston Post Road/Purdy Ave. & Grace Church St./S. Main St (US Rt. 1)	C	~~20.8~~ <u>29.4</u>	~~CD~~	~~36.7~~ <u>28.3</u>	C	~~31.7~~ <u>22.5</u>
19	Boston Post Road & Olivia Street	a	1.5	a	1.7	a	0.9
20	Purchase Street and Ridge Street	c	~~15.7~~ <u>17.2</u>	~~ed~~	~~30.3~~ <u>35.1</u>	c	~~19.8~~ <u>18.0</u>
21	South Ridge Street and Bowman Avenue	~~ED~~	~~61.4~~ <u>47.2</u>	D	~~53.2~~ <u>41.9</u>	~~DC~~	~~35~~ <u>31.3</u>
22	South Ridge Street/North Ridge Street and Westchester Avenue	F	~~150.1~~ <u>109.8</u>	F	~~190.2~~ <u>142.4</u>	~~DC~~	~~40.2~~ <u>32.9</u>

Note: - Signalized intersections represented by upper case letters.
 - Unsignalized intersections represented by lower case letters.
 - Delay is in seconds per vehicle.
 - LOS for unsignalized intersections are based upon the critical approach.
 - Weave analysis for Study Location 6a is in passenger cars/miles/lane. ~~The weave analysis utilizes the minimum allowed weaving distance of 300 feet; however, the optimal weaving distance from the ramp to High Street is only 195 feet, and even less or non-existent when Boston Post Road queues are accounted for. Therefore, this analysis does not truly represent the actual operating conditions, which are likely better than the model predicts. Results indicated represent proportioned results, based upon actual weaving length compared to minimum 300-foot weaving length allowed in software analysis.~~

Source: TRC Engineers, Inc.

Table FEIS III.E-6
Level of Service Summary for 2018 Build Conditions

Study Location		Peak AM Hour		Peak PM Hour		Peak Sat. Hour	
		LOS	Delay	LOS	Delay	LOS	Delay
1	Project Site Access & High Street	c	15.1	c	19.1	c	~~19.7~~ <u>1</u>
2	Boston Post Road & Slater Street	~~CD~~	~~26.0~~ <u>47.1</u>	~~CE~~	~~30.3~~ <u>80.0</u>	~~CE~~	~~25.5~~ <u>59.2</u>
3	Boston Post Road & Pearl Street	~~DE~~	~~54.0~~ <u>76.9</u>	~~DE~~	~~52.2~~ <u>76.7</u>	~~DE~~	~~39.4~~ <u>63.5</u>
4	Boston Post Road & South	F	~~441.3~~ <u>214.0</u>	F	~~420.5~~ <u>277.1</u>	F	~~351.6~~ <u>219.4</u>

	Regent Street						
5	Boston Post Road & Kohl's Driveway/Proposed Project Site Driveway	C	~~29.5~~ <u>23.9</u>	~~DE~~	~~47.9~~ <u>62.4</u>	~~DE~~	~~48~~ <u>64.8</u>
6	Boston Post Road & High Street	F	~~93.0~~ <u>296.2</u>	F	~~109.0~~ <u>339.5</u>	F	~~123.2~~ <u>323.8</u>
6a	Weave from I-95 to High Street	~~ef~~	~~27.5~~ <u>42.3</u>	~~ef~~	~~30.2~~ <u>46.5</u>	~~df~~	~~32.4~~ <u>49.8</u>
7	Boston Post Road & I-287 WB On-Ramp/I-95 NB Off-Ramp	d	33.3	e	38.0	c	20.1
8	Boston Post Road & I-287 EB Off-Ramp/I-95 SB On-Ramp	F	~~122.2~~ <u>159.7</u>	F	~~117.0~~ <u>143.3</u>	F	~~87.1~~ <u>105.7</u>
9	Boston Post Road & Hillside Road	~~ed~~	~~22.0~~ <u>27.9</u>	~~ef~~	~~39.4~~ <u>52.3</u>	d	32.3
10	Ridge Street & High Street	B	~~13.0~~ <u>11.7</u>	B	~~15.8~~ <u>13.2</u>	B	~~19.5~~ <u>17.0</u>
11	High Street & Grandview Avenue	b	12.0	b	12.7	b	12.5
12	High Street & Evergreen Avenue	b	10.8	b	13.3	b	12.7
13	Boston Post Road & Cedar Street	~~GD~~	~~33.7~~ <u>51.0</u>	C	~~22.9~~ <u>32.6</u>	B	~~15.2~~ <u>17.9</u>
14	Boston Post Road & Peck Avenue	E	~~57~~ <u>60.3</u>	~~GD~~	~~34.2~~ <u>38.9</u>	D	~~35.5~~ <u>41.4</u>
15	Peck Avenue & Midland Avenue	~~ED~~	~~67.1~~ <u>46.9</u>	~~ED~~	~~70.0~~ <u>49.3</u>	~~FE~~	~~89~~ <u>64.4</u>
16	Hillside Road/Wappanocca Avenue & Purchase Street (NY Route 120)	d	26.6	d	30.2	c	20.3
17	Hillside Road & Grandview Avenue	a	9.1	a	7.8	a	~~7.6~~ <u>5</u>
18	Boston Post Road/Purdy Ave. & Grace Church St./S. Main St (US Rt. 1)	C	~~20.5~~ <u>29.4</u>	~~GD~~	~~33.6~~ <u>41.8</u>	C	~~23.0~~ <u>32.7</u>
19	Boston Post Road & Olivia Street	a	~~1.5~~ <u>6</u>	a	~~1.7~~ <u>9</u>	a	~~1.0~~ <u>9</u>
20	Central Project Site Access & High Street	c	17.7	d	~~25.2~~ <u>35.0</u>	d	~~26.6~~ <u>25.2</u>
21	Easterly Project Site Access & High Street	c	18.8	c	~~21.5~~ <u>1</u>	c	21.5
22	Northerly Project Site	b	13.0	~~ab~~	~~9.2~~ <u>4</u>	~~ab~~	~~9.3~~ <u>6</u>

	Access & Boston Post Road						
23	Purchase Street and Ridge Street	c	~~18.2~~ 16.6	d	~~30.3~~ 33.8	c	~~24~~ 19.2
24	South Ridge Street and Bowman Avenue	~~ED~~	~~68.2~~ 51.4	D	~~54.9~~ 42.3	~~DC~~	~~37.3~~ 32.1
25	South Ridge Street/North Ridge Street and Westchester Avenue	F	~~167.2~~ 125.7	F	~~184.7~~ 139.0	D	~~45.4~~ 35.3

~~Note: Signalized intersections represented by upper case letters.~~

~~Unsignalized intersections represented by lower case letters.~~

~~Delay is in seconds per vehicle.~~

~~LOS for unsignalized intersections are based upon the critical approach.~~

~~Weave analysis for Study Location 6a is in passenger cars/miles/lane. The weave analysis utilizes the minimum allowed weaving distance of 300 feet; however, the optimal weaving distance from the ramp to High Street is only 195 feet, and even less or non-existent when Boston Post Road queues are accounted for. Therefore, this analysis does not truly represent the actual operating conditions, which are likely better than the model predicts.~~

Note: - Signalized intersections represented by upper case letters.

- Unsignalized intersections represented by lower case letters.

- Delay is in seconds per vehicle.

- LOS for unsignalized intersections are based upon the critical approach.

- Weave analysis for Study Location 6a is in passenger cars/miles/lane. Results indicated represent proportioned results, based upon actual weaving length compared to minimum 300-foot weaving length allowed in software analysis.

Source: TRC Engineers, Inc.

Table FEIS III.E-7

Level of Service Summary for 2018 Build with Improvements Conditions

Study Location		Peak AM Hour		Peak PM Hour		Peak Sat. Hour	
		LOS	Delay	LOS	Delay	LOS	Delay
1	Project Site Access & High Street	b	14.6	c	18.2	c	18.1
2	Boston Post Road & Slater Street	~~ED~~	~~26.0~~ 38.7	~~EE~~	~~56.8~~ 30.3	~~ED~~	~~25.5~~ 43.6
3	Boston Post Road & Pearl Street	~~ED~~	~~26.2~~ 35.3	~~ED~~	~~30.0~~ 50.3	~~BD~~	~~18~~ 36.9
4	Boston Post Road & South Regent Street	F	~~483.3~~ 171.1	F	~~306.6~~ 222.8	F	~~295.0~~ 176.3
5	Boston Post Road & Kohl's Driveway/Proposed Project Site Driveway	D	~~37.0~~ 49.2	~~DE~~	~~53.4~~ 70.2	E	~~61.4~~ 79.8
6	Boston Post Road & High	~~AB~~	~~8.0~~ 10.7	~~BC~~	~~19.2~~ 30.9	B	~~10.5~~ 13.8

	Street						
6a	Weave from I-95 to High Street	c	~~29.1~~ <u>30.6</u>	d	~~31.7~~ <u>33.4</u>	d	~~34.0~~ <u>35.8</u>
7	Boston Post Road & I-287 WB On-Ramp/I-95 NB Off-Ramp	d	~~34.0~~ <u>32.6</u>	~~de~~	~~38.2~~ <u>33.9</u>	c	19.6
8	Boston Post Road & I-287 EB Off-Ramp/I-95 SB On-Ramp	~~DF~~	~~36.4~~ <u>101.0</u>	~~DF~~	~~42.4~~ <u>87.9</u>	~~ED~~	~~33.4~~ <u>54.3</u>
9	Boston Post Road & Hillside Road	~~ed~~	~~22.0~~ <u>27.9</u>	~~ef~~	~~39.4~~ <u>52.3</u>	d	32.3
10	Ridge Street & High Street	B	~~13.0~~ <u>11.7</u>	B	~~15.8~~ <u>13.2</u>	B	~~19.5~~ <u>17.0</u>
11	High Street & Grandview Avenue	b	12.0	b	12.7	b	12.5
12	High Street & Evergreen Avenue	b	10.8	b	13.3	b	12.7
13	Boston Post Road & Cedar Street	~~ED~~	~~33.7~~ <u>51.0</u>	C	~~32.6~~ <u>22.9</u>	B	~~45.2~~ <u>17.9</u>
14	Boston Post Road & Peck Avenue	~~ED~~	~~31.6~~ <u>40.5</u>	C	~~29.5~~ <u>34.2</u>	~~ED~~	~~30.3~~ <u>9.9</u>
15	Peck Avenue & Midland Avenue	~~ED~~	~~59.8~~ <u>41.0</u>	~~ED~~	~~55.3~~ <u>8.5</u>	~~ED~~	~~77.0~~ <u>53.4</u>
16	Hillside Road/Wappanocca Avenue & Purchase Street (NY Route 120)	d	26.6	d	30.2	c	20.3
17	Hillside Road & Grandview Avenue	a	9.1	a	7.8	a	~~7.6~~ <u>5</u>
18	Boston Post Road/Purdy Ave. & Grace Church St./S. Main St (US Rt. 1)	C	~~20.5~~ <u>29.4</u>	~~ED~~	~~33.6~~ <u>41.8</u>	C	~~23.0~~ <u>32.7</u>
19	Boston Post Road & Olivia Street	a	~~1.5~~ <u>6</u>	a	~~1.7~~ <u>9</u>	a	~~1.0~~ <u>9</u>
20	Central Project Site Access & High Street	b	13.1	e	41.0	d	26.7
21	Easterly Project Site Access & High Street	b	10.6	b	12.4	b	11.9
22	Northerly Project Site Access & Boston Post Road	b	13.0	b	12.9	~~ba~~	~~13.6~~ <u>9.9</u>
23	Purchase Street and Ridge Street	c	~~18.2~~ <u>16.6</u>	d	~~30.3~~ <u>33.8</u>	c	~~21.1~~ <u>9.2</u>
24	South Ridge Street and Bowman Avenue	~~DC~~	~~43.2~~ <u>34.0</u>	~~DC~~	~~33.0~~ <u>43.3</u>	C	~~28.2~~ <u>5.5</u>

25	South Ridge Street/North Ridge Street and Westchester Avenue	~~FE~~	~~91.7~~ <u>63.3</u>	F	~~121.1~~ <u>88.2</u>	~~DC~~	~~29.5~~ <u>25.7</u>

Note: - Signalized intersections represented by upper case letters.
 - Unsignalized intersections represented by lower case letters.
 - Delay is in seconds per vehicle.
 - LOS for unsignalized intersections are based upon the critical approach.
 - Weave analysis for Study Location 6a is in passenger cars/miles/lane. ~~The weave analysis utilizes the minimum allowed weaving distance of 300 feet; however, although the optimal weaving distance from the ramp to the Project Site Driveway is 535 feet, the weaving distance is less than 300 feet when Boston Post Road queues are accounted for. Therefore, this analysis does not truly represent the actual future operating conditions, which are likely better than the model predicts. Results indicated represent proportioned results, based upon actual weaving length compared to minimum 300-foot weaving length allowed in software analysis.~~

Source: TRC Engineers, Inc.

Table FEIS III.E-8
2018 Level of Service Summary Table

Study Location		Peak AM Hour			Peak PM Hour			Peak Sat. Hour		
		No Build	Build	Build w/ Imp	No Build	Build	Build w/ Imp	No Build	Build	Build w/ Imp
		LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)
1	Project Site Access & High Street	b (11.7)	c (15.1)	b (14.6)	b (13.0)	c (19.1)	c (18.2)	b (12.8)	c (19.71)	c (18.1)
2	Boston Post Road & Slater Street	~~C~~ (21.8D) (36.3)	~~C~~ (26.0D) (47.1)	~~C~~ (26.0D) (38.7)	~~C~~ (24.8E) (57.4)	~~C~~ (30.3E) (80.0)	~~C~~ (30.3E) (56.8)	~~C~~ (21.1D) (41.0)	~~C~~ (25.5E) (59.2)	~~C~~ (25.5D) (43.6)
3	Boston Post Road & Pearl Street	~~D~~ (45.0E) (64.4)	~~D~~ (54.0E) (76.9)	~~C~~ (26.2D) (35.3)	~~D~~ (43.5E) (63.7)	~~D~~ (52.2E) (76.7)	~~C~~ (30.0D) (50.3)	~~C~~ (21.3D) (46.6)	~~D~~ (39.4E) (63.5)	~~B~~ (18D) (36.9)
4	Boston Post Road & South Regent Street	F (378.9168.5)	F (441.321.4.0)	F (483.317.1.1)	F (352.3228.4)	F (420.5277.1)	F (306.622.2.8)	F (287.417.3.9)	F (351.621.9.4)	F (295.01.76.3)
5	Boston Post Road & Kohl's Driveway/Proposed Project Site Driveway	B (10.813.5)	C (23.929.5)	D (37.049.2)	~~C~~ (21.9D) (47.2)	~~D~~ (47.9E) (62.4)	~~D~~ (53.1E) (70.2)	C (23.330.7)	~~D~~ (48E) (64.8)	E (61.179.8)
6	Boston Post Road & High Street	~~B~~ (13.0E) (103.6)	F (93.0296.2)	A (8.0B) (10.7)	~~D~~ (45.3E) (238.0)	F (109.0339.5)	~~B~~ (19.2C) (30.9)	~~D~~ (39.9E) (205.3)	F (123.232.3.8)	B (10.513.8)
6a	Weave from I-95 to High Street/Proposed Project Site Driveway	~~b~~ (20.4c) (30.9)	~~c~~ (27.5f) (42.3)	~~c~~ (29.130.6)	~~c~~ (25.1e) (38.6)	~~c~~ (30.2f) (46.5)	~~d~~ (33.4e) (7)	~~c~~ (25.8e) (39.7)	~~d~~ (32.4f) (49.8)	~~d~~ (34.035.8)
7	Boston Post Road & I-287 WB On-Ramp/I-95 NB Off-Ramp	c (17.7)	d (33.3)	~~d~~ (32.634.0)	c (21.9)	e (38.0)	~~d~~ (33.0e) (938.2)	b (14.4)	c (20.1)	c (19.6)
8	Boston Post Road & I-287 EB Off-Ramp/I-95 SB On-Ramp	F (80.7113.2)	F (122.215.9.7)	~~D~~ (36.4E) (101.0)	~~E~~ (67.9E) (90.2)	F (117.0143.3)	~~D~~ (42.4E) (87.9)	~~D~~ (46.2E) (57.4)	F (87.1105.7)	~~C~~ (33.1D) (54.3)
9	Boston Post Road & Hillside Road	c (19.6)	~~c~~ (22.0d) (27.9)	~~c~~ (22.0d) (27.9)	d (31.8)	e (39.4f) (52.3)	e (39.4f) (52.3)	d (26.7)	d (32.3)	d (32.3)
10	Ridge Street & High Street	A (9.08.2)	B (13.011.7)	B (13.011.7)	A (9.78.6)	B (15.813.2)	B (15.813.2)	~~B~~ (10.3A) (9.4)	B (19.517.0)	B (19.517.0)
11	High Street & Grandview Avenue	b (10.8)	b (12.0)	b (12.0)	b (11.8)	b (12.7)	b (12.7)	b (11.3)	b (12.5)	b (12.5)
12	High Street & Evergreen Avenue	b (10.2)	b (10.8)	b (10.8)	b (12.2)	b (13.3)	b (13.3)	b (11.7)	b (12.7)	b (12.7)
13	Boston Post Road & Cedar Street	~~C~~ (34.1D) (53.0)	~~C~~ (33.7D) (51.0)	~~C~~ (33.7D) (51.0)	C (23.033.5)	C (22.932.6)	C (22.932.6)	B (15.117.9)	B (15.217.9)	B (15.217.9)
14	Boston Post Road & Peck Avenue	D (4144.7)	E (5760.3)	~~C~~ (31.6D) (40.5)	C (26.931.3)	~~C~~ (34.2D) (38.9)	~~C~~ (34.2D) (38.9)	C (27.833.1)	D (35.541.4)	~~C~~ (30D) (39.9)
15	Peck Avenue & Midland Avenue	D (54.037.8)	~~E~~ (67.1D) (46.9)	~~E~~ (59.8D) (41.0)	D (50.835.7)	~~E~~ (70.0D) (49.3)	~~E~~ (55D) (38.5)	~~E~~ (71.2D) (50.0)	F (89E) (64.4)	~~E~~ (77.0D) (53.4)

16	Hillside Road/Wappanocca Avenue & Purchase Street (NY Route 120)	d (26.0)	d (26.6)	d (26.6)	d (29.4)	d (30.2)	d (30.2)	c (19.8)	c (20.3)	c (20.3)
17	Hillside Road & Grandview Avenue	a (9.1)	a (9.1)	a (9.1)	a (7.8)	a (7.8)	a (7.8)	a (7.5)	a (7.65)	a (7.65)
18	Boston Post Road/Purdy Ave. & Grace Church St./S. Main St (US Rt. 1)	C (20.829.4)	C (20.529.4)	C (20.529.4)	E (28.3D (36.7)	E (33.6D (41.8)	E (33.6D (41.8)	C (22.531.7)	C (23.032.7)	C (23.032.7)
19	Boston Post Road & Olivia Street	a (1.5)	a (1.56)	a (1.56)	a (1.7)	a (1.79)	a (1.79)	a (0.9)	a (1.0.9)	a (1.0.9)
20	Central Project Site Access & High Street	N/A	c (17.7)	b (13.1)	N/A	d (25.235.0)	e (41.0)	N/A	d (26.625.2)	d (26.7)
21	Easterly Project Site Access & High Street	N/A	c (18.8)	b (10.6)	N/A	c (21.51)	b (12.4)	N/A	c (21.5)	b (11.9)
22	Northerly Project Site Access & Boston Post Road	N/A	b (13.0)	b (13.0)	N/A	a (9.24)	b (12.9)	N/A	a (9.36)	b (13.6a (9.9)
23	Purchase Street and Ridge Street	c (17.215.7)	c (18.216.6)	c (18.216.6)	e (35.1d (30.3)	d (30.333.8)	d (30.333.8)	c (19.818.0)	c (21.19.2)	c (21.19.2)
24	South Ridge Street and Bowman Avenue	E (61.4)	E (68.2)	D (43.2)	D (53.2)	D (54.9)	D (43.3)	D (35.3)	D (37.3)	E (28.5)
25	South Ridge Street/North Ridge Street and Westchester Avenue	F (150.1)	F (167.2)	F (91.7)	F (190.2)	F (184.7)	F (121.1)	D (40.2)	D (45.1)	D (29.5)
24	South Ridge Street and Bowman Avenue	D (47.2)	D (51.4)	C (34.0)	D (41.9)	D (42.3)	C (33.0)	C (31.3)	C (32.1)	C (25.5)
25	South Ridge Street/North Ridge Street and Westchester Avenue	E (109.8)	E (125.7)	E (63.3)	E (142.4)	E (139.0)	E (88.2)	C (32.9)	D (35.3)	C (25.7)

Note: - Signalized intersections represented by upper case letters.

- Unsignalized intersections represented by lower case letters.

- Delay is in seconds per vehicle.

- LOS for unsignalized intersections are based upon the critical approach.

- Weave analysis for Study Location 6a is in passenger cars/miles/lane. Results indicated represent proportioned results, based upon actual weaving length compared to minimum 300-foot weaving length allowed in software analysis.

Note: - Signalized intersections represented by upper case letters.

- Unsignalized intersections represented by lower case letters.

- Delay is in seconds per vehicle.

- LOS for unsignalized intersections are based upon the critical approach.

- Weave analysis for Study Location 6a is in passenger cars/miles/lane. See additional notes for weave analysis in Tables FEIS III.E-4 through FEIS III.E-7.

- The LOS degradation/delay increase from the Build to the Build with Improvements condition at Study Location No. 5 is due to the re-routed High Street traffic.

Source: TRC Engineers, Inc.

As illustrated in Tables III.E-4 through III.E-8, above, the ~~results of incremental impacts from No-Build to Build with Improvements conditions in~~ the FEIS traffic analysis are generally similar to the results of the DEIS traffic analysis. Based upon the results of the FEIS traffic analysis, there are ~~three~~ locations that experienced additional impacts, which though significant.

are similar to the impacts requiring discussed in the DEIS and require additional mitigation to measures that are similar to those previously proposed in the DEIS. These locations and improvements are noted below. Additionally, Fair-share Financial Contributions have been committed by the Applicant for improvements previously identified by the City of Rye, at two locations within their jurisdiction. It is the Applicant's opinion that the analysis does not indicate the need to implement said improvements to offset the Proposed Project impacts; however, they have committed to providing a Fair-share Financial Contribution proportionate to the additional Project traffic to be generated at the subject locations. The Applicant has also committed \$50,000 to be provided to the City of Rye as a condition of Site Plan Approval to be used towards traffic calming measures in the Rye Park neighborhood. Again, it is the Applicant's opinion that these measures are not necessitated by the Proposed Project, but the monies will be allocated towards these improvements, based upon pre-existing concerns identified by the City of Rye.

The Overall There have been some questions about whether the High Street modifications would be required in the event that a less dense project were to be pursued. The Overall Levels of Service at the intersection of the Boston Post Road and High Street will be a Level of Service 'F' during all Peak Hours, under No-Build conditions. This is primarily due to the northbound movement at this location. This movement will operate at a Level of Service 'F' in the No-Build Condition with a delay of 205.5, 429.5 and 366.5 seconds, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. The delays on this approach indicate a need for traffic improvements at this location in the No-Build condition (2018). In order to further demonstrate this more immediate need, a Sensitivity Analysis was conducted at this location utilizing a comparable project at the overall density of the existing zoning (although not economically viable). This program included the following uses:

- 90,000 square feet of Retail (same mix as Proposed Project)
- 26,650 square feet of General Office
- 75,000 square feet of Medical Office (same as Proposed Project)
- 63 Hotel Rooms
- 108 Units of Senior Adult Housing
- 234 Units of Apartments

The Trip Generation and Traffic Volume Development Exhibits for this development program are contained in Appendix E, along with the Capacity Analysis Worksheets and Level of Service Summary Table. As can be seen in the Level of Service Summary Table, the northbound approach will continue to operate at a LOS 'F', during all three Peak Hours without the proposed High Street improvements implemented. The delays along this approach would worsen to 493.1, 508.4 and 535.4 seconds, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. Additionally, the Overall Level of Service at the intersection will continue to be a LOS 'F' with worsened delays of 246.2, 304.5 and 301.1 seconds, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. Based on the foregoing, the proposed High Street

improvements would still be necessitated by a less intense (though not economically viable and not one the Applicant would pursue) development program. In fact, the improvements will be needed even if the Proposed Project is not constructed. Furthermore, under the Proposed Project condition, with the proposed High Street improvements and other roadway improvements proposed by the Applicant, the overall corridor will operate better than it will without the Proposed Project constructed. This is demonstrated by the Arterial Analysis, discussed further below. Additionally, the queue lengths along the northbound portion of the Boston Post Road in the vicinity of High Street will be significantly reduced from No-Build Conditions, with the Proposed Project and associated roadway improvements. This will in turn, improve upon the existing weaving condition in this area from the I-95 northbound Off-ramp. This is also discussed in more detail below.

In addition to the High Street Sensitivity Analysis, the development program outlined above was utilized to perform a Sensitivity Analysis at the Proposed Project Site Driveway intersection. The Traffic Volume Development Exhibits for this Project Site Driveway Sensitivity Analysis are contained in Appendix E, along with the Capacity Analysis Worksheets and Level of Service Summary Table. As can be seen in the Level of Service Summary Table, the development program outlined above would result in the same Overall Level of Service being achieved, during all Peak Hours. It should be noted that this additional Sensitivity Analysis at the Proposed Project Site Driveway was conducted for informational purposes only. The development program outlined above is not an economically viable alternative and not one that would be pursued by the Applicant and thus would never be implemented along with the other roadway improvements outlined herein that provide an overall benefit to the corridor (when considering the Arterial Analysis and reduced queue lengths, discussed in more detail below).

Proposed Project Site Driveway

It is the Applicant's opinion, as discussed below, that the degradations in Levels of Service at the Boston Post Road/Kohl's Shopping Center Driveway/Proposed Project Site Driveway ~~will experience significant degradations~~ are substantially offset by the improvements in Overall Levels of Service/Delay, due to the Proposed Project, at the immediately adjacent intersection of the Boston Post Road and High Street, as well as along the entire Boston Post Road corridor within the Study Area. From No-Build to Build with Improvement Conditions, the Overall Level of Service and Delay at ~~this one intersection~~ the Boston Post Road/Kohl's Shopping Center Driveway/Proposed Project Site Driveway will deteriorate from B (40.8/13.5 seconds) to D (37.0/49.2 seconds); ~~C (21.9 seconds)~~ to D (53.1/47.2 seconds) to E (70.2 seconds); and C (23.3/30.7 seconds) to E (61.1/79.8 seconds), during the Peak AM, Peak PM and Peak Saturday Hours, respectively. ~~This~~ At the intersection of the Boston Post Road and High Street, from No-Build to Build with Improvement Conditions, the Overall Level of Service and Delay will improve from F (103.6 seconds) to B (10.7 seconds); F (238.0 seconds) to C (30.9 seconds); and F (205.3 seconds) to B (13.8) seconds, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. The degradation in Levels of Service the Boston Post Road/Kohl's Shopping Center

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Driveway/Proposed Project Site Driveway is ~~something that would be~~ expected with the introduction of a fourth leg to an existing three-legged signalized intersection. The degradation in Overall Level of Service and Delay at this intersection is a function of degradation in Levels of Service and Delay on particular movements, during the three peak hours. The detailed Levels of Service and Delay results are summarized in Table G-5, contained in Appendix E-, as well as Table FEIS.III.E-9d below. 95th Percentile Queue Lengths on the Proposed Project Site Driveway Approach to the Boston Post Road, in the Build with Improvements Condition, are anticipated to be 203 feet, 337 feet and 392 feet, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. These queue lengths exceed the available storage length provided to the first on-site intersection (330 feet), during the Peak PM and Peak Saturday Hours by less than one vehicle and just over two vehicles, respectively. During these same time periods, the 50th Percentile Queue Lengths will be 186 and 212 feet. Based on the limited exceedance of storage for the 95th Percentile Queue Length and the much greater amount of available storage during the 50th Percentile Queue Length, it can be interpolated that the queue lengths will be within the available storage for the vast majority of the Peak Hours on this approach. Additionally, there is another on-site intersection that provides access to High Street in the event the first on-site intersection is blocked. This intersection is approximately 320 feet further on-site and provides access to/from High Street approximately 320 feet northwest of the middle High Street access point.

Benefits of Re-routed High Street Traffic

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~~Furthermore, some~~Some of the degradation in Levels of Service at the Proposed Project Site Driveway are due to the existing rerouted High Street traffic, which will now be able to make a left-turn from the Boston Post Road under the safety of the proposed double left-turn lane and fully protected traffic signal phase, ~~as opposed.~~ This is in contrast to the current condition of turning out of the de facto shared lane which leads to a high number of accidents at the existing location (41 total accidents from 2012-2014 with 41% involving injury and/or property damage). The proposed improvements at the intersection of Boston Post Road and High Street result in significantly improved Levels of Service. From No-Build to Build with Improvement Conditions, the Overall Level of Service and Delay will improve from F (103.6 seconds) to B (10.7 seconds); F (238.0 seconds) to C (30.9 seconds); and F (205.3 seconds) to B (13.8) seconds, during the Peak AM, Peak PM and Peak Saturday Hours, respectively.

Enhanced Pedestrian Facilities

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This location will also have enhanced pedestrian facilities installed and adequate pedestrian crossing times will be provided for all pedestrian movements within the corresponding vehicular traffic signal phase. The enhanced pedestrian facilities will include a pedestrian refuge area in the median island along the northern leg of the Boston Post Road. In order to determine whether the Concept Plan provides an adequate refuge area, the HCM 2010 methodology was utilized. Based on this methodology, the maximum anticipated peak hour pedestrian crossings

will be adequately accommodated in the pedestrian refuge area identified on the Concept Plan. In fact, the pedestrian refuge area could accommodate up to 180 pedestrian crossings in an hour (considerably more than the 20 total crossings projected under future conditions, during all three peak hours) and still provide the optimal pedestrian space necessary. Therefore, the refuge area is more than adequate to accommodate the anticipated pedestrian demand. It should also be noted that the final details of this design will be finalized as part of the Site Plan Application and resultant NYSDOT Highway Work Permit process and will be subject to the review and approval of the NYSDOT.

Post Implementation Study

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In addition, the Applicant is committed to analyzing ~~this location~~ the intersection of the Boston Post Road and Kohl's Shopping Center Driveway/Proposed Project Site Driveway as part of the Post Implementation Study (described in more detail later in this Section) and if deemed necessary, additional turn lane(s) will be provided on the associated approach(es) at the Applicant's expense. The Applicant has committed to bond an additional 5% beyond the amount required for the NYSDOT Highway Work Permit; this bond shall be held by the Village of Port Chester and could be drawn upon should the Post Implementation Study identify further improvements are warranted. The detailed Scope of Study for the Post Implementation Study, as well as the formal amount of money to be bonded, will be memorialized as part of the Site Plan Approval process, based upon input from the various review agencies and as determined by the Village of Port Chester. The additional turn lane improvements at the intersection of the Boston Post Road and Kohl's Shopping Center Driveway/Proposed Project Site Driveway would be fully engineered as part of the NYSDOT Highway Work Permit process and this will include identification of a Construction Cost Estimate for these improvements that would identify a formal amount of money to be bonded and held by the Village of Port Chester to be drawn upon should the Post Implementation Study identify these further improvements are warranted. It is important to note that this study is not 'mitigation' as defined by SEQRA. In the Applicant's opinion, all reasonably anticipated impacts related to traffic are analyzed in the DEIS and this FEIS and mitigation is proposed where appropriate.

Corridor Benefits/Arterial Analysis

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~~Notwithstanding the foregoing it~~ As noted, it is the Applicant's opinion that the degradations in Levels of Service at this one location are substantially offset by the improvements in Overall Levels of Service at the immediately adjacent intersection of the Boston Post Road and High Street, as well as along the entire Boston Post Road corridor within the Study Area. For instance, at the intersection of the Boston Post Road and High Street, from No-Build to Build with Improvement Conditions, the Overall Level of Service and Delay will improve from ~~B (13.7 seconds)~~ B (10.7 seconds); ~~F (238.0 seconds)~~ A (8.0C (30.9 seconds)); ~~D (45.2 seconds)~~ B (10.5 seconds); and ~~D (39.9 seconds)~~ B (10.5 seconds) seconds, during the Peak AM, Peak PM and Peak Saturday Hours, respectively.

In order to further ~~address~~quantify the ~~results of the~~ improvements proposed ~~by the Applicant~~ along the entire Boston Post Road corridor, and as agreed upon by the various review agencies (~~Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant~~), a full Arterial Analysis of the corridor was completed in accordance with the Highway Capacity Manual methodologies. The arterial methodology analyzes the duration it would take to travel along an arterial (in this case, Boston Post Road), from one point to another. The Arterial Analysis was conducted for all three Peak Hours, for the Existing, No-Build, Build and Build with Improvements conditions. The Arterial Analysis further considered both the northbound and southbound directions of the Boston Post Road corridor. Finally, the Arterial Analysis considered the entire portion of the corridor within the Study Area (Peck Avenue in the south to Grace Church Street/Main Street in the north), as well as the portion of the corridor in the more immediate area of the Proposed Project (I-287 eastbound off-ramp in the south to the South Regent Street in the north). Detailed Level of Service Tables summarizing the results of the Arterial Analysis are contained in Appendix E.

~~As can be seen in Table III.E-8a Boston Post Road Arterial Analysis Summary below, average travel speeds along the corridor will improve from No Build to Build with Improvements conditions during all Peak Hours in both directions. This means that the Boston Post Road corridor will operate more efficiently with the Proposed Project and associated improvements than if the Proposed Project was not constructed. The following Table summarizes the results of the Arterial Analysis for the No-Build versus Build with Improvements conditions:~~

Table FEIS.III.E-8a		
Boston Post Road Arterial Analysis Summary Table		
	Northbound	Southbound
BOSTON POST RD. FROM PECK AVE. TO GRACE CHURCH ST./MAIN ST.		
Peak AM Hour		
No-Build Average Travel Speed	~~11.46~~ <u>8</u>	11. ~~46~~ <u>6</u>
Build with Improvements Average Travel Speed	~~13.89~~ <u>3</u>	~~12.41~~ <u>0.3</u>
Difference	2. ~~45~~ <u>5</u>	~~0.71~~ <u>3</u>
Percent Improvement	~~21.13~~ <u>6.7</u> %	~~6.41~~ <u>11.2</u> %
Peak PM Hour		
No-Build Average Travel Speed	~~7.4~~ <u>0</u>	~~9.07~~ <u>6</u>

Build with Improvements Average Travel Speed	~~10.6.9~~	~~11.67.5~~
Difference	~~3.2.9~~	~~2.6.0.1~~
Percent Improvement	~~43.272.5%~~	~~28.9.1.3%~~
Peak Saturday Hour		
No-Build Average Travel Speed	~~8.95.0~~	~~9.48.2~~
Build with Improvements Average Travel Speed	~~11.67.9~~	~~11.68.0~~
Difference	~~2.79~~	~~2.0.2~~
Percent Improvement	~~30.358.0%~~	~~23.2.4%~~
BOSTON POST RD. FROM I-287 EB OFF RAMP TO SOUTH REGENT ST.		
Peak AM Hour		
No-Build Average Travel Speed	~~8.94.5~~	~~9.410.7~~
Build with Improvements Average Travel Speed	~~13.7.4~~	~~108.6~~
Difference	~~4.82.9~~	~~-2.1.2~~
Percent Improvement	~~53.964.4%~~	~~12.8.19.6%~~
Peak PM Hour		
No-Build Average Travel Speed	~~4.72.3~~	6.8
Build with Improvements Average Travel Speed	~~8.54.9~~	~~11.26.5~~
Difference	~~3.82.6~~	~~4.4.0.3~~
Percent Improvement	~~80.9113.0%~~	~~64.7.4.4%~~
Peak Saturday Hour		
No-Build Average Travel Speed	~~6.13.0~~	6.98
Build with Improvements Average Travel Speed	~~9.65.8~~	~~96.5~~
Difference	~~3.52.8~~	~~2.6.0.3~~
Percent Improvement	~~57.493.3%~~	~~37.7.4.4%~~

Note: Average travel speeds are given in miles per hour.

Source: TRC Engineers, Inc.

Table FEIS III.E-8a shows that in every instance there will be significant improvements in the average travel speed and function in every peak hour along the corridor- in the northbound direction. The ~~minimum~~ improvement from No build to Build with Improvement, in the section of the corridor from the I-287 Off Ramp to South Regent Street, is a 12.8% improvement in the southbound direction and a nearly 65% improvement in average travel speed, whereas in the northbound direction the improvements range from 53.9 to 64.4% to 80.9-113.0% improvement in average travel speed. These increases in travel speeds result in a travel time reduction of ~~77196~~ seconds, ~~204516~~ seconds and ~~128371~~ seconds in the northbound direction, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. The travel time reductions in the southbound direction are 22 seconds, 109 seconds and 91 seconds, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. The

The southbound direction will experience some degradation in travel speeds during all three Peak Hours. When considering the significant improvement in the northbound direction and slight degradation in the southbound direction, overall the corridor would still experience an improvement when considering both directions of travel. This is supported by a calculated weighted average when considering the total through volumes at each location along the corridor by direction. The following Table summarizes the weighted average (total of both directions) travel speed increase:

<u>Table FEIS.III.E-9c</u> <u>Weighted Average Travel Speed Increase (Total of Both Directions)</u> <u>Boston Post Road Supplemental Traffic Analysis Arterial Analysis</u>			
	<u>AM</u>	<u>PM</u>	<u>SAT</u>
<u>BOSTON POST RD. FROM PECK AVE. TO GRACE CHURCH ST./MAIN ST.</u>	<u>0.4</u>	<u>1.3</u>	<u>1.4</u>
<u>BOSTON POST RD. FROM I-287 EB OFF RAMP TO SOUTH REGENT ST.</u>	<u>0.3</u>	<u>1.1</u>	<u>1.2</u>

Note: Average travel speeds are given in miles per hour. Travel speeds represent weighted average increase in travel speed (total of both directions) from No-Build to Build with Improvement Conditions.

Source: TRC Engineers, Inc.

As can be seen in the Table III.E-9c, the weighted average travel speeds (total of both directions) will increase from No-Build to Build with Improvement Conditions, during all three peak hours and along each analyzed segment of the Arterial Analysis. Therefore, it is the Applicant's opinion that the roadway improvements proposed by the Applicant still provide an overall benefit to the Boston Post Road Corridor even when considering the weighted average of both directions of travel. Based on the foregoing, the Applicant contends that the impacts associated at the Boston Post Road/Kohl's Shopping Center Driveway/Proposed Project Site Driveway are

more than adequately mitigated when evaluating the ~~overall~~ improvements to the corridor as a whole.

Added Lanes Sensitivity Analysis

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A Sensitivity Analysis was conducted and is summarized below with respect to additional lanes that could be added to the intersection of the Boston Post Road/Kohl's Shopping Center Driveway/Proposed Project Site Driveway, beyond what is already being proposed by the Applicant. The purpose of the Sensitivity Analysis was to demonstrate what additional improvements could be implemented if the intersection actually experienced what the Applicant believes, as explained below, are very conservatively projected traffic volumes and/or operating parameters that were projected due to assumptions utilized in the traffic analysis. The determination on whether these projected traffic volumes and/or operating parameters are realized at this location would be made as part of the Post Implementation Study and the added lanes would be implemented, if deemed necessary, at that time.

It is the Applicant's opinion that the overall and specific traffic analysis presented herein is very conservative and presents an absolute worst case scenario of future operations at the Proposed Project Site Driveway intersection; i.e., the analysis presents impacts that are unlikely to occur in actuality (or occur with any degree of frequency) but are predicted due to the assumptions used in the modeling. The conservativeness of the analysis is based upon the foregoing:

1. Inclusion of the Pedestrian Lead Interval, which is a recent NYSDOT-initiated improvement program. As noted previously, the Pedestrian Lead Interval was assumed to occur every traffic signal cycle at this intersection, when in reality the Pedestrian Lead Interval would only occur for the corresponding pedestrian crossing if the pedestrian push button was pressed for that crossing. This assumption includes 10 seconds (5 seconds for each crossing) of All-Red time (no vehicles moving) during every traffic signal cycle.
2. Utilization of the Central Business District (CBD) parameter in the analysis. As noted previously, the 2010 Highway Capacity Manual states: "An intersection is considered to be in a CBD, or similar type of area, when its characteristics include narrow street right-of-way, frequent parking maneuvers, vehicle blockages, taxi and bus activity, small-radius turns, limited use of exclusive turn lanes, high pedestrian activity, dense population, and midblock curb cuts". Although this intersection, in the Applicant's opinion, only exhibits a fraction of the items (3 of the 9) noted for a CBD, this parameter was still fully included in the analysis to remain conservative. It is the Applicant's opinion that the intersection of the Boston Post Road/Kohl's Shopping Center

Driveway/Proposed Project Site Driveway only experiences the narrow street right-of-way, high pedestrian activity and dense population characteristics. All other characteristics are not applicable to this location. For instance, the bus stop in the immediate vicinity of this intersection only has one to three scheduled stops in any hour throughout the day. Additionally, two of the characteristics that are present at this location are already specifically addressed by other input parameters in the analysis. The narrower lane widths are accounted for by entering the specific lane widths for each movement and the pedestrian activity is accounted for with the inclusion of the Pedestrian Lead Interval. Based on the foregoing, it is the Applicant's opinion that utilization of the CBD parameter at this intersection provides a very conservative analysis. As a point of reference, inclusion of the CBD parameter at this intersection increases the Overall Delay by approximately 25-30%, when compared to analyzing without inclusion of the parameter.

3. Additional pedestrian volumes were conservatively included in the FEIS Traffic Analysis even though the Applicant is committed to providing a jitney service between the Project Site and the train station(s) that would limit the number of pedestrians. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete. To determine the impact of discontinuing the service, the Post Implementation Traffic Study will include ridership numbers for the jitney. The additional trips that would be generated if the service were to be eliminated will be applied to the number of actual vehicle trips entering and exiting the Project Site. These totals can then be compared to the originally projected numbers and assuming that the total entering and exiting trips are below the original projections, and therefore fully anticipated in the original mitigation, discontinuation of the service, as proposed by the Applicant, will be at its discretion.
4. The background growth rate utilized to develop the base traffic volumes is conservative, based upon historical data for the area. The traffic analysis utilized a 2% annually compounded growth rate, which results in a total growth of existing traffic volumes by 8.24%. As noted previously, an average growth rate for the area is only 0.32% per year, based upon the NYSDOT Traffic Data Forecaster. This would equate to a total growth of 1.29% during the same timeframe (4 years of growth). Therefore, the growth rate utilized is over six times greater than actual historical growth in the area. Furthermore, this conservative growth rate was applied to the traffic movements into and out of the Kohl's Shopping Center. Growing private development traffic is not typical, since it is generally assumed that the existing site (in this case the Kohl's Shopping Center) is fully built and occupied or any unoccupied portion of the development is specifically accounted for via ITE Trip Generation Rates. As noted previously, if the 3,500 square

feet of unoccupied space at the Kohl's Shopping Center is accounted for with ITE Rates, the increase in traffic would be approximately 85% less than the increase applied to the Kohl's Shopping Center traffic volumes, via the 2% growth rate. By conservatively utilizing the 2% growth rate, versus ITE rates for the 3,500 sf of unoccupied space, this translates to inclusion of 114 additional trips, during the most critical Peak Saturday Hour (most intense time period for the Shopping Center). Therefore, the background traffic development associated with the unoccupied portion of the Kohl's Shopping Center provides a more than conservative approach.

Notwithstanding the foregoing, the Applicant has conducted a Sensitivity Analysis that analyzes the effects of added lanes at the Proposed Project Site Driveway intersection with the Boston Post Road, beyond what is already being proposed by the Applicant. It is noted that this Sensitivity Analysis is being provided to illustrate additional improvements that would be considered if the conservatively estimated volumes and conservative operating parameters were actually realized at this intersection. This would be determined as part of the Post Implementation Study and the associated improvements would be implemented at that time if determined to be necessary by the results of the Post Implementation Study. It is the Applicant's opinion that this is the most appropriate approach to additional improvements at this location, since there is a mechanism to readily implement future improvements by having the Applicant dedicate the necessary Right-of-Way and provide a bond that covers the financial burden of implementing such improvements. These potential improvements would be fully engineered with associated Right-of-Way dedications provided as part of the NYSDOT Highway Work Permit process and associated bonding for these improvements would be designated for this improvement to be held by the Village of Port Chester as part of the Post Implementation bond amount. This will ensure that these improvements would be implemented if deemed necessary by the Post Implementation Study.

To provide added lanes and pavement to this intersection for traffic volumes and/or operating parameters that may never be realized shifts the balance, in the Applicant's view, quite likely unnecessarily, even farther toward vehicles in a location at which the Applicant hopes to create a more-pedestrian focused environment in keeping with the goals of the Village's Comprehensive Plan. Doing so may result in unnecessary impacts, including negative impacts on the aesthetic and visual impression of the Proposed Project and the entryway to the Village as a result of the elimination of the landscaped median at the Project Site entrance and the widening of the roadways, as well as adversely affecting the pedestrian functionality of this intersection. In effect, these added lanes would exacerbate a condition in which a "sea of asphalt" welcomes visitors to the Village and to this Proposed Project once open. The Proposed Project currently does everything practicable, given the need to accommodate existing and future traffic along the Boston Post Road corridor, to soften that visual impression with landscaping and landscaped

islands. In the Applicant's opinion, given their experience in designing and developing similar mixed use communities, the addition of lanes will undo those efforts, thereby reducing the visual appeal and draw of the new development from the Boston Post Road and the ability to create a more attractive gateway to the Village.

The added lanes that would be considered for implementation at this location, if deemed necessary by the Post Implementation Study, would include an additional dedicated southbound right-turn lane on the Boston Post Road and an additional dedicated left-turn lane on the Proposed Project Site Driveway approach. These added lanes are conceptually illustrated on Exhibit FEIS.III.E-36. Capacity analyses were conducted with inclusion of these added lanes, and the detailed Level of Service Summary Tables are included in Appendix E. The following Table provides a detailed comparison of Levels of Service at the intersection with and without the added lanes:

<u>Table FEIS.III.E-9d</u>			
<u>Detailed Level of Service Comparison Table - Added Lanes Sensitivity Analysis</u>			
<u>Proposed Project Site Driveway/Kohl's Driveway & The Boston Post Road</u>			
<u>Movement</u>	<u>No-Build</u>	<u>Build with Improvements</u>	<u>Build with Additional Lanes</u>
	<u>LOS (Delay)</u>	<u>LOS (Delay)</u>	<u>LOS (Delay)</u>
<u>PEAK AM HOUR</u>			
<u>Northbound Left</u>	<u>N/A</u>	<u>E (76.9)</u>	<u>D (54.7)</u>
<u>Northbound Thru</u>	<u>B (18.7)</u>	<u>C (23.0)</u>	<u>C (20.2)</u>
<u>Northbound Right</u>	<u>A (0.2)</u>	<u>A (0.1)</u>	<u>A (0.1)</u>
<u>Northbound Overall</u>	<u>B (16.2)</u>	<u>D (39.1)</u>	<u>C (30.0)</u>
<u>Southbound Left</u>	<u>A (6.0)</u>	<u>B (16.5)</u>	<u>B (17.9)</u>
<u>Southbound Thru-Right/Thru</u>	<u>B (10.6)</u>	<u>E (56.4)</u>	<u>D (44.3)</u>
<u>Southbound Right</u>	<u>N/A</u>	<u>N/A</u>	<u>D (36.1)</u>
<u>Southbound Overall</u>	<u>B (10.3)</u>	<u>D (54.4)</u>	<u>D (42.0)</u>
<u>Eastbound Left</u>	<u>N/A</u>	<u>E (70.8)</u>	<u>E (56.7)</u>
<u>Eastbound Thru-Right</u>	<u>N/A</u>	<u>E (70.6)</u>	<u>E (72.3)</u>

<u>Eastbound Overall</u>	<u>N/A</u>	<u>E (70.7)</u>	<u>E (60.4)</u>
<u>Westbound Left</u>	<u>C (22.0)</u>	<u>E (60.6)</u>	<u>D (52.1)</u>
<u>Westbound Right/Thru-Right</u>	<u>C (22.0)</u>	<u>E (69.8)</u>	<u>E (76.9)</u>
<u>Westbound Overall</u>	<u>C (22.0)</u>	<u>E (63.8)</u>	<u>E (60.7)</u>
<u>OVERALL INTERSECTION</u>	<u>B (13.5)</u>	<u>D (49.2)</u>	<u>D (38.9)</u>
<u>PEAK PM HOUR</u>			
<u>Northbound Left</u>	<u>N/A</u>	<u>E (77.3)</u>	<u>E (71.9)</u>
<u>Northbound Thru</u>	<u>F (114.9)</u>	<u>E (78.5)</u>	<u>E (69.3)</u>
<u>Northbound Right</u>	<u>A (0.5)</u>	<u>A (0.4)</u>	<u>A (0.4)</u>
<u>Northbound Overall</u>	<u>F (83.3)</u>	<u>E (61.3)</u>	<u>E (55.0)</u>
<u>Southbound Left</u>	<u>B (19.0)</u>	<u>E (79.1)</u>	<u>E (66.0)</u>
<u>Southbound Thru-Right/Thru</u>	<u>B (14.2)</u>	<u>E (64.0)</u>	<u>D (50.6)</u>
<u>Southbound Right</u>	<u>N/A</u>	<u>N/A</u>	<u>D (38.9)</u>
<u>Southbound Overall</u>	<u>B (15.1)</u>	<u>E (66.5)</u>	<u>D (52.1)</u>
<u>Eastbound Left</u>	<u>N/A</u>	<u>F (94.2)</u>	<u>E (62.1)</u>
<u>Eastbound Thru-Right</u>	<u>N/A</u>	<u>F (93.5)</u>	<u>E (62.4)</u>
<u>Eastbound Overall</u>	<u>N/A</u>	<u>F (93.9)</u>	<u>E (62.2)</u>
<u>Westbound Left</u>	<u>C (26.6)</u>	<u>F (89.4)</u>	<u>E (70.1)</u>
<u>Westbound Right/Thru-Right</u>	<u>C (26.4)</u>	<u>F (83.0)</u>	<u>F (80.8)</u>
<u>Westbound Overall</u>	<u>C (26.6)</u>	<u>F (87.7)</u>	<u>E (72.9)</u>
<u>OVERALL INTERSECTION</u>	<u>D (47.2)</u>	<u>E (70.2)</u>	<u>E (57.4)</u>
<u>PEAK SATURDAY HOUR</u>			
<u>Northbound Left</u>	<u>N/A</u>	<u>E (75.5)</u>	<u>E (73.5)</u>
<u>Northbound Thru</u>	<u>E (55.2)</u>	<u>E (72.5)</u>	<u>E (76.9)</u>
<u>Northbound Right</u>	<u>A (1.2)</u>	<u>A (0.9)</u>	<u>A (0.9)</u>
<u>Northbound Overall</u>	<u>C (31.0)</u>	<u>D (48.4)</u>	<u>D (49.7)</u>
<u>Southbound Left</u>	<u>E (78.5)</u>	<u>E (77.6)</u>	<u>E (64.5)</u>

<u>Southbound Thru-Right/Thru</u>	<u>B (16.4)</u>	<u>E (77.1)</u>	<u>D (54.9)</u>
<u>Southbound Right</u>	<u>N/A</u>	<u>N/A</u>	<u>D (45.8)</u>
<u>Southbound Overall</u>	<u>C (32.9)</u>	<u>E (77.2)</u>	<u>E (56.3)</u>
<u>Eastbound Left</u>	<u>N/A</u>	<u>F (115.4)</u>	<u>E (68.4)</u>
<u>Eastbound Thru-Right</u>	<u>N/A</u>	<u>F (113.3)</u>	<u>E (78.1)</u>
<u>Eastbound Overall</u>	<u>N/A</u>	<u>F (114.3)</u>	<u>E (71.7)</u>
<u>Westbound Left</u>	<u>C (27.2)</u>	<u>F (141.3)</u>	<u>E (72.4)</u>
<u>Westbound Right/Thru-Right</u>	<u>C (25.4)</u>	<u>F (99.3)</u>	<u>F (89.1)</u>
<u>Westbound Overall</u>	<u>C (26.8)</u>	<u>F (130.5)</u>	<u>E (76.7)</u>
<u>OVERALL INTERSECTION</u>	<u>C (30.7)</u>	<u>E (79.8)</u>	<u>E (59.1)</u>

As illustrated in the Table III.E-9d, the added lanes would lessen vehicle delays within but not change Overall Levels of Service (although particular movements would also experience a change in Level of Service) as compared to the Build with Improvements condition, and would be a viable additional improvement to be implemented if the conservatively projected traffic volumes and/or operating parameters were ever realized at this location, which would be determined as part of the Post Implementation Study. In addition to the intersection analysis, the Arterial Analysis was conducted with the added lanes. The results of the added lanes Arterial Analysis are summarized in Appendix E. The added lanes Arterial Analysis indicates that northbound average travel speeds would generally remain the same as without the added lanes. In the southbound direction there would be minimal increases in average travel speeds when compared to the analysis without the added lanes (no more than 0.5 mph), when considering any of the Peak Hours or either corridor segment. The change in travel speeds are not as significant as the changes in intersection Levels of Service/Delay, since the most significant benefit of the added lanes is improved side street operations. In summary, it is the Applicant's opinion that the implementation of the added lanes, if deemed necessary by the Post Implementation Study as opposed to initial implementation, is justified for the following reasons:

1. This will limit the potential for unnecessary additional impacts to the aesthetics and pedestrian functionality of this intersection.
2. The overall Boston Post Road corridor will operate more safely and efficiently even without these added lanes, which is illustrated in the results of the Arterial Analysis.
3. These potential improvements would be fully engineered with associated Right-of-Way dedications provided as part of the NYSDOT Highway Work Permit process and

associated bonding for these improvements would be designated for this improvement to be held by the Village of Port Chester as part of the Post Implementation bond amount. This will ensure that these improvements would be implemented if deemed necessary by the Post Implementation Study.

4. In effect, these added lanes would exacerbate a condition in which a “sea of asphalt” welcomes visitors to the Village and to this Proposed Project once open. The Proposed Project currently does everything possible, given the need to accommodate existing and future traffic along the Boston Post Road corridor, to soften that visual impression with landscaping and landscaped islands. In the Applicant’s opinion, given their experience in designing and developing similar mixed use communities, the addition of lanes will undo those efforts reducing the visual appeal and draw of the new development from the Boston Post Road and the ability to create a more attractive gateway to the Village.
5. Parameters (such as the CBD) that may never be realized at the intersection have a significant impact upon the results of the analysis and therefore may warrant implementation of added lanes that are unnecessary. As noted previously, inclusion of the CBD parameter at this intersection increases the Overall Delay by approximately 25-30%, when compared to analyzing without inclusion of the parameter.
6. The additional cost to implement these improvements up front as part of the Proposed Project would add cost to the current pro forma and could impact the PILOT requested.

Based on the foregoing, it is the Applicant’s opinion that these added lanes should not be implemented now, but should be analyzed as part of the Post Implementation Study and installed only if deemed necessary at that time.

It is the opinion of the Village of Port Chester’s Traffic Engineering Consultant that the added lanes should be implemented now, for the following reasons:

1. Overall Delays would be reduced by 10.3 seconds, 12.8 seconds and 20.7 seconds, during the Peak AM, Peak PM and Peak Saturday Hours.
2. A Level of Service ‘E’ would be experienced on the Proposed Project Site Driveway and Kohl’s Site Driveway approaches, as opposed to a Level of Service ‘F’, during the Peak PM and Peak Saturday Hours.
3. Implementation of the improvements at a later date would temporarily impact traffic during construction.
4. There would be an added cost (albeit the burden of the Applicant) with doing the improvements at a later date, as opposed to all at once.

The additional cost to implement these improvements up front as part of the Proposed Project would add cost to the current pro forma and could impact the PILOT requested. The added

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costs of implementing these changes following the Post Implementation Study would be borne by the Applicant, after the PILOT has been fixed, and any temporary traffic impacts for implementation of the added lanes at a later date would be part of the Maintenance and Protection of Traffic Plan to be submitted and approved by NYSDOT as part of the Highway Work Permit process.

The analysis of the weave from the I-95 northbound off-ramp to High Street/Proposed Project Site Driveway (Location 6a) is subject to limitations in the Highway Capacity Manual analysis methodology. The minimum weaving segment distance allowed in the analysis is 300 feet and the minimum weaving segment speed allowed is 35 miles per hour. TheBecause the weaving analysis contained in the Highway Capacity Manual is typically reserved for higher speed, freeway weaving segments-, the minimum weaving segment distance allowed in the analysis is 300 feet and the minimum weaving segment speed allowed is 35 miles per hour.

Notwithstanding, Exhibits FEIS III.E-31.A and FEIS III.E-31.B depicts the weaving segment lengths for the No-Build and Build with Improvement conditions during all peak hours. As depicted in the Exhibits, the existing optimalmaximum available weaving distance from the Route I-95 northbound off-ramp to the stop bar on the northbound Boston Post Road approach at High Street is 195 feet. By eliminating the left-turn from Boston Post Road to High Street and moving all left-turns to the Project Site Driveway, the optimalmaximum available weaving distance in the future with the Proposed Project will be increased to 535 feet. When accounting for the 95th percentile queues lengths along the Boston Post Road northbound approach at High Street, the weaving distance in the No-Build condition is non-existent, as the queue lengths will routinely back up past the ramp's entrance to Boston Post Road during all peak hours. This creates additional delays, which is not borne out by the weaving analysis due to limitations in the software program, and an unsafe situation as it forces drivers on the Route I-95 ramp destined to High Street to either wait for a gap in two lanes or force their way across the right-most Boston Post Road lane to get into the left-most lane to perform their maneuver. When accounting for the 95th percentile queuesqueue lengths in the Build with Improvements condition, the weaving distance is approximately 80—18090 – 130 feet from the ramp to the back of the 95th percentile queue, thereby providing vehicles on the I-95 ramp with room to merge into the right-most lane and change over to the left-most lane to perform their maneuver. The No-Build and Build with Improvements Queue Lengths are illustrated on Exhibits III.E-31.A and III.E-31.B. When accounting for the 50th percentile, or average, queue lengths, the weaving distance in the No-Build condition is non-existent during theall three Peak-PM and Saturday Hours, as the queue lengths will continue to back up past the ramp's entrance to Boston Post Road. During the No-Build Peak-AM Hour condition, the weaving distance will be approximately 80 feet, whenWhen accounting for the 50th percentile queue, whereas the weaving

~~distance in under~~ the Build with Improvements condition, ~~the weaving distance to the back of queue~~ is ~~between 200189 and 330287~~ feet, depending on the peak hour.

~~Since the weaving distance is less than the 300-foot minimum weaving segment distance allowed in the HCM analysis, the Village of Port Chester Traffic Consultant recommended an alternative analysis that pro-rated the density (passenger cars per mile per lane) calculation to account for the shorter weaving lengths. The No-Build density calculation was pro-rated to the 195-foot distance to the stop bar at High Street, which neglects the fact that the queue extends well past the I-95 northbound off-ramp (see Exhibits III.E-31.A and III.E-31.B). This results in a No-Build density of 30.9 (LOS 'C'), 38.6 (LOS 'E') and 39.7 (LOS 'E') passenger cars/mile/lane, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. The Build with Improvements density calculation was pro-rated to the 285-foot distance to the beginning of the double left-turn lane at the Proposed Project Site Driveway (see Exhibits III.E-31.A and III.E-31.B). This provides a more than conservative comparison, since the distance to the proposed stop bar at the Proposed Project Site Driveway is actually 535 feet. This results in a Build with Improvements density of 30.6 (LOS 'C'), 33.4 (LOS 'D') and 35.8 (LOS 'D') passenger cars/mile/lane, during the Peak AM, Peak PM and Peak Saturday Hours, respectively. Based on the foregoing, this alternative analysis further demonstrates the improved weaving condition with the associated Proposed Project-related improvements.~~

All recommended improvements included in the DEIS are still proposed to be implemented as a result of the FEIS traffic analysis, with the exception of some modifications at three prior improvement locations as noted directly below. All proposed improvements and Fair-share Financial Contributions would be made prior to the opening of the Proposed Project.

The first modification will be at the intersection of Boston Post Road and I-287 Eastbound Off-Ramp (Exit 11)/I-95 Southbound On-Ramp. The improvements to this intersection have been modified in the FEIS to provide ~~two exclusive~~ an additional lane on the I-287 Eastbound Off-Ramp approach. This will provide a total of three lanes on this approach to include one exclusive left-turn lanes, with approximately 315 feet of storage length for each lane, lane, one shared left-turn/right-turn lane and one exclusive right-turn lane on the Route I-287 eastbound off ramp approach. As part of the widening of the I-287 eastbound off-ramp, a new retaining wall will need to be constructed. Noise attenuation will be considered as part of the design of this retaining wall. Additional Noise Analysis has been conducted for this location, due to the proposed geometric modifications and no significant adverse impacts to the residential neighborhood, to the west of the ramp, are anticipated as a result of the ramp widening. Details of this Noise Analysis are contained in Section FEIS.III.J.

In addition, the southbound Boston Post Road approach stop line was pushed back approximately 20 feet to allow for dual left-turning vehicles to perform the maneuver without encroaching on each other's lane. Therefore, the analysis includes additional clearance time for the southbound Boston Post Road signal phasing to account for the additional clearance

distance. It should also be noted that trucks turning left from the Route I-287 ramp will be required to utilize the center lane, which will be accomplished via signage as noted on the Concept Plan illustrated on Exhibit III.E-27. ~~Furthermore, the stop line for the double left turn movement on the ramp has been positioned to allow for right turn vehicles on the ramp a clear line of sight, giving them the option to perform their maneuver as a Right Turn On Red (RTOR). The RTOR volumes in the analysis are default values in the Synchro Analysis, which are calculated based upon the 2010 Highway Capacity Manual Gap Acceptance Formula. It is understood, however, that the NYSDOT, as part of the Highway Work Permit process, may not approve the RTOR from this location. The disallowance of this RTOR movement has been considered in the Supplemental Traffic Analysis Section discussed further below.~~

Depending upon the extent of the retaining wall and traffic signal equipment to be installed (i.e. LED blankout signs), these proposed improvements could cost as much as \$1 Million. As a result of these improvements, the intersection will operate better than it currently does today without the Proposed Project's traffic. This is due to the additional capacity that will be created on the Route I-287 ramp. This additional capacity allows for more green signal time to be provided to the southbound Boston Post Road approach, ~~(results in lessened queues on this approach from No-Build to Build with Improvements conditions during all Peak Hours)~~, which will afford an overall benefit to the Boston Post Road corridor, as indicated in the Arterial Analysis. ~~Additionally, the 95th Percentile Queue Lengths on the ramp will be significantly reduced from No-Build to Build with Improvements Conditions. These Queue Lengths are illustrated graphically on Exhibit FEIS.E.III-34. The No-Build to Build with Improvement Queue Lengths on the ramp will be reduced by 154 feet, 318 feet and 195 feet, during the Peak AM, Peak PM and Peak Saturday Hours, respectively.~~ As indicated in the Analysis, pedestrians will be provided sufficient amount of time to cross the eastbound off-ramp approach during both the southbound Boston Post Road advance phase and the subsequent northbound/southbound Boston Post Road right-of-way phase. This location was further analyzed utilizing the traffic count volumes provided by Maser Consulting for the Peak weekday PM and Peak midday Saturday hours, which was greater than the counts collected by the Applicant. The intersection will continue to operate at similar or better Levels of Service when taking into account the improvement listed in the FEIS, even with the traffic counts provided by Maser Consulting. Detailed results of this Sensitivity Analysis are contained in Appendix E. ~~All analysis includes adequate pedestrian crossing times in the associated vehicular traffic signal phase.~~

The curb return area between the I-287 eastbound off-ramp and Hillside Road is proposed to shift 5 to 10 feet. The details of the modification to this curb return will be part of the formal design/permitting of this improvement with NYSDOT and will be designed in the safest and most efficient manner possible. In the Applicant's opinion, the proposed minor decrease in this curb return area will be negligible from an operational and safety standpoint, when compared to No-Build conditions. Furthermore, queues along the northbound Boston Post Road approach at this

location will essentially be maintained from No-Build to Build with Improvements conditions, in the vicinity of Hillside Road.

The second modification will be to the intersection of the Boston Post Road and High Street. This location will still be converted to only allow right-turns in and out of High Street; however, the southbound Boston Post Road and High Street approaches will continue to operate under traffic signal control. In addition, the High Street approach will be prohibited to perform Right-Turns On Red. The Boston Post Road northbound approach will operate under free-flow conditions as previously proposed. This change in the previously-recommended improvement was discussed amongst the various review agencies (~~Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant~~) and it was agreed that this was the safest alternative and will allow vehicles from High Street and Boston Post Road southbound destined to I-287 to safely perform their associated maneuvers without any conflict. The traffic signal will be directly coordinated with the upstream and downstream traffic signals to maintain adequate progression through this intersection. ~~It should be noted that with this modified improvement, there are increased delays experienced on the High Street approach, during the Peak PM Hour that go from a Level of Service 'C' in the No-Build Condition to a Level of Service 'D' in the Build with Improvements Condition. A significant factor in this increase in delay is the disallowance of the Right Turn On Red movement in the Build with Improvements Condition. This is a necessary safety improvement and one that is warranted with or without the Proposed Project, due to the geometry that exists with the lane dedicated to the I-287 westbound on ramp. This requires vehicles to find a gap in two lanes of traffic in order to make a Right Turn On Red, when destined to the Boston Post Road southbound. In the Applicant's opinion, this safety improvement and the overall improvement in Levels of Service at this intersection, offset the degradation in Levels of Service on the High Street approach, which is only experienced during the Peak PM Hour. Based upon the updated FEIS Traffic Analysis all movements at this location will experience a reduction in vehicle delays from No-Build to Build with Improvements conditions, during all three Peak Hours. Additionally, the Overall Level of Service will improve from a Level of Service 'F' under No-Build conditions, during all three Peak Hours to a Level of Service 'B', 'C' and 'B', during the Peak AM, Peak PM and Peak Saturday Hours, respectively.~~

The third modification pertains to the intersection of the Boston Post Road and South Regent Street. ~~Table III.E-9e provides a detailed comparison between No-Build and Build with Improvements Levels of Service at this intersection:~~

Table FEIS III.E-9e
Detailed Level of Service Summary Table
The Boston Post Road and South Regent Street

<u>Peak AM Hour</u>		<u>Peak PM Hour</u>		<u>Peak Saturday Hour</u>	
<u>No Build</u>	<u>Build w/ Imp</u>	<u>No Build</u>	<u>Build w/ Imp</u>	<u>No Build</u>	<u>Build w/ Imp</u>
<u>LOS</u>	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>

<u>(Delay)</u>	<u>(Delay)</u>	<u>(Delay)</u>	<u>(Delay)</u>	<u>(Delay)</u>	<u>(Delay)</u>
<u>Northbound Approach</u>					
<u>F</u> <u>(157.6)</u>	<u>F</u> <u>(162.9)</u>	<u>F</u> <u>(307.9)</u>	<u>F</u> <u>(296.7)</u>	<u>F</u> <u>(212.2)</u>	<u>F</u> <u>(211.0)</u>
<u>Southbound Approach</u>					
<u>E</u> <u>(79.9)</u>	<u>F</u> <u>(85.4)</u>	<u>F</u> <u>(145.6)</u>	<u>F</u> <u>(144.8)</u>	<u>F</u> <u>(138.2)</u>	<u>F</u> <u>(146.0)</u>
<u>Eastbound Approach</u>					
<u>F</u> <u>(319.9)</u>	<u>F</u> <u>(324.8)</u>	<u>F</u> <u>(244.6)</u>	<u>F</u> <u>(236.6)</u>	<u>F</u> <u>(169.7)</u>	<u>F</u> <u>(168.6)</u>
<u>Westbound Approach</u>					
<u>D</u> <u>(35.1)</u>	<u>D</u> <u>(45.4)</u>	<u>C</u> <u>(26.2)</u>	<u>C</u> <u>(34.9)</u>	<u>C</u> <u>(22.6)</u>	<u>C</u> <u>(26.9)</u>
<u>OVERALL INTERSECTION</u>					
<u>F</u> <u>(168.5)</u>	<u>F</u> <u>(171.1)</u>	<u>F</u> <u>(228.4)</u>	<u>F</u> <u>(222.8)</u>	<u>F</u> <u>(173.9)</u>	<u>F</u> <u>(176.3)</u>

The failing levels of service at this location, which occur with or without the Proposed Project, are a function of the lack of acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. This intersection has experienced added volumes from other developments in the vicinity (i.e. Restaurant Depot and Dunkin Donuts) without the benefit of any intersection improvements. One contributing factor to the existing delays at this location is the lack of an adequate turn lane on the South Regent Street approach to separate the left and right turning vehicles. There is currently a substandard right-turn lane provided on this approach that the Applicant is proposing to extend to the maximum extent practicable. In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant, and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary.

The DEIS recommended traffic signal upgrades, as well as lengthening of the dedicated right-turn lane on the South Regent Street approach, which would have provided approximately 100 feet of additional storage. The traffic signal upgrades are still proposed to be implemented and

the extension of the right-turn lane will still be pursued for approval with NYSDOT. It is noted that the limited right-of-way and existing environmental constraints at this location may not allow for extension of this right-turn lane for the full 100 feet of additional storage. Therefore, to be conservative, this portion of the improvement at this location has been removed from the analysis to provide a worst case scenario. The Applicant notes that it still proposes physical improvements that would lengthen the storage by approximately 30 feet; however, no credit is taken for this lengthening of the left-turn lane in the analysis. The updated Conceptual Improvement Plan is illustrated on Exhibit FEIS III.E-30. The analysis for this intersection included in the FEIS has been revised to account for the sub-standard right-turn lane along the eastbound South Regent Street approach. Any extension of the turn lane at this location would require elimination of the median island on the South Regent Street approach, thus the crossing of South Regent Street would need to be fully accomplished in the vehicular phase for the mainline Boston Post Road traffic. The analysis has been performed with traffic signal timings that would allow for this full crossing in associated vehicular phase.

~~Based on the field observations discussed below, the right-turn factor along the South Regent Street approach was reduced in the Synchro analysis to provide representative queue lengths (see Appendix E for information concerning the right turn factor adjustment). The results of the updated analysis indicate that there would be significant increases in vehicle delays on the South Regent Street approach, from No Build to Build with Improvements Conditions. It should be noted that when calculated delays become this significant, the formulas utilized in the analysis may not be representative of what would actually be anticipated.~~

~~Due to these limitations in the capacity analysis software, and as indicated by the NYSDOT and the Village's traffic consultant reviewing the traffic analysis, the queue lengths at this intersection provide a better representation of the existing conditions at this intersection, particularly on the eastbound South Regent Street approach. TRC personnel conducted visual field inspections at this intersection to observe traffic queues along all approaches to the intersection, particularly the South Regent Street approach. A summary of the observed conditions is contained in Appendix E[†].~~

[†] ~~The observations were conducted during the following days and time periods, with 50% of the observation time spent on South Regent Street and 50% of the time spent on Boston Post Road (25% on each approach):~~

- ~~• Wednesday, May 25, 2016 from 5:30 – 6:30 PM (Peak Weekday PM Hour)~~
- ~~• Thursday, May 26, 2016 from 7:30 – 8:30 AM (Peak Weekday AM Hour)~~
- ~~• Saturday, June 4, 2016 from 1:30 – 2:30 PM (Peak Saturday Midday Hour)~~

~~Based on a queue analysis, Build with Improvement queue lengths, during the Peak PM Hour, along the entire South Regent Street approach will increase by approximately 5 to 6 vehicles when compared to the No Build condition. The queue lengths during the Peak AM and Peak Saturday Hours will essentially be maintained or lessened, when compared to No Build conditions. Based on input from the various review agencies, the South Regent Street approach was analyzed as a single lane approach to most conservatively account for the substandard right-turn lane that currently exists (approximately 30 feet). Although the right-turn lane is substandard and blocked by left turning vehicles a significant amount of time during the Peak Hours, there is some benefit provided with the shortened right-turn lane. Therefore, the results of the analysis presented herein are a worst case scenario and in reality the operations will be better than indicated by the capacity analyses. Additionally, and as noted previously, the Pedestrian Lead Interval has been included in the analysis of future conditions at this location. This results in a total of 10 seconds All-Red time (no vehicles moving) during each traffic signal cycle. This is a very conservative approach for consideration of the Pedestrian Lead Interval, since this will only occur upon a pedestrian pressing the pedestrian push button, which likely will not occur every traffic signal cycle (based upon existing and future pedestrian volumes at this location).~~

~~The results of the FEIS traffic analysis for this location indicate that the Overall Intersection Level of Service will be an 'F', under both No-Build and Build with Improvements conditions. The Peak PM Hour Overall Delay will improve by 5.6 seconds from No-Build to Build with Improvements conditions. The Peak AM Hour and Peak Saturday Hour Overall Delay will increase from No-Build to Build with Improvements conditions by 2.6 seconds and 2.4 seconds, respectively. This represents no more than a 1.5% increase in Overall Delay during either Peak Hour. Any movement operating at a Level of Service 'D' or better under No-Build conditions, will continue to operate at the same Level of Service under Build with Improvements conditions. Any movement operating at a Level of Service 'E/F' under No-Build conditions will experience no greater than a 6.8% percent increase in delay on that particular movement under Build with Improvements conditions. The Village of Port Chester's Traffic Engineering consultant had preliminarily reviewed the methodology and results of the analysis conducted for this location and indicated that based upon the analysis results, the Proposed Project did not have a significant impact on Levels of Service/Delay. The failing levels of service at this location, which occur with or without the Proposed Project, are a function of the lack of acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. Due to the limited right-of-way and environmental constraints the amount of physical improvements that could be performed by the Applicant are limited. As noted previously, the Applicant will pursue extension of the right-turn lane on South Regent Street to the maximum extent practicable as part of the NYSDOT Highway Work Permit process; however, to be conservative no credit was taken for extension of this right-turn lane in the analysis.~~

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Exhibit III.E33 illustrates the No-Build versus Build with Improvements queue lengths at this location. ~~In the Applicant's opinion, this potential increase in queue length, during the Peak PM Hour, is not significant when compared to the No-Build condition of a 27 vehicle queue. As can be seen in the Exhibit, lengthy queue lengths will be experienced under both No-Build and Build with Improvements conditions. The increases in queue lengths from No-Build to Build with Improvements conditions are primarily a function of the need to increase the traffic signal cycle lengths to limit the effects of the 10 seconds of additional All-Red time that would occur with the Pedestrian Lead Intervals. As noted previously, the Overall Levels of Service/Delays at this location will essentially be maintained or improved upon at this location with the associated traffic signal timing adjustments. Furthermore, this analysis does not take any credit for the existing substandard right-turn lane and/or lengthening of this right-turn lane under the Build with Improvements condition and corresponding overlapping right-turn traffic signal phase. It is noted that the combined queue lengths on the northbound Boston Post Road approach at South Regent Street and the Kohl's Driveway/Proposed Project Site Driveway would still equate to a 95th Percentile Back of Queue that is less than the No-Build 95th Percentile Back of Queue when considering the queue lengths at High Street (traffic signal eliminated in northbound direction at High Street under the Build with Improvements condition).~~

In the Applicants' opinion, it is also important to note that the Proposed Project-Generated Traffic on ~~this the South Regent Street~~ approach is projected to be 35~~7~~ (5.5%), 24 (4.2%) and 32 (6.0%) vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively out of 637, 572 and 533 vehicles in the No-Build condition. ~~(either Boston Post Road approach Proposed Project-Generated Traffic Volumes range from 92 to 131 trips, depending upon the Peak Hour).~~ Therefore, ~~this the South Regent Street~~ approach will ~~see~~ experience approximately one new trip every two minutes due to the Proposed Project during the peak hour, which is not significant. ~~All other movements/approaches at this intersection will operate better in the Build with Improvements condition when compared to the No-Build condition.~~ It is also important to note that under the existing zoning development program previously discussed (though not one that is economically viable and would not be pursued by the Applicant), the Proposed Project-Generated volumes on the South Regent Street approach would be 28, 19 and 27 vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively, a marginal reduction.

As noted previously, the Applicant will continue to pursue additional extension (beyond the 30-foot storage extension currently proposed) of the right-turn lane to further improve this intersection; however, the limited right-of-way and environmental constraints at this location may disallow further extension of this turn lane. ~~In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant, and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see~~

Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary.

The intersection of the Boston Post Road and Hillside Road experiences a greater incremental Proposed Project impact when considering the additional pedestrian volumes crossing the Hillside Road leg of the intersection. As noted previously, the Applicant is committed to providing a jitney service between the Project Site and the train station(s). Therefore, the additional pedestrian volumes crossing at this location would not be expected to materialize with the jitney service provision and the impacts identified in Table FEIS III.E-9a only further demonstrate the benefit of providing the jitney service.

In addition to the previously-recommended improvements, the following additional improvements/financial contributions are proposed in association with the FEIS traffic analysis and DEIS comments:

1. Traffic signal timing modifications at The Boston Post Road and Peck Avenue to provide additional green time to the southbound The Boston Post Road left-turn maneuver
2. Fair-share financial contribution towards installation of a roundabout at the intersections of Purchase Street & Ridge Street/Hillside Road/Wappanocca Avenue.
3. Fair-share Financial contribution towards the following improvements at the intersection of Midland Avenue and Peck Avenue:
 - a. Provide a separate right turn lane from Midland Avenue southbound onto Peck Avenue
 - b. Provide a separate left turn lane from Peck Avenue to Midland Avenue northbound
 - c. Upgrade the traffic signal to include full actuation and to allow the right turn overlap from Midland Avenue onto Peck Avenue
 - d. Install pedestrian actuation and ADA compliant crosswalks
4. Traffic signal timing modifications at South Ridge Street and Bowman Avenue
5. Traffic signal timing modifications at South Ridge Street/North Ridge Street and Westchester Avenue
6. Traffic signal timing modifications at Midland Avenue and Peck Avenue
7. Traffic signal timing modifications at the Boston Post Road and Slater Street
8. Traffic signal timing modifications at the Boston Post Road and Grace Church Street/Purdy Avenue/South Main Street

The following Table III.E-9f, Fair-share Contribution Summary summarizes the proposed Fair-share financial contributions for improvements 2 and 3 listed above:

Table FEIS III.E-9f
Fair-share Contribution Summary

Intersection	Total AM, PM, SAT Build Traffic Volumes	Total AM, PM, SAT Project-generated Traffic Volumes	Fair-share Percentage	Total Estimated Improvement Cost	Fair-share Contribution
Purchase St & Ridge St/Hillside Rd/Wappanocca Ave	5,740	261	4.5%	\$500,000	\$22,500
Peck Ave & Midland Ave	4,312	297	6.9%	\$500,000	\$34,500
TOTAL			-	\$1,000,000	\$57,000

Source: TRC Engineers, Inc.

All proposed improvements and Fair-share Financial Contributions would be made prior to the opening of the Proposed Project.

Although improvements are not, in the Applicant's opinion, warranted at these locations due to the Proposed Project impacts (neither location will experience greater than a ~~63.5~~ second increase in Overall Delay, during any of the Peak Hours), the City of Rye has raised concerns about these locations. Based on the foregoing, the Applicant is committed to providing a Fair-share Financial Contribution towards these improvements. The fair-share contributions towards intersection improvements in the City of Rye were calculated based upon the percentage of vehicles that will be added to the intersection as a result of the Proposed Project. Additionally, these percentages were based upon a revised Trip Distribution through the subject intersections, as per the recommendation of the City of Rye's Traffic Consultant. This resulted in additional Proposed Project trips through the subject intersections. The estimated cost of the roundabout improvement was based on the construction costs contained in the City of Rye's 2016 – 2020 Capital Improvement Plan, dated August 2015 (Appendix E). Therefore, it is assumed that the Cost Estimate identified in the current Capital Improvement Plan is up to date. The estimated cost for the Peck Avenue/Midland Avenue improvements is a very Rough Order of Magnitude Estimate. It should be noted that the Peck Avenue/Midland Avenue improvements were also improvements previously considered by the City of Rye and were also previously proposed by a prior Application, but did not receive the necessary local approval. The Applicant has also committed \$50,000 to be provided to the City of Rye as a condition of Site Plan Approval to be used towards traffic calming measures in the Rye Park neighborhood. Again, it is the Applicant's opinion that these measures are not necessitated by the Proposed Project, but the monies will be allocated towards these improvements, based upon pre-existing concerns identified by the City of Rye.

ACCIDENT ANALYSIS

Based upon comments on the DEIS it was determined that the section of the Boston Post Road between High Street and Willow Avenue has been identified as a Priority Investigation Location (PIL) by NYSDOT. As such, a Highway Safety Investigation (HSI) must be prepared to summarize the existing accidents in the corridor and identify current accident rates and how they would be improved via any improvements proposed for the corridor.

TRC has prepared the HSI Report for this corridor and a copy is contained in Appendix E. As can be seen in the Report, the improvements proposed for this portion of the Boston Post Road corridor would be expected to lessen the existing overall accident rate (accidents per volume of vehicles/vehicle miles travelled) by approximately 18%. The 18% reduction factor is per the NYSDOT PIES – Reduction Factor Report. This is a reduction factor attributable to upgraded traffic signal modifications. For instance, in the Applicant's opinion, a significant safety improvement is re-routing the High Street left-turns to the proposed Site Driveway. Those turns are now made under the full protection of a dedicated left-turn lane and dedicated traffic signal phase, as opposed to the current condition of making the left-turn maneuver from the de-facto left-turn lane under a permitted (wait for gap in opposing traffic) traffic signal phase. The Report also allows further reduction factors for items such as provision of dedicated turn lanes; however, no additional reduction factors were taken beyond the 18% to remain conservative. Therefore, the proposed improvements will, in the Applicant's opinion, provide a significant safety benefit compared to the No Build Condition, as well as capacity benefit in the area.

POST IMPLEMENTATION TRAFFIC STUDY

Based upon comments received on the DEIS, as well as the NYSDOT meetings with the various review agencies ~~(Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant)~~, the Applicant has agreed to conduct a Post Implementation Traffic Study. This Study will ensure that the findings of the traffic analysis were representative of actual conditions upon completion of the Proposed Project. It is important to note that this study is not 'mitigation' as defined by SEQRA. In the Applicant's opinion, all reasonably anticipated impacts related to traffic are analyzed in the DEIS and this FEIS and mitigation is proposed where appropriate. The study would occur after the Proposed Project has been operating at 'full occupancy' for a pre-determined amount of time. If the Proposed Project is generating more traffic than anticipated or additional impacts are seen at particular locations due to Proposed Project traffic, then the Applicant would be required to make additional Financial Contributions towards further improvements. These monies would be bonded prior to construction of the Proposed Project and held for an adequate amount of time

post construction to ensure that they could be utilized based upon the findings of the Post Implementation Traffic Study.

As part of the NYSDOT Highway Work Permit for the proposed improvements to be implemented with the Proposed Project, the Applicant must fully bond the estimated cost of construction. The Applicant is committed to bonding an additional 5% beyond this amount, which could be drawn upon should the Post Implementation Study identify further improvements in the Village of Port Chester. Additionally, the Applicant is committed to bonding an additional \$~~250~~200,000 that could be drawn upon by the City of Rye for their implementation of improvements, should the Post Implementation Study identify further improvements in the City of Rye. The Applicant contends that the amount proposed to be bonded for the City of Rye is well in excess of any proportional “fair share” that would be required to mitigate potential Project related impacts. The detailed Scope of Study for the Post Implementation Study, as well as the amount of money to be bonded, will be memorialized as part of the Site Plan Approval process, based upon input from the various review agencies (~~Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant~~) and as determined by the Village of Port Chester.

If the Proposed Project is generating more traffic than anticipated or additional traffic impacts are experienced at particular locations, then the following improvements (or other improvements determined as part of the Post Implementation Study) will be considered:

Village of Port Chester

1. Traffic Signalization at the I-95 northbound off-ramp intersection with Boston Post Road
2. Provision of a dedicated right-turn lane on Boston Post Road southbound approach to the Proposed Project Site driveway (see FEIS Exhibit III.E-36).
3. Provision of an additional lane on the Proposed Project Site driveway approach to Boston Post Road (see FEIS Exhibit III.E-36).

City of Rye

1. Contribution towards provision of a dedicated right-turn lane on the Midland Avenue approach to Peck Avenue (see FEIS Exhibit III.E-35).
2. Contribution towards Installation of a roundabout at the intersections of Purchase Street & Ridge Street/Hillside Road/Wappanocca Avenue.
3. ~~Contribution towards Traffic Calming Measures within the neighborhood of Hillside Road, Evergreen Avenue and Grandview Avenue.~~

The cost and execution of any possible post implementation traffic improvements in the City of Rye will be handled in a different manner than in the Village of Port Chester. The Applicant

proposes that the City of Rye can reasonably include any location or intersection it deems appropriate in addition to the ones listed above for the Post Implementation Study. If the Study determines that the Proposed Project is generating more traffic than anticipated or additional impacts are seen at one or more of the locations included in the Study within the City of Rye due to the Proposed Project traffic, the Applicant proposes to fund a maximum of ~~\$250~~200,000 towards any and all additional traffic improvements within the City of Rye, validated by Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant. The Applicant would not be responsible for any construction, management, design or cost (either hard or soft), required to execute these possible post-implementation traffic improvements beyond the ~~\$250~~200,000 cap, no matter what the total cost of any and all improvements that are to be executed. To ensure funds are available for these possible post-implementation traffic improvements, the Applicant will furnish a separate -bond for the ~~\$250~~200,000 when the Building Permit is pulled for the first building to be constructed as part of the Proposed Project.

It is the Applicant's opinion that the improvements recommended in association with the Proposed Project adequately offset any significant traffic impacts anticipated, based upon the Traffic Analysis conducted in the DEIS and FEIS. The Post Implementation improvement locations identified above have been provided based upon feedback received by other consultants/agencies reviewing the traffic analysis. The areas necessary to provide the additional turn lanes at the Proposed Project Site Driveway will be dedicated as Public Right-of-Way and/or conveyance to the Village of Port Chester and/or NYSDOT to ensure the availability of these areas for potential future widening.

EMERGENCY MANAGEMENT ACCESS

During the planning process, the Applicant met early on with the Fire Department, Police Department and Ambulance Corps to review initial planning solutions for the Proposed Project. During these discussions, the Applicant and emergency service personnel reviewed vehicle access, site articulation, turning radii, access to elevators and the like. The Applicant used this information to advance the prior site plan to its current configuration. A few highlights from earlier conversations between the Applicant and emergency service personnel:

1. The site has five (5) curb cuts distributed on High Street and Boston Post Road to provide multiple access points.
2. Most streets and turning radii are planned to accommodate a ladder truck.

3. All buildings can be accessed 360 degrees (from all four sides). Note, although there may not be a “finished” road behind Buildings A & C, the grade and landscaping has been designed to allow emergency vehicle access.
4. All buildings, including parking structures are anticipated to be sprinklered.
5. Aside from Building D, all structures are intended to be less than 75’ in height.
6. All buildings, including parking structures are anticipated to have at least one elevator that can accommodate a gurney.

SUPPLEMENTAL TRAFFIC ANALYSIS

~~It is the Applicant’s opinion that the FEIS traffic analysis presented herein is a more than conservative and representative analysis to determine any incremental Project related impacts and identification of associated mitigation to offset those Project related impacts. Based upon discussions with the various review agencies (Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant) an additional Supplemental Traffic Analysis has been prepared. The following is a list of additional parameters that were considered in the Supplemental Traffic Analysis:~~

~~**Pedestrian Lead Interval**—NYSDOT issued a Pedestrian Safety Action Plan, dated June 20, 2016 (copy contained in Appendix E). As part of this plan, the NYSDOT has an objective to provide Pedestrian Lead Intervals for crossings at signalized intersections along the Boston Post Road corridor. This would provide a 5-second Pedestrian Lead Interval for each Pedestrian Traffic Signal Phase. This would increase All Red time for vehicular traffic by an additional 5 seconds for every Pedestrian Signal Phase provided at each intersection. This safety improvement will have significant vehicular capacity impacts. Since this is a NYSDOT initiated action it is being considered as part of this Supplemental Traffic Analysis and any additional vehicular traffic impacts associated with this pedestrian safety improvement are not the burden of the Applicant. This Supplemental Traffic Analysis conservatively assumes that the Pedestrian Lead Interval will occur during every traffic signal cycle.~~

~~**Right turn on Red (RTOR) Restrictions**—RTOR movements that would conflict with a pedestrian movement must be restricted during the associated Pedestrian Lead Interval Phase. It should be noted that RTOR movements can be maintained during non-conflicting phases by use of LED blankout signs. To be conservative this Supplemental Traffic Analysis has restricted all RTOR movements at each location, at all times.~~

~~**CBD Parameter**—Based on additional discussions with the review agencies, it was agreed that the CBD Parameter should only be included at the Boston Post Road study locations. This~~

~~Supplemental Traffic Analysis has removed the CBD parameter from any locations not along the Boston Post Road corridor.~~

~~Additional Pedestrian Volumes—The Village of Port Chester Traffic Consultant has provided pedestrian volumes to be included in the Supplemental Traffic Analysis that considers additional Project generated pedestrian traffic walking to/from the Project Site to/from the Port Chester and Rye train stations. These pedestrian volumes are illustrated on Exhibit Y-1 and Y-2 contained in Appendix E. These pedestrian volumes were conservatively included in the Supplemental Traffic Analysis even though the Applicant is committed to providing a jitney service between the Project Site and the train station(s). Inclusion of these pedestrian volumes and identification of potential vehicular traffic impacts associated with them simply demonstrate the benefit of providing the jitney service.~~

~~South Regent Street Single Lane Approach—Due to the substandard right turn lane currently provided on the South Regent Street approach to the Boston Post Road, it was agreed amongst the review agencies that another alternative analysis to consider would be treatment of this approach as a single lane approach. The Supplemental Traffic Analysis conservatively analyzes the approach as one 12 foot lane.~~

- ~~High Street Single Lane Approach—The FEIS traffic analysis considered the High Street approach to the Boston Post Road as a two lane approach under current geometry. It was agreed amongst the review agencies that another alternative analysis to consider would be treatment of this approach as a single lane approach. The Supplemental Traffic Analysis conservatively analyzes the approach as one 12 foot lane. It should be noted that the Build with Improvements condition in the FEIS traffic analysis already considered conversion of this approach to a single right turn lane (with left turns restricted).~~

~~The following Table summarizes the No Build, Build, and Build with Improvements Overall Levels of Service and Delays for the Supplemental Traffic Analysis (detailed Level of Service and Delay Summary Tables are included in Appendix E along with the Capacity Analysis Worksheets):~~

Table FEIS III.E-9a
Supplemental Analysis—2018 Level of Service Summary Table

	Study Location	Peak AM Hour			Peak PM Hour			Peak Sat. Hour		
		No Build	Build	Build w/ Imp	No Build	Build	Build w/ Imp	No Build	Build	Build w/ Imp
		LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)	LOS (Delay)
1	Project Site Access & High Street	b (11.7)	c (15.1)	b (14.6)	b (13.0)	c (19.1)	c (18.2)	b (12.8)	c (19.1)	c (18.1)
2	Boston Post Road & Slater Street	D (36.3)	D (47.1)	D (38.7)	E (57.4)	E (80.0)	E (56.8)	D (41.0)	E (59.2)	D (43.6)

3	Boston Post Road & Pearl Street	E (64.4)	E (76.9)	D (35.3)	E (63.7)	E (76.7)	D (50.3)	D (46.6)	E (63.5)	D (36.9)
4	Boston Post Road & South Regent Street	F (168.5)	F (214.0)	F (171.1)	F (228.4)	F (277.1)	F (222.8)	F (173.9)	F (219.4)	F (176.3)
5	Boston Post Road & Kohl's Driveway/Proposed Project Site Driveway	B (13.5)	C (29.5)	D (38.9)	D (47.2)	E (62.4)	E (57.4)	C (30.7)	E (64.8)	E (57.1)
6	Boston Post Road & High Street	F (103.6)	F (296.2)	B (10.7)	F (238.0)	F (339.5)	C (30.9)	F (205.3)	F (323.8)	B (13.8)
7	Boston Post Road & I-287 WB On-Ramp/I-95 NB Off-Ramp	e (17.7)	d (33.3)	d (34.0)	e (21.9)	e (38.0)	d (38.2)	b (14.4)	e (20.1)	e (19.6)
8	Boston Post Road & I-287 EB Off-Ramp/I-95 SB On-Ramp	F (113.2)	F (159.7)	F (96.1)	F (90.2)	F (143.3)	E (75.0)	E (57.4)	F (105.7)	D (54.3)
9	Boston Post Road & Hillside Road	e (19.6)	d (27.9)	d (27.9)	d (31.8)	f (52.3)	f (52.3)	d (26.7)	d (32.3)	d (32.3)
10	Ridge Street & High Street	A (8.2)	B (11.7)	B (11.7)	A (8.6)	B (13.2)	B (13.2)	A (9.4)	B (17.0)	B (17.0)
11	High Street & Grandview Avenue	b (10.8)	b (12.0)	b (12.0)	b (11.8)	b (12.7)	b (12.7)	b (11.3)	b (12.5)	b (12.5)
12	High Street & Evergreen Avenue	b (10.2)	b (10.8)	b (10.8)	b (12.2)	b (13.3)	b (13.3)	b (11.7)	b (12.7)	b (12.7)
13	Boston Post Road & Cedar Street	D (53.0)	D (51.0)	D (51.0)	C (33.5)	C (32.6)	C (32.6)	B (17.9)	B (17.9)	B (17.9)
14	Boston Post Road & Peck Avenue	D (44.7)	E (60.3)	D (40.5)	C (31.3)	D (38.9)	C (34.2)	C (33.1)	D (41.4)	D (39.9)
15	Peck Avenue & Midland Avenue	D (37.8)	D (46.9)	D (41.0)	D (35.7)	D (49.3)	D (38.5)	D (50.0)	E (64.4)	D (53.4)
16	Hillside Road/Wappanocca Avenue & Purchase Street (NY Route 120)	d (26.0)	d (26.6)	d (26.6)	d (29.4)	d (30.2)	d (30.2)	e (19.8)	e (20.3)	e (20.3)
17	Hillside Road & Grandview Avenue	a (9.1)	a (9.1)	a (9.1)	a (7.8)	a (7.8)	a (7.8)	a (7.5)	a (7.6)	a (7.6)
18	Boston Post Road/Purdy Ave. & Grace Church St./S. Main St (US Rt. 1)	C (29.4)	C (29.4)	C (29.4)	D (36.7)	D (41.8)	D (38.7)	C (31.7)	C (32.7)	C (32.7)
19	Boston Post Road & Olivia Street	a (1.5)	a (1.6)	a (1.6)	a (1.7)	a (1.9)	a (1.9)	a (0.9)	a (1.0)	a (1.0)
20	Central Project Site Access & High Street	N/A	e (17.7)	b (13.1)	N/A	d (35.0)	e (41.0)	N/A	d (25.2)	d (26.7)
21	Easterly Project Site Access & High Street	N/A	e (18.8)	b (10.6)	N/A	e (21.1)	b (12.4)	N/A	e (21.5)	b (11.9)
22	Northerly Project Site Access & Boston Post Road	N/A	b (13.0)	b (13.0)	N/A	a (9.4)	b (12.9)	N/A	a (9.6)	a (9.9)
23	Purchase Street and Ridge Street	e (17.2)	e (18.2)	e (18.2)	e (35.1)	e (39.4)	e (39.4)	e (19.8)	e (21.2)	e (21.2)
24	South Ridge Street and Bowman Avenue	D (47.2)	D (51.4)	C (34.0)	D (41.9)	D (42.3)	C (33.0)	C (31.3)	C (32.1)	C (25.5)
25	South Ridge Street/North Ridge Street and Westchester Avenue	F (109.8)	F (125.7)	E (63.3)	F (142.4)	F (139.0)	F (88.2)	C (32.9)	D (35.3)	C (25.7)

~~Note: Signalized intersections represented by upper case letters.~~

~~Unsignalized intersections represented by lower case letters.~~

~~Delay is in seconds per vehicle.~~

~~LOS for unsignalized intersections are based upon the critical approach.~~

~~Source: TRC Engineers, Inc.~~

~~As can be seen in Table FEIS III.E-9a above, incremental impacts from No-Build to Build-with Improvements conditions are generally similar to the incremental impacts identified in the FEIS traffic analysis. Particular items of note are as follows:~~

- ~~1. The intersection of the Boston Post Road and Slater Street experiences a greater incremental Project impact when considering the additional parameters of the Supplemental Traffic Analysis (primarily due to the Pedestrian Lead Interval). As illustrated in Table FEIS III.9a, traffic signal timing adjustments could be implemented at this location in association with the NYSDOT implementing the Pedestrian Lead Interval that would adequately accommodate the additional Project-generated traffic at this location. As noted previously, the Pedestrian Lead Interval is not a Project-initiated improvement and the traffic signal timing adjustments should only be considered by NYSDOT, if and when they implement the Pedestrian Lead Interval at this location.~~
- ~~2. The intersection of the Boston Post Road and Kohl's Driveway/Proposed Project Site Driveway experiences a greater incremental Project impact when considering the additional parameters of the Supplemental Traffic Analysis (primarily due to the Pedestrian Lead Interval). The additional impacts due to the implementation of the Pedestrian Lead Interval should not be the burden of the Applicant, since it is a NYSDOT-initiated improvement. As noted previously, the Applicant is committed to analyzing this location as part of the Post Implementation Study and if deemed necessary, additional turn lane(s) will be provided on the associated approach(es) at the Applicant's expense. The Applicant has committed to bond an additional 5% beyond the amount required for the NYSDOT Highway Work Permit; this bond shall be held by the Village of Port Chester and, which could be drawn upon should the Post Implementation Study identify further improvements are warranted. The detailed Scope of Study for the Post Implementation Study, as well as the amount of money to be bonded, will be memorialized as part of the Site Plan Approval process, based upon input from the various review agencies and as determined by the Village. The Supplemental Traffic Analysis considers an alternative improvement that could be considered if the Post Implementation Study determines it to be necessary. This improvement considered an additional lane on the Proposed Project Site Driveway approach in order to provide two dedicated left turn lanes and one shared through/right turn lane. The provision of a fully dedicated double left turn movement on the Proposed Project Site Driveway approach would allow the double left turn on the Kohl's Driveway to operate concurrently with the double left turn on the Proposed Project Site Driveway. The additional southbound Boston Post Road right turn lane was also included, as identified previously in the Post~~

~~Implementation Study discussion. Pedestrian crossings would still be fully accommodated in this Concept.~~

- ~~3. The improvement identified in the FEIS traffic analysis for the intersection of the Boston Post Road and I-287 EB Off-Ramp/I-95 SB On-Ramp does not provide as great a benefit when considering the additional parameters of the Supplemental Traffic Analysis (primarily due to the Pedestrian Lead Interval and the restriction of RTOR). An alternative improvement considered at this location, the results of which are shown in Table FEIS-III.E-9a, is conversion of the proposed I-287 eastbound off-ramp center lane from a dedicated left turn lane to a shared left turn/right turn lane. This will add capacity to the approach that is being reduced with elimination of the RTOR. This is a design detail that can be finalized with NYSDOT as part of the Highway Work Permit process. This Alternative Conceptual Improvement Plan is illustrated on Exhibit Y-3 contained in Appendix E.~~
- ~~4. The intersection of the Boston Post Road and Hillside Road experiences a greater incremental Project impact when considering the additional pedestrian volumes crossing the Hillside Road leg of the intersection. As noted previously, the Applicant is committed to providing a jitney service between the Project Site and the train station(s). Therefore, the additional pedestrian volumes crossing at this location would not materialize with the jitney service provision and the impacts identified in Table FEIS-III.E-9a only further demonstrate the benefit of providing the jitney service.~~
- ~~5. The intersection of the Boston Post Road/Purdy Avenue and Grace Church Street/South Main Street (US Route 1) experiences a greater incremental Project impact when considering the additional parameters of the Supplemental Traffic Analysis (primarily due to the Pedestrian Lead Interval). As illustrated in Table FEIS-III.9a, traffic signal timing adjustments could be implemented at this location in association with the NYSDOT implementing the Pedestrian Lead Interval that would adequately accommodate the additional Project generated traffic at this location. As noted previously, the Pedestrian Lead Interval is not Project initiated improvement and the traffic signal timing adjustments should only be considered by NYSDOT, if and when they implement the Pedestrian Lead Interval at this location.~~

Below are responses to the substantive comments made on the traffic chapter of the DEIS.

Comment E1:

Please clarify what would be the 'baseline' mitigation that would 'typically' be provided by a 'standard SEQR mitigation' approach for this Project, as this is needed to determine what mitigation proposed by the Applicant, if any is above beyond that baseline.

AKRF, Inc. and Sive, Paget & Riesel P.C., Letter 42, November 2, 2015

Response:

SEQR requires mitigation to be provided to offset the Proposed Project's impacts. In many instances, locations are already experiencing capacity and safety constraints and the Proposed Project incrementally adds to these existing constraints. In order to offset the Proposed Project's impacts a form of mitigation may need to be offered that goes above and beyond the Proposed Project's impacts by also mitigating existing conditions. For instance, a left-turn lane may already be needed at a particular location without the Proposed Project constructed. The Proposed Project may only add 25% more traffic to the intersection; however, you cannot build 25% of a lane. Therefore, if the Proposed Project builds the entire lane, in the Applicant's opinion it is thus providing 75% above and beyond its 'Fair-share' responsibility. In other instances, the Proposed Project may make a Fair-share Financial Contribution towards future improvements where the incremental traffic increase is not as significant (say less than 10%). A typical calculation utilized to determine the Proposed Project's Fair-share Financial Contribution Percentage is as follows:

$$\text{Fair-share Percentage} = \frac{\text{Total Peak AM, PM and Saturday Hour Project Generated Traffic}}{\text{Total Future Intersection Peak AM, PM and Saturday Hour Traffic with proposed Project}} \times 100$$

Comment E2:

The trip distribution graphics seem to show left turns into and out of High Street. Please discuss the impacts of this on the traffic analyses.

AKRF, Inc. and Sive, Paget & Riesel P.C., Letter 42, November 2, 2015

Response:

As part of the Proposed Project, left-turns into and out of High Street will be re-routed through the Project Site. The Trip Distributions and Re-routed Traffic Volumes are illustrated on Exhibits FEIS.III.E-5 through FEIS.III.E-21.

Comment E3:**Existing Traffic Volumes**

The existing traffic volumes contained in the DEIS Traffic Study were compared with historical traffic counts obtained from the New York State Department of Transportation (NYSDOT) as well as with automatic machine traffic counts we collected along High Street and Hillside Road.

Based on this comparison, the peak hour traffic volumes contained in the report for the U.S. Route 1 corridor and for High Street appear to be reasonable. The collection of some additional counts in September after schools are back in session should be completed to confirm this information. It should also be noted that the Traffic Study provides data and analyzes the intersection of Purchase Street and Hillside Road/ Wappanocca Avenue; however, this does not include traffic data or analysis of Purchase Street and Ridge Street. Due to the proximity to the former intersection, the two intersections function together and need to be analyzed together. Therefore, the Traffic Study should be revised accordingly (see also Item 4 below).

It is unclear whether the Kohl's Shopping Center was full occupied at the time of the traffic data collection. The Applicant should verify the vacancy status at that time and, if any existed, estimates of traffic generated by those spaces if fully occupied, should be evaluated in any analysis.

Philip Greal, Letter 3, August 27, 2015, PH, September 21, 2015 p. 63

Sorry for the interruption, but do you know: Was Whole Foods open at that time?
Trustee Brakewood, PH September 21, 2015, P. 10

Traffic and Transportation

Getting the traffic impacts mitigated is probably the biggest obstacle of this project, in terms of public favor for the project. After watching most but not all of the Starwood public hearings, I'm not thrilled and remain concerned about the long term traffic impacts to the Village from this project.

Traffic volumes data – The data should be collected using the strips on the ground to obtain actual traffic volumes – not by observation. The data should be collected from Nov 15th to Jan 5th, 24 hours x 7 days a week. That should be the baseline. The traffic during this time frame, from 287 to Regent is distinctly different (the worst) from the rest of the year.

The actual traffic counts should be collected for Dunkin Donuts, McDonalds sites (In and Out driveways) and the bank 'right turn only' driveway.

The traffic counting strips should be run down the yellow line from before the bank exit driveway right to the intersection of Regent. You need the actual counts of cars making left turns into Dunkin Donuts, McDonalds, the Gas Station and cars making lefts out of the bank driveway (don't say it's not done).

Michael Scarola Letter 40, October 30, 2015

Traffic analysis should consider current conditions while factoring the additional cars resulting from the development. To get accurate measures of current traffic conditions, there should be 24/7 traffic data collection between Thanksgiving and New Year's to capture the height of traffic trip generation.

Port Chester Planning Commission, Letter 51, September 22, 2015

The results of the additional counts should be included in the FEIS and compared with the traffic volume information previously collected. A review of the additional traffic volume information should indicate whether additional traffic analyses will be required.

Adler Consulting, Letter 44, November 16, 2015 p. 2

Response:

As noted in Section FEIS.III.E-INTRODUCTION, additional traffic counts were performed at five representative locations in October 2015 to verify the May 2014 traffic counts utilized in the DEIS. The May 2014 traffic counts were higher than the October 2015 traffic counts in almost all instances and where the October 2015 counts were higher, the May 2014 counts were still within 4%, which, in the Applicant's opinion, is more than acceptable. Although, NYSDOT has no published standards with respect acceptability of traffic counts, the New Jersey Department of Transportation's New Jersey Highway Access Management Code (NJAC 16:47) indicates that counts must be within 10% in order to be acceptable. It should also be noted that the manual turning movement traffic count data was collected with state of the art video recorder equipment, which utilizes software to accurately count the vehicles within a 5% margin of error. Furthermore, all manual turning movement counts were verified with Automatic Traffic Recorder (ATR) machine counters (rubber tubes across road). These machines recorded traffic volumes for 24 hours a day over a one to two-week period. In addition to the five locations recounted, traffic counts were performed at three new study locations, including Purchase Street and Ridge Street, and those locations have been included in the FEIS traffic analysis.

It is noted that approximately 3,500 square feet (sf) of retail space contiguous to the Whole Foods Market was unoccupied at the Kohl's Shopping Center when the original traffic counts were performed in May 2014. This is a nominal amount, as compared to the total 450,000 sf (+/-) of the Shopping Center, and is adequately accommodated in the 2% background growth rate applied to the Existing Traffic Volumes. This is so because the traffic movements into and out of the Kohl's Shopping Center were also grown by the 2% annual growth rate (over 8% total growth). Growing private development traffic is not typical, since it is generally assumed that the site is fully built and occupied or any unoccupied portion of the development is specifically accounted for via ITE Trip Generation Rates. When accounting for the 3,500 square feet with ITE Rates, the increase in traffic would be approximately 85% less than the increase applied to the Kohl's Shopping Center traffic volumes, via the 2% growth rate. Therefore, the background

traffic development associated with the unoccupied portion of the Kohl's Shopping Center provides a more than conservative approach.

It is not standard practice to gather data and analyze private driveways (such as Dunkin' Donuts, McDonalds, etc.) since these are private drives not under the control of the public agency and/or Applicant. Traffic volumes going to and from these private developments are captured in the traffic volumes at the upstream and downstream public intersections. The FEIS Traffic Study utilized the Central Business District (CBD) parameter in the analysis. One component of this parameter is adjustment to the analysis results to factor in mid-block curb cuts for private drives, such as McDonalds and Dunkin' Donuts. Furthermore, significant delays, if any, would be similarly experienced at these locations as those experienced at the adjacent public street intersections. Any benefits to traffic travelling the Boston Post Road, due to the proposed roadway improvements, would also be directly and indirectly experienced by traffic associated with these other private developments.

Analysis of holiday traffic periods are not standard practice, since using this as a baseline would cause over design of roadways leading to a "sea of asphalt" to serve a traffic demand that only exists for approximately 20 hours of the 8,760 hours in a typical year. However, any incremental increases in vehicular delay would likely be similar during the holiday traffic periods, as those identified for the traffic analysis conducted for more typical timeframes. Any benefits experienced, due to the proposed roadway improvements associated with the Proposed Project, would still provide a similar incremental benefit during the holiday period.

Comment E4:

Peak Hour Factors (PHFs) ranging from 0.95 to 0.97 are used at the Route 1 intersections with South Regent Street, the site driveway/Kohls driveway and the I287 off ramp/I95 on ramp. These PHFs are high and verification is needed to determine if these are correct. If they are correct, they may suggest those intersections are at or near capacity already.

Christopher Lee, NYSDOT, Letter 34, October 30, 2015

Response:

The DEIS traffic analysis utilized calculated PHF's based upon the actual counts in the field. Additional information is provided in Appendix E for how these PHF's were calculated. These PHF's are representative of actual field conditions, which were verified through the Simulation Model calibration. Therefore, these calculated PHF's have been used in the FEIS traffic analysis. It should also be noted that the analysis utilized calculated PHF's for each individual movement, which represents a worst-case approach as it creates a scenario where each movement will peak in the same 15-minute period during the peak hour, when in reality this scenario does not always occur. The Highway Capacity Manual recommends the use of a single

PHF for the entire intersection to avoid creating traffic volume demand scenarios that are disproportionate to the actual traffic volumes.

Comment E5:

In all analyzed build scenarios, the SimTraffic simulation shows northbound traffic on Route 1 stops progressing at the intersection with I287 off ramp/I95 on ramp and starts backing up out of the model. In Synchro, the intersection LOS is F and queue length is theoretically infinite for the northbound movement. The analysis needs to be verified to show this intersection is operating appropriately.

Christopher Lee, NYSDOT, Letter 34, October 30, 2015

Response:

The SimTraffic Simulation Model is accurately reflecting conditions that exist in the field, due to the lack of a dedicated left-turn lane on the Boston Post Road approach to the I-95 southbound on-ramp. This condition traps through vehicles in this shared lane and essentially cuts the capacity of the Boston Post Road in half by the non-standard elimination of the through lane at this location. The proposed physical widening improvements on the I-287 off-ramp at this location will allow additional green time to be allocated to the Boston Post Road left-turn phase to the I-95 southbound on-ramp. This will allow ~~a Level of Service 'D' or better to be achieved~~ on this approach to operate better under the Build with Improvements condition when compared against No-Build conditions, during ~~all three Peak Hours. Additionally, the average Peak AM and Peak PM Hours and only a 0.3 second increase in delay during the Peak Saturday Hour.~~ Queue lengths on this approach will be reduced (from No-Build to shortened in the Build with Improvements condition) by approximately 9 to 29 seconds per vehicle, depending upon the Peak Hour when compared against the No-Build condition, during all three Peak Hours.

Comment E6:

The saturated flow rates within the Synchro files have values that exceed the ideal saturated flow rate and some appear very large. These need to be verified and data needs to be provided showing how the adjusted saturated flow rate was derived.

Christopher Lee, NYSDOT, Letter 34, October 30, 2015

Response:

The Ideal Saturated flow rate is the default rate recommended by the Highway Capacity Manual. Saturated flow rates are per the calculated values derived via the Synchro software. Additionally, the conditions are representative of actual field conditions, which was verified through the Simulation Model calibration.

Comment E7:

The proposal shows changing a right turn lane at the I287 off ramp into a shared right and left turn lane. Large commercial vehicles turning left would encroach into the other lane or onto the southbound lanes of Route 1. A turning template for this movement using a WB50 (semi-trailer) truck needs to be submitted.

Christopher Lee, NYSDOT, Letter 34, October 30, 2015

Response:

A Concept Plan for this proposed improvement has been prepared illustrating the WB-50 (semi-trailer) turning template. This Concept Plan is illustrated on Exhibit FEIS.III.E-27. As can be seen in the Concept Plan, a WB-50 can appropriately turn in the right-most left-turn lane in tandem with a passenger vehicle in the inside lane. It should be noted that this associated movement is illegally occurring today, since larger vehicles must track into the right-hand lane to perform their left-turn maneuver, due to the unconventional skewed angle of this approach. Therefore, it is the Applicant's opinion that the proposed improvement will significantly improve upon the existing substandard condition by allowing a WB-50 truck to now perform their maneuver safely and legally from the right-most dedicated left-turn lane.

Comment E8:Projected Traffic Volumes

The traffic study includes a growth factor of 2.0% per year in projecting the existing traffic to a future design year of 2018. Based on NYSDOT criteria, the projections should be made for a longer time frame. Typically, NYSDOT requires estimated time of completion (ETC) + 10 years and the traffic study should be revised accordingly and should also include traffic for any other development proposals in Port Chester, Rye or Rye Brook, which would add to background traffic volumes.

Also, the DEIS provides a brief analysis of future traffic conditions with the proposed Zoning Overlay District in Section III.L. While the Traffic Study does include analyses for the key immediate adjacent intersections impacted by this potential overlay district, the results of which are summarized in Tables III.L-5 & III.L-6, a detailed discussion of the trip estimates for the overlay district and how they were determined is not provided. Based on the limited information given, it is assumed that the overlay district would allow for significant redevelopment of the Kohl's shopping center. Additional information should be provided on the trip estimates and traffic volumes utilized for the overlay district analysis. It should be noted that Table III.L-7 appears to indicate that the overlay district could result in as many as 800-900 additional vehicle trips (on top of the proposed action) traveling through the U.S. Route 1/Kohl's/Site Access intersection, which is already approaching capacity after the UHR is completed. Also, see

Section D below on overlay district for additional information which should be required in the revised traffic study.

Philip Grealy, Letter 3, August 27, 2015

The background growth rate included in the traffic study is two (2) percent per year to account for the increase in traffic volumes due to other developments in the area. However, absent justification, the traffic generated by the re-occupancy of the portions of the Kohl's Shopping Center site that are currently vacant should be considered separately given the location of the Kohl's Shopping Center directly across the street from the main entrance to the proposed project.

Adler Consulting, Letter 44, November 16, 2015 p. 2

Garth Schultz, Letter 29, October 8, 2015

Response:

As noted in the INTRODUCTION, the 2% annually compounded growth rate for 4 years (2014 to 2018 Design Year) results in a total growth rate of 8.24% being applied to the Existing Traffic Volumes. Applying the 0.32% (average of actual growth rate for Port Chester and Rye) for a total of 14 years yields a total growth rate of 4.57%. Therefore, the analysis conducted in the DEIS and updated in the FEIS serves as an ETC+10 analysis. Additionally, it was confirmed that only 3,500 sf of retail space (approximate) was unoccupied at the Kohl's Shopping Center at the time of the traffic counts. Therefore, the background growth rate is more than adequate to account for this minimal level of unoccupied square footage.

The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). Further, the Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

Comment E9:

Site Generated Traffic Volumes

The traffic report uses standard trip generation estimates based on the Institute of Transportation Engineers (ITE) as published in their report Trip Generation, 9th Edition, 2012. The methodology used to estimate the amount of new trips to the roadway system appears to be reasonable, however, the exact mix of uses such as some of the retail space could affect the final traffic generation figures. Note that the specialty retail category was utilized for most of the retail space. If other more intensive retail uses occur, the trip generation for the UHR project could be significantly higher. This in turn may affect the traffic results as discussed below. The Applicant should provide site generated volumes and potential impacts based on more general retail uses.

It should also be noted that the Applicant has applied a 42% mass transit credit to the residential trip generation estimates based on Census data. This credit was applied to both the Senior Housing uses and the typical residential units. It is likely that the mass transit credit for the Senior Housing units would be less. It is also unclear if the residential trip generation estimates account for drop off trips to the Rye train station. The Rye station, which is closest to the site, is still approximately 1 mile away and it is likely that a portion of the transit users from the development will be dropped off similar to many other existing users of this station, due to its distance from the development and the limited availability of parking at the train station (which is only available to City of Rye residents).

Philip Grealy, Letter 3, August 27, 2015, PH, September 21, 2015, p. 79

There will likely be residents of the development who commute to New York City by way of the City of Rye train station. There must be consideration as to how these commuters will add to pedestrian and car traffic during morning and evening hours and what routes these commuters will take to the train station.

Port Chester Planning Commission, Letter 51, September 22, 2015

It is recommended that the Applicant re-calculate the anticipated trip generation values for the proposed development using the appropriate land uses, trip rates and adjustments.

Adler Consulting, Letter 44, November 16, 2015 p. 4

Response:

The Trip Generation calculations are discussed in more detail in Section FEIS III.E-INTRODUCTION, Subsection Trip Generation. As noted in this Section, the use of Specialty Retail is appropriate as it provides a representative estimate of trip generation when compared against other retail land use alternatives. Furthermore, the Mass Transit credit is further supported by the Applicant's committal to providing jitney service to/from the local railroad

station with the conditions previously noted and is not proposing residents to drive and park at the train station(s). Finally, the Applicant has conducted a Mass Transit Credit Sensitivity Analysis, discussed in more detail in Section FEIS III.E-INTRODUCTION, Subsection Trip Generation. As discussed in that Section, the lowered Mass Transit Credit would not have any significant impact upon the findings of the traffic analysis and identified mitigation.

Comment E10:

Arrival and Departure Distributions

The study identifies various arrival and departure distributions of traffic to the redevelopment site based on a gravity model analysis. Separate distributions for the residential, office and retail components were established. Based upon a review of the distributions, the following items should be noted and addressed accordingly in the FEIS.

- a) The amount of traffic anticipated to arrive from the north on I-95 appears to be low and the related assignment to the Midland Avenue exit only accounts for between 4% and 6% of the site generated traffic for the various uses using this route. While it is understood that this percentage was arrived at via a gravity model analysis, it is likely that this percentage will be higher. Also, it is unclear whether any portion of the traffic arriving from I-95 north was assigned to the Bowman Avenue (Exit 10) exit ramp from I-287 westbound. This should be clarified. At a minimum, a sensitivity analysis should be completed with an additional 5% of site generated traffic assigned to I-95 from the north and arriving via Midland Avenue and Peck Avenue,

Philip Grealy, Letter 3, August 27, 2015

The Exhibits displaying the arrival and departure patterns for the proposed project includes the roadways in the immediate area of the project and do not include information for the streets west of Ridge Street. The information provided by the Applicant indicated that extensive delays and vehicle queues could be anticipated along Boston Post Road and the exit roadways and ramps from I-287 and I-95 even with the roadway improvements proposed as part of this project. It is anticipated that motorists would avoid congested ramp areas and choose alternative roadways if available, such as Exit 10 (Purchase Street) from eastbound I-287, for access into the Study Area. The Applicant should perform travel time runs of the roadways in the study area to establish baseline travel time data to be used to modify the arrival and departure patterns presented. The travel time runs should include the I-287 and I-95 roadways and alternative exits and roadways.

The Exhibits displaying the arrival patterns anticipated for the Residential, Office, Retail and Hotel uses indicate that portions of the northbound traffic on Boston Post Road would turn left onto High Street for access into the proposed development. The Exhibits displaying the anticipated departure patterns for the Office and Hotel uses include left turns from High Street onto northbound Boston Post Road. Both left-turn movements would not be possible if the

roadway improvements proposed by the Applicant are implemented. The information displayed does not agree with the Build Volume information depicted in Exhibit 16. The appropriate corrections should be made to the Exhibits.

Adler Consulting, Letter 44, November 16, 2015 p. 5

Response:

As noted in Section FEIS.III.E-INTRODUCTION, Subsection Trip Distributions, an additional 5% has been applied to the route noted in Comment III.E-10 and has been analyzed accordingly in the FEIS traffic analysis. These Trip Distributions were further verified with travel time runs conducted by the Applicant, as discussed in the introduction to this Chapter. Furthermore, this Subsection references updated Exhibits illustrating the Trip Distributions throughout the expanded Study Area, as well as separate Trip Distributions and re-routed traffic volumes to account for the High Street turn restrictions.

Comment E 11:

- b) The I-95 off-ramp (Exit 21) from the south is projected to handle in the order of 25% of the site generated traffic depending on the specific land use of the development, i.e. office vs. retail vs. residential. Due to the proximity of the off-ramp in relationship to the UHR project's main access driveway and the potential peak hour queuing that the traffic study identifies in this vicinity, it is likely that some traffic may divert to the I-95 Exit 20 off-ramp to the south to arrive at the site (via Cedar Street to Purchase Street to High Street) since it may be faster during peak periods. A sensitivity analysis should be undertaken to evaluate this potential condition. This is important since if traffic diverts from the U.S. Route 1 exit ramp (Exit 21) to the Exit 20 ramp, traffic could then divert to Purdy Street and potentially through Grandview Avenue and other roadways to access High Street and the proposed UHR site access connections.

Philip Grealy, Letter 3, August 27, 2015

Response:

A majority of the traffic queueing along the I-95 off-ramp (Exit 21) is caused by the existing traffic signal at intersection of U.S. Route 1 & High Street. The proposed improvement at this intersection to eliminate left-turns into High Street and remove the traffic signal in the northbound direction to allow for a free-flow movement will significantly improve the operations along this ramp as indicated by the traffic simulation model. This would, in the Applicant's opinion, lessen the potential for any traffic diverting to I-95 Exit 20 and subsequently utilizing Grandview Avenue to access the Project Site. The No-Build and Build with Improvements Queue Lengths for this location are illustrated on Exhibits III.E-31.A and III.E-31.B. The existing optimal weaving distance from the Route I-95 northbound off-ramp to the stop bar on

the northbound Boston Post Road approach at High Street is 195 feet. By eliminating the left-turn from Boston Post Road to High Street and moving all left-turns to the Project Site Driveway, the optimal weaving distance in the future with the Proposed Project will be increased to 535 feet. When accounting for the 95th percentile queue lengths along the Boston Post Road northbound approach at High Street, the weaving distance in the No-Build condition is non-existent, as the queue lengths will routinely back up past the ramp's entrance to Boston Post Road during all peak hours. This creates additional delays, which is not borne out by the weaving analysis, and an unsafe situation as it forces drivers on the Route I-95 ramp destined to High Street to either wait for a gap in two lanes or force their way across the right-most Boston Post Road lane to get into the left-most lane to perform their maneuver. When accounting for the 95th percentile queue lengths in the Build with Improvements condition, the weaving distance is approximately ~~80—180~~ 90 – 130 feet from the ramp to the back of the 95th percentile queue, thereby providing vehicles on the I-95 ramp with room to merge into the right-most lane and change over to the left-most lane to perform their maneuver. When accounting for the 50th percentile, or average, queue lengths, the weaving distance in the No-Build condition is non-existent during ~~the all three Peak-PM and Saturday~~ Hours, as the queue lengths will continue to back up past the ramp's entrance to Boston Post Road. ~~During the No-Build Peak-AM Hour condition, the weaving distance will be approximately 80 feet, when accounting for the 50th percentile queue, whereas the~~ The weaving distance in the Build with Improvements condition, ~~when accounting for the 50th Percentile Queue Length~~ is between ~~200~~ 189 and ~~330~~ 287 feet, depending on the peak hour. At the suggestion of other consultants/agencies reviewing the traffic analysis, signalization of the Route I-95 off-ramp was analyzed. Although signalization may limit the weaving situation along this section of Boston Post Road, it will have a negative effect on queues at this location, and it is the Applicant's opinion that the proposed improvement sufficiently improves the currently unsafe weaving condition that occurs today without a significant increase to queued vehicles on the I-95 ramp proper. The Levels of Service and Analysis for the potential signalization of the ramp are contained in Appendix E.

The Applicant is committed to additional improvements at this location, such as traffic signalization, if the Post Implementation Study identified additional traffic volumes/impacts than those identified in the FEIS traffic analysis.

Comment E12:

- c) The intersection of the I-287 eastbound off-ramp (Exit 11) and U.S. Route 1 is projected to continue to experience long peak hour delays and queues even after the completion of the Applicant's proposed mitigation. In addition, during the PM Peak period, traffic destined to I-95 southbound regularly queues along I-287 for ½ mile or more, blocking the U.S. Route 1 off-ramp (Exit 11). This may result in a portion of the arriving traffic from the west utilizing the Purchase Street/Route 120 exit (Exit 10), to Ridge Street and possibly other local roads to access the site via the High Street connection. Note that we have completed some travel time runs which support that more traffic may use the

Purchase Street exit from I-287 eastbound during peak periods due to its faster travel time. It is suggested that travel time runs be completed to verify chosen distributions and that the Purchase Street, Ridge Street and High Street intersections be reanalyzed to identify the potential impact and any necessary mitigation.

Philip Grealy, Letter 3, August 27, 2015

Response:

As noted in Section FEIS.III.E-INTRODUCTION, Subsection Trip Distributions, an additional 5% has been applied to the route noted in Comment III.E-12 and has been analyzed accordingly in the FEIS traffic analysis. The travel time runs noted in the aforementioned Section, support that the 5% shift in Trip Distributions adequately address the potential range of Trip Distributions between the DEIS and FEIS analysis.

Comment E13:

- d) It appears that no traffic has been assigned to/from Route 120 (Purchase Street) west of Ridge Street. In fact, as noted above under Item A.1, the traffic for the intersection of Route 120 and Ridge Street is not part of the DEIS. The Applicant should assign a portion of site generated traffic to Route 120 and fully analyze the intersection of Route 120 with Ridge Street (taking into consideration its proximity to Wappanocca Avenue/Hillside Road) under all conditions and identify appropriate mitigation measures as necessary.

Philip Grealy, Letter 3, August 27, 2015, PH, September 21, 2015, p. 64, 74

In addition to the traffic volume data to be collected at several intersections, the Applicant should perform travel time runs to provide baseline information. The travel time run information collected would be used to test overall travel delays for vehicles arriving or departing in the vicinity of the project, particularly those arriving along eastbound I-287 who have the opportunity to exit the roadway before Exit 11 at Boston Post Road and use alternative roadways, such as Purchase Street or along Westchester Avenue for access onto High Street and the Project Area. The return flow and potential use of High Street and local streets should also be investigated. With the use of these potential alternative routes, it is recommended that analyses be performed for the combined intersection of Purchase Street/Hillside Road/Wappanocca Avenue/Ridge Street.

Adler Consulting, Letter 44, November 16, 2015 p. 11

Response:

As noted in Section FEIS.III.E-INTRODUCTION, Subsection Study Locations, the location noted in Comment III.E-13 has been included in the FEIS traffic analysis. Furthermore, travel time runs were conducted to verify the Trip Distributions utilized.

As noted previously, this location has been identified for a Fair-share Financial Contribution towards installation of a roundabout. Although improvements are not necessarily warranted at this location due to the Proposed Project impacts, the City of Rye has raised concerns about this location. Based on the foregoing, the Applicant is committed to providing a Fair-share Financial Contribution towards this improvement. The Fair-share Percentage is based upon the percentage of the proposed Peak AM, PM and Saturday Hour Proposed Project-generated traffic at the intersection compared to the total future Peak AM, PM and Saturday Hour Build traffic volumes anticipated at the intersection. The estimated cost of the roundabout improvement was based on the construction costs contained in the City of Rye's 2016 – 2020 Capital Improvement Plan, dated August 2015 (see Appendix E).

Comment E14:**Future Build Traffic Volumes**

The Build Traffic Volumes include two (2) scenarios. The first is with the current road network and the second with the High Street intersection with U.S. Route 1 being modified to become right turn entry and right turn exit intersection. If this is not approved by NYSDOT, how does the Applicant plan to accommodate the northbound left turn vehicle storage? This needs to be fully analyzed and mitigated. Also, the Build Traffic Volumes should be recomputed and reanalyzed to reflect the changes in the background traffic projections, site generated traffic volumes and distributions as identified in Items A.2, A.3 and A.4 above. Other mitigation measures should then be identified and required to be completed by the Applicant.

Philip Grealy, Letter 3, August 27, 2015

Further, the Applicant should identify and analyze alternative improvement measures for the intersection of Boston Post Road with High Street for a more complete set of alternatives, particularly if the proposed intersection operational changes are not approved by NYS DOT and cannot be implemented.

Adler Consulting, Letter 44, November 16, 2015 p. 8

Response:

The storage length of the double left-turn lane has been designed to maximize the storage at this location with provision of a raised median island, prior to necessitating acquisition of right-of-way and/or widening of the bridge spanning I-287. There will be times when the available storage provided by the double left-turn lane is exceeded; however, these queues will only be experienced for an abbreviated period during the peak hours. Additionally, Back of Queue (BOQ) experienced on the northbound approach at this location will still be significantly less

than the BOQ experienced under No-Build conditions, due to the stopped traffic at the High Street traffic signal (see Exhibits FEIS.III.E-31.A and FEIS.III.E-31.B). Initial feedback from NYSDOT concerning the re-routed High Street improvement does not indicate that the proposed improvement cannot be implemented if appropriately designed. Therefore, there is no need for an alternative improvement analysis at this time. Build Traffic Volumes have been updated in accordance with the items outlined in FEIS.III.E-INTRODUCTION and analyzed accordingly in the FEIS traffic analysis.

Further investigation of extending the double left-turn lane was performed. Any lengthening of the lane would require further widening on the north side of The Boston Post Road between High Street and the I-287 ramp, which is constrained by the lack of available right-of-way. Another alternative would be the elimination of the raised median island, which would provide storage for approximately three (3) additional vehicles in the outer left-turn lane. It is the Applicant's opinion that the elimination of this median island would not provide enough capacity benefit to offset the safety, aesthetic, and operational benefits of the raised median island. The raised median island physically restricts vehicles from illegally performing the left-turn maneuver from High Street under the Build with Improvements Condition. The City of Rye Traffic Consultant presented another alternative for lengthening the double left-turn lane by widening along the northbound side of the Boston Post Road. A Concept Plan was prepared by the City of Rye Traffic Consultant and is contained in Appendix E. It is the Applicant's opinion that widening on this side of the Boston Post Road will be difficult, due to the amount of right-of-way available in conjunction with existing grading, existing utility poles, traffic signal equipment and the parking area for the Kohl's Shopping Center. However, the Applicant will continue to work with NYSDOT and the Village of Port Chester during the Highway Work Permit process to evaluate all potential options for extending the double left-turn lane.

Comment E15:

Capacity Analysis

The traffic study utilizes the Synchro analysis procedures. NYSDOT now requires Synchro analysis using the HCM 2010 analysis results. The analysis should be rerun to reflect this methodology. This may affect some of the analysis results presented in the report and require other mitigation measures in addition to those outlined in Section B below.

Furthermore, the traffic study does not provide a summary of the analysis of existing and future queueing conditions including available storage lengths at the studied intersections. This is critical for many of the signalized intersections where long queues currently exist, especially along U.S. Route 1 and in the vicinity of the (UHR) site access area.

Philip Greal, Letter 3, August 27, 2015

Some data in the Timings and Phasings settings from the submitted Synchro files do not match the specifications currently used at the analyzed signals. The applicant should request this from NYSDOT and the respective municipalities.

Chris Lee, NYSDOT, Letter 34, October 30, 2015

Capacity analyses should be performed for the scenario with the 2018 volumes without the proposed improvements for the entire study area, so that the lead agency other agencies and the public can compare the benefits (or impacts) of different alternative measures.

The Applicant should summarize the existing and anticipated roadway queues for the project in comparison with the available storage.

Adler Consulting, Letter 44, November 16, 2015 p. 6

Response:

All traffic analysis results for the FEIS have been provided utilizing standard Synchro calculations based upon guidelines in the HCM. The analysis results are being provided in this format at the request of NYSDOT. A Queue Analysis was conducted for any movements experiencing a Level of Service 'D' or worse, as per the Scoping Document. This Queue Analysis has been updated for the FEIS traffic analysis and is contained in Appendix E. Furthermore, comparisons of queue lengths for the No-Build and Build with Improvement conditions are illustrated on FEIS Exhibits III.E-31.A, III.E-31.B, III.E-33 and III.E-34.

All signal timings and phasings have been appropriately updated in the FEIS traffic analysis, as per the specifications currently used at the analyzed signals, where provided.

Analysis has been conducted for the 2018 Build without Improvements Condition.

Comment E16:

Analysis Results

We have completed a review of the analysis results relative to expected delays and queuing. The following highlights some of the areas of concern that may have potential negative impacts on traffic conditions at intersections located in the City of Rye.

- a) The left turn volume entering the UHR project from U.S. Route 1 northbound is projected at up to 65% of the site entering traffic, which equates to over 500 vehicles per hour during the Saturday peak period. Based on our review of the queuing analysis results, the expected 95th percentile queue is maximizing the use of the available vehicle storage area. If this percentage were to increase by only 5%, the left turn storage would not be adequate to accommodate this volume, which would then block the northbound through

traffic on U.S. Route 1. This would likely lead to significant congestion along U.S. Route 1 and would likely encourage drivers to pursue alternate routes to access the site. Also, the Conceptual Access Improvement Plan contained in the DEIS indicates that the double left turn lane on U.S. Route 1 will be 22 ft. (two 11ft. lanes) however, the receiver width on the proposed access road is also shown as 22 ft. which is extremely tight to receive a double left turn. A double left turn receiver is typical 28 ft. to 30 ft. to accommodate turning vehicles. This should be addressed since it will significantly reduce the capacity of the movement and thereby impact the expected queue lengths and operations of the intersection. Turning track diagrams showing the movements with the appropriate design vehicles including trucks should be provided.

The capacity analysis results as summarized in Table F-5 of the DEIS Traffic Study also indicates that the proposed development will result in a significant increase in delay and queues on the northbound through movement at this intersection. In fact, the table indicates that during the PM Peak Hour, several movements will experience Levels of Service “E” and “F” under the Build condition. The Applicant should demonstrate how this queuing will be accommodating without impacting operations along Route 1 using a 5% increase in the site generated traffic at the location and reanalyzing this location accordingly.

Also, as shown in Table F-7, the I-95 northbound off ramp, during the PM Peak Hour, indicates that the Level of Service for traffic exiting the ramp is projected to drop from a “C” to an “E” level with average vehicle delay increases of almost 30 seconds per vehicle. This will result in extensive queue lengths on this ramp.

Philip Grealy, Letter 3, August 27, 2015

For the main entrance into the project, the Applicant proposes to add a fourth leg to the intersection of Boston Post Road with the Kohl’s driveway to provide ingress into and egress from the proposed development with two (2) entry and two (2) exit lanes. The Applicant further proposes two new left-turn lanes on the northbound Boston Post Road approach and an additional southbound shared through/right-turn lane. Further, the Applicant proposes traffic signal modifications and recommends restriping the Kohl’s driveway to permit through traffic to exit Kohl’s into the Site. The capacity analysis for the Build condition indicated that LOS “F” conditions are anticipated for the northbound left-turn movement during both the PM Peak Hour and the Saturday Peak Hour with vehicle delays in excess of 100 seconds. LOS “F” conditions are also anticipated for traffic exiting the Site and turning left onto northbound Boston Post Road and for the southbound traffic turning left into the Kohl’s driveway during the Saturday Peak Hour. LOS “E” conditions are expected for the northbound left-turn movement and for the southbound traffic turning left into the Kohl’s driveway during the PM Peak Hour. These operating conditions are generally found to be not acceptable.

The capacity analyses also indicated that extensive vehicle queues are anticipated during the Build Condition. For the PM Peak Hour and the Saturday Peak Hour, the capacity analyses indicated that the “95th percentile volume exceeds capacity” for the eastbound exit lanes and for the northbound and southbound left turn lanes. Vehicle queues extending 200 feet or more are expected. The capacity analyses also show that the 95th percentile volume exceeds capacity, queue may be longer.

Lastly, sufficient pedestrian time as part of the signal operations was not provided and should be corrected.

4. Boston Post Road and High Street

The Applicant should discuss the impacts of the vehicle queue spillback identified on the northbound approach for the intersection of Boston Post Road with the Kohl’s driveway for the operations of the roadway at this location.

Adler Consulting, Letter 44, November 16, 2015 p. 7-8

Response:

The Conceptual Highway Improvement Plan (Exhibit FEIS III.E-28) has been updated to adequately accommodate a WB-50 design vehicle (semi-trailer) turning into the Project Site driveway from the proposed double left-turn lane. All parameters with respect to lane widths and percent grades have been updated in the FEIS traffic analysis.

The following Tables provides a 95th Percentile Queue Analysis Summary of the critical movements at the subject locations:

TABLE FEIS III.E-10 PEAK AM HOUR QUEUE SUMMARY TABLE				
	No-Build		Build with Improvements	
Movement	Queue Length (Feet)	Storage Length (Feet)	Queue Length (Feet)	Storage Length (Feet)
I-95 NB Off-Ramp				
Westbound Right	104	700	~~234~~ 238	700
US Route 1 and High Street				
Northbound Left/Through	~~414~~ 755	~~600~~ 190	0	~~600~~ 190
Southbound Through/Right	~~250~~ 275	~~310~~ 315	~~159~~ 199	~~310~~ 315
US Route 1 and Kohl’s Driveway/Proposed Project Site Access				
Northbound Left	0	0	~~303~~ 345	275
Northbound Through	~~391~~ 400	~~310~~ 315	~~324~~ 331	~~570~~ 575
Southbound Through/Right	~~303~~ 308	~~550~~ 665	~~486~~ 514	~~550~~ 665

**TABLE FEIS III.E-11
PEAK PM HOUR QUEUE SUMMARY TABLE**

Movement	No-Build		Build with Improvements	
	Queue Length (Feet)	Storage Length (Feet)	Queue Length (Feet)	Storage Length (Feet)
I-95 NB Off-Ramp				
Westbound Right	151	700	~~244~~ 270	700
US Route 1 and High Street				
Northbound Left/Through	~~707~~ 969	~~600~~ 190	0	~~600~~ 190
Southbound Through/Right	~~317~~ 501	~~310~~ 315	~~314~~ 386	~~310~~ 315
US Route 1 and Kohl's Driveway/Proposed Project Site Access				
Northbound Left	0	0	~~266~~ 287	275
Northbound Through	~~452~~ 464	~~310~~ 315	~~421~~ 431	~~570~~ 575
Southbound Through/Right	~~265~~ 268	~~550~~ 665	~~354~~ 450	~~550~~ 665

**TABLE FEIS III.E-12
PEAK SATURDAY HOUR QUEUE SUMMARY TABLE**

Movement	No-Build		Build with Improvements	
	Queue Length (Feet)	Storage Length (Feet)	Queue Length (Feet)	Storage Length (Feet)
I-95 NB Off-Ramp				
Westbound Right	78	700	140	700
US Route 1 and High Street				
Northbound Left/Through	~~703~~ 975	~~600~~ 190	0	~~600~~ 190
Southbound Through/Right	~~355~~ 568	~~310~~ 315	~~264~~ 272	~~310~~ 315
US Route 1 and Kohl's Driveway/Proposed Project Site Access				
Northbound Left	0	0	~~306~~ 305	275
Northbound Through	~~326~~ 383	~~310~~ 315	~~426~~ 386	~~570~~ 575
Southbound Through/Right	~~232~~ 266	~~550~~ 665	~~420~~ 468	~~550~~ 665

The storage length of the double left-turn lane has been designed to maximize the storage at this location, with provision of a raised median island, prior to necessitating acquisition of right-of-way and/or widening of the bridge spanning I-287. There will be times when the available storage provided by the double left-turn lane is exceeded; however, these queues will only be experienced for an abbreviated period during the peak hours. Additionally, Back of Queue (BOQ) experienced on the northbound approach at this location will still be significantly less

than the BOQ experienced under No-Build conditions, due to the stopped traffic at the High Street traffic signal (see Exhibits FEIS.III.E-31.A and FEIS.III.E-31.B).

Further investigation of extending the double left-turn lane was performed. Any lengthening of the lane would require further widening on the north side of The Boston Post Road between High Street and the I-287 ramp, which is constrained by the lack of available right-of-way. Another alternative would be the elimination of the raised median island, which would provide storage for approximately three (3) additional vehicles in the outer left-turn lane. It is the Applicant's opinion that the elimination of this median island would not provide enough capacity benefit to offset the safety, aesthetic, and operational benefits of the raised median island. The raised median island physically restricts vehicles from illegally performing the left-turn maneuver from High Street under the Build with Improvements Condition. The City of Rye Traffic Consultant presented another alternative for lengthening the double left-turn lane by widening along the northbound side of the Boston Post Road. A Concept Plan was prepared by the City of Rye Traffic Consultant and is contained in Appendix E. It is the Applicant's opinion that widening on this side of the Boston Post Road will be difficult, due to the amount of right-of-way available in conjunction with existing grading, existing utility poles, traffic signal equipment and the parking area for the Kohl's Shopping Center. However, the Applicant will continue to work with NYSDOT and the Village of Port Chester during the Highway Work Permit process to evaluate all potential options for extending the double left-turn lane.

The latest Conceptual Improvement Plan is illustrated on Exhibit FEIS.III.E-28. Based upon the proposed modifications to the Trip Distributions the same amount of traffic is still projected for this left-turn movement since 5% additional traffic would be originating from I-95 to the north, but 5% less would be originating from the I-287 eastbound off-ramp (Exit 11). The I-95 northbound off ramp does indicate a decrease in Level of Service, based upon the microscopic analysis results of the software (does not adequately account for effects of upstream and downstream locations); however, the reality is this movement will be improved with the elimination of the traffic signal and left-turn movement at High Street thus lessening the amount through traffic on The Boston Post Road northbound in the right-most lane and also eliminating the movement of vehicles from the off ramp to the inside lane to try and perform a left turn at High Street. These conditions are reflected in the FEIS traffic analysis, which includes the provision of adequate pedestrian timing accommodations.

In order to demonstrate the overall benefit of the improvements along the Boston Post Road corridor, a full Arterial Analysis of the Boston Post Road corridor was completed in accordance with the Highway Capacity Manual methodologies. The Arterial Analysis was conducted for all three Peak Hours, for the Existing, No-Build, Build and Build with Improvements conditions. The Arterial Analysis further considered both the northbound and southbound directions of the Boston Post Road corridor. Finally, the Arterial Analysis considered the entire portion of the corridor within the Study Area (Peck Avenue in the south to Grace Church Street/Main Street in the north), as well as the portion of the corridor in the more immediate area of the proposed

Project (I-287 eastbound off-ramp in the south to the South Regent Street in the north). Detailed Level of Service Tables summarizing the results of the Arterial Analysis are contained in Appendix E.

As can be seen in Table FEIS.III.E-8a, average travel speeds along the corridor will improve from No-Build to Build with Improvements conditions during all Peak Hours in both directions, except for the southbound direction, during the Peak AM Hour. However, the weighted average of both directions of travel during this time period indicate and overall improvement during the time period. This means that the Boston Post Road corridor will operate more efficiently with the Proposed Project and associated improvements than if the Proposed Project was not constructed.

Comment E17:

- b) At the intersection of U.S. Route 1 and Peck Avenue, the capacity analysis indicates that the 95th percentile queue length for the southbound left turn movement will exceed the available storage length under future build conditions during the AM Peak Hour. Also, as shown in Table F-14 under Build conditions, Levels of Service “E” and “F” are projected for the southbound left turn with significant delay increases from existing conditions. This movement experiences long queues under existing conditions and if the percentage of volume destined in this direction were to increase by only 5%, the queues on this southbound left turn movement would have a significant impact on the ability of the through traffic volumes to proceed through this location. The Applicant should reanalyze this intersection with a 5% increase in site generated traffic to ensure that this queuing will not impact the operations along Route 1.

Philip Grealy, Letter 3, August 27, 2015

For the intersection of Boston Post Road with Peck Avenue, the capacity analyses indicated that the southbound left-turn movement from Boston Post Road onto Peck Avenue is expected to experience LOS “F” conditions in the AM Peak Hour with an increased vehicle delay of approximately 15 seconds from No-Build conditions.

LOS “E” conditions are expected during the PM Peak Hour and the Saturday Peak Hour in the Build condition, a change from the anticipated LOS “D” operations during the No-Build condition. The Applicant does not identify potential mitigation measures for the intersection. The Applicant should consider appropriate mitigation measures to improve operations.

Adler Consulting, Letter 44, November 16, 2015 p. 11

Response:

The intersection of Boston Post Road with Peck Avenue has been analyzed with a 5% increase in Proposed Project-generated traffic. Additionally, the left-turn movement from Boston Post Road southbound to Peck Avenue is proposed to be provided additional green time in association with the Proposed Project improvements. With the proposed timing adjustments the Overall ~~No-Build with Improvements~~ Level of Service ~~‘C’ or ‘D’ will be maintained~~ operate at a ‘D’ or better during all three Peak Hours, with a slight improvement on average delay during the Peak AM Hour and a slight degradation during the Peak PM and Peak Saturday Hours. ~~During the Peak AM Hour, the Southbound Left turn movement will improve from a Level of Service ‘F’ to a Level of Service ‘E’ with a reduction in average delay of 57.6 seconds (44.2% reduction in average delay from No-Build).~~ Furthermore, the anticipated queue lengths under the Build with Improvements Condition will remain similar to ~~or be reduced from~~ the queue lengths under the No-Build condition during any of the Peak Hours. A detailed Queue Summary Table for this location is included in Appendix E.

Comment E18:

- c) Peck Avenue eastbound at Midland Avenue, currently experiences long delays and queues on the eastbound approach during all peak hours. These delays and queues are expected to be exacerbated by the proposed development. See Table F-15, which indicates several movements operating at Levels of Service “E” and “F”. In fact, during the Saturday peak Hour, the overall intersection Level of Service will drop from “D” to “E” with almost a 20 second increase in delay. Furthermore, if the percentage of traffic destined to/from the north on I-95 were to increase by 5%, which appears to be likely based on travel times and approach distribution, the impacts to this intersection would be even worse than identified by the analysis. Some potential mitigation measures to address this impact are identified below. The Applicant should reanalyze this intersection with a 5% increase in site generated traffic to demonstrate that the operation at this location can be supported.

Philip Grealy, Letter 3, August 27, 2015

It is anticipated that intersection Levels-of-Service will be impacted by traffic generated by the proposed project at the intersection of Midland Avenue with Peck Avenue/Private Driveway during the PM Peak Hour and the Saturday Peak Hour. In the PM Peak Hour, the intersection Level-of-Service will change from LOS “C” in the No-Build condition to LOS “D” in the Build condition. During the Saturday Peak Hour, LOS “E” conditions are anticipated during the Build condition, a change from LOS “D” in the No-Build condition. In addition, LOS “F” condition are anticipated during the Saturday Peak Hour in the Build condition on the eastbound Peck Avenue approach. LOS “E” conditions are anticipated on the eastbound approach during the AM Peak Hour and the PM Peak Hour. No mitigation has been offered.

Adler Consulting, Letter 44, November 16, 2015 p. 11-12

Response:

The updated FEIS traffic analysis, which includes additional traffic assigned to the intersection of Midland Avenue with Peck Avenue indicates that the Proposed Project impacts would be adequately mitigated with traffic signal timing adjustments. These timing adjustments would maintain the No-Build Levels of Service and result in a nominal increase in overall vehicular delay during the Peak Hours from No-Build to Build with Improvements Conditions: (no more than 3.4 seconds during any of the Peak Hours). Therefore, it is the Applicant's opinion that no further improvements are necessary at this location in association with the Proposed Project. However, the City of Rye has concerns, and as outlined in Section FEIS.III.E-INTRODUCTION, Subsection Traffic Analysis, the Applicant is willing to make a Fair-share Financial Contribution towards physical improvements at this location. The Fair-share Financial Contribution to be made by the Applicant for this location is \$34,500, which in the Applicant's opinion is above and beyond the its responsibility since the traffic analysis demonstrates that the Proposed Project's impacts could be offset with traffic signal timing adjustments only.

Comment E19:

- d) The traffic study provided an analysis of the Purchase Street/Hillside Road/ Wappanocca Avenue intersection. However, this analysis did not consider the nearby Purchase Street/Ridge Street/Wappanocca Avenue intersection, which is within 100 ft. of the Hillside Road intersection. This is a confusing intersection that essentially operates as one intersection and has difficult sight lines for some movements due to the roadway alignments. Even the analysis summarized in Table F-15, which does not include the effect of the Ridge Street approach, shows a drop in the Level of Service from "D" to "E" during the PM Peak Hour with average vehicle delay increases of greater than 9 seconds per vehicle. This area should be reevaluated as additional traffic through this area will impact the capacity analysis results and due to the unconventional nature of the intersection geometry could result in additional traffic accidents. A detailed analysis of the site generated traffic from Route 120 west of Ridge Street should also be completed.

Philip Greal, Letter 3, August 27, 2015

Response:

As noted in Section FEIS.III.E-INTRODUCTION, the intersection of Purchase Street/Ridge Street/Wappanocca Avenue has been analyzed with the adjacent intersection of Purchase Street/Hillside Road/Wappanocca Avenue in the FEIS traffic analysis. Additionally, the location includes added Proposed Project-generated traffic as outlined in FEIS.III.E-INTRODUCTION. Based upon the ~~update~~updated FEIS traffic analysis, no movement will experience more than a

3.5 second increase in delay, as a result of the Proposed Project. More specifically, the westbound approach to this intersection will go from a LOS 'C' of 22.7 seconds delay to LOS 'D' of 26.2 seconds delay, during the Peak PM Hour, from No-Build to Build conditions. Although there is a change in LOS, the threshold for LOS 'C/D' is 25.0 seconds. Therefore, the Proposed Project minimally pushes this approach to a LOS 'D'. In the Applicant's opinion, this is not a significant impact. However, the Applicant recognizes the local concerns with the unconventional intersection and is willing to make a Fair-share Financial Contribution towards future improvement. The City of Rye has identified a proposed Roundabout intersection improvement at this location in their Capital Plan. They estimate the total cost for this improvement to be \$500,000. The Applicant's Fair-share Financial Contribution towards this improvement would be \$22,500 (see Table FEIS III.E-8), which is above and beyond the Applicant's responsibility since the analysis indicates no Level of Service impacts.

Comment E20:

- e) Page 40 of the Traffic Study mislabels location 8 as the I-287 westbound off ramp. The proper description is for the I-287 eastbound off ramp. The volumes on this ramp are projected to increase by over 200 vehicles per hour during each of the peak periods analyzed in the Applicant's study. The study recommended changing the off ramp to accommodate a dual left turn from the ramp to Route 1 northbound via striping, signal and related changes. This ramp intersection is located in the City of Rye. These changes will require a permit from the NYSDOT and may also require a permit from the City of Rye. Even with these improvements, the ramp is projected to experience an overall intersection average vehicle delay increase of almost 8 seconds per vehicle. (See Table F-8.) Additional mitigation measures should be explored by the Applicant.

Philip Grealy, Letter 3, August 27, 2015

For the intersection of Boston Post Road with the I-287 eastbound exit ramp and the on ramp for I-95 southbound, the capacity analyses indicated that the eastbound

I-287 ramp would be expected to experience LOS "F" operations with very long delays, during the AM Peak Hour and the PM Peak Hour. The LOS "F" Build Conditions would be a deterioration of operating conditions from the No-Build conditions when LOS "E" conditions are expected in the AM Peak Hour and

LOS "D" conditions are expected in the PM Peak Hour. The capacity analyses also indicated that the eastbound left-turn/through movement is expected to experience LOS "E" conditions during the Saturday Peak Hour. A review of aerial photography data indicate that the available storage in each of the two exit lanes is approximately 300 feet. It is anticipated that the 95th percentile vehicle queues on the eastbound I-287 exit ramp would become approximately 700

feet, 860 feet and 660 feet during the AM Peak Hour, PM Peak Hour and Saturday Peak Hour, respectively, for the Build condition.

The Applicant has proposed physical changes to the operation of the exit ramp to prohibit the through movement onto the I-95 entrance ramp. In addition, the Applicant has proposed changes to the signal timing and phasing as well as permitting “Right-Turn-on-Red” (RTOR) operations from the exit ramp onto southbound Boston Post Road. It is noted the installation of unspecified “physical geometric modifications” may restrict the ability of tractor-trailers and other large vehicles to turn left onto northbound Boston Post Road. It is recommended that the Applicant identify the proposed “physical geometric modifications” and demonstrate on a scaled plan that vehicles could successfully negotiate turns at the intersection.

The Applicant proposes to allow RTOR movements of approximately 600 vehicles, 450 vehicles and 300 vehicles from the ramp during the AM Peak Hour, PM Peak Hour and the Saturday Peak Hour, respectively while the southbound volumes on Boston Post Road are projected to be approximately 360 vehicles, 540 vehicles and approximately 500 vehicles, respectively. RTOR is currently prohibited from the exit ramp. It is recommended that the Applicant justify permitting RTOR which is counter-intuitive to the proposed change for the right lane of the exit ramp from the current right-turn-only lane to a proposed lane that would permit both left turns and right turns.

Adler Consulting, Letter 44, November 16, 2015 p. 9-10

Response:

The improvement plan for the intersection of Boston Post Road with the I-287 eastbound exit ramp has been further analyzed and additional physical improvements have been identified to better align the I-287 ramp approach to The Boston Post Road. The updated FEIS traffic analysis indicates that the Overall Levels of Service for each Peak Hour will actually improve from No-Build to Build with Improvements Conditions. The latest Conceptual Improvement Plan for this location is illustrated on Exhibit FEIS.III.E-27. The following is a description of the proposed improvements:

- Convert the I-287 EB Off-Ramp approach from a shared left-turn/through lane and right-turn lane to provide ~~two~~one exclusive left-turn ~~lanes~~lane, one shared left-turn/right-turn lane & one dedicated right-turn lane
- Restrict eastbound through movements from I-287 EB Off-Ramp to I-95 SB On-Ramp through physical geometric modifications
- ~~Allow right turns on red from the I-287 EB Off-Ramp to Boston Post Road SB~~
- Traffic signal timing modifications
- A new retaining wall on the I-287 EB Off-Ramp, with noise attenuation consideration

- Pedestrian accommodation upgrades, including ADA-compliant curb ramps

The following Table provides a summary of No-Build and Build with Improvements Queue Lengths and Storage Lengths:

TABLE FEIS III.E-13 PEAK AM HOUR QUEUE SUMMARY TABLE US ROUTE 1 & I-287 EB OFF-RAMP/I-95 SB ON-RAMP				
	No-Build		Build with Improvements	
Movement	Queue Length (Feet)	Storage Length (Feet)	Queue Length (Feet)	Storage Length (Feet)
Eastbound Left	~~577~~ 620	300	~~210~~ 558	~~315~~ 300
<u>Eastbound Left/Right</u>	-	-	571	300
Eastbound Right	~~767~~ 817	995	~~369~~ 474	995
Northbound Through	109	55	~~121~~ 141	55
Southbound Left/Through	524	560	~~385~~ 443	540
<u>Southbound Through</u>	~~220~~	~~560~~	~~218~~	~~540~~

TABLE FEIS III.E-14 PEAK PM HOUR QUEUE SUMMARY TABLE US ROUTE 1 & I-287 EB OFF-RAMP/I-95 SB ON-RAMP				
	No-Build		Build with Improvements	
Movement	Queue Length (Feet)	Storage Length (Feet)	Queue Length (Feet)	Storage Length (Feet)
Eastbound Left	~~702~~ 748	300	~~211~~ 390	~~315~~ 300
<u>Eastbound Left/Right</u>	-	-	505	300
Eastbound Right	~~495~~ 546	995	~~247~~ 401	995
Northbound Through	195	55	~~206~~ 198	55
Southbound Left/Through	494	560	~~415~~ 513	540
<u>Southbound Through</u>	~~328~~	~~560~~	~~301~~	~~540~~

TABLE FEIS III.E-15 PEAK SATURDAY HOUR QUEUE SUMMARY TABLE US ROUTE 1 & I-287 EB OFF-RAMP/I-95 SB ON-RAMP				
	No-Build		Build with Improvements	
Movement	Queue Length	Storage Length	Queue Length	Storage Length

	(Feet)	(Feet)	(Feet)	(Feet)
Eastbound Left	~~574~~ 617	300	~~223~~ 363	~~315~~ 300
Eastbound Left/Right	-	-	371	300
Eastbound Right	~~270~~ 293	995	~~84~~ 301	995
Northbound Through	251	55	~~233~~ 259	55
Southbound Left/Through	412	560	~~322~~ 408	540
Southbound Through	350	560	307	540

The Queue Lengths are further summarized visually on Exhibit FEIS.III.E-34. As illustrated in the Tables and Exhibit, Queue Lengths are either improved or essentially maintained along both approaches of the Boston Post Road at this location, during all Peak Hours, from No-Build to Build with Improvement conditions. The BOQ is significantly improved on the I-287 eastbound off-ramp approach, during all Peak Hours. The BOQ will extend to the I-287 mainline during the Peak AM and Peak PM Hour No-Build conditions and just short of the mainline during the Peak Saturday Hour. Under the Build with Improvements condition, the BOQ during all three Peak Hours will ~~be maintained within the available storage on the ramp proper and will in fact~~ decrease by ~~675~~154 feet, ~~650~~318 feet and ~~348~~195 feet, during the Peak AM, Peak PM and Peak Saturday Hours, respectively.

The Applicant has formally requested the Maintenance and Jurisdiction Agreement for this intersection through a Freedom of Information Law (FOIL) request with the State. Once this agreement is received, the Applicant will confirm the final jurisdiction of this intersection with respect to approval of the associated improvements.

Comment E22:

- f) At Boston Post Road and Hillside Road, which is a key access road serving the Rye Park area of the City, as shown in Table F-9, during the PM Peak Hour, the Level of Service for traffic exiting Hillside Road will drop from a “D” to an “E” level with average vehicle delay increases of almost 11 seconds per vehicle.

Philip Grealy, Letter 3, August 27, 2015, PH, September 21, 2015, p. 71

3.E.35.4.a Mitigation measures

Rte 1 and High Street Not in favor of proposed solution.

High St, from the driveway of the nursing home to Rte1, should be closed. It should be converted to open space. High Street should be redirected into the site and should exit at the Kohl's traffic light.

The project should have a 'perimeter road' that would allow a driver to go around the perimeter of the project and end up back where they started. Perimeter road would access all the parking lots and allow the driver to exit to High Street (the curb cut closest to the cemetery) or the only exit to Boston Post Road, at the Kohl's traffic light.

Like the landscaped curbed island shown in 3E-1a. However, it must run all the way to the Regent intersection. By eliminating the left turns into Dunkin Donuts, McDonalds and the gas station (and the left turns out of McDonalds, gas station, bank) the traffic flow will be improved dramatically. This, along with the elimination of the project's non-Kohl's intersection curb cut and the High St intersection (High Street to be redirected through the site to exit at the Kohl's intersection) would achieve significant traffic mitigation from the project site to Regent.

The Regent/ Boston Post Road intersection should be converted into a traffic circle, so the island can be run right to the intersection.

Michael Scarola, Letter 40, October 30, 2015

Traffic data should include turning movements taken at the Dunkin' Donuts and McDonald's along Boston Post Road as these locations are congestion catalysts. Consider the Project's relationship to Dunkin Donuts: could the site be purchased and incorporated into traffic mitigation efforts, e.g. incorporating the site as part of the United Hospital site.

Port Chester Planning Commission, Letter 51, September 22, 2015

For the intersection of High Street with the proposed "middle" driveway access, the capacity analyses indicated that Level-of-Service (LOS) "e" conditions are expected in the PM Peak Hour for the Build Conditions. This is typically found to be "unacceptable" in terms of a deterioration of traffic conditions, although specific circumstances should be considered as mitigating factors. Generally, in such conditions, mitigation should be considered.

It is recommended that alternative mitigation measures be considered if it is not possible to widen the eastbound South Regent Street approach.

Adler Consulting, Letter 44, November 16, 2015 p. 7

Response:

~~Based upon the updated FEIS traffic analysis, the Hillside Road approach to The intersection of the Boston Post Road will experience and Hillside Road experiences a 7.6 second increase in average vehicular delay from No-Build to Build conditions, during greater incremental Proposed Project impact when considering the additional pedestrian volumes crossing the Peak-PM Hour. This relatively minor increase in delay Hillside Road leg of the intersection. As noted previously, the Applicant is offset by the overall improvement to the Boston Post Road corridor,~~

~~as illustrated in the Arterial Analysis (see committed to providing a jitney service between the Project Site and the train station(s). Therefore, the additional pedestrian volumes crossing at this location would not be expected to materialize with the jitney service provision and the impacts identified in Table FEIS-III.E-8a). 9a only further demonstrate the benefit of providing the jitney service.~~ Furthermore, this minor increase is offset by Fair-share Financial Contributions being made at Midland Avenue/Peck Avenue and Ridge Street/Purchase Street/Hillside Road/ Wapanocca Avenue, as well as the Rye Park Neighborhood Traffic Calming Financial Contribution, which are not the burden of the Applicant based upon the results of the traffic analysis at these locations, as illustrated in Table FEIS III.E-8. These Financial Contributions to the City of Rye total over \$100,000 for locations that, in the Applicant's opinion, are not significantly impacted by the Proposed Project. Additionally, the delay increases on the Hillside Road approach (which only occur if the conservatively projected pedestrian volumes crossing Hillside Road are realized – jitney service will eliminate the likelihood of these pedestrian volumes), are offset by the overall travel time reductions along the Boston Post Road corridor with the roadway improvements associated with the Proposed Project. As noted previously, these Financial Contributions are in addition to the \$200,000 the Applicant is committed to bonding that could be drawn upon by the City of Rye for their implementation of improvements, should the Post Implementation Study identify further improvements in the City of Rye.

The full closure of High Street was analyzed as a potential improvement alternative; however, it was found that maintaining right turns in and out at this location provided a greater Overall Public Benefit by distributing traffic between this location and the Proposed Project Site Driveway. Full closure of High Street would lead to more extensive delays on the Project Site Driveway approaches for traffic destined to and from High Street. The detailed analysis results of the full High Street closure is contained in Appendix E.

It is not standard practice to gather data and analyze private driveways (such as Dunkin' Donuts, McDonalds, etc.) since these are private drives not under the control of the public agency and/or Applicant. Traffic volumes going to and from these private developments are captured in the traffic volumes at the upstream and downstream public intersections. The FEIS Traffic Study utilized the Central Business District (CBD) parameter in the analysis. One component of this parameter is adjustment to the analysis results to factor in mid-block curb cuts for private drives, such as McDonalds and Dunkin' Donuts. Furthermore, significant delays, if any, would be similarly experienced at these locations as those experienced at the adjacent public street intersections. Finally, any benefits to traffic travelling the Boston Post Road, due to the proposed roadway improvements, would also be directly and indirectly experienced by traffic associated with these other private developments. The Synchro Analysis software allows for input parameters to more accurately model the downtown corridor conditions along the Boston Post Road: and these parameters were used for this analysis.

The analysis contained in the FEIS indicates that the Middle Project Site Driveway approach to High Street will operate at a Level of Service 'B' (13.1 seconds delay) in the Peak AM Hour, Level of Service 'E' (41.0 seconds delay) in the Peak PM Hour and Level of Service 'D' (26.7 seconds delay) in the Peak Saturday Hour. The Highway Capacity Manual identifies a Level of Service 'E' for an unsignalized intersection if the average vehicular delay is between 35 and 50 seconds. The Peak PM Hour average delay is 41.0 seconds, which represents a lower range Level of Service 'E' operation. It is also important to note that there is a secondary point of access further west along High Street. This driveway approach to High Street is projected to operate at a Level of Service 'C', during the Peak PM Hour. Therefore, traffic can utilize this secondary access point if they found the delay to be too long at the Middle Driveway. Appropriate signage will be identified as part of the Site Plan Approval process, to direct drivers to this alternative access. The proposed right-turn arrow overlapping phase, as well as other traffic signal timing modifications and pedestrian improvements are the most significant aspects of the overall improvements proposed for Boston Post Road and South Regent Street. The proposed lengthening of the right-turn lane will go towards further enhancing the benefits of the traffic signal timing and phasing modifications. The extension of the right-turn lane will still be pursued for approval with NYSDOT; however, the limited right-of-way and environmental constraints at this location may disallow extension of this turn lane. Therefore, this portion of the improvements at this location has been removed from the analysis to provide a worst case 'Build with Improvements' scenario.

~~Based on the field observations discussed below, the right turn factor along the South Regent Street approach was reduced in the Synchro analysis to provide representative queue lengths (see Appendix E for information concerning the right turn factor adjustment). The results of the updated analysis indicate that there would be significant increases in vehicle delays on the South Regent Street approach, from No Build to Build with Improvements Conditions. It should be noted that when calculated delays become this significant, the formulas utilized in the analysis may not be representative of what would actually be anticipated.~~

~~Due to these limitations in the capacity analysis software, and as indicated by the NYSDOT and the Village's traffic consultant reviewing the traffic analysis, the queue lengths at this intersection provide a better representation of the existing conditions at this intersection, particularly on the eastbound South Regent Street approach. TRC personnel conducted visual field inspections at this intersection to observe traffic queues along all approaches to the intersection, particularly the South Regent Street approach. A summary of the observed conditions is contained in Appendix E².~~

² ~~The observations were conducted during the following days and time periods, with 50% of the observation time spent on South Regent Street and 50% of the time spent on Boston Post Road (25% on each approach):~~

~~— Wednesday, May 25, 2016 from 5:30 — 6:30 PM (Peak Weekday PM Hour)~~

~~Based on a queue analysis, Build with Improvement queue lengths, during the Peak PM Hour, along the entire South Regent Street approach will increase by approximately 5 to 6 vehicles when compared to the No Build condition. The queue lengths during the Peak AM and Peak Saturday Hours will essentially be maintained or lessened, when compared to No Build conditions. The failing levels of service at the intersection of the Boston Post Road and South Regent Street, which occur with or without the Proposed Project, are a function of the lack of acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. This intersection has experienced added volumes from other developments in the vicinity (i.e. Restaurant Depot and Dunkin Donuts) without the benefit of any intersection improvements. One contributing factor to the existing delays at this location is the lack of an adequate turn lane on the South Regent Street approach to separate the left and right turning vehicles. There is currently a substandard right-turn lane provided on this approach that the Applicant is proposing to extend to the maximum extent practicable. In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant, and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary.~~

~~The DEIS recommended traffic signal upgrades, as well as lengthening of the dedicated right-turn lane on the South Regent Street approach, which would have provided approximately 100 feet of additional storage. The traffic signal upgrades are still proposed to be implemented and the extension of the right-turn lane will still be pursued for approval with NYSDOT. It is noted that the limited right-of-way and existing environmental constraints at this location may not allow for extension of this right-turn lane for the full 100 feet of additional storage. Therefore, to be conservative, this portion of the improvement at this location has been removed from the analysis to provide a worst case scenario. The Applicant notes that it still proposes physical~~

~~Thursday, May 26, 2016 from 7:30 – 8:30 AM (Peak Weekday AM Hour)~~

~~Saturday, June 4, 2016 from 1:30 – 2:30 PM (Peak Saturday Midday Hour)~~

improvements that would lengthen the storage by approximately 30 feet; however, no credit is taken for this lengthening of the left-turn lane in the analysis. The updated Conceptual Improvement Plan is illustrated on Exhibit FEIS III.E-30. The analysis for this intersection included in the FEIS has been revised to account for the sub-standard right-turn lane along the eastbound South Regent Street approach. Any extension of the turn lane at this location would require elimination of the median island on the South Regent Street approach, thus the crossing of South Regent Street would need to be fully accomplished in the vehicular phase for the mainline Boston Post Road traffic. The analysis has been performed with traffic signal timings that would allow for this full crossing in associated vehicular phase.

Based on input from the various review agencies, the South Regent Street approach was analyzed as a single lane approach to most conservatively account for the substandard right-turn lane that currently exists (approximately 30 feet). Although the right-turn lane is substandard and blocked by left turning vehicles a significant amount of time during the Peak Hours, there is some benefit provided with the shortened right-turn lane. Therefore, the results of the analysis presented herein are a worst case scenario and in reality the operations will be better than indicated by the capacity analyses. Additionally, and as noted previously, the Pedestrian Lead Interval has been included in the analysis of future conditions at this location. This results in a total of 10 seconds All-Red time (no vehicles moving) during each traffic signal cycle. This is a very conservative approach for consideration of the Pedestrian Lead Interval, since this will only occur upon a pedestrian pressing the pedestrian push button, which likely will not occur every traffic signal cycle (based upon existing and future pedestrian volumes at this location).

The results of the FEIS traffic analysis for this location indicate that the Overall Intersection Level of Service will be an 'F', under both No-Build and Build with Improvements conditions. The Peak PM Hour Overall Delay will improve by 5.6 seconds from No-Build to Build with Improvements conditions. The Peak AM Hour and Peak Saturday Hour Overall Delay will increase from No-Build to Build with Improvements conditions by 2.6 seconds and 2.4 seconds, respectively. This represents no more than a 1.5% increase in Overall Delay during either Peak Hour. Any movement operating at a Level of Service 'D' or better under No-Build conditions, will continue to operate at the same Level of Service under Build with Improvements conditions. Any movement operating at a Level of Service 'E/F' under No-Build conditions will experience no greater than a 6.8% percent increase in delay on that particular movement under Build with Improvements conditions. The failing levels of service at this location, which occur with or without the Proposed Project, are a function of the lack of acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. Due to the limited right-of-way and environmental constraints the amount of physical improvements that could be performed by the Applicant are limited. As noted previously, the Applicant will pursue extension of the right-turn lane on South Regent Street to the maximum extent practicable as part

of the NYSDOT Highway Work Permit process; however, to be conservative no credit was taken for extension of this right-turn lane in the analysis.

Exhibit III.E33 illustrates the No-Build versus Build with Improvements queue lengths at this location. In the Applicant's opinion, this potential increase in queue length, during the Peak PM Hour, is not significant when compared to the No-Build-As can be seen in the Exhibit, lengthy queue lengths will be experienced under both No-Build and Build with Improvements conditions. The increases in queue lengths from No-Build to Build with Improvements conditions are primarily a function of the need to increase the traffic signal cycle lengths to limit the effects of the 10 seconds of additional All-Red time that would occur with the Pedestrian Lead Intervals. As noted previously, the Overall Levels of Service/Delays at this location will essentially be maintained or improved upon at this location with the associated traffic signal timing adjustments. Furthermore, this analysis does not take any credit for the existing substandard right-turn lane and/or lengthening of this right-turn lane under the Build with Improvements condition and corresponding overlapping right-turn traffic signal phase. It is noted that the combined queue lengths on the northbound Boston Post Road approach at South Regent Street and the Kohl's Driveway/Proposed Project Site Driveway would still equate to a 95th Percentile Back of Queue that is less than the No-Build 95th Percentile Back of Queue when considering the queue lengths at High Street (traffic signal eliminated in northbound direction at High Street under the Build with Improvements condition of a 27 vehicle queue.-).

In the Applicants' opinion, it is also important to note that the Proposed Project-Generated Traffic on ~~this the South Regent Street~~ approach is projected to be 35, ~~(5.5%)~~, 24 ~~(4.2%)~~ and 32 ~~(6.0%)~~ vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively out of 637, 572 and 533 vehicles in the No-Build condition. Therefore, this approach will see (either Boston Post Road approach Proposed Project-Generated Traffic Volumes range from 92 to 131 trips, depending upon the Peak Hour). Therefore, the South Regent Street approach will experience approximately one new trip every two minutes due to the Proposed Project during the peak hour ~~which is not significant. All other movements/approaches at this intersection will operate better in the Build with Improvements condition when compared to the No-Build condition, which is not significant. It is also important to note that under the existing zoning development program previously discussed (though not one that is economically viable and would not be pursued by the Applicant), the Proposed Project-Generated volumes on the South Regent Street approach would be 28, 19 and 27 vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively, a marginal reduction.~~

As noted previously, the Applicant will continue to pursue additional extension (beyond the 30-foot storage extension currently proposed) of the right-turn lane to further improve this intersection; however, the limited right-of-way and environmental constraints at this location may disallow further extension of this turn lane. In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant,

and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary..

Comment E23:**Accident Considerations**

While the traffic study appendix of the DEIS contains a summary of accidents along U.S. Route 1, the information is lacking and should address all intersections in the study area to provide a full understanding of potential impacts. See Section C.4 below for further discussion. The Applicant should identify, with specificity, how the mitigation on Route 1 along the site frontage will reduce accident potential as they suggested on Page 58 of the Traffic Study.

Philip Grealy, Letter 3, August 27, 2015

The Applicant should specifically identify the improvements proposed for the intersections and roadway segments that will "...go towards enhancing safety in this area and reducing the number of accidents."

Adler Consulting, Letter 44, November 16, 2015 p. 6

Response:

As noted previously, a Highway Safety Investigation (HSI) Report has been prepared for the section of Boston Post Road between High Street and Willow Avenue. A copy of the HSI Report is contained in Appendix E. The results of this HSI Report indicate that accident rates will be reduced by a factor of approximately 18% with the proposed improvements. The 18% reduction factor is per the NYSDOT PIES – Reduction Factor Report. This is a reduction factor attributable to upgraded traffic signal modifications. The Report also allows further reduction factors for items such as provision of dedicated turn lanes; however, no additional reduction factors were taken beyond the 18% to remain conservative. Therefore, the proposed improvements will provide a significant safety benefit (when compared to No-Build conditions), as well as capacity benefit in the area.

Comment E24:

Construction Impacts

The Applicant should evaluate potential traffic impacts during construction of the project including construction delivery vehicles, construction worker traffic and any other construction related activities on the area roadways. This should specifically address potential construction traffic impacts on the City of Rye streets including but not limited to Peck Avenue, Hillside Road, Ridge Street and High Street. Mitigation measures should be identified including replacing pavement damaged during construction, etc.

Philip Grealy, Letter 3, August 27, 2015, PH, September 21, 2015, p. 71

So we would like the applicant to provide the construction phasing plan in terms of distributions, and that the board have input into that to make sure that they don't impact residential streets, including residential streets in the Village of Port Chester, very important. And also part of that would be what we call maintenance and protection of traffic plan. So that during construction, that -- that is adequately maintained so that people don't start driving through residential areas.

Philip Grealy, PH September 21, 2015, p. 77

The developer needs to present a construction truck traffic pattern plan for the 3 year construction period. Trucks coming from 95 North should only be permitted to turn right onto Midland Avenue. Also, trucks exiting the site that want to go back to 95 North should only be permitted to turn left onto Route 1. No trucks should be permitted on High Street. All construction traffic should pass through Port Chester's streets.

Garth Schultz, Letter 29, October 8, 2015

Response:

Refer to DEIS Section III.K and Response to Comment III.K-4 for discussion of construction related impacts and proposed mitigation. The vast majority of construction employees will arrive and depart the Project Site out of phase with the Peak AM and Peak PM Roadway Hours. The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. Construction truck traffic is anticipated to access the site from nearby Interstate highways I-95 and I-287. With the Project Site's close proximity to these highways, minimal use of local streets by truck traffic is anticipated and therefore impact to surrounding neighborhoods is not expected

to be significant. Site access to and from I-287 and I-95 south is within ¼ mile of the Site and is accessed via the Boston Post Road. Access to and from I-95 north is within 1.5 miles of the Project Site and can be accessed utilizing the Boston Post Road, Midland Avenue and Peck Avenue. These access routes are primarily in commercial areas and therefore significant impact to surrounding residential neighborhoods and local roads will be minimal. The Applicant shall implement and enforce a construction traffic management plan (CMP), subject to review and approval by the Village, that will limit and restrict construction vehicles of two axles or more to travel to and from the Project Site using major highways, arterials, and connector roadways only. The Applicant shall make compliance with the CMP a condition of, and shall attach the CMP as an exhibit to, every contract for the construction of the Proposed Project, and shall make, or require the general contractor(s) to make, compliance with the CMP a condition of, and attach the CMP as an Exhibit to, every sub-contract.

Comment E25:**Potential Mitigation Measures in City of Rye**

Based on the analysis contained in the traffic study, our further review of the existing and proposed levels of service and queuing conditions as well as our observations of existing operating conditions in the area, the following is a list of some potential mitigation measures within the City of Rye to reduce the traffic impacts the proposed UHR project could have on the City. Other additional measures may be required as a result of the revised analysis results identified in Section A above.

Provide a separate right turn lane from Midland Avenue southbound onto Peck Avenue and a separate left turn lane from Peck Avenue to Midland Avenue northbound. The traffic signal at this intersection should also be upgraded to include full actuation and to allow the right turn overlap from Midland Avenue onto Peck Avenue. Install pedestrian actuation and ADA compliant crosswalks at Peck Avenue/Midland Avenue intersection. These improvements would be needed to accommodate the additional traffic generated by the site destined to/from the north on I-95. As indicated previously, we believe that the percentage of traffic utilizing this route would be greater than the 4% - 6% assumed in the study.

Philip Grealy, Letter 3, August 27, 2015

Response:

The updated FEIS traffic analysis, which includes additional 5% of Proposed Project-generated traffic assigned to the intersection of Midland Avenue with Peck Avenue indicates that the

Proposed Project impacts could be adequately mitigated with traffic signal timing adjustments. These timing adjustments would result in a nominal increase in overall vehicular delay (5 to 6 seconds) during the Peak Hours from No-Build to Build with Improvements Conditions (see Table FEIS III.E-8). Absent the foregoing, and as outlined in Section FEIS.III.E-INTRODUCTION, Subsection Traffic Analysis, the Applicant is willing to make a Fair-share Financial Contribution towards physical improvements at this location. The Fair-share Financial Contribution to be made by the Applicant for this location is \$34,500 (see Table FEIS III.E-9), which is above and beyond the Applicant's responsibility since the traffic analysis demonstrates that the Proposed Project's impacts could be offset with traffic signal timing adjustments only.

Comment E26:

It is likely that traffic arriving from the east on I-287 may avoid the eastbound exit ramp onto U.S. Route 1 (Exit 11) because of the heavy volumes and queues that are projected in the UHR Study at that intersection as well as the existing queues for traffic destined to I-95 southbound. This may result in additional traffic utilizing the I-287 Purchase Street exit (Exit 10) and continuing on Purchase Street and/or Ridge Street to either Hillside Road or High Street to access the site. This additional traffic loading at the complicated intersection of Ridge Street, Purchase Street, Wappanocca Avenue and Hillside Road, as previously mentioned, should require upgrades for capacity and safety. The use of a mini roundabout (right-of-way dependent) may be appropriate to handle the increased traffic flows. The Applicant should examine the potential for the introduction of a mini roundabout and provide an analysis of such mitigation.

Philip Greal, Letter 3, August 27, 2015, PH, September 21, 2015, p.77

Response:

As noted in Section FEIS.III.E-INTRODUCTION, this location has been analyzed with the adjacent intersection of Purchase Street/Hillside Road/Wappanocca Avenue in the FEIS traffic analysis. Additionally, the location includes added Proposed Project-generated traffic as outlined in FEIS.III.E-INTRODUCTION. Based upon the update FEIS traffic analysis, no Level of Service impacts would occur at this location due to the Proposed Project. However, the Applicant recognizes the concerns raised by the City of Rye with the unconventional intersection and is willing to make a Fair-share Financial Contribution towards future improvement. The City of Rye has identified a proposed Roundabout intersection improvement at this location in their Capital Plan. They estimate the total cost for this improvement to be \$500,000 (see

Appendix E). The Applicant's Fair-share Financial Contribution towards this improvement would be \$22,500 (see Table FEIS III.E-9), which is above and beyond the Applicant's responsibility since the analysis indicates no Level of Service impacts (see Table FEIS III.E-8).

Comment E27:

At the signalized intersection of Ridge Street, South Ridge Street and High Street, there is a sidewalk along the northeast corner of the intersection. It is anticipated that there will be increased bus usage in that area as a result of the development. Due to the increased utilization of the bus that stops at this location and the existing unpaved path on Ridge Street north of this intersection should be replaced by a sidewalk and pedestrian crossings including pedestrian signal actuation should be provided at the intersection.

Philip Grealy, Letter 3, August 27, 2015

Response:

There is a bus stop in the immediate vicinity of the Project Site along High Street. This stop will serve the Proposed Project site. Therefore, it is not anticipated that the Proposed Project would increase utilization of the bus stop at the intersection of Ridge Street/South Ridge Street and High Street, thus no increase in pedestrian activity at that area would occur that would warrant additional improvements.

Comment E28:

Along High Street and Hillside Road, additional traffic will likely be experienced as a result of traffic avoiding the heavy volumes on U.S. Route 1 at the I-287 eastbound off-ramp (Exit 11) as well as left turns into the United Hospital development. Since part of the development proposal is to restrict left turns onto and from High Street from U.S. Route 1, it is likely that additional traffic flow will use South Ridge Street to High Street to access the development due to its easy approach access into the property. Traffic calming and other traffic control measures should be provided by the Applicant.

Philip Grealy, Letter 3, August 27, 2015

Distribution and Assignment of Site-Generated Traffic

Based on a review of the Applicant's distribution and assignment patterns for each of the land uses, it indicates typically that at most 8 percent of the site traffic generation will use South Ridge Street to access High Street to access the subject property. This analysis further indicates that 15 percent of the site traffic generation will use South Main Street through the center of the Village of Port Chester to access Boston Post Road and the subject property.

It is our opinion that the estimate of site traffic generation using South Ridge Street may be too low since a portion of the site traffic generation may actually avoid South Main Street and Boston Post Road to access the site from Boston Post Road and instead use Westchester Avenue, Bowman Avenue and South Ridge Street to access High Street and the subject property. South Main Street and Boston Post Road, as well as Main Street through the center of the Village of Port Chester Business District experience high volumes and traffic congestion throughout the day and specifically during peak hours. Therefore, residents and visitors to the site may actually avoid these roadways and use South Ridge Street and other roadways within the Village of Rye Brook, as noted above.

In the figures included in the Applicant's Traffic Report it indicates that site traffic will turn left from U.S. Route 1 onto High Street to access site driveways. However, the Applicant notes in other sections of the same report that this left turn movement will be prohibited in the future to minimize potential traffic impacts along U.S. Route 1 in the vicinity of High Street/Interstate 287 ramps. Therefore, the analysis should either be modified or the Applicant should clarify its proposal for the intersection of U.S. Route 1 at High Street.

Village of Rye Brook, Letter 22, September 25, 2015

Response:

As noted in Section FEIS.III.E-INTRODUCTION, trip distributions were updated to reflect additional traffic utilizing Exit 11 versus Exit 10. Based upon the travel time runs conducted, the likely route for this traffic is via Purchase Street to Ridge Street to High Street. This has been reflected in the updated FEIS traffic analysis. With respect to other trip distributions, there has been 6% to 8% of the Proposed Project-generated traffic assigned to Ridge Street in the Village of Rye Brook, depending upon the Land Use. In the Applicant's opinion, this is an accurate estimate on trip distributions, as other traffic utilizing Main Street and South Regent Street to access the Project Site via The Boston Post Road are local to those areas and unlikely to backtrack to Ridge Street to access the Project Site. Furthermore the 5% shift in trip distributions between the DEIS and FEIS traffic analysis addresses potential impacts and mitigation for an adequate range of potential trip distributions to and from the Project Site.

The left-turn restrictions to/from High Street are a proposed improvement and have been appropriately reflected in the updated FEIS traffic analysis and Exhibits FEIS III.E-5 through FEIS III.E-21.

Comment E29:

A discussion should be provided to address how the restriction of movements at the U.S. Route 1 and High Street intersection to a right turn in/right turn out only intersection will impact the existing bus routes that travel along High Street. More detailed discussion of transit use should be provided including routing/ridership. The Westchester County Department of Public Works and Transportation should also provide input on the proposed High Street modification relative to its transit usage.

Philip Grealy, Letter 3, August 27, 2015

Response:

Detailed discussion concerning bus routes in the area are included on Page III.E-18 of the DEIS and as part of FEIS response to Comment A19. All bus routes affected by the left-turn restrictions at High Street will be adequately accommodated via the re-routed route through the Project Site.

Comment E30:

Other considerations to limit any potential development generated traffic that may use Hillside Road, Evergreen Road and Grandview Avenue as cut-through routes to and from the site could include:

- a) Implementation of traffic calming measures along High Street and Hillside Road as well as on the connector streets between each of those including Grandview Avenue and Evergreen Avenue.
- b) Introduction of possible one-way street designations or provisional peak hour movement restrictions should be considered.
- c) Applicant should analyze the effect of the possible closure of the High Street overpass and rerouting traffic accordingly.

Philip Grealy, Letter 3, August 27, 2015

Response:

The Applicant is has committed \$50,000 to ~~exploring these options~~ be provided to the City of Rye as part of the Post Implementation Study (described in more detail a condition of Site Plan Approval to be used towards traffic calming measures in the POST IMPLEMENTATION TRAFFIC STUDY section of Rye Park neighborhood. Again, it is the FEIS) and Applicant's opinion that these measures are not necessitated by the Proposed Project, but the monies ~~can~~ will be allocated towards these considerations if deemed appropriate as part improvements, based upon pre-existing concerns identified by the City of that Post Implementation Study. Rye.

The City of Rye has prepared an independent Traffic Calming Study for the area in question. We would defer to the findings of that Report with respect to implementation of any traffic calming measures.

Introduction of one-way street designations may result in more traffic on local roadways in the area, due to vehicles having to circulate the neighborhood on adjacent streets to reach their destination, due to the one-way orientation. For instance, if Grandview Avenue is converted to one-way northbound and Evergreen Avenue is converted to one-way southbound, traffic currently originating from Grandview Avenue destined to Purchase Street would have to travel north on Grandview Avenue then west on High Street and then south on Evergreen Avenue to get to Hillside Road and subsequently to Purchase Street. Whereas currently they can directly access Hillside Road from Grandview Avenue.

NYSDOT would have jurisdiction over the temporary closure of the High Street overpass, if that was warranted for any bridge remediation/replacement. NYSDOT would develop a Traffic Management Plan for rerouting of traffic during this interim condition, should it be necessary, which is not anticipated in association with Proposed Project-related impacts. It should be noted that the Proposed Project is not anticipated to change the Functional Classification of High Street, as defined by the Federal Highway Administration (FHWA). The 2013 FHWA report entitled “Highway Functional Classifications, Concepts and Criteria” identifies High Street as an Urban Major/Minor Collector roadway, due to an Average Daily Traffic Volume that falls within the range of 1,100 to 6,300 vehicles. The Proposed Project would maintain volumes within this same range.

Comment E31:

The traffic analysis projects that approximately 25% of the arriving traffic to the development will be from the New England Thruway (I-95) from the south. Because of the difficulty in weaving from the U.S. Route 1 Exit ramp to the access (separated by less than 500 ft.) and the lack of vehicle stacking distance at this intersection, we believe that this area should be reevaluated to address this “weave”. Furthermore, this area currently experiences a high rate of accidents and the additional traffic that would be required to make a weaving maneuver may further exacerbate an existing high accident condition. The analysis also indicates that significant increase in delay will be experienced on this off-ramp as a result of the project generated traffic. This should be evaluated along with the anticipated queues on this ramp to ensure that traffic would not impact the vehicles traveling to I-287 westbound. Mitigation measures should be identified by the Applicant to address this situation.

Philip Greal, Letter 3, August 27, 2015

The Applicant should also analyze the weaving section on northbound Boston Post Road between the exit ramp from northbound I-95 and the intersection with the proposed main Site entrance, taking into account the limited open weaving area that would be caused by the extensive vehicles queues on northbound Boston Post Road.

At the intersection of Boston Post Road with the exit ramp from I-95 NB and the entrance ramp onto westbound I-287, the capacity analyses indicated that the exit ramp would experience LOS “e” conditions during the PM Peak Hour and LOS “d” conditions during the Saturday Peak Hour a deterioration from the LOS “c” operations anticipated during the No-Build conditions. The Applicant states that the analysis “... does not account for the improvements being made at the upstream High Street intersection....” It should must be noted, however, that the Synchro analysis does account for upstream conditions along a roadway corridor, such as Boston Post Road and would account for the conditions at High Street. Therefore, there would be a major deterioration in operating conditions without mitigation.

Adler Consulting, Letter 44, November 16, 2015 p. 8-9

Response:

Due to limitations in the Highway Capacity Manual analysis methodology, the minimum weaving segment distance allowed in the analysis is 300 feet and the minimum weaving segment speed allowed is 35 miles per hour. The weaving analysis contained in the Highway Capacity Manual is typically reserved for higher speed, freeway weaving segments.

Notwithstanding, Exhibits FEIS III.E-31.A and FEIS III.E-31.B depicts the weaving segment lengths for the No-Build and Build with Improvement conditions during all peak hours. As depicted in the Exhibits, the existing optimal weaving distance from the Route I-95 northbound off-ramp to the stop bar on the northbound Boston Post Road approach at High Street is 195 feet. By eliminating the left-turn from Boston Post Road to High Street and moving all left-turns to the Project Site Driveway, the optimal weaving distance in the future with the Proposed Project will be increased to 535 feet. When accounting for the 95th percentile queues lengths along the Boston Post Road northbound approach at High Street, the weaving distance in the No-Build condition is non-existent, as the queue lengths will routinely back up past the ramp’s entrance to Boston Post Road during all peak hours. This creates additional delays, which is not borne out by the weaving analysis, and an unsafe situation as it forces drivers on the Route I-95 ramp destined to High Street to either wait for a gap in two lanes or force their way across the right-most Boston Post Road lane to get into the left-most lane to perform their maneuver. When accounting for the 95th percentile queues lengths in the Build with Improvements condition, the weaving distance is approximately ~~80—180~~ 90—130 feet from the ramp to the back of the 95th

percentile queue, thereby providing vehicles on the I-95 ramp with room to merge into the right-most lane and change over to the left-most lane to perform their maneuver. The No-Build and Build with Improvements Queue Lengths are illustrated on Exhibits III.E-31.A and III.E-31.B. When accounting for the 50th percentile, or average, queue lengths, the weaving distance in the No-Build condition is non-existent during ~~the all three~~ Peak ~~PM and Saturday~~ Hours, as the queue lengths will continue to back up past the ramp's entrance to Boston Post Road. ~~During the No-Build Peak AM Hour condition, the weaving distance will be approximately 80 feet, when~~ When accounting for the 50th percentile queue, ~~whereas the weaving distance in under~~ the Build with Improvements condition, the weaving distance to the back of queue is between 200189 and 330287 feet, depending on the peak hour.

Comment E32:

The I-95 southbound on-ramp is also projected to accommodate approximately 25% of the traffic departing the development. Although it was not required to be studied as part of the scoping document, this ramp has three merge locations that are under yield control prior to entering the mainline traffic on I-95 southbound. These three locations have a known accident history and also result in the queues along I-287 westbound mentioned previously. The additional traffic may further contribute to these conditions. Input from NYSDOT should be obtained to address this situation.

Philip Greal, Letter 3, August 27, 2015

Response:

This location is under the jurisdiction of the NYS Thruway Authority and was not part of the Approved Scoping Document. Absent the foregoing, traffic volumes were obtained from the NYSDOT Traffic Data Viewer (<http://gis3.dot.ny.gov/html5viewer/?viewer=tdv>) and combined with the traffic counts utilized in the Study. The analysis of the traffic counts indicates the traffic generated for the Proposed Project, depending on the peak hour, will only account for approximately 3-5% of the total traffic utilizing the ramp to I-95 Southbound. While some delays may exist on the ramp today during specific peak hours, the additional minor traffic increase associated with the Proposed Project will not significantly worsen these delays. Copies of this data and analysis are provided in Appendix E.

Comment E33:

The Applicant should be required to analyze the feasibility of a new ramp connection from Route 1 onto I-95 northbound opposite the I-287 eastbound off ramp since this type of connection would significantly improve access to I-95 northbound for traffic leaving the development and

would help lessen the amount of additional traffic using City of Rye streets including Peck Avenue.

The Applicant should also be required to explore the potential for development of a new I-95 southbound off ramp (indirectly from I-287) to U.S. Route 1.

Philip Grealy, Letter 3, August 27, 2015

Response:

The Applicant contends that the roadway improvements and Fair-share Financial Contributions proposed in association with the Proposed Project go above and beyond the Applicant's responsibility to offset their proposed traffic impacts. In fact, the section of Boston Post Road in the vicinity of the Proposed Project will see capacity and safety benefits from the improvements being proposed. The analysis of additional ramp improvements, including the addition of a new ramp at the I-95/I-287 interchange are not warranted by the Proposed Project based upon the mitigation plan proposed with this Application.

Comment E34:

Due to the projected congestion and queuing from the UHR project along U.S. Route 1, the potential for implementing adaptive demand responsive traffic signal improvements should be explored by the Applicant with NYSDOT. These types of signal system improvements would help accommodate traffic volumes more efficiently throughout the corridor including through the City of Rye.

Philip Grealy, Letter 3, August 27, 2015, PH, September 21, 2015, p. 78

Response:

The Applicant is committed to providing an Adaptive Signal Network, with input from the NYSDOT, at the following intersections:

- a. *Boston Post Road & Route I-287 eastbound off-ramp*
- b. *Boston Post Road & High Street*
- c. *Boston Post Road & Proposed Project Site Driveway/Kohl's Driveway*
- d. *Boston Post Road & South Regent Street*

This proposed signal system would allow for real time adjustments to traffic signal timings, based upon changes in vehicular demand on particular movements/intersections. This will further improve upon the results illustrated in the Arterial Analysis.

Comment E35:

A conceptual approval should be obtained from the New York State Department of Transportation (NYSDOT) indicating the acceptability of the proposed modifications of the High Street/U.S. Route 1 intersection, the access improvements to the development from U.S. Route 1 and the changes proposed for the I-287 eastbound off ramp intersection at U.S. Route 1. As previously mentioned, the NYSDOT usually requires an Estimated Time of Completion (ETC) + 10 years analysis of potential impacts.

Philip Grealy, Letter 3, August 27, 2015, PH 9/21/15, p.64

Response:

NYSDOT is an involved agency as part of this Application and has provided comments on the DEIS. It is also recognized that its approval will be necessary to implement improvements proposed along Boston Post Road Right-of-Way. As noted previously, the ETC+10 analysis is essentially accommodated in the FEIS traffic analysis based upon the conservative background growth rate utilized. Based upon discussions to date with NYSDOT, the Department has looked favorably upon Boston Post Road improvements at the Proposed Project Site Driveway and High Street, recognizing the benefit to overall traffic operations by eliminating the northbound Boston Post Road signal control at High Street and rerouting those movements to the protection of a dedicated double left-turn lane at the Project Project Site Driveway. Final details of the improvements are still be subject to review and approval by the Department as part of their Highway Work Permit approval process.

~~As part of a sensitivity analysis, the Project Site Driveway intersection with the Boston Post Road was also analyzed with exclusive right turn lanes along the southbound Boston Post Road approach and eastbound Project Site Driveway approach as suggested by Maser Consulting (see FEIS Exhibit III.E 36). The results of this analysis, contained in Appendix E, indicate that the intersection as a whole will experience at most an 8.3 second decrease in delay or less, depending on the peak hour. In the Applicant's opinion, this decrease in delay does not outweigh the additional adverse environmental and aesthetic impacts created by the additional pavement associated with these added lanes. Additionally, the widened lanes would increase the time that pedestrians would need to cross either approach. The Applicant has conducted a Sensitivity Analysis that analyzes the effects of added lanes at the Proposed Project Site Driveway intersection with the Boston Post Road, beyond what is already being proposed by the Applicant. It is noted that this Sensitivity Analysis is being provided to illustrate additional improvements that would be considered if the conservatively estimated volumes and conservative operating parameters were actually realized at this intersection. This would be determined as part of the Post Implementation Study and the associated improvements would be implemented at that time if determined to be necessary by the results of the Post Implementation Study. It is~~

the Applicant's opinion that this is the most appropriate approach to additional improvements at this location, since there is a mechanism to readily implement future improvements by having the Applicant dedicate the necessary Right-of-Way and provide a bond that covers the financial burden of implementing such improvements. These potential improvements would be fully engineered with associated Right-of-Way dedications provided as part of the NYSDOT Highway Work Permit process and associated bonding for these improvements would be designated for this improvement to be held by the Village of Port Chester as part of the Post Implementation bond amount. This will ensure that these improvements would be implemented if deemed necessary by the Post Implementation Study.

To provide added lanes and pavement to this intersection for traffic volumes and/or operating parameters that may never be realized shifts the balance, in the Applicant's view, quite likely unnecessarily, even farther toward vehicles in a location at which the Applicant hopes to create a more-pedestrian focused environment in keeping with the goals of the Village's Comprehensive Plan. Doing so may result in unnecessary impacts, including negative impacts on the aesthetic and visual impression of the Proposed Project and the entryway to the Village as a result of the elimination of the landscaped median at the Project Site entrance and the widening of the roadways, as well as adversely affecting the pedestrian functionality of this intersection. In effect, these added lanes would exacerbate a condition in which a "sea of asphalt" welcomes visitors to the Village and to this Proposed Project once open. The Proposed Project currently does everything practicable, given the need to accommodate existing and future traffic along the Boston Post Road corridor, to soften that visual impression with landscaping and landscaped islands. In the Applicant's opinion, given their experience in designing and developing similar mixed use communities, the addition of lanes will undo those efforts, thereby reducing the visual appeal and draw of the new development from the Boston Post Road and the ability to create a more attractive gateway to the Village.

The added lanes that would be considered for implementation at this location, if deemed necessary by the Post Implementation Study, would include an additional dedicated southbound right-turn lane on the Boston Post Road and an additional dedicated left-turn lane on the Proposed Project Site Driveway approach. These added lanes are conceptually illustrated on Exhibit FEIS.III.E-36. Capacity analyses were conducted with inclusion of these added lanes, and the detailed Level of Service Summary Tables are included in Appendix E. The following Table provides a detailed comparison of Levels of Service at the intersection with and without the added lanes:

Table FEIS.III.E-9d

<u>Detailed Level of Service Comparison Table - Added Lanes Sensitivity Analysis</u>			
<u>Proposed Project Site Driveway/Kohl's Driveway & The Boston Post Road</u>			
<u>Movement</u>	<u>No-Build</u>	<u>Build with Improvements</u>	<u>Build with Additional Lanes</u>
	<u>LOS (Delay)</u>	<u>LOS (Delay)</u>	<u>LOS (Delay)</u>
<u>PEAK AM HOUR</u>			
<u>Northbound Left</u>	<u>N/A</u>	<u>E (76.9)</u>	<u>D (54.7)</u>
<u>Northbound Thru</u>	<u>B (18.7)</u>	<u>C (23.0)</u>	<u>C (20.2)</u>
<u>Northbound Right</u>	<u>A (0.2)</u>	<u>A (0.1)</u>	<u>A (0.1)</u>
<u>Northbound Overall</u>	<u>B (16.2)</u>	<u>D (39.1)</u>	<u>C (30.0)</u>
<u>Southbound Left</u>	<u>A (6.0)</u>	<u>B (16.5)</u>	<u>B (17.9)</u>
<u>Southbound Thru-Right/Thru</u>	<u>B (10.6)</u>	<u>E (56.4)</u>	<u>D (44.3)</u>
<u>Southbound Right</u>	<u>N/A</u>	<u>N/A</u>	<u>D (36.1)</u>
<u>Southbound Overall</u>	<u>B (10.3)</u>	<u>D (54.4)</u>	<u>D (42.0)</u>
<u>Eastbound Left</u>	<u>N/A</u>	<u>E (70.8)</u>	<u>E (56.7)</u>
<u>Eastbound Thru-Right</u>	<u>N/A</u>	<u>E (70.6)</u>	<u>E (72.3)</u>
<u>Eastbound Overall</u>	<u>N/A</u>	<u>E (70.7)</u>	<u>E (60.4)</u>
<u>Westbound Left</u>	<u>C (22.0)</u>	<u>E (60.6)</u>	<u>D (52.1)</u>
<u>Westbound Right/Thru-Right</u>	<u>C (22.0)</u>	<u>E (69.8)</u>	<u>E (76.9)</u>
<u>Westbound Overall</u>	<u>C (22.0)</u>	<u>E (63.8)</u>	<u>E (60.7)</u>
<u>OVERALL INTERSECTION</u>	<u>B (13.5)</u>	<u>D (49.2)</u>	<u>D (38.9)</u>
<u>PEAK PM HOUR</u>			
<u>Northbound Left</u>	<u>N/A</u>	<u>E (77.3)</u>	<u>E (71.9)</u>
<u>Northbound Thru</u>	<u>F (114.9)</u>	<u>E (78.5)</u>	<u>E (69.3)</u>
<u>Northbound Right</u>	<u>A (0.5)</u>	<u>A (0.4)</u>	<u>A (0.4)</u>
<u>Northbound Overall</u>	<u>F (83.3)</u>	<u>E (61.3)</u>	<u>E (55.0)</u>
<u>Southbound Left</u>	<u>B (19.0)</u>	<u>E (79.1)</u>	<u>E (66.0)</u>

<u>Southbound Thru-Right/Thru</u>	<u>B (14.2)</u>	<u>E (64.0)</u>	<u>D (50.6)</u>
<u>Southbound Right</u>	<u>N/A</u>	<u>N/A</u>	<u>D (38.9)</u>
<u>Southbound Overall</u>	<u>B (15.1)</u>	<u>E (66.5)</u>	<u>D (52.1)</u>
<u>Eastbound Left</u>	<u>N/A</u>	<u>F (94.2)</u>	<u>E (62.1)</u>
<u>Eastbound Thru-Right</u>	<u>N/A</u>	<u>F (93.5)</u>	<u>E (62.4)</u>
<u>Eastbound Overall</u>	<u>N/A</u>	<u>F (93.9)</u>	<u>E (62.2)</u>
<u>Westbound Left</u>	<u>C (26.6)</u>	<u>F (89.4)</u>	<u>E (70.1)</u>
<u>Westbound Right/Thru-Right</u>	<u>C (26.4)</u>	<u>F (83.0)</u>	<u>F (80.8)</u>
<u>Westbound Overall</u>	<u>C (26.6)</u>	<u>F (87.7)</u>	<u>E (72.9)</u>
<u>OVERALL INTERSECTION</u>	<u>D (47.2)</u>	<u>E (70.2)</u>	<u>E (57.4)</u>
<u>PEAK SATURDAY HOUR</u>			
<u>Northbound Left</u>	<u>N/A</u>	<u>E (75.5)</u>	<u>E (73.5)</u>
<u>Northbound Thru</u>	<u>E (55.2)</u>	<u>E (72.5)</u>	<u>E (76.9)</u>
<u>Northbound Right</u>	<u>A (1.2)</u>	<u>A (0.9)</u>	<u>A (0.9)</u>
<u>Northbound Overall</u>	<u>C (31.0)</u>	<u>D (48.4)</u>	<u>D (49.7)</u>
<u>Southbound Left</u>	<u>E (78.5)</u>	<u>E (77.6)</u>	<u>E (64.5)</u>
<u>Southbound Thru-Right/Thru</u>	<u>B (16.4)</u>	<u>E (77.1)</u>	<u>D (54.9)</u>
<u>Southbound Right</u>	<u>N/A</u>	<u>N/A</u>	<u>D (45.8)</u>
<u>Southbound Overall</u>	<u>C (32.9)</u>	<u>E (77.2)</u>	<u>E (56.3)</u>
<u>Eastbound Left</u>	<u>N/A</u>	<u>F (115.4)</u>	<u>E (68.4)</u>
<u>Eastbound Thru-Right</u>	<u>N/A</u>	<u>F (113.3)</u>	<u>E (78.1)</u>
<u>Eastbound Overall</u>	<u>N/A</u>	<u>F (114.3)</u>	<u>E (71.7)</u>
<u>Westbound Left</u>	<u>C (27.2)</u>	<u>F (141.3)</u>	<u>E (72.4)</u>
<u>Westbound Right/Thru-Right</u>	<u>C (25.4)</u>	<u>F (99.3)</u>	<u>F (89.1)</u>
<u>Westbound Overall</u>	<u>C (26.8)</u>	<u>F (130.5)</u>	<u>E (76.7)</u>
<u>OVERALL INTERSECTION</u>	<u>C (30.7)</u>	<u>E (79.8)</u>	<u>E (59.1)</u>

As illustrated in the Table III.E-9d, the added lanes would lessen vehicle delays within but not change Overall Levels of Service (although particular movements would also experience a change in Level of Service) as compared to the Build with Improvements condition, and would be a viable additional improvement to be implemented if the conservatively projected traffic volumes and/or operating parameters were ever realized at this location, which would be determined as part of the Post Implementation Study. In addition to the intersection analysis, the Arterial Analysis was conducted with the added lanes. The results of the added lanes Arterial Analysis are summarized in Appendix E. As would be expected, the added lanes Arterial Analysis indicates better average travel speeds than what is being proposed by the Applicant; however, the change in travel speeds are no as significant as the changes in intersection Levels of Service/Delay, since the biggest benefits of the added lanes is improved side street operations. In summary, it is the Applicant's opinion that the implementation of the added lanes, if deemed necessary by the Post Implementation Study as opposed to initial implementation, is justified for the following reasons:

1. This will limit the potential for unnecessary additional impacts to the aesthetics and pedestrian functionality of this intersection.
2. The overall Boston Post Road corridor will operate more safely and efficiently even without these added lanes, which is illustrated in the results of the Arterial Analysis.
3. These potential improvements would be fully engineered with associated Right-of-Way dedications provided as part of the NYSDOT Highway Work Permit process and associated bonding for these improvements would be designated for this improvement to be held by the Village of Port Chester as part of the Post Implementation bond amount. This will ensure that these improvements would be implemented if deemed necessary by the Post Implementation Study.
4. In effect, these added lanes would exacerbate a condition in which a "sea of asphalt" welcomes visitors to the Village and to this Proposed Project once open. The Proposed Project currently does everything possible, given the need to accommodate existing and future traffic along the Boston Post Road corridor, to soften that visual impression with landscaping and landscaped islands. In the Applicant's opinion, given their experience in designing and developing similar mixed use communities, the addition of lanes will undo those efforts reducing the visual appeal and draw of the new development from the Boston Post Road and the ability to create a more attractive gateway to the Village.
5. Parameters (such as the CBD) that may never be realized at the intersection have a significant impact upon the results of the analysis and therefore may warrant implementation of added lanes that are unnecessary. As noted previously, inclusion of the CBD parameter at this intersection increases the Overall Delay by approximately 25-30%, when compared to analyzing without inclusion of the parameter.

6. The additional cost to implement these improvements up front as part of the Proposed Project would add cost to the current pro forma and could impact the PILOT requested. Based on the foregoing, it is the Applicant's opinion that these added lanes should not be implemented now, but should be analyzed as part of the Post Implementation Study and installed only if deemed necessary at that time.

It is the opinion of the Village of Port Chester's' Traffic Engineering Consultant that the added lanes should be implemented now, for the following reasons:

1. Overall Delays would be reduced by 10.3 seconds, 12.8 seconds and 20.7 seconds, during the Peak AM, Peak PM and Peak Saturday Hours.
2. A Level of Service 'E' would be experienced on the Proposed Project Site Driveway and Kohl's Site Driveway approaches, as opposed to a Level of Service 'F', during the Peak PM and Peak Saturday Hours.
3. Implementation of the improvements at a later date would temporarily impact traffic during construction.
4. There would be an added cost (albeit the burden of the Applicant) with doing the improvements at a later date, as opposed to all at once.

The additional cost to implement these improvements up front as part of the Proposed Project would add cost to the current pro forma and could impact the PILOT requested. The added costs of implementing these changes following the Post Implementation Study would be borne by the Applicant, after the PILOT has been fixed, and any temporary traffic impacts for implementation of the added lanes at a later date would be part of the Maintenance and Protection of Traffic Plan to be submitted and approved by NYSDOT as part of the Highway Work Permit process.

More specific concerns raised by NYSDOT pertained to the overall operation of the Boston Post Road corridor, especially due to the added delays anticipated on the southbound Boston Post Road approach to the Project Site driveway intersection. In order to demonstrate the improvements to the Boston Post Road corridor, a full Arterial Analysis of the Boston Post Road corridor was completed in accordance with the Highway Capacity Manual methodologies. The Arterial Analysis was conducted for all three Peak Hours, for the Existing, No-Build, Build and Build with Improvements conditions. The Arterial Analysis further considered both the northbound and southbound directions of the Boston Post Road corridor. Finally, the Arterial Analysis considered the entire portion of the corridor within the Study Area (Peck Avenue in the south to Grace Church Street/Main Street in the north), as well as the portion of the corridor in the more immediate area of the Proposed Project (I-287 eastbound off-ramp in the south to the

South Regent Street in the north). Detailed Level of Service Tables summarizing the results of the Arterial Analysis are contained in Appendix E. As previously illustrated in the Table III.E-9c, the weighted average travel speeds (total of both directions) will increase from No-Build to Build with Improvement Conditions, during all three peak hours and along each analyzed segment of the Arterial Analysis. Therefore, it is the Applicant's opinion that the roadway improvements proposed by the Applicant still provide an overall benefit to the Boston Post Road Corridor even when considering the weighted average of both directions of travel. Based on the foregoing, the Applicant contends that the impacts associated at the Boston Post Road/Kohl's Shopping Center Driveway/Proposed Project Site Driveway are more than adequately mitigated when evaluating the improvements to the corridor as a whole.

~~As can be seen in the Table FEIS III.E 8a, average travel speeds along the corridor will improve from No-Build to Build with Improvements conditions during all Peak Hours in both directions. This means that the Boston Post Road corridor will operate more efficiently with the Proposed Project and associated improvements than if the Proposed Project was not constructed.~~

~~Furthermore, some of the degradation in Levels of Service at the Proposed Project Site Driveway are due to the existing rerouted High Street traffic, which will now be able to make a left turn from the Boston Post Road under the safety of the proposed double left turn lane and fully protected traffic signal phase, as opposed to the current condition of turning out of the de facto shared lane which leads to a high number of accidents at the existing location (41 total accidents from 2012-2014 with 41% involving injury and/or property damage).~~

~~In addition, the Applicant is committed to analyzing this location as part of the Post Implementation Study (described in more detail later in this Section) and if deemed necessary, additional turn lane(s) will be provided on the associated approach(es) at the Applicant's expense (these monies will be bonded to assure availability of funds if further improvements are deemed necessary). The areas necessary to provide the additional turn lanes at the Proposed Project Site Driveway will be dedicated as Public Right of Way and/or conveyance to the Village of Port Chester and/or NYSDOT to ensure the availability of these areas for potential future widening.~~

Comment E36:

The amount of traffic exiting from I-95 southbound onto Midland Avenue appears to be underestimated. It is shown as approximately 4%-6% depending on the particular projected land use. As this percentage is likely to be as much as 5% higher, there would be additional traffic at this location which would also have to be accommodated here as well as on Peck Avenue. This analysis should be revised accordingly.

Philip Greal, Letter 3, August 27, 2015, PH, September 21, 2015, p. 70

Response:

As noted previously, an additional 5% of Proposed Project-generated traffic has been assigned to this location and analyzed accordingly in the FEIS traffic analysis.

Comment E37:

As noted, the proposed modification of the I-287 eastbound off-ramp (Exit 11) connection with U.S. Route 1 would require NYSDOT approval. The recommendation to provide a left and left/through/right lane exiting the ramp will require phasing modification and due to the sharp angle, this may be difficult to adequately accommodate the anticipated dual left volume from the ramp onto U.S. Route 1 northbound since the receiver width for the dual left turn is only 24 feet, which would not accommodate trucks. This is especially critical during the Weekday PM Peak and Saturday Peak Hours.

Philip Grealy, Letter 3, August 27, 2015

Garth Schultz, Letter 29, October 8, 2015

Response:

A Conceptual Improvement Plan for this location is illustrated on Exhibit FEIS.III.E-27. This design accounts for accommodation of a WB-50 Design Vehicle in accordance with NYSDOT comments. The existing substandard alignment of the ramp approach to Boston Post Road does not appropriately accommodate a WB-50 Design Vehicle. The proposed design improves upon this existing substandard condition by providing a better alignment with the Boston Post Road.

Comment E38:

A Highway Safety Investigation (HIS) and Priority Investigation Location (PIL) report preparation may be required by the NYSDOT for this section of U.S. Route 1 and I-95/I-287 ramps that may identify additional mitigation measures to be employed as certain locations have accident rates greater than 10 times the statewide average based on the limited data presented in the Applicant's study.

Philip Grealy, Letter 3, August 27, 2015

Response:

A Highway Safety Investigation Report has been prepared for the Priority Investigation Location (PIL) of The Boston Post Road between High Street and Willow Street. A copy of this Report is contained in Appendix E. The improvements proposed along this PIL will decrease accident rates by approximately 18% in the PIL subject area.

Comment E39:

Truck turning tracks of the U.S. Route 1 left turns into and through the site should be completed as well as at any other locations where the site generated truck traffic is expected to traverse.

Philip Grealy, Letter 3, August 27, 2015

Response:

Truck turning templates will be provided as part of formal design for any improvement locations being physically modified. Locations that are not being physically modified will continue to accommodate truck traffic in the same capacity as they do under existing conditions.

Comment E40:

While it is stated in the Traffic Study that the distributions were based upon census data; the Applicant should conduct travel time runs to confirm these distributions since many of the critical percentages appear to be underestimated and this could significantly change the study results, project impacts and required mitigation.

Philip Grealy, Letter 3, August 27, 2015

Response:

Trip Distributions have been revised as outlined in Section FEIS.III.E-INTRODUCTION, Subsection Trip Distributions. These revised distributions have been supported with travel time runs conducted in the field, as noted in Section FEIS.III.E-INTRODUCTION, Subsection Trip Distributions.

Comment E41:

The alternative analyses contained in the DEIS provides very limited traffic data and only brief comparisons of some trip generation estimates. This should be expanded with a complete comparison of traffic volumes for each alternative.

Philip Grealy, Letter 3, August 27, 2015

Response:

The alternatives have been analyzed in the DEIS as per the Approved Scoping Document. Additional alternatives analysis has been performed utilizing the trip generation numbers for the 1.2 and 1.4 FAR alternatives, and as included in the FEIS Section IV, for the following intersections:

- a. Boston Post Road and South Regent Street*
- b. Boston Post Road and Kohl's Driveway/Proposed Project Site Driveway*

- c. Boston Post Road and High Street
- d. Boston Post Road and I-287 eastbound off-ramp (Exit 11) and I-95 southbound on-ramp
- e. Boston Post Road and I-287 westbound on-ramp and I-95 northbound off-ramp

The trips for the two FAR Alternatives were assigned to the roadway network utilizing the same Trip Distributions as the Proposed Project. The results of the alternatives density analysis are included in Appendix E. All analysis includes adequate pedestrian crossing times in the associated vehicular traffic signal phase. As indicated in the analysis, ~~none of the intersection~~only one location will experience ~~more than a 4-second reduction in overall intersection delay~~change in Level of Service, and only during the Peak PM Hour, when comparing the results of the 1.2 floor-to-area ratio (FAR) Alternative to the Proposed Project Alternative. This occurs at the intersection of the Boston Post Road and the I-95 northbound off-ramp. The movement from the ramp will change from LOS 'E' (38.2 seconds delay) to LOS 'D' (34.8 seconds delay). In addition, the queuing analysis of the intersection of Boston Post Road and South Regent Street shows a maximum reduction of 724 feet (~~less than~~approximately 1 vehicle), when comparing the 1.2 FAR Alternative to the Proposed Project Alternative. The results of the 1.4 FAR Alternative analysis demonstrate an even smaller reduction to delays and queues. Therefore, it is the Applicant's opinion that the 1.2 or 1.4 FAR Alternative does not provide a significant benefit from a traffic impacts standpoint.

The Applicant notes that the Proposed Project reflects the considerable experience of its design team in creating and building successful mixed use projects. The Applicant contends that the various land uses identified during the course of the Comprehensive Plan process have been incorporated into a comprehensive design that creates vitality and activity needed for a successful project. The Applicant contends that certain aspects of the program like the retail and housing are important elements that need critical mass to be sustainable.

That said, the Applicant offers two reduced density options along with their impacts, see also Table IV-8a Alternative Density Analysis. It should be noted that neither one of these options are being advanced by the Applicant and the Applicant is not proposing either of these projects as an alternative project configuration that they would construct. Therefore, these are offered to better understand the impact of different uses on the site but not as options that would be considered for development by the Applicant.

Comment E42:

The overlay district analysis presented in the DEIS was limited to only U.S. Route 1 along the site frontage. This is inadequate as the implementation of the overlay district program will significantly impact areas beyond the site frontage. Therefore, the Applicant should examine, in detail all of, the other area intersections studied under the current UHR proposal. This analysis should consider the ETC+10 condition as well and should include the detailed analysis of the CD Zone.

Philip Grealy, Letter 3, August 27, 2015

Response:

The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). Further, the Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

Furthermore, this analysis essentially included an ETC+10 analysis due to the conservative background growth rate.

The Applicant notes that the Proposed Project reflects the considerable experience of its design team in creating and building successful mixed use projects. The Applicant contends that the various land uses identified during the course of the Comprehensive Plan process have been incorporated into a comprehensive design that creates vitality and activity needed for a successful project. The Applicant contends that certain aspects of the program like the retail and housing are important elements that need critical mass to be sustainable.

That said, the Applicant offers two reduced density options along with their impacts, see also Table IV-8a Alternative Density Analysis. It should be noted that neither one of these options are being advanced by the Applicant and the Applicant is not proposing either of these projects as an alternative project configuration that they would construct. Therefore, these are offered to better understand the impact of different uses on the site but not as options that can be considered for development by the Applicant.

The additional alternatives analysis was performed utilizing the trip generation numbers for the 1.2 and 1.4 FAR alternatives, and as included in the FEIS Section IV, for the following intersections:

- a. Boston Post Road and South Regent Street*
- b. Boston Post Road and Kohl's Driveway/Proposed Project Site Driveway*
- c. Boston Post Road and High Street*

- d. Boston Post Road and I-287 eastbound off-ramp (Exit 11) and I-95 southbound on-ramp
- e. Boston Post Road and I-287 westbound on-ramp and I-95 northbound off-ramp

The trips for the two FAR Alternatives were assigned to the roadway network utilizing the same Trip Distributions as the Preferred Alternative. The results of the alternatives density analysis are included in Appendix E. As indicated in the analysis, ~~none of the intersections~~only one location will experience ~~more than a 4 second reduction~~change in ~~overall intersection delay~~Level of Service, and only during the Peak PM Hour, when comparing the results of the 1.2 floor-to-area ratio (FAR) Alternative to the ~~proposed~~Proposed Project Alternative. This occurs at the intersection of the Boston Post Road and the I-95 northbound off-ramp. The movement from the ramp will change from LOS 'E' (38.2 seconds delay) to LOS 'D' (34.8 seconds delay. In addition, the ~~queueing~~queueing analysis of the intersection of Boston Post Road and South Regent Street shows a maximum reduction of ~~724~~ feet (~~less than~~approximately 1 vehicle), when comparing the 1.2 FAR Alternative to the proposed Project Alternative. The results of the 1.4 FAR Alternative analysis demonstrate an even smaller reduction to delays and queues. Therefore, it is the Applicant's opinion that the 1.2 or 1.4 FAR Alternative does not provide a significant benefit from a traffic impacts standpoint.

Comment E43:

I request the Village Trustees and/or Starwood respond to each issue raised by the Maser traffic report submitted by Rye with both thoughtful responses and solutions. Once the responses are presented, hold a formal, public, comment period for 30 days to allow us to examine and respond to the report before the Village takes any further action. If there are still concerns, those should be addressed before the Trustees approve the Final EIS.

Patrick McGovern, Letter 14, September 8, 2015
 Dr. & Mrs. Edward Gundy, Letter 12, September 8, 2015
 Juan Facundo and Augustina Santucci, Letter 17, September 8, 2015
 W. Mason Rees, Letter 11, September 5, 2015

Response:

Comment noted. All comments in the Maser traffic review letter have been addressed in this FEIS.

Comment E44:

I request an engineering report from the New York State Thruway Authority on the integrity and remaining useful life of the Thruway's High Street bridge over 287. The study should not be based on historical volumes of traffic but should assess the impact of a significant increase in

traffic volume to account for the fact that cars will be lined up on the bridge. There are three points of access that either dump traffic from the development onto High Street or require people heading to Boston Post Road North to turn left off of High Street into the development, which is likely to back up traffic onto the bridge. We are concerned the bridge wasn't built for such heavy use. This could be a significant safety issue.

Patrick McGovern, Letter 14, September 8, 2015, PH 9/8/15 p. 87

Dr. & Mrs. Edward Gundy, Letter 12, September 8, 2015

Juan Facundo and Augustina Santucci, Letter 17, September 8, 2015

W. Mason Rees, Letter 11, September 5, 2015

I live on High Street in Rye and am worried about the integrity of the High Street bridge that goes over 287. The bridge is old and I don't think it was built to handle the load of traffic expected to enter and exit the proposed site.

Therefore, it is important that the NY Thruway Authority conduct an engineering study to determine if the bridge can handle the increased load and volume of traffic that will result from the redevelopment.

Traffic turning left off High Street into the new development is sure to back up onto the Thruway's bridge. I am concerned that old bridge isn't designed to handle the increased volume and request a study.

Due to decay, the bridge nearby on South Ridge Street over 287 was replaced 2 years ago and that is probably from the same era as the High St bridge and it handles less volume than the High Street bridge will have to handle.

Can you imagine what a mess it will be if they have to shut down and rebuild the High Street bridge after the development is in place?

Garth Schultz Letter 10, September 7, 2015, Letter 29, October 8, 2015

[We] also request that an engineering report on the High Street bridge over 287 right by our neighborhood be performed by the New York State Thruway Authority before the Final EIS is issued.

We believe that this bridge was not built to withstand substantial incremental traffic, and traffic back-ups with enormous rock-laden trucks, heavy construction vehicles which we believe must be routed directly onto I-95 and I-287.

Michael Caponiti, PH 9/8/15, p. 79

Response:

This bridge is under the jurisdiction of NYSDOT and is inspected by the Department on a biennial basis. The most recent NYSDOT published biennial report for this bridge gave it a

rating of 4.56. The following is a statement from NYSDOT with respect to their bridge rating system:

“NYSDOT defines a deficient bridge as one with a State condition rating less than 5.0. A deficient condition rating indicates deterioration at a level that requires corrective maintenance or rehabilitation to restore the bridge to its fully functional, non-deficient condition. It does not mean that the bridge is unsafe.”

If bridge repair/replacement was deemed necessary by the NYSDOT, then the bridge would be repaired/replaced with an appropriate traffic management plan to minimize any impacts to non-construction traffic during construction of the bridge repair/replacement.

Construction traffic is not anticipated to be travelling over the bridge. All construction traffic is anticipated to arrive/depart the site via I-287/I-95 and the Boston Post Road.

It should be noted that the Proposed Project is not anticipated to change the Functional Classification of High Street, as defined by the Federal Highway Administration (FHWA). The 2013 FHWA report entitled “Highway Functional Classifications, Concepts and Criteria” identifies High Street as an Urban Major/Minor Collector roadway, due to an Average Daily Traffic Volume that falls within the range of 1,100 to 6,300 vehicles. The Proposed Project would maintain volumes within this same range and therefore operation of the Proposed Project would not be expected to have an adverse impact on the safety of the bridge.

Comment E45:

I am concerned about the projected volume of traffic the development will add to the neighborhood. If the number of housing units were reduced by 50%, what impact would that have on your and/or Starwood’s traffic estimates?

Patrick McGovern, Letter 14, September 8, 2015

Dr. & Mrs. Edward Gundy, Letter 12, September 8, 2015

Juan Facundo and Augustina Santucci, Letter 17, September 8, 2015

W. Mason Rees, Letter 11, September 5, 2015

Response:

The Applicant contends that an important issue to understand relative to proposed traffic improvements is that the roadway improvements to be implemented with the Proposed Project will allow The Boston Post Road corridor in the vicinity of the Project Site to operate better than it does today, even with the traffic to be generated from the Proposed Project (refer to the Arterial Analysis discussion in the Traffic Introduction section). As ~~can be seen previously illustrated~~ in ~~the~~ Table ~~FEIS.III.E-8a,9c~~, ~~the weighted~~ average travel speeds ~~along the~~

~~corridor~~(total of both directions) will ~~improve~~increase from No-Build to Build with ~~Improvements conditions~~Improvement Conditions, during all ~~Peak Hours in both directions~~three peak hours and along each analyzed segment of the Arterial Analysis. Therefore, it is the Applicant's opinion that the roadway improvements proposed by the Applicant still provide an overall benefit to the Boston Post Road Corridor even when considering the weighted average of both directions of travel. This means that the Boston Post Road corridor will operate more efficiently with the Proposed Project and associated improvements than if the Proposed Project was not constructed.

Other locations will experience minimal impact, if any. Additionally, the Applicant is making Fair-share Financial Contributions towards future improvements at more remote locations, which are above and beyond their responsibility based upon the results of the traffic analysis. Finally, the proposed Post Implementation Study will ensure that the proposed improvements are adequately offsetting the Proposed Project-related impacts and if not then additional mitigation/monies will need to be implemented/allocated to offset those impacts. It is important to note that this study is not 'mitigation' as defined by SEQRA. All reasonably anticipated impacts related to traffic are analyzed in the DEIS and this FEIS and mitigation is proposed where appropriate.

With that said, a 50% reduction in residential units would not necessarily translate to corresponding reduction in vehicular trips. All the land uses associated with the Proposed Project are integrated from a traffic generation standpoint, meaning certain residential trips that would typically be driving offsite for something like grocery shopping or going to a restaurant will be able to do that without having to leave the Project Site. A 50% reduction in residential units would only translate to a 60 to 90 vehicle trip reduction during any of the peak hours. This reduction would be further distributed amongst the Project Site Driveways and subsequently dispersed amongst the various Study Locations. This means that any one study location would experience less than a 5% reduction in Proposed Project-generated Traffic Volumes, with a 50% reduction in residential units. In the Applicant's opinion, this would not result in a significant change in the findings of the FEIS traffic analysis.

The Applicant notes that the Proposed Project reflects the considerable experience of its design team in creating and building successful mixed use projects. The Applicant contends that the various land uses identified during the course of the Comprehensive Plan process have been incorporated into a comprehensive design that creates vitality and activity needed for a successful project. The Applicant contends that certain aspects of the program like the retail and housing are important elements that need critical mass to be sustainable.

That said, the Applicant offers two reduced density options along with their impacts, see also Table IV-8a Alternative Density Analysis. It should be noted that neither one of these options

are being advanced by the Applicant and the Applicant is not proposing either of these projects as an alternative project configuration that they would construct. Therefore, these are offered to better understand the impact of different uses on the Project Site but not as options that would be considered for development by the Applicant.

The additional alternatives analysis were performed utilizing the trip generation numbers for the 1.2 and 1.4 FAR alternatives, and as included in the FEIS Section IV, for the following intersections:

- a. Boston Post Road and South Regent Street
- b. Boston Post Road and Kohl's Driveway/Proposed Project Site Driveway
- c. Boston Post Road and High Street
- d. Boston Post Road and I-287 eastbound off-ramp (Exit 11) and I-95 southbound on-ramp
- e. Boston Post Road and I-287 westbound on-ramp and I-95 northbound off-ramp

The trips for the two FAR Alternatives were assigned to the roadway network utilizing the same Trip Distributions as the Preferred Alternative. The results of the alternatives density analysis are included in Appendix E. As indicated in the analysis, ~~none of the intersections~~ only one location will experience ~~more than a 4 second reduction~~ change in ~~overall intersection delay~~ Level of Service, and only during the Peak PM Hour, when comparing the results of the 1.2 floor-to-area ratio (FAR) Alternative to the ~~proposed~~ Proposed Project Alternative. This occurs at the intersection of the Boston Post Road and the I-95 northbound off-ramp. The movement from the ramp will change from LOS 'E' (38.2 seconds delay) to LOS 'D' (34.8 seconds delay. In addition, the ~~queueing~~ queuing analysis of the intersection of Boston Post Road and South Regent Street shows a maximum reduction of ~~724 feet, (less than 1 (approximately 1~~ vehicle), when comparing the 1.2 FAR Alternative to the proposed Project Alternative. The results of the 1.4 FAR Alternative analysis demonstrate an even smaller reduction to delays and queues. Therefore, it is the Applicant's opinion that the 1.2 or 1.4 FAR Alternative does not provide a significant benefit from a traffic impacts standpoint.

Comment E46:

To initiate the review process, an account (PIN) must be established. The applicant shall submit a check for \$2,000 made out to the New York State Department of Transportation to set that up. The applicant should be aware that the \$2,000 fee is the minimum cost for the Department's review time and is non-refundable. Hereafter, all Department employees assigned the responsibility of reviewing any documents, plans, maps, etc., which are directly related to the subject proposal, shall charge their review time to this project. The applicant will then be billed periodically by the Department for the actual cost of our review and processing of the respective project. Such billings which exceed the minimum \$2,000 initial fee must be paid immediately upon receipt or the Highway Work Permit shall not be issued, or shall be revoked.

Christopher Lee, Letter 9, September 1, 2015; Letter 34, October 30, 2015

Response:

Comment noted. The Applicant has submitted the \$2,000 Application Fee with the formal submittal of the PERM-33 to establish an account PIN.

Comment E47:

The applicant shall submit a PERMIT AGREEMENT FOR HIGHWAY WORK PERMITS DESIGN REVIEW (PERM 51). The PERM 51 form must be completed by the applicant. The Application No. and PIN will be filled in by the Regional Traffic Engineering & Safety Group.

Christopher Lee, Letter 9, September 1, 2015

Response:

Comment noted. The Applicant will submit the appropriate Permit Applications to NYSDOT with the formal Roadway Design Drawings in conjunction with and once a site specific site plan application is proposed and submitted to the Village of Port Chester.

Comment E48:

The applicant shall submit a HIGHWAY WORK PERMIT APPLICATION (PERM 33-COM). It must be signed by the applicant and the name/address provided. The new PERM form combines a three-stage application with an interactive checklist. The PERM 33-COM will replace use of the standard PERM 33 application for commercial work permit applications. The PERM 33-COM provides assistance in determining what studies, if any, may be required, provides direction to standard details, and clearly outlines what is to be shown on a plan submission. It is expected that with the use of this document, packages will be more complete, and review time will ultimately be reduced: The Applicant can access the PERM 33-COM and PERM 51 at <https://www.dot.ny.gov/divisions/operating/room/transportation-systems/traffic-operations-section/highway-permits/commercial>

Christopher Lee, Letter 9, September 1, 2015

Response:

The Applicant has submitted the PERM 33 Application to NYSDOT along with the \$2,000 Application Fee.

Comment E49:

A Priority Investigation Locations (PIL) has been identified near this development. It is on Boston Post Rd between reference marker 1 8703 5001 and 1 8703 5008 (High St to Willow St). A Highway Safety Investigation (HSI) study and proposed mitigation is required for these PIL segments. Please contact Region 8 Safety Program for guidance.

Christopher Lee, Letter 9, September 1, 2015

Response:

A Highway Safety Investigation Report has been prepared for the above-referenced Priority Investigation Location. A copy of the Report is contained in Appendix E. The improvements proposed for this portion of the Boston Post Road corridor will lessen the existing overall accident rate (accidents per volume of vehicles/vehicle miles travelled) by approximately 18%. The 18% reduction factor is per the NYSDOT PIES – Reduction Factor Report. This is a reduction factor attributable to upgraded traffic signal modifications. The Report also allows further reduction factors for items such as provision of dedicated turn lanes; however, no additional reduction factors were taken beyond the 18% to remain conservative. Therefore, the proposed improvements will provide a significant safety benefit (when compared to No-Build conditions), as well as capacity benefit in the area.

Comment E50:

A complete traffic analysis using Synchro will be required with the actual Synchro files used in the analysis to be submitted to the Department. The DEIS shows detailed traffic volumes and turning movements for the development. Since office and retail tenants are not known yet, these numbers will have to be revised as tenants are established.

Christopher Lee, Letter 9, September 1, 2015

Response:

All traffic analysis has been performed in Synchro and Synchro files will be provided on disk (in Appendix E) to the Department with this FEIS. Since office and retail tenants are not specifically known, the Applicant has taken a conservative approach in projecting these traffic volumes utilizing associated Trip Generation Rates, published by ITE in their publication “Trip Generation”, 9th Edition.

Comment E51:

The proposed intersection improvements and sidewalk will require widening of Boston Post Rd. This will require land donations so that the entire highway and sidewalks are within the State ROW.

Christopher Lee, Letter 9, September 1, 2015

Response:

The Applicant will dedicate the necessary Right-of-Way to facilitate the improvements along its Project Site frontage. This Right-of-Way will be dedicated to the NYSDOT as part of their Highway Work Permit approval process.

Comment E52:

The site plan shows modification to the High St intersection, converting it to a right in, right out-only intersection. Vehicles turning right from High St and intending to proceed south on Boston Post Rd would have to weave across the lane leading to the 1287 entrance ramp. This movement may cause operational issues.

Christopher Lee, NYSDOT, Letter 9, September 1, 2015

The Department's prior letter mentioned the modification to the High St intersection, and the operational issues that the introduced weave may cause. The applicant should consider a right turn in-only configuration and also closing High St completely.

Christopher Lee, NYSDOT, Letter 34, October 30, 2015

The Applicant does not analyze nor discuss the expected operating conditions along southbound Boston Post Road between High Street and the entrance ramp onto I-287 WB with High Street operating with a right-turn-in/right-turn-out only condition with Boston Post Road. A review of the "Highway Improvement Plan, Drawing

HP-1, prepared by TRC Solutions and, dated, October 8, 2014, indicated that the proposal to change the operations of the intersection with High Street would provide for a weaving section of approximately 70 feet in length. This extremely short weaving area would have to accommodate traffic volumes which are expected to be between 500 vehicles to 700 vehicles per hour traveling southbound on Boston Post Road attempting to enter onto the I-287 WB entrance ramp weaving with 300 to 400 vehicles turning right from High Street onto Boston Post Road during the same peak hours. This is typically an unacceptable condition. A weaving analysis should be performed for the proposed operating conditions, and, if unworkable, other mitigation measures should be considered.

Adler Consulting, Letter 44, November 16, 2015 p. 9

The Applicant should analyze the closing of High Street immediately west of the intersection with Boston Post Road. The elimination of the right-turn-in/right-turn-out movements on High Street would eliminate the very short weaving area proposed on Boston Post Road between High Street and the I-287 westbound entrance ramp. Its impact on the remaining project area should then be defined and reviewed.

Adler Consulting, Letter 44, November 16, 2015 p. 11

Response:

The latest Conceptual Highway Improvement Plan (Exhibit III.E-28) for the Project Site Frontage improvements maintains the traffic signal control for the southbound Boston Post Road and High Street approaches (Boston Post Road northbound would have no signal control). This traffic signal will be directly coordinated with the traffic signal at the Project Site driveway and will allow vehicles destined to Boston Post Road southbound from High Street to safely perform their turning maneuvers. This option was preliminarily presented to the various ~~traffic engineering~~ review agencies ~~(NYSDOT, Adler, Maser and FP Clark).~~

The full closure of High Street was analyzed as a potential improvement alternative; however, it was found that maintaining right turns in and out at this location provided a greater Overall Public Benefit by distributing traffic between this location and the Project Site Driveway. Full closure of High Street would lead to more extensive delays on the Project Site Driveway approaches for traffic destined to and from High Street. The detailed analysis results of the full High Street closure is contained in Appendix E.

Comment E53:

Transportation. The draft EIS estimates that 42% of residential peak-period trips would not involve a private automobile. This estimate is based on Census data for the village as a whole showing that 40.4% of village residents walk, ride a bike or take a train, bus or taxi to get to work, unless they already work from home. However, given the isolation of the proposed development site combined with the demographic groups that the applicant will be marketing to, we question the use of the village-wide data to make assumptions about travel choices of future residents of the subject site. It may be more reasonable to project that a smaller percentage of residential peak-hour trips will actually be non-automobile related. Our concern is based on the following:

WALKING DISTANCE TO TRAIN STATIONS The subject site is at least a 15 minute walk to the Rye train station and a slightly longer walk to downtown Port Chester and its train station. The walk in either direction involves walking along a busy strip-commercial corridor with a sidewalk network that is incomplete. The walk to the Rye train station is particularly challenging since two interstate highways need to be crossed, each with its own network of ramps.

LACK OF BUS SERVICE If a resident does not wish to walk to a train station or downtown Port Chester, we point out that the existing Route 61 Bee-Line service is probably not sufficient to provide a viable alternative due to the infrequency of the buses and the fact that they are not timed to meet trains.

INHOSPITABLE WALKING ENVIRONMENT Even if a resident wanted to walk to a nearby business such as Kohl's or Whole Foods, we point out that there are no sidewalks on the

east side of Boston Post Road or within the shopping center itself. This could potentially result in residents driving from the development to the shopping center to run errands.

Because of the above mentioned observations, we recommend that the applicant and Village agree now on the implementation of a shuttle bus service to downtown Port Chester, as discussed in the draft EIS. While the draft EIS states that the applicant will wait until the project is fully occupied before examining the demand for a shuttle, we encourage the Village and applicant to plan for implementation now; provision of such a service from the beginning should also assist in marketing.

We also encourage the Village to require the applicant to contract with a car-sharing service, since this will allow for an additional option for building residents. We point out that similar developments, such as City Center in White Plains, offer car sharing.

Because of the large senior residential component of the proposed development, we recommend that the applicant consider making golf carts/adult tricycles available to these residents for on-site use.

Edward Burroughs, Letter 21, September 22, 2015

Response:

The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

The Post Implementation Traffic Study previously discussed, will not be undertaken until the Proposed Project is at 'full occupancy' for a certain period of time. To determine the impact of discontinuing the service, the Post Implementation Traffic Study will include ridership numbers for the jitney. The additional trips that would be generated if the service were to be eliminated will be applied to the number of actual vehicle trips entering and exiting the Project Site. These totals can then be compared to the originally projected numbers and assuming that the total entering and exiting trips are below the original projections, and therefore fully anticipated in the original mitigation, discontinuation of the service, as proposed by the Applicant, will be at its discretion.

Enhanced pedestrian facilities will be provided on Boston Post Road along the Project Site frontage. Additionally, ADA compliant pedestrian crossings will be provided from the Project Site to the Kohl's shopping center. Additional locations, as noted on the Overall Pedestrian Improvement Plan (Exhibit FEIS.III.E-32) will also be provided enhanced pedestrian upgrades including new sidewalk, upgraded crosswalks, installation of pedestrian signal heads, and installation of ADA-compliant curb ramps.

The Applicant will investigate contracting with a car-sharing service if the residential mix provides a market demand. This also is true for the provision of golf carts/adult tricycles. These details will be reviewed as part of the Site Plan Approval process.

Comment E54:

Parking and transit access for medical office building. We are concerned that the proposed parking may be insufficient for the medical office uses on the site. As medical facilities have consolidated throughout the county in areas poorly served by transit (such as the WestMed facilities along Westchester Avenue and in Ridge Hill Village) parking has become problematic. We recommend that the applicant and Village be prepared by providing a sufficient level of parking for the medical office space. We also encourage the applicant to allow patients and employees of the medical building to ride the shuttle bus service provided to residents so that they can access the facility from the train station.

Edward Burroughs, Letter 21, September 22, 2015

Response:

Jitney service would be available to medical office employees under the same provisions as noted above. Parking has been adequately designed to accommodate the anticipated parking demand from the medical office use, as summarized in the Shared Parking Analysis.

Comment E55:

Page E-5, Item 5, Title - Traffic and Transportation. Unfortunately this section fails to mention the impact of the project on pedestrian traffic.

Bob Johnson, PH 9/8/15, p. 48

3.E.35.i Pedestrian conditions

Given the target demographic and expected average income, what's the projected # of people that will walk to Metro North Rye train station? Where will they walk? Where's the walking path? Assuming the commuters will walk between 6 – 8 AM and 5- 7 PM, is the path lighted?

What's the projected # of people that will walk from Starwood to the Kohl's center on weekends? Evenings after work? Where's the path? Is it lighted from 6 AM to 9 PM? Will the timing of the traffic lights allow the seniors to make it across the intersection? Would like to see a better pedestrian plan for the site. Lets see a zoom-in map.

Michael Scarola, Letter 40, October 30, 2015

Response:

Patrons can walk to the Rye or Port Chester Train Stations via the routes illustrated on Exhibit FEIS.III.E-29.

The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

Enhanced pedestrian facilities will be provided on Boston Post Road along the Project Site frontage that will be adequate to accommodate the anticipated pedestrian traffic. Additionally, ADA compliant pedestrian crossings will be provided from the Project Site to the Kohl's shopping center. Details of specific lighting locations will be provided with the submission of a site specific Site Plan. Other pedestrian enhancements, as well as those noted above are illustrated on the Overall Pedestrian Improvement Plan (Exhibit FEIS.III.E-32).

Comment E56:

We'd like to know how United Hospital redevelopment project would impact the daily walk of hundreds of school children traveling by foot to and from JFK School on Olivia, the middle school and the high school.

Are the sidewalks sufficiently wide and present along the whole route? Will additional crossing guards be needed?

Will pedestrian signaling improvements be needed at key intersections? These are questions we hope to be investigated and addressed.

Bob Johnson, PH 9/8/15, p. 49

Response:

Sidewalks are provided along the entire pedestrian route from the Project Site to the JFK School. The only street crossing will be at South Regent Street, which will be provided adequate pedestrian crossing times with the improvements being implemented at this location in association with the Proposed Project. Students travelling to the Middle School and High School will do so along existing student travel routes and will be accommodated in the same manner as existing students. Additionally, a significant amount of pedestrian improvements will occur along this route as noted on the Overall Pedestrian Improvement Plan (Exhibit FEIS.III.E-32).

Comment E57:

We believe that all construction-related vehicles, particularly heavy trucks must be routed directly to and from I-287, I-95, and Boston Post Road with little or no involvement of local streets including High Street, Hillside Road, Cedar Street, and other streets of our neighborhood.

Michael Caponiti, PH 9/8/15, p. 78

Richard Smith, PH September 21, 2015, p. 91

Response:

Construction truck traffic is anticipated to access the site from nearby Interstate highways I-95 and I-287. With the Project Site's close proximity to these highways, minimal use of local streets by truck traffic is anticipated and therefore impact to surrounding neighborhoods is not expected to be significant. Site access to and from I-287 and I-95 south is within ¼ mile of the Site and is accessed via the Boston Post Road. Access to and from I-95 north is within 1.5 miles of the Project Site and can be accessed utilizing the Boston Post Road, Midland Avenue and Peck Avenue. These access routes are primarily in commercial areas and therefore significant impact to surrounding residential neighborhoods and local roads will be minimal. The Applicant shall implement and enforce a construction traffic management plan (CMP) that will limit and restrict construction vehicles of two axles or more to travel to and from the Project Site using major highways, arterials, and connector roadways only. The Applicant shall make compliance with the CMP a condition of, and shall attach the CMP as an exhibit to, every contract for the construction of the Proposed Project, and shall make, or require the general contractor(s) to make, compliance with the CMP a condition of, and attach the CMP as an Exhibit to, every sub-contract.

Comment E58:

I think the biggest concern we have is that all of the parking effectively exits onto High Street. We think that that is going to, by definition, create a very busy and backed-up High Street, not to mention cut-through traffic that runs through our neighborhood. I think the applicant and the DEIS indicated that they would, by solving the problems on the Boston Post Road, thereby reduce the cut-through traffic in our neighborhood, and I include High Street and Hillside Road as cut-through routes, and I hope he is right.

But I don't think that it's clear to us, nor to our traffic consultant that that is actually what will happen if the plan goes forward as proposed. Some of that parking should be moved or rearranged so that it exits on other streets, either the Boston Post Road or perhaps South Regent.

Richard Smith, PH 8/27/15, p. PH 9/8/15, p. 83, PH September 21, 2015, p.91

Response:

The vast majority (greater than 70%) of the Proposed Project traffic is oriented to the Boston Post Road or are exiting the Project Site by way of High Street on their way to I-287 or I-95. Traffic oriented to High Street and Ridge Street will not have a reason to reroute through more local streets, since the traffic analysis indicates that the Boston Post Road will not experience a significant increase in vehicular delay, due to the Proposed Project. Furthermore, the proposed Post Implementation Study (described in more detail in the POST IMPLEMENTATION TRAFFIC STUDY section of the FEIS) will ensure that the traffic projections for this area were accurate (or conservative) and, if not, then appropriate additional mitigation will be identified for locations experiencing impacts not defined as part of the EIS process.

Comment E59:

I live opposite Rye Ford Subaru. It's hard to get out of my neighborhood now. I can't imagine adding that much more traffic. Are we going to back up the Post Road down through Mamaroneck?

Peggy Dunne, PH 9/9/15, p. 123

Response:

This Section of Boston Post Road (immediately south of Peck Avenue) will only experience a fraction (4%) of the Proposed Project generated traffic. In fact, the projections indicate less than one additional vehicle every 2 minutes traveling north will be experienced during any peak hour (see Exhibit FEIS III.E-25).

Comment E60:

Another question: Was that Memorial Day Weekend '14 we're talking

Trustee Terenzi, PH September 21, 2015, p. 11

Response:

Comment noted.

Comment E61:

Can I interrupt you just one more time. Did you take into account that the access points that are to private properties, like the McDonalds, the Dunkin' Donuts, the gas stations?

TRUSTEE BRAKEWOOD, PH September 21, 2015, P. 14

Response:

It is not standard practice to gather data and analyze private driveways (such as Dunkin' Donuts, McDonalds, etc.) since these are private drives not under the control of the public agency and/or Applicant. However, the roadway improvements to be implemented in association with the Proposed Project will improve upon preexisting conditions at this location (see Table FEIS III.E-8). Furthermore, the FEIS Traffic Study utilized the Central Business District (CBD) parameter in the analysis. One component of this parameter is adjustment to the analysis results to factor in mid-block curb cuts for private drives, such as McDonalds and Dunkin' Donuts.

Comment E 62:

How'd you know the 95 -- the 21 north ramp backs up that much? You have sensors back that far?

Mayor Pilla, PH, September 21, 2015, p. 15

Response:

TRC was out in the field, first, you see it come up in the model, and then you can verify it by making trips out to the field and seeing how much it's occurring.... So one of the things that, you know, we want to -- I want to focus on in this is that 95 ramp backing up, but even more specifically, and we'll touch upon this as we get further into what's known as the "no-build analysis" and then the "build analysis," is that as you come up Boston Post Road, it's two lanes. And you come to the light at High Street, which is just beyond the I-95 ramp, those two lanes, one of which turns into a lane that feeds the left turn to turn onto High Street. So,

essentially, you're taking left turns and blocking the through movement at that location, which narrows that two-lane corridor down to one lane, in essence, lessening the capacity by half. So that was, really, a key concern that we were starting to focus on early in our analysis.

Comment E63:

And so this really does -- it also illustrates how few people take that left turn. How few people take that left turn?

Trustee Brakewood, PH, September 21, 2015, p. 16

Response:

The traffic counts conducted reflect the actual number of vehicles making a specific turning maneuver. At this intersection, the traffic counts indicate the number of vehicles turning left from Boston Post Road to High Street is 106 in the Peak AM Hour, 108 in the Peak PM Hour and 79 in the Peak Saturday Hour.

Comment E64:

What's significant?

Mayor Pilla, PH September 21, 2015, p. 17

Response:

A significant impact upon traffic Levels of Service is a bit dynamic depending upon the No-Build Conditions. If a No-Build condition has a Level of Service A through D, then as long as you maintain the Level of Service in that range you could view your impact as insignificant. If your No-Build Level of Service is 'E' then you would like to see that Level of Service maintained. If your No-Build Level of Service is 'F' then you would like to see no additional incremental impact to that location. With respect to the Proposed Project you must also consider the existing urban commercial environment of the surrounding roadway network along the Boston Post Road and South Regent Street as well as evaluate the incremental change in delay associated with the movement/intersection.

Comment E65:

Did -- Was there any discussion with the village, our village, about the overlay district, and the impact that that could potentially have? That's not something that's imminent necessarily in the next eight years, but if we change that zoning, the nature of the Kohl's shopping center would change; right?

Trustee Brakewood, PH September 21, 2015, p. 18

Response:

The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). Further, the Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

Comment E66:

TRUSTEE TERENCE: You know, I think the interesting thing about this, and I was just saying it to the mayor and Dan, anybody coming off that 287 ramp and making a left on High Street is going to Rye Brook. I could see the dot -- if you look, nobody's making a left-hand turn coming off of Ridge Street going into Rye. If you're going to Rye, and you're coming off 287/95, you're getting off a lot earlier or -- I don't see --

The cars coming down High Street, I will guarantee you, nine out of ten cars are making a right-hand turn to go to Rye Brook.

Trustee Terenzi, PH September 21, 2015, p. 18

Response:

Comment Noted. Approximately 82 to 86 percent of existing traffic turns right from High Street to Ridge Street.

Comment E67:

And definitely a lot of people coming out of the cemetery either, especially after 6:00. I think anybody coming off that ramp is going to Rye Brook, Mr. Mayor's sack [ph.].

TRUSTEE TERENCE, PH September 21, 2015, p.21

Response:

Comment Noted.

Comment E68:

And how does that factor into your analysis? [referencing pass by credits and use of mass transit]

you're going to assume the same number of people who don't have cars use mass transit, and you're going to put same number in your project?

Mayor Pilla, PH September 21, 2015, p. 25

Response:

The Trip Generation for the Proposed Project was calculated utilizing ITE Trip Generation Rates and associated credits for internal capture (interplay between the mixes of uses), utilization of mass transit, and hourly variations between the mixes of uses.

Comment E69:

When you did your calculations, you obviously came up with a demographic of the village.

Okay. Now, this demographic is going to be almost 30 percent senior and another 35 percent, you know, studios and one-bedrooms. Wouldn't that skew the numbers to the favor that the cars wouldn't be coming out of there? I mean, did you take that into consideration, the demographics of what's going to be happening in the project?

Trustee Terenzi, PH, September 21, 2015, p. 25

Response:

Projected trips were calculated for the Senior Residential Use and the Apartment Use utilizing rates published by ITE for these two separate land uses.

Comment E70:

All right. Because there are not going to be a lot of one-family houses over there with three cars attached to them, I would assume; right? The City of Rye would have a lot more houses with a lot more cars in them, I would assume. So this approach is very conservative as it relates to what this project may yield, because you're going to have 220 units of seniors. I don't know how many cars they're going to have, like I said. So all right.

Trustee Terenzi, PH, September 21, 2015, p 25

Response:

Comment noted.

Comment E71:

And that was the Town of Rye. Now, you're got the Village of Port Chester and Village of Rye Brook data.

Trustee Brakewood, PH, September 21, 2015, p. 28

Response:

Comment noted.

Comment E72:

You said 29 percent coming off of 287 and then taking a subsequent left or north on Route 1 to go into your site. I'm sorry to interrupt, but I just have to ask: So the 29 percent sticks out as the largest number. I'm just wondering what drives that 29 percent coming off of 287.

Trustee Brakewood, PH, September 21, 2015, p. 29

Response:

The trip distributions were developed utilizing a number of factors based upon the associated land uses at the Project Site, as described in DEIS Section III.E. Retail trips were distributed based upon a gravity model of community populations within a 10-mile radius and Residential/Office trips were distributed based upon Census Data for residents/workers living/working in Port Chester.

Comment E73:

Just one last -- or one more. You had Connecticut data as well as New York data you were looking at when you did those source graphics?

Trustee Brakewood, PH, September 21, 2015, p. 31

Response:

Connecticut was included in the data when determining trip distributions.

Comment E74:

Does the green median that you're creating block access for anyone going southbound to turn into the businesses that are on the northbound side of the Post Road? Like, for example, I think that's a Mobil Station.

Trustee Brakewood, PH, September 21, 2015, p. 35

Response:

Median breaks will be provided to maintain any existing access private drives currently have along Boston Post Road. This will be formalized as part of the Design Process with NYSDOT.

Comment E75:

In general, is it just me, or is it your presentation or your analysis, it seems very northbound-focused. I haven't heard much about southbound traffic. People coming from Port Chester headed towards Rye.

Trustee Brakewood, PH, September 21, 2015, p. 35

Response:

A large majority of the traffic is oriented to the south of the Project Site with the proximity of the I-287/95 interchange. As such, traffic impacts to the north of the Project Site (beyond South Regent Street) are minimal, if any.

Comment E76:

Question about the -- about pedestrians. How does that factor in when you have pedestrians, basically, patronizing the stores on the opposite side of the Post Road where you would have to have signals that would allow plenty of time for a pedestrian to cross the width of that roadway, which is pretty wide. Did you factor in the length of time it would take, during the course of the day, for pedestrians to be crossing and holding that traffic up and going back and forth from the proposed site to, like, the Kohl's shopping center or to Whole Foods?

Is that part of your model; is that crosswalk built into your model.

Trustees Ceccarelli and Brakewood, PH, September 21, 2015, p. 36

This development will generate pedestrians crossing Route 1 to get to the Kohl's shopping center, a factor that needs to be carefully evaluated. There need to be considerations for safe crossing facilities as well as facilities that accommodate all walking speeds, especially considering the mixed-age nature of the development.

Port Chester Planning Commission, Letter 51, September 22, 2015

Garth Schultz, Letter 29, October 8, 2015

Response:

The FEIS traffic analysis incorporates pedestrian crossing times into the traffic signal timings to adequately cross pedestrians across Boston Post Road who may want to patronize the Kohl's Shopping Center. The crossing times are in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), which utilizes a walking speed of 3.5 feet per second to account for less mobile patrons. The Boston Post Road crossing will be provided in two phases with a central refuge island provided for pedestrians. Additionally, the crossings will be designed to be fully ADA compliant. The Overall Pedestrian Improvement Plan (Exhibit FEIS.III.E-32) illustrates the extent of pedestrian improvements that will be implemented at this location as well as surrounding locations.

Comment E77:

When you had that crossing there from the Post Road, , now's there's a Beverage Max there right there where your pointer is, but how will the pedestrians cross over to, say, Whole Foods?

Trustee Adams, PH, September 21, 2015, p. 37

Response:

Pedestrian accommodations will be provided by the Applicant within the public Right-of-Way. Pedestrian accommodations on the Kohl's Shopping Center property would be the responsibility of that property owner.

Comment E78:

I want to tell you that during the holiday season, Christmas time, you think it's bad now. It's crazy. I mean, it's really backed up. And I don't see any relief for the Christmas shoppers that will be up in that area there that are coming into Kohl's or coming – going north on to Post Road.

And it's interesting just the pedestrian -- just to build on that -- I think the current crosswalk is actually on the other side, and I believe, if I remember correctly, it kind of leads to nothing.

Trustees Brakewood and Adams, PH, September 21, 2015, p.38

Response:

Analysis of holiday traffic periods are not standard practice, since using this as a baseline would cause over design of roadways leading to a "sea of asphalt" to serve a traffic demand that only exists for approximately 20 hours, or 0.23 percent, of the 8,760 hours in a typical year. However, the roadway improvements associated with the Proposed Project would have similar relative impacts during the holiday period.

Pedestrian accommodations will be provided by the Applicant within the public Right-of-Way. Pedestrian accommodations on the Kohl's Shopping Center property would be the responsibility of that property owner.

Comment E79:

Now, you were talking about widening South Regent Street. Where would you widen South Regent Street?

Trustees Adams, PH, September 21, 2015, p. 39

Ivanna Hidalgo, Letter 41

Response:

The proposed right-turn arrow overlapping phase, as well as other traffic signal timing modifications and pedestrian improvements are the most significant aspects of the overall improvements proposed for the Boston Post Road and South Regent Street intersection. The proposed lengthening of the right-turn lane will go towards further enhancing the benefits of the traffic signal timing and phasing modifications. The extension of the right-turn lane will still be pursued for approval with NYSDOT; however, the limited right-of-way and environmental constraints at this location may disallow extension of this turn lane. Therefore, this portion of the improvements at this location has been removed from the analysis to provide a worst case scenario.

~~Based on the field observations discussed below, the right turn factor along the South Regent Street approach was reduced in the Synchro analysis to provide representative queue lengths (see Appendix E for information concerning the right turn factor adjustment). The results of the updated analysis indicate that there would be significant increases in vehicle delays on the South Regent Street approach, from No Build to Build with Improvements Conditions. It should be noted that when calculated delays become this significant, the formulas utilized in the analysis may not be representative of what would actually be anticipated.~~

~~Due to these limitations in the capacity analysis software, and as indicated by the NYSDOT and the Village's traffic consultant reviewing the traffic analysis, the queue lengths at this intersection provide a better representation of the existing conditions at this intersection, particularly on the eastbound South Regent Street approach. TRC personnel conducted visual field inspections at this intersection to observe traffic queues along all approaches to the intersection, particularly the South Regent Street approach. A summary of the observed conditions is contained in Appendix E³.~~

³ ~~The observations were conducted during the following days and time periods, with 50% of the observation time spent on South Regent Street and 50% of the time spent on Boston Post Road (25% on each approach):~~

~~— Wednesday, May 25, 2016 from 5:30 — 6:30 PM (Peak Weekday PM Hour)~~

~~Based on a queue analysis, Build with Improvement queue lengths, during the Peak PM Hour, along the entire South Regent Street approach will increase by approximately 5 to 6 vehicles when compared to the No Build condition. The queue lengths during the Peak AM and Peak Saturday Hours will essentially be maintained or lessened, when compared to No Build conditions. The failing levels of service at the intersection of the Boston Post Road and South Regent Street, which occur with or without the Proposed Project, are a function of the lack of acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. This intersection has experienced added volumes from other developments in the vicinity (i.e. Restaurant Depot and Dunkin Donuts) without the benefit of any intersection improvements. One contributing factor to the existing delays at this location is the lack of an adequate turn lane on the South Regent Street approach to separate the left and right turning vehicles. There is currently a substandard right-turn lane provided on this approach that the Applicant is proposing to extend to the maximum extent practicable. In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant, and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary.~~

~~The DEIS recommended traffic signal upgrades, as well as lengthening of the dedicated right-turn lane on the South Regent Street approach, which would have provided approximately 100 feet of additional storage. The traffic signal upgrades are still proposed to be implemented and the extension of the right-turn lane will still be pursued for approval with NYSDOT. It is noted that the limited right-of-way and existing environmental constraints at this location may not allow for extension of this right-turn lane for the full 100 feet of additional storage. Therefore, to be conservative, this portion of the improvement at this location has been removed from the analysis to provide a worst case scenario. The Applicant notes that it still proposes physical~~

~~Thursday, May 26, 2016 from 7:30 – 8:30 AM (Peak Weekday AM Hour)~~

~~Saturday, June 4, 2016 from 1:30 – 2:30 PM (Peak Saturday Midday Hour)~~

improvements that would lengthen the storage by approximately 30 feet; however, no credit is taken for this lengthening of the left-turn lane in the analysis. The updated Conceptual Improvement Plan is illustrated on Exhibit FEIS III.E-30. The analysis for this intersection included in the FEIS has been revised to account for the sub-standard right-turn lane along the eastbound South Regent Street approach. Any extension of the turn lane at this location would require elimination of the median island on the South Regent Street approach, thus the crossing of South Regent Street would need to be fully accomplished in the vehicular phase for the mainline Boston Post Road traffic. The analysis has been performed with traffic signal timings that would allow for this full crossing in associated vehicular phase.

Based on input from the various review agencies, the South Regent Street approach was analyzed as a single lane approach to most conservatively account for the substandard right-turn lane that currently exists (approximately 30 feet). Although the right-turn lane is substandard and blocked by left turning vehicles a significant amount of time during the Peak Hours, there is some benefit provided with the shortened right-turn lane. Therefore, the results of the analysis presented herein are a worst case scenario and in reality the operations will be better than indicated by the capacity analyses. Additionally, and as noted previously, the Pedestrian Lead Interval has been included in the analysis of future conditions at this location. This results in a total of 10 seconds All-Red time (no vehicles moving) during each traffic signal cycle. This is a very conservative approach for consideration of the Pedestrian Lead Interval, since this will only occur upon a pedestrian pressing the pedestrian push button, which likely will not occur every traffic signal cycle (based upon existing and future pedestrian volumes at this location).

The results of the FEIS traffic analysis for this location indicate that the Overall Intersection Level of Service will be an 'F', under both No-Build and Build with Improvements conditions. The Peak PM Hour Overall Delay will improve by 5.6 seconds from No-Build to Build with Improvements conditions. The Peak AM Hour and Peak Saturday Hour Overall Delay will increase from No-Build to Build with Improvements conditions by 2.6 seconds and 2.4 seconds, respectively. This represents no more than a 1.5% increase in Overall Delay during either Peak Hour. Any movement operating at a Level of Service 'D' or better under No-Build conditions, will continue to operate at the same Level of Service under Build with Improvements conditions. Any movement operating at a Level of Service 'E/F' under No-Build conditions will experience no greater than a 6.8% percent increase in delay on that particular movement under Build with Improvements conditions. The failing levels of service at this location, which occur with or without the Proposed Project, are a function of the lack of acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. Due to the limited right-of-way and environmental constraints the amount of physical improvements that could be performed by the Applicant are limited. As noted previously, the Applicant will pursue extension of the right-turn lane on South Regent Street to the maximum extent practicable as part

of the NYSDOT Highway Work Permit process; however, to be conservative no credit was taken for extension of this right-turn lane in the analysis.

Exhibit III.E33 illustrates the No-Build versus Build with Improvements queue lengths at this location. In the Applicant's opinion, this potential increase in queue length, during the Peak PM Hour, is not significant when compared to the No-Build-As can be seen in the Exhibit, lengthy queue lengths will be experienced under both No-Build and Build with Improvements conditions. The increases in queue lengths from No-Build to Build with Improvements conditions are primarily a function of the need to increase the traffic signal cycle lengths to limit the effects of the 10 seconds of additional All-Red time that would occur with the Pedestrian Lead Intervals. As noted previously, the Overall Levels of Service/Delays at this location will essentially be maintained or improved upon at this location with the associated traffic signal timing adjustments. Furthermore, this analysis does not take any credit for the existing substandard right-turn lane and/or lengthening of this right-turn lane under the Build with Improvements condition and corresponding overlapping right-turn traffic signal phase. It is noted that the combined queue lengths on the northbound Boston Post Road approach at South Regent Street and the Kohl's Driveway/Proposed Project Site Driveway would still equate to a 95th Percentile Back of Queue that is less than the No-Build 95th Percentile Back of Queue when considering the queue lengths at High Street (traffic signal eliminated in northbound direction at High Street under the Build with Improvements condition of a 27 vehicle queue.-).

In the Applicants' opinion, it is also important to note that the Proposed Project-Generated Traffic on ~~this the South Regent Street~~ approach is projected to be 35, 7 (5.5%), 24 (4.2%) and 32 (6.0%) vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively out of 637, 572 and 533 vehicles in the No-Build condition. Therefore, this approach will see (either Boston Post Road approach Proposed Project-Generated Traffic Volumes range from 92 to 131 trips, depending upon the Peak Hour). Therefore, the South Regent Street approach will experience approximately one new trip every two minutes due to the Proposed Project during the peak hour which is not significant. All other movements/approaches at this intersection will operate better in the Build with Improvements condition when compared to the No-Build condition, which is not significant. It is also important to note that under the existing zoning development program previously discussed (though not one that is economically viable and would not be pursued by the Applicant), the Proposed Project-Generated volumes on the South Regent Street approach would be 28, 19 and 27 vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively, a marginal reduction.

As noted previously, the Applicant will continue to pursue additional extension (beyond the 30-foot storage extension currently proposed) of the right-turn lane to further improve this intersection; however, the limited right-of-way and environmental constraints at this location may disallow further extension of this turn lane. In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant,

and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary.

Comment E80:

How does your project effectuate fewer left turns traveling north on Post Road to left turn on Regent Street? I don't understand that.

Mayor Pilla, PH, September 21, 2015, p. 40

Response:

The Proposed Project would add additional left-turning vehicles on Boston Post Road northbound at South Regent Street; however, additional green time will be provided to the left-turn advance phase at this location to accommodate the added volume.

Comment E81:

And you take into account -- you said you did field investigation. I think it's -- as long as the traffic isn't stacked up too far, pretty much, everybody goes right immediately as soon as right on red. They're doing it anyway whether it's there or not. So if your model is showing extreme improvement, I suspect people already do it. They take that right on red all the time. They have a split second to jam in there. The only thing that stops them is somebody coming out of Dunkin' Donuts.

And normally in the morning, there's a line at that Dunkin' Donuts to get in there.

Trustees Brakewood and Adams, PH, September 21, 2015, p.41

Response:

Right-Turns On Red were ~~included~~excluded in the No-Build analysis; ~~however~~ to account for implementation of the Pedestrian Lead Interval; therefore, the lengthened right-turn lane and overlapping right-turn green arrow phase will ~~further~~ improve upon this condition.

The proposed right-turn arrow overlapping phase, as well as other traffic signal timing modifications and pedestrian improvements are the most significant aspects of the overall improvements proposed for Boston Post Road and South Regent Street. The proposed lengthening of the right-turn lane will go towards further enhancing the benefits of the traffic signal timing and phasing modifications. The extension of the right-turn lane will still be pursued for approval with NYSDOT; however, the limited right-of-way and environmental constraints at this location may disallow extension of this turn lane. Therefore, this portion of the improvements at this location has been removed from the analysis to provide a worst case scenario.

~~Based on the field observations discussed below, the right turn factor along the South Regent Street approach was reduced in the Synchro analysis to provide representative queue lengths (see Appendix E for information concerning the right turn factor adjustment). The results of the updated analysis indicate that there would be significant increases in vehicle delays on the South Regent Street approach, from No Build to Build with Improvements Conditions. It should be noted that when calculated delays become this significant, the formulas utilized in the analysis may not be representative of what would actually be anticipated.~~

~~Due to these limitations in the capacity analysis software, and as indicated by the NYSDOT and the Village's traffic consultant reviewing the traffic analysis, the queue lengths at this intersection provide a better representation of the existing conditions at this intersection, particularly on the eastbound South Regent Street approach. TRC personnel conducted visual field inspections at this intersection to observe traffic queues along all approaches to the intersection, particularly the South Regent Street approach. A summary of the observed conditions is contained in Appendix E⁴.~~

~~Based on a queue analysis, Build with Improvement queue lengths, during the Peak PM Hour, along the entire South Regent Street approach will increase by approximately 5 to 6 vehicles when compared to the No Build condition. The queue lengths during the Peak AM and Peak Saturday Hours will essentially be maintained or lessened, when compared to No Build conditions. The failing levels of service at the intersection of the Boston Post Road and South Regent Street, which occur with or without the Proposed Project, are a function of the lack of~~

⁴ ~~The observations were conducted during the following days and time periods, with 50% of the observation time spent on South Regent Street and 50% of the time spent on Boston Post Road (25% on each approach):~~

- ~~• Wednesday, May 25, 2016 from 5:30 — 6:30 PM (Peak Weekday PM Hour)~~
- ~~• Thursday, May 26, 2016 from 7:30 — 8:30 AM (Peak Weekday AM Hour)~~
- ~~• Saturday, June 4, 2016 from 1:30 — 2:30 PM (Peak Saturday Midday Hour)~~

acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. This intersection has experienced added volumes from other developments in the vicinity (i.e. Restaurant Depot and Dunkin Donuts) without the benefit of any intersection improvements. One contributing factor to the existing delays at this location is the lack of an adequate turn lane on the South Regent Street approach to separate the left and right turning vehicles. There is currently a substandard right-turn lane provided on this approach that the Applicant is proposing to extend to the maximum extent practicable. In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant, and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary.

The DEIS recommended traffic signal upgrades, as well as lengthening of the dedicated right-turn lane on the South Regent Street approach, which would have provided approximately 100 feet of additional storage. The traffic signal upgrades are still proposed to be implemented and the extension of the right-turn lane will still be pursued for approval with NYSDOT. It is noted that the limited right-of-way and existing environmental constraints at this location may not allow for extension of this right-turn lane for the full 100 feet of additional storage. Therefore, to be conservative, this portion of the improvement at this location has been removed from the analysis to provide a worst case scenario. The Applicant notes that it still proposes physical improvements that would lengthen the storage by approximately 30 feet; however, no credit is taken for this lengthening of the left-turn lane in the analysis. The updated Conceptual Improvement Plan is illustrated on Exhibit FEIS III.E-30. The analysis for this intersection included in the FEIS has been revised to account for the sub-standard right-turn lane along the eastbound South Regent Street approach. Any extension of the turn lane at this location would require elimination of the median island on the South Regent Street approach, thus the crossing of South Regent Street would need to be fully accomplished in the vehicular phase for the mainline Boston Post Road traffic. The analysis has been performed with traffic signal timings that would allow for this full crossing in associated vehicular phase.

Based on input from the various review agencies, the South Regent Street approach was analyzed as a single lane approach to most conservatively account for the substandard right-turn lane that currently exists (approximately 30 feet). Although the right-turn lane is substandard and blocked by left turning vehicles a significant amount of time during the Peak

Hours, there is some benefit provided with the shortened right-turn lane. Therefore, the results of the analysis presented herein are a worst case scenario and in reality the operations will be better than indicated by the capacity analyses. Additionally, and as noted previously, the Pedestrian Lead Interval has been included in the analysis of future conditions at this location. This results in a total of 10 seconds All-Red time (no vehicles moving) during each traffic signal cycle. This is a very conservative approach for consideration of the Pedestrian Lead Interval, since this will only occur upon a pedestrian pressing the pedestrian push button, which likely will not occur every traffic signal cycle (based upon existing and future pedestrian volumes at this location).

The results of the FEIS traffic analysis for this location indicate that the Overall Intersection Level of Service will be an 'F', under both No-Build and Build with Improvements conditions. The Peak PM Hour Overall Delay will improve by 5.6 seconds from No-Build to Build with Improvements conditions. The Peak AM Hour and Peak Saturday Hour Overall Delay will increase from No-Build to Build with Improvements conditions by 2.6 seconds and 2.4 seconds, respectively. This represents no more than a 1.5% increase in Overall Delay during either Peak Hour. Any movement operating at a Level of Service 'D' or better under No-Build conditions, will continue to operate at the same Level of Service under Build with Improvements conditions. Any movement operating at a Level of Service 'E/F' under No-Build conditions will experience no greater than a 6.8% percent increase in delay on that particular movement under Build with Improvements conditions. The failing levels of service at this location, which occur with or without the Proposed Project, are a function of the lack of acceptable geometry that exists at the intersection today necessary to support the traffic volumes experienced at this location. Due to the limited right-of-way and environmental constraints the amount of physical improvements that could be performed by the Applicant are limited. As noted previously, the Applicant will pursue extension of the right-turn lane on South Regent Street to the maximum extent practicable as part of the NYSDOT Highway Work Permit process; however, to be conservative no credit was taken for extension of this right-turn lane in the analysis.

Exhibit III.E33 illustrates the No-Build versus Build with Improvements queue lengths at this location. In the Applicant's opinion, this potential increase in queue length, during the Peak PM Hour, is not significant when compared to the No-Build condition of a 27 vehicle queue. As can be seen in the Exhibit, lengthy queue lengths will be experienced under both No-Build and Build with Improvements conditions. The increases in queue lengths from No-Build to Build with Improvements conditions are primarily a function of the need to increase the traffic signal cycle lengths to limit the effects of the 10 seconds of additional All-Red time that would occur with the Pedestrian Lead Intervals. As noted previously, the Overall Levels of Service/Delays at this location will essentially be maintained or improved upon at this location with the associated traffic signal timing adjustments. Furthermore, this analysis does not take any credit for the existing substandard right-turn lane and/or lengthening of this right-turn lane under the Build with Improvements condition and corresponding overlapping right-turn traffic signal phase. It

is noted that the combined queue lengths on the northbound Boston Post Road approach at South Regent Street and the Kohl's Driveway/Proposed Project Site Driveway would still equate to a 95th Percentile Back of Queue that is less than the No-Build 95th Percentile Back of Queue when considering the queue lengths at High Street (traffic signal eliminated in northbound direction at High Street under the Build with Improvements condition).

In the Applicants' opinion, it is also important to note that the Proposed Project-Generated Traffic on ~~this the South Regent Street~~ approach is projected to be 35 ~~(5.5%)~~, 24 ~~(4.2%)~~ and 32 ~~(6.0%)~~ vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively out of 637, 572 and 533 vehicles in the No-Build condition. (either Boston Post Road approach Proposed Project-Generated Traffic Volumes range from 92 to 131 trips, depending upon the Peak Hour). Therefore, ~~this the South Regent Street~~ approach will ~~see~~ experience approximately one new trip every two minutes due to the Proposed Project during the peak hour, which is not significant. ~~All other movements/approaches at this intersection will operate better in the Build with Improvements condition when compared to the No-Build condition.~~ It is also important to note that under the existing zoning development program previously discussed (though not one that is economically viable and would not be pursued by the Applicant), the Proposed Project-Generated volumes on the South Regent Street approach would be 28, 19 and 27 vehicles during the Peak AM, Peak PM and Peak Saturday Hours, respectively, a marginal reduction.

As noted previously, the Applicant will continue to pursue additional extension (beyond the 30-foot storage extension currently proposed) of the right-turn lane to further improve this intersection; however, the limited right-of-way and environmental constraints at this location may disallow further extension of this turn lane. In order to facilitate additional widening to further extend the turn lane, Right-of-Way would need to be acquired from the vacant parcel on the northwest corner of the intersection. This Right-of-Way is out of the control of the Applicant, and thus is beyond the scope of its responsibility to fulfill additional improvements at this location. If this Right-of-Way were to be acquired by another entity, then the turn lane could potentially be extended to provide a full width left-turn lane of approximately 100 feet (see Exhibit FEIS.III.E-30A), which would provide less conflicts between the left-turning and higher volume right-turning vehicles. Even with this improvement, there would be times during the Peak Hours that the left-turn lane will exceed its storage length and thus block the right-turn vehicles. In order to provide a left-turn lane that fully accommodates the left-turn queue on this approach, condemnation of a portion of the parking area (and potentially a portion of the building) located at 351 South Regent Street would be necessary.

Comment E82:

one other question: Does your model take into account what would happen if someone makes a mistake, like they accidentally drive all the way down High Street. Instead of going to the

south, they wanted to take a left. Projected under the new development, when they reach the intersection of High Street and Post Road, they'll now be forced to go southbound; right? Let's say they accidentally should have turned into your site, they go all the way down to the intersection. Now, they have to basically go into Rye.

Does your model take into account even one percent or a half-percent of people accidentally ignoring the signs?

Trustee Brakewood, PH, September 21, 2015, p.44

Response:

Appropriate signage will be provided on High Street to direct all drivers destined to Boston Post Road northbound through the Project Site. The Applicant contends that the minimal amount of vehicles that may errantly reach Boston Post Road and be forced to go southbound will have no significant traffic impact on the roadway network. In addition, it would be expected that drivers that frequent this area would quickly learn the new traffic pattern so that any impacts would also be temporary in nature. The impact of this improvement on additional cut-through traffic can be verified in the proposed Post Implementation Study.

Comment E83:

Can you show the no-build and the build whereby people coming out of Port Chester or coming out of the new development who want to access 95 north, because that's where the traffic is going to impact the City of Rye? Can you bring the screen up where you were showing -- because the only way I would be going to the City of Rye is if I'm in living in Port Chester and I want to go onto Boston Post Road to Mamaroneck or Larchmont. I'm going to go straight through. Okay. If I'm going go 95 north, and I don't live close to Greenwich where there's an exit, I'm going to come down, and I'm going to make a left near the train station near Avon, and I'm going to go on Peck Avenue, or if I'm going into Rye to spend my money at one of their restaurants over there, I don't -- that's what I'm trying to figure out. Because the City of Rye has brought up some -- you know, some interesting points about the impact of traffic. And like I said, you know -- so that's the build and the no-build. The no-build is on the left; right.

Trustee Terenzi, PH, September 21, 2015, p.46

Response:

Any significant Proposed Project impacts anticipated along this travel route would be mitigated via the implementation of aforementioned improvements (such as traffic signal timing modification at the Boston Post Road and Peck Avenue) and/or provision of Fair-share Financial Contribution towards previously-identified improvements (not necessarily warranted by the proposed Project) at the intersection of Midland Avenue and Peck Avenue.

The office building currently under renovation at the intersection of Midland Avenue and Peck Avenue had traffic activity at the time traffic data was collected for the traffic analysis. Therefore, traffic volumes for this office building were considered on this leg of the intersection in the traffic analysis and recommended mitigation. The driveway volumes entering and exiting the Avon site are split between the two access points along Midland Avenue and Peck Avenue. In the Applicant's opinion, the traffic volumes at either of these driveways would not warrant the installation of a traffic signal when considering the guidelines set forth in the Federal Highway Administration (FHWA) publication entitled "Manual on Uniform Traffic Control Devices", 2009 Edition.

Comment E84:

you assumed all the left-turn High Street traffic that you just depicted there would go through your property and not cut through Regent Street instead?

Well, some people if they take High Street and make a right -- right going on North Ridge Street -- Ridge, they can use Regent Street instead.

And if they're up Regent Street, where -- how is it easier to go to up Regent Street?

Trustee Terenzi and Mayor Pilla, PH, September 21, 2015, p. 45

Response:

The Trip Distributions reflect anticipated splits in traffic between High Street and South Regent Street, based upon anticipated traffic origins and destinations. Furthermore, the FEIS analysis has refined the DEIS Trip Distributions to provide an analysis should an increased amount of traffic arrive/depart the Project Site via High Street.

Comment E85:

What is the speed limit in that development?

Trustee Brakewood, PH, September 21, 2015, p.49

Response:

The posted speed limit on the Project Site will be a detail that is finalized as part of the Site Plan Approval process once such application is filed. The speed limit on both the public (newly dedicated) and private roads would be subject to approval by the Board of Trustees during site plan approval. As per New York State Law, the dedicated public street on the Project Site cannot be posted lower than 25 MPH, which is similar to the posted speed limit of 30 MPH on the Boston Post Road and High Street.

Comment E86:

when the financial guys from the Starwood came in, they basically said that the fact that they were doing all these improvements, basically benefited the village to tune of a million-and-a-half dollars because of the improvements they were making. Did you give them those numbers, or whose input was that that came up with the fact -- they're basically saying, because they're doing the projects, they're saving us a million-and-a-half dollars. He's saying it's costing 4 million, but they're saying, of the 4 million, a million and a half is a benefit to the village, because even on a no-build, we would have had to do this anyway. So it's, sort of, twisted logic. You know what I mean, Dennis. I know you do.

Trustee Terenzi and Mayor Pilla, PH, September 21, 2015, p. 50

Response:

SEQR requires mitigation to be provided to offset the Proposed Project's anticipated impacts. In many instances, locations are already experiencing capacity and safety constraints and the Proposed Project incrementally adds to these existing constraints. In order to offset the Proposed Project's potential adverse impacts a form of mitigation may need to be offered that goes above and beyond the Proposed Project's impacts by also mitigating existing conditions. For instance, a left-turn lane may already be needed at a particular location without the Proposed Project constructed. The Proposed Project may only add 25% more traffic to the intersection; however, you cannot build 25% of a lane. Therefore, the Proposed Project builds the entire lane thus, in the Applicant's opinion, providing -75% above and beyond its 'Fair-share' responsibility. In other instances, the Proposed Project may make a Fair-share Financial Contribution towards future improvements where the incremental traffic increase is not as significant (say less than 10%). A typical calculation utilized to determine the Proposed Project's Fair-share Financial Contribution Percentage is as follows:

$$\text{Fair-share Percentage} = \frac{\text{Total Project Generated Traffic}}{\text{Total Future Intersection Traffic with proposed Project}} \times 100$$

This is the basis of how the "Public Benefit" portion of the proposed improvements was determined by the Applicant.

Comment E87:

As you know and as your traffic consultant certainly knows from the City of Rye's comments and report, we certainly contest the -- the assumptions that four percent or six percent of the total

traffic that's going to be coming and going from this development, you know, goes to the City of Rye. I think it's much higher than that.

Joe Sack, PH, September 21, 2015, p.56

Response:

Comment noted. Based upon comments from various review agencies (~~Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant~~) (including the City of Rye Traffic Consultant and Village of Port Chester Traffic Consultant), the Trip Distributions were revised to provide an understanding of anticipated impacts, if any, should traffic arrive/depart the Project Site different from what was analyzed in the DEIS. The two main adjustments to the Trip Distributions, were as follows:

- *5% more traffic oriented to I-95 to the north utilizing Midland Avenue/Peck Avenue to travel to/from the Project Site. This traffic was previously estimated to arrive/depart via Boston Post Road to the north.*
- *5% more traffic utilizing Exit 10 off I-287 versus Exit 11 and subsequently utilizing Purchase Street/Ridge Street/High Street to travel to/from the Project Site.*

Comment E88:

I certainly do appreciate the fact that you've now agreed to, from what I'm hearing this evening, conduct new counts in, at least, four different locations. I think that you should probably expand it beyond that, and more than just those four locations, and do them at different periods of the year and different times of the day.

Joe Sack, PH September 21, 2015, p. 57

Response:

Updated traffic counts were conducted at five (5) previously-analyzed intersections, as well as the three (3) new study locations. These updated counts were conducted in October 2015 (prior counts conducted in May 2014). Additionally, the manual counts were verified with Automatic Traffic Recorder (ATR) machine counts. The updated counts indicate that the counts utilized in the DEIS are acceptable. The count periods chosen represent the worst case scenario when considering the background traffic already on the roadway network and the traffic to be generated by the Proposed Project. Analysis of other time periods would generally indicate better Levels of Service and thus, the Applicant contends, is not necessary.

Comment E89:

This includes, within the development, Starwood is providing approximately 1300 parking spaces. How will those be allocated among the residential, the senior, the retail, the hotel, and office spaces? In addition, I'm sure residents and others will have guests. What's the plan to provide them with parking?

Tamara Brummer PH, September 21, 2015, p. 88

Within the development, Starwood is providing approximately 1,380 parking spaces; how will those be allocated between the residential, senior, retail hotel and office space? In addition, I am sure residents and others will have guests. What is the plan to provide them with parking as well?

Build Up NYC, Letter 38, October 30, 2015

A "Shared Parking Report" was prepared for the project by Desman Associates, dated, October 23, 2014. The shared parking analysis was based, in part, on the assumption that approximately 30 percent of the proposed project's residents would not have an automobile. The basis for this assumption is not documented in the report and is overly optimistic in that it reduces the number of vehicles expected to park on the Site and therefore, the number of parking spaces needed to satisfy the anticipated parking demand. It is noted that Desman Associates assumptions concerning transit usage by residents of Port Chester traveling to and from work do not agree with the assumed 42 percent adjustment factor in preparing the trip generation estimates used as the basis for the analysis of the traffic impacts associated with the proposed development. It is recommended that the assumptions concerning adjustment factors be justified and coordinated and that the more appropriate assumptions be used in the "Shared Parking Report" and the TIS.

The "Shared Parking Report" states that a total of 1,345 parking spaces are expected to be provided on the Site. The analysis indicates that at the peak parking demand for the busiest hour there would be only one (1) empty parking space available on the Site. Generally accepted practice indicates that a parking lot is considered to be "full" at approximately 90 percent of the capacity of the facility. If sufficient parking is not provided on-Site, motorists may be required to use on-street parking spaces in the neighborhood. The resultant vehicle circulation could also result in higher levels of air pollution. This impact has not been identified or addressed.

The report further states that some buildings may need to share in the parking spaces in an adjacent building to balance out the parking supply. It is likely that some uses of the Site, such as hotel guests and residents of the senior housing, may require parking spaces be reserved in proximity to their use. What provision has been made for these dedicated spaces?

Adler Consulting, Letter 44, November 16, 2015 p. 4-5

Response:

The Shared Parking Analysis has been updated and is included in Appendix E. The latest Shared Parking Analysis now employs a 19% reduction factor for the residential units without vehicles

(down from 30% in the DEIS), as well as a 42% reduction factor for single occupancy drivers (down from 58% in the DEIS). These adjustments in the reduction factors were as recommended by the Village of Port Chester Traffic Consultant. With these lowered reduction factors, the overall projected parking demand increased, thus the total parking supply on the Project Site has now been increased to 1,453 parking spaces. The additional 96 parking spaces have been added via an additional level of parking in the P4 Structure. Assignment of parking spaces based upon land use is not currently envisioned at this time. The location of parking relative to the particular land uses is anticipated to adequately distribute parking demands for the associated land uses. The Applicant can revisit the parking demands for each particular land use as the Proposed Project is built or on a site specific Site Plan Application; however, the Applicant contends that the important thing to note is that the overall parking provided is sufficient to meet the highest peak hour demand throughout the year. In point of fact, the analysis indicates that parking demand exceeds 1,400 spaces on only a handful of occasions throughout the year and then only during an hour on each day (but still below the overall parking supply of 1,453 parking spaces). Based on the parking analysis prepared by Desman Associates, occupancy will exceed the 90% threshold 0 – 7 hours on a busy weekday, depending on the time of year, and 1 – 5 hours on a busy Saturday. Because the parking analysis model depicts conditions on the ‘peak’ weekdays and weekend days of each month, this is likely to occur only 5 – 7 weekdays per month and 2 Saturdays per month. It should be noted that the Applicant’s Parking Consultant asserts that the 10% “cushion” is not an appropriate standard for the Proposed Project. The Proposed Project is heavy on residential and office uses, both land uses that draw a user base that is non-discretionary, that is, drivers don’t have a choice about being there and, in addition, become very familiar with the parking system and know where to find spaces. The retail on the Project Site – grocery, restaurants, cafes and service uses – is ancillary to the other uses, so, in the Applicant’s opinion, tight parking is not going to have a material impact on those businesses. It is the Applicant’s Design Team’s experience that the average consumer today sees a packed lot as a sign that “this is the place to be”.

Finally, the Applicant contends over-building parking runs against every principle of smart design and New Urbanism. Modern practice is to build as little as necessary to meet project needs and manage it carefully to maximize its utility, both components of which are included as part of the Proposed Project.

During the vast majority of the year the planned parking demand will be well below 1,300 spaces. Should the parking supply prove to be constrained, however, there are strategies to increase the supply that do not involve building new spaces. These strategies include the use of valet parking, particularly for restaurant patrons, hotel guests and residential visitors, as well as the use of “nesting” particularly for residential tenants who use their vehicles infrequently. Both of these strategies allow the addition of 30 parking spaces per garage level which could increase the available supply by a total of 210 parking spaces in the two garages.

Building excess parking can have detrimental environmental impacts due to increased impervious coverage and added maintenance of parking areas that would essentially remain unused throughout the year.

As this Proposed Project includes a significant number of residences allocated for ‘senior living’ and will be located in a community with excellent transit service, it was assumed that roughly 30% (conservative median value) of the project’s residents will elect to live ‘car free’.

Comparing the factors utilized for the Vehicular Trip Generation calculations and the Peak Parking Demand calculations is not a valid comparison as these are two fundamentally different analyses. For instance, parking demand may be occurring by a resident that has a vehicle but does not drive to work (i.e. they are commuting to New York City via Metro-North).

In addition to the updated Shared Parking Report, Desman Design Management prepared a Technical Memorandum dated November 22, 2016 (copy contained in Appendix E). This Technical Memorandum provided further insight on two items, as follows:

- 1. Withdrawal of the 42 planned on-street parking spaces located within the Proposed Project’s confines*
- 2. Application of a 10% artificial buffer to the planned parking supply against perceived parking shortfalls*

The first item is not necessarily applicable, since essentially all 42 on-street parking spaces will be on private property (not along that portion of roadway proposed to be conveyed to the Village); therefore, the Applicant will control the usage of these parking spaces and they can be considered in the total parking count for the Proposed Project.

The second item, in the Applicant’s opinion, is also not applicable. As indicated in the Technical Memorandum (see Appendix E), designing a parking supply to carry capacity above the peak hour demand projections is a dated practice advocated by the International Council of Shopping Centers at the inception of the Shared Parking modelling. The practice has since been disavowed within the industry by no less than Mary Smith, editor of the Urban Land Institute’s “Shared Parking” report, the definitive work on the topic.

The Applicant also conducted overnight parking surveys at the existing Hospital Site to quantify the number of vehicles associated with the residences at 330-350 South Regent Street, that utilize the Hospital Site for parking. The surveys were conducted during overnight hours (10:00 PM to 1:00 AM) on Monday, November 21, 2016 and Tuesday, November 22, 2016. Based upon the surveys the maximum number of vehicles parked on the existing Hospital Site was 42 vehicles. The provision of this parking to the 330-350 South Regent Street residents was at the sole discretion of the Applicant, terminable at any time and is a pre-existing issue of the 330-350 South Regent Street residential building and not the responsibility of the Proposed Project to mitigate. However, the Applicant has indicated its willingness to provide permitted parking, at a

reasonable price, to off-site residents assuming the overnight/off-hours parking demand can support the provision of this permitted parking.

Comment E90:

How does Starwood plan to address not only pedestrian and vehicular traffic, but also bikes, strollers, and those with limited mobility? In addition, what will be done to ensure that people have enough time to even cross the road in a safe manner? Has there been consideration to build a pedestrian bridge and things like that?

Tamara Brummer PH, September 21, 2015, p. 89

How does Starwood plan to address not only pedestrian and vehicular traffic, but also bikes, strollers, and those with limited mobility? In addition, what will be done to ensure that people have enough time to cross the road in a safe manner? Has there been consideration to build a pedestrian bridge?

Build Up NYC, Letter 38, October 30, 2015

Response:

The Proposed Project is being developed as what the Applicant considers to be a pedestrian friendly site. There will be sidewalks provided through the Project Site that will accommodate strollers and other accessible apparatus. The Proposed Project Site driveway intersection with Boston Post Road will provide ADA compliant pedestrian crossings with adequate crossing time in conformance with the Manual on Uniform Traffic Control Devices. In addition, bicycle racks will be provided on the Project Site to accommodate bicyclists.

Comment E91:

So what steps has Starwood made to ensure that alternative transportation methods are integrated into this project, like additional bus, excuse me, bus and bike lanes, shuttle services that can cut down on traffic between the development and the neighboring train stations and ease air pollution? How about car-sharing options and even places to charge electric cars? How does Starwood's design factor in delivery trucks, loading zones for residential and commercial properties, especially those providing goods and equipment for the residents in this development?

Tamara Brummer, PH September 21, 2015, p. 89

With the environmental impact in the forefront of our minds, what steps has Starwood made to ensure that alternative transportation methods are integrated into this project like additional bus and bike lanes, shuttle services that could cut down on traffic between the development and the neighboring train stations and ease air pollution, car sharing options, and even places to charge electric cars.

Build Up NYC, Letter 38, October 30, 2015

Response:

The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

The Post Implementation Traffic Study previously discussed, will not be undertaken until the Proposed Project is at 'full occupancy' for a certain period of time. To determine the impact of discontinuing the service, the Post Implementation Traffic Study will include ridership numbers for the jitney. The additional trips that would be generated if the service were to be eliminated will be applied to the number of actual vehicle trips entering and exiting the Project Site. These totals can then be compared to the originally projected numbers and assuming that the total entering and exiting trips are below the original projections, and therefore fully anticipated in the original mitigation, discontinuation of the service, as proposed by the Applicant, will be at its discretion.

Enhanced pedestrian facilities will be provided on The Boston Post Road along the Project Site frontage. Additionally, ADA compliant pedestrian crossings will be provided from the Project Site to the Kohl's shopping center. In addition, bicycle racks will be provided on the Project Site to accommodate bicyclists, the specific number and placement to be determined as part of the specific site plan approval process.

The Applicant will investigate contracting with a car-sharing service if the residential mix provides a market demand. This also is true for the provision of golf carts/adult tricycles. These details will be reviewed as part of the Site Plan Approval process. Bee-Line Bus Service will continue to be provided in the same manner it is currently provided in the area.

Comment E92:

[In] my quick perusal, I can't find anything that promotes a bus to the train stations in here.

Richard Abel, PH, September 21, 2015, p.93

Response:

The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

This Post Implementation Traffic Study, discussed below, will not be undertaken until the Proposed Project is at 'full occupancy' for a certain period of time. To determine the impact of discontinuing the service, the Post Implementation Traffic Study will include ridership numbers for the jitney. The additional trips that would be generated if the service were to be eliminated will be applied to the number of actual vehicle trips entering and exiting the Project Site. These totals can then be compared to the originally projected numbers and assuming that the total entering and exiting trips are below the original projections, and therefore fully anticipated in the original mitigation, discontinuation of the service will be at the discretion of the Applicant. A Bee-Line Bus Stop currently exists on High Street along the Project Site Frontage. This Bus Stop will continue to operate in association with the Proposed Project.

Comment E93:

Problem: The Applicant's traffic engineers project an increase of at least 50% in daily traffic from this project. Other traffic experts believe this estimate is too low and that the impact will be more widespread than the areas reviewed by the Applicant. What is not debatable is that the proposed project, as designed, locates 50% of the total 1,384 parking spaces for the project adjacent to High Street, including a 6 story garage. It appears that this 50% represents most or all of the parking for the project's commercial and professional space, thus insuring all-day traffic into and out of these parking areas. Starwood proposes three access driveways from these parking locations directly onto High Street. The remaining 50% of the Project's parking connects to one of the three High St. exits via the

Project's internal roadway and to the project's only other entrance/exit—onto Boston Post Road ("BPR"). Finally, the Applicant's traffic scheme intends that all traffic—Project and non-Project----- desiring to turn left from BPR (and the I---287 exit ramp) onto High Street will do so via the Kohl's/project intersection followed by another left onto the High St. access driveway.

In short, the proposed plan effectively "dumps" much of the Project's incoming and outgoing traffic onto High Street, including departing and returning residents, arriving and departing office staff, medical and retail/restaurant workers, retail and commercial customers, and construction, delivery, garbage and other service trucks, as well as traffic cutting through from BPR to Ridge St. via High St. To the extent that traffic leaving the Project turns left on High St. toward the Boston Post Road, the traffic scheme works well by providing access to major roads-----US 1, I---287 east and I---95 south interstate routes. To the extent departing Project traffic turns right onto High Street, it ends up in our neighborhood, Rye Park, or elsewhere in Rye or Rye Brook on local, neighborhood streets, especially if the BPR intersections are clogged. Similarly, for traffic incoming to the Project, we believe that much of it will use our neighborhood's streets paralleling BPR (Grandview, Evergreen and Ridge) and/or streets intersecting BPR (Cedar, Hillside and High) in both Rye and Rye Brook, to avoid heavy traffic on BPR and at the Kohl's intersection to access the Project's parking and businesses via the High St. driveways.

This result is not acceptable to the affected residents for many obvious reasons.

- a. Solutions: We propose two solutions, both designed to restrict the use of High St. and, therefore, all of the neighborhood's residential streets leading to High Street as a "back door" to the project:
 - i. Village of Port Chester closes the Port Chester portion of High Street at the I---287 bridge. This option was proposed by the City of Rye's traffic consultant in its report submitted to the Board of Trustees. All Project traffic will then access via the Boston Post Road and I---287 and I---95 exits and will not impact local streets. It's also good news for the Project's residents-----this step would eliminate all of the outside traffic "cutting through" the Project to High St. from the BPR and the I---287 exit. The City of Rye should also take steps to prevent Hillside Rd. and Cedar St. from becoming a cut---through to and from BPR, and a slight revision to the M61 bus route may also be required.

OR

Accomplish a similar (although less definitive) result by prohibiting right turns out of the project parking areas onto High Street and left turns from High Street into the parking areas.

- ii. Offer a shuttle during commuting hours from the Starwood/UH site to the Port Chester Metro North Station (to reduce/eliminate cut-through drop-off traffic to the Rye station)

Rye Park Steering Committee, Letter 32, October 30, 2015

Response:

Eliminating or restricting access to High Street to the west of the Project Site would worsen traffic conditions throughout the area encompassing the Boston Post Road to Hillside Road and the local neighborhood roads bounded by Hillside Road, Ridge Street, High Street and the Boston Post Road. This would create additional delays on the Boston Post Road and would increase the likelihood of cut through traffic by forcing traffic onto the Boston Post Road that is destined to the west of the Project Site. This in turn would result in additional traffic turning onto Hillside Road to try and find their way back to High Street. The traffic analysis indicates that High Street and the adjacent roadways/intersections can adequately accommodate the additional traffic from the Proposed Project.

The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

This Post Implementation Traffic Study previously discussed, will not be undertaken until the Proposed Project is at 'full occupancy' for a certain period of time. To determine the impact of discontinuing the service, the Post Implementation Traffic Study will include ridership numbers for the jitney. The additional trips that would be generated if the service were to be eliminated will be applied to the number of actual vehicle trips entering and exiting the Project Site. These totals can then be compared to the originally projected numbers and assuming that the total

entering and exiting trips are below the original projections, and therefore fully anticipated in the original mitigation, discontinuation of the service will be at the discretion of the Applicant.

Comment E94:

Problem: The Applicant's traffic study does not distinguish between automobile and truck traffic. An increase in truck traffic is clearly a much more serious issue, especially in residential areas, in terms of traffic flow (or lack thereof), safety, noise, air pollution and road wear. The Applicant's DEIS states "truck traffic is not anticipated to significantly change the percent of heavy vehicles." But, as noted above, the DEIS indicates that vehicle traffic will increase 50%-----if the truck percentage of total traffic does not change, that means truck traffic will also increase 50%. As the DEIS also points out, "Trucks making local deliveries to the numerous commercial businesses in the study area.... typically utilize the I--- 95 and I---287 interchanges with Boston Post Road and Midland Avenue." The DEIS continues "However, trucks' [access to the Midland Ave. on/off ramps] are limited ...due to height restrictions at the railroad bridge crossings." As a result, truck traffic servicing the Starwood project and shopping centers and commercial businesses along Rye Brook's and Port Chester's commercial areas north of the MNR tracks, including the proposed project, ends up on a few residential streets in Rye and Rye Brook—Ridge, High, Hillside and Peck, for example, as well as the already crowded Boston Post Road, to reach the Interstates. These roads are clearly not suitable for large trucks.

a. Solutions:

- i. Prohibit all trucks on S. Ridge St. west of the I---287 bridge, on High St. in Rye Brook and on Hillside Rd., Cedar St. and Peck Ave. in Rye. Light trucks and local deliveries would be excepted.

And

- ii. Add an I---287 eastbound on---ramp at I---287's Exit 10. Exit 10 already provides truck access to I---287 westbound, and the addition of an eastbound on---ramp would provide trucks operating north of the MNR tracks complete access to I---287 and I---95 in all directions from Exit 10. The area around Exit 10 is generally commercial, dominated by large office buildings. Rye, Rye Brook and Port Chester would establish designated truck routes to Exit 10 that would avoid residential streets and neighborhoods.

- iii. Rye and Rye Brook should take selective actions—street closings, one way restrictions, no left/no right turn-----to reduce traffic in residential neighborhoods adjacent to the UH site.
 - 1. Post signs on Ridge Street at the Rye/Rye Brook border (and, with Rye Brook’s permission, at the corner of Ridge St & Bowman & Ridge St & Westchester Ave) “No access to Starwood’s United Hospital Site via Ridge Street – use Westchester Avenue to the Boston Post Road”. And at 287’s Exit 10: “Use Exit 11 for Access to Starwood’s/UH Site. No access from Exit 10”
 - 2. Post “No Through Traffic” signs where appropriate.
 - 3. Erect brick columns or other attractive features at both ends of Evergreen, Grandview and Hillside with appropriate signage (“no through traffic,” for example) to reduce “cut---through” traffic.
 - 4. Permanently prohibit trucks on these streets in excess of 3000 lbs. except for local deliveries

Rye Park Steering Committee, Letter 32, October 30, 2015

Response:

Comment noted. The majority of truck traffic will be oriented to the Boston Post Road and I-287/95. All truck traffic must conform to local laws and regulations with respect to designated truck routes in the area. This will be more fully evaluated on a site specific Site Plan Application submission. The Proposed Project is not anticipated to increase truck traffic percentages, during operation. The majority of truck traffic during operation will be smaller two axle trucks. Anticipated operations at the Project Site do not envision the need for a significant amount of tractor trailer vehicles.

Construction truck traffic is anticipated to access the site from nearby Interstate highways I-95 and I-287. With the Project Site’s close proximity to these highways, minimal use of local streets by truck traffic is anticipated and therefore impact to surrounding neighborhoods is not expected to be significant. Site access to and from I-287 and I-95 south is within ¼ mile of the Site and is accessed via the Boston Post Road. Access to and from I-95 north is within 1.5 miles of the Project Site and can be accessed utilizing the Boston Post Road, Midland Avenue and Peck Avenue. These access routes are primarily in commercial areas and therefore significant impact to surrounding residential neighborhoods and local roads will be minimal. The Applicant shall implement and enforce a construction traffic management plan (CMP) that will limit and restrict construction vehicles of two axles or more to travel to and from the Project Site using major highways, arterials, and connector roadways only. The Applicant shall make compliance with

the CMP a condition of, and shall attach the CMP as an exhibit to, every contract for the construction of the Proposed Project, and shall make, or require the general contractor(s) to make, compliance with the CMP a condition of, and attach the CMP as an Exhibit to, every sub-contract.

Comment E95:

3.E.33.e Curb Cut impacts Disagree

There should be only two curb cuts on High Street to the project. There should be only one curb cut to Boston Post Road, at the Kohl's traffic light. By only having one curb cut at Kohl's traffic light and eliminating the current High Street intersection at Boston Post Road, the traffic would flow much better from Regent to 287.

Michel Scarola, Letter 40, October 2015

Response:

Comment noted. The third curb cut along High Street (closest to the Boston Post Road) only serves the proposed hotel use, thus would have very limited traffic entering and exiting. The new curb cut along the Boston Post Road is opposite an existing curb cut (Kohl's shopping center) and will be incorporated into the existing traffic signal at that location, thus not adding a new traffic signal to the corridor.

Comment E96:

How does Starwood's design factor in delivery trucks, loading zones for residential and commercial properties, especially those providing goods and equipment for the residents in the development?

Build Up NYC, Letter 38, October 30, 2015

Response:

The Project Site will be designed to adequately accommodate delivery trucks for the various uses. Details for these items will be part of the Site Plan Approval process. This will be more fully evaluated on a site specific Site Plan Application submission.

Comment E97:

NYS DOT also recommends requiring a Post Implementation Study (PIS). This would require the applicant to measure traffic operations (or other aspects of the project) using various metrics before and after construction. These metrics can be average delay at intersections, traffic volume for a given period, etc. Build out could also be separated into phases with each phase having to

be approved before development can continue. If after any phase, a condition is triggered, development cannot continue until the condition is addressed by previously agreed upon mitigations or improvements.

As part of the PIS, NYSDOT suggests having the applicant provide data on corridor trip times. These would be a series of timed runs before and after construction between two fixed points at each end of the project for various times of the day. Several runs can be done for each analysis period and averaged. Since there is congestion already in the corridor, these trip times may be a more ideal method to compare the existing and build conditions. They are also much more accessible to the public than intersection level of service scores.

Christopher Lee, NYSDOT, Letter 34, October 30, 2015

The Applicant should could consider alternative means of assuring that the traffic projections are borne out after some or all of the project development. For example, it could collect traffic volume and travel time data and analyze traffic operations in the Study Area approximately six months after the project opens or the Site is at least 50 percent occupied and provide the results of the data and analysis to the Village of Port Chester. The Village, in turn, would review the results of the study to determine if traffic problems or issues are identified. In that event, some type of mitigation would likely be required, such as a bond for the Village to be able to implement other mitigation measures, the delay of occupancy of portions of the Project until the implementation of appropriate mitigation measures or other alternatives. The Applicant should identify measures to address this issue.

Adler Consulting, Letter 44, November 16, 2015 p. 11

In the City of Yonkers, it put into place several locations that are video actuated, and they adapt more efficiently to the actual demands. That's an improvement that we've said the applicant should look at together with DOT. And we're saying, if there's going to be more traffic, let's try to handle it efficiently, and let's make sure that we accommodate it as best as possible.

Phil Grealey, PH 9/21/15, p. 79

Response:

The Applicant is committed to performing a Post Implementation Study. The detailed Scope of Study for the Post Implementation Study (described in more detail in the POST IMPLEMENTATION TRAFFIC STUDY section of the FEIS). Future travel time runs will be one component considered in such a Study. These travel time runs would be compared with the existing condition travel time runs conducted.

The Applicant is committed to providing an Adaptive Signal Network, with input from the NYSDOT, at the following intersections:

- a. *Boston Post Road & Route I-287 eastbound off-ramp*
- b. *Boston Post Road & High Street*
- c. *Boston Post Road & Proposed Project Site Driveway/Kohl's Driveway*
- d. *Boston Post Road & South Regent Street*

This proposed signal system would allow for real time adjustments to traffic signal timings, based upon changes in vehicular demand on particular movements/intersections. This will further improve upon the results illustrated in the Arterial Analysis.

Comment E98:

Based on a review of the Applicant's Traffic Study, specifically to determine potential impact to roadways and intersections within the Village of Rye Brook, we offer the following:

Study Area Intersections – The Applicant conducted traffic counts and provided detailed capacity analyses for several intersections along U.S. Route 1 in both the Village of Rye Brook and the City of Rye. It included each of the intersections along High Street, as well as Hillside Road in the City of Rye. However, the traffic analyses did not include any intersections in the Village of Rye Brook along South Ridge Street, except for the intersection of Ridge Street/South Ridge Street at High Street.

It is our opinion the Applicant should have considered the following two intersections in the Village of Rye Brook, which is based further on comments related to distribution and site traffic generation levels noted below.

- a. South Ridge Street at Bowman Avenue; and,
- b. South Ridge Street/North Ridge Street at Westchester Avenue.

These two intersections are identified as intersections that the Applicant should have included or at least considered in the Traffic Study due to potential impacts related to this proposed development.

Village of Rye Brook, Letter 22, September 22, 2015

Response:

These two study locations have been included in the FEIS traffic analysis. Detailed Level of Service Tables for these locations are included in Appendix E. In order to offset the Proposed Project's impact at these locations, traffic signal timing modifications are proposed to be implemented.

Comment F99:

2. Site Traffic Generation

The Applicant applied typical trip generation rates obtained from the Institute of Transportation Engineers (ITE) in a publication entitled "Trip Generation," 91 Edition, 2012. We agree with the trip generation rates and the estimates for site traffic used in the analysis, except for the use of the Specialty Retail category. It is our recommendation that the general Shopping Center trip generation rates should have been used. Further, if the Applicant specifically knows that the restaurants and other similar high-generating land uses will be included, then the higher trip rates should have been applied.

In addition to the comment noted above the Applicant applied a 42 percent mass transit credit for the residential component of this development. It is our opinion this is a very high credit for mass transit and specifically for this location within the Village of Port Chester. Although the Applicant applied information obtained from the U.S. Census Data, it is our opinion that this data is skewed based on the overall population density within the center of the Village which, in many areas, is within walking distance to the Port Chester Train Station and bus lines, located along Westchester Avenue, Main Street and Boston Post Road.

The estimates for site traffic for the residential and possibly the retail components of this development may be considered too low. This translates into higher traffic generation and potentially an increase in impacts on area roadways and intersections included in the Study Area. For this reason, we suggest that the two intersections located along South Ridge Street in the Village of Rye Brook be included in the traffic analysis.

Village of Rye Brook, Letter 22, September 25, 2015

Response:

Comment noted. Additional information concerning the Trip Generation is provided in Section FEIS.III.E-INTRODUCTION, Subsection Trip Generation.

Comment E100:

Also consider the backup of traffic within the Kohl's shopping center. Remedying this congestion may help with Route 1 traffic.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

The traffic exiting the Kohl's shopping center was considered in the traffic analysis. Overall Levels of Service on the Kohl's driveway exiting movements will operate at Levels of Service '~~D-E~~' during the Peak AM and ~~Peak PM Hours~~ and a Level of Service '~~E~~', during the Peak

~~Saturday Hour. Additionally, the Kohl's left turn exiting movement will operate at a Level of Service 'F', during the Peak PM and Saturday Hour, this Hours. This~~ is a movement that will be occurring on a private driveway approach and will not impact the Boston Post Road mainline. ~~Additionally, this is a condition that would occur for a very limited time period on Saturday only. Furthermore~~ Additionally, the overall improvement to the Boston Post Road corridor, as demonstrated in the Arterial Analysis (see Table FEIS.III.E-8a) will go towards offsetting this increase in the private drive/side street delay by providing more efficient operations for the Shopping Center patrons when they travel to and from the Project Site on the Boston Post Road. Finally, the amount of background traffic included for this approach is overly conservative, since the Kohl's Driveway Existing Traffic Volumes were grown by a 2% annual growth rate (8.24% total growth); however, the site was essentially fully occupied at the time of the traffic counts. Based on the foregoing, it is the Applicant's opinion that additional widening improvements should not be performed at this time as the potential impacts may never be realized and the capacity gained by said improvements would not offset the aesthetic and environmental impacts of additional pavement area.

In addition, a Sensitivity Analysis was conducted to determine if there was an additional improvement that could be implemented at this location to offset the impacts, if they were determined to be necessary as part of the Post Implementation Study. This analysis considered an additional lane on the Proposed Project Site Driveway approach in order to provide two dedicated left-turn lanes and one shared through/right-turn lane. The provision of a fully dedicated double left-turn movement on the Proposed Project Site Driveway approach would allow the double left-turn on the Kohl's Driveway to operate concurrently with the double left-turn on the Proposed Project Site Driveway. Pedestrian crossings would still be fully accommodated in this Concept. The results of this Sensitivity Analysis are summarized in Appendix E. All analysis includes adequate pedestrian crossing times in the associated vehicular traffic signal phase. As illustrated in the Sensitivity Analysis Level of Service Summary Table in Appendix E, the Kohl's Driveway approach would operate at a Level of Service 'D' and the left turn movement a Level of Service 'E'; during ~~the all~~ Peak ~~Saturday Hour~~ Hours.

~~Additional concern was raised by the Board of Trustees concerning potential rerouting of Kohl's exiting traffic to the ad hoc driveway located along the Boston Post Road adjacent to the Taco Bell. Any potential rerouted traffic would be from the right turn movement currently exiting the Kohl's driveway. This movement will operate at a Level of Service 'C' during the Peak AM Hour and a Level of Service 'B', during the Peak PM and Saturday Hours under the Build with Improvements Condition. In the Applicant's opinion, these Levels of Service would not result in any traffic rerouting from the Kohl's right turn exiting movement.~~

Additional concern was raised by the Board of Trustees concerning potential rerouting of Kohl's exiting traffic to the ad hoc driveway located along the Boston Post Road adjacent to the Taco Bell. Approximately 60-73% of the traffic at the Kohl's Shopping Center is oriented to the south along the Boston Post Road, depending upon the Peak Hour. Any potential rerouted traffic would be from the right-turn movement currently exiting the Kohl's driveway and/or the left-turn

movement entering the Kohl's driveway from the Boston Post Road southbound. Other traffic oriented to the south would not utilize the northerly driveway, due to the added travel distance/time associated with this alternative route. The rerouted right-turn option would be a circuitous movement through the site to utilize the northerly driveway. In the Applicant's opinion right-turn traffic will not likely reroute to the northerly driveway to avoid delays they may encounter on the main Kohl's site driveway approach. Therefore, the only real benefit of enhancing the northerly driveway would be to improve the northerly driveway intersection to better facilitate left-turns entering the Kohl's Shopping Center. In order to better accommodate left-turns entering at this location, the provision of the dedicated left-turn lane would likely be necessary. Without the dedicated left-turn lane, you would be creating a de-facto left-turn lane in the center through lane, thus reducing through capacity at this location to one lane (similar to the existing condition on the northbound Boston Post Road approach to High Street). Based upon Westchester County GIS mapping, the approximate Right-of-Way width at this location is 66 feet. There are currently four 12-foot through lanes (two in either direction) and 8-foot sidewalk provided along both sides of the Boston Post Road. This equates to a total of 64 feet in travel lane/sidewalk width. If the existing travel lanes were reduced to 11-foot lanes and a 10-foot dedicated left-turn lane were provided, then there would be 12 feet remaining for the provision of sidewalk and signage/utilities. In the Applicant's opinion, this would not be sufficient to allow for adequate sidewalk width and additional Right-of-Way for the signage/utilities. Additionally, if entering left-turns were to be directed to this northerly driveway, the safest and most efficient means of operation would be the installation of a traffic signal. This location is between two closely spaced traffic signals at South Regent Street (approximately 500 feet north) and Pearl Street (approximately 800 feet south). The introduction of an additional traffic signal in this short distance would likely impact progression along the corridor, especially if the Pedestrian Lead Interval would need to be implemented at this location. Furthermore, it is not known whether this location would meet the Traffic Signal Warrant Criteria outlined in the Manual on Uniform Traffic Control Devices. Finally, access to the Kohl's Shopping Center from this northerly driveway would result in a very circuitous path for vehicles to get to the Shopping Center from the Boston Post Road. Drivers are more likely to continue to use the existing left-turn access, which provides a much more direct point of entry for drivers arriving to the Shopping Center.

dolph rotfeld engineering, p.c.

MEMO

TO: Peter Feroe, AICP

FROM: Dolph Rotfeld, P.E., BCEE

DATE: December 16, 2016

SUBJECT: United Hospital Redevelopment
FEIS Review

This office has received and reviewed the latest version of the Final Environmental Impact Statement dated December 9, 2016 for the proposed redevelopment of the former United Hospital site (referred to herein as the Project).

This office acknowledges that all of its previously-issued comments relating to the Stormwater and Utility sections of the FEIS have been responded to in the current version of the document. Some comments have been completely resolved while the solutions to others have been appropriately deferred to future site plan applications for the Project.

It should be noted that upon surveying the sanitary sewer in Boston Post Road the Applicant has identified system deficiencies. The Applicant has acknowledged that remediating the sanitary sewer in several locations will be required as part of a future site plan application. It should also be noted that in the process of conducting this survey an additional "back-pitched" length of pipe was discovered downstream of the sanitary sewer subsystem in which the Project is located. While repairing this additional length of sanitary sewer may not be the responsibility of the Applicant the Village should be made aware that this additional system deficiency exists and it is critical that it be corrected.

Adler Consulting,

Transportation Planning & Traffic Engineering, PLLC

235 Main Street
White Plains, NY 10601-2401

Tel # (914) 997-8510
Fax # (914) 997-7140

All the information needed for the Project is contained in Section E, "Traffic and Transportation" of the United Hospital Redevelopment FEIS and can be considered complete.

The Village Consulting Traffic Engineer looks forward to working with the Village to prepare the Findings Statement which will contain the Village's opinion concerning the Project.

RESOLUTION

ACCEPTING THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED REDEVELOPMENT OF THE UNITED HOSPITAL SITE AS COMPLETE AND SCHEDULING A PUBLIC HEARING

On motion of Trustee _____, seconded by Trustee _____,

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

WHEREAS, on April 21, 2014, the Village Board of Trustees (herein referred to as the “Board of Trustees”) adopted a resolution accepting the petition of PC406 BPR, LLC and PC 999 High Street Corp. (together the “Applicant”) for consideration of proposed zoning text and map amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62, with respect to 406-408 Boston Post Road and 999 High Street (the “Subject Property”); and

WHEREAS, the Applicant seeks to develop the Subject Property for a mixed multi-family residential and commercial use development (the proposed zoning amendments and development are, collectively, the “Proposed Action”); and

WHEREAS, the Board of Trustees is the designated Lead Agency under the New York State Environmental Quality Review Act (“SEQRA”); and

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

WHEREAS, the Board accepted as complete the Draft Environmental Impact Statement (“DEIS”) on July 20, 2015; and

WHEREAS, public hearings were held on the DEIS on August 27, 2015 and September 8, 2015; and

WHEREAS, the comment period for the DEIS ended on September 25, 2015; and

WHEREAS, the Board held a public workshop specific to traffic on April 6, 2016; and

WHEREAS, the Board held a public workshop specific to the economic evaluation and potential impacts to the school district on April 26, 2016; and

WHEREAS, the Applicant prepared and submitted to the Village a preliminary Final Environmental Impact Statement (“pFEIS”), which includes additional revisions to the PMU Zoning District (“Proposed Revised Zoning”) on April 27, 2016; and

WHEREAS, the Board held public hearings on the pFEIS on May 24, 2016 and June 1, 2016 and held a written comment period open until June 17, 2016; and

WHEREAS, the Applicant, on July 25, 2016, submitted a revised pFEIS for consideration by the Village; and

WHEREAS, the Applicant, on November 14, 2016, submitted a revised pFEIS for consideration by the Village; and

WHEREAS, also on November 14, 2016, the Applicant submitted a letter withdrawing the request for consideration of the Southern Gateway Mixed Use Overlay Zone as part of the Applicant’s petition; and

WHEREAS, the Board of Trustees held a special meeting on the completeness of the pFEIS on November 29, 2016; and

WHEREAS, based upon the comments of the public, the Board of Trustees, Village staff and its consultants, and other interested and involved agencies, the Applicant, on December 12, 2016, December 14, 2016, and January 3, 2017 submitted certain amendments to the November 14, 2016 pFEIS for consideration by the Village; and

WHEREAS, the Village’s independent consultants provided the Board of Trustees with a Completeness Memorandum, dated December 16, 2016, and annexed hereto as Exhibit A, which recommends that the FEIS with the exception of the chapter regarding traffic and its technical analyses as well as the revised sewer report is complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)]; and

WHEREAS, the Village Consulting Engineer provided a Completeness Memorandum, dated December 16, 2016, and annexed hereto as Exhibit B, which states that all previously issued comments have been appropriately responded to in the FEIS; and

WHEREAS, the Village’s traffic engineer, Adler Consulting, has provided the Board of Trustees with a Completeness Memorandum, dated January 5, 2017, and annexed hereto as Exhibit C, in which they state that the traffic chapter and related technical appendices, last revised January 3, 2017, is complete ; and

WHEREAS, the Village staff and its independent consultants provided the Board of Trustees with a list of text changes, dated January 5, 2017 and annexed hereto as Exhibit D, that they suggest the Board incorporate into the FEIS; and

NOW, THEREFORE, be it

RESOLVED, that the Board of Trustees hereby adopts the December 16, 2016, Completeness Memorandum annexed hereto as Exhibit A; and be it further

RESOLVED, that the Board of Trustees hereby adopts the December 16, 2016, Memorandum from the Village Consulting Engineer annexed hereto as Exhibit B; and be it further

RESOLVED, that the Board of Trustees hereby adopts the January 5, 2017, Memorandum from the Village's Traffic Engineer, Adler Consulting, annexed hereto as Exhibit C; and be it further

RESOLVED, that the Board of Trustees hereby finds that the FEIS submitted on November 14, 2016, as amended by the Applicant on December 12, 2016, December 14, 2016 and January 3, 2017, is complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)] subject to the text changes as set forth in Exhibit D; and be it further

RESOLVED, that the Board of Trustees hereby determines that it will hold a public hearing on the FEIS and the proposed zoning amendments (the alternative text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62 only), on January 31, 2017, at 6:00 P.M. or shortly thereafter at the Village of Port Chester Senior Center, 220 Grace Church Street, Port Chester NY 10573; and be it finally

RESOLVED, that the Village Clerk is hereby directed to undertake or have undertaken, as appropriate, any other steps required by SEQRA and the Village Zoning Code to effectuate acceptance and circulation of the FEIS and notice for the public hearing and for public review and comment on the FEIS and the proposed zoning amendments for the Proposed Action.

Approved as to Form:

Village Attorney, Anthony Cerreto

EXHIBIT A

Memorandum

To: Village of Port Chester Board of Trustees
From: Peter Feroe, AICP, Village SEQRA Consultant; Mark Chertok, Village Special Counsel
Date: December 16, 2016
Re: United Hospital: pFEIS Completeness

The Applicant has submitted a revised Final Environmental Impact Statement (“FEIS”) in two parts.

1. On December 12, 2016, the Applicant submitted all revised FEIS Chapters and Analyses, except Traffic and its related appendices.
2. On December 14, 2016, the Applicant submitted:
 - a. A revised air quality analysis (Appendix I) that was based on the updated traffic analysis;
 - b. A revised sewer report (FEIS Appendix D) that contained confirmatory information on previously submitted sewer flow calculations requested by the Village Consulting Engineer; and,
 - c. An amended traffic chapter and technical appendices.

This memorandum presents the opinion of the Village’s Consultants as to the completeness of the amended pFEIS.

Note that two areas of concern regarding the completeness of the pFEIS have been raised by members of the Board and public during the review of the most recent version of the pFEIS: 1) affordable housing; and, 2) traffic. As shown in the amended pFEIS Chapters submitted by the Applicant, the pFEIS now contains information about the range of potential impacts to affordable housing that would result from implementation of the Proposed Project. [Attached to this memo are responses to the range of concerns identified with respect to the Project’s impact on affordable housing and the treatment of that impact in the EIS.] With respect to traffic, as discussed below, the Village’s consultants are continuing to work with the Applicant to finalize the traffic analysis and address the full range of concerns raised by the Board and members of the public.

OPINION AS TO COMPLETENESS

FEIS Amendments Part 1; December 12, 2016 pFEIS

It is the opinion of the Village’s Consultants that all chapters and analyses submitted on December 12, 2016, *with the exception of the sewer analysis*, are complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)].

Specifically, the Village’s Consultants have reviewed the text, figures, and appendices submitted by the Applicant and find that the pFEIS chapters and analyses, *with the exception noted in the preceding paragraph*, address all substantive comments made on the DEIS and on the April 2016 pFEIS and that the FEIS adequately and accurately presents the type, nature, and magnitude of the potential impacts of the Proposed Project on the environment, as well as proposed mitigation measures.

*FEIS Amendments Part 2; December 14, 2016 pFEIS**Air Quality*

With regard to the air quality analysis, The Village's Consultants have reviewed the revised air quality analysis and submit that it is complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)]. No new adverse air quality impacts were identified; rather, the analysis was updated to include the information from the most recent traffic analysis. The air quality analysis is not anticipated to require revisions based on further changes to the traffic study, discussed below.

Sewer Analyses

With regard to the sewer report, The Village's Consultants have been working with the Applicant since the Board meeting on November 29, 2016 to clarify and confirm information contained in the sewer flow report (Appendix D). It is expected that the final sewer flow report submitted on December 14, 2016 will not identify any new adverse impacts; rather, it will confirm the ability of the Applicant's proposed sewer improvements to meet the increased sewer demand generated by the Project.

Traffic

The Village's Consultants received the revised traffic study late on Wednesday, December 14. Upon initial review, the revised traffic study appears to contain unanticipated changes to the analysis from the previously submitted traffic report. As such, the Village's Consultants will not be able to recommend completeness of the traffic study by December 19, 2016. It should be noted that the Village's Consultants have been working with the Applicant since the Board meeting on November 29, 2016 to finalize the traffic analysis. The Village's Consultants have met with, and have had numerous conversations with, the Applicant and the NYSDOT to discuss the final changes required to the traffic study.

UPDATES FROM NOVEMBER 14, 2016 PFEIS

Below is a summary of the changes made subsequent to the November 14, 2016 pFEIS.

- The December 12, 2016 pFEIS contains text edits throughout to clarify and explain salient points and provide appropriate cross-references, especially with regards to:
 - o Affordable Housing
 - o Post Implementation Traffic and School Studies
 - o Air/Noise Analyses with regard to updated traffic analysis
 - o Air/Visual Analyses updated with extra parking deck
 - o Noise analysis with regards to neighborhood in Rye
 - o Construction impacts, specifically blasting
- The December 12, 2016 pFEIS contains updated information and opinions about the impacts of the Project on, and the generalized need for, affordable housing in the Village and County. (I and III.F)
- The December 12, 2016 pFEIS contains an example of a Master Property Owner's Association agreement and information on the ability of the Village to enforce conditions on that entity. (III.A)
- The December 12, 2016 pFEIS contains additional details with regard to the impact of displacing on-site parking utilized by 330-350 S. Regent Street. (III.A)
- The December 12, 2016 pFEIS contains information on the results of previously required TV inspection of a portion of the sewer in Boston Post Road that was recently completed, including verification of previously reported 'dips' in the sewer line, and confirms Applicant's intention to repair those dips. (III.D)
- The December 12, 2016 pFEIS confirms the extent of improvements proposed by the Applicant to the sanitary sewer system to mitigate their impacts. (III.D)

- The December 12, 2016 pFEIS contains confirmatory information with regard to the noise analysis performed for mobile sources (traffic). (III.J)
- The Applicant summarized the results of the additional noise analysis performed with respect to potential impacts at the I-287 Exit 11 off-ramp as a result of the ramp widening. (III.J)
- The Applicant confirmed that they have not yet discussed the noise mitigation measures proposed for the nursing home rooms facing the Project Site with the nursing home (i.e., air conditioner covers and acoustical storm windows). (III.J)
- The Applicant clarified that the Blasting Specification would be finalized during site plan review, which is appropriate (III.K)
- The Applicant confirmed that the information presented in the Alternatives Chapter for the reduced density alternatives is updated with the latest traffic information. (IV)
- The December 14, 2016 amendments to the pFEIS provide:
 - Revised Air Quality analysis based on the final traffic study (Appendix I)
 - Revised sewer flow report (Appendix D).

EXHIBIT B

dolph rotfeld engineering, p.c.

MEMO

TO: Peter Feroe, AICP

FROM: Dolph Rotfeld, P.E., BCEE

DATE: December 16, 2016

SUBJECT: United Hospital Redevelopment
FEIS Review

This office has received and reviewed the latest version of the Final Environmental Impact Statement dated December 9, 2016 for the proposed redevelopment of the former United Hospital site (referred to herein as the Project).

This office acknowledges that all of its previously-issued comments relating to the Stormwater and Utility sections of the FEIS have been responded to in the current version of the document. Some comments have been completely resolved while the solutions to others have been appropriately deferred to future site plan applications for the Project.

It should be noted that upon surveying the sanitary sewer in Boston Post Road the Applicant has identified system deficiencies. The Applicant has acknowledged that remediating the sanitary sewer in several locations will be required as part of a future site plan application. It should also be noted that in the process of conducting this survey an additional "back-pitched" length of pipe was discovered downstream of the sanitary sewer subsystem in which the Project is located. While repairing this additional length of sanitary sewer may not be the responsibility of the Applicant the Village should be made aware that this additional system deficiency exists and it is critical that it be corrected.

EXHIBIT C

Adler Consulting,

Transportation Planning & Traffic Engineering, PLLC

235 Main Street
White Plains, NY 10601-2401

Tel # (914) 997-8510
Fax # (914) 997-7140

All the information needed for the Project is contained in Section E, "Traffic and Transportation" of the United Hospital Redevelopment FEIS and can be considered complete.

The Village Consulting Traffic Engineer looks forward to working with the Village to prepare the Findings Statement which will contain the Village's opinion concerning the Project.

EXHIBIT D

Exhibit D United Hospital Redevelopment Required Changes to FEIS as Submitted by Applicant

Change #1

Page E-2, first full paragraph. Delete second to last sentence and replace with the following:

Subsequent to the public comment period, the Applicant filed revised versions of the pFEIS on or about July 25, 2016 and November 14, 2016, each of which had been reviewed and commented on by the Village Board, Village Staff, and Village consultants.

Change #2

Response to Comment III.F-53, second paragraph. After third sentence, delete remainder of paragraph and replace with:

To illustrate the potential financial impact of affordable housing on the Project, the Applicant compared the average rent of three new rental developments in the Village (Castle, Mariner, Lighthouse) with the rental limits defined by Westchester County for housing affordable for families earning either 80% or 50% of Area Median Income (AMI) in 2016. The results are summarized in Table III.F-53-1.

**Table III.F-53-1
Rental Rate Comparison**

	Studio	1-Bedroom	2-Bedroom
Average Market Rent	\$2,092	\$2,454	\$3,160
80% AMI Affordable Rent	\$1,416	\$1,499	\$1,801
Difference Between Market and 80% AMI Rents	\$676	\$955	\$1,359
50% AMI Affordable Rent	\$850	\$893	\$1,074
Difference Between Market and 50% AMI Rents	\$1,242	\$1,562	\$2,086
Notes: Numbers may not add due to rounding.			
Sources: See Appendix [X] for how the average market, 80% AMI, and 50% AMI rental rates were calculated. Affordable rents assume 1.5 persons per bedroom and include utility allowance deductions, per Guidelines.			

Assuming that affordable housing units were included in the Proposed Project with the same relative unit-mix as the non-age-restricted housing (i.e., 300 lofts/studios, 100 1-bedrooms, 100 2-bedrooms), and that market rents for the Proposed Project are similar to other recent rental projects in the Village, for every five units of affordable housing, the Applicant could expect to receive \$52,104 less per year if the housing was affordable for families making 80% of the AMI and \$88,482 less if the housing was affordable for families making 50% of AMI. If 30 units of affordable housing were included, using the same assumptions, the Applicant could expect to receive \$312,624 less per year if the housing was affordable for families making 80% of AMI, and \$530,892 less per year if the housing was affordable for families making 50% of AMI.

EXHIBIT D
Appendix X

Port Chester Comps								
Property	Average Asking Rent (\$)			Average Asking Rent/SF (\$)				
	Studio	1 BR	2 BR	Studio	1 BR	2 BR		
	Bedrooms	1	1	2				
	THE LIGHTHOUSE 120 N PEARL ST	\$2,184	\$2,574	\$3,264	\$3.51	\$3.15	\$2.59	
	CASTLE 201 WILLETT AVE	\$2,001	\$2,293	\$3,272	\$3.77	\$3.05	\$3.21	
MARINER 21 WILLETT AVE		\$2,496	\$2,944		\$2.93	\$2.48		
	Average	\$2,092	\$2,454	\$3,160	Average	\$3.64	\$3.04	\$2.76
	Per Bedroom	\$2,092	\$2,454	\$1,580				

THE LIGHT HOUSE | 120 N PEARL ST

Source: www.lighthouseliving.com

December 2, 2016

Amenities: 3 lounges, elevator, gym, outdoor BBQ & recreation area, pool, stainless steel appliances, Starbucks coffee station, virtual doorman, washer dryer in unit, \$35 flat fee heat & hot water

Available parking: Parking garage

Distance from site: 0.9 miles

Unit Type	Studio				1 BR				2 BR			
Average	Rent	# Bath	SF	\$/SF	Rent	# Bath	SF	\$/SF	Rent	# Bath	SF	\$/SF
	\$2,184			\$3.51	\$2,574			\$3.15	\$3,264			\$2.59
	\$2,110	1	600	\$3.52	\$2,500	1	800	\$3.13	\$3,200	2	1,200	\$2.67
	\$2,110	1	600	\$3.52	\$2,575	1	800	\$3.22	\$3,300	2	1,200	\$2.75
	\$2,250	1	600	\$3.75	\$2,725	1	800	\$3.41	\$3,100	2	1,250	\$2.48
	\$2,170	1	600	\$3.62	\$2,575	1	800	\$3.22	\$3,300	2	1,250	\$2.64
	\$2,250	1	600	\$3.75	\$2,475	1	800	\$3.09	\$3,200	2	1,250	\$2.56
	\$2,170	1	600	\$3.62	\$2,650	1	800	\$3.31	\$3,370	2	1,300	\$2.59
	\$2,230	1	600	\$3.72	\$2,500	1	800	\$3.13	\$3,170	2	1,300	\$2.44
	\$2,230	1	600	\$3.72	\$2,500	1	800	\$3.13	\$3,270	2	1,300	\$2.52
	\$2,050	1	600	\$3.42	\$2,400	1	800	\$3.00	\$3,470	2	1,300	\$2.67
	\$2,160	1	625	\$3.46	\$2,475	1	800	\$3.09				
	\$2,100	1	625	\$3.36	\$2,725	1	800	\$3.41				
	\$2,190	1	700	\$3.13	\$2,550	1	800	\$3.19				
	\$2,250	1	700	\$3.21	\$2,410	1	800	\$3.01				
	\$2,310	1	700	\$3.30	\$2,400	1	800	\$3.00				
					\$2,560	1	800	\$3.20				
					\$2,575	1	800	\$3.22				
					\$2,485	1	800	\$3.11				
					\$2,625	1	800	\$3.28				
					\$2,700	1	800	\$3.38				
					\$2,650	1	800	\$3.31				
					\$2,425	1	800	\$3.03				
					\$2,600	1	800	\$3.25				
					\$2,600	1	800	\$3.25				
					\$2,685	1	925	\$2.90				
					\$2,760	1	925	\$2.98				
					\$2,750	1	925	\$2.97				
					\$2,610	1	925	\$2.82				



CASTLE | 201 WILLET AV

Source: www.thecastleapts.com

December 2, 2016

Amenities: Rooftop terrace with grills and lounge, clubroom, on-site professional management, conference room and business center, fitness center, private movie theater, pet-friendly, smoke-free, bike repair shop, personal storage

Available parking: Parking garage

Distance from site: 1.0 miles

Unit Type	Studio				1 BR				2 BR			
Average	Rent	# Bath	SF	\$/SF	Rent	# Bath	SF	\$/SF	Rent	# Bath	SF	\$/SF
	\$2,001			\$3.77	\$2,293			\$3.05	\$3,272			\$3.21
	\$1,863	1	523	\$3.56	\$2,178	1	718	\$3.03	\$3,175	2	997	\$3.18
	\$1,878	1	523	\$3.59	\$2,228	1	717	\$3.11	\$3,195	2	997	\$3.20
	\$1,888	1	523	\$3.61	\$2,228	1	717	\$3.11	\$3,305	2	1,031	\$3.21
	\$1,908	1	523	\$3.65	\$2,233	1	771	\$2.90	\$3,315	2	1,031	\$3.22
	\$1,938	1	518	\$3.74	\$2,238	1	781	\$2.87	\$3,315	2	1,031	\$3.22
	\$1,938	1	518	\$3.74	\$2,243	1	732	\$3.06	\$3,325	2	1,031	\$3.23
	\$1,958	1	528	\$3.71	\$2,243	1	771	\$2.91				
	\$1,968	1	518	\$3.80	\$2,248	1	781	\$2.88				
	\$1,968	1	518	\$3.80	\$2,253	1	723	\$3.12				
	\$2,118	1	504	\$4.20	\$2,253	1	723	\$3.12				
	\$2,118	1	578	\$3.66	\$2,258	1	732	\$3.08				
	\$2,153	1	578	\$3.72	\$2,258	1	732	\$3.08				
	\$2,153	1	578	\$3.72	\$2,258	1	781	\$2.89				
	\$2,158	1	504	\$4.28	\$2,263	1	723	\$3.13				
					\$2,268	1	770	\$2.95				
					\$2,268	1	732	\$3.10				
					\$2,268	1	732	\$3.10				
					\$2,278	1	770	\$2.96				
					\$2,278	1	770	\$2.96				
					\$2,278	1	732	\$3.11				
					\$2,278	1	798	\$2.85				
					\$2,283	1	791	\$2.89				
					\$2,283	1	718	\$3.18				
					\$2,283	1	764	\$2.99				
					\$2,288	1	717	\$3.19				
					\$2,288	1	717	\$3.19				
					\$2,288	1	764	\$2.99				
					\$2,293	1	718	\$3.19				
					\$2,293	1	718	\$3.19				
					\$2,298	1	674	\$3.41				
					\$2,298	1	717	\$3.21				
					\$2,308	1	810	\$2.85				
					\$2,318	1	764	\$3.03				
					\$2,318	1	810	\$2.86				
					\$2,328	1	798	\$2.92				
					\$2,328	1	799	\$2.91				
					\$2,328	1	810	\$2.87				
					\$2,338	1	764	\$3.06				
					\$2,353	1	791	\$2.97				
					\$2,353	1	810	\$2.90				
					\$2,358	1	757	\$3.11				
					\$2,368	1	828	\$2.86				
					\$2,493	1	723	\$3.45				
					\$2,493	1	723	\$3.45				



MARINER 21 WILLETT AVE								
Source: www.themarinerrentals.com								
December 2, 2016								
Amenities: River views, landscaped rooftop, lounge, fitness center, concierge, storage units, small business resources, WiFi in common spaces Available parking: Dedicated parking Distance from site: 1.1 miles								
Unit Type	1 BR				2 BR			
Average	Rent	# Bath	SF	\$/SF	Rent	# Bath	SF	\$/SF
	\$2,372	1	853	\$2.78	\$2,876	2	1,186	\$2.42
	\$2,420	1	853	\$2.84	\$3,012	2	1,186	\$2.54
	\$2,444	1	853	\$2.87				
	\$2,468	1	853	\$2.89				
	\$2,601	1	853	\$3.05				
	\$2,668	1	853	\$3.13				



WESTCHESTER COUNTY 2016
AREA MEDIAN INCOME (AMI), SALES & RENT LIMITS

INCOME LIMITS & HOUSING COSTS	In determining affordability for housing, the housing costs must be calculated for the future residents. Housing costs include rent and any tenant paid utilities in rental housing; and includes the mortgage payment (Principal and Interest) property taxes, homeowners insurance and, in condominiums and cooperatives, any common charges and Home Owners Association (HOA) fees for ownership.								
	The U.S. Department of Housing and Urban Development (HUD) bases its income limits for a variety of housing programs on a standard called Area Median Income (AMI), for each metropolitan statistical area. The base AMI is estimated to be for an average family of 4 persons (highlighted in red on below chart). The maximum income by family size is then adjusted by a percentage determined by HUD:								
FAMILY SIZE PERCENTAGE	# of Persons	1	2	3	4	5	6	7	8
	Adjustment	70%	80%	90%	100%	108%	116%	124%	132%
	In the cases where the AMI for Westchester County is lower in a following year, the County policy is to hold-harmless any existing property with tenants in place or new homebuyers ready to purchase a home who have signed a Contract of Sale prior to the effective date of the of the published Income Limits.								
	The below Income Limits are published by HUD accordance with federal guidelines, including the limits to be applied to Multifamily Tax Subsidy Projects (MTSP) . HUD also publishes income limits for the Neighborhood Stabilization Program (NSP) which are higher than those which apply to other Westchester County Housing Programs, at 120% AMI. Those limits are presented in the below chart, but only apply to ownership of 1-4 family homes assisted with NSP.								
INCOME LIMITS	2016 Maximum Income Guidelines								
	1 Person Household	2 Person Household	3 Person Household	4 Person Household	5 Person Household	6 Person Household			
	120% AMI	\$90,600	\$103,500	\$116,450	\$129,360	\$139,750	\$150,100		
	100% AMI	\$75,500	\$ 86,250	\$ 97,100	107,800	\$116,450	\$125,100		
	80% AMI	\$60,400	\$ 69,000	\$ 77,650	\$ 86,250	\$ 93,150	\$100,050		
	*60% AMI	\$45,300	\$ 51,780	\$ 58,260	\$ 64,680	\$ 69,900	\$ 75,060		
	*50% AMI	\$37,750	\$ 43,150	\$ 48,550	\$ 53,900	\$ 58,250	\$ 62,550		
	30% AMI	\$22,650	\$ 25,900	\$ 29,150	\$ 32,350	\$ 34,950	\$ 37,550		
EFFECTIVE DATE	* MSTP, Section 8 & NSP Income Limits, March 6, 2016 * HOME Income Limits and 80% Uncapped Income Limits, June 6, 2016								

HOUSING COSTS	Westchester County uses the AMI Standard to set eligibility requirements for its funding programs for both rental and ownership housing. In addition, affordability is broadly defined as a household paying no more than 30% of their monthly gross income towards their housing costs. Based on the AMI for Westchester County, the following table calculates 30% of each income group’s total monthly gross income—the maximum that should be dedicated towards housing costs. Please note that in practice, affordability is calculated by the bedroom size of the unit assuming 1½ persons per bedroom. The below schedule is intended to provide a quick estimate of affordability for a given household.					
FAMILY SIZE	Estimated Monthly Housing Cost Limits Based on 30% of Income					
	1 Person Household	2 Person Household	3 Person Household	4 Person Household	5 Person Household	6 Person Household
	120% AMI	\$2,265	\$2,588	\$2,911	\$3,234	\$3,494
	100% AMI	\$1,888	\$2,156	\$2,428	\$2,695	\$2,911
	80% AMI	\$1,510	\$1,725	\$1,941	\$2,156	\$2,329
	60% AMI	\$1,133	\$1,295	\$1,457	\$1,617	\$1,748
	50% AMI	\$ 944	\$1,079	\$1,214	\$1,348	\$1,456
	30% AMI	\$ 566	\$ 648	\$ 729	\$ 809	\$ 874
The above Housing Costs calculation are based on family size. To estimate costs by unit size, typically HUD and New York State uses a general rule of 1½ persons per bedroom to determine rent and sale price limits based on the unit size. Please note, however, that municipalities may have their own occupancy requirements based on square footage of each bedroom. In some cases, the size of a bedroom may only accommodate 1 person and the rent must be proportioned accordingly. It is best to verify the municipality’s occupancy requirements before finalizing rents or sale prices. Westchester County has adopted the standard of 1½ persons per bedroom in its underwriting for new housing development, and will apply that standard to its underwriting for its funding of Fair and Affordable housing developments.						
SALE PRICE LIMITS	For homeownership developments, underwriting is based on the projected mortgage for which a family with a maximum income at 80% AMI can qualify, plus related housing costs. To assure that a broad range of families can both afford to purchase the unit, and qualify for a mortgage, Westchester County encourages developers to set sales prices to be affordable to a family at 70% AMI. Housing costs to be included in the calculation for the sales price include the expected principal and interest on the mortgage loan, property taxes, homeowners insurance (PITI); and any common charges, homeowners’ association fees and/or maintenance fees.					

RENT LIMIT	HUD publishes HOME Program Rent Limits for each metropolitan statistical area based on affordability for households with incomes at or below 60% AMI or 50% AMI. The published High HOME Rent is for units targeted to 60% AMI households and the Low HOME Rent is for units targeted to 50% AMI households. To assure that a broad range of families can afford to rent any unit, the County encourages that rents be set to be affordable to families with incomes below the maximum income limits. Westchester County has adopted the HOME rent limits for all its funding programs.					
	The rent levels are to include all housing costs associated with the apartment. If there are any tenant paid utilities, an amount based on the utility allowance is deducted from the maximum rent allowed to arrive at the Net Rent that may be charged the tenant under a lease. The utility allowance used by Westchester County is provided by New York State Homes and Community Renewal.					
	Please note that the <i>Housing and Economic Recovery Act of 2008</i> requires that income and rent limits be calculated separately for <i>Multifamily Tax Subsidy Projects (MTSP)</i> funded under Section 42 of the Internal Revenue Code. Rent calculation information is provided by New York State. To check for this information, go to http://www.nyshcr.org .					
UNIT SIZE	HOME Program 2016 Rent Limits					
	Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom	5-Bedroom
HIGH HOME	\$1,036	\$1,245	\$1,510	\$1,814	\$2,004	\$2,192
LOW HOME	\$ 945	\$1,012	\$1,215	\$1,403	\$1,565	\$1,726
EFFECTIVE DATE	June 6, 2016					
CALCULATING NET RENT	To calculate the maximum Net Rent, the rent that may be charged to the tenant on a lease for any unit, start with the rent limit in the above chart for the unit size and deduct any tenant paid utilities based on the chart on the back of this page.					
	For example, to set the rent for a 2-bedroom unit in a low rise apartment building for a household with an income at or below 60% AMI (the High HOME rent) where the tenant will also pay for these utilities, Natural Gas for Heating, Cooking and Hot Water as well as for Electricity, follow the below process:					
	High Home Rent for a 2-Bedroom Unit:		\$1,510			
	Utility Allowance: Natural Gas Heat:		\$98			
	Natural Gas Cooking:		\$19			
	Natural Gas Hot Water:		\$12			
	Electricity		<u>\$23</u>			
	Total Utility Allowance:		<u>\$ 152</u>			
	Maximum Net Rent charged to Tenant		\$1,358			
	It should be noted that rents should be set to be affordable to a wide range of families, not just those with incomes at the maximum income limits allowed.					
CONTACT INFORMATION	Interested municipalities, non-profit and for-profit developers should call or e-mail Norma V. Drummond at 914-995-2427 or nvv1@westchestergov.com					

UTILITY
ALLOWANCE
SCHEDULE

The following table is the Utility Allowance Schedule used to calculate tenants' utility costs. Circle and add the tenant paid utilities for each apartment size to determine the total utility allowance for that unit size:

TENANT PAID UTILITIES:		Studio	1	2	3	4	5
HEAT	Natural Gas	\$ 68	\$ 85	\$ 98	\$119	\$132	\$150
	Bottle Gas	\$ 87	\$117	\$140	\$177	\$200	\$233
	Oil	\$ 67	\$ 91	\$109	\$132	\$155	\$181
	Electric	\$ 99	\$127	\$148	\$183	\$204	\$234
COOKING							
	Natural Gas	\$ 13	\$ 17	\$ 19	\$ 22	\$ 24	\$ 26
	Electric	\$ 11	\$ 14	\$ 18	\$ 23	\$ 31	\$ 34
	Bottle Gas	\$ 11	\$ 15	\$ 17	\$ 19	\$ 21	\$ 23
LIGHTING, OTHER ELECTRIC	Other Electric	\$ 13	\$ 17	\$ 23	\$ 28	\$ 31	\$ 35
WATER HEATING							
	Natural Gas	\$ 7	\$ 9	\$ 12	\$ 14	\$ 16	\$ 18
	Electric	\$ 18	\$ 23	\$ 29	\$ 34	\$ 41	\$ 46
	Bottle Gas	\$ 12	\$ 16	\$ 20	\$ 24	\$ 29	\$ 32
	Oil	\$ 9	\$ 12	\$ 15	\$ 18	\$ 21	\$ 24
If appliances are provided by Tenant:							
	Range	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
	Refrigerator	\$ 4	\$ 4	\$ 4	\$ 5	\$ 6	\$ 6
TRASH COLLECTION		\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10
TOTAL ALLOWANCE		\$	\$	\$	\$	\$	\$

EFFECTIVE
DATE

January 1, 2016



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

RES - 01
BOT12-19-2016

AGENDA MEMO

Department: Planning and Development Department

Department: Office of the Village Attorney

BOT Meeting Date: 12/19/2016

Item Type: Resolution

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

Description	Yes	No	Description	Yes	No
Fiscal Impact	☒	☐	Public Hearing Required	☒	☐
Funding Source:			BID #		
Account #:			Strategic Plan Priority Area		
			Redeveloping the United Hospital Site		
	Yes	No			
Agreement	☐	☒	Manager Priorities		
Strategic Plan Related	☒	☐	Planning & Zoning		

Agenda Heading Title

(Will appear as indicated below on Agenda)

Starwood/United Hospital: Accepting the Final Environmental Impact Statement for the Proposed Redevelopment of the United Hospital Site as Complete and Scheduling a Public Hearing

Summary

At the request of the Board of Trustees, consideration of the completeness of the FEIS for the proposed development of the United Hospital Site and the scheduling of a public hearing was placed on the December 19, 2016 Board of Trustees agenda, as long as the appropriate documentation were provided in time. The appropriate information related to traffic was not provided in time and it recommended that the matter be adjourned to a later meeting.

Background

PC 406 BPR LLC and PC 999 High Street Corp (the “Applicant”) has submitted a revised Final Environmental Impact Statement (“FEIS”) in two parts.

1) On December 12, 2016, the Applicant submitted all revised FEIS Chapters and Analyses, *except Traffic and its related appendices*.

2) On December 14, 2016, the Applicant submitted an amended traffic chapter and technical appendices, a revised air quality analysis (Appendix I) that was based on the final traffic analysis, and a revised sewer report (FEIS Appendix D) that contained confirmatory information on previously submitted sewer flow calculations requested by the Applicant.

The Village’s Consultants have had the opportunity to review the amended chapters and analyses submitted by the Applicant on December 12, 2016, as well as the air quality analysis submitted on December 14, 2016. It is the opinion of the Village’s Consultants that those chapters and analyses are complete (see attached memo from the Village’s Consultants).

However, the Village’s Consultants received the revised traffic study late on Wednesday, December 14. Upon initial review, the revised traffic study appears to contain unanticipated changes to the analysis from the previously submitted traffic report. As such, the Village’s Consultants will not be able to recommend completeness of the traffic study by December 19, 2016. It should be noted that the Village’s Consultants have been working with the Applicant since the Board meeting on November 29, 2016 to finalize the traffic analysis. The Village’s Consultants have met with, and have had numerous conversations with, the Applicant and the NYSDOT to discuss the final changes required to the traffic study.

Staff Recommendation

It is recommended that the Village Board table consideration of the FEIS as complete, pending Village Consultant review of the traffic analyses and submission to the Board of a revised, complete traffic chapter and appendices. As such, no resolution has been prepared.

Note that the Village’s special counsel, Mark Chertok of Sive, Paget & Riesel (“SPR Law”), Peter Feroe from AKRF Inc., and Bernie Adler from Adler Consulting will be present on December 19, 2016 to answer questions from the Board of Trustees on this matter.

Proposed Action
• None

Attachment
• All amended pFEIS Chapters and Analyses, with the exception of traffic. • December 16, 2016 Completeness Memorandum from Village Consultants

I. EXECUTIVE SUMMARY

A. Introduction

This document is a Final Environmental Impact Statement (“FEIS”) and is submitted on behalf of PC 406 BPR, L.L.C. and PC 999 High Street Corp. (affiliates of Starwood Capital Group) (hereinafter collectively referred to as the “Applicant”) in compliance with the State Environmental Quality Review Act (“SEQRA”).

At its August 18, 2014 meeting the Village Board of Trustees adopted the Scoping Outline for the preparation of a Draft Environmental Impact Statement (“DEIS”). The DEIS examined the potential impacts of the redevelopment of a certain ±15.45 acre parcel of land in the Village located at the northern corner of the intersection of Boston Post Road and High Street (the “Project Site”) through the implementation of zoning amendments (the “Proposed Action”). The Project Site is currently built out with a hospital campus that accommodated the former United Hospital. Redevelopment of the Project Site proposes a mixed use development that would implement a key recommendation in the Village’s Comprehensive Plan (adopted December 17, 2012).

At its July 20, 2015 meeting, the Village Board accepted the DEIS as adequate for the purpose of commencing public review and comment regarding issues identified in the Scoping Outline.

A public hearing on the DEIS was held on August 27, September 8, September 21 and October 5, 2015 and was closed on October 5, 2015. Written comments regarding the DEIS were accepted for approximately 96 days, including a 25 day period (until October 30, 2015) after the close of the public hearing.

This Final Environmental Impact Statement (“FEIS”) has been prepared pursuant to the ~~SEQR~~SEQRA and its implementing regulations (6 NYCRR Part 617). Under those regulations, the FEIS serves as the basis for the Lead Agency Findings. This FEIS incorporates the DEIS by reference and responds to all substantive comments received (either at the public hearings or in writing) on the DEIS. Comments were compiled and organized by topic. Each comment is referenced as to its source, and responded to within the various Sections of this FEIS. A person interested in finding out where their comment is responded to should look in either Appendix A Written Correspondence or Appendix B Public Hearing Transcripts to find the public hearing they spoke at or the correspondence submitted. Within those documents there is a reference to the specific section and comment number where the response can be found.

Section II of this FEIS responds to comments on the Project Description presented in the DEIS. Sections III, IV, V and VII of this FEIS provide responses to substantive comments in the following subject areas:

- III. A – Land Use and Zoning
- III.B – Visual Resources
- III.C – Stormwater Management
- III.D – Utilities
- III.E – Traffic and Transportation
- III.F – Socio-economic/Fiscal

- III.G – Natural Resources
- III.H – Historic and Cultural Resources
- III.I – Air Resources
- III.J – Noise
- III.K – Construction
- III.L – Overlay Zoning Build Out Analysis
- IV. – Alternatives
- V. – Significant Impacts That Cannot Be Avoided
- VII. – Commitment of Resources

A pFEIS document was submitted to the Lead Agency on or about April 28, 2016. The Village circulated the pFEIS to selected Interested and Involved Agencies. Prior to formally accepting the FEIS as complete, the Lead Agency held a public hearing on May 24, 2016 which was adjourned to June 1, 2016 and subsequently closed on that date, with written comments allowed through June 17, 2016. The subject of the public hearings was the proposed PMU zoning text amendments and the subject pFEIS. Annotated transcripts of the pFEIS public hearings are provided in Appendix B of this FEIS indicating where topic areas had been responded to in the FEIS document. Subsequent to the public comment period, the Applicant filed revised versions of the pFEIS on or about July 25, 2016 and November 14, 2016, each of which had been reviewed and commented on by Village Staff and consultants. The Applicant has prepared three separate addendums to the FEIS which specifically respond to issues raised by the Village of Port Chester Traffic Consultant (Adler Consulting), the City of Rye's traffic consultant (Maser Consulting) and NYSDOT, refer to Section III.E Traffic and Transportation Addendum.

B. Description of the Proposed Action

The Applicant has proposed a mixed use development that is centered on publically accessible open space surrounded by buildings with retail shops, cafes and restaurants at the street level and other uses, including a limited service hotel, medical/wellness and general office space, and residential uses in the upper floors. The plan also provides parking in garage (1,107 spaces), surface (304 spaces) and on-street (42 spaces) configurations. The Applicant has proposed that the 42 on street spaces be metered and that the Village be able to collect the revenue for their use.

More specifically, the Conceptual Development Plan contemplates 230 Age-Restricted housing units, 500 non-age restricted residential dwelling units marketed towards the Millennial demographic age group, ±90,000 square feet (s.f.) of retail/restaurant uses, ±217,000 s.f. of medical office/wellness use, and a 135 key limited service hotel all served by the aforementioned 1,411 parking spaces plus 42 on-street parking spaces (refer to Exhibit I-2, "Conceptual Development Plan") hereinafter referred to as the "Proposed Project". A contemplated build year of 2018 has been projected.

The Project Site's current zoning is classified as Planned Mixed Use ("PMU"), which is intended to accommodate a mixed use development, including a variety of commercial, office, residential and community facility uses. Notably, the Village Board of Trustees, after it completed its associated environmental review as part of the adoption of the Village's Comprehensive Plan on December 17, 2012, approved the current PMU zoning at the Project Site, recognizing that the Proposed Action for "rezoning and redevelopment

of the site and concomitant detailed, comprehensive site-specific environmental review under SEQRA could result in modifications to this district”¹. In order to implement the Proposed Project as outlined in this FEIS, the zoning regulations governing the Project Site need to be amended. In the DEIS, the Applicant had proposed two potential courses of action. The first option was the creation of a Southern Gateway Mixed Use Overlay Zoning District (the “Overlay District”), which would include land area beyond the Project Site. The second option was to revise the existing PMU District, refer to DEIS Appendix M, to allow for an as of right FAR of 1.6 compared to the current 0.8.

FEIS Appendix L, contains revised proposed language for the PMU District text amendments, which is the Applicant’s preferred rezoning strategy. The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village’s Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). The Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

The proposed zoning calls for a base density of 1.4 FAR with an opportunity for an additional FAR bonus of 0.2 by participating in an incentives and community benefits program which includes the opportunity to make contributions towards one or more of the following dedicated community benefit funds in return for a development bonus of up to 0.2 FAR: Village Housing Rehabilitation Program; Village Open Space Fund; Village Job Training Fund; Village Affordable Housing Fund. The Applicant has proposed \$1.0 million contribution towards the dedicated community benefit fund in exchange for the requested 0.2 FAR bonus. Appendix P of this FEIS contains a report prepared by the Village’s consultant, AKRF, which identifies a suggested contribution for density bonus estimated at between \$2.4 and \$3.4 million.

In summary, the currently proposed PMU text amendments call for an incentive zoning program similar to the one contained in Section 345-16 of the Port Chester Code, but tailored to the type of integrated mixed use development envisioned for the PMU District in the Comprehensive Plan. The revised text responds to dimensional standards and requirements relative to future subdivision of the property and incorporates design guidelines for all development within the PMU. Collectively, the Proposed Project along with the implementing zoning (PMU revisions) reflects the Proposed Action analyzed in this FEIS.

¹ Village of Port Chester Environmental Findings, page 14, refer to DEIS Appendix N.

As part of the Site preparation process, the Applicant provided for a confidential relocation and compensation package that is tailored to each of the remaining households in 999 High Street. In general terms, for the income eligible households, the package includes lifetime utilization of Section 8 vouchers and supplementary rental assistance for 12 months. Households that did not qualify for Section 8 benefits will receive a cash payment that varies depending on when they move out and a compensation package that offers a minimum of 12 months and a maximum of 24 months at the household's current rental rate. Each household will receive a stipend to defray the costs of moving. The Applicant reserved the right to seek summary eviction against any resident who does not vacate the building by a mutually agreed surrender date. As of July 25, 2016, all households have moved out except one. The Applicant is continuing to work with the remaining one tenant on relocation efforts, which tenant is expected to move out by Autumn of 2016.

C. Updated Traffic Analysis

As part of the EIS process, the Applicant's traffic engineer met with various review agencies and their consultants to discuss some of the substantive comments that were provided on the DEIS. A total of ~~five~~six meetings were held at New York State Department of Transportation (NYSDOT) Offices (11/~~46~~13/15, 12/4/15, 5/20/2016, 6/3/2016, 8/19/16 and 10/21/16), with NYSDOT representatives. In attendance at some or all of these meetings were representatives from TRC (Applicant's Traffic Consultant), Adler Consulting (Village of Port Chester Traffic Consultant), AKRF (Village of Port Chester Planning Consultant), Village of Port Chester Planning Department, Maser Consulting (City of Rye Traffic Consultant) and Frederick P. Clark Associates (Village of Rye Brook Traffic Consultant).

Based upon comments received on the DEIS, as well as subsequent discussions/meetings with the foregoing review agencies, many of the base parameters utilized in the DEIS Traffic Study were re-evaluated and confirmed or modified where appropriate. The following is a summary discussion on these base parameters and the updates to the traffic study that were made as a result. More details are provided in Section III.E Traffic and Transportation of this FEIS.

STUDY LOCATIONS

The following three Study Locations were added to the FEIS Traffic Study (it is noted that 19 intersections were evaluated as part of the DEIS):

1. Purchase Street and Ridge Street.
2. South Ridge Street and Bowman Avenue.
3. South Ridge Street/North Ridge Street and Westchester Avenue.

EXISTING TRAFFIC VOLUMES

In order to determine Existing Traffic Volumes at the three (3) additional study locations, representatives of TRC conducted manual turning movement traffic counts on Tuesday, October 20, 2015 from 6:30 AM to 9:30 AM and 3:30 PM to 6:30 PM, as well as on Saturday, October 17, 2015 from 11:30 AM to 2:30 PM. Additionally, manual turning movement traffic counts were conducted during the same time periods to verify whether the volumes counted in May 2014 were representative of typical conditions in the area. The

following previously-analyzed DEIS study locations were ‘re-counted’:

1. US Route 1 (Boston Post Road) & South Regent Street.
2. US Route 1 (Boston Post Road) & I-287 EB Off-Ramp/I-95 SB On-Ramp.
3. US Route 1 (Boston Post Road) & Peck Avenue.
4. Ridge Street & High Street.
5. Purchase Street & Hillside Avenue/Wappanocca Avenue.

The manual turning movement traffic counts included both vehicular and pedestrian movements at each intersection. In addition to the manual turning movement traffic counts, Automatic Traffic Recorder (ATR) machine counts were conducted from October 16, 2015 to October 24, 2015 at the following locations:

1. US Route 1 (Boston Post Road) between I-287 EB Off-Ramp and I-287 WB On-Ramp.
2. US Route 1 (Boston Post Road) between South Regent Street and Olivia Street.
3. Ridge Street between High Street and Wyman Street.

Analysis of the new counts showed that the May 2014 traffic counts were higher than the October 2015 counts in all instances except at Ridge Street and High Street, during the Peak AM and Peak PM Hours. In these instances the May 2014 traffic counts were within 4% of the October 2015 traffic counts, which is more than acceptable when compared against industry standards. Based on the foregoing, the traffic counts utilized in the DEIS are acceptable and continued to serve as the basis for the updated FEIS traffic study.

TRIP DISTRIBUTIONS

Based upon comments from various review agencies, the Trip Distributions were revised to provide an understanding of anticipated impacts, if any, should traffic arrive/depart the Project Site differently from what was analyzed in the DEIS. The two main adjustments to the Trip Distributions, were as follows:

- 5% more traffic oriented to I-95 to the north utilizing Midland Avenue/Peck Avenue to travel to/from the site. This traffic was previously estimated to arrive/depart via the Boston Post Road to the north.
- 5% more traffic utilizing Exit 10 off I-287 versus Exit 11 and subsequently utilizing Purchase Street/Ridge Street/High Street to travel to/from the Project Site.

In addition to the Proposed Project-generated Trip Distributions, there are also existing traffic volumes that were re-routed due to the newly proposed High Street turning restrictions. Finally, existing traffic volumes associated with 999 High Street residents currently entering and exiting the Project Site were removed from the background traffic. These adjustments were made for the FEIS traffic study.

In addition to the previously-recommended improvements, the following additional improvements are proposed in association with the FEIS traffic analysis and DEIS comments:

1. Traffic signal timing modifications at the Boston Post Road and Peck Avenue to provide additional green time to the southbound Boston Post Road left-turn maneuver
2. What the Applicant proposes as a fair-share financial contribution towards installation of a roundabout at the intersections of Purchase Street & Ridge Street/Hillside Road/Wappanocca Avenue
3. What the Applicant proposes as a fair-share financial contribution towards improvements at the intersection of Midland Avenue and Peck Avenue
4. Traffic signal timing modifications at South Ridge Street and Bowman Avenue
5. Traffic signal timing modifications at South Ridge Street/North Ridge Street and Westchester Avenue.

Although improvements are not necessarily warranted at locations 2 and 3, due to the Proposed Project impacts, it is recognized that there are preexisting concerns within the City of Rye concerning these locations. Based on the foregoing, the Applicant is committed to providing a Fair-share Financial Contribution towards these improvements. The Fair-share Percentage is based upon the percentage of the Proposed Project-generated traffic at each intersection compared to the total future Build traffic volumes anticipated at each intersection. The total cost of the improvements, at these two locations, is preliminarily estimated at \$1,000,000, with the Applicant's Fair-share Financial Contribution calculated to be \$57,000.

NYSDOT PEDESTRIAN SAFETY ACTION PLAN

NYSDOT has issued a Pedestrian Safety Action Plan that would enhance pedestrian safety at all signalized intersections along New York State Roadways, including along the Boston Post Road corridor. One major component of this plan is to give additional priority to pedestrian crossings via a five-second Pedestrian Lead Interval. The FEIS includes an updated Traffic –Supplemental Analysis (refer to FEIS Appendix E) that ~~conservatively~~ considers this Pedestrian Lead Interval in the traffic signal timings.

As noted in more detail in Section III. E of this FEIS, the Applicant has noted that the utilization of such base parameters (Pedestrian Lead Interval, Right-turn on Red Restriction, Central Business District, South Regent Street Single Lane Approach, High Street Single Lane Approach, Peak Hour Factors) in combination with the very conservative background traffic volume development and inclusion of pedestrian volumes that would be served by the proposed jitney service, and thus may never materialize, provides a very conservative projection of future traffic operating conditions.

C. Affordable Housing

As indicated by public comments on the DEIS and FEIS, there are differing opinions regarding the SEQRA impact of the Proposed Project on affordable housing within the Village (and within Westchester County), including the following:

- 133 units, which represents the number of units within 999 High Street.

- 57 units, which represents the number of units within 999 High Street that were occupied at the time that the Applicant acquired 999 High Street.
- 41 units, which represents the number of units within 999 High Street that were occupied at the time of the filing of the DEIS in July 2015, several months after building residents were first notified, in April 2015, through the service of a Notice to Quit, that they would need to relocate or could face eviction.
- 26 units, which represents the number of households out of the 41 units that were occupied at the time of the filing of the DEIS in July 2015 that were relocated from 999 High Street in 2016 and were income eligible for Section 8 vouchers; such vouchers reflect a household income of no more than 50 percent Area Median Income, which for a family of 4 in Westchester County was \$53,900 in 2016.
- No impact, as the units were created as workforce housing associated with the hospital, which no longer exists, and were not rented subject to a maximum household income.
- No impact because there are no households that are currently located on-Site.

With respect to 999 High Street, correspondence from NYS DHCR², along with a conference call by Village special counsel with NYS DHCR,³ confirms that the initial creation of the housing company (UH Housing Corp.) was to provide housing for employees of United Hospital, without an income eligibility requirement (i.e., the units could have been rented to anyone affiliated with the hospital whether such person was an orderly, a doctor or an administrator). In terms of households, at least one member had to be an employee of the Hospital for the household to qualify for such housing.

The subsequent creation of PC 999 High Street Corporation in 2006 as a Mitchell-Lama Housing Corporation to acquire 999 High Street was intended to maintain this eligibility provision; this was done to assure that the 57 households then residing in the building could, if desired, continue to reside in the building until dissolution of the Mitchell-Lama housing by the new owner, at which time they could unquestionably have been lawfully evicted. Consequently, NYS DHCR did not require PC 999 High Street Corporation (the Applicant) to have an income eligibility requirement or to rent any unoccupied units.

Eviction of 999 High Street tenants proved unnecessary as the Applicant, with the assistance of NYS DHCR, has relocated the 41 households that were present at the time the DEIS was filed in April 2015. The other 16 households that had resided in the building at the time of its acquisition by the Applicant had voluntarily departed by July 2015, which was when the Applicant had first notified residents of the building, through the service of a Notice to Quit, that they needed to relocate.

Others have opined that regardless of the SEQRA impact, the Village should require a certain amount of affordable housing in the amended PMU zoning district, either:

- 146 units, which would represent a 20% set-aside of the 730 units overall proposed as part of the Proposed Project; or

² Refer to DEIS Appendix B – Correspondence Letters from Sheldon Melnitsky NYS DHCR Managing Attorney and response from Stuart Saft from Holland & Knight on behalf of the Applicant.

³ Conference call with NYSDHCR December 9, 2016

- 73 units, which would represent a 10% set-aside of the 730 units overall proposed as part of the Proposed Project. 10% is a standard that currently is in certain other districts within the Village.

The consensus of public's comments is that the Proposed Project will impact affordable housing. It is the opinion of the Board's professional staff and its consultants that the Project will cause the loss of at least the 26 units that, at the time of the Applicant's notice to residents of its plans to dissolve PC 999 High Street Corporation, were occupied by households that qualified for Section 8 vouchers and were thus Village households that would have qualified for affordable housing. The remaining 15 households, which did not qualify for Section 8 vouchers, may not have qualified for an affordable housing program, and it is not possible to determine whether the loss of those units constitute an impact on affordable housing. The additional 16 households that were present at the time the Applicant acquired 999 High Street had voluntarily departed before the April 2015 notification. There is no information about their income strata or eligibility for affordable housing. In addition, because these households moved prior to receipt of the April 2015 notification, their departure may not have been the result of the Proposed Action. However, based on the ratio that 26 of the remaining 41 units were eligible for Section 8 vouchers (63%), of the remaining 16 units occupied at the time of the Applicant's acquisition of 999 High Street, another 10 households may have qualified for the utilization of Section 8 vouchers, yielding a total of 36 households.

In addition to differing opinions regarding the impact of the Proposed Project, there are two differing opinions with regard to the need to provide additional affordable housing within the Village, regardless of Project-specific impact:

- Some members of the community feel that additional affordable housing options are needed within the Village.
- Other members of the community feel that the Village has sufficient affordable housing and is, instead, in need of market-rate housing.

D. Additional Mitigation and Other Measures Proposed

In response to public comments raised during the DEIS comment period, the Applicant has identified certain mitigation measures above and beyond those initially identified in the DEIS. These include the following:

- **Post Implementation Traffic Study.**

Based upon comments received on the DEIS, as well as the NYSDOT meetings with the various review agencies (Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant), the Applicant has agreed to conduct a Post Implementation Traffic Study. This Study will ensure that the findings of the traffic analysis were representative of actual conditions upon completion of the Proposed Project. It is important to note that this study is not 'mitigation' as defined by SEQRA. In the Applicant's opinion, all reasonably anticipated impacts related to traffic are analyzed in the DEIS and this FEIS and mitigation is proposed where appropriate.

The conceptual outline of the Study, if adopted, would be established in the SEQRA

Findings, and the details would be formulated during site plan review. The study would occur after the Proposed Project has been operating at ‘full occupancy’ for a pre-determined amount of time. If the Proposed Project is generating more traffic than anticipated or additional impacts are seen at particular locations due to Proposed Project traffic, then the Applicant would be required to make additional Financial Contributions towards further improvements. These monies would be bonded prior to construction of the Proposed Project and held for an adequate amount of time post construction to ensure that they could be utilized based upon the findings of the Post Implementation Traffic Study. As part of the NYSDOT Highway Work Permit for the proposed improvements to New York State DOT-managed roadways to be implemented with the Proposed Project, the Applicant must fully bond the estimated cost of construction. The Applicant is committed to bonding an additional 5% beyond this amount, which could be drawn upon should the Post Implementation Study identify further improvements in the Village of Port Chester. Additionally, the Applicant is committed to bonding an additional \$250,000 that could be drawn upon by the City of Rye for their implementation of improvements, should the Post Implementation Study identify further improvements in the City of Rye. The Applicant contends that the amount proposed to be bonded for the City of Rye is well in excess of any proportional “fair share” that would be required to mitigate potential Project related impacts. The detailed Scope of Study for the Post Implementation Study, as well as the amount of money to be bonded, will be memorialized as part of the Site Plan Approval process, based upon input from the various review agencies (Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant) and as determined by the Village of Port Chester.

If the Proposed Project is generating more traffic than anticipated or additional traffic impacts are experienced at particular locations than anticipated in this FEIS, then the following improvements (and/or other improvements determined as part of the Post Implementation Study) will be considered:

Village of Port Chester

1. Traffic Signalization at the I-95 northbound off-ramp intersection with Boston Post Road
2. Provision of a dedicated right-turn lane on Boston Post Road southbound approach to the Proposed Project Site driveway (see FEIS Exhibit III.E-36).
3. Provision of an additional lane on the Proposed Project Site driveway approach to Boston Post Road (see FEIS Exhibit III.E-36).

City of Rye

1. Contribution towards provision of a dedicated right-turn lane on the Midland Avenue approach to Peck Avenue (see FEIS Exhibit III.E-35).
2. Contribution towards Installation of a roundabout at the intersections of Purchase Street & Ridge Street/Hillside Road/Wappanocca Avenue.
3. Contribution towards Traffic Calming Measures within the neighborhood of

Hillside Road, Evergreen Avenue and Grandview Avenue.

The cost and execution of any possible post implementation traffic improvements in the City of Rye will be handled in a different manner than in the Village of Port Chester. The Applicant proposes that the City of Rye can reasonably include any location or intersection it deems appropriate in addition to the ones listed above for the Post Implementation Study. If the Study determines that the Proposed Project is generating more traffic than anticipated or additional impacts are seen at one or more of the locations included in the Study within the City of Rye due to the Proposed Project traffic, the Applicant proposes to fund a maximum of \$250,000 towards any and all additional traffic improvements within the City of Rye, validated by Village of Port Chester Traffic Consultant, NYSDOT, City of Rye Traffic Consultant, and Village of Rye Brook Traffic Consultant. The Applicant would not be responsible for any construction, management, design or cost (either hard or soft), required to execute these possible post-implementation traffic improvements beyond the \$250,000 cap, no matter what the total cost of any and all improvements that are to be executed. To ensure funds are available for these possible post-implementation traffic improvements, the Applicant will furnish a separate bond for the \$250,000 prior to when the Building Permit is pulled for the first building to be constructed as part of the Proposed Project.

- **Jitney Service.** The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.
- **School After Study.** As noted above, upon the issuance of a certificate of occupancy for any of the Proposed Project's residential building, and for 10 years thereafter, the Applicant will provide an annual report (School After Study) to the Port Chester Rye Union Free School District (PCSD)/IDA at the end of each school year that documents the number of public school age children attending the Port Chester public schools from the Proposed Project. In the event the increment of the PILOT amount directed to the School District over the real property taxes paid by the Applicant to the PCSD as of the date of site plan approval for the Proposed Project (PILOT Increment) is less than the operating cost of educating the number of students from the Proposed Project enrolled for any year during such 10 year period (Project-Generated Students), the Applicant has agreed that it would pay to the PCSD such difference. The actual per child annual operating cost of education will be calculated based on the methodology established in the IDA Report (refer to DEIS Appendix F - Student Operating Costs) and will be updated annually based on the figures presented in the annually updated and adopted PCSD budget. Any payments required of the Applicant to be made to the PCSD would be

made at the end of the school year when filing the School After Study. As noted in the Port Chester-Rye UFSD 10-Year Enrollment Report (see FEIS Appendix O), the PCSD enrollment is projected to decline well before the expected 10 year time frame from the date of issuance of the certificate of occupancy.

In the event that the School District passes a bond referendum while the Proposed Project is subject to a PILOT, the Applicant would be subject to paying its fair share based on assessed valuation of the Proposed Project according to applicable law and IDA policy.

- **Municipal Services** - In the event the increment of a PILOT amount directed to the Village during any year a PILOT is in place over the real property taxes paid by the Applicant to the Village as of the date of site plan approval for the Proposed Project is less than the cost of providing two new police officers the Applicant has agreed it would pay to the Village the difference for the term of the PILOT (refer to Section III.F of this FEIS).
- **Sewer Improvements.** Provision of services for improvements to specific sections of the sewer mains in the Boston Post Road that have been previously identified as needing to be improved with or without the Proposed Project. These improvements include a capacity issue of a portion of the 10" system in the vicinity of Olivia Street and replacing a portion of the 8" system upstream of South Regent Street to eliminate dips.
- **Inflow and Infiltration.** Provision of funds or services equal to \$3 per gallon of projected sewer usage above existing flow (i.e., the flow from 999 High Street) to be used by the Village to address inflow and infiltration issues in this service area of the Village. Provision of funds to be provided upon issuance of the necessary permit for construction within the Boston Post Road.
- **Noise.** The Applicant has agreed to provide mitigation to the neighboring Port Chester Nursing and Rehabilitation Centre in the form of air conditioner covers and acoustical storm windows for those rooms that face the Project Site to mitigate potential temporary construction related noise impacts.

SUMMARY OF PROPOSED TRAFFIC MITIGATION

The following is a summary of the traffic mitigation that is proposed as part of the Proposed Action:

1. Previously-recommended improvements including those to:
 - a. Boston Post Road & I-287 EB Off-Ramp/I-95 SB On-Ramp
 - b. Boston Post Road & High Street
 - c. Boston Post Road & Kohl's Driveway/Proposed Site Driveway
 - d. Boston Post Road & South Regent Street
 - e. Boston Post Road & Pearl Street
2. Traffic signal timing modifications at the Boston Post Road and Peck Avenue (City of Rye)

3. Traffic signal timing modifications at South Ridge Street and Bowman Avenue (City of Rye)
4. Traffic signal timing modifications at South Ridge Street/North Ridge Street and Westchester Avenue (City of Rye)
5. Bond an amount equal to 5% of the estimated construction cost of improvements to NYSDOT roadways, which could fund identified necessary improvements within the Village of Port Chester resulting from a Post-Implementation Study (Village of Port Chester), which could specifically include:
 - a. Traffic Signalization at the I-95 northbound off-ramp intersection with Boston Post Road.
 - b. Provision of a dedicated right-turn lane on Boston Post Road southbound approach to the Proposed Project Site driveway.
 - c. Provision of an additional lane on the Proposed Project Site driveway approach to Boston Post Road.
6. Bond \$200,000 for identified necessary improvements within the City of Rye resulting from a Post-Implementation Study (City of Rye), which could specifically include:
 - a. Contribution towards provision of a dedicated right-turn lane on the Midland Avenue approach to Peck Avenue.
 - b. Contribution towards installation of a roundabout at the intersections of Purchase Street & Ridge Street/Hillside Road/Wappanocca Avenue.
 - c. Other locations deemed appropriate by the City of Rye.
7. Contribution of \$50,000 to be provided to the City of Rye as a condition of Site Plan approval to be used towards traffic calming measures within the neighborhood of Hillside Road, Evergreen Avenue and Grandview Avenue.

E. Changes to the Proposed Project

No substantive changes have been made to the proposed building program or on-site layout (as described above) since acceptance of the DEIS by the Village of Port Chester on July 20, 2015, although refinements have been made to the conceptual plan layout. FEIS Exhibit I-3, DEIS vs. FEIS Comparison provides an illustration of these changes. In summary, based on usability and efficiency studies by the project design team, the proposed refinements to the Conceptual Development Plan include:

- Block A – the configuration of the age-restricted housing was changed, including changing the curvilinear shape of the building to a rectilinear form and breaking the building into two distinct blocks.
- Block B – the realignment of the building was modified. The parking deck that was initially proposed is now replaced by a surface parking lot.
- Block C – the configuration of the building was changed, including reconfiguring the previously proposed three residential buildings to two simple u-shaped buildings separated by a very straight forward parking deck.
- Block D – addition of an additional level of parking in the P4 parking structure.
- Block E – the configuration of the upper levels of the building were modified.

In addition, in response to public comments raised during the DEIS comment period, the Applicant has made certain changes to other elements of the Proposed Project.

- PILOT - The Applicant has proposed an adjustment in the first-year PILOT payment to include an additional \$375,000. In addition, the Applicant has proposed 2.5% annual increases to the PILOT. The increased PILOT will reflect an adjustment to the apportionment of each taxing district jurisdiction during year one (Port Chester School District \$1,993,529; Village of Port Chester \$919,839; Town of Rye \$4,432; and, Westchester County \$286,063) for a total \$3,203,863. Additionally, based on current property tax rates, the Port Chester Sewer District would be expected to receive \$103,079 and the Solid Waste District would be expected to receive \$43,058.

F. Review and Approvals**Table I-1
Approvals/Reviews**

Agency	Approval/Review
Village of Port Chester Village Board*	Zoning Text Amendment and Map Change and Site Plan Approval; ReSubdivision ¹ ; MS4 Approval
Port Chester Planning Commission	Recommendation on Zoning Text and Map Amendments and Site Plan Review
Other Local Agencies - Port Chester Architectural Board of Review - Port Chester Industrial Development Agency	Review Building Design Project Inducement
Other Regional Agencies - Westchester County Planning Board - Westchester County Department of Environmental Facilities - Westchester County Department of Health	Review as per GML Section 239 Approval of Plans for a Wastewater Disposal System for Sanitary Sewer Extension with a flow rate greater than 2,500 gallons per day. Approval of Plans for Public Water Supply Improvement
State Agencies - NYSDOT - NYSDEC - NYSDHCR - SHPO	Permit for roadway improvements Stormwater Dissolution of Mitchell Lama housing corporation Review Stage 1A Report
Other Agencies - City of Rye	Intersection Improvements • Boston Post Road & Peck Avenue ○ Traffic signal timing modifications • Midland Avenue & Peck Avenue ○ Traffic signal timing modifications
Other Interested Parties - Village of Rye Brook - Town of Rye - Port Chester School District - Port Chester School Board	

*Lead Agency

1. The Applicant anticipates that the Proposed Project will require a merging of the existing lots to coincide with Project development. In the event that the Village determines that it will accept the proposed dedication of a portion of the interior road system leading to High Street, a formal subdivision application would need to be filed to create the new lot associated with the currently proposed E Block. In the event the Village decides to not accept portions of the proposed street system there would be no immediate need to pursue a subdivision of the Subject Property.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review [and the preliminary FEIS submitted to the Village in April of 2016](#) have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment II-1:

1. The following three assertions, made by the Applicant on the referenced pages, need additional, justification before the Lead Agency can make a finding as to their veracity.
 - A. “Given that the FAR in the existing Code does not, in the Applicant’s opinion, adequately provide for the critical mass necessary to create a viable redevelopment, the Applicant does not consider [development at the current FAR, 0.8] to be a viable alternative.” (E-12, II-7. III-A-2)
 - i. “In the Applicant’s opinion, the density required to support viability of a new mixed-use place is a factor of location, context, land and development costs, amount of land given over to streets, sidewalks, public places, garages, parking lots, etc.” (II-4)
 - ii. “The Proposed Project...requires very significant sitework to create a “platform” for development [parking garages, street network] compatible with the kind of walkable downtown nature that is envisioned by both the Applicant and the Village comprehensive Plan. (II-4, III.A-13, IV-2)
 - iii. “Project site development costs – which include land, parking, demolition and excavation and roadway costs – can also drive the need for greater density. These costs are spread across all the uses on site and are ultimately reflected in the per square foot rents for every tenant. Unless they fall within a reasonable range, the rents required to cover those costs will exceed what the market will bear resulting in diminished tenant interest and potentially a significant impact on project viability.” (IV-2)
 - B. “The Applicant has proposed...a one-time \$1.0 million public benefits payment for increasing the FAR.” (II-22)
 - i. As confirmed in the DEIS, the Village Board must determine whether a one-time payment of \$1.0 million allocated as proposed in the DEIS is appropriate.
 - ii. “The issue of whether a development bonus, as envisioned in the proposed zoning text amendment, can be applied to the Proposed Action is to be determined by the Lead Agency as part of the environmental review process and as part of the weighing and balancing of the Proposed Action.” (III.A-24)
 - C. “The Applicant contends the savings associated with the use of the PILOT are vital to the economic feasibility of the Proposed Project as the savings will enable the Applicant to commence and complete the Proposed Project.” (II-22) “To reduce that financial risk and

to make the Proposed Project economically feasible, the Applicant needs the PILOT.” (III.F-26)

- i. “This is particularly important during the early stages of project development which is expensive due to site development costs and the income stream from the Proposed Project is not fully available until lease up of the facility.
- ii. “This is particularly the case for the Proposed Project where it is anticipated that one of the very first steps will be the required demolition of the United Hospital buildings and related infrastructure which as a very high and unusual cost estimated to exceed \$5.0 million.
- iii. “Another costly initial step necessary before site construction is the required remediation (expected to exceed \$5.0 million) of the Project Site, refer to Appendix B for preliminary estimates.
- iv. “Given the foregoing and the length of time for site construction, it is expected that the Applicant will not likely see a return for a minimum of three years.” (II-22)

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Lead Agency has requested that their consultant, AKRF, prepare an economic analysis that evaluates the assertions made by the Applicant with respect to the projections related to site development and construction, refer to FEIS Appendix P for a copy of the economic analysis.

The analysis, in summary, found:

“1. That the allowable density in the existing zoning code does not provide for the development density necessary to create a viable project given their requested mix of uses proposed; and

2. That savings to the Applicant associated with the use of a PILOT Agreement are vital to the Project’s economic feasibility, again based on their requested density and mix of uses proposed...

AKRF employed a variety of methodologies to estimate a bonus density fee appropriate for the additional FAR sought by the Applicant. The resulting estimates ranged from approximately \$2.4 million to \$3.4 million—well above the \$1 million amount advanced by the Applicant in the DEIS.”

Comment II-2:

The Applicant had previously considered conveying the internal roadways and infrastructure to the Village at the completion of the development. However, the possibilities of conveying the internal roadways to the Village was not mentioned in the Project Description or the Traffic Chapter, nor were the fiscal impacts of conveyance analyzed in the Socio-Economic Chapter. Is

there a plan to transfer ownership, control, and maintenance responsibility of the new internal roadways, sidewalks, and utility infrastructure to the Village? If so, what is the cost to the Village of the ongoing maintenance required on an annual basis and are the improvements being designed to Village standards?

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant proposes to convey to the Village portions of streets internal to the Project, as identified in FEIS Exhibit II-2, Roadway Conveyance Diagram; essentially the entrance drive off of Boston Post Road up to the first intersection and then proceeding west to High Street. This conveyance will, after elimination of the northbound traffic signal on the Boston Post Road, convey existing – and future – High Street traffic to and from the Boston Post Road. Specifically, the area to be conveyed to the Village is curb to curb, excluding the center island in the entrance drive. The roadway is to be built to Village standards and specifications. In the event that the Village decides to accept the offer of dedication of this portion of the internal roadway, the Applicant has agreed that it would undertake the snow plowing responsibility and maintenance of the utilities under the roadway for those roadway sections in concert with other roadways on the Project Site. The Village will assume responsibility for all other maintenance, repair, safety control and ticketing, insurance and liability associated with those streets to be dedicated. The Applicant contends that there would be no appreciable impact to the Village, except the future maintenance of the roadway. However, as such roadway(s) is new and is being built to Village specifications, it is anticipated that there would not be any such effects for the foreseeable future. In addition, as noted in Response to Comment II-4 below, the Applicant proposes to make the revenue of the approximately 42 on-street meters located on portions of the roadways not dedicated to the Village available to the Village which amounts to approximately \$84,000 annually, see also Response to Comment II-4. It is expected by the Applicant that the revenue from the on-street parking meters, when combined with the revenues discussed in Chapter III.F, will be sufficient to cover the costs associated with maintaining the roadway and providing safety and traffic control.

Comment II-3:

What is the proposed management structure / ownership of the Project's components? If the Site is subdivided after construction, how will conditions applicable to the entire site be enforced? What entity will be responsible for the maintenance of the areas common to the Project's various components?

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant proposes to establish a Master Property Owners Association (MPOA) that would enforce the conditions that may be applied to the Project Site as part of the approval process. The MPOA would include all property owners, regardless of the type of use. The MPOA would, with the exception of that portion of the street system proposed to be dedicated to the Village (see

response II-2 above), be responsible for the maintenance and upkeep of the roads, sidewalks, landscaping and site amenities. This includes the maintenance and programming of the open space. As an example, the Applicant's design team is associated with the Blue Back Square mixed use development which has a general manger that is the point of contact for that development. The Applicant anticipates that it would have a similar setup to provide the Village with a consistent point of contact¹. It is noted that any restrictions, covenants or conditions of approval would run with the land and if the property were to be conveyed to a property owners association as discussed above, the property owners association would be subject to same. An example of an MPOA agreement from the Applicant's Blue Back Square project has been included as Appendix S in this FEIS.

Comment II-4:

Does the Applicant propose to convey the site's on-street parking to the Village? If so, what are the fiscal impacts to the Village of maintaining and operating that infrastructure on an annual basis?

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant has proposed approximately 42 on-street metered parking spaces and that the Village be allowed per New York State Vehicle and Traffic law (Sections 1640(a)(9) and 1640-a) to collect the revenue from those meters and enforce the parking requirements. Based on input from the Village² a parking meter in the Village generates approximately \$2,000 in revenue annually. It is anticipated, therefore, that the 42 on-street parking meters could generate approximately \$84,000 annually for the Village.

Comment II-5:

Exhibit II-25 depicts the conceptual improvements proposed for Route 1. Immediately south of block C, the number of lanes on Boston Post Road southbound is unclear. It appears there are four thru lanes on the east side of the intersection and only three on the west side. Please clarify.

AKRF and SPR, Letter 42, November 2, 2015

Response:

DEIS Exhibit II-25 has been updated as FEIS Exhibit II-5 to more clearly show the lane configuration at the Project Site entrance. There are three southbound lanes proposed with one

¹ <https://www.bluebacksquare.com/about-us>

² Email correspondence with Eric Zamft (2/9/16), Village of Port Chester Planning Department

lane eventually turning into an entrance lane to I-287 westbound and the remaining two lanes as through lanes.

Comment II-6:

What is the current status of the tenants at 999 High Street?

AKRF and SPR, Letter 42, November 2, 2015

Response:

As part of the Site preparation process, the Applicant provided for a confidential relocation and compensation package that is tailored to each of the remaining households in 999 High Street. In general terms, for the income eligible households, the package includes lifetime utilization of Section 8 vouchers and supplementary rental assistance for 12 months. Households that did not qualify for Section 8 benefits will receive a cash payment that varies depending on when they move out and a compensation package that offers a minimum of 12 months and a maximum of 24 months at the household's current rental rate. Each household will receive a stipend to defray the costs of moving. The Applicant reserved the right to seek summary eviction against any resident who does not vacate the building by a mutually agreed surrender date. At or about the time of purchase of the United Hospital property, of the 133 units at 999 High Street, approximately 57, or 43% were occupied³. At the time of submission of the DEIS document (July 2015) 41 of the 133 units were occupied. As of July 18, 2016, all households have moved out except one. As of November 2016 all tenants have relocated.

Comment II-7:

Page II-3 and II-4 of the DEIS mention the potential for quasi-public programming on the open spaces owned by the Applicant, known as “The Lawn”, “The Square”, and “The Boulevard”. What entity would be in charge of programming these spaces? How would Village Departments, Boards, etc. be involved in the programming decisions? What times would these programs run and what impacts might they have on traffic and noise? Note that certain activities require Village permits if they occur on public land.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The open space areas shown on the conceptual plans known as “The Lawn”, “The Square” and “The Boulevard” would be owned and maintained by the Master Property Owners Association (MPOA). That MPOA would be responsible for maintenance and programming of events and activities which are anticipated to be small scale in nature. As noted in Section II Project

³ Source: DHCR Web-site <http://www.dhcr.state.ny.us/publications/mitchell-lamaannualreport/mlhcar07onyc.htm#HCNP112>

Description of the DEIS, uses contemplated include a farmers market, small stage area for performances, kiosks, etc. The MPOA will coordinate with the Village in the event municipal approvals or permits are required for an event. Any activities occurring on the Project Site will be required to follow all applicable Village ordinances and regulations such as Section 224 Noise. It is contemplated by the Applicant that these uses would complement the proposed 90,000 square feet of street side retail and restaurant uses and provide an amenity for residents and their guests. The programmable open space use is not separately accounted for in overall traffic evaluation given that that it is an ancillary use that would not generate primary trips during the Project Site's Peak Hours. Events would typically occur out of phase with the overall Project Site's peak. For instance, a Farmer's market is typically early in the day on a weekend or after/before the Peak AM/PM peaks on a weekday. A small scale concert would typically be in the evening after the Peak Saturday or Weekday PM Peaks. Other events would be more in support of the fixed uses, meaning event patrons would have otherwise been coming to the site to shop/dine or already are there for work or residence.

Comment II-8:

How would the exterior of the parking garages, specifically those that front on Boston Post Road and High Street, be designed? How would they relate to the existing streetscape and how would they present patrons and passers-by with "buildings meant to be enjoyed at the sidewalk"? (II-6)

AKRF and SPR, Letter 42, November 2, 2015

There should be careful consideration of the height of the buildings abutting Boston Post Road in order to retain an acceptable pedestrian scale as well as planting and landscaping that can be used as a buffer between the Boston Post Road right of way and the site.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

The Conceptual Site Plan layout does not include a parking garage fronting on Boston Post Road. A surface parking lot is located approximately 24 feet from the sidewalk along the Boston Post Road and separated by proposed landscaping. The proposed parking garage along High Street would be adjacent to the proposed sidewalk along High Street. The specific details of the building design will be developed as part of the site plan review process. However, Exhibit II-12 in the DEIS provides an illustration of the finished façade details of the Blue Back Square mixed use project in West Hartford, CT, which included a garage at the sidewalk level. The Applicant is committed to working with the Village to incorporate a comparable design approach for the garage proposed along High Street. This is one approach of creating visual interest at the sidewalk level. DEIS Exhibit III.G-4, Illustrative Landscape Plan, provides a depiction of proposed street trees along the High Street frontage to enhance the visual interest along this portion of the Project Site. FEIS Exhibit II-8a and b, Height and Setback at the Street:

Comparison, provides an illustration of the street level relationship of the Proposed Project in comparison to the street level relationship of other existing developments within the Village. The proposed PMU zoning district amendments include design considerations including screening of garages, refer to FEIS Appendix L. The revised PMU Zoning Text amendments include specific Design Criteria (refer to Appendix L of this FEIS) which includes a reference that 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. Further, 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. In addition, 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. 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.

Comment II-9:

Please describe in more detail, and provide visual depictions of, Blocks C and B. From the Conceptual Development Plan (Exhibit II-2), it is difficult to tell at what level (elevation) the interior spaces on Block C are located. Also unclear is how the garage would be accessed and how many levels of garage and residential uses there are. The same is true for Block B. Finally, setbacks from adjacent properties are hard to distinguish.

AKRF and SPR, Letter 42, November 2, 2015

Response:

FEIS Exhibit II-9, Conceptual Development Plan, has been reconfigured. Buildings C1 and C2 now wrap around a central, but separate parking structure of approximately 500 spaces. Access to the C Block parking structure would be from the easterly most access road off of the Boston Post Road. The B Block has been reconfigured to make it slightly smaller and provide a surface parking lot of approximately 69 spaces located behind the B Block building. Access to the B Block building parking would be from Streets A and B as shown on FEIS Exhibit II-9 Conceptual Development Plan. There are five levels proposed for the C Block parking facility and six levels for the C Block residential buildings. Refer to FEIS Exhibit II-9a, Project Yard Setbacks for a depiction of the yard setbacks on a block by block basis.

Comment II-10:

Would any parking areas on-site be restricted to certain uses and/or users? If so, how would that be enforced?

AKRF and SPR, Letter 42, November 2, 2015

Response:

Parking areas on-site are not proposed to be restricted to certain uses and or users. A shared parking program was described in detail in the DEIS (Section III.E, starting at page III.E-33) and Appendix L of the DEIS, refer also to FEIS Exhibit II-10, Dispersed Parking. The Applicant contends that the amount of parking on-site requires that no dedicated spaces be offered to tenants. Physical location and proximity of parking to various uses assures the different tenants of convenience (e.g., the surface parking at the hotel's front door, the significant parking garage adjacent to the medical office).

Comment II-11:

Please describe in more detail the 'visual variety' of the facades of the buildings and how the visual variety would be enforced by the Village?

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant would, as part of the site plan approval process, to prepare a set of design guidelines which will be used as part of the site development process, refer also to Response to Comment II-8 above. As indicated in DEIS Exhibit II-14, Architectural Detail Precedents, the Applicant intends to use local precedent and history to help inform the ultimate design of the proposed Project. In addition, the Applicant has amended its Zoning Petition to include design requirements for the PMU district. . The revised PMU Zoning Text amendments includes specific Design Criteria (refer to Appendix L of this FEIS) which includes a reference that 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. Further, 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. In addition, 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. 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.

Comment II-12:

Table 1-1 of page E-3 of the DEIS contains a list of Required Approvals and Reviews. While many agencies are listed here, including the Village, the Planning Commission, the Architectural Review Board, The IDA, regional agencies, the City Of Rye, the Village of Rye Brook and the Town of Rye, it should be noted that the Board of Education is not named on this list. This is a

concern as this project will have a direct and significant impact on our school enrollment and taxes. We respectfully request that we be included on the list of Required Approvals and Reviews.

Bob Johnson, PH 8/27/15, p. 49

In your DEIS, there is a reference to approval that is required to receive from the City of Rye with regard to an alteration around the off-ramp off of 287 going eastbound.

Joe Sack, PH 9/8/15, p. 46

Response:

Comments noted. At the time of the distribution of the DEIS document it was not clear if the City of Rye had jurisdiction over contemplated approvals within the City limits. However, the Lead Agency listed the City of Rye in the review and approvals table included in the DEIS. Subsequent conversations with the NYS DOT revealed that the City of Rye has jurisdiction over the proposed signal timing modifications at the following two intersections: Midland Avenue and Peck Avenue and Peck Avenue and Boston Post Road. NYSDOT has jurisdiction over the improvements located at the intersection of Boston Post Road and the I-287 Eastbound Exit 11 Ramp/ I-95 on-ramp. As such, the City of Rye is an “involved agency” pursuant to SEQRA.

The Port Chester-Rye UFSD has received copies of all SEQRA notices regarding this project, including the DEIS. Under State law, neither the School District nor the Board of Education must grant an approval for the Proposed Project to proceed. As such, neither entity can be an “involved agency” pursuant to SEQRA. Rather, they are “interested agencies”. However, the Applicant and Village recognize the critical role that the School District plays in the community and the vital services it provides. As such, both the Village and Applicant have engaged in dialogue with the District regarding the Proposed Project and its potential impacts. The Applicant and the Village will continue those discussions and will continue to work with the School District as the Proposed Project moves forward.

Comment II-13:

Green technology and bicycle access. We encourage the applicant to incorporate as much green, or sustainable, technology as possible into the proposed development. We also recommend the applicant consider providing bicycle parking in various places throughout the development.

Edward Burroughs, Letter 21, September 22, 2015

Response:

Comment noted. The specific placement of bicycle parking will be determined as part of site plan approval; however, the Applicant is committed to integrating bicycle parking into its Project. As noted in DEIS Section III.F-6.c. Green Building and Sustainability Initiatives, the Applicant has

proposed to include between 70 and 100 bicycle racks to be located throughout the Project Site, specific locations to be determined as part of the specific Site Plan approval process. In addition, DEIS Section III.F-6.c. Green Building and Sustainability Initiatives, responds to the commenter's question regarding green and sustainable technology practices identified at the conceptual planning level. Finally, the revised petition includes Green Building and Site Planning sustainability standards for all development within the PMU District.

It is noted that to assist the reader, the public comments submitted as part of the DEIS review and the preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment A1:

We have doubts about the legality of a blanket waiver (i.e., proposed paragraph (F)), as that would in effect, for some provisions, constitute an amendment of the zoning without the appropriate process. We also think that this is not a prudent provision; any waiver should be limited to minor, not material changes.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. Revisions to the proposed zoning text amendments are at the discretion of the Village Board. In addition, the proposed zoning text has been amended to remove that waiver provision.

Comment A2:

Paragraph (D) misstates the zoning district to which the proposed paragraph would apply.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted, the text has been updated to reflect the term Planned Mixed Use zoning district. In addition, proposed amendments to update the language in that paragraph have been prepared, see Appendix L of this FEIS.

Comment A3:

The proposed amendments to the PMU zoning district would allow an applicant to make use of the existing density bonus provision of the Village Code, §345-16. Therefore, an Applicant could achieve a bonus of 0.2 FAR and an additional 2 stories or 15 feet of height over what would be allowed as of right, which is proposed to be 1.6 FAR and 115 feet. The potential for a development to have an FAR of 1.8 and a maximum height of 10 stories or 130 feet is not analyzed in the DEIS.

AKRF and SPR, Letter 42, November 2, 2015

One issue we have relating to zoning is specifically that it's very hard, if not, impossible for us to evaluate the zoning impacts because of the amount of discretion that's given to the Board in making exceptions to the density that's currently in the zoning.

Laura Brett, PH, August 27, 2015, p. 53

For instance, current renderings show structures with as many as twelve stories, while according to other information the plan is for four to six stories the usual maximum, with the possibility of Block D reaching slightly higher.

Ivana Hildago, Letter 41

Response:

It was not the intention of the Applicant to propose a zoning program that would exceed the 1.6 FAR or 8 story/115 foot building height limits as outlined in the proposed amendments to the PMU zoning district. Proposed amendments have been made to the zoning text to modify the maximum FAR allowed in the PMU to 1.4 and allow the potential for an additional 0.2 FAR subject to a density bonus program. (See FEIS Appendix L of the FEIS for more detail on the amended petition.)

It is noted that the renderings provided as part of the DEIS (Exhibit II-13, Thoughtful Architecture) illustrate a maximum 8 story, 115 foot building associated with Block D. This is consistent with the Applicant's description of the Proposed Project.

It is also noted that of the Village of Port Chester's 25 zoning districts, 10 currently allow an FAR of 1.6 or higher with 2 additional districts permitting an FAR of 1.5. These are primarily found along the Boston Post Road corridor, including one directly adjacent to the Project Site, and in the Village's downtown, refer to FEIS Exhibit III.A-3. As indicated in the Environmental Findings for the Village's Comprehensive Plan (refer to page 9), the Village Board of Trustees recognized that a contemplated site-specific environmental and land use review could result in further amendments of the zoning text and map for this site that would be consistent with the goals and objectives of the Comprehensive Plan¹. The precise language from the Environmental Findings states the following: “

One factor relevant to these Findings, and addressed further below, is whether the Village Board of Trustees prefers to await the site-specific environmental and land use review before determining what amended zoning text and map for this site would be most consistent with the goals and objectives of the proposed Comprehensive Plan. Such a site-specific assessment is (properly) not included in this GEIS but would be in the Environmental Impact Statement (“EIS”) that would be prepared for the owner's proposal...However, as with each alternative scenario, the precise impacts could vary based on specific development proposals.[FN4: The Board notes that the owner submitted information regarding asserted comparables by which to gauge the number of school children from its proposal. That information is part of the GEIS; however, a detailed analysis of such a submission best awaits a site-specific review of a particular proposal.] Furthermore, even if this PMU alternative is adopted [the current PMU], the zoning regulations would be subject to modification based upon a site specific EIS and evaluation of the parameters of a proposal submitted by the property owner...Given the pending application by the owner [of the United Hospital site] for zoning amendments accompanied

¹ Village of Port Chester, Environmental Findings on Comprehensive Plan GEIS, page 9, December 17, 2012.

by a specific redevelopment proposal, it is possible that some variant of this district could be found, after a site-specific review, to be as or even more consistent with the proposed Comprehensive Plan [than the PMU adopted]...While the Village Board of Trustees may consider amendments to the zoning arising from the owner's proposal, that consideration would follow and be ~~predeicated~~predicated upon the comprehensive site-specific evaluation. Based upon the foregoing, the Village Board of Trustees: approves the PMU Planned Mixed Use scenario, recognizing that the owner's proposal for rezoning and redevelopment of that site and concomitant detailed, comprehensive site-specific environmental review under SEQRA could result in modifications to this district."

Comment A4:

Please provide details as to how 'site coverage' and 'open space' were calculated. Please detail the conformance of the Proposed Project with the minimum amount of open space required pursuant to the PMU regulations. Please confirm, through mapping if appropriate, that the open space being provided does not include any roadways or parking areas.

AKRF and SPR, Letter 42, November 2, 2015

Response:

As indicated in DEIS Table III-G.2, building coverage is estimated at 5.65 acres, or approximately 36 percent of the total Project Site area. Roads and walks have an estimated coverage of approximately 7.63 acres, or 49 percent of total Project Site coverage. The balance of the Project Site, or approximately 2.17 acres is pervious surface. It is noted on DEIS Table III.G-2 that approximately 2.29 acres of coverage included parking structure roof top area. As noted on FEIS Exhibit III.A-5, Open Space Coverage Diagram, the Applicant has provided approximately 99,850 square feet of open space which exceeds the approximately 73,000 square feet required per code, but that some of that area (approximately 29,500 square feet) is open space located within interior 'courtyards' within the C block residential buildings which would be available primarily to Proposed Project residents. The balance is located along the exterior and within the interior core of the project and would be considered publically accessible open space.

In terms of open space, the PMU district regulations currently require 100 square feet of "usable open space" per dwelling unit. The Applicant's Petition does not propose to change that requirement. Therefore, the Proposed Project is required to have 73,000 square feet, or 1.68 acres of usable open space on site. As defined in §345-2 of the Port Chester Zoning Code, "usable open space" is part of a residential lot required by this chapter to be set aside and designed for outdoor recreational use and for household activities normally carried on outdoors, excluding automobile parking by persons residing on such lot. Therefore, the term usable open space could include either landscaped or hardscape area designated for use by the public or Proposed Project residents. Specifically, pursuant to §345-7 of the Port Chester Zoning Code the usable open space shall be continually available and usable and no part of the required usable open space shall have any dimension less than 20 feet. The Applicant has identified approximately 2.29 acres of usable open space on the Project Site, more than the 1.68 acres required. This includes approximately 24,380± square feet as part of the central core open space, 55,878± square feet related to the C

Block Buildings and 19,596± for the balance of the Project Site (See FEIS Figure III.A-5). The proposed open space does not include roads or parking areas, although it does include rooftop space over a portion of the C-2 Block building. As made clear in the revised FEIS PMU Zoning Text, the dimensional requirements of the PMU district, including open space requirements, are to be calculated on a site-wide basis and not apportioned to any particular space or existing or future tax lot on the Project Site.

Comment A5:

As the Applicant appears to be requesting that the Project Site be subdivided into lots that correspond to Site's main 'blocks', please provide the 'site coverage' and 'open space' figures for each new potential lot as well as for the Site as a whole.

AKRF and SPR, Letter 42, November 2, 2015

Response:

While the Applicant could subdivide portions of the Proposed Project in the future, the Proposed Project itself should be viewed comprehensively as it is an interrelated project that shares public space, common accessways, parking and parking management and maintenance. In addition, as made clear in the revised FEIS PMU Zoning Text, the dimensional requirements of the PMU district, including open space requirements and building coverage requirements, are to be calculated on a site-wide basis and not apportioned to any particular space or existing or future tax lot on the Project Site.

Nevertheless, FEIS Table III.A-5 Selected Measurements, provides an estimate as to the Project Site coverage and usable open space by proposed development block. (Note that a development block may or may not correspond to any potential future tax lot), refer also to FEIS Exhibit III.A-5, Open Space Coverage Diagram and FEIS Exhibit III.A-5a, Proposed Roadway Conveyance.

The Applicant proposes that subsequent to the approval of a specific site plan, apportionment of the property solely for leasing, mortgaging, taxing or other similar purposes may occur without the benefit of subdivision approval; however, subdivision approval shall be required prior to all conveyances of property ownership. Any requests for subdivision approval shall follow, to the extent applicable, the procedures set forth in Chapter A402, Land Subdivision Regulations. The Applicant notes that in the event the Village of Port Chester were to accept a portion of the interior roadway network as a Village road (refer also to Exhibit II-2, Roadway Conveyance Diagram), a subdivision would be necessary to delineate the new road right of way and create a new lot associated with Block E (the proposed hotel use), again refer to Exhibit II-2 in this FEIS. See also the Response to Comment III.A-7. The bulk standards, setbacks and other dimensional requirements of the PMU District shall apply to the entire "PMU site", as defined in the zoning text,, whether or not that site is or will remain in one ownership, and shall not apply to individual or subdivided parcels.

**Table III.A-5
Selected Measurements**

Development Block	Coverage (acres est.)¹	Useable Open Space² (square feet - estimated)
A	2.22	6,349
B	1.30	2,399
C	3.78	55,878
D	1.80	0
E	0.75	10,848
Village Green	0.48	24,380
Total	10.33	99,854

Source: Street-Works Studio and TRC Engineering

1. The coverage measurements above do not include the proposed dedication of right of way for the expansion of the Boston Post Road or the proposed dedication of a portion of the interior roadway to the Village as part of the proposed improvements to the High Street/Boston Post Road intersection. Coverage calculations include building, access roads and parking, but excluding walkways.
2. As required by section 345-7 of the Village of Port Chester Zoning Code.

Comment A6:

It is noted that PMU zoning district does not currently establish minimum yard sizes. What are the yards, or ‘setbacks’ being proposed by the Applicant post-subdivision.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The proposed PMU zoning does not include yard setback requirements in order to promote flexibility in overall site development; this approach is consistent with current PMU zoning, which does not have similar requirements. For purposes of information, Table III.A-6 Yard Measurements, below, provides yard sizes in the event individual lots are subdivided post-approval. Measurements are taken from the curb line of the roadways that will be conveyed to the Village and from the center line for those roadways that will remain private, refer also to Exhibit FEIS III.A-6 Parcel Diagram and Setbacks. See also response to Comment A7.

**Table III.A-6
Yard Measurements**

Block	Front Yard	Side Yard (one)	Rear Yard
A	17'-6"	32'-0"	65'-0"

<i>B</i>	33'-0"	24'-0"	0'-10"
<i>C</i>	24'-0"	12'-0"	24'-0"
<i>D</i>	33'-0"	24'-0"	0'-0"
<i>E</i>	29'-6"	13'-0"	20'-0"

Source: Street-Works Studio

Comment A7:

Currently, the mechanism for considering the Project Site, made up of several tax lots, as a single site to which the PMU regulations would apply, is not clear. Also unclear is the mechanism for subdividing the Project Site after completion of the Project into lots that conform to a section of the zoning code.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant proposes that subsequent to the approval of a specific site plan, apportionment of the property solely for leasing, mortgaging, taxing or other similar purposes may occur without the benefit of subdivision approval; however, subdivision approval shall be required prior to all conveyances of property ownership. As indicated in Response to Comment A5, in the event the Village of Port Chester were to accept a portion of the interior roadway network as a Village road (refer also to Exhibit II-2, Roadway Conveyance Diagram) a subdivision would be necessary to delineate the new road right of way and create a new lot associated with Block E (the proposed hotel use), again refer to Exhibit II-2 in this FEIS. Any requests for subdivision approval shall follow, to the extent applicable, the procedures set forth in Chapter A402, Land Subdivision Regulations, including the appropriate coordination with the Town of Rye. The bulk standards, setbacks and other dimensional requirements of the PMU District shall apply to the entire "PMU site", as defined in the zoning text², whether or not that site is or will remain in one ownership, and shall not apply to individual or subdivided parcels. As noted in Section 345-62.A.(4) of the proposed amendments to the PMU District (refer to FEIS Appendix L) the PMU provisions apply to the entirety of the Project Site.

Comment A8:

The analysis of the conformance of the Proposed Project and Proposed Action with the Third Regional Plan, at one sentence, should be expanded.

AKRF and SPR, Letter 42, November 2, 2015

Response:

² The "PMU Site" is defined in the revised PMU text in Appendix L references a boundary Survey of the Project Site dated August 5, 2014, revised January 17, 2016, to be made available in the Village Clerk's office.

The Applicant contends that the Proposed Project, by redeveloping an existing developed property within the Village and adaptively reusing the Project Site³ for a mixed use development, is in keeping with the general recommendations of the Third Regional Plan related to creating incentives for new development and investment in transit- and pedestrian friendly centers throughout the region and supporting new institutions and uses in centers, such as telematic at-home businesses, mixed use districts, and arts and cultural institutions. At the same time, it is also in keeping with the recommendations and vision in the Village Comprehensive Plan in part by creating a pedestrian friendly center and by enhancing pedestrian access to the Project Site from the surrounding neighborhood⁴.

The Third Regional Plan focuses on three inter-related core objectives - Economy, Equity and Environment - that help foster the enhanced quality of life goal of the Plan. The Third Regional Plan identifies five initiatives for reinforcing the core objectives. Selected recommendations of the Plan that are related to the Proposed Action include: Reinvest in urban parks, public spaces and natural resources, restoring and creating new spaces in urban neighborhood and along waterfronts; Create incentives for new development and investment in transit- and pedestrian friendly centers throughout the region, so they have the quality of life that makes living and working in centers worthwhile; and, Improve public and private decision-making processes, incorporating sustainable economics in accounting and tax and regulatory systems and utilizing smart infrastructure approaches to capital investments. The Proposed Project incorporates a publically accessible open space component which helps to tie the residential, office and retail components together. Further, the Proposed Project incorporates pedestrian connections to the Boston Post Road and Abendroth Park integrating a pedestrian friendly center within the existing neighborhood. The proposed zoning text amendments to the PMU District include design criteria that note that public access to Abendroth Park shall be provided to the maximum extent practicable. The specific details of connections to Abendroth Park would be prepared as part of the specific site plan approval process.

It ~~shoud~~should be noted that the Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete (refer to FEIS Section I.D).

Comment A9:

³ RPA Third Regional Plan – A Region at Risk Summary (1996) p. 12

⁴ The Village of Port Chester Comprehensive Plan (December 17, 2012) p. 66

The Applicant makes comparisons to several mixed use developments around the country to support the claim that a certain density is required. Please provide comparisons to developments and neighborhoods which are local that have similar mix and density of uses. Preference should be given to comparable sites in Westchester.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant notes that the Proposed Project is unique to the Westchester area and that there is, in the Applicant's opinion, nothing like it in the County. While there may be other portions of other communities that exhibit some of the same qualities as the Proposed Project with a mix of uses in proximity to each other, they have developed somewhat organically over time, along existing established streets, rather than as a comprehensively planned development that needed to build its own infrastructure on-site. DEIS Table II-1, Mixed Use Development Comparison, provides examples of other mixed use developments from around the country that the Applicant believes illustrates the importance of density in helping to create and sustain a successful mixed use development, especially in areas that require new infrastructure on-site.

Comment A10:

In response to the Village's Site Plan review criteria, criterion (a), the DEIS should clarify that the Project Site is not within the boundaries of the Urban Renewal Plan of the Village or the Villages Local Waterfront Revitalization Plan, adopted pursuant to the Coastal Zone Management Act.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The Project Site is not located within the boundaries of an Urban Renewal Plan nor within the boundaries of the Village's Local Waterfront Revitalization Program.

Comment A11:

In response to the Village's Site Plan review criteria, criterion (b), this section of the DEIS should reference the Project Description, which provides details on the ways in which the Project would present an aesthetically pleasing environment, including its street level architecture, and how the site would generally be functional in terms of pedestrian and vehicular circulation. In addition, the DEIS should reference earlier sections of Chapter III.A indicate how the Proposed Project would be harmonious with the surrounding area, including by placing the larger commercial uses along Boston Post road and by providing the quietest residential uses closest to the park.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The Project Description presented in the DEIS included the following, as noted in the comment:

- *The presentation of an aesthetically pleasing environment is a function of incorporating several different design components, including the use of thoughtful architecture design, promoting a pedestrian orientation and incorporation of a comprehensive landscape program.*
- *Street level vitality. Retail shops and restaurants will occupy the street level of most of the buildings on the Project Site. The Applicant contends that activity ensures that a sense of vitality is evident to all visitors.*
- *Thoughtful architectural design. The buildings will be designed from the street up, not from the top down. The difference? These are buildings meant to be enjoyed at the sidewalk – for their variety in materials, use of transparency, details at entrances – and not from afar as part of a skyline. In the Applicant’s opinion, the first 30 feet of a building are what people notice and what form the impressions of the place. Review of building specific architecture would be commenced at the specific site plan review stage.*
- *An integrated street grid. The Project Site will not be an island or cul-de-sac disconnected from the rest of the Village; it will be, in the Applicant’s opinion, a vibrant addition to Port Chester’s fabric. Main access to the Project Site will be provided by a signalized intersection at the existing Kohl’s Shopping Center site. A separate right in/right out driveway is proposed off of the Boston Post Road. In addition, three separate access points are located off of High Street, two of these are part of the internal street network, the third is to a parking area in the southwest corner of the Project Site. The street grid on site – of both primary and secondary roadways – creates multiple blocks and is connected to the existing Village street network at several points. Proposed changes to the traffic circulation pattern bring the street network into the Project Site, further integrating the plan with the surrounding community while enhancing overall traffic patterns, refer to DEIS Exhibit II-4, Integrated Street Grid.*
- *Intentional placement. The Applicant contends that there’s nothing random about where different uses are proposed on the Project Site, as the Proposed Project has been specifically designed to be harmonious with adjacent uses and surrounding area. The larger retailers are situated on the Boston Post Road, where visibility is prominent for passing motorists and access is direct. The restaurants are arrayed around the central public space where they will add vitality. In keeping with the direction provided in the Comprehensive Plan (adopted December 17, 2012), potential new commercial uses would provide basic goods and services to the Project residents and those in close proximity to the new mixed use, and will not, in the Applicant’s opinion, adversely impact the Downtown retail and commercial base, refer to Section III.F of this DEIS for further discussion of the Proposed Project and its relationship to Downtown. The proposed limited service hotel is at the Boston Post Road entrance nearest the highway where visibility to travelers is highest. The office/wellness building, which may be as high as 8 stories and 115 feet, is also located along the I-287 corridor where its height will not impact neighbors. The Non-*

Age Restricted residential buildings targeted to the younger market are right in the thick of things, backing up to Abendroth Park, giving those residents the energy of the street activity with easy access to the park for recreation. And finally, the Age Restricted housing is placed at the back of the Project Site where it is quietest, and also close to the park, refer to DEIS Exhibit II-3, Intentional Placement.

Comment A12:

In response to the Village's Site Plan review criteria, criterion (f), this section of the DEIS should reference that Chapter III.H states that there are no historic structures on the Site.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted, based on the Cultural Resources report, refer to DEIS Appendix H, there are no historic structures on site.

Comment A13:

In response to the Village's Site Plan review criteria, criterion (h), please clarify what utility systems, if any, would not be placed underground.

AKRF and SPR, Letter 42, November 2, 2015

Response:

All utilities will be placed underground with the exception of wireless telecommunications facilities and the standard exceptions of hydrants and electrical transformers. There are existing wireless telecommunication facilities currently located on the Project Site. The Applicant considers this a utility system which cannot by its very nature be placed underground. DEIS Exhibit III.B-21, Cell Antennae Options, provides a depiction of where wireless communication facilities could be relocated on the Project Site.

Comment A14:

In response to the Village's Site Plan review criteria, criterion (j), the conceptual landscape plan included in Chapter III.G does not provide sufficient detail to evaluate whether and how the Project would comply with this criterion.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The Conceptual Landscape Plan provides a generalized depiction of the proposed landscape treatment. As part of the site plan approval review, a detailed landscape plan will be prepared in accordance with §345-23.D.2.j of the Zoning Code for Village review and approval. Section 345-23.D.2.j calls for landscape techniques, such as the use of various plantings, water features, earth berms, textures in paving materials and other site amenities, to improve the appearance of the Project Site, to define pedestrian areas, to provide screening from surrounding uses and ensure harmony with adjacent areas. All accessways, streets and parking areas would be adequately lighted. DEIS Exhibit III.G-4, Illustrative Landscape Plan, provides illustrations of how plantings, textures in paving materials, pedestrian scale lighting and street furnishings can be incorporated into the eventual specific Site Plan.

Comment A15:

In response to the Village's Site Plan review criteria, criterion (k), it should be confirmed that adequate fire access is, or can be, provided based on the site conceptual site plan presented.

AKRF and SPR, Letter 42, November 2, 2015

Response:

FEIS Exhibit II-2, Conceptual Development Plan, illustrates how access could be provided around the majority of the perimeter of the Proposed Project buildings through either surface parking or road rights of way. As indicated in the DEIS (page III.F-15), the Fire Department indicated that because of proposed building design, no new apparatus would be needed to service the Proposed Project and that there is adequate staffing to serve the development. Adequate fire access will be reviewed by the Village and the Port Chester Fire Department as part of the specific Site Plan review and approval.

Comment A16:

Please clarify and expand the discussion supporting the assertion that the Proposed Project is not expected to affect key anchors in downtown Port Chester, Rye, or nearby shopping centers in Port Chester and Rye Brook to an extent that would cause an adverse impact to community character. It appears that the concept is that the Proposed Project would provide limited retail for the residential portion of the development, which would not be of sufficient size, variety, etc. to compete with any downtown, but that the new residents would use the downtown for other retail needs and services that would not be available onsite. If this is the rationale, it needs to be more clearly articulated and supported given the size of the program being proposed. Has the Applicant conducted market studies that indicate that the area can absorb more retail and restaurant uses without significantly impacting existing key anchors? Have similar studies been conducted with respect to the (medical/wellness) office uses that are proposed?

AKRF and SPR, Letter 42, November 2, 2015

What type of economic impact will this project have on the downtown community?

John Reavis, PH 9/8/15, p.103

If the project is “not an island” and the developer hopes that the retail and restaurant uses will be visible enough to draw the attention of “potential patrons,” how can Starwood be sure that the project’s restaurant and retail component will not compete with and detract from downtown Port Chester’s retail and restaurant base?

Build Up NYC, Letter 39, October 30, 2015

We are not sure that Starwood has performed a sufficiently thorough analysis of the potential impacts of this project’s 90,000 square feet of retail and restaurant space upon Downtown Port Chester, impacts which could disproportionately effect Port Chester’s Latino community.

Sustainable Port Chester Alliance, Letter 35, October 30, 2015

If the vital downtown restaurant and retail district is negatively impacted by the United Hospital redevelopment, will there be a disproportionate impact upon Port Chester’s Latino community?

Build Up NYC, Letter 39, October 30, 2015

Response:

It is noted that mere competition is not an adverse impact under SEQRA. Rather, for SEQRA purposes, the relevant issue is whether competition would result in closings or moves that would have an effect on community character through impacts to anchors or partial anchors.

The Village’s Comprehensive Plan⁵ notes under the Land Use Strategies for the redevelopment of the United Hospital Site that “Potential new commercial uses would largely provide basic goods and services to residents living on or in close proximity to the new mixed use site so as to not adversely impact Downtown’s retail and commercial base”. The proposed land use mix incorporates approximately 90,000 square feet of retail uses. DEIS Table III.D-3 broke down the proposed retail uses, approximately 50,000 square feet is anticipated to be developed for restaurant use and approximately 40,000 square feet is proposed for retail use that could include a small upscale grocer, service retail like dry cleaners, barber/beauty parlor, etc.

There have been no specific market studies conducted for the Proposed Project.

It is anticipated that the 40,000 square feet of small business retail uses would primarily serve Proposed Project residents, employees working at the Project Site and hotel guests. The approximately 50,000 square feet of restaurant space would similarly serve residents, employees, guests as well as serve as an attraction to the general public. Given the foregoing, the Applicant contends that neither component is of a sufficient size that will adversely impact the downtown, but rather provide some limited competition, if any. Moreover, the proposed retail uses are consistent with those envisioned by the Comprehensive Plan, and are not expected to adversely affect key anchors within the existing retail landscape. Within Port Chester, retail anchors such as Stop and Shop, Marshalls, Loews, and Costco can be found not too far from Main Street, while

⁵ Village of Port Chester Comprehensive Plan, December 17, 2012, page 134-135

there are other anchors nearer the project site in Kohl's Plaza. Main Street itself mainly consists of small specialized shops, full service restaurants, limited service restaurants, drinking establishments, and entertainment establishments. The presence of the anchor uses near Main Street attracts customers to the area, and has contributed to the build-out and success of Main Street. The increase in investment since the early 2000s has made Port Chester's downtown more vibrant and increased spending in the Village.

Port Chester's retail anchors draw customers from well beyond the local trade area, and would continue to draw customers with or without the Proposed Project. The 2012 Route 1/North Main Street Corridor Study⁶ (the "Route 1 Study"), which evaluated the retail market power of the Route 1/North Main Street corridor in the Village of Port Chester, found that within a 3-mile area retail sales exceeded the area residents' expenditure potential, meaning that local retailers are attracting residents of other areas (beyond the 3.0 mile radius) into their stores⁷. Retail data from within a broader 5-mile radius of Route 1/Main Street shows over \$100 million in retail "gap" or "leakage" from the trade area. This broader area—from within which anchors draw customers—is not saturated by retail offerings. Therefore, with the Proposed Project the Downtown Port Chester retail market is expected to continue to draw a mix of local and regional patrons. And as noted in the DEIS (page III.F-32), the Proposed Project residents would have the potential to inject an additional \$22.6 million in annual discretionary consumer spending into the local economy.

The Applicant contends that the anchors in downtown Rye are more civic in nature (e.g., City Hall, Library, Train station, YMCA, City Court) and would not be impacted by the proposed non-residential components of the Proposed Action. The Rye Brook commercial corridor along Ridge Street, as was noted in the DEIS, (see discussion starting at DEIS page III.A-20) comprises two suburban style strip commercial developments which are made up of multiple small venues⁸. Please also see the response to Comment III.A-17.

Comment A17:

The statement that "the retail area proposed as part of the implementation of the Proposed Project is one of a much different character with significantly less square footage than that of the other retail areas discussed above" is not substantiated. What makes the character of the retail uses different? Please also provide support for the contention that the retail uses proposed on-Site are smaller than other centers discussed in the DEIS. (III.A-20)

AKRF and SPR, Letter 42, November 2, 2015

Response:

⁶ Route 1/North Main Street Corridor Study, Ferrandino & Associates Inc. November 2012, page 72

⁷ Ibid, page 72

⁸ <http://ryeridgeshoppingcenter.com/site-plan/retail-locations/> and <http://gis.vgsi.com/ryeny/Parcel.aspx?Pid=3485>

The Proposed Project includes 90,000 square feet of retail/restaurant space. DEIS Table III.D-3 broke down the proposed retail uses, approximately 50,000 square feet is anticipated to be developed for restaurant uses and approximately 40,000 square feet is proposed for retail use that could include a small upscale grocer, service retail like dry cleaners, barber/beauty parlor, etc. The Potential to Affect Other Key/Anchor Stores in the Vicinity of the Project Site section of the DEIS (page III.A-19) notes that the key anchor in downtown Port Chester is the Waterfront at Port Chester, a facility of more than 500,000 square feet with large format retailers and a multi-screen movie theatre complex. Downtown Rye includes more than 120 businesses in ground floor space of approximately 210,000 square feet⁹. The Rye Ridge Shopping Center (includes both Rye Ridge and Rye Ridge South complexes (approx. 233,000 s.f.) and Washington Park Plaza (approx. 163,000 s.f.) together total approximately 396,000 square feet¹⁰. Each of these areas/retail centers are significantly larger in overall size than the retail component of the Proposed Project. The character of the Proposed Project is reflected in the publically accessible open space at the core of the Proposed Project and the walkability of the Project Site related to the pedestrian oriented nature of the Proposed Project. The public space, the mix of uses with both residential and commercial integrated into the development and the pedestrian orientation, in the Applicant's opinion, is a differentiator between the Proposed Project and the aforementioned commercial districts.

Comment A18:

If the Proposed Project is pursuing a 'reduced parking alternative' for on-site parking, under what circumstances could it continue to accommodate the parking needs of the residential community at 330-350 South Regent Street? (III.A-21) Can the existing agreement legally be canceled?

AKRF and SPR, Letter 42, November 2, 2015

Response:

As indicated in DEIS Section III.E and DEIS Appendix L, the Applicant has prepared a shared parking analysis that accommodates the proposed uses. The shared parking analysis does not include an accommodation of 330-350 South Regent Street residential community and the Applicant is under no obligation to provide parking for the co-op. As noted in the DEIS, there is no written legal agreement between the Applicant and the 330-350 South Regent Street residential community. It should be noted that the Project Site has not always been available to the residents of 330-350 South Regent Street for supplemental parking. Following its purchase of the Project Site It is the Applicant's understanding that there was an informal arrangement put in place to allow residents of 330-350 to use the Project Site after the Applicant acquired the Project Site. Based on overnight parking surveys conducted by the security service for the Applicant, approximately 42 vehicles from 330-350 park on the

⁹ Central Business District Plan, City of Rye, New York, March 2007, Phillips Preiss Shapiro Associates, Inc.

¹⁰ Town of Rye Assessor's Office, on-line records

United Hospital property. Following its purchase of the Project Site on or about 2006, the Applicant allowed the 330-350 South Regent Street neighbors to park on the Project Site on a temporary basis although there is no formal agreement. The management of the 330-350 South Regent Street residential community will either need to work with its residents to reduce the demand for parking on its site, pursue alternate parking arrangements, explore creative on-site parking strategies or those affected residents will need to park their vehicles on public streets. It is noted that there is on-street parking located on Gilbert Place, Touraine Avenue and Grant Street located within 700 feet of the 330-350 South Regent Street residential community. Representatives of the Applicant conducted an on-street parking survey on October 20, 2016 at approximately 9:45 PM for the neighborhood area generally bounded by Grant Street, Touraine Avenue and Gilbert Place. The survey revealed that there were a total of 23 on street spaces available at the time of the survey. In addition it is noted that on the north side of Grant Street there is a No Parking restriction although it appears that the street is wide enough to accommodate parking on both sides of the street. Further, it is noted that at the time of the survey there were two vehicles parked in the parking lot for Abendroth Park. It is possible that the Village could expand the parking resources in the neighborhood through the use of permitting for overnight parking in that lot. As noted above, based on overnight parking surveys approximately 42 vehicles would be displaced and there is on-street parking on the adjacent streets for at least 23 vehicles.

Comment A19:

Has there been any consideration of, or discussions with the County Transportation Department about, integrating a bus stop into the interior of the Proposed Project? (III.A-25)

AKRF and SPR, Letter 42, November 2, 2015

Response:

There have been no discussions between the Applicant and the County Transportation Department about integrating a bus stop into the interior of the Proposed Project. The Applicant has not considered incorporating a bus stop into the interior of the Proposed Project given that there is an existing bus stop already located on High Street which can serve the Project Site. The existing bus stop is located on High Street in front of the existing 999 High Street building for the westbound route and in front of the 1000 High Street building for the eastbound route (Bus Route 61). Given the proposed reconfiguration of the High Street intersection with the Boston Post Road, the eastbound bus stop should be more appropriately relocated further west along High Street approximately 300 feet across the street from the existing westbound stop. The relocated stop would allow the bus to discharge and pick up passengers and then travel through the Project Site

on its eastbound route. The potential integration of a bus stop in the interior of the Project Site can be further explored as part of the specific site plan approval process.

Comment A20:

With respect to Design criteria 4, please provide some examples of the types of design guidelines that are contemplated. Who would enforce the guidelines? Would they need to be approved by the Village? Would the Village need to modify its signage regulations in any way? (III.A-25)

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant has provided a set of design guidelines they prepared along with another firm for a project in Hackensack, NJ., refer to FEIS Appendix L. Design guidelines specific to the Proposed Project would be prepared as part of the site plan approval process, as required by the revised PMU zoning text. These guidelines would be enforceable by the Village Board as part of the site plan review process.

Comment A21:

Table III.A-3 is not complete. The percentage of non-residential uses is not included. In addition, the required open space is not included.

AKRF and SPR, Letter 42, November 2, 2015

Response:

DEIS Table III.A-3 has been reproduced herewith as FEIS Table III.A-21, with the percentage of non-residential uses and the required open space items included.

**FEIS Table III.A-21
Zoning Compliance Table**

	AREA	FAR	Building Height		Lot Coverage		<u>Min. Useable Open Space</u>	
		Proposed	Maximum Permitted	Proposed	Maximum Permitted	Proposed	<u>Required</u> ^L	<u>Proposed</u>
Proposed PMU (\$345-62)								
Overall	1,051,000	1.56	8 stories/ 115'	8 stories/ 115'	90%	86.7%	73,000	126,166
Residential	440,000	0.66	115'	75'	-	-		
Age-Restricted	207,000	0.31	115'	75'	-	-		

<i>Hotel</i>	97,000	0.15	115'	75'	-	-		
<i>Commercial</i>	307,000	0.46	115'	115'	-	-		
<u>Percentage</u> <u>Non-</u> <u>Residential</u>		58%						
Overall	1,051,000	1.56	8 stories/ 115'	8 stories/ 115'	90%	86.7%	73,000	126,166

Source: Street-Works Studio

1. 100 square feet per dwelling unit

Comment A22:

What is the purpose of this Overlay Zone other than to create an “opportunity to add an array of residential uses in the CD District where they are currently prohibited? (See Local Law I-10, p.2, para. 1.)

- o While serving on the Comp. Plan Advisory Committee, I continually questioned the need for residential uses in the Kohl’s shopping center. To this day, I still do not understand the rationale behind it.
- o The United Hospital site is already slated to provide what the Comp. Plan recommends in terms of a mixed use “gateway” project.
- o Why do we need, or why are we encouraging, more residential uses in the CD (Design Shopping Center)? On P. 11 of the Comp. Plan, it states that, “...Port Chester is the **most densely settled village** (emphasis added) in Westchester County.” (13,309 persons per sq. mile.)
- o Minus the residential component in the CD zone, this area already has retail, restaurant, grocery, storage, recreation, etc. A true mixed-use development.

Gene Ceccarelli, Letter 1, 8/24/15

Response:

The Applicant put forward two approaches to re-zoning the United Hospital site to accommodate the Proposed Project. The EIS focused on the impacts associated with the development of the Proposed Project that would occur regardless of the zoning mechanism enacted. The EIS also included a general evaluation of the impacts associated with the Overlay Zone on the Kohl’s Shopping Center Site, as the Applicant has no control over that site. The decision as to whether the Village of Port Chester enacts the proposed Overlay Zone or the proposed PMU amendments (refer to FEIS Appendix L) is a discretionary act by the Board of Trustees. The Village is not obligated to enact the Overlay District in order for the Proposed Project to proceed and must weigh and balance the impacts, both positive and negative, of implementing an Overlay District concept.

The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village’s Official Zoning Map. The Applicant only seeks to pursue and

proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). The Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

Comment A23:

(P.4, D.1) This is the first time that the term “efficiency” came up. I believe that the correct term would be “studio.” My understanding is that efficiencies have kitchenettes, while studios typically have full, separate kitchens.

Gene Ceccarelli, Letter 1, 8/24/15

Response:

The Village of Port Chester Zoning Code uses the term “efficiency” to describe a particular unit type that could be part of multi-family dwellings located in the PMU Planned Mixed Use Zoning district. It is noted that in the Comprehensive Plan¹¹ the term efficiency is used to describe residential development on the United Hospital site. The Applicant used the term “efficiency” to describe units that could otherwise be described as studios. The units being proposed have full kitchens. The Applicant contends that the term efficiency and studio are interchangeable and would be amenable to using the term “efficiency or studio” in the proposed PMU zoning revisions.

Comment A24:

(P.5-6, G.2) “Floor Area Ratio” Why is total FAR not to exceed 1.7. Wasn’t Starwood looking for 1.6? Are we throwing in an extra 0.1?

Gene Ceccarelli, Letter 1, 8/24/15

Response:

The PMU is the Applicant’s preferred zoning approach which provides a 1.6 maximum FAR of which the Applicant is proposing an FAR of 1.56. The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law

¹¹ Village of Port Chester Comprehensive Plan, December 17, 2012, page 135

(Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). The Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

It appears the commenter is referring to the proposed Southern Gateway Mixed Use Overlay District text which includes a maximum permitted FAR of 1.7. The purpose of having a not to exceed number is to limit the overall amount of development program on any one particular site. The program being proposed by the Applicant on the Project Site calls for an FAR of approximately 1.56. The Village Board, as part of its deliberations on the proposed zoning text could revise the maximum FAR to 1.6 to more closely align with the projected development program of 1.6 FAR.

See also the Response to Comment III.A-3.

Comment A25:

Does a “density bonus” basically give the developer an incentive to pack more people into their development, in exchange for a public benefit?

Gene Ceccarelli, Letter 1, 8/24/15

Response:

As noted in the comment, the density bonus allows for additional program “density” which is provided in exchange for identified benefits to the community. The Village, similar to other communities and as allowed by State Law, currently has a density bonus program, codified in §345-16 of the Zoning Code, that allows additional density on sites within 5 zoning districts, including the PMU zoning district. As stated in that section of the Code, “The purpose of the building height and floor area bonus program is to permit increases in allowable density and/or height in exchange for providing a designated community benefit.” Currently, eligible projects in

the five named zoning districts can receive bonus density if they contribute to one of three funds dedicated by the Village for specific community improvements: Open Space; Housing Rehabilitation; and Downtown Parking Garage.

The Applicant has proposed revised zoning text in this FEIS that provides a density bonus program that would be tailored to the Planned Mixed Use (PMU) District due to the unique context and proposal for the area. The density bonus program proposed would more closely resemble the substance and structure of the Village's current density bonus program (see Section 345-16), but would tailor the program to the specific type of development envisioned by the Comprehensive Plan for the Project Site. The program would allow density increases in return for the Applicant's contribution to dedicated community improvement funds, including: Village Housing Rehabilitation Program; Village Open Space Fund; Village Job Training Fund; Village Affordable Housing Fund. See FEIS Chapter I-Executive Summary for more information on the revised PMU Zoning Text.

Comment A26:

Some of the public benefits in this proposed Local Law do not seem to apply, or make sense.

- o (P.6) "Filling of the Cove to create a waterfront park." [I thought that this would not pass environmental muster.]
- o (P.6) "Provision of a public pump-out station at Village Marina." [I was informed that NYS will pay for 80% of a pump-out station.]
- o (P.7) Dedicated parkland. [P.C. has plenty of parkland, some of which is extremely underutilized.]

Gene Ceccarelli, Letter 1, 8/24/15

Response:

Please also note that the revised PMU Zoning Text, refer to FEIS Appendix L, includes a density bonus program specifically tailored to the PMU, which proposes to make use of several dedicated community improvement funds: housing rehabilitation fund, Village job-training fund, Village affordable housing fund, and the open space fund.

The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). The Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District

is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes. Many of the public benefits included in the Overlay District's density bonus program within the Applicant's original Petition, which is no longer the Applicant's preferred zoning approach, were suggested as possibilities in correspondence from the Village's Planning Department to the Village Board as they were evaluating the Overlay Zoning concept, refer to DEIS Appendix B. It is noted that the Village Board's consideration of amendments to the zoning code is a discretionary act and it is the sole determinant as to whether and what changes are made to the code, including what public benefit categories are most appropriate.

Comment A27:

On P.10, (6), it states: "Every such proposed Petition, (←comma?) shall be referred to the Planning Commission for report before the public hearing is held thereon." The BOT has a Public Hearing this Thurs., Aug. 27 on the DEIS. Will the Planning Comm. provide us with a report before that date? Even though this Local Law has not yet been passed, the Planning Commission should be involved in the vetting process every step of the way. Can you give this assurance?

Gene Ceccarelli, Letter 1, 8/24/15

Response:

Comment noted. The DEIS document with the proposed zoning text amendments was provided to the Village of Port Chester Planning Commission for its review and input prior to the public hearings. The Planning Commission discussed the Petition at a workshop held 09/21/2015 and submitted written comments on 09/22/2015. The Planning Commission will provide additional comment on the final zoning product and will be provided an opportunity to review and comment on the proposed site plan.

Comment A28:

(P.3) "Special Exception Uses" This section does not include "Public utility facility" which appears in Local Law I-10.

Gene Ceccarelli, Letter 1, 8/24/15

Response:

Comment noted. "Public utility facility" is not currently a special exception use within the PMU. The Applicant included it in its original Petition for the Overlay District, but did not 'add' it to its proposed PMU district. If the Village decides that the use should be added to the final zoning updates approved, it can be added to the list of Special Exception Uses.

Comment A29:

(P.4, (3)) How does 8 stories equate to 115'?

Gene Ceccarelli, Letter 1, 8/24/15

Response:

The D Block of the Proposed Project includes a mix of ground floor retail and office/wellness on the upper seven stories. The Applicant proposes a contemporary design requirement of approximately 17 feet floor to floor for the retail and 14 feet floor to floor for the office uses which equates to the need to have a maximum building height in the PMU of 115 feet. It is noted that the existing wireless communication facilities located on the existing 999 High Street building are proposed to be relocated to the proposed D Block building. Section 345-85.A. of the Port Chester Zoning Code notes that roof-mounted antennas shall not be placed more than 15 feet higher than the height limitation for buildings and structures within the zoning district in which the antenna is proposed to be erected. DEIS Exhibit III.B-21, Cell Antenna Options, illustrates how the roof mounted antennas could be accommodated on-site in a stealth design and within the requirements of Section 345-85.A.

Comment A30:

Before any Local Laws can be approved or passed, would it not be necessary to get through the Environmental impact studies and Public Hearings first? It is my understanding that SEQRA must conclude before zoning.

Gene Ceccarelli, Letter 1, 8/24/15

Response:

Comment noted. The subject environmental review, of which this FEIS is a part, must be concluded (i.e., a SEQRA Statement of Findings must be adopted) prior to any action being made on the zoning by the Lead Agency. Each Involved Agency must adopt its own Statement of Findings prior to any approval of any aspect of the Proposed Project.

Comment A31:

This project will change the status of the single-family neighborhood to a multi-use zone. You are adding approximately 725 families to a neighborhood of 75 families. What modifications can be made to limit the negative impact on our quiet neighborhood and the potential negative impact on property values?

Patrick McGovern, Letter 14, September 8, 2015

Dr. & Mrs. Edward Gundy, Letter 12, September 8, 2015

Juan Facundo and Augustina Santucci, Letter 17, September 8, 2015
 W. Mason Rees, Letter 11, September 5, 2015

Response:

In 2013, the Project Site was rezoned from R2F - Two Family Residence to PMU Planned Mixed Use in contemplation of redevelopment of the Project Site for a mixed use development, [including a development with an FAR that might exceed the maximum base FAR of 0.8 in the Zoning Code]. The zone change to PMU was analyzed as part of the Village's Generic EIS on the adoption of the Comprehensive Plan and its implementing zoning amendments. As outlined in DEIS Exhibit III.A-1 Surrounding Land Uses, the Project Site neighborhood includes more than the referenced 75 families noted in the comment, which ~~also happens to be~~ separated from the immediate Project Site neighborhood by I-287. Specifically, there is a mixed density residential neighborhood to the north, a multi-family residential community and light industry/warehouse uses to the east. Additionally, there is an intensive commercial district to the south along the Boston Post Road corridor to which the Proposed Project will connect via new sidewalk, as described throughout this FEIS. In addition, the Project Site was formerly host to an active institutional use (a hospital) and, at its peak, a 133-unit residential building that was workforce housing for hospital employees.

As noted throughout the DEIS, the Applicant has proposed what it believes is a comprehensively planned mixed use development. DEIS Section II - A identifies a number of planning and design factors incorporated into the project design that in the Applicant's view help connect it to the surrounding neighborhood, including:

- Intentional placement of project components including commercial components along the Boston Post Road corridor, the office use along the I-287 corridor and Age Restricted housing towards the back of the property where it is quietest.*
- Integrating the Project street grid system into the fabric of the surrounding neighborhood and enhancing overall traffic patterns, particularly that along the Boston Post Road corridor. The improvements to the Boston Post Road corridor, in the Applicant's opinion, enhance traffic flow and reduce the extent that vehicles would need to cut through adjacent neighborhood streets.*
- Enhancing pedestrian connections to the surrounding neighborhood including connections to the Boston Post Road, the Kohl's shopping center across the Boston Post Road and Abendroth Park.*
- Creation of a variety of public places designed to support structured programming and more passive recreation and relaxation. The proposed Village Green at the center of the Project Site provides enough space to effectively program the area for multiple uses and users including the potential for farmers market, small stage area for performances, kiosks, etc.*

The Applicant contends that the comprehensive nature of the proposed design referenced above and in DEIS Section II.A, along with traffic improvements (refer to FEIS Section III-E) and the limited impacts on community services and facilities (refer to FEIS Section III-F) avoid or mitigate potential impacts to the maximum extent practicable. It is anticipated by the Applicant that

property values in the vicinity of the Proposed Project would improve as the site would be transformed from a vacant deteriorating site into a vibrant, mixed use community. —The Proposed Project, in the Applicant’s opinion, would not create undue noise impacts to the residential neighborhood identified by the commenter, although there will be some temporary impacts associated with construction related activities, refer also to Section III.J, Noise of this FEIS for further discussion of noise related impacts and mitigation.

Comment A32:

Relationship of the development to the surrounding area. The subject site faces unique challenges for redevelopment. While proposed as a walkable, mixed-use community, the development will offer these qualities on a site that is bordered by interstate highways, the heavily trafficked US Route 1 and strip- commercial development. The applicant shows attempts to connect the development site to the surrounding area, however there are limits to what can be done in adjacent areas that the applicant does not control.

It would be preferable if the Village and the applicant could work together to devise a more comprehensive vision for this area that included surrounding parcels and consideration of a pedestrian network and transit service and facilities, perhaps a future bus rapid transit (BRT) station. Doing so would ensure that if the project is built as envisioned, it could ultimately connect more seamlessly to future development in the immediate area when it occurs.

-Ed Burroughs, Letter 21, September 22, 2015

Response:

Comment noted. See Response to Comment III.A-19 regarding the integration of transit into the site planning. It should be noted that the Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

To determine the impact of discontinuing the service, a Post Implementation Traffic Study is proposed that will measure ridership of the jitney. The additional trips that would be generated if the service were to be eliminated will be applied to the number of actual vehicle trips entering and exiting the site. These totals can then be compared to the originally projected numbers and assuming that the total entering and exiting trips are below the original projections, and therefore fully anticipated in the original mitigation, the Applicant has proposed that the discontinuation of the service will be at its discretion.

Westchester County has considered BRT routes as part of its I-287 BRT corridor segment planning¹² which includes potential station stops at the United Hospital property and the Kohl's Shopping Center site. The Applicant and the Village will work with NYSDOT to discuss the possibility of a BRT station.

Comment A33:

Now, I'd like to know -- excuse me. Have you revisited that plan, which was approved by the state and counsel -- county in reference -- in consideration of this Starwood plan? Have you used the plan in reference to this present project.

Mr. Revis, PH, September 21, 2015, p. 84

Response:

DEIS Section III.A describes the Proposed Action's consistency with the Village of Port Chester Comprehensive Plan. The Port Chester Comprehensive Plan directly addresses the United Hospital property, refer to DEIS Appendix N. The Comprehensive Plan advises that the Project Site be redeveloped to support a mix of uses comprising such uses as a hotel/convention center, retail stores, restaurants, residential uses and community facilities.

Comment A34:

On the project in general, surely, the present planned project by Starwood doesn't coincide with the comprehensive plan as I recall it. I may be wrong, but as I recall it, it doesn't always coincide with it. All right. The consideration of health and safety to the citizens of Port Chester means that you must insist on a better plan, especially with the traffic, more in tune with the overall needs of our community.

Mr. Revis, PH, September 21, 2015, p. 85

Response:

DEIS section III.A describes the Proposed Project's relationship to the Village's Comprehensive Plan process. The Applicant contends the proposed uses are consistent with the vision outlined in the Comprehensive Plan including hotel use, limited commercial and residential uses that have limited impact on the Port Chester School District. Refer also to DEIS Appendix N for excerpts from the Village's Comprehensive Plan and Environmental Findings Statement. DEIS and FEIS Sections III.E Traffic and Transportation, identifies the comprehensive nature of the proposed improvements to the local roadway network which mitigates traffic related impacts associated with the implementation of the Proposed Project.

Comment A35:

¹² <http://planning.westchestergov.com/images/stories/TZBI287/10-PortChester.pdf>

Pg 136 of the adopted Comprehensive Plan, 13.0 4- Kohl's Shopping Center, Land Use Strategies notes, "Any residential allowance would be controlled by FAR requirements that restrict(s) new development to smaller units, i.e. studios and 1 bedroom apartments." The proposed Southern Gateway Mixed Use Overlay Zoning District does not do that.

Prior to changing the Kohl's site, multiple extensive studies should be done and significant public input obtained. Changing the Kohl's site zoning is not needed to advance the Starwood application. Still don't understand exactly why the applicant decided to propose changing the zoning beyond their project.

Michael Scarola, Letter 40, October 30, 2015

Response:

As noted in the Executive Summary and elsewhere in this FEIS, the Applicant's preferred zoning approach is to amend the existing PMU District (refer to Appendix L - Zoning Text Amendments for latest proposed amendments) and not pursue Zoning Text Amendments and a Zoning Map change to create a Southern Gateway Mixed Use Overlay District (Overlay District).

The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). The Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes. The proposed Southern Gateway Mixed Use Overlay Zoning District (SGMUOZD) includes language which limits the size of the residential units to efficiencies/studios, one and two bedroom units only along with encouraging age-restricted housing, refer to DEIS Appendix M. The inclusion of the SGMUOZD in the DEIS was provided at the request of the Village to evaluate the potential implications of enacting a zoning overlay that would allow for redevelopment of the United Hospital site and other properties along portions of the Boston Post Road/Midland Avenue corridor, consistent with the review memoranda prepared by the Village, refer to DEIS Appendix B, Correspondence. The Applicant also proposed zoning text amendments to the PMU to facilitate the Proposed Project and has amended the proposed PMU text in this FEIS (see FEIS Chapter L). It is noted that the adoption of zoning text amendments is a discretionary action of the Village Board.

Comment A36:

Please explain how the Starwood proposal is not spot zoning. The redevelopment should be limited to the existing R-2 zoning and the scope of the project should be limited to a size appropriate for the 15 acre foot print. On the other side of the road, there are 21 houses and 60 cars in a similar 15 acre plot in which you are considering building 860 dwellings (apartments + hotel) and 1500 parking spots. That will disrupt the status quo of the neighborhood. I favor redevelopment, but not this oversized project.

Garth Schultz, Letter 29, October 8, 2015

Response:

Based on the New York State Division of Local Governmental Services publication, Zoning and the Comprehensive Plan, spot zoning refers to the rezoning of a parcel of land to a use category different from the surrounding area, usually to benefit a single owner or a single development interest. Size of the parcel is relevant, but not determinative. Illegal spot zoning occurs if “the change is other than part of a well-considered and comprehensive plan calculated to serve the general welfare of the community.”¹³ As noted in DEIS Section III.A, Land Use and Zoning, the Village of Port Chester went through an extensive process in creating and adopting their Comprehensive Plan in 2012. The Applicant contends that the rezoning of the Project Site to PMU Planned Mixed Use is in keeping with the goals and objectives of the Village’s Comprehensive Plan and is therefore not spot zoning. Please refer to Response to Comment III.A-3 for a discussion of the Village’s Findings for the Comprehensive Plan and adoption of the PMU as it relates to the Proposed Project. It is noted that the “road” the commenter refers to is actually I-287 with a right-of-way of approximately 130 feet. Further, the Project Site is no longer zoned R-2. The PMU zoning district was added to the zoning code on March 18, 2013 by Local Law No. 4-2013, and the Project Site was mapped PMU.

¹³ Collard v. Village of Flower Hill, 52 N.Y.2d 594, 600 (1981), citing Rodgers v. Village of Tarrytown, 302 N.Y. 115, 124 (1951).

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and preliminary FEIS submission made in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment B1:

3.B-1 Visual Resources. Where are the renderings, from all the various angles, of how this proposed project will look like at night? Will there be lots of unsightly cell towers on top? Will there be signs at the top of the buildings (hotel?)? If so, what will they look like? Are the colors of the buildings going to be as portrayed? Can we see renderings of the various angles with the proposed colors? What will the commercial signage look like on Boston Road? I don't see [zoomed-in] renderings of the proposed street-scape.

Michael Scarola, Letter 40, October 30, 2015

A nighttime rendering should be provided considering the propose size and scale as seen from both Village and beyond sightlines.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

For purposes of the EIS, concept level plans have been prepared for the Proposed Project. These illustrate the site layout, building massing, public spaces, the pedestrian environment and connections, parking count and locations. Design concepts for many components of the Proposed Project are included in DEIS Exhibits II-2 through 15. More detailed plans, which will include Design Guidelines for building finishes, more detailed landscaping, signage concepts and specific cell tower solutions and locations, will accompany the Site Plan Application. A copy of a Design Guidelines manual prepared by the Applicant's design team for another project is included in Appendix L as an example of that document could be structured. It is noted that the proposed PMU Zoning Text amendments (refer to Appendix L of this FEIS) includes a section on design criteria (proposed Section 345-62. F. Design Criteria) which are required to be applied to future development. The renderings included in this document illustrate a signage concept that the Applicant considers appropriate for this kind of development. As can be seen on DEIS Exhibit #III.B-13 – Visual Variety – signage at the top of the hotel building would likely be proposed to assure visibility for the hotel by arriving travelers. Nighttime lighting of the core of the project can be expected to be similar to that shown on DEIS Exhibit #III.B-18 – A Mix of Uses – in the images included of Santana Row in San Jose, CA and Rockville Town Square in Rockville, MD, refer also to FEIS Exhibit III.B-1b, Entrance to Port Chester - Nighttime.

Lighting of the surface parking lots lighting will be designed consistent with Port Chester's Code including its requirement for a minimum of 1foot candle of illumination in parking areas, but no more than 1 foot candle at the property line. Such design will be achieved by utilizing light poles that in general will range from 12' to 16' in height. It is possible that 20' poles would be used in the parking areas adjacent to the bounding streets. In addition, in keeping with New York State's

push to reduce unintended lighting of the night sky, shielded lights that direct light downward will be utilized throughout the Proposed Project. The specific Site Plan application will include a lighting plan which will address photometric light projection related to the proposed site lighting. Signage lighting will meet the requirements of the Village code. In addition, the revised PMU text submitted with this FEIS includes new mandatory design standards, as well as the requirement for the Applicant to submit, and have approved by the Village Board, a sign management plan, which will detail the types, sizes, locations, and illumination of signs within the Project Site.

Please note that FEIS Exhibit III.B-1 illustrates potential stealth solutions for the wireless telecommunication facilities, a form of which the Applicant will incorporate in order to mitigate potential adverse visual impact, in marked contrast to the existing facilities atop 999 High Street. It is noted that none of the antennas on top of 999 High Street are related to any Village contracts. They are generally under the control of the Applicant, pursuant to contracts with the providers.

Exhibit III.B1a, Entrance to Port Chester- Daytime, provides a graphic depiction of the Proposed Project as see from the Boston Post Road at the entrance to the Village looking north during the daytime hours. Exhibit.B1b., Port Chester – Nighttime, depicts the Proposed Project the Boston Post Road at the entrance to the Village during the evening hours.

Comment B2:

Please clarify that the visibility of the Proposed Project at View 3 does not change the character of the existing neighborhood, nor its identity as a dense residential area.

AKRF and SPR, Letter 42, November 2, 2015

Response:

FEIS Exhibit B2 provides before and after simulations for previously identified views: 2, 3, 5, 6, 7, 8, 9 and 18 which were locations where the Site was visible. In Views 2, 3, 5, 7, 8, 9 there is comparable building program that will be visible in both the DEIS and FEIS versions. In View 6 from South Regent Street, while the Proposed building program would still be visible, the building configuration has been modified (refer also to Exhibit I-3, DEIS-FEIS Design Changes Comparisons) so that a portion of the proposed garage will no longer be visible from that viewpoint, just residential units. The Proposed Project components visible in View 3, and in fact along the entire north side of the Project Site facing the dense residential neighborhood along Touraine Avenue and Gilbert Place, are residential buildings with ample window openings. In addition, the Project Site is edged with landscaping where possible. As such, the residential character and identity of the adjacent neighborhood will not be changed. FEIS Exhibit III.B-2b provides a comparison of the proposed View 3 as it was presented in the DEIS to now reflect conceptual site plan changes presented in the FEIS. It is important to note that for comparison purposes the residential character of the neighborhood includes the six story multi-family community at 330-350 South Regent Street. View 18 condition will not change significantly between ~~proposed~~-conditions proposed in the DEIS to the FEIS. A portion of the proposed P4 parking structure would be visible, including a portion of the additional level of parking added to

that structure. As the view of the parking structure from View 18 is mostly obscured by existing vegetation, this change is not considered to be significant.

Comment B3:

With regard to the visibility of the Proposed Project from Vantage Point 5: while the proposed 6-story residential buildings would replace a 6-story hospital, because the residential buildings are proposed to be 150' closer to the Vantage Point than the hospital and because the buildings are 'longer' than the hospital, the result is that the view of the residential buildings from View 5 (Touraine Ave gate of Abendroth Park) is more pronounced than the those of the hospital. Please discuss whether this change in visibility would be considered a significant adverse impact; that is, would it be expected to reduce the public's enjoyment of, or appreciation of, the Park.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Proposed Project buildings will be closer to Abendroth Park than the existing Hospital facilities. However, the buildings along the northern perimeter of the Project Site, which edge the Park, are all residential in use and as such, in the Applicant's opinion, will fit with and are consistent with the character of the residential neighborhood across from the park. The configuration of the buildings is such that vehicular activity is largely screened from the park based on landscaping within the Park itself which will not be affected by the Proposed Project. Where sufficient setback exists, the perimeter of the property will be landscaped with a mix of deciduous and evergreen trees and shrubs to further soften the edge shared with the Park, the exact species and configuration of which will be more properly defined during the Site Plan Approval process. While the proposed building program may be located closer to Abendroth Park, the Applicant contends that this does not create a significant adverse impact or reduce the public's ability to use and enjoy of the park resources.

Comment B4:

With regard to Vantage Point 6, please depict what portions of the Proposed Project that are visible are residential and what areas are parking. Please provide additional detail on the façade design of the residential and parking buildings as they would be seen from this Vantage Point. Please also provide additional information on the type of landscaping proposed for the area between the Project's proposed buildings and the existing cooperative residential buildings.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The view from Vantage Point 6, with the modified Concept Plan, is of the façade of residential building C1. No parking will be visible from this Vantage Point. The building façade design will be further developed in the documents submitted for Site Plan Approval. The essential character of the building façade treatment is conveyed in the rendering depicted on FEIS Exhibit III-B-4,

Conceptual Rendering. The facades facing the interior and exterior of the Project Site are expected to have similar treatments. Detailed landscaping plans will also be further developed as part of specific Site Plan Approval. It is noted that there is a minimum 27 foot wide setback from proposed building C1 and the easterly property line which will allow the Applicant to incorporate a landscape program of deciduous and evergreen trees and shrubs similar to that illustrated on the Illustrative Landscape Plan, DEIS Exhibit III.G-4

Comment B5:

Please clarify the mitigation section. The discussion appears to relate more to the design of the buildings, rather than specific measures intended to mitigate an identified impact.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant contends that there is no adverse impact to visual resources as a result of the Proposed Project. Rather, the Proposed Project is consistent with the vision for the Project Site contained in the Comprehensive Plan and the PMU Zoning and is sensitive to surrounding land uses and is in keeping with the architectural character of the Village of Port Chester. The Applicant has prepared visual representations, refer to DEIS Exhibits II-2 through 15, as to the anticipated development program to illustrate the changes to the visual conditions on the Project Site. Specifically, building heights are limited to no more than six stories with the exception of Building D which abuts to Interstate 287. The proposed residential uses on site are arrayed along the north and east edges of the property where adjoining uses include Abendroth Park and the residential neighborhood along Touraine Avenue and Gilbert Place and the 6 story residential buildings at 330 – 350 South Regent Street. The retail uses are focused towards the center of the Project Site and towards Boston Post Road, which buffer the residential neighbors from retail activity while adding vitality to the retail development across Boston Post Road in the Kohl's Shopping Center. The majority of the parking on site is also removed from the more residential edges to reduce potential visual impacts from vehicular activity. The other commercial uses on site are clustered on the southern portion of the site which is bounded by High Street and Interstate 287.

Comment B6:

Section III.B should mention that the Proposed Project anticipates the dedication to the Village of the streets within the Proposed Project. This would place into context a lot of the discussion of the streetscape within the Site that is found in the 'Mitigation' section. See Comment 2 in the Project Description section.

AKRF and SPR, Letter 42, November 2, 2015

Response:

See Response to Comment II-2. As stated, the Applicant will retain control over all the sidewalks on site, as well as the public and private open space areas. As such, the Applicant will retain the control necessary to ensure that the site is operated in a manner consistent with the overall visual guidelines prepared during site plan review.

The Applicant proposes to convey to the Village portions of streets internal to the Project, as identified in Exhibit III.A-5a, Roadway Conveyance Diagram, essentially the entrance drive off of Boston Post Road up to the first intersection and then proceeding west to High Street. This conveyance will, after elimination of the northbound traffic signal on the Boston Post Road, convey existing – and future – High Street traffic to and from the Boston Post Road. Specifically, the area to be conveyed to the Village is curb to curb, excluding the center island in the entrance drive. The Roadway is to be built to Village standards and specifications. In the event that the Village decides to accept the offer of dedication of this portion of the internal roadway, the Applicant has agreed that it would undertake the snow plowing and maintenance of the utilities under the road for those roadway sections in concert with other roadways on the Project Site. The Village will assume responsibility for all other maintenance, repair, safety control and ticketing, insurance and liability associated with those streets to be dedicated. The Applicant contends that there would be no appreciable impact to the Village, except the future maintenance of the roadway. However, as such roadway(s) is new and is being built to Village specifications, it is anticipated that there would not be any impacts to the Village for the foreseeable future. In addition, as noted in Response to FEIS Comment II-4, the Applicant proposes to make the revenue of the approximately 42 on-street meters located on the portions of the internal roadway not dedicated to the Village available to the Village which amounts to approximately \$84,000 annually.

Comment B7:

Please describe and provide samples / examples of fixture designs for the exterior lighting that would be provided on the Project Site, as well as the potential impacts that the lighting could have on neighboring properties and on the nighttime sky.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The specific design of the exterior light fixtures for the Proposed Project have not yet been developed; they will be provided during Site Plan Approval. Examples of fixture designs envisioned for this Proposed Project can be found in exhibits throughout this document. Specifically, on DEIS Exhibit #III.B-15, Public Places, examples are evident in the images from Santana Row in San Jose, CA and Blue Back Square in West Hartford, CT. In general, lighting will be focused toward the center of the site where most public activity will occur and will be designed to contribute to the immersive pedestrian environment. The edges of the site will be lit sufficiently for safety, but will not be illuminated in a manner that will adversely impact residential neighbors. More specifically, lighting will be designed consistent with Port Chester's Code including its requirement for a minimum of 1 foot candle of illumination in parking areas, but no

more than 1 foot candle at the property line. Such design will be achieved by utilizing light poles that in general will range from 12' to 16' in height. It is possible that 20' poles would be used in the parking areas adjacent to the bounding streets. In addition, in keeping with New York State's push to reduce unintended lighting of the night sky, shielded lights, that direct light downward, will be utilized throughout the Proposed Project. The specific Site Plan application will include a lighting plan which will address photometric issues related to the proposed site lighting. Signage lighting will meet the requirements of the Village code. In addition, the revised PMU text submitted with this FEIS includes new mandatory design standards, as well as the requirement for the Applicant to submit, and have approved by the Village Board, a sign management plan, which will detail the types, sizes, locations, and illumination of signs within the Project Site.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment C1:

Stormwater management. The proposed redevelopment project will increase impervious areas on the site by 2.77 acres. While the applicant has stated that they intend to overdesign the proposed stormwater management infrastructure to accommodate this increase, we encourage the applicant to take whatever steps are possible to treat and retain as much stormwater on-site. The draft EIS points out that stormwater runoff from the site currently passes through the Village's storm sewer network into the Byram River and on to Long Island Sound.

Edward Burroughs, Letter 21, September 22, 2015

Response:

Redevelopment of the Project Site requires soil disturbance greater than one acre and therefore requires coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities GP-0-15-002- (General Permit). As a requirement of the General Permit, a Stormwater Pollution Protection Plan (SWPPP) must be prepared in accordance with the Permit and NYSDEC Stormwater Management Design Manual (Design Manual). In compliance with the referenced Permit, the stormwater management plan must capture runoff from the Project Site, provide water quality treatment, reduce runoff and provide peak discharge attenuation. Stated more simply, peak stormwater discharge rates for the proposed condition must be reduced to meet existing peak discharge rates. The Applicant proposes to meet these provisions onsite and within the areas of proposed disturbance.

The Applicant's Engineer prepared a SWPPP for the Proposed Site that meets the stormwater goals in accordance with design standards stipulated in the referenced Permit and Design Manual. The proposed SWPPP is included in its entirety in Appendix C. Summaries of key design elements and conclusions are incorporated into the following pages that indicate that the Proposed FEIS Plan can be developed in compliance with the applicable stormwater regulatory requirements. (The Applicant notes that as part of any future specific Site Plan application an amended SWPPP must be submitted for review and approval.)

By way of illustration, FEIS Exhibits III.C1 and C1a, Existing and Proposed Drainage Area Maps (at the end of this FEIS Section), show the drainage areas under pre and post-development conditions. FEIS Tables III.C1, C1a and C1b, Summary of Land Cover Types, indicate the Proposed Project will result in an increase of 2.21 acres of impervious area.

In developing the stormwater management design calculations, determining the amount of pervious and impervious areas is necessary to model the stormwater runoff. For purposes of these calculations and based on FEIS Exhibit III.G-1, Illustrative Landscape Plan, percentages of pervious landscape areas were prepared as shown on FEIS Exhibit III.C1b, Pervious Areas for Conceptual Landscaping. The Plan illustrates, in various color shades, land areas that include differing percentages of landscaping. For example, lawn areas are intended to be 100% landscaped (pervious) while streetscapes or plaza areas are intended to include a combination of sidewalk or patios with a mix of landscaping consisting of potted trees, landscape boxes, gardens, etc.. From this plan, proposed impervious and pervious areas were calculated.

Water quality treatment is provided by capturing and treating runoff volume resulting from small, frequent storm events that tend to have higher pollutant levels than larger, less frequent storm events. The volume of runoff generated from the water quality storm event, denoted as Water Quality Volume (WQv), is defined as the volume of runoff generated from the entire 90th percentile rain event. Capturing and treating the WQv will essentially treat the runoff from 90% of all 24-hour rainfall events. The value of the 90% rainfall event for the Proposed Project location is 1.5 inches in depth.

While the technical standards in the Design Manual are mainly directed towards “new construction,” modified design criteria are also provided in Chapter 9 which are applied to a “redevelopment activity”. The term “new construction” is considered disturbance and construction of existing pervious surfaces, while a “redevelopment activity” is defined in the Design Manual as “disturbance and reconstruction of existing impervious surfaces”. Construction of the Proposed Project involves both new construction as well as redevelopment activity. Section 9.2.1 of the Design Manual requires a minimum 25% of the WQv from the areas of “redevelopment activity,” plus 100% of the WQv from the areas of “new construction,” be captured and treated by the implementation of standard Stormwater Management Practices (SMPs).

Water quality treatment for the Proposed Project will be provided in subsurface infiltration systems. Pretreatment will be provided in proprietary (hydrodynamic) structures, such as a Vortech water quality treatment unit, or equal, prior to entry of stormwater into each infiltration chamber, and water quality treatment will be ~~polished~~accomplished through the soil infiltration process. Stormwater runoff from the lower portion of the Project Site (generally building areas C and E) that will not be will be directed to the infiltration systems will be directed to proprietary hydrodynamic structures for water quality treatment. Water Quality Treatment for the Project will exceed the minimum requirement as described in the following paragraphs.

Runoff reduction volume (RRv) is the reduction of the total WQv that will be obtained through application of green infrastructure techniques and/or standard stormwater management practices

with runoff reduction capacity (Design Manual Chapter 4.3). Runoff reduction will be achieved for the Proposed Project through the application of subsurface infiltration systems. Stormwater runoff will be captured and conveyed to five subsurface infiltration practices within the Project Site (see FEIS Exhibit III.C1c, Proposed Grading and Drainage).

Section 6.3.1 of the Design Manual identifies design requirements such as a minimum 0.5 inch per hour percolation rate and a minimum three feet vertical clearance from the bottom of the infiltration system to bedrock or groundwater based on field testing. The proposed infiltration practices are located where such subsurface soil conditions allow. Since the lower portion of the Project Site is limited by the presence of shallow bedrock, the infiltration practices are proposed in the upper portion where depth to bedrock and groundwater are greater.

Site specific geotechnical investigation including soil borings and percolation tests were performed by the Applicant's Geotechnical Engineer on October 23, 2014 (included in DEIS Appendix G) and November 18, 2015 (included in FEIS Appendix G). Borehole Permeability Test Summary pages were revised on June 14, 2016 to clarify rock elevations (included in FEIS Appendix G and FEIS SWPPP in Appendix C). Deep hole and soil percolation tests will be repeated and witnessed by Village representatives for each future specific site plan application. Table III.C1f, Infiltration Clearance to Bedrock/Groundwater, identifies the clearance provided at each infiltration system.

Reduction of the total WQv for the entire Proposed Project will occur within the referenced infiltration systems. As shown in FEIS Table III.C1c, Water Quality and Runoff Reduction Volumes, the volume of stormwater infiltrated during the water quality storm event through the proposed infiltration systems (0.63 acre-feet) exceeds the calculated WQv (0.61 acre-feet) and therefore ~~more than~~ adequately meets the design requirements.

During larger storm events, stormwater runoff from the Project Site would continue to be captured and conveyed to the proposed stormwater management system resulting in further reduction of stormwater runoff volume as summarized in FEIS Table III.C1d, Comparison of Existing and Proposed Runoff Volume Leaving the Project Site. In addition, stormwater detention will be provided resulting in reduction of stormwater peak discharge rates as described in the following paragraphs.

Attenuation of stormwater peak discharge rates from the Project Site will also be obtained through the infiltrations systems. The infiltration chambers will be oversized, allowing infiltration of more than the required water quality volume while providing stormwater detention for each design year storm. Each infiltration system will infiltrate stormwater to the groundwater table and regulate discharge of remaining stormwater by a controlled outlet. As a result and although not required by the General Permit or the Design Manual, the proposed stormwater peak discharge rates will be reduced not only to existing rates as required, but below existing rates for all design year storm

events at all design points as shown in FEIS Table III.C1e, Peak Discharge Rate Comparison Table.

Stormwater currently drains overland and through a system of municipal and private storm pipes from the Project Site to the Byram River. Since the described onsite stormwater management treatment measures will reduce stormwater pollutants, volume and discharge rates, downstream impacts from the Proposed Project would be avoided. Any flooding conditions that may currently exist downstream would not be exacerbated by the Proposed Project.

FEIS Tables III.C1 to III.C1e include summaries of the detailed stormwater management calculations that are included in the FEIS Stormwater Pollution Prevention Plan (SWPPP), which is provided in FEIS Appendix C. FEIS Exhibits at the end of this section III.C provide summaries of existing and proposed drainage conditions and comparisons.

Table III.C1 ⁽¹⁾
Summary of Existing Land Cover Types

Drainage Area Designation	Total Area (acres)	Pervious Area (acres)	Impervious Area (acres)	% Impervious
To Design Point (DP) A				
A-A	5.48	0.88	4.60	84
A-B	8.48	2.67	5.81	69
Subtotal (A)	13.96	3.55	10.41	75
A1	0.37	0.04	0.33	89
A2	0.51	0.46	0.05	6
C	12.00	7.76	4.24	35
Subtotal⁽²⁾	26.84	11.81	15.03	56
To Design Point (DP) B				
B	1.49	1.33	0.16	11
B1	0.53	0.02	0.51	96
Subtotal	2.02	1.35	0.67	33
Combined A + B				
Total	28.86	13.16	15.70	54
Notes: (1) Land area and cover type computed based on field survey (onsite and adjacent area) and GIS mapping with field verification of offsite areas. (2) Includes Subtotal (A), A1, A2, and C.				

Table III.C1a
Summary of Proposed Land Cover Types ⁽¹⁾

Drainage Area Designation	Total Area (acres)	Pervious Area (acres)	Impervious Area (acres)	% Impervious
To Design Point (DP) A				
A-A	1.58	0.17	1.41	89
A-B	6.27	0.93	5.34	85
A-C	7.10	1.26	5.84	82
Subtotal (A)	14.95	2.36	12.59	84
A1	0.43	0.00	0.43	100
A2	0.51	0.46	0.05	6
C	12.00	7.76	4.24	35
Subtotal⁽²⁾	27.89	10.58	17.31	62
To Design Point (DP) B				
B	0.50	0.37	0.13	26
B1	0.47	0.00	0.47	100
Subtotal	0.97	0.37	0.60	62
Combined A + B				
Total	28.86	10.95	17.91	62
Notes:				
(1) Land area and cover type computed based on field survey (onsite and adjacent area) and GIS mapping with field verification of offsite areas.				
(2) Includes Subtotal (A), A1, A2, and C.				

Table III.C1b
Comparison of Proposed and Existing
Land Cover Types Affected by the Project ⁽¹⁾

Drainage Area Designation	Total Area (acres)	Pervious Area (acres)	Impervious Area (acres)	% Impervious
Existing				
A and A1	14.33	3.59	10.74	75
B and B1	2.02	1.35	0.67	33
Total	16.35	4.94	11.41	70
Proposed				
A and A1	15.38	2.36	13.02	85
B and B1	0.97	0.37	0.60	62
Total	16.35	2.73	13.62	83
Change in Impervious Area	0.00	-2.21	2.21	13
(1) Land cover analysis includes onsite areas A and B and offsite areas A1 and B1, which are affected by offsite roadway improvements. Offsite areas A2 and C are not included as they remain unchanged between existing and proposed conditions.				

Table III.C1c
Water Quality Volume (WQv) and Runoff Reduction Volume (RRv)

<i>WQv Storm Rainfall (inches)</i>	<i>Design Point</i>	<i>WQv (ac-ft)</i>	<i>RRv Required (ac-ft)</i>	<i>RRv Provided (ac-ft)</i>
1.5	A	0.59	0.59	0.63
	B	0.02	0.02	0.00
	Total	0.61	0.61	0.63

Table III.C1d
Comparison of Existing and Proposed Runoff Volume Leaving the Project Site

<i>Design Year</i>	<i>Design Point</i>	<i>Existing Volume (ac-ft)</i>	<i>Proposed Volume (ac-ft)</i>
1-year	A	3.03	2.11
	B	0.17	0.13
2-year	A	4.08	3.19
	B	0.23	0.17
10-year	A	7.28	6.54
	B	0.42	0.28
25-year	A	9.92	9.31
	B	0.60	0.38
50-year	A	12.41	11.90
	B	0.76	0.46
100-year	A	15.41	15.05
	B	0.97	0.57

Table III.C1e
Peak Discharge Rate Comparison Table

<i>Design Storm Frequency</i>	<i>Rainfall (inches)</i>	<i>Design Point</i>	<i>Runoff Rate (cfs)</i>		
			<i>Existing</i>	<i>Proposed</i>	<i>% Change (+ Increase, - Decrease)</i>
<i>1-Year Design Storm</i>	<i>2.86</i>	<i>A-A</i>	<i>20.91</i>	<i>9.63</i>	<i>-54%</i>
		<i>A</i>	<i>36.74</i>	<i>23.75</i>	<i>-35%</i>
		<i>B</i>	<i>1.89</i>	<i>1.86</i>	<i>-2%</i>
<i>2-Year Design Storm</i>	<i>3.45</i>	<i>A-A</i>	<i>28.34</i>	<i>14.64</i>	<i>-48%</i>
		<i>A</i>	<i>48.86</i>	<i>31.44</i>	<i>-36%</i>
		<i>B</i>	<i>2.63</i>	<i>2.38</i>	<i>-10%</i>
<i>10-Year Design Storm</i>	<i>5.11</i>	<i>A-A</i>	<i>48.36</i>	<i>30.43</i>	<i>-37%</i>
		<i>A</i>	<i>80.68</i>	<i>54.09</i>	<i>-33%</i>
		<i>B</i>	<i>4.78</i>	<i>3.73</i>	<i>-22%</i>
<i>25-Year Design Storm</i>	<i>6.41</i>	<i>A-A</i>	<i>64.22</i>	<i>43.65</i>	<i>-32%</i>
		<i>A</i>	<i>105.59</i>	<i>92.51</i>	<i>-12%</i>
		<i>B</i>	<i>6.61</i>	<i>4.81</i>	<i>-27%</i>
<i>50-Year Design Storm</i>	<i>7.60</i>	<i>A-A</i>	<i>78.72</i>	<i>55.00</i>	<i>-30%</i>
		<i>A</i>	<i>128.20</i>	<i>119.51</i>	<i>-7%</i>
		<i>B</i>	<i>8.33</i>	<i>5.81</i>	<i>-30%</i>
<i>100-Year Design Storm</i>	<i>9.02</i>	<i>A-A</i>	<i>95.43</i>	<i>67.75</i>	<i>-29%</i>
		<i>A</i>	<i>154.10</i>	<i>143.34</i>	<i>-7%</i>
		<i>B</i>	<i>10.36</i>	<i>6.95</i>	<i>-33%</i>

Table III.C1f
Infiltration Chamber Clearance to Bedrock/Groundwater

<i>Infiltration System</i>	<i>A1</i>	<i>A1</i>	<i>A2</i>	<i>A3</i>	<i>A3</i>
<i>Boring #</i>	<i>B-29</i>	<i>B-31</i>	<i>B-30</i>	<i>B-27</i>	<i>B-28</i>
<i>Proposed Surface Elevation</i>	98.5	100.0	101.0	95.5	95.7
<i>Infiltration Test Elevation</i>	87.7	82.0	86.4	89.5	84.1
<i>Infiltration Chamber Design Invert/bottom (1)</i>	89.2	89.2	88.5	87.5	85.5
<i>Groundwater (gw) Elevation</i>	86.2	80.0	84.8	88.0	82.5
<i>Bedrock Elevation</i>	86.2	80.0	84.8	84.3	80.5
<i>Minimum Clearance to rock/gw >= 3' (2)</i>	3.0	9.2	3.7	-0.5	3.0

<i>Infiltration System</i>	<i>AB</i>	<i>AB</i>	<i>C2</i>		
<i>Boring #</i>	<i>B-32</i>	<i>B-33</i>	<i>B-37</i>		
<i>Proposed Surface Elevation</i>	101.5	97.0	99		
<i>Infiltration Test Elevation</i>	81.9	86.2	87		
<i>Infiltration Chamber Design Invert/bottom (1)</i>	85.0	85.0	88		
<i>Groundwater (gw) Elevation</i>	79.9	81.8	85		
<i>Bedrock Elevation</i>	79.9	81.8	85		
<i>Minimum Clearance to rock/gw >= 3' (2)</i>	5.1	3.2	3.0		

Notes:
 (1) Bottom of 6" stone section beneath infiltrator
 (2) Chamber A3 at B-27 is for detention/storage only. Since there is no infiltration in this portion of A3, the 3' clearance criteria is not required.

Comment C2:

The parking lot at end of Touraine Avenue and tributary areas should be included in Drainage Area C.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The offsite contributing drainage area draining toward the Project Site was updated to include the "Abendroth Park Improvement Project", which was constructed at the western end of Touraine Avenue. The park's surface attributes, including the parking area, building, playground, hardscape and lawn areas were determined based on aerial Google maps and verified in the field by the Applicant's Engineer. The drainage divide generally extends to the westerly edge of the parking area. The referenced portion of Abendroth Park was added to offsite Drainage Area C as shown on FEIS Exhibits III.C1 and III.C1a. The Park's surface runoff characteristics were used to adjust the HydroCad drainage model.

Comment C3:

Any information obtained through GIS topo or provided by the Village on existing Village maps (as stated in the document) must be verified in the field by a licensed surveyor if used in and for the project. Scale shall be 1" = 40' or less with two (2)-foot contour interval and elevations in the NAVD88 datum.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The Applicant retained a Licensed Professional Land Surveyor, Barrett, Bonacci & Van Weele, PC (BBV), to prepare detailed topographic mapping on and adjacent to the Project Site, including the Boston Post Road and High Street. GIS topo, which is sufficient for planning purposes, was used to illustrate offsite areas enabling the Project Site to be visualized within its overall environment. Those offsite areas contributing stormwater to the Project Site were defined using GIS topo, available plans for the Abendroth Park Improvement Plan and field review by TRC, the Applicant's Engineer, which in the Applicant's opinion, is sufficient for computing the offsite drainage contribution through the Project Site.

Comment C4:

The DEIS describes drainage conveyance between the South Regent Street / Boston Post Road intersection and the Byram River. The condition, size and capacity of these existing drain lines must be examined. TV inspection will likely be needed to meet these requirements.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

Site-related stormwater impacts will be mitigated onsite through implementation of the stormwater management plan, which includes water quality treatment, runoff reduction and peak discharge attenuation. Since mitigation will be provided onsite reducing peak discharge rates from the Project Site below existing rates, existing downstream conditions will not be adversely impacted. Therefore, any existing stormwater related conditions that may currently exist downstream will not be exacerbated by the Proposed Project. The Applicant asserts, therefore, that assessment of existing downstream storm drain systems is not required. Refer to Response to Comment III.C1 for a more detailed description of the proposed stormwater management system and mitigation.

In compliance with the DEC Design Manual, reduction of stormwater volume will be achieved through implementation of green infrastructure techniques and standard stormwater management practices with RRV capacity as described in FEIS Response III.C14. The Applicant notes that the reduction of stormwater volume through infiltration as proposed for this Project, is dependent upon favorable percolation rates, which were achieved based on the geotechnical soil testing

included in FEIS Appendix G. It is also noted that during future site plan reviews, soils will be retested at the locations of proposed infiltration systems in the presence of the Village Consulting Engineer for each future specific site plan. During site plan review, detailed stormwater management design will include cross-sections at each stormwater infiltration and/or detention system. Cross-sections will include existing and proposed grades, stormwater system invert elevations, and elevations of bedrock and groundwater, when encountered.

Comment C5:

Provide additional information regarding the Abendroth Park “underdrain system.”

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

Information regarding the presence of an existing underdrain system within Abendroth Park is extremely limited. The athletic field is relatively level in slope and has no apparent outfall for surface runoff. Since athletic fields are typically flat, as in this case, and surface stormwater runoff is limited, it can be normal engineering practice to drain a field by an underground drainage system.

An historic unnamed drainage map, provided by the Village Consulting Engineer notates the presence of a “herringbone underdrain system”. No further information regarding the underdrain system is known. The Applicant’s Engineer asserts that any such detail pertaining to the underdrain is not pertinent to the drainage analysis since, the runoff characteristics from the park are the same for both existing and proposed conditions, thereby having no effect on the drainage analysis.

Comment C6:

The condition, size and capacity of existing drainage infrastructure particularly the drain lines across Boston Post Road and through the Kohl’s Shopping center to Midland Avenue must be examined for capacity and discussed as part of this report. This would likely require TV inspection of existing drain piping.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The Village Consulting Engineer provided the Applicant’s Engineer with a TV inspection report, dated 12/24/2015 that televised the existing storm pipe along the following alignment: beginning at and across the Boston Post Road from the Project Site, through the Kohl’s shopping center site, beneath the Metro North railroad tracks, and across the Home Depot shopping center to Midland

Avenue. (See Appendix C of this FEIS) The TV inspection report provides size, material and condition of the existing storm pipe system. The report identifies existing defects such as deformations, obstacles, intrusion, holes and infiltration stains.

The majority of the stormwater runoff from the Proposed Project Site currently drains to Design Point A, which flows from the Project Site and enters the referenced storm pipe system that drains to Midland Avenue. Under proposed conditions, as identified in response to FEIS Comment III.C1, the post-development stormwater runoff peak discharge rates and volumes will be reduced below existing conditions (Tables III.C1d, Comparison of Existing and Proposed Runoff Volume Leaving the Project Site, and III.C1e Peak Discharge Rate Comparison Table). Therefore, stormwater runoff from the Proposed Project will not adversely impact the offsite downstream storm pipe systems. Also refer to Response to FEIS Comment III.C4.

Since stormwater mitigation will be provided onsite, existing downstream conditions will not be adversely impacted. Therefore, any existing stormwater related conditions that may currently exist downstream will not be exacerbated by the Proposed Project and the Applicant asserts that they should not be ~~responsibil~~responsible to repair such existing deficiencies. The Village Consulting Engineer, however, believes that during future site plan reviews, the Applicant should share the responsibility of repairing existing downstream drainage systems through the Kohl's site to Midland Avenue based on the percentage of the systems' flow attributed to the Project Site.

Chapter 281, Stormwater Management, of the Village Code requires that land development activities conform to the substantive requirements of the NYSDEC SPDES General Permit for construction activities. The referenced General Permit further requires design compliance with the NYSDEC Stormwater Design Manual. By exceeding the requirements of the Design Manual (reducing stormwater runoff volume below existing conditions, Response III.C1), the Applicant asserts that they have no further responsibility to improve offsite downstream conditions: i.e. Kohl's storm drainage system.

Comment C7:

Runoff calculations must utilize the newly-NYSDEC-adopted "Extreme Precipitation" rainfall depths compiled by Northeast Regional Climate Center (NRCC) and Natural Resources Conservation Service (NRCS).

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The stormwater management HydroCad Model for the Proposed Project was updated under both existing and proposed conditions using the latest Northeast Regional Climate Center (NRCC) rainfall data (Extreme Precipitation Estimates) and distributions as referenced in the New York

State (DEC) Stormwater Design Manual, 2015 (Design Manual) and online at <http://precip.eas.cornell.edu>. The updated calculations are included in the SWPPP which is provided in FEIS Appendix C.

Comment C8:

There appear to be several discrepancies between the peak runoff rates produced in the HydroCAD model and those reported in the DEIS Table III.C-3.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The noted discrepancies were reviewed and corrected as set forth in the updated SWPPP which is provided in FEIS Appendix C. Also refer to updated tables in Response III.C1.

Comment C9:

Runoff calculations must utilize the newly-NYSDEC-adopted “Extreme Precipitation” rainfall depths compiled by Northeast Regional Climate Center (NRCC) and Natural Resources Conservation Service (NRCS).

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

See Response to Comment III.C7.

Comment C10:

There appear to be several discrepancies between the input values in the HydroCAD model and the figures in the DEIS Table III.C-4. There also appear to be discrepancies between the peak runoff rates produced in the HydroCAD model and those reported in the DEIS Table III.C-5.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The noted discrepancies were reviewed and corrected as set forth in the updated SWPPP which is provided in FEIS Appendix C and also in the tables within Response III.C1.

Comment C11:

The figure given as the increase in impervious area in DEIS Table III.C-6 is not consistent with the numbers in the Runoff Reduction calculations in Appendix C, page 171.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The noted discrepancy was reviewed and corrected as set forth in the updated SWPPP which is provided in FEIS Appendix C and also in the tables within Response III.C1.

Comment C12:

The DEIS must specifically discuss the condition, size and capacity of downstream piping as it may relate to both the proposed potential flow rate increases as well as capability of handling current flows.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

Refer to Responses III.C1 and III.C4. Stormwater Mitigation will be provided onsite beyond that required by the NYSDEC General Permit and Design Manual by reducing proposed peak discharge rates and volumes below existing rates and volumes, and therefore, existing downstream conditions will not be adversely impacted. Furthermore, any existing stormwater related conditions that may currently exist downstream will not be exacerbated by the Proposed Project. The Applicant asserts, therefore, that assessment of existing downstream storm drain systems is not required.

Comment C13:

Supporting information must be provided for the Rv value used in WQv calculation on page 172 in Appendix C.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Response:

The noted supportive information is provided as set forth in the updated SWPPP which is provided in FEIS Appendix C. Also refer to Response III.C1.

Comment C14:

The Village may require that the applicant incorporate green infrastructure practices into the stormwater mitigation and landscape design beyond subsurface infiltration and proprietary practices. It is also recommended that the applicant provide more than the minimum runoff reduction volume as it is discussed in Section 4.3 of the Stormwater Design Manual.

Dolph Rotfeld Engineering, Letter 43, 2015, p.1

Careful consideration of stormwater management techniques should be considered with the introduction of so many buildings and impervious surfaces, especially considering the applicant's petition for 90% site coverage under PMU zoning regulations.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

A main objective of the DEC Design Manual is to provide design standards that will effectively protect the waters of the State of New York from adverse impacts associated with urban stormwater runoff. This objective can be achieved in part by implementing green infrastructure that promotes infiltration, groundwater recharge, and evapotranspiration (Design Manual Chapter 1.1). Typical green infrastructure practices are listed in Table 3.2 of the Design Manual and include, in part, such practices as: conservation of natural areas, vegetated open swales, tree planting, rain gardens, green roof, stormwater planters and porous pavement. Each practice may be applied to specific types of projects as appropriate. For example, the Proposed Action is a large urban project for which green practices that require large surface areas such as conservation of natural areas are not applicable; surface swales are not practical for development of this density due to limited land area; implementation of pervious pavements are limited by subsurface soil conditions including shallow rock and placement ~~on~~ of fill, for which both conditions are prevalent on this Site. A description of reasons for implementing or excluding specific green infrastructure practices for the Proposed Project are described in section 3.6.A of the SWPPP, which is provided in FEIS Appendix C. The green infrastructure that the Applicant believes is appropriate for the Project Site is discussed in the following paragraph.

Standard stormwater management practices (SMP) having runoff reduction capacity may also be implemented to meet the runoff reduction and water quality treatment objectives (Design Manual Chapter 3.1). Tables 3.3 and 3.5 of the Design Manual identify infiltration practices as acceptable techniques for water quality treatment and runoff reduction. For a project of this scale, the Applicant's Engineer contends that infiltration is the most appropriate technique to meet the required standards. The Applicant proposes implementing subsurface infiltration systems to provide runoff reduction and water quality treatment. In addition, trees/planters will be planted within the Project Site as part of the streetscape and sidewalk components (see Conceptual Green Space Exhibit III.C1b). Where necessary, alternative practices, such as proprietary hydrodynamic water quality treatment practices, will be employed, as permitted and described in Section 9.4 of the Design Manual for redevelopment activities. See FEIS Exhibit III.C1c for locations of proposed green infrastructure. Also refer to response to FEIS Comment C1 for discussion of water quality treatment, runoff reduction and peak discharge attenuation. The proposed stormwater management measures as described will exceed the minimum requirements of the stormwater regulations, actually resulting in reduced stormwater volume below existing conditions for all storm events studied (see FEIS Table III.C1d~~7~~) and the Applicant contends that

additional green infrastructure practices are not necessary per the Design Manual and, therefore, should not be required by the Village.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and the preliminary FEIS submitted to the Village in April of 2016 have been included as part of this FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment D1:

County sewer impacts. The proposed development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at the Port Chester Wastewater Treatment Plant operated by Westchester County. As a matter of County Department of Environmental Facilities' policy, we recommend that the Village implement or require the developer to implement measures that will offset the projected increase in flow. The best means to do so is through reductions in inflow/infiltration (I&I) at a ratio of three for one.

Edward Burroughs, Letter 21, September 22, 2015

Response:

The Applicant notes that the County recommends offsetting the projected increase of sewage flow by removing I&I at a rate of three times the increased sewage flow. Based on discussions between the Applicant's Engineer and the Village Consulting Engineer, the Applicant has agreed to contribute funds (approximately \$436,500) that would be dedicated to removal of I&I at a rate of three times the increase in proposed average daily sewage flow from the Project Site. The Applicant asserts that the contributed funds should be dedicated for I&I removal from the portion of sewer that serves the Project Site which is between the Project Site and Manhole 90500 (FEIS Exhibit III.D-1). Also refer to Response to FEIS Comment III.D10.

Comment D2:

Water Supply

Existing water main sizes must be more clearly labeled on Exhibit III.D-1. The DEIS must include the results and an analysis of the hydrant flow tests completed on July 13, 2015

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

The existing water main sizes were clarified on FEIS Exhibit III.D2. Refer to Response to FEIS Comment III.D4 regarding hydrant flow tests and the adequacy of the water supply system.

Comment D3:

The water usage of the previous United Hospital development may only be used for comparative purposes as the peaks of the previous and proposed development would not have occurred during the same time of day.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

United Water Westchester Incorporated (UWWI)¹ stated in a letter to TRC Engineers, dated October 9, 2015 (FEIS Appendix G), that based on the domestic and fire demands required for the Proposed Project, adequate pressure and volume (supply) to serve the Proposed Project is available without requiring offsite improvements. (Also refer to Response to FEIS Comment III.D4.) When considering potential impact to the UWWI system, a regional peaking factor, based on technical data obtained from UWWI, 1.5 was calculated in the DEIS as described in Section III.D.1.b. A variance in the actual time to peak between the previous hospital and proposed uses would not have a meaningful impact on the area-wide water system (7.6 mgd), since these individual peaks would only be a small portion (2%) of the overall system and the system peak would prevail.

The For informational purposes, the DEIS (Table III.D-2) lists a comparison of average daily water demand between the previous hospital use (184,000 gpd) and the proposed Project (183,000 gpd) indicating the projected demand would be slightly less than the previous hospital use. The Applicant understands, however, that the potential impacts of the Proposed Project must be and have been evaluated based on its proposed average day and peaking projections.

Comment D4:

Using the hydrant flow tests as a basis for analysis, what impact will there be on the water supply system during the peak usage periods of the proposed development and the surrounding areas?

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

Understanding the current flow characteristics of the existing water distribution system in the immediate vicinity of the Proposed Project is necessary in order to determine how the Project could impact the existing water system. In order to determine the potential impacts, existing flows and pressures within the pipe system at the Project Site must be determined. This essential data can be determined by performing a flow test from existing fire hydrants within the immediate proximity of the Site. Once this information is collected, the water company (UWWI) can add this data along with the Proposed Project data (anticipated water use demand and proposed onsite water system infrastructure) to their existing computer model covering the site and surrounding

¹ UWWI was renamed as SUEZ, but to avoid confusion the FEIS will continue to refer to UWWI.

regional area. From that, potential impacts on the existing water infrastructure from the Proposed Project can be determined.

Therefore, the Applicant's Engineer requested UWWI to perform a hydrant flow test immediately adjacent to the Project Site in order to provide up-to-date water system flow and pressure data. In coordination with the Village Consulting Engineer, flow tests were performed during the morning of July 13, 2015 to account for the approximate time of day at which the daily peak water demand typically occurs. Two hydrants, located opposite the Project Site at Boston Post Road and within the Project Site at High Street (Appendix G), were used in the test. Hydrants 137 and 44 are shown on FEIS Exhibit III.D2. Representatives from TRC and the Village Consulting Engineer's office were present to witness the test. Results of the test are summarized in FEIS Table D4, Hydrant Flow Test. Pressure in the pipes were measured under static conditions (hydrant not flowing) and compared to residual pressure (hydrant flowing). From the comparison of pressure and the measured flow, anticipated flows can be estimated at varying pressures.

Table D4
Hydrant Flow Test

Hydrant Location	Main Size (inches)	Hydrant #	Pressure		Flow (gpm)	Flow @ 20 psi
			Static (psi)	Residual (psi)		
999 High Street	8	137	72	55	1175	2510
Boston Post Road (opposite Project Site)	12	44	75	60	1244	2510

Note:

Hydrant flow test performed by United Water Westchester Incorporated 7/13/15 at 9:45 and 10:00 A.M.

Source: TRC Engineers, Inc.

The Applicant's Engineer provided UWWI with the Proposed Project's development program, projected average daily water demand and anticipated peak daily demand, and requested confirmation that the existing offsite water system could provide adequate service to the proposed Project. UWWI prepared a computer model integrating their existing water system with the Proposed Project's water demand and infrastructure considering peak system demands. UWWI then provided a letter, dated October 9, 2015, to the Applicant's Engineer stating that it has adequate pressure and volume (supply) to serve the Proposed Project. A follow up meeting with UWWI personnel on December 9, 2015 (FEIS Appendix D), confirmed that the proposed extension of the onsite 12-inch water main through the Project Site and interconnecting the 20-inch main located west of the Project Site to the 12-inch main in Boston Post Road, would be an improvement to the regional water distribution system. As a result, no necessary offsite improvements would be required to serve the Proposed Project. A second letter (see FEIS Appendix D) from UWWI, dated

January 19, 2016 confirmed this position. The letter further confirmed that it has adequate resources to provide the required water supply without adverse impact to existing customers.

On November 7, 2016, the Village and Applicant's engineers met with UWWI to review the results of their water system model with particular interest in determining the system impacts at the Project Site during extreme conditions. To simulate a "worst case scenario", an analysis was performed during the peak-hour of the peak-day demand while fighting a fire within the Village, drawing 1500-~~2000~~2,000 gpm from the UWWI water system to fight the fire. As previously determined, UWWI confirmed that the existing offsite water system has adequate supply and pressure to serve the Project. In order to maintain adequate pressure at upper levels of the proposed buildings under peak conditions as described, buildings within the Proposed Project will be equipped, as necessary, with supplemental pressure boosting mechanical equipment such as booster pumps, hydro-pneumatic tanks and/or storage tanks to supplement pressure in consideration of system-wide fluctuations and periods of peak demands. Specific domestic and fire mechanical building systems will be designed as part of detailed engineering under site plan review for each building in association with future site plan reviews for each building as required by the Village Consulting Engineer. Review and approval of the domestic and fire mechanical systems will be subject to requirements of the Plumbing code and the Westchester County Department of Health code and will be reviewed as part of a future building permit application. Any site plan approval would be contingent on the Village Consulting Engineer's review and approval of the supplemental water pressure boosting systems.

(The Proposed Onsite Water system is shown on FEIS Exhibit III.D-4). (Also refer to Response to FEIS Comment III.D7.)

Comment D5:

If the DEIS uses daily water demand and wastewater generation interchangeably (165,000 gallons per day) it is unclear why a significantly lower peaking factor is used for the proposed water demand flow rate.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

Average daily wastewater flow for the Proposed Project was calculated based on unit hydraulic loading rates provided in Table B-3 of the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems, 2014. Loading rates were applied to each specific use proposed for the Proposed Project. Water demand was developed based on the average daily sewage flow plus water to be used for irrigation.

When assessing sewage and water infrastructure systems, the peak conditions are analyzed. Hydraulic capacity of sewer systems is based on peak hourly flow, which is calculated using Harmon's Peaking Factor (Recommended Standards for Wastewater Facilities, Figure 1). This sewage peaking factor is based on population associated with each flow rate condition and is used

to calculate the peak hourly sewage flow. When assessing water system infrastructure, in accordance with the Recommended Standards for Water Works, the maximum day demand is used.

DEIS Appendix D includes the water and sewage calculations. Proposed average daily sewage flow is calculated to be 165,000 gpd; the peaking factor, based on population, is 3.65 and the peak hourly flow is 602,000 gpd. Proposed average daily water demand (sewage flow plus estimated irrigation) is calculated to be 183,000 gpd. The peaking factor is based on the peak to average ratio of UWWI's system demand, which is 1.5, yielding a maximum day water demand of 275,000 gpd for the Proposed Project. ~~With regard to UWWI's system adequacy to meet Project demands during peak conditions, refer also to FEIS Response D4.~~

Also refer to FEIS Response D4 with regard to UWWI's system adequacy to meet Proposed Project demands during peak conditions, as well as the necessary onsite building water pressure boosting systems that will be reviewed during future building permit applications (with any site plan approval subject to the review and approval of the Village Consulting Engineer of such systems).

Comment D6:

Sanitary Sewage

Any information obtained from maps provided by the Village regarding the sewer main in Boston Post Road (as taken from SSES maps) must be verified in the field by a licensed surveyor to confirm size, type, condition and capacity.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

The Applicant retained a Licensed Professional Land Surveyor, Barrett, Bonacci & Van Weele, PC (BBV), to prepare detailed topographic mapping onsite and adjacent to the Project Site. Included on the referenced survey are underground sanitary sewers showing pipe location, and sizes and inverts, where obtainable. Offsite sewers are shown from record maps including sewer maps produced by URS for the 1995 Sanitary System Evaluation Survey (SSES). As outlined in the DEIS, the Applicant's Engineer has used the information contained in the 1995 URS Survey, and record drawings available from the Village, as determinants of the likely size, type, and capacity of the sewer main in Boston Post Road. The Village Consulting Engineer has advised that there have been no material changes to this system since the 1995 URS Survey.

Survey of Existing Sanitary Sewer: (included in PDE Flow Monitoring Study, TV Inspection & Sanitary Sewer Analysis, in FEIS Appendix D)

At the Village Consulting Engineer's request for updated field survey of the existing sanitary sewer in Boston Post Road, the Applicant authorized Ward-Carpenter Engineers, Inc. to perform a current survey. The field survey extended some 4,500 linear feet from the Project Site at High Street to manhole 90500 located in South Main Street between Slater and Willow Streets. Manhole 90500 represents the furthest downstream manhole within the Village's sanitary sewer subsystem PP-04 as identified in the referenced URS 1995 SSES. The current survey determined existing pipe system characteristics including rims, inverts, slopes and pipe sizes and the surveyed data supersedes that of the URS Study.

Flow Monitoring Study: (included in PDE Flow Monitoring Study, TV Inspection & Sanitary Sewer Analysis, in FEIS Appendix D)

In order to determine that the existing sewer in Boston Post Road has capacity to convey the additional sewage flow generated by the Proposed Project, flow monitoring was performed to determine the present dry weather flow within the existing sewer. At the direction of the Village, flow monitoring was performed by Flow Assessment Services for a two-week period from October 6th to 20th at two existing manholes in South Main Street identified as 90520 (immediately south of Slater Street) and 90500 (between Slater and Willow Streets). From the monitored flow data, dry weather flow, base sanitary flow and groundwater infiltration within the sewer main was determined. In accordance with "EPA Guide for Estimating Infiltration and Inflow" nighttime flow between midnight and 6 AM, reflects the time when minimal to no sewage flow occurs and therefore the measured flow during that period represents the infiltration component of the total flow. Pertinent flow data based on the monitoring results are summarized in Table III.D6a.

Table No. III.D6a Sanitary Flow (MGD) from October 2016 Flow Monitoring Study (Subsystem PP-04)		
Flow Condition	Monitor No. 1 (MH 90520)	Monitor No. 2 (MH 90500)
Average Daily Dry Weather (ADW) Flow	0.129	0.466
Groundwater Infiltration (GWI)	0.022	0.071
Base Sanitary Flow (BSF)	0.107	0.395
ADW = Average Dry Weather flow. Flow includes sewage and infiltration. GWI = Low flow measured from midnight to 6 AM. BSF = Base Sanitary Flow. Dry weather flow excluding infiltration. <u>All Data are in Million Gallons per Day (MGD)</u>		

A summary of the sanitary flow measured at Manhole 90500 as documented in the URS 1995 SSES is presented in Table III.D6b for comparison.

Table No. III.D6b

Sanitary Flow (MGD) from URS 1995 SSES (Subsystem PP-04)	
Flow Condition	Monitor No. 2 (MH 90500)
Average Daily Dry Weather (ADW) Flow	1.247
Groundwater Infiltration (GWI)	0.589
Base Sanitary Flow (BSF)	0.658

When comparing the Base Sanitary Flow from the 1995 SSES to the October 2016 Flow Monitoring Study, there is a net reduction of 0.263 mgd or 263,000 gallons per day (gpd). Within the period between the two studies, there has been minimal development within the area of Subsystem PP-04. Based on a review of available aerial photography, it appears that development/redevelopment has been limited to the construction of a new Westy Self Storage facility just north of the Kohl's Shopping Center site and scattered in-fill residential development within the PP-04 Subsystem. Therefore, it can be concluded that the closing of the United Hospital in February 2005 would account for the major portion of the net reduction in the base sanitary flow tributary to Subsystem PP-04.

The projected average daily sewage flow for the Proposed Project is reported in the DEIS to be 165,000 gallons per day. In Table No. III.D6c below, the projected average daily sewage flow for the Proposed Project and the groundwater infiltration have been added to the Base Sanitary Flow from Table No. III.D6a to determine the projected Average Daily Dry Weather (ADW) Flow at Manhole 90500.

Table No. III.D6c Projected Project Base Sanitary Flow (BSF)	
Flow Condition	Flow Rate (mgd) (MH 90500)
Base Sanitary Flow (BSF) (Table III.D6a)	0.395
Project Site Base Flow Rate (Proposed Project)	0.165
Groundwater Infiltration (GWI) (Table III.D6a)	0.071
Average Daily Dry Weather (ADW) Flow	0.628

Pipe Flow Capacity Analysis: (included in PDE Flow Monitoring Study, [TV Inspection](#) & Sanitary Sewer Analysis in FEIS Appendix D)

Manhole data provided in the Ward Carpenter survey was used to determine the flow capacity of the existing sewer in Boston Post Road. Review of the survey revealed that some manholes were inaccessible and, therefore, pipe inverts could not be obtained. At each of these specific manholes, inverts were interpolated based on surveyed data from adjacent upstream and downstream manholes.

From the existing sewage flows provided in the monitoring study at two downstream manholes (90520 and 90500) and the calculated existing flow from the nursing home at the upstream end of the sewer at High Street, existing flows were calibrated along the length of the existing sewer to account for contributing areas. Projected sewage flow from the Proposed Project was added to the existing flow to simulate the future condition accounting for Proposed Project.

Sewer analyses were performed accounting for existing (monitored) and Proposed Project average dry weather flow. Results of the analyses identified several issues within the existing sewer system. The analyses identified the following conditions in which proposed sewage flow would either exceed the existing capacity (by gravity flow) or the existing pipes had sub-standard slopes.

Table III.6DdD6d
Identified Existing System Issues

Issue	Description
1	The pipe sections between manhole 90533 and 90567 have sub-standard pipe slopes.
2	The pipe section between manholes 90509 and 90508 has a sub-standard pipe slope.

~~Based on the current field survey and analyses described thus far, the following remedial action is recommended to assure adequate dry weather flow capacity of the sewer system to convey sewage from the Proposed Project.~~

- ~~➤ Issue No. 1 — Reconstruct the existing 8-inch sewer between Manhole 90534 within High Street and Manhole 90567 in Boston Post Road to restore positive slope and flow capacity. The reconstructed section would include approximately 381 feet of 8-inch pipe at an average slope of approximately 1.0%.~~
- ~~➤ Issue No. 2 — Reconstruct the existing 15-inch sewer along Boston Post Road and immediately south of Olivia Street between Manhole 90520 and Manhole 90507 to restore positive slope and flow capacity. The reconstructed section would include approximately 222 feet of 15-inch pipe at an estimated slope of 0.3%.~~

In addition, the prior URS 1995 SSES indicated the presence of existing “dips” in the 8-inch pipe upstream of South Regent Street between Manholes 90527 and 90529. ~~Should the TV inspection confirm the presence of these “dips”, recommended reconstruction of this section of pipe would include replacement of approximately 270 feet of 15-inch pipe, which was confirmed by the TV inspection as noted below.~~

The Applicant proposes to correct the above referenced system deficiencies to restore sufficient pipe flow capacity and provide positive slopes. Descriptions of specific recommended sewer improvements are described under subsection entitled “Proposed Offsite Sewer Remediation”.

TV Inspection: (included in ~~separate Addendum to the~~ PDE Flow Monitoring Study, TV Inspection & Sanitary Sewer Analysis, in FEIS) Appendix D

The purpose of TV inspection is to identify pipe deficiencies resulting in potential flow restriction and/or sources of groundwater infiltration. Such deficiencies would include but not be limited to pipe obstructions, deformations, open joints, and deterioration.

With respect to existing pipe condition, the Applicant's Engineer was provided a TV Inspection Report from the Village Consulting Engineer (Appendix D). The report indicates that some 2,100 linear feet of the Village sanitary sewer within the Boston Post Road generally from Olivia Street (Manhole 90508) to Grace Church Street (Manhole 90198, three manholes beyond 90500) were TV inspected in August 2015. The Village Consulting Engineer reports that the referenced sewer was lined/repared with ~~cured-Cured-in-place-pipe (CIP)-Place Pipe lining (CIPP)~~. These recent repairs are likely ~~the~~ contributing factor to the reduction of groundwater infiltration from the URS 1995 SSES to the 2016 Monitoring Study (Tables III.D6a and III.D6b).

~~The purpose of TV inspection is to identify pipe deficiencies resulting in potential flow restriction and/or sources of groundwater infiltration. Such deficiencies would include but not be limited to pipe obstructions, deformations, open joints, and deterioration.~~ At the request of and in coordination with the Village Consulting Engineer, the Applicant agreed to ~~perform~~ authorize additional TV inspection of the remaining portion, ~~some 2,400 linear feet,~~ of uninspected sewers in Boston Post Road from High Street (Manhole 90532) to Olivia Street (Manhole 90508) ~~and to determine the presence of any pipe deficiencies, such as the "dips" described above.~~ If any such deficiencies are found the Applicant would make any necessary repairs as part of future specific ~~future~~ site plan approvals. The TV inspection was performed by National Water Main Cleaning Company (NWMCC) on November 7 and 8, 2016. It and the NWMCC inspection report is included as an appendix to PDE's above referenced Report in FEIS Appendix D. A summary of findings as prepared by the Applicant's Engineer is anticipated provided in Table III.D.6e, Existing Sanitary Sewer Pipe Condition Assessment.

<u>Table III.D6e</u> <u>Existing Sanitary Sewer</u> <u>Pipe Condition Assessment</u>					
<u>MH</u>	<u>MH</u>	<u>Size</u> <u>(inches)</u>	<u>Length</u> <u>(feet)</u>	<u>Pipe Condition</u>	<u>Cause of Capacity</u> <u>Deficiency (C) or</u> <u>Source of Infiltration</u> <u>(I)</u>
<u>90533</u>	<u>90532</u>	<u>8</u>	<u>40</u>	<u>Adverse slope identified from survey</u>	<u>C</u>
<u>90532</u>	<u>90567</u>	<u>8</u>	<u>85</u>	<u>Adverse slope identified from survey</u>	<u>C</u>
<u>90567</u>	<u>90531</u>	<u>8</u>	<u>270</u>	<u>Sag in pipe 229 feet in from MH 90567</u>	<u>C</u>
<u>90531</u>	<u>90530</u>	<u>8</u>	<u>59</u>	<u>MH 90530 invert appears to be nonexistent with debris present; Extensive grease buildup; Pipe alignment is not uniform and continuous and has several deflections in its alignment, cracks in pipe.</u>	<u>I/C</u>
<u>90530</u>	<u>90529</u>	<u>8</u>	<u>253</u>	<u>Sag (dip) in pipe 75 feet in from MH 90530</u>	<u>C</u>
<u>90529</u>	<u>90528</u>	<u>8</u>	<u>157</u>	<u>Sag (dip) in pipe 98 feet in from MH 90529</u>	<u>C</u>
<u>90528</u>	<u>90527</u>	<u>8</u>	<u>116</u>	<u>Cracks and infiltration</u>	<u>I</u>
<u>90527</u>	<u>90526</u>	<u>8</u>	<u>206</u>	<u>Sag (dip) in pipe 8 feet in from MH 90526</u>	<u>C</u>
<u>90526</u>	<u>90525</u>	<u>15</u>	<u>319</u>	<u>Numerous Pipe Cracks</u>	<u>I</u>
<u>90525</u>	<u>90524</u>	<u>15</u>	<u>215</u>	<u>Numerous Pipe Cracks</u>	<u>I</u>
<u>90524</u>	<u>90523</u>	<u>15</u>	<u>197</u>	<u>Numerous Pipe Cracks</u>	<u>I</u>
<u>90523</u>	<u>90522</u>	<u>12</u>	<u>106</u>	<u>Sag in pipe 84 feet in from MH 90523, Reduced pipe size</u>	<u>C</u>
<u>90522</u>	<u>90521</u>	<u>12</u>	<u>139</u>	<u>Reduced pipe size</u>	<u>C</u>
<u>90521</u>	<u>90520</u>	<u>12</u>	<u>121</u>	<u>Reduced pipe size</u>	<u>C</u>
<u>90520</u>	<u>90509</u>	<u>10</u>	<u>100</u>	<u>Reduced pipe size</u>	<u>C</u>
<u>90509</u>	<u>90508</u>	<u>10</u>	<u>58</u>	<u>Adverse slope identified from survey</u>	<u>C</u>

Source: PDE, PLLC

The Applicant's review of the existing pipe conditions listed in Table III.D6e indicates that the report sewer system warrants attention to correct pipe sags ("dips"), adverse pipe slopes, damaged or missing manhole inverts and pipe cracks. The following proposed remediation will be received and analysis completed during eliminate pipe defects throughout the weeklength of November 14th. Results sewer fronting the Project Site along High Street and Boston Post Road extending to Olivia Street.

Proposed Offsite Sewer Remediation

As a result of the flow monitoring, survey and TV inspection, previously summarized in this section, the Applicant proposes to provide the following sewer pipe remediation as part of any future specific site plan approval:

- Section 1: Line the existing sewer in High Street from MH 90536 to Boston Post Road (MH 90533) with Cured-in-Place Pipe (CIPP) lining. The length of pipe that will be

restored through lining will be included in a separate Addendum to the FEIS approximately 1065 feet of 8-inch sewer pipe.

- Section 2: Reconstruct existing sewer from High Street (MH 90533) to South Regent Street (MH 90526). Reconstruction will include installation of approximately 1205 feet of new 8-, 12-, and 15-inch sewer pipe and manholes; removal of the existing manholes; and abandonment of the existing sewer pipe in place. This reconstruction will correct several defects including manholes with no inverts, sections of pipe with adverse pipe slopes, and sections of pipe with sags (“dips”) between manholes.
- Section 3: Line the existing sewer in Boston Post Road from MH 90526 at South Regent Street to MH 90523 with CIPP. This Section of pipe was determined to be in serviceable condition but requires lining to eliminate the potential for infiltration/exfiltration as a result of numerous cracks along the pipe section. Restoration will include lining of approximately 771 feet of 15-inch sewer pipe.
- Section 4: Reconstruct existing sewer in Boston Post Road from MH 90523 to MH 90507 at Olivia Street. Reconstruction will include installation of 592 feet of 15-inch sewer pipe and manholes; removal of the existing manholes; and abandonment of the existing sewer pipe in place. This reconstruction will correct several defects including sections of pipe with adverse pipe slopes, and sections of pipe with sags (“dips”) between manholes.

The above referenced proposed remediation will be designed and performed by the Applicant as part of any future specific site plan approvals. Proposed design of the offsite sewer remediation will include design profiles showing existing and proposed sanitary sewer pipe inverts as well as other standard design information for submittal to the Village Engineer for review, which will be provided as part of any future specific site plan application.

Further I&I Studies (Smoke Testing and Wet Weather Flow Monitoring)

In order to further identify sources of I&I, the Village Consulting Engineer requested that smoke testing and wet weather flow monitoring be performed on the existing sanitary sewer along Boston Post Road between the Project Site at High Street and Manhole 90500, located between Slater and Willow Streets. While the flow monitoring would confirm the presence and rate of infiltration, smoke testing would identify existing illicit connections to the sanitary sewer system, smoke testing of the existing sewer in Boston Post Road within the above referenced study area between the Project Site at High Street and Manhole 90500 will be performed. The smoke testing as well as, The Applicant shall conduct (or pay for the Village to conduct) flow monitoring and smoke testing during the site plan review process. The removal of illicit connections identified in the study studies will be performed by the Village as part of a future I&I removal program, financed by. The

Applicant has agreed to contribute funds that ~~the Applicant commits to would be dedicated to the I&I identification and removal program~~ in accordance with FEIS Response D10.

Comment D7:

The water usage of the previous United Hospital development may only be used for comparative purposes as the peaks of the previous and proposed development would not have occurred during the same time of day. Using water usage records from the old United Hospital development is not an acceptable method to arrive at a conclusion about the impact of the Proposed Project's wastewater generation to the Village's sanitary sewer system.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

The present sewer infrastructure may have been insufficient for the Hospital when fully operational, so there will have to be major considerations for how to improve and increase capacity for new uses and users.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

Water usage of the previous United Hospital development was used only for comparative purposes and was not used to assess the impact of the Proposed Project's wastewater generation to the Village sanitary sewer system. As set forth in DEIS Table III.D-3, the Proposed Project's estimated sewage flow was determined using Proposed Project uses and New York State Design Standards for Intermediate Waste Water Treatment Systems, dated 3/5/2014, which yields an average daily flow rate of 165,000 gallons per day. The Harmon Peaking Factor was used to determine the peak sewage flow rate of 602,000 gallons per day, which was adopted as the Project Site generated peak flow rate.

Regarding flow capacity of the existing sewer and necessary mitigation improvements, refer to FEIS III.D6.

Comment D8:

The applicant has provided theoretical capacities of the existing sanitary sewer infrastructure in Boston Post Road, indicating existing areas of surcharge. As the applicant has noted, "in order to determine the adequacy of the system to handle the needs of the Proposed Project...the available information is lacking..." Further field investigation must be conducted in order to complete an analysis of the sanitary sewer system's ability to properly convey wastewater from the site. This would likely require TV inspection of existing sanitary sewer main and flow monitoring.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

At the request of the Village Consulting Engineer, the Applicant performed additional field analyses including survey, flow monitoring and TV inspection of the existing sanitary sewer system in Boston Post Road. Based on that information, existing flow, pipe capacity and condition of the existing sewer in Boston Post Road was performed as described in FEIS Response D6 and separate reports included in FEIS Appendix D.

~~Also refer to Response to FEIS Comment III.D11, which addresses the Applicant's agreement to correct certain identified existing system deficiencies.~~

Comment D9:

Once an in-depth, field-verified analysis of the Village's existing sanitary sewer system (from the project site to Purdy Avenue) has been completed only then may the true capacity of the sanitary sewer be determined. This will also provide a baseline from which any impact on the capacity of the existing infrastructure can be gauged during the peak usage periods of the proposed development and those of the surrounding areas.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

Refer to Response to FEIS Comment III. D6.

Comment D10:

It is the Applicant's opinion that a reduction in inflow/infiltration (I/I) is not required based on their assertion that the flow from the Proposed Project will be less than that of the Project Site's previous use. However, it is our opinion that flow from the project will require three times the I/I to be removed from the Village system.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

The Applicant has agreed to contribute funds that would be dedicated to removal of I&I at a rate of three times the proposed average daily sewage flow from the Project Site. The monetary contribution would be calculated as three times the increase in sewage flow in gallons times one dollar per gallon. The funds would be dedicated for I&I removal from the portion of sewer between the Project Site and Manhole 90500 (FEIS Exhibit III.D-1).

Therefore, the Applicant's financial contribution toward I&I removal is calculated as follows:

*(Projected Sewage Flow) x (three) x (\$1/gallon) =
Contribution for I&I removal in dollars
(165,000 gpd) x (3) x (\$1) = \$495,000*

Comment D11:

The existing sanitary sewer line from the proposed site to the intersection of South Main Street and Purdy Avenue must be inspected, repaired and replaced with larger diameter pipe as necessary.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

Refer to Response to FEIS Comment III.D6 and FEIS Appendix D for separate reports.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and the preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Schools

Comment F1:

Is the Rutger's standard the best evaluative tool for school age children projections? Urabanomics favored a localized multiplier: i.e., "Public Use Microdata Areas (PUMA). During prior public hearings, to the best of my recollection, there were some wild ranges from around 12 to 125 SAC depending on the source.

Gene Ceccarelli, Letter 1, 8/24/15

Response:

For illustrative purposes, the Applicant used both the Rutgers multipliers and the IDA multipliers to estimate the number of school children generated by the Proposed Project.

The Rutgers University¹ generation rate analysis is considered the standard for use in estimating anticipated population demographics for new housing. The authors of the Port Chester IDA School Mitigation Study² (the "IDA Report") reference the Rutgers analysis as an industry standard and an "excellent body of work."³ It is noted that the IDA Report has not been formally adopted by the Village of Port Chester, the Port Chester IDA or the Port Chester School District. As noted on page 8 of the IDA Report, the authors ran many iterations of cross-tabulations, but decided that public use microdata area (PUMA) 3504 multipliers gave the most accurate results. PUMA 3504 includes Port Chester, Rye City, Rye Brook, Harrison and Mamaroneck. The IDA Study further noted: "While it is quite true that Port Chester is demographically quite different from the surrounding areas, new construction is likely to mirror that of the more affluent neighbors⁴." The resulting multipliers were compared to the Rutgers University multipliers, and in general found that the customized multiplier yielded greater numbers of public school age children in multi-unit structures with 2-bedrooms or more, but lower numbers in 1-bedroom units⁵. The IDA Report noted that it wanted to test the multipliers using a recently constructed project as test case. The Mariner, a recently constructed multi-family development, was selected. The School Board provided data to the authors of the report for the purpose of validating the new multipliers developed from the PUMA data. The School Board indicated that 15 students reported the Mariner as their place of residence for the 2013 school year and that 18 students were registered for 2014-2015. This data appeared

¹ Residential Demographic Multipliers – Estimates of the Occupants of New Housing, Rutgers University, Center for Urban Policy Research, June 2006

² Port Chester Public Schools Overcrowding and Mitigation Analysis, Phase 1 Report, Urbanomics, November 14, 2014

³ Ibid. page 8

⁴ Ibid. page 8

⁵ Ibid. page 9

to closely track the newly developed, 'Port Chester-specific', multipliers, as noted in the IDA study. However, as noted below, these numbers were never confirmed and in fact were erroneous.

In September 2015, after receipt of the School Board's comments noted above, the Applicant filed a FOIL request with the Port Chester School District, refer to Appendix G, which specifically requested the number of school age children living at The Mariner that attended Port Chester public schools. Based on information provided by the School District, 2 public school age children were living in The Mariner in 2013-2014 on a temporary basis while their home was being renovated, no students from The Mariner were attending Port Chester public schools in 2014-2015 and 2 public school age children from The Mariner were attending Port Chester public schools in 2015-2016. As noted in the IDA report, unit distribution for The Mariner is 60 1-bedroom units and 40 2-bedroom units; if dens were counted as bedrooms the unit distribution would be 35 1-bedroom units, 52 2-bedroom units and 3 3-bedroom units.

The Port Chester School District commissioned a 10-year enrollment forecast, which was prepared by Urbanomics, dated January 2015 (the "Enrollment Report"), refer to Appendix O. As part of the forecasting methodology, the following data was collected: school district enrollment by grade from 2007 to the present; State Department of Health births by school district; retention rates by grade from year to year; percentage of births (lagged by 5 years) to enter kindergarten; average of kindergarten entrance rates applied to new birth data; average historical retention by grade to determine the subsequent grades class size in the next year. The report contained four different enrollment projections, each based on a different retention rate (1-year, 3-year, 5-year and 8-year). Each of the Retention Rates analyzed showed peak enrollment in 2019-2020 with declining enrollment after that until 2024-2025, the last year where projections were provided. For each of the retention rates used, there was a peak enrollment anticipated in the 2019-2020 school year with declining enrollments thereafter to the end of the time frame analyzed.

Comment F2:

Section 6 on page E-5 discusses Socio-economic, Community Facilities and Services. In this section of the DEIS, projections are made for a yield of 23 to 34 children from this 730 housing unit project, of which only 230 units are age-restricted. We maintain that 500 non-age-restricted units will yield far more than 23 to 34 children. As a local point of comparison, as of 2014, there were 27 children living in Port Chester's 100-unit Mariner building.

We ask that you re-visit a letter that was sent to former Mayor Pagano by Dr. Edward Kliszus, Superintendent of Schools, dated December 22, 2014. This letter spells out numerous concerns we have with the Rutgers multiplier that was used in the Urbanomics study to establish the proposed mitigation formula. We request that this letter be included as part of the public record for this hearing.

Bob Johnson, PH 8/27/2015, p. 49, Letter 15

Mariner complex, not family friendly...downtown, traffic, no open space, far from schools. 27 children living in 100 units. This creates a multiplier of 0.27.

Starwood's United Hospital Redevelopment Project. Family friendly location...walk to playground/park, walk to elementary school, walk to family friendly restaurants. Likely to attract families. Applying the Mariner's multiplier to the Starwood site yields 197 children for 730 units.

The 200 Loft units are basically the same as the 100 1BR units. DEIS uses a 0.00 public school children multiplier for Loft units, generating 0 students from 200 loft units. District contends a 0.07 multiplier should be used for Loft units as is used for 1BR units, generating 14 students from 200 loft units.

DEIS does not factor in the possibility of children living in Senior housing units. Some students do live with grandparents, and people are becoming parents at an older age. District contends a multiplier of 0.03 should be used for Senior units, generating 7 students for 230 units.

DEIS does not factor in the possibility of children living in Studio units. A single parent could live with a child in a Studio unit. District contents (sic) that at least 3 students should be added for the 100 studio apartments.

Port Chester School District Presentation, Letter 24, October 5, 2015, PH, October 5, 2015 p.

Indeed, Starwood ought to pay its full fair share because this project could make the school overcrowding worse. Starwood contends that it will minimize this risk by making 230 of the residential units age-restricted, and targeting the rest toward "Millennials" without children. But there is no way to know for sure whether the company's plans will work. We note that a representative of the School Board challenged Starwood's projection of the number of school age children that are likely to live in the proposed development during one of the Village Trustee hearings on the project. (Presentation: Public Hearing, Impact of Schools, United Hospital Redevelopment Project DEIS, Presented by the Port Chester-Rye UFSD Administration and Board of Education.)

- What plans does the village have to evaluate the accuracy of Starwood's predictions regarding the number of new school children this project will generate?
- How will the Village and/or school district absorb the added school children?

Build Up NYC, Letter 25 October 5, 2015 Letter 39, October 30, 2015

My question to Mayor Pilla and the board of trustees is: What plans do you have to evaluate the accuracy of Starwood's prediction of the number of schoolchildren who might enroll in our schools, and what plans do you have in case the number of kids entering our schools is more than what Starwood is predicting?

Joaquin Viaejo, PH, October 5, 2015, p. 64, Letter 28, October 5, 2015

According to the DEIS, the following number of school children are anticipated for this development:

Port Chester IDA Overcrowding & Mitigation Analysis Report:	34 students
Rutgers University Center Analysis:	23 students

There are other locally significant measures that should also be reviewed to best determine what types of mitigation, if any, may be needed to offset the anticipated increase in enrollment. For instance, the village may want to apply the percentage of students that currently exist *per occupied unit* within the village or district boundaries and apply that multiplier to anticipate the increase in enrollment, as well as projecting the total number of school-aged students (public, private and parochial) the project would generate within the school district. In reviewing these figures, the village may also wish to factor in any closing or potential closing of additional parochial schools in the region to determine the impacts of this development.

It is not clear why school children generated by the 200 loft apartments were not included in the estimated number of students. Many times interest in loft spaces may differ from the interest in other types of units as they may have more flexibility in use and design that are desirable for families. It appears that the loft apartments, as designed, include one bedroom and are equivalent in size to the other one bedroom units. As such, there are multipliers for one bedroom units that should be applied in determining the number of anticipated students.

Village of Rye Brook, Letter 22, September 22, 2015

How many school children are going to come out it.

Heather Paul, PH, August 27, 2015, p. 59

TRUSTEE TERENZI: Dr. Klichas, the 27, is that from information you have in the school district where you know that that's 27 children going to your school from that address?

DR. KLICHAS: Yeah, based on the address.

TRUSTEE TERENZI: So you're saying there's 27 students that, right now, use the address as the Mariner.

DR. KLICHAS: Correct.

Trustee Terenzi, PH, October 5, 2015, p. 39

TRUSTEE KENNER: I just want to follow up on the gentleman that mentioned the FOIL request that you provided -- you submitted to the school, because that's a vast discrepancy here. You're talking about 2 versus 27. Your numbers were as of when?

MR. SMITH: It was earlier this week -- actually, last week.

TRUSTEE KENNER: So it's for the current school year.

MR. SMITH: Correct. It's for the current school year.

TRUSTEE KENNER: And they're saying they have 27 for the Mariner project.

MR. SMITH: Well, the gentleman who was here, Mr. Johnson, I believe he presented that there was 27. We put in the FOIL request and came out with a different number in response back.

Trustee Kenner, PH, October 5, 2015, p.80

The proposed one-time mitigation fee to the district is based on projections for a yield of, as we've seen in the presentations, of about a maximum of 34 children from the 730 housing unit project of which only 230 units are age-restricted. We maintain that 500 non-age-restricted units will yield far more than 34 children. As a local point of comparison, as of 2014, there are 27 children living in Port Chester's 100-unit Mariner Building.

Bob Johnson, PH 8/27/15, p. 50

So will there be real oversight? Will there be a way to regulate how these dwellings are housed when it comes to children? So Starwood's projections tonight that an estimated 34 students would be added to the district, and I think that's lowballing it. Village Planners have that figure over three times at about 111 students.

Rob Reis, PH 9/08/15, p. 119, Letter 50

Response:

As noted in FEIS Response F1, the DEIS used two different methodologies to project the number of school age children that may attend the Port Chester public schools: the Rutgers Study and the IDA report. The Rutgers study is widely used throughout our region to estimate the potential for school age children to live in a new residential development. The IDA report was commissioned to look specifically at the number of children that may be generated by new residential projects within the Village. Using the multipliers in the Rutgers study, the Project is estimated to generate approximately 23 school age children. Using the multipliers in the IDA report, the Project is estimated to generate approximately 34 school age children. The ability of the Project to offset the costs to the school district of the incremental increase in school age children from the Proposed Project is detailed in the response to Comment III.F3.

It is unclear whether projecting the number of public school age children from occupied housing units can be calculated accurately given that the average household size for owner occupied units in the Village of Port Chester is 2.913.11 and for renter occupied units it is 2.893.15⁶. There is no rational way for determining from those figures what proportion is attributable to a public school age child. As indicated in the IDA report,⁷ "it is important to take into consideration the changes likely to occur not only in the short term from the children in the new developments, but also in the long term from the changing socio-economic patterns in the Village. The child generation patterns of the new market rate housing will be different than that of the more affordable housing traditionally in Port Chester – so as current residents with children age in place and the area becomes more affluent, it is likely that the number of children may start to decline in Port Chester as it has throughout the majority of Westchester County."⁷

⁶ 2014 American Community Survey 5 Year Estimates.

⁷ Ibid. page 8

With respect to the number of children living in the Mariner and attending the Port Chester Schools, please note two items. First, the number of students estimated to live in the Mariner was not used to create the multipliers in the IDA report, rather, they were used to test the accuracy of those multipliers. Second, the Applicant sought to clarify the current number of students living at the Mariner for the FEIS. To do so, the Applicant submitted a FOIL request to the Port Chester School District requesting the number of school age children living at the Mariner attending Port Chester Public Schools, the number of school age children living at the Mariner not attending Port Chester Public Schools and of the total number of school age children not attending Port Chester Public Schools, how many were bussed by the Port Chester Public Schools to other private or parochial schools, or had special education needs. As noted in the October 9, 2015 correspondence from the School District, refer to Appendix G, for the 2013-2014 school year, 2 public school age children were living in the Mariner on a temporary basis and were bussed while their house was being renovated, there were no public school age children living at the Mariner in 2014-2015, and in 2015-2016 there were 2 public school age children living at the Mariner who attend the Port Chester Public Schools. Therefore the number of school age children living in the Mariner is less than the number that would be projected using either the Rutgers Study, or the IDA report. As such, the estimate of school age children generated by the Proposed Project and included in the DEIS is likely to represent the high end of the range of students potentially generated.

The Applicant contends that the age-restricted housing will, by its very nature as being “age-restricted”, not generate school age children. The Applicant further contends that the loft units being proposed are comparable to a studio unit in that there is no bedroom per se, not a separate room, but an alcove for a bed providing limited privacy, refer to Exhibit III.F-2, Studio/Loft Unit Comparison. The Rutgers Study does not include studios as part of their calculations for generation of school age children, which is -reasonable given that those units are typically marketed for single person households. The mitigation formula developed as part of the IDA Report does include multipliers for studio units. For rental units the generation rates are 0.00 for market rate units, 0.00 for workforce housing units and 0.06 for affordable housing units. The 0.00 generation rate for market rate units was applied to the Proposed Project.

If the Applicant used the actual number of students residing at The Mariner to estimate the number of students that may be generated by the Proposed Project’s 2-bedroom units, the Proposed Project’s 2-bedroom units would yield 3 students. This is significantly less than the number of students estimated to be generated using either the Rutgers multipliers (23) or the IDA report multipliers (34). Using the figures provided by the Port Chester School District as part of the recent FOIL request, the two bedroom units would yield a generation rate of 0.03 public school age children per unit. This is far less than the 0.31 2-bedroom multiplier from the IDA Report. Table III.F-2, Updated Pubic School Child Generation Projections, uses the multipliers generated by The Mariner’s actual enrollment to provide a new estimate of the Proposed Project’s potential public school age child generation. The Applicant is not suggesting that the Proposed Project’s potential impacts be estimated using this data; rather, the Applicant is presenting the data as further evidence that the range of students presented in the DEIS (23-34) is a reasonable, if not a conservative estimate.

Table III.F-2
Public School Child Generation Projections Using data from The Mariner

Unit Type	Units	Public School Children Multiplier	Public School Children
<i>Loft</i>	200	0.00	0
<i>Studio</i>	100	0.00	0
<i>1 Bedroom</i>	100	0.03 ¹	3
<i>2 Bedroom</i>	100	0.03 ²	3
Total	500		6

Source: 1. Port Chester Public Schools Overcrowding and Mitigation Analysis, Phase One Report, Urbanomics, 11/10/2014
 2. Port Chester School District, 10/9/2015 response to FOIL request

With respect to the potential closing of parochial schools raised as part of the comments, the Enrollment Report does note that if private elementary schools were to close, the demand for space in public schools would greatly increase⁸. It is noted, see Response to Comment F12, that the Port Chester School District has used former parochial school buildings to accommodate space needs; it is possible that in the event there are closings as noted in the comment, an arrangement could be reached to reuse existing facilities. However, the Applicant does not believe that such closings would be Proposed Project impacts.

Comment F3:

We do not agree with the figures being used for "hard" and "soft" costs when determining the tax abatement formula. The numbers being used are stripped of many overhead costs and are unrealistic. Further, we recommend that the mitigation formula be recalculated to reflect increases in costs and state aid.

On January 15, 2014, the Board of Education passed a resolution to Discourage Large-Scale Housing Projects that Increase Student Enrollment in the District. We request that this resolution be included as part of the public record for this hearing.

Bob Johnson, PH 8/27/2015, p. 49, Letter 15

Pages E-5 and E-6 concerning Socioeconomic Community Facilities and Services, the DEIS proposes a one-time mitigation fee to the district.

⁸ Port Chester Rye UFSD 10 Year Enrollment, Urbanomics, January 2015, p. 5

The proposed fee is based on estimated hard and soft costs associated with the annual costs per pupil in the school district.

Using the soft cost number at \$13,723 per pupil, we do not agree with these figures being used for hard and soft costs when determining the tax abatement formula.

The numbers being used are stripped of many overhead costs, and, in our opinion, are unrealistic.

We suggest that you consider the tuition rate the school district charges for out-of-district students who attend our schools as a true reflection of the costs to the district and the market value of the SEEP in the district.

The 2015-2016 out-of-district tuition rate for a student in Grades 7 through 12 is about \$15,110 - - or excuse me - - \$15,101 for regular instruction and \$47,569 for special education students with disabilities.

Bob Johnson, PH 9/8/15, p. 50, Port Chester School District Presentation, Letter 24, October 5, 2015

The simple question that I ask is from the point of view of how it will affect our school districts, will the Starwood development plans and the tax deals do right by Port Chester schools and add to more needed revenue, or could they potentially be a burden and actually cost us more?

So the question is – will Starwood’s development plan and their Payment in Lieu of Taxes, flood the system with even more students while generating less revenue?

Rob Reis, PH 9/08/15, p. 116, Letter 50

Response:

The IDA Report evaluated the operational, or annual, costs on a per student basis which was reported at an estimated \$13,723 per student net of aid⁹ and reflected costs supported by property taxes. This figure included only selected school budget line items based on input from the School District. The IDA Report also included a per student cost including all school budget line items that equates to \$15,217 per student¹⁰. This is the projected average cost on an annual basis for educating a student in the Port Chester School District, net of aid, and is inclusive of the costs of special needs students as well. FEIS Table III.F-3, Projected Range of School District Costs, provides a projection of potential costs associated with the Proposed Action using both the \$13,723 and \$15,217 figures referenced in the IDA Report. It is noted that the \$15,217 average annual operational cost per student is higher than the out-of-district tuition rate and therefore is more conservative.

⁹ Port Chester Public Schools Overcrowding and Mitigation Analysis, Phase 1 Report, Urbanomics, November 14, 2014, page 12

¹⁰ Ibid, page 12

Table III.F-3
Projected Annual Range of School District Soft or Operational Costs

Projected Public School Age Children Source	# Public School Children	Cost per Student	Projected Cost
<i>IDA Report</i>	34	\$13,723	\$466,582
<i>Rutgers Analysis</i>	23	\$13,723	\$315,629
<i>FEIS Table III.F-2</i>	6	\$13,723	\$82,338
<i>IDA Report</i>	34	\$15,217	\$517,378
<i>Rutgers Analysis</i>	23	\$15,217	\$349,991
<i>FEIS Table III.F-2</i>	6	\$15,217	\$91,302

Compiled by Planning & Development Advisors

It is noted that the Applicant has proposed a PILOT payment to the Port Chester School District of \$1,993,529 annually. Based on the projections provided in FEIS Table III.F-3 above, a surplus of between \$1,517,191 and \$1,082,151 would accrue to the School District annually depending on the projected number of students generated and cost per student figure used (these figures represent surpluses over and above the estimated \$394,863 of tax revenue currently being generated to the School District from the Project Site).

The Applicant has prepared school age children projections based on independent third-party input and analysis, which the Applicant believes is conservative in nature given the other industry standard models used to predict public school age children from multi-family developments. In order to provide the Village with the appropriate mechanism for review of this issue post-approval, the Applicant would agree to a School After Study that would survey the number of public school age children. Upon the issuance of a certificate of occupancy for any of the Proposed Project's residential buildings, and for 10 years thereafter, the Applicant will provide an annual report (School After Study) to the Village/Port Chester Rye Union Free School District (PCSD)/IDA at the end of each school year that documents the number of public school age children attending the Port Chester public schools from the Proposed Project. In the event the increment of the PILOT amount directed to the School District over the real property taxes paid by the Applicant to the PCSD as of the date of site plan approval for the Proposed Project (PILOT Increment) is less than the operating cost of educating the number of students from the Proposed Project enrolled for any year during such 10-year period (Project-Generated Students), the Applicant has agreed that it would pay to the PCSD such difference. The actual per child annual operating cost of education will be calculated based on the methodology established in the IDA Report (refer to DEIS Appendix F - Student Operating Costs) and will be updated annually based on the figures presented in the annually updated and adopted PCSD budget.

Any payment required of the Applicant to be made to the PCSD will be made at the end of the school year when filing the School After Study. As noted in the Port Chester-Rye UFSD 10-Year Enrollment Report (see FEIS Appendix O), the PCSD enrollment is projected to decline well before the expected 10 year time frame from the date of issuance of the certificate of occupancy.

The Village staff and consultants believe that the first School After Study should occur at the end of the school year in which the first certificate of occupancy is issued for one of the Proposed Project's ~~market-~~non age-restricted housing units and continue for ten years thereafter.

In the event that the School District passes a bond referendum while the Proposed Project is subject to a PILOT, the Applicant- would be subject to paying their fair share based on assessed valuation of the Proposed Project according to applicable law and IDA policy.

Comment F4:

Analysis and subsequent discussion of potential impacts should consider only district- enrolled school age children.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

Comment noted. The analysis prepared as part of this EIS has only considered impacts of public school age children on the Port Chester School District.

Comment F5:

E-5: DEIS proposes one-time mitigation fee of \$18,370 per student. Payments should be made for as long as the tax subsidy (PILOT) is in place. This fee should be allowed to change over time based on actual district expenses.

Port Chester School District Presentation, Letter 24, October 5, 2015

Again, this has to do with the mitigation fee. \$18,000 one-shot fee for a child that will attend school for 12 years -- 13 years is not sufficient.

Port Chester School District Presentation, PH October 5, 2015, p. 43, Letter 24, October 5, 2015

Will the board of trustees look into whether the IDA proposal for the one-time pavement of \$18,370 per student is really a fair system for school funding for major developments like this one?

John Tritt, PH October 5, 2015, p. 70, Letter 23

Will the Board of Trustees look into whether the IDA proposal for a one-time payment of \$18,370 per student is really a fair system for school funding from major developments like this one? We share these concerns about this plan raised by School Board President Robert Johnson at one of the hearings:

- o The payment should not be one time; rather it should run concurrent with the cost of the 20 year PILOT, so payment should be expected to grow over time due to increases in school district costs and changes in state aid funding over time.
- o The payment amount proposed by Starwood is stripped of overhead costs. We agree with the School Board that using the tuition rate for out of district students would be a true reflection of the cost to the district per student.
- o Additional students will cost the school yearly for the whole time they are enrolled, not just for the first year they are enrolled. Therefore the cost per additional student should be recalculated each year and increase over time.

Build UP NYC, Letter 25, October 5, 2015 and Letter 39, October 30, 2015

Does Starwood's proposal adequately address the needs for funding to expand schools?

John Tritt, PH October 5, 2015, p. 67

Response:

*The IDA Report identified that the Port Chester School District was in the process of preparing plans for expansion of new facilities to accommodate existing and projected School District enrollment needs. Since that time the Port Chester residents voted down a proposed school bond referendum to expand existing facilities. As noted above, the IDA Report has not been formally adopted by the Village of Port Chester, the Port Chester IDA or the Port Chester School District. Notwithstanding, the following is a reflection of what is in the IDA Report. The IDA Report identified a construction cost (i.e., capital cost) per student minus state aid of \$18,370. This figure, if applied to proposed residential developments within the Port Chester School District, could equate to a “one-time” cost that would contribute towards the capital cost of construction of new facilities. (This is in addition to the annual costs of educating students, discussed in the Response to Comment III.F3.) Based on the projections outlined in Tables III.F-2 Public School Child Generation Projections Using Data from the Mariner, and III.F-3 Projected School District Costs, above, Table III.F-5, Projected School District Capital Costs, provides a projection of the potential one-time capital costs to the school district related to the increase in enrollment from students living at the Proposed Project. As shown below, the potential **capital** costs attributed to the Proposed Project range from \$110,282 to \$624,572.*

Table III.F-5
Projected School District Capital Costs

Projected Public School Age Children Source	#	Cost per student¹	Projected cost
IDA Report	34	\$18,370	\$624,572
Rutgers Analysis	23	\$18,370	\$422,504
FEIS Table III.F-2	6	\$18,370	\$110,282

1. Port Chester Public Schools Overcrowding and Mitigation Analysis, Phase One Report, Urbanomics, 11/10/2014

The Applicant has proposed a PILOT payment to the Port Chester School District of \$1,993,529 annually.

The Village staff notes that, based on the projections provided in FEIS Table III.F-3 above, if a PILOT in the proposed amount were approved by the IDA, a surplus of between \$1,517,191 and \$1,082,151 would accrue to the School District annually after taking into account the existing tax revenue (\$394,863) currently being generated from the Project Site. The remaining portion of the PILOT could then be used to pay for the projected one-time ‘capital’ costs identified in Table III.F-5. Therefore, at the annual PILOT payment proposed, the School District would, in a single year, have enough money to pay the increase in operational costs attributed to the estimated 34 children from the Project, as well as the estimated capital costs attributed to an additional 34 children, with approximately \$457,000 left over. [See Response to Comment III.F3 for a discussion of the School After Study proposed to verify the number of school age children from the Proposed Project that attend public schools.](#)

In the event that the School District passes a bond referendum while the Proposed Project is subject to a PILOT, the Proposed Project would be subject to paying their fair share based on assessed valuation of the Project according to applicable law and IDA policy.

Comment F6:

It should be noted that the Smart School Bond Act grant of \$1.7 million received by the District has nothing to do with pre-Kindergarten or building new classroom capacity (III.F.2)). These funds are being used to upgrade district technology so the district can comply with state-mandated requirements to have students complete state tests on computers.

Port Chester School District Presentation, Letter 24, October 5, 2015

Response:

Comment noted. The DEIS noted that one of the components of the Smart School Bond Act included funding to construct, enhance, and modernize educational facilities to accommodate pre-kindergarten programs and provide instructional space to replace transportable classroom units. As indicated above, the Port Chester School District has decided to use the funding to upgrade district technology.

Comment F7:

Starwood or its successors cannot legally prevent families with children from renting at this building. Families with children are a protected class under the federal Fair Housing Act. What internal safeguards will Starwood put in place to make sure that the Fair Housing Act and any applicable state laws are not violated at this project despite the pressure to minimize the number of schoolchildren living there?

Build UP NYC, Letter 39, October 30, 2015

So what real guarantees can be made that the age-restricted units will not house children?

Rob Reis, PH 9/08/15, p. 118, Letter 50

Response:

Comment noted. The Applicant notes that under the Fair Housing Act (FHA), housing can legally be restricted for occupancy/ownership/leasing by 55 years old or older, which is what the Applicant proposes to do for its proposed age-restricted housing units. The Applicant will not restrict the type of resident in the non-age restricted housing. Rather, as noted in the Village's Comprehensive Plan, the Proposed Action includes a majority of smaller units, 80 percent of which are studio, lofts or one-bedroom units, so as to limit the potential number of public school age children likely to live in the Project based simply on the size of the proposed units, not any specific restrictions. In addition, the units, as they are designed, are small in square footage, which contributes further to the likelihood that families with children will not occupy the age-restricted apartments. It is noted in Response to Comment III.F-3, that the Applicant has agreed to a School After Study that would cover any incremental operating cost of additional school age children beyond the proposed funding to be provided as part of a PILOT payment to the School District.

Comment F8:

We further argue that the whole concept of a one-time mitigation fee puts the district at financial risk.

A student coming into the district from this project will cost the district for each year he or she remains in the district; thus the mitigation fee per student should run concurrent to the length of the proposed 20-year PILOT.

Bob Johnson, PH 8/27/15, p. 50

Response:

Comment noted. Refer also to Response to Comment III.F-3. The estimated annual costs per student (~\$15,200) covers the on-going annual costs of educating the students. As indicted in Response III.F3 and III. F5, the proposed annual PILOT payment to the School District of \$1.993 million far exceeds the projected annual cost to the School District from the addition of new students.

Comment F9:

The annual cost per pupil to the district should be re-calculated each year and should be expected to grow over time, factoring in increasing costs and State aid.

Bob Johnson, PH 9/8/15, p. 51

Frankly, no one knows exactly how many students will come on into the school district from the project or when these students will enroll.

The district proposes that a variable annual payment be required based on actual enrollment for a given year.

Bob Johnson, PH 9/8/15, p. 51

The average tax increases for the district over the past 20 years has not been 1.53 percent. I don't know how that number got in there.

Bob Johnson, PH 8/27/15, p. 53

Response:

Comment noted. If the IDA adopts a PILOT payment of at least that proposed by the Applicant, the annual payment to the School District would cover the annual educational costs of the 34 students conservatively estimated to be generated by the Project even if the annual educational costs were \$31,827 (\$1,082,151/34 students) per student instead of the current ~\$15,200. That is, the school district would receive enough money to cover the operational costs of 34 children even in the event that the School District's annual cost per student increased by 209%. As stated in Response to Comment III.F-3, the Applicant has committed to paying the incremental annual costs associated with the public school children from the Proposed Project in the event that those costs are not covered by the PILOT payment.

Comment F10:

The DEIS should use actual experience of the annual increase in Tax Levy portion paid by the Non-Homestead properties.

Port Chester School District Presentation, PH, October 5, 2015 and Letter 24, October 5, 2015

Response:

Table III.F-10, Tax Rate Increase PCRUFSD Non-Homestead Rate, provides a breakdown of the Non-Homestead tax rate for the past five years. It is noted, however, the NYS Comptroller has criticized the District for over-estimating expenses, and therefore increasing property taxes more than what would otherwise be needed to maintain District services. Refer to FEIS Response to Comment III.F-3 for

discussion of costs associated with public school age children and the Applicants proposal to do no harm and cover potential operating costs incurred.¹¹

Table III.F-10
Tax Rate Increase PCRUFSD Non-Homestead Rate

Year	Non-Homestead tax rate	% increase
2011	19.57157	
2012	21.57937	10.26%
2013	23.04648	6.80%
2014	24.38619	5.81%
2015	24.63595	1.02%
avg. increase		5.18%

Source: <http://www3.westchestergov.com/property-tax-rates>

Comment F11:

Does the Applicant propose to mitigate the one-time (“capital”) costs incurred by the School District, or does the Applicant believe mitigation is not necessary?

AKRF and SPR, Letter 42, November 2, 2015

Response:

It is not clear if there is a mechanism in place that the School District, or any other entity, could equitably extract payments from new residential developments within the Port Chester School District to help off-set the cost of new construction. The Applicant is not proposing a separate payment to the School District to cover the potential one-time capital costs associated with the school children estimated to live at the Proposed Project. In the event that the School District passes a bond referendum while the Proposed Project is subject to a PILOT, the Proposed Project would be subject to paying their fair share based on assessed valuation of the Project according to applicable law and IDA policy.

¹¹ <http://www.lohud.com/story/news/local/westchester/rye-brook-port-chester/2015/10/01/nys-comptroller-audit-port-chester-school-has-excess-fund-balance/73082900/?from=global&sessionKey=&autologin>

Comment F12:

The DEIS does not include the Early Learning Center in the list of school buildings in the district.

Port Chester School District Presentation, Letter 24, October 5, 2015

Response:

According to the Port Chester School District, the Kennedy School is comprised of three facilities including the early learning center located at the former Holy Rosary School located on Central Avenue in Port Chester.

Comment F13:

Estimates of Student enrollment shows declining enrollment. These projections ignore the impact of immigration, the inflow of students from private and parochial schools, children living in illegal housing, and the impact of unforeseen housing projects. (Socio-Economic, Community Facilities and Services, Page III.F-8, Table III.F-10).

Port Chester School District Presentation, Letter 15 and Letter 24, October 5, 2015

Response:

The enrollment projections in the IDA Report, which were included in the DEIS, were based on a methodology that included: an evaluation of historical births of all mothers residing in the Port Chester School District; evaluation of annual births of 5 years prior to the school year; total enrollment of all students by grade; survival rates using six year historical survival rates; the inclusion of ungraded students (grades 13 and 14); and inclusion of projected public school children from pending developments. While these figures are only estimates (the actual numbers may be higher or lower), the Applicant contends that changes in the future enrollment of the district would not change the impact analysis of the Proposed Project. Even if school enrollment increased separate and apart from the Proposed Project, the School District is likely to see a surplus of revenue from the Proposed Project even after taking into account the annual operational costs of the Proposed Project's students, as well as their one-time capital costs. See Responses to Comments III.F3 and III.F5.

It is further noted that School District commissioned its own 10 year enrollment projections¹² using the same author that prepared the IDA Report. The Enrollment Report took the total enrollment projections to the year 2025, which is two years beyond that outlined in the IDA Report but the same trend of declining enrollments was forecast. Further, the 10 Year Enrollment Study noted that approximately 87 percent of the Port Chester children ages 3-17 attend public ~~schools~~ schools and that there are another approximately 600 that attend parochial and private schools¹³. The 10 Year Enrollment Study also noted that retention rates between 8th and 9th grades increases, indicating that many children enter the public school system for the

¹² Port Chester Rye UFSD 10 Year Enrollment, Urbanomics, January 2015

¹³ Ibid., page 5

first time as high school students¹⁴. ~~The 10 Year Enrollment Report did note on page 5 that if private elementary schools were to close, the demand for space in the public schools would increase greatly. It is unknown to the Applicant why the School District would not have instructed its own consultants to assess the potential impact of illegal housing, immigration and unforeseen housing projects on School District enrollment trends.~~

Initially, these possible events are unrelated to the potential impacts of the Proposed Project. The School District's 10-year Enrollment Study, to the extent it was based on births in the School District and past changes in enrollment, would have accounted for students attributable to immigration or illegal housing. That report did reference the possibility of increased enrollment due to the closure of private elementary schools, but apparently did not consider that even sufficiently predictable to include in the study. In any event, the possibility of any of these events, and particularly the closing of private or parochial schools and unforeseen housing projects, are speculative and not appropriate for inclusion in a review under SEQRA. Please refer to the Response to Comment III.F3 for a discussion of the School After Study proposed to verify the number of school age children from the Proposed Project that attend public schools and the Applicant's commitment to provide the School District with sufficient revenues to cover the annual cost of educating those students.

Comment F14:

Is there not a better tax incentive that could be included as some sort of guarantee to the needs of the school district? Can there be a shorter term on the PILOT as Mr. Johnson alluded to, or some sort of stop-gap measure, should there be more kids than expected?

Rob Reis, PH 9/08/15, p. 118, Letter 50

Response:

As noted in Response to Comments III.F3 and III.F5, the proposed PILOT payment of \$1.993 million is projected to far exceed any potential impact to the Port Chester School District related to increased enrollment from the Proposed Project. In addition, the PILOT proposed by the Applicant is only a proposal. The IDA will ultimately be the agency that determines the amount, duration, and repayment structure of any PILOT. I

Refer to Response to Comment III.F-3 for a discussion of a proposed School After Study which would cover the incremental annual operational cost to the School District.

Comment F15:

¹⁴ Ibid. page 5

Why is Port Chester considering the agreement that would take Starwood off the hook for over \$34 million in school taxes? Doesn't anybody realize what kind of meaningful difference simply asking Starwood to pay its fair share of school taxes would have on the lives of students we care so much about?

Virginia Ellis, PH October 5, 2015, p. 59

The \$34 million Starwood seeks to avoid in paying to the school district is enough to cover more than half of the school construction project as it currently stands. If, as recommended by a vote of the School Board on October 28th, work at Port Chester Middle is eliminated from the school construction project and the expense reduced to \$41.5 million, then the revenue lost through Starwood's proposed PILOT would be the equivalent of over 80% of the school bond. Or \$34 million could pay for the salaries of 17 additional teachers for the next twenty years. Both of these measures could help alleviate the overcrowding faced by Port Chester's students and educators.

Every Port Chester taxpayer is helping bear these kinds of costs and others so that the schools can prepare children for productive, fulfilling futures. What justification is there for Starwood contributing any less than its fair share?

Build UP NYC, Letter 39, October 30, 2015

Starwood projects that under its final plan, the firm will pay \$34 million less to the same overcrowded schools than when it paid full -- full property taxes .

John Tritt, PH October 5, 2015, p. 67

Response:

As noted in Response to Comment III.F3, the proposed PILOT payment to the School District of \$1.993 million is anticipated to exceed projected costs to the School District of between \$82,338 and \$517,378 annually over the course of the proposed 20 year time period of the PILOT yielding a projected surplus to the School District of between \$1,517,191 and \$1,082,151 annually taking into account the existing tax revenue of \$394,863 currently being generated by the Project Site. The proposed use of the PILOT program is an important economic development tool and makes the Proposed Project (i.e., the requested density and mix of uses proposed) economically viable (See also AKRF viability analysis, FEIS Appendix P). But for a PILOT, there would be no Proposed Project and no increase in revenue to any taxing jurisdiction. As detailed in Response to Comments III.F3 and III.F5, the potential impacts to the School District resulting from the Proposed Project would be adequately mitigated by the proposed \$1.993 million PILOT payment.

Comment F16:

You have a school district, and I don't know if everybody here saw the recent state audit. Did anybody see the recent state audit of the school district? They've been overstating expenditures for the last five years. They've been inflating the fund balance. How are we even supposed to know \$13,000 per student is an accurate number. I have no idea.

Daniel Tartaglia, PH, October 5, 2015, p. 73

Response:

Comment noted. The Applicant has relied upon information provided by independent third source parties and information provided by the School District and has attempted to take a conservative approach in the methodology used to determine potential impacts.

PILOT

Comment F17:

Proposed payment-in-lieu of taxes (PILOT) and the need for public benefits. The draft EIS states that the proposed redevelopment project will not be feasible for the applicant to undertake unless the applicant receives 20 years of tax breaks under a proposed PILOT. Under the proposed PILOT arrangement, the estimated tax savings for the applicant are described as amounting to approximately \$2,115,000 per year as noted in the table below:

Taxing jurisdiction	PILOT	Non-PILOT
Village	\$1.19 million	\$1.45 million
School District	\$ 1.785 million	\$3 million
County, Town, Sewer and Solid Waste	\$0	\$0.64 million
Extras	\$1 million one-time "public benefits" payment for FAR increase	
TOTAL	\$2.975 million per year	\$5.09 million per year

We note that the proposed PILOT arrangement appears to show that no property tax payments will be made to Westchester County, the Town of Rye or to the Sewer and Solid Waste Districts serving the site. In fact the draft EIS text states on page 111.F-1: The other taxing jurisdictions (County, Town, Sewer, and Solid Waste) would not receive a PILOT payment or ad valorem taxes under the proposed PILOT agreement. It is our understanding that such an arrangement cannot be established without the approval of each taxing authority. Further, a typical PILOT would reduce County, Town and district taxes proportionately to the other reductions under the PILOT as services will continue be delivered to the site from these taxing jurisdictions.

Edward Burroughs, Letter 21, September 22, 2015

Section III.F.7.b of the DEIS provides the anticipated fiscal impacts for the project. The DEIS anticipates that the applicant will seek Industrial Development Agency (IDA) financing which would preclude the

receipt of construction related sales tax. However, no analysis is provided about the amount of the Mortgage Tax revenue and also if the applicant intends to seek relief of any Mortgage Tax through the IDA. It is noted that the Town of Rye and all villages within the Town, including the Village of Port Chester, the Village of Rye Brook and the Village of Mamaroneck, would receive a portion of any Mortgage Tax.

When considering IDA applications in Rye Brook, the Village Board typically approves the relief of sales tax but requires the applicant to pay the equivalent local shares of the Mortgage Tax that would have been payable to the town and all of the villages in the Town of Rye as if the property did not receive IDA financing. The Port Chester Village Board may want to consider this option if Mortgage Tax relief is requested through the IDA.

The IDA application would also provide the applicant with a \$5.1M savings in sales tax revenue for construction material purchased in the county. This would be revenue that would typically go to the county with the applicable share distributed to all but the largest cities in Westchester County, and is revenue that offsets the property tax burdens for the residents in the local municipalities.

The DEIS anticipates that the applicant will seek a PILOT agreement and would pay a fixed amount of \$2,975,000 per year to the village and school district for 20 years with no escalation in payments. Of that amount, 40% would be paid to the Village of Port Chester and 60% would be paid to the Port Chester School District, and it is proposed that a \$1M public benefits package" would be provided for the following items:

Municipal Service Facility: Village	\$250,000
Waterfront and Marina:	\$250,000
Fox Island Peninsula Redevelopment:	\$250,000
Publically accessible/dedicated open	
Space/enclosed program space:	\$250, ~~00~~ <u>000</u>

The DEIS states that if the above PILOT is approved as proposed, "[t]he other taxing jurisdictions (County, Town, Sewer, and Solid Waste) would not receive a PILOT payment of ad valorem taxes under the proposed PILOT agreement." (Page III.F-25). It is not 100% clear if the other taxing jurisdictions would not receive a PILOT payment because they would not be subject to the PILOT (in which case the property would be assessed at full value and these taxes would be paid), or if the intent is to have the other taxing jurisdictions be party to the PILOT and not make any payments for their fair share of the County, Town, Sewer and Solid Waste expenses.

If the intent is to be exempt from paying the property's full share of taxes to the other taxing jurisdictions, the Village of Rye Brook then strongly objects to the applicant not paying the County, Town, Sewer and Solid waste PILOT payments or property taxes as this will increase the tax burden on the remaining property owners in each taxing districts for the next twenty years.

For instance, the mixed use development includes 500 units of housing units that will generate significant sewer and solid waste expenses, yet the applicant seeks to eliminate any PILOT or property tax payments to the sewer district or solid waste district. As a result, the remaining district property owners from Port Chester and Rye Brook would end up subsidizing this increase in expenses as a result of the development over the next 20 years. Beginning in 2014 the Village of Rye Brook already agreed to pay \$125 per parcel annually to the Village of Port Chester for the right to use the local Port Chester sewer mains that brings sewerage to the county-owned Port Chester Sewage Treatment Facility. Rye Brook is not seeking to subsidize any added expenses incurred as a result of this project at the former United Hospital site in Port Chester.

Similarly, if the applicant does not pay a PILOT payment or property taxes to the Town of Rye, the remaining properties in the Town will have to pay any increases to their tax levy as a result of this development.

The DEIS notes that the property was previously not paying property taxes as a not-for-profit hospital. However, the hospital still was required to pay taxes to the Westchester County sewer and solid waste districts. Any potential PILOT should not provide relief from the applicant's requirement to pay their full share of the equivalent property tax amount for the County, Town, Sewer and Solid waste tax levies.

Village of Rye Brook, Letter 22, September 25, 2015

Pro-rata Distribution of PILOT Payments. All of the Applicant's statements and estimates regarding distribution of PILOT Payments need to be corrected.

Specifically, the Applicant's statement that "The other taxing jurisdictions (County, Town, Sewer, and Solid Waste) would not receive a PILOT payment of ad valorem taxes under the proposed PILOT Agreement." is legally incorrect. The Agency notes that there is no "proposed PILOT agreement" and that Section 858(15) of the General Municipal Law ("GML") states, in part, that "Unless otherwise agreed to by the affected taxing jurisdictions, any such agreement shall provide that payments in lieu of taxes shall be allocated among affected tax jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each affected tax jurisdiction had the project not been tax exempt due to the status of the agency involved in the project. Therefore, unless each of the County, Town, School and Village all authorize a distribution formula other than pro-rata, then a pro-rata distribution will be required. As such, the Applicant's DEIS assumptions and tables should reflect pro-rata distribution of PILOT payments (and resultant losses of tax revenues).

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

The DEIS specifies a 60% District/40% Village split of PILOT payments. The District thinks the split should favor the District more, as the District is exposed to the most financial risk from the Project.

Port Chester School District Presentation, PH, October, 5, 2015 and Letter 24, October 5, 2015

The PILOT appears to distribute too favorably to the school district (~\$1.785M) with not enough allocated towards other taxing agencies, especially given the premise that a generation of 23-34 students at a cost of ~\$18,000/year equates to a district cost of ~\$612,000.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

Comment noted. The proposed PILOT has been increased to a first-year payment of \$3,350,000 in this FEIS, as well as to include a 2.5% annual increase. The potential distribution of the PILOT among the various taxing- jurisdictions has also been updated for year 1 to align with the statutory distribution requirements as follows: Port Chester School District \$1,993,529; Village of Port Chester \$919,839; Town of Rye \$4,432; and, Westchester County \$286,063. Those PILOT payments sum to \$3,203,863. Additionally, based on current property tax rates, the Port Chester Sewer District would be expected to receive \$103,079 annually and the Solid Waste District would be expected to receive \$43,058 annually. Together, the PILOT payments and property tax revenues generated by the Proposed Project in year 1, referred to in this FEIS as the “Proposed PILOT” sum to \$3,350,000. It is noted that the Proposed Project would pay each of the special districts’ charges based upon the full assessed value of the Proposed Project

The Applicant contends that the Proposed Project provides significant public benefits – from roadway improvements on the Boston Post Road corridor that will improve conditions that are problematic today, to transforming a vacant and derelict property to one that makes a statement in the County and the community and will generate sales taxes on the order of \$760,000 to the County while improving property values in the Village by taking an eyesore and making it over into a forward looking development consistent with the goals and objectives of the Village’s recently adopted Comprehensive Plan. In addition, the IDA would conduct their own benefit-cost analysis of the Proposed Project as part of any tax-abatement or PILOT program.

The Applicant has filed an Application for Financial Assistance with the Port Chester IDA and will be seeking relief from the mortgage recording tax and sales tax during construction as part of the IDA application. The IDA will determine the final benefit package and PILOT. Note that the Proposed Project’s commercial components will be subject to full sales taxes during their operation.

Regarding the mortgage recording tax issue raised as part of the comment, it is the Applicant’s understanding that it is not the current policy of the Port Chester IDA or the Village of Port Chester to require applicants to pay equivalent local shares of the Mortgage Tax that would have been payable to the town and all of the villages in the Town of Rye as if the property did not receive IDA financing.

Comment F18:

A question came up during a prior BOT meeting with respect to whether or not the School District gets to weigh-in on a PILOT or tax formula. Has this been determined?

Gene Ceccarelli, Letter 1, 8/24/15

Response:

The Port Chester Industrial Development Agency is the entity that will determine the PILOT. According to State Law, the IDA will hold a public hearing on any proposed benefit package.

Comment F19:

Reference to the Westchester County Industrial Development Agency (sic) on page 111.F-25 should be removed with all references to the involved IDA consistently referencing the Agency.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Is the Applicant planning on pursuing benefits from the Westchester County IDA? If not, the text should be clarified to state that it is the Port Chester IDA to which the Applicant would be applying for benefits.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The Port Chester Industrial Development Agency is the entity that will determine the PILOT.

Comment F20:

Generally, the Agency is empowered to provide forms of financial assistance that include (i) sales and use tax exemptions, (ii) mortgage recording tax exemptions, (iii) real property tax abatements in the form of PILOT Agreements, and (iv) for qualified projects, taxable and tax exempt financing through the issuance of bonds and notes. With respect to the DEIS language relating to sales tax exemptions for the construction and fit-up of the proposed Project, the estimated materials purchases figures should be revisited for confirmation of total potential savings to be realized and the resultant amount of revenue loss to the local municipalities (County, Town and Village). The Applicant's \$172.8M material cost estimate should be utilized as a top-of-the line working figure, with the amount of exemption and resultant impact measured based upon the Agency's Sales Tax Exemption Assumptions, a form of which is attached as Exhibit A, hereto.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Response:

Comment noted. Revised construction figures, developed since submission of the DEIS, suggest a material cost estimate of \$191,606,166 which would result in a savings to the developer of \$14,130,955 due to sales and use tax exemptions available through the Agency.

Comment F21:

The Applicant does not provide any information regarding anticipated financing(s) associated with the proposed Project, therefore the Agency is unable to assume whether the Applicant will request this benefit or estimate the revenue impacts of same. The Agency recommends that the BOT investigate the Applicant's proposed project financing plans in order to fully understand same. In addition, the Agency stands ready to work directly with the Applicant to develop one or more Applications for Financial Assistance as a means to develop this component of financial impact. In all events, the Agency will utilize its Mortgage Recording Tax Exemption Assumptions, a form of which is attached as Exhibit B, hereto.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Response:

Comment noted. The Applicant has filed ~~a~~an Application for Financial Assistance with the Port Chester IDA. As part of the process, the Applicant will discuss and evaluate with the IDA, the different options for financing. In addition, the Board of Trustees, acting as Lead Agency pursuant to SEQRA, conducted its own analysis of several of the Applicant's financial assertions. See Response to Comment F17.

Comment F22:

Special District Charges. The Agency's exemption from taxation under GML Section 874 and Section 412-a of the Real Property Tax Law ("RPTL") does not include the power to exempt special district taxes. Therefore, the Applicant should assume, and the FEIS should reflect, the fact that the Applicant would be responsible for payment of all applicable special district charges for the proposed Project based upon full assessed valuation (whether a PILOT Agreement is entered into or not).

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Response:

Comment noted. The Proposed Project would pay each of the special districts' charges based upon the full assessed value of the Proposed Project. See Response to Comment III.F17 for revised calculations.

Comment F23:

Impacts on Municipal Services and Costs. As a general observation and clarification, IDA PILOT Agreements are generally tailored for specific project categories and become effective following applicable taxable status dates. In other words, the IDA real property exemption may be granted pursuant to timely application to applicable assessor(s) with Form RP-412-a on or before the applicable taxable status date. Thereafter, the subject real property is exempt from ad valorem taxes (but not special district charges) and the terms of a PILOT Agreement dictate the amount and timing of PILOT Payments. With this said, and while the Applicant states in the DEIS that the proposed Project will be built in one phase, several phases may be required due to logistical, financing and legal constraints. We further understand that pursuant to the Conceptual Development Plan (See, Exhibit #11-2), the proposed Project will include various end uses, including market rate housing, age restricted housing, hotel, retail, medical offices and a variety of parking infrastructure. As such, it is doubtful that any proposed PILOT structure would be spread across the entire proposed Project, rather, there will more likely be a number of individual PILOT Agreements that are entered into and relate to individual project elements - and commence individually based upon timing of construction and commencement of operations. As outlined below, any meaningful analysis of the potential impacts of IDA financial assistance will not only require an accurate delineation of IDA purposes, powers and procedures under GML Article 18-A, but also require more detail from the Applicant regarding proposed subdivision plans for the site, along with project development, finance and construction details relating to each phase and component of the proposed Project. The Agency's Application for Financial Assistance and project review and approval process will properly elicit these details at the appropriate time.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Response:

Comment noted. The Applicant has filed an Application for Financial Assistance with the IDA and will be exploring these issues as the Application is reviewed.

The Board of Trustees, acting as Lead Agency pursuant to SEQRA, has analyzed the impacts of the Project, including the impacts of a PILOT at the level specified in the FEIS. Specifically, the DEIS, and this FEIS, analyze the costs to various taxing jurisdictions to provide services to the Proposed Project, including the School District and the Village (Police and Fire Departments), as well as the potential payments to those jurisdictions under a PILOT and no-PILOT scenario. While the exact amount, duration, and structure of a PILOT is not known, the impacts to service providers from the Project, and the Project's ability to offset those impacts, is discussed in this FEIS.

Upon the issuance of a certificate of occupancy for any of the Proposed Project's residential buildings, and for 10 years thereafter, the Applicant will provide an annual report (School After Study) to the Village/Port Chester Rye Union Free School District (PCSD)/IDA at the end of each school year that documents the number of public school age children attending the Port Chester public schools from the Proposed Project. In the event the increment of the PILOT amount directed to the School District over the real property taxes paid by the Applicant to the PCSD as of the date of site plan approval for the Proposed Project (PILOT Increment) is less than the operating cost of educating the number of students from the Proposed Project

enrolled for any year during such 10-year period (Project-Generated Students), the Applicant has agreed that it would pay to the PCSD such difference. The actual per child annual operating cost of education will be calculated based on the methodology established in the IDA Report (refer to DEIS Appendix F - Student Operating Costs) and will be updated annually based on the figures presented in the annually updated and adopted PCSD budget. Any payment required of the Applicant to be made to the PCSD at the end of the school year when filing the School After Study. As noted in the Port Chester-Rye UFSD 10-Year Enrollment Report (see FEIS Appendix O), the PCSD enrollment is projected to decline well before the expected 10 year time frame from the date of issuance of the certificate of occupancy; thus, the only reasonably anticipated impacts would occur within this time frame.

The Village staff and consultants believe that the first School After Study should occur at the end of the school year in which the first certificate of occupancy is issued for one of the Project's market-rate housing units and continue for ten years thereafter.

Similarly, in the event the increment of a PILOT amount directed to the Village during any year a PILOT is in place over the real property taxes paid by the Applicant to the Village as of the date of site plan approval for the Proposed Project is less than the cost of providing two new police officers the Applicant has agreed it would pay to the Village the difference (refer to Response to Comment III.F-33 of this FEIS) over the length of the PILOT.

Comment F24:

Assessment Assumptions. We have reviewed the assessment assumptions contained within the DEIS and encourage the BOT and Applicant to revisit all Project assessment assumptions contained within the DEIS. Specifically, any assessment assumptions should take into account the standard approach to assessment of commercial properties in New York State, which include not only consideration of comparable ratables, but also income and replacement value methodologies. In the instant case, accurate assumptions cannot be derived from purported comparable ratables located within the Village (for which there are none), rather a broader geographic base must be reviewed for comparison purposes. In addition, an accurate assessment estimate will also require more detail with respect to capital costs and projected operational income associated with each Project element. Given the disparate end uses of each building improvement associated with the Project, there will likely be differing formulas and assumptions appropriately utilized for each. Until this level of analysis is completed, the assessment figures contained within the DEIS, much like the proposed amount of PILOT Payment included by the Applicant, should be considered as hypothetical only.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

It is not clear how the \$5.09 million tax amount was determined as a starting point? What assessed value of the property was used to determine this? What is the non-Homestead portion of the tax levy used in this calculation? Note: if the Starwood Property was on the tax roll the Non-Homestead portion would be greater than it is now.

Port Chester School District Presentation, PH, October 5, 2015 and Letter 24, October 5, 2015

Please provide additional information on how the estimated assessed value of the Project was calculated. Is the estimated assessed value of \$130 million the estimated market value of the Project at its completion?

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. DEIS Section III.F.7.b provides a description of the technique used to prepare a preliminary assessment for the Proposed Project absent the requested cooperation of the Town of Rye Assessor's Office. DEIS Appendix O – Assessment Worksheets, provides the comparable data used to generate assessment values. It is understood that at some point the Town of Rye Assessor's Office, or another third party, will provide the Port Chester IDA with its own evaluation of Proposed Project assessment. Refer also to economic evaluation prepared by AKRF-, FEIS Appendix P, for additional information on a potential range of assessed values for the Proposed Project. As stated in that report, AKRF estimates that the assessed value is likely to be between \$133 million and \$183 million. It is noted that differences in assessed value do not affect the Applicant's proposed PILOT payment, other than increases in assessed value would increase the property taxes paid directly to the special taxing districts.

Comment F25:

Additional study and evaluation is required to weigh the Project's potential impacts upon and needs for municipal services, including water, sewer, solid waste, police and fire protection. As noted above, the Project will be required to pay all applicable special district taxes whether or not the Agency provides any financial assistance for the Project. This being said, the Project would generate special district taxes based upon full assessment as the Project is developed and operated. This will include water, sewer and solid waste. Notwithstanding, the BOT should fully weigh and consider all infrastructure and resource requirements as part of the FEIS for purposes of weighing all potential impacts, including new infrastructure and related ongoing maintenance costs. With respect to Police and Fire protection, these elements are paid for out of general tax levy imposed by the Village and therefore must be weighed in connection with any potential PILOT Agreement.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Response:

Comment noted. The DEIS, and this FEIS, analyze the impacts to community service providers and utility services in Chapters III.D, and III.F.

Comment F26:

By way of background, the Agency was established as a public benefit corporation pursuant to Title 1 of Article 18-A of the GML, as amended, and Chapter 632 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act") and granted with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act. Based upon our review of the proposed Project as detailed within the DEIS, the Agency possesses sufficient purposes and powers to undertake all contemplated aspects of the proposed Project as one or more individual "projects" as defined pursuant to the Act. It should be noted that while the Agency is empowered to undertake and provide financial assistance for for- rent housing as an ongoing commercial activity, the Agency is not empowered to provide financial assistance for-sale housing projects. Furthermore, the Agency's ability to undertake and provide financial assistance for the contemplated retail aspects of the proposed Project will have to be analyzed and confirmed given the retail restrictions contained within GML Section 862.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Response:

Comment noted. There is no for-sale housing proposed as part of the Proposed Project.

Comment F27:

The Agency has adopted certain requisite applications and policies as required pursuant to the Act, including a Uniform Tax Exemption Policy ("UTEP") that applies to all applicants and projects to be considered by the Agency. Generally, all Agency project considerations begin with the submission of a completed Application for Financial Assistance, which includes specific project details on all contemplated capital expenditures, financing plans, job estimates and other relevant details. The Agency's UTEP and form of Application for Financial Assistance can be accessed at: <http://www.portchesterny.com/Pages/PortChesterNYBComm/IDA/index>

Once a completed Application is received by the Agency (including certified Project cost figures), the Agency typically adopts an initial resolution accepting the Application and authorizing the scheduling and conduct of a public hearing required pursuant to the Act. At this public hearing, the Agency is required to disclose a detailed cost-benefit analysis relating to the proposed project's capital investment, job numbers and all estimated tax exemptions being contemplated by the Agency. This includes an estimate of all contemplated exemptions from sales, mortgage recording and real estate taxes associated with a proposed project. Due to this requirement, the Agency cannot schedule or conduct the public hearing until all aspects of proposed financial assistance (including all PILOT details) are fully agreed to by the Agency and the applicant.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

I know you have heard the concerns about jobs, and housing and the PILOT and the effect on the schools and traffic. These are all very real, and they all can be addressed. Starwood is asking for a lot from our Village. The density bonus that would be included in any zoning change, plus the PILOT they are asking for which is greater than the UTEP that they are entitled to ask a lot of us and they are offering very little.

A Community Benefits Agreement would address these concerns. The Sustainable Port Chester Alliance made up of unions, clergy, NAACP, HDSW, and the Don Bosco Workers have been working on developing a CBA. Attached are some examples of what has gone into other such agreements and a summary of them. We believe this is a way for Port Chester to make sure that Starwood is responsible in terms of what they give back to Port Chester for what they are asking.

Bruce Baker, Letter 45, October 24, 2015

Response:

Comment noted. The Applicant has filed an Application for Financial Assistance with the IDA and will continue to work together to complete the process. The revised PMU zoning text amendments include a monetary ~~contribution to payment for~~ the ~~Village provision~~ of ~~Port Chester defined community benefits~~ in exchange of additional FAR. The monetary contributions are targeted towards community benefits associated with housing rehabilitation, open space improvements, job-training, and affordable housing. In terms of the Village's participation in a community benefits agreement (CBA), the Village's special counsel has advised the Board of Trustees not to participate in the negotiation of a CBA nor be a party to any CBA. See Appendix N of this FEIS.

Comment F28:

As noted above, the cost-benefit analysis for sales and mortgage recording tax, along with corresponding estimates of revenue loss for local municipalities, is fairly formulaic and can be determined through use of Exhibits A and B, hereto. The negotiation of terms for PILOT Agreements, however, along with related cost-benefit estimates for comparing proposed PILOT Payments to estimated tax revenue loss, is a more complicated process that involves estimating likely project assessed valuation following completion of construction, along with likely future trends in assessment rates. This task is best undertaken with known and established tax parcels within previously subdivided lands and a known and detailed project description. However, and in this case, the lack of a proposed subdivision plan delineating individual project pads and areas that will ultimately be dedicated to the Village, along with the absence of detailed project description(s), makes any current analysis or review extremely premature. We would note at this point that the Agency's UTEP generally structures PILOT Agreements such that existing assessed valuations are frozen for the term of the PILOT Agreement (the "Base Value"), with a graduated abatement formula applied to the assessed value attributable to the as-completed project elements (the "Added Value"). This being said, our assumption is that the Applicant will certainly reconsider the proposed PILOT structure contained within the DEIS and seek to establish multiple PILOT Agreements for individual elements of the

proposed Project that are timed to best fit their development needs, timing and phases. Furthermore, and based upon the Agency's existing projects and experience, each element of the Applicant's proposed Project (age-restricted housing, market rate housing, hotel, retail, medical facilities, parking infrastructure) will have differing ownership interests, equity structures, financing strategies and individual financial risks that suggest that they can and should be taken on as individual Agency projects. And in corresponding fashion, the Agency would consider each element on an individual basis for purposes of considering the extent to which financial assistance can and would be conferred.

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Mr. Smith, do you have a comparison of the proposed pilot to the UTEP. So the Port Chester IDA has a uniform tax exception policy, which is the standard offering that we give to folks who are bringing in jobs in an economic development. We need to meet a certain threshold, right, cost-benefit criteria. Where are these compared to what the UTEP would provide?

Mayor Pilla, October 5, 2015, p. 20

Page E-7 Socioeconomic Community Facilities and Services further states, assuming the PILOT is flat over its 20-year term, the school district contends that if the PILOT agreement is considered, it should be built - - excuse me - - it should have built-in increases.

These increases should be based on the previous 20 years of tax increases, and these increases should be based on the unique experiences of the Village and the district as each entity has different numbers, and they should not be blended together.

Bob Johnson, PH 9/08/15, p. 52

We would suggest that the payment -- if the pilot is in place for 20 years or ten years or five years, we think that payment should be annually for that period of time that the pilot's in place since the pilot is certainly less than the amount of the actual impact on the district.

Port Chester School District Presentation, PH October 5, 2015, p. 43, 45 Letter 24, October 5, 2015

Response:

Comment noted. The Applicant has filed an Application for Financial Assistance with the Agency and looks forward to working with the Agency to craft appropriate agreements for each use. As noted, the UTEP states the IDA's policy on certain matters of abatements and exemptions, but does not proscribe a standard abatement schedule. Specifically, the UTEP states that the IDA will only consider abatements on the 'added value' of a project; that is, in no cases will the property pay less in a PILOT than it currently pays in real estate taxes. In addition, the UTEP states that PILOT payments will be no longer than 20 years and will generally follow a graduated schedule of abatement. In other words, it is standard IDA practice for PILOT's to increase their payments during the abatement period. In addition, the UTEP states that the IDA will consider abating all increases in value for the first several years of a project, though it does not have to. Therefore, under standard IDA policy, a PILOT may, for the first several years of a project, be in the amount

equal to the existing taxes being paid with no increase. Finally, deviations from these standards can be approved by the IDA, in accordance with State Law.

In terms of the conformance of the PILOT proposed by the Applicant with the UTEP, there are two items of note. First, the Applicant is proposing a PILOT that increases annually by 2.5%. Second, the Applicant is proposing to pay a PILOT fee that is greater than the amount the property currently pays in taxes from day 1, as opposed to a PILOT that has no increase in tax payments for the first several years of the Project. It is important to note that the final PILOT amount, duration, and structure will ultimately be determined by the IDA after a public hearing.

The DEIS, and this FEIS, analyzes the potential impacts (positive and negative) of the PILOT. As shown in that analysis, the Proposed Project is expected to cover the cost of the increase in municipal services required through a PILOT payment and is likely to also generate a 'surplus' of funds, compared to the amount produced today, for all taxing jurisdictions.

Comment F29:

Once the Agency is prepared for and conducts the requisite public hearing, and following completion of the SEQRA process, the Agency would be in a position to consider formal approval of a project. At that time, a formal resolution would be adopted by the Agency that includes a final detailed project description and all elements of contemplated financial assistance. Thereafter, the Agency undertakes projects through structuring a "straight-lease" transaction with the applicant whereby the entire property is leased to the Agency and immediately leased back to the applicant for a period of years matching the term of the contemplated PILOT Agreement. The PILOT Agreement becomes effective for applicable tax years following the next applicable taxable status date (typically March 1 or May 1 each year). The applicant indemnifies the Agency for all liabilities associated with this nominal ownership interest and is required to carry affirmative insurance coverages protecting the Agency. During the term of the straight-lease transaction, the applicant has affirmative requirements to provide annual exemption and job reports to the Agency. In addition, the Agency charges an initial and continuing annual administrative fee for each transaction (the Agency's fee schedule is contained within the Application, which is available in the link above.)

Frank Ferrara, Port Chester IDA, Letter 31, October 21, 2015

Response:

Comment noted. The Applicant has filed an Application for Financial Assistance with the Agency and looks forward to working with the Agency to craft appropriate agreements for each use.

Comment F30:

It should also be noted that the district is strongly opposed to a 20-year PILOT.

Bob Johnson, PH 9/08/15, p. 53

Response:

Comment noted.

Comment F31:

20 years is too long of a period with too many unknowns. The applicant says United Hospital redevelopment project is a three-year construction project. You saw it on the slides - - 36 months.

See Section 2, Page 21. As this is entirely a rental project, it is likely to be filled by - - with occupants within 24 months of construction being completed.

It's a mixed-use project. Using the Mariner complex as an example, if this is the case, then a five-year PILOT should suffice to get the applicant on strong footing.

And it should be noted that if a PILOT is submitted, any bonds passed by residents should be excluded from the scope of the PILOT.

Bob Johnson, PH, 9/08/15, p. 53, Letter 24, October 5, 2015

Response:

Comment noted. The cost of redeveloping this site as proposed by the Applicant is high due to a variety of issues including (1) the steep cost of demolition and abatement due to the condition of the buildings and the grounds, as a result of hospital uses over the decades and the materials used in construction in years past; (2) the cost of excavation and rock removal required to create a relatively flat site due to the Village's desire as reflected in its Comprehensive Plan, and that of the Applicant, to create an immersive and successful mixed-use environment which requires a walkable street system; and (3) the cost of implementing on-site storm drainage systems and off-site utility improvements. In addition, the Applicant needs time to lease up the residential and commercial components of the Proposed Project so cash flow into the project will be limited during the initial years of the development. Therefore, as is typical, the proposed PILOT is helpful in offsetting cash flow issues during the Proposed Project's construction and lease up phases. As a result of these costs, the Applicant contends that a 20-year PILOT is needed to mitigate the strain on the Proposed Project budget and assure a viable development. Refer also to economic analysis prepared by AKRF, FEIS Appendix P.

In the event that the School District passes a bond referendum while the Proposed Project is subject to a PILOT, the Applicant would be subject to paying its fair share based on assessed valuation of the Proposed Project according to applicable law and IDA policy.

See also the Responses to Comments III.F15 for why a PILOT is necessary and III.F23 for a discussion on the potential structure of the PILOT.

Comment F32:

Mr. Smith, do you have anything that contrasts the proposed economic impacts from the applicant's submission: Right, number of years, et cetera, compared to what the impacts would be in the max build scenario in the present zoning.

Mayor Pilla, October 5, 2015, p. 27

Response:

Section IV.B of the DEIS, B. Development Under Existing Zoning Project Site, noted that development of the Project Site under the existing PMU District would yield a development program of approximately 538,401 s.f. with a 0.8 FAR and 673,000± s.f. with the additional 0.2 FAR bonus permitted by special permit in the Code. By comparison, the residential only component of the Proposed Project is approximately 647,000 s.f. out of the proposed 1.05± million square feet currently being considered. The Applicant does not consider the development of the Project Site under the current zoning to be an economically viable project given the site preparation and development costs necessary to sustain a successful mixed use development. Refer also to the economic analysis prepared by AKRF, FEIS Appendix P.

FEIS Table III.F-32 provides a comparison of a development program utilizing the FAR restrictions in the existing PMU District with the Proposed Project. It is noted that the maximum FAR permitted for each use in the proposed revisions to the PMU district adds up to an FAR greater than 0.8. However, the current PMU caps the maximum base FAR of a development at 0.8. Therefore, the Applicant, in contemplating a project at 0.8 FAR, made certain assumptions about the relative mix of uses within a potential development at 0.8. While the development program using the PMU FAR parameters outlined in Table F32 may appear logical, as noted above, the Applicant asserts that it remains an economically unviable project. Refer also economic analysis prepared by AKRF, FEIS Appendix P.

Table III.F-32
Development Comparison Existing PMU and Proposed Project

Use	Potential Program Under the Current PMU			Proposed Project		
	FAR	Absolute Size	Estimated Employment (operational) ²	FAR	Absolute Size	Estimated Employment (operational) ²
Hotel	.067	45,438 sf (63 keys)	31	0.14	97,000 sf (135 keys)	68
Commercial	.28	191,650 s.f. commercial	547	0.46	307,000	876
Residential	.30	204,349 (234 units)	9	0.65	440,000 (500 units)	19
Age-restricted residential	.14	96,965 (108 units)	4	0.31	207,000 (230 units)	9

Community Facility	.00	0	0	0.0	0	0
	0.787	538,402	591	1.56		972

2. Projected employment figures were taken from ratios derived from employment analysis prepared as part of the DEIS.

As indicated in FEIS Table F32 the Adjusted Development Program generates far fewer projected jobs (591) compared to the Proposed Project (972), see also Response to Comment IV-8 for further evaluation of potential impacts from full build out under existing zoning.

Comment F33:

I also have a question about Starwood's proposed payment in lieu of taxes: Will the village have to increase the property taxes to take -- or take other measures to adequately fund the schools and vital public services since Starwood does not want to pay their fair share of taxes? What if Starwood decides to sell the property now or sometime in the next 20 years? Will any future owner of the property also get a break on their taxes?

Joaquin Viaejo, PH, October 5, 2015, p. 65, Letter 28, October 5, 2015

Will the Village have to increase the property taxes or take other measures to adequately fund the schools and vital public services if Starwood does not pay its fair share of taxes?

What if Starwood decides to sell the property now or sometime in the next 20 years? Will any future owner of the property also get a break on their taxes?

Build Up NYC, Letter 25, October 5, 2015 and Letter 39, October 30, 2015

Response:

As noted in DEIS Section III.F Socio-Economic, Community Facilities and Services, and further described in Response to Comment F3 of this FEIS, the proposed PILOT payment to the Port Chester School District proposed by the Applicant will far outweigh any potential impacts associated with the generation of public school age children. DEIS Section III.F further identifies potential impacts to the community services related to the Proposed Action, limited to the projected need outlined by the Port Chester Police Department for two additional officers, which projected cost is estimated at \$164,000 plus benefits and pension which is approximately 35% of the salary figure (see correspondence from the Port Chester Police Department FEIS Appendix G). The Applicant met with the other service providers and they indicated they could service the Proposed Project with existing resources. The Applicant has proposed an annual PILOT payment to the Village of \$919,839 in year one, increasing by 2.5% annually. After subtracting the estimated increase in municipal costs owing to the police department (\$210,000) and the existing tax revenue generated by the Project Site (\$180,934), with the proposed PILOT, the Village would receive an additional \$528,505 in year one to cover additional costs, such as those associated with the DPW, fire department, and other community services. The Applicant contends that this annual surplus exceeds to the projected costs to the Village of

Proposed Project. The proposed PILOT will need to be approved by the IDA and the PILOT would run with the land, not the owner of the property. Therefore, even if the Project Site changes ownership, the payment terms and any other conditions imposed by the IDA or any other agency will still be binding on the Proposed Project. In the event the amount of PILOT to the Village is different than that proposed by the Applicant, the Applicant has agreed to cover the difference in the projected costs identified above.

Comment F34:

What amount of tax abatement is really needed for this project to sufficiently be profitable to justify its construction? In the DEIS, Starwood claims that rents for the project are proprietary and not available to the public. How can the public and elected officials assess the amount of tax abatement needed without knowing what the applicant plans to charge for rent?

John Tritt, PH October 5, 2015, p. 70

What amount of tax abatement is really needed for this project to be sufficiently profitable to justify its construction? In its DEIS, the Applicant claims that rents for the project are proprietary and not available to the public. How can the public and elected officials assess the amount of tax abatement needed without knowing what the applicant plans to charge for rent?

Build UP NYC, Letter 25 October 5, 2015 and Letter 39, October 30, 2015

Response:

Comment noted. The IDA will make its own determination regarding the benefits and costs of any PILOT program or other tax incentives. The cost of redeveloping this site is high due to a variety of issues including (1) the steep cost of demolition and abatement due to the condition of the buildings and the grounds, as a result of hospital uses over the decades and the materials used in construction in years past; (2) the cost of excavation and rock removal required to create a relatively flat site due to the Village's desire as reflected in its Comprehensive Plan, and that of the Applicant, to create an immersive and successful mixed-use environment which requires a walkable street system; and (3) the cost of implementing on-site storm drainage systems and off-site utility improvements required by the Village. In addition, the Applicant needs time to lease up the residential and commercial components of the Proposed Project so cash flow into the project will be limited. Therefore, as is typical, the proposed PILOT is helpful in offsetting cash flow issues during the Proposed Project's construction and lease up phases. As a result of these costs, the Applicant contends that a 20-year PILOT is needed to mitigate the strain on the Proposed Project budget and assure a viable development. Refer also economic analysis prepared by AKRF on behalf of the Village, refer to FEIS Appendix P. This analysis found that, "absent new, unidentified, and substantial sources of grant funding for the Project, a reduction in property tax payments through a PILOT Agreement is necessary for the Project to be financially viable."

Comment F35:

What kind of claw back provisions can be included in the PILOT program?

Build- Up NYC, Letter 25 October 5, 2015 and Letter 39, October 30 2015

Response:

Comment noted. Any recapture provisions applied by the IDA would need to be consistently applied regardless of the applicant. The Port Chester IDA will apply the IDA Reform Law as it sees fit in its legal documentation and discretion relative to the IDA Straight Lease documents it uses for transactions with applicants. ~~Typically, the IDA has its standard documentation which may or may not include clawback provisions depending on the IDA and its policies and procedures. Whatever clawback provisions are included in the IDA documentation for the Applicant must be uniformly applied by the IDA to all of its applications, applicants and transactions. That is, any clawback~~Any recapture provision applied to the Applicant should be applied across the board to all other applicants.

In terms of ~~clawback provisions (known among IDAs as recapture provisions),~~ the Port Chester IDA has comprehensive recapture provisions which are applied whenever Port Chester IDA enters into an IDA transaction with an applicant. ~~Please refer to the following web pages which documents~~As stated in the IDA's "Project Recapture and Termination Policy," adopted April 13, 2016, the IDA may recapture provisions which Port Chester IDA employs: http://www.portchesterny.com/Pages/PortChesterNY_BComm/IDA/utepadadopted.pdf and http://www.portchesterny.com/Pages/PortChesterNY_BComm/IDA/PCIDA%20-%20Project%20Recapture%20and%20Termination%20Policy.pdf. Financial Assistance previously conferred on an Applicant under several circumstances, including providing a knowing material misstatement in an application for assistance, or where an applicant failed to achieve goals that were the original reason the IDA offered the financial assistance. These goals could include the number of new permanent jobs, the dollar value of new investment, the use of local labor, and/or the number of construction jobs. The Applicant believes that the recapture provisions reflected in the ~~aforementioned web pages~~IDA's policy will be included in any IDA transaction the Applicant undertakes with the Port Chester IDA.

Comment F36:

Is there a precedent in Port Chester for giving a large residential project such a substantial tax break? If not, what kind of precedent would this project set?

Build Up NYC, Letter 39, October 30, 2015

Response:

Comment noted. The Proposed Project is a mixed use project that includes commercial components related to hotel, retail and office uses along with a residential component. The IDA typically provides sales and mortgage tax exemptions. Based on available records, the IDA has provided assistance to the following

residential projects¹⁵: Kingsport Apartments, Southport Mews and 120 North Pearl Street. The exemptions, including PILOTs, are specifically why IDAs were created as they are considered valuable tools to provide to projects in order to foster economic development and job creation. See Comment III.F31 for correspondence from the IDA regarding their ability to provide benefits for the Proposed Project.

Employment

Comment F37:

Page III.F-2 presents a summary of jobs generated from construction and annual operations. For the discussion of construction jobs, this summary section describes 1,800 jobs from hard construction costs. The EIS should also include the jobs generated from the soft costs here. Also, in this paragraph, the 1,800 jobs from construction include direct, indirect, and induced jobs from Table III.F-19. For operations, only direct jobs are presented. Please also include the direct, indirect, and induced jobs generated from annual operations.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Table III.F-19A on page III.F-30 of the DEIS provides the construction period economic impacts inclusive of soft costs. It should be noted that since the publication of the DEIS, the estimated cost to construct the project has increased. While it is anticipated that this will increase the amount of construction jobs previously estimated, the Applicant has not presented revised estimates of construction employment.

The following is a summary of the direct, indirect and induced jobs generated by the annual operations of the Proposed Project. The figures were taken from DEIS Table III.F-20 and III.F-20A.

FEIS Table III.F-37
Economic Impact from Project Operation, 2018

Impact Type	Anticipated Employment
Direct Effect	973
Indirect Effect	209.3
Induced Effect	519.4
Total Effect	1,701.7

Source: compiled by VHB Engineering, Surveying and Landscape Architecture, PC

¹⁵

http://www.portchesterny.com/Pages/PortChesterNY_BComm/IDA/IDA_Audit_Reports/PCIDA%20Financial%20Statements%205.31.15.pdf

Comment F38:

The discussion of sales tax revenue on III. F-27 does not address the discrepancy that clothing items under \$110 are not subject to state sales tax, and are thus taxed at the Westchester County rate of 3- 3/8% (including the 3/8% tax for the Metropolitan Commuter Transportation District). Given that the retail uses on the site are likely to include clothing stores, projected tax revenues from clothing sales need to be calculated separately from either the taxable or the tax-exempt goods. In addition, the basis of the 25% non-taxable items has not been clarified, nor has the source for the “Westchester County industry standard average annual sales of \$375 per square foot” been identified.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The DEIS discussion of sales tax revenue provides examples of items that would be exempt from sales tax, as noted in the comment above this would include clothing under \$110. The Applicant believes that the retail component of the Proposed Project is unlikely to include clothing stores and therefore the assumption that 25% of items would be non-taxable is conservative. The Westchester County industry standard average annual sales per square foot is based on experience in the local market with other development projects that include a retail component as well as other proposals¹⁶.

Comment F39:

Also in that paragraph, for operations, direct employment for the total project including the residential units is provided (972 jobs). The paragraph also mentions the 696 indirect and induced jobs generated from the non-residential uses of the project. Why aren't the indirect and induced jobs generated from the residential uses presented here also?

AKRF and SPR, Letter 42, November 2, 2015

Response:

The following is a summary of the direct, indirect and induced jobs generated by the annual operations of the Proposed Project. The figures were taken from DEIS Table III.F-20 and III.F-20A.

FEIS Table III.F-39
Economic Impact from Project Operation, 2018

Impact Type	Employment
<i>Direct Effect</i>	973
<i>Indirect Effect</i>	209.3
<i>Induced Effect</i>	519.4
<i>Total Effect</i>	1,701.7

¹⁶ http://www.newcastlenow.org/index.php/article/new_hra_chappaqua_crossing_supermarket_and_retail_market_analysis

*Source: compiled by VHB Engineering, Surveying
and Landscape Architecture, PC*

Comment F40:

The IMPLAN sectors for the hard costs are presented on page III.F-30. Please specify what was modeled for the soft costs.

AKRF and SPR, Letter 42, November 2, 2015

Response:

As indicted on page III.F-25 of the DEIS, examples of soft costs included costs associated with engineering, architecture, financial services, and other support services

Comment F41:

It should be noted that Table III.F-20 only reports on the project's non-residential uses. Should this include the residential uses as well?

AKRF and SPR, Letter 42, November 2, 2015

Response:

It is noted that Table III.F-20 does not include the separately reported employment from the Proposed Project's residential uses. As stated in the DEIS in Table III.F-20A, the Proposed Project's residential uses are anticipated to directly create approximately 28 jobs. It is anticipated that this direct employment would create some additional, but not quantified, level of indirect and induced employment as well.

FEIS F-41, III.F-41
Economic Impact from Project Operation, 2018

Impact Type	Employment
Direct Effect	973 ¹
Indirect Effect	209.3
Induced Effect	519.4
Total Effect	1,701.7

1. includes an estimated 28 employees associated with the residential development

Source: compiled by VHB Engineering, Surveying and Landscape Architecture, PC

Comment F42:

Page III.F-31 states that the residential component is anticipated to create 28 full time positions. This paragraph also states that an estimate of one job per 25 units was used. The proposed project includes 730 residential units. Based on 1 job per 25 units, there would be 29 jobs generated from the residential units.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted.

Comment F43:

In the Residents Spending pattern section (page III.F-32), was \$22,640,950 modeled in IMPLAN? Please specify.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The DEIS (on page III.F-32) cites an estimated \$22,640,950 in total annual household discretionary spending from Project residents. That estimate was derived using a disposable income estimate (\$62,030 per household) from ESRI Business Analyst data; the IMPLAN model in order to understand how much of that disposable income would be available for discretionary spending (50 percent); and the total number of project housing units (730 units).

The \$22,640,950 estimate then served as an input to the IMPLAN model for Westchester County in order to estimate the economic impact from resident spending. As described in the DEIS (page III.F-33 and Table III.F-21), the IMPLAN modeling showed that the \$22,640,950 in discretionary spending would generate an estimated 282.8 jobs, \$16,852,614 in labor income, and \$41,252,086 in total economic output within Westchester County.

Comment F44:

Table IIIF-22 shows the Economic Impact Summary. Please include the economic benefits associated with the residential units (Table III.F-20-A).

AKRF and SPR, Letter 42, November 2, 2015

Response:

FEIS Table III.F-44 combines the economic impact of the project operation with the residential units.

Table III.F-44
Economic Impact from Project Operation, 2018 with Residential

Impact Type	Employment	Labor Income	Total Value Added	Output
<i>Direct Effect</i>	973	\$164,335,306.9	\$205,688,401.4	\$250,880,399.8
<i>Indirect Effect</i>	209.3	\$15,928,649.8	\$25,162,581.7	\$35,509,822.7
<i>Induced Effect</i>	519.4	\$30,407,667.7	\$50,451,637.4	\$73,784,649.2
Total Effect	1,701.7	\$211,271,624.4	\$281,302,620.5	\$360,174,871.7

Source: compiled by VHB Engineering, Surveying and Landscape Architecture, PC

Comment F 45:

The DEIS reports that the Project will generate 1,075 construction jobs which will produce labor income of \$116,000,000. (DEIS Table III-F-19 at III-F-30). Using those assumed facts, and knowing that IMPLAN assumes one job equals one year of employment for 2,080 hours, the DEIS projects a total of approximately 2,236,000 hours of construction work to build the Project (1,075 jobs x 2,080 hours = 2,236,000). The Project's assumed average hourly labor income including payroll taxes and costs of any employment benefits for construction workers can also be calculated from the DEIS information as \$51.88 (\$116,000,000/2,236,000 hours = \$51.88)

what they predict at Table 3, F-19 at Section 3-F, Page 30, that there will be labor income of \$116 Million payable to the 1,075 jobs that are projected to be involved in the construction of the project.

Now because M-Plan assumes a 2,080-hour year, we can infer that they are expecting 2,236,000 hours of construction employment in connection with the project.

If we look at the economics that underlies M-Plan, they use the DLS quarterly census of employment and wage data, and that projects for Westchester County an hourly wage of \$31.92 an hour.

That's a pretty good number if you are earning it, but there is two problems with it.

The first is that's not the construction worker wage.

That's all construction wages. That includes managers, executives, owners of contracting, every level of the activity, perhaps some of the professionals here today. It also includes benefits as well. So that's a cool rollout number.

Now, if we can contrast that, the prevailing Westchester construction industry wage and benefit package number is \$73.25.

What that tells us is that this project, even assuming that it's going to have all the hours of work it projects, assumes a 60 percent reduction in the prevailing wages for construction workers in Port Chester and Westchester.

And the carpenter who spoke today talked about the need for a living wage. This project will not deliver a living wage to the 1,000 people that they project will be employed.

Tom Kennedy, PH September 8, 2015, p. 112 and Letter 16, September 8, 2015

We submit that the DEIS ignores the negative impact on the working class in Westchester County and Port Chester that will arise from paying minimal wages to the non-union construction workers that are apparently to be employed on the project and thereafter in its maintenance.

Tom Kennedy, PH September 8, 2015, p.111

Response:

The Applicant's initial construction cost estimates were used as the input for IMPLAN modeling, and jobs were estimated using IMPLAN default (prevailing wage) values for Westchester County. Therefore, the prevailing wages calculated should reflect the prevailing wages for Westchester County.

It is not the Applicant's intent to pay non-competitive wages for construction. The Applicant contends that the establishment of wage rates for construction workers (or the use of union v. non-union labor) is not a relevant area under SEQRA as it does not relate to the potential impact of the proposed development. The Applicant has proposed to provide the Village with a monetary contribution towards Village community benefit funds which includes a Village Job-Training Fund.

Comment F46:

The projected 944 jobs during the operation period are similarly suspect. Those assume a wage-and-benefit package of \$157 Million over those 944 jobs.

Again, if you do the arithmetic, it turns out those jobs, many of which are serving jobs, and retail jobs, and barista jobs or something have an average of \$166,000 a year. I would suggest that fails to pass the common sense test. And if you assume 40 percent of them are going to be in the retail food and beverage category, which is what the DEIS assumes, that means the remaining jobs have an average of \$233,000 a year in income and benefits.

Tom Kennedy, PH September 8, 2015, p. 114 and Letter 16, September 8, 2015

Response:

The DEIS does not assume that 40 percent of the projected jobs will be in the retail food and beverage category as indicated in the comment above. In fact, as stated on page III.F-30:

“Nine hundred and forty-four (944) direct jobs are estimated to be generated from this development project that breaks into: 651 jobs associated with the new general office and medical office uses, 225 commercial related jobs (both stores and food and beverage establishments) and 68 jobs in the limited service hotel. An additional 28 jobs are anticipated as a result of the residential component.”

Based on the development program, it is estimated that almost 70%, or 651, of the 944 jobs will be either commercial office or medical office jobs for which IMPLAN defaults values pay a higher than average rate. This explains the somewhat higher than average wage than expected. While the applicant has no control over the wages paid by the future tenants of the development, it is the applicant's expectation that employees will receive competitive wages.

Comment F47:

Now the DEIS, does not discuss the economic impact of these lower-than-normal wages in the construction and in the building maintenance sector; and until it does that, it won't even suggest the possibility of mitigation. Right now what it says for proposed mitigation, and I am referring to Page F-33 in Section 3, it

says, quote, "The project is anticipated to generate new employment opportunities during both construction and operation. Therefore, no, significant adverse employment impacts are anticipated, and no mitigation is required."

Tom Kennedy, PH September 8, 2015, p. 115 and Letter 16, September 8, 2015

Response:

The Proposed Project is not anticipated to have any adverse impacts on employment. Rather, the Proposed Project will create new employment opportunities both during construction and during the Project's operation. The wage levels for varying jobs was addressed in the comments F45 and F46 above.

Comment F48:

I would also ask Mr. Smith if the 1800 jobs that he is projecting in construction are 1800 jobs per year or -- as the Governor stated when he said about the jobs for the town. Are those 600 jobs over three years? It's a simple question, and I'd really be interested in knowing if they're talking job years, or if they're talking 1800 jobs for three years. I'd like to know that.

Rev. Baker, PH October 5, 2015, p. 53

I just got a question for Starwood and the committee, the mayor and the board: The 1800 jobs that these guys are creating for the construction workers, are they going to be skilled workers; are they going to pay the area standards for the members of Westchester? Is it going to be a New York State certification apprentice program involved?

Robert Miclinski, PH October 5, 2015, p. 71

Response:

Comment noted. The Applicant intends to work with legitimate and substantial construction companies to build out the Proposed Project; companies that will utilize proper training for their employees and adhere to all applicable Federal, State and local statutes related to worker safety.

The IMPLAN analysis assumes prevailing wages by industry and geography. The estimated 1,800 construction jobs are generated over the full course of the project's construction period.

Comment F49:

We want to further note that promoting state-approved apprenticeships as a way of mitigating the risks of this contaminated jobsite would serve the important purpose of protecting the public health, safety and welfare of Port Chester.

What plans are there for making sure that these construction jobs offer Port Chester and the surrounding communities the most substantial economic benefits possible? What will the wages and benefits be for

construction work and what, if any, training and apprenticeship programs are associated with the contractors and subcontractors that will be hired to perform this work?

What measures will be put in place to prioritize construction job opportunities on this project for workers who live in Westchester County or the Hudson Valley area?

What if any training programs are associated with the contractors and subcontractors that will be hired to perform this work?

Build Up NYC, Letter 39, October 30, 2015

Response:

The proposed amendments to the PMU District language includes the creation of a Zoning Incentives and Community Benefits fund for additional density (floor area ratio), refer to FEIS Appendix L. One of the proposed community benefit funds is a Village Job Training fund which the Village would administer as it sees fit. It is ~~unknown~~unknown at this time what the contractors and sub-contractors may offer in the form of apprenticeships, wages and local hiring practices— (including any prioritization). Issues related to the protection of worker safety owing to the potential for on-site contamination are addressed in Chapter III.G.

Comment F50:

Starwood predicts that, once completed, operation of this development will support approximately 972 direct jobs. But there are currently no guarantees that these jobs will pay anything more than minimum wage or offer any benefits beyond the legal minimum.

What are the wage and benefit rates for building service, retail, security and other operational jobs that Starwood used in estimating the economic impacts of this project?

Build Up NYC, Letter 39, October 30, 2015

Response:

The labor income estimates advanced in the DEIS are based on prevailing wages for employment by job type, as derived by the IMPLAN input-output model. The Applicant does not determine the wages and benefits that would be offered by the Proposed Project's commercial businesses. It is not anticipated that the Applicant will have employees on-site directly under their hire, but most likely there will be an independent managing company overseeing the project as part of the MPOA. Individual businesses (e.g., hotel, office, retail) will also determine their own wage packages for their employees.

Affordable Housing

Comment F51:

Page III.F-35 indicates that the equivalent of approximately 9.6% of the Village's housing units have been constructed as workforce or affordable. How does the percentage of affordable units, both those constructed as affordable and those that exist as affordable, compare to that of other jurisdictions?

AKRF and SPR, Letter 42, November 2, 2015

Response:

FEIS Table F51a, also referred to as Table 3.2 Affordable Housing Development with Federal and State Subsidies by Number of Units, Program and Village¹⁷, was taken from the 2012 Housing Conditions in the Village of Port Chester (the “Housing Conditions Study”) which provides a breakdown as to the number of affordable housing ~~developments~~units (with Federal and State subsidies) for each Village in Westchester County. According to the FEIS Table III.~~F62~~F51a, the Village of Port Chester has the highest overall number of affordable housing ~~developments~~units with Federal and State subsidies among all Villages in Westchester (679), followed by the Village of Sleepy Hollow with 384, the Village of Tarrytown with 379 and the Village of Ossining with 322.

¹⁷ Housing Conditions in the Village of Port Chester, Village of Port Chester, NY, Urbanomics BFJ Planning, March 14, 2012, p.62

FEIS Table III.F51a

Table 3.2: Affordable Housing Developments with Federal and State Subsidies by Number of Units, Program and Village

VILLAGES	2010				
	Section 8 New Constr or Rehab	Public Housing	LHHC	Other MF Asst, BMIR	HOC Allocation Plan
Ardsley					2
Briarcliff Manor	97			96	23
Bronxville					
Buchanan					
Croton-on-Hudson					17
Dobbs Ferry					
Elmsford			64		10
Harrison				6	
Hastings-on-Hudson					18
Irvington			22		
Larchmont					
Mamaroneck	81		1	75	
Mount Kisco	131	76			66
Ossining	228		13		81
Pelham					
Pelham Manor					
Pleasantville	7		24		24
Port Chester	193	340		146	35
Rye Brook			26		12
Scarsdale					
Sleepy Hollow	163	86	64		71
Tarrytown		151	115	107	6
Tuckahoe	134	149			6
All Villages	1,034	802	329	430	371

Source: www.HUDuser.org and Urbanomics

1source: Housing Conditions in the Village of Port Chester, Urbanomics, 2012

In addition, FEIS Table III.F51b, also known as Housing Conditions Study Table 3.3¹⁸ is taken from the Housing Conditions Study and provides a comparison of the percentage of all subsidized units to all occupied units for all of the Village's in Westchester County. As noted therein, the Village of Port Chester has the highest overall number of subsidized units, although there are several communities that have a higher percentage of subsidized units as a percentage of occupied units (Sleepy Hollow 11.1%, Tuckahoe 10.1%, Tarrytown 8.6% and Briarcliff Manor 8.2%) and much higher than the All Villages average.

¹⁸ Ibid., page 63

Table III.F-51b
Table 3.3: Subsidized Affordable Housing Units as a Percent of
All Occupied Housing in the Villages of Westchester County, 2010

VILLAGES	2010		
	All Occupied Housing Units	All Subsidized Affordable Housing Units	% Subsidized Units of All Occupied Housing
Ardsley	1,587	2	0.1%
Briarcliff Manor	2,647	216	8.2%
Bronxville	2,259	0	0.0%
Buchanan	829	0	0.0%
Croton-on-Hudson	2,956	17	0.6%
Dobbs Ferry	3,901	0	0.0%
Elmsford	1,618	74	4.6%
Harrison	8,375	6	0.1%
Hastings-on-Hudson	3,027	18	0.6%
Irvington	2,528	22	0.9%
Larchmont	2,109	0	0.0%
Mamaroneck	6,998	157	2.2%
Mount Kisco	4,102	273	6.7%
Ossining	8,344	322	3.9%
Pelham	2,390	0	0.0%
Pelham Manor	1,857	0	0.0%
Pleasantville	2,569	55	2.1%
Port Chester	9,240	714	7.7%
Rye Brook	3,461	38	1.1%
Scarsdale	5,418	0	0.0%
Sleepy Hollow	3,462	384	11.1%
Tarrytown	4,410	379	8.6%
Tuckahoe	2,855	289	10.1%
All Villages	86,942	2,966	3.4%

Source: 2012 Housing Conditions Report (U.S. Bureau of the Census, 2010 Summary File and Urbanomics)

Comment F52:

There is no discussion of the needs of the current residents of the site, who are in fact historically a "work force" community, which the Applicant intends to replace with a preferable demographic in line with its market research and preference for childless households.

Geoffrey Smith, Letter 37, October 30, 2015

Some of the people who are living in 999 High Street, I understand that they were given Section 8 vouchers to utilize as compensation in renting apartments elsewhere. I think that's good. But, as a taxpayer, I'm still paying for it, because Section 8 money is Federal Government money which we pay as taxes. And how long is that program going to last? So what type of commitment is really being made to those people?

John Reavis, PH 9/8/15, p.100

Response:

Comment noted. ~~The Applicant contends that 999 High Street was built and always maintained as workforce housing for the former United Hospital. As such, the building is subject to Article 2 of the Private Housing Finance Law of the State of New York, commonly referred to as the Mitchell-Lama law, provides for different types of State-assisted housing. Compliance with the Mitchell-Lama law is regulated by the New York State Division of Housing and Community Renewal (the "DHCR"). The Applicant contends that when the hospital closed the need Eligibility for the housing ceased to exist. The issue regarding revocation, however, became academic because after the Applicant acquired the Site in 2006 it chose not to seek to vacate the tenants from the premises although it had the legal right to do so after it dissolved the Mitchell-Lama housing corporation. (See Response to Comment III.F-53 for information can be based on the number of tenants in 999 High Street at that time.) Tenants were permitted to remain while redevelopment plans were considered. Since 2006, no rent increases were levied and no tenants were evicted (other than for either income or non-payment income based criterion, including employment at a particular entity. Section 13(17)(a) of rent). To assist the tenants with relocation the Applicant has retained a representative who has been tasked to work with each tenant household individually to identify other housing options and to assist with coordinating relocation assistance services tailored to their specific needs. the Mitchell-Lama Law specially allows for eligibility based on employment affiliation without regard to income.~~

The Applicant contends that 999 High Street was built and always maintained as workforce housing for the former United Hospital and not affordable housing available to the general public; eligibility required that at least one member of a household be employed by United Hospital. Correspondence from NYS DHCR¹⁹ confirms that the initial creation of the housing company (UH Housing Corp.) was to secure housing for employees of United Hospital. That correspondence also indicates that the creation of PC 999 High Street Corporation in 2006 as a Mitchell-Lama housing corporation, which acquired 999 High Street, was intended to continue the eligibility of households occupying the building until the Applicant dissolved PC

¹⁹ Refer to DEIS Appendix B – Correspondence Letters from Sheldon Melnitsky NYS DHCR Managing Attorney and response from Stuart Saft from Holland & Knight on behalf of the Applicant.

999 High Street Corporation. Once dissolution occurred, it was the opinion of NYS DHCR that the Applicant was able to evict tenants; the Applicant believed it could evict tenants without dissolution.

As a precursor to demolishing the 999 High Street building, in April 2015, under applicable law, the Applicant gave formal notice to each tenant of the 41 remaining occupied units that their tenancies were going to quit on June 1, 2015. Eviction notices – also known as Summary Proceeding Petitions - were not served upon the tenants, nor were any Summary Proceeding Petitions filed with the local Justice Court. After the occupied units are vacated and prior to demolition of the 999 High Street building, the Applicant is required to and will file for a request from DHCR to dissolve the Mitchell Lama housing corporation, a process that begins with the filing of a “notice of intent” and typically takes up to a year to complete. The Applicant asserts that it was not required to obtain any preapproval from the DHCR or complete the dissolution of the Mitchell Lama housing corporation as a condition to serve the formal notices to quit. The DHCR has opined that the Applicant cannot terminate the tenancies based on their lack of continued affiliation with the former United Hospital Housing Corp. (although the agency did not address the validity of the Applicant’s service of notices to quit), but has acknowledged that the Applicant could seek eviction after dissolution of the housing corporation based on planned demolition of the building, refer to DEIS Appendix B for relevant correspondence.

The issue regarding termination of tenancies, however, became academic because after the Applicant acquired the Project Site in 2006 it chose not to seek to vacate the existing tenants from the premises (although, as noted, DHCR agreed that it had the legal right to do so after it dissolved the Mitchell-Lama housing corporation; refer also to correspondence from NYS DHCR and response letter from the Applicant contained in DEIS Appendix B). (See Response to Comment III.F-53 for information on the number of tenants in 999 High Street at that time.) Tenants were permitted to remain while redevelopment plans were considered. Since 2006, no rent increases were levied and no tenants were evicted (other than for non-payment of rent). NYS DHCR also notes that even after the sale of the property and the formation of a new Mitchell-Lama housing corporation (PC 999 High Street Corporation) it did not compel the filling of vacancies and DHCR did not make any efforts to verify the income of the tenants to ascertain whether they qualified for ordinary Mitchell-Lama status.²⁰ To assist the tenants with relocation the Applicant had retained a representative who was tasked to work with each tenant household individually to identify other housing options and to assist with coordinating relocation assistance services tailored to their specific needs.

The Applicant has arranged confidential relocation and compensation packages that are tailored to each of the remaining households in 999 High Street. In general terms, for the income eligible households, the package includes lifetime utilization of Section 8 vouchers and supplementary rental assistance for 12 months. Households that did not qualify for Section 8 benefits have While confidentiality prohibits getting into specifics regarding each households needs, the Applicant has informed the Village that 26 out of the

²⁰ The status of PC 999 High Street Corporation as Mitchell-Lama housing for employees for the former United Hospital, rather than as affordable housing to the general public, was confirmed by the Village’s special counsel in a conversation with NYS DHCR Managing Attorney. The new Mitchell-Lama Corporation (PC 999 High Street Corporation) was formed to purchase the building from the UH Housing Corp. to allow the then-existing tenants, who occupied 57 units, to continue to stay in the building pending the Applicant’s dissolution of the Mitchell-Llama Corporation.

41 households that were occupied at the time of the filing of the DEIS qualified for the utilization of Section 8 vouchers, which are generally limited to households earning no more than 50% of the Area Median Income (which for a family of 4 in Westchester County was \$53,900 in 2016). Households that did not qualify for Section 8 benefits have received a cash payment that varied depending on when they moved out; the compensation package offered a minimum of 12 months and a maximum of 24 months at the household's current rental rate. Each household received a stipend to defray the costs of moving. The Applicant reserved the right to seek summary eviction against any resident who does not vacate the building by a mutually agreed surrender date but that reservation proved ~~unnecessary~~unnecessary, as to date all of the households have accepted relocation and compensation packages and have moved out of 999 High Street.

The Applicant has no information about the income strata of the 16 households that voluntarily relocated from 999 High Street between 2006, when the Applicant acquired the building, and April 2015, when the Applicant served the above-noted Notices to Quit to the remaining 41 households.

Comment F53:

We also point out that the beneficiaries of PILOT program typically show some kind of public benefit. In this case, we recommend that one of these benefits be affordable housing (discussed below)

Affordable housing. The United Hospital site contains an affordable building located at 999 High Street. The draft EIS notes that 41 of the 133 apartments in this building are occupied and that the tenants pay rents that are restricted as affordable. To remove these apartments from the site without replacing them would result in a net loss of affordable apartments in Westchester. While we recognize that the existing PMU regulations do not require affordable housing, we point out that the applicant is asking for ~~substantial~~substantial amendments to local zoning to allow the project to move forward. We recommend that the Village consider including in the amendments a requirement for the inclusion of affordable units in new developments.

Edward Burroughs, Letter 21, September 22, 2015

But I'm saying as a resident of Port Chester, we need affordable housing, and there is no reason why there cannot be affordable housing in this development.

Richard Hyman, PH 9/08/15, p. 127

We recommend that the Village board require that the Starwood development include at least as many affordable units as they demolish on site, but in no case less than 10% affordable.

The Westchester Workforce Housing Coalition, Letter 20, September 8, 2015

And, also, I was interested in him -- that he said that it was a good project because it was stimulating housing in Port Chester for seniors and for young professionals. And it's also -- I'm not doing a very good job at saving the affordable housing that is present at 999 High Street, 134 units, that are going to be destroyed by the Starwood plan, with no plan to replace them. I'm not asking that there be more, but asking, at least, that they be replaced. A 20 percent set aside for affordable housing in the 700 units would have replaced the units that they are destroying. And I would ask that, at least, the board consider that.

Rev. Baker, PH October 5, 2015, p.54

What will Starwood do to mitigate the impact of the loss of 130 affordable homes?

Can and will the Village insist that Starwood build affordable housing as a condition for any density bonuses?

Build Up NYC, Letter 38, October 30, 2015

One part of Starwood's plan is to tear down the apartments at 999 High Street. That's going to remove 133 units of badly needed affordable housing. Is Starwood going to include at least 133 units of affordable ~~housing~~housing in the new project?

Cecilio Silvestre, Letter 6, August 27, 2015

The DEIS fails to analyze the impact of the Gateway Project on affordable housing within the redevelopment area or throughout the City and fails to develop a remediation strategy or mitigation measures to address the displacement and exclusionary affects we believe will result from the high cost, high rise development. There is no analysis of the contribution of affordable or work force housing which would be necessary for a well considered and balanced plan for a project this size.

Geoffrey Smith, Letter 37, October 30, 2015

Starwood Capital's plan is to build a 730-unit residential building catering to the empty-nesters and young people. What about people with families and children? Shouldn't there be housing for them, too? How many of the apartments will be affordable to working families? Starwood is demolishing the affordable housing at 999 High Street. Should we have at least 133 units of affordable housing in the new project?

Robert Priani, PH, August 27, 2015, p. 65

Response:

~~Comment noted.~~—As noted in Section III.F of the DEIS (page III.F-35), in 2004 the Village enacted legislation to require the inclusion of moderate income housing in new development of 10 units or more in certain Village zoning districts. The Project Site was previously classified in the R2F Zoning District, which district did not require the provision of moderate income/affordable housing in new multi-family developments. The Project Site was rezoned in 2013 to the Planned Mixed Use (PMU) district. As noted in the Comprehensive Plan and the Statement of Environmental Findings on which the PMU was predicated, the Village Board specifically sought to encourage a wide range of housing types within the Village. With respect to the PMU district, the Comprehensive Plan did not recommend affordable housing, seeking instead to maximize development flexibility to achieve a mixed-use development. The planning for the Proposed Project was informed by that ~~desire~~objective of the Village Board, which is a component of the Village Board's goal of providing for a balanced of uses with the Village. In addition, as noted in DEIS Table III.F-24 Existing Affordable Housing/workforce Housing in Port Chester, and in the Response to Comment III.F51, the Village of Port Chester already has a large amount of housing in government-regulated affordability programs. In addition, Port Chester has a large share of non-regulated housing that is priced significantly lower than the area's median ownership and rental prices. As such, the Village Board, through the adoption of the PMU zoning district, sought to encourage a different type of housing in this particular area of the Village, in conjunction with a comprehensively-planned mixed-use development.

As noted in the AKRF Report (Appendix P) the proposed use of the PILOT program is an important economic development tool and makes the Proposed Project economically viable. -The program evaluated in the AKRF Report did not include an affordable housing component. The Applicant contends that inclusion of an affordable housing component would negatively affect project viability absent additional financial assistance, such as an increase in PILOT benefits. ~~AKRF concurs that the inclusion of a material number of affordable units would affect the financial viability of the Proposed Project, which may in turn result in either the need for PILOT terms more favorable to the Applicant or a somewhat greater density than would otherwise be necessary to sustain the Project to offset the potentially lower return on affordable housing units.~~ To illustrate the potential financial impact of affordable housing on the Project, the Applicant compared the average rent of three new rental developments in the Village (Castle, Mariner, Lighthouse) with the rental limits defined by Westchester County for housing affordable for families earning either 80% or 50% of Area Median Income (AMI) in 2016 (See Appendix X). Assuming that affordable housing units were included in the Proposed Project with the same relative unit-mix as the non-age-restricted housing (i.e., 300 lofts/studios, 100 1-bedrooms, 100 2-bedrooms), and that market rents for the Proposed Project are similar to other recent rental projects in the Village, for every five units of affordable housing, the Applicant could expect to receive \$52,008 less per year if the housing was affordable for families making 80% of the AMI and \$88,386 less if the housing was affordable for families making 50% of AMI. If 30 units of affordable housing were included, using the same assumptions, the Applicant could expect to receive \$312,048 less per year if the housing was affordable for families making 80% of AMI, and \$530,316 less per year if the housing was affordable for families making 50% of AMI.

There are no exclusionary impacts from the Proposed Project; the Proposed Project ~~would~~, if approved, would increase, not decrease, the number of multifamily units over that allowed by the current zoning. Thus, the ~~project~~ Proposed Project does not have the effect of excluding any residents from the Village. It is further noted that the concept of exclusionary housing has generally been applied to zoning that prevents multifamily or affordable housing; the proposed zoning amendments do not do so. There is no requirement, as suggested in the comment, that a project – as opposed to a municipality – have a balanced plan for affordable or workforce housing. If there were such as requirement, every major residential development would ~~require~~ be required to include affordable housing, which is not the governing law.

There would also be no displacement of existing Village residents, as all tenants of 999 High Street have been relocated at the Applicant's expense. ~~The Project has no effect on other residents.~~ At or about the time of the Applicant's purchase of the United Hospital property, of the 133 units at 999 High Street, approximately 57, or 43% ~~-%~~, were occupied²¹. At the time of submission of the DEIS document (July 2015), 41 of the 133 units were occupied. As of November 14, 2016, all households have moved out and relocated.

It is noted that the revised PMU Zoning Text, refer to FEIS Appendix L, includes a density bonus program specifically tailored to the PMU, which proposes to make use of one or more of several dedicated community improvement funds including a housing rehabilitation fund and a Village affordable housing fund. It would

²¹ Source: DHCR Web-site <http://www.dhcr.state.ny.us/publications/mitchell-lamaannualreport/mlhcar07onyc.htm#HCNP112>

be at the Village Board's discretion as to whether all, or a ~~portion~~portion of ~~the~~ the density bonus payment gets used for either of these two categories.

~~It should be noted, as~~As indicated by public comments on this EIS, there are differing opinions regarding the SEQRA impact of the Proposed Project on affordable housing within the Village. ~~(and within Westchester County).~~ Opinions have been expressed that all 133 units within 999 High Street should be replaced as affordable units within the Village. Some of these opinions are based on the existence of that number of units when United Hospital was operating. However, once the Hospital stopped operating, units became vacant over the next decade and were not reoccupied. Thus, they have not served as units for Village or County residents for over a decade, and were not occupied when the Applicant acquired 999 High Street as part of its purchase of the Project Site. Other opinions have asserted that the Applicant was required to market all 133 units once it acquired the ~~Site under Mitchell-Lama housing requirement.~~ ~~However, the DCHR acknowledged that it did not require the Applicant to do so, given the contemplated demolition of the building.~~ ~~Further, even if the Applicant was required to market the units, that did not occur and the units were not occupied for a decade before the Applicant acquired 999 High Street~~Project Site under Mitchell-Lama housing requirement. However, correspondence from NYS DHCR, along with a conference call by Village special counsel with NYS DHCR, confirms that the initial creation of the housing company (UH Housing Corp.) was to provide housing for employees of United Hospital, without an income eligibility requirement (i.e., the units could have been rented to anyone affiliated with the hospital whether such person was an orderly, a doctor or an administrator). In terms of households, at least one member had to be an employee of the Hospital for the household to qualify for such housing. The subsequent creation of PC 999 High Street Corporation in 2006 as a Mitchell-Lama Housing Corporation to acquire 999 High Street was intended to maintain this eligibility provision; this was done to assure that the 57 households then residing in the building could, if desired, continue to reside in the building until dissolution of the Mitchell-Lama housing by the new owner, at which time they could have been lawfully evicted. Consequently, NYS DHCR did not require PC 999 High Street Corporation (the Applicant) to have an income eligibility requirement or to rent any unoccupied units.

Others have expressed the opinion that only the 57 units that were occupied at the time the Applicant acquired 999 High Street should be replaced, presumably based on the logic that these were the units occupied by Village residents at that time and thus their loss would reduce the number of affordable housing available to Village residents. ~~The Westchester County Planning Board referred to the loss of 41 units. Others have opined that the Village should require that 10 percent of the units (75 and thus to County residents. The Westchester County Planning Board referred to the loss of 41 units (the number of units occupied at the time of the filing of the DEIS in July 2015) and noted that the loss of these units would diminish the supply of affordable apartments in the County. As noted above, while confidentiality prohibits getting into specifics regarding each household's needs, the Applicant informed the Village that 26 out of the 41 households that were occupied at the time of the filing of the DEIS qualified for the utilization of Section 8 vouchers, indicating that only these 26 households were eligible for affordable housing. This means that 16 households voluntarily relocated from 999 High Street between 2006, when the Applicant acquired the building, and April 2015, when the Applicant served Notice to Quit on the remaining 41 households. There~~

is no information about the income strata of those households. However, based on the ratio that 26 of the remaining 41 units were eligible for Section 8 vouchers (63%), of the remaining 16 units occupied at the time of the Applicant's acquisition of 999 High Street, another 10 households may have qualified for the utilization of Section 8 vouchers, yielding a total of 36 households. Others have opined that the Village should require that 10 percent of the Proposed Project units (73, assuming the Proposed Project is approved as proposed) should be affordable, consistent with provision in certain residential districts within the Village. Others suggest a 20 percent set-aside (i.e., ~~150 units~~ 146 units, assuming the Proposed Project is approved as proposed).

Finally, still others believe that there is no impact on affordable housing as the building was meant and used as workforce housing for the hospital and not affordable housing ~~more specifically, and United Hospital closed over a decade ago.~~

The consensus of public's comments, ~~therefore, as well as of the Board's professional staff and consultants,~~ is that the Proposed Project will impact affordable housing. It is the opinion of the Board's professional staff that the Project will cause the loss of at least the 26 units that, at the time of the Applicant's notice to residents of its plans to dissolve PC 999 High Street Corporation, were occupied by households that qualified for Section 8 vouchers and were thus Village households that would have qualified for affordable housing.

In addition to differing opinions regarding impact, there are differing opinions with regard to the need to provide additional affordable housing within the Village. Some members of the community feel that additional affordable housing options are needed within the Village. Other members of the community feel that the Village has more than enough affordable housing and is, instead, in need of market-rate housing. In this regard, see the Response to Comment F51 above.

Finally, the Proposed Project is not anticipated to result in a significant adverse impact owing to indirect displacement of existing Village residents outside of the Project Site. It is noted that the residential neighborhood to the north of the Project Site is well-established and is zoned for lower-density uses, which makes it unlikely to experience additional development or cause existing rents to increase and make the housing unaffordable to existing residents. Immediately to the east of the Project Site are co-ops of medium residential density. While the Proposed Project may serve as a beneficial economic force for the Village and cause property values to rise incrementally, especially immediately adjacent to the Project Site, these co-ops have large portions of owner-occupants and therefore it is not likely that the potential for increased rents would create financial hardships and potential dislocation of a significant number of occupants.

Comment F54:

Starwood Capital's plan is to build 730 units residential building catering to the empty nesters and young people. What about people with families and children? Shouldn't there be housing for them too?

Robert Priani, Letter 4, August 27, 2015

Response:

—As noted in DEIS Section III.A and DEIS Appendix N, excerpts from the Village's Comprehensive Plan and Environmental Findings, the proposed residential unit configuration specifically responds to the goals and objectives outlined in the Comprehensive Plan that called for smaller unit sizes (i.e., efficiencies (studios), one and two bedrooms) and configurations which generate relatively few school age children²².

Comment F55:

The Housing Conditions Study concludes that because 274 new units have been added to the housing stock in the last 10 years (an increase of 2.7%) (HCPCS, p.8) and because there is a reported aggregate vacancy rate of 5% "suggests a relatively unconstrained market." (HCPCS, p. ii) Table 1.7 at page 9 does not break down the rent level of the claimed 277 vacant units appears to justify a conclusion that Port Chester has all the affordable housing it can use.

The DEIS however concludes that “work force housing issues in central Westchester and the Village of Port Chester relate to the fact that there is an insufficient supply of housing available in this segment of the market.” PCG DEIS III.G-12 8 Workforce (Affordable) Housing. Here the HOC Housing Plan is credited with bring the recognition that “all of the County’s communities need ‘guidance’ including recommended allocations to assist (them) in meeting a share of the need for affordable housing’ (citing the Allocation Plan 2000-2015)

Geoffrey Smith, Letter 37, October 30, 2015

Response:

See Response to Comment III.F-51 and III.F-52 above.

Comment F56:

The Zoning Ordinance for Port Chester at §345-16 provides for a building height and floor area bonus program that is available to be applied to PMU Planned Mixed Use districts for new construction only. These bonus items are specified in three provisions at defined at §365-16 (C)(3) "Open Space", (4) "Housing Rehabilitation" and (5) "Downtown Parking" and provide for a contribution of 15% of the assessed value of the added height and density space. Only the rehabilitation bonus fund is arguably addressed to the priority need for affordable housing. The mitigation sum if applied to the Gateway Project would not have a reasonable relationship to the impact in need of remediation of the residential displacement, the replacement of work-force housing stock due to be lost and replaced by high cost construction, or contribute to offsite development of affordable housing targeted to measured need for impacted income level cohorts.

Geoffrey Smith, Letter 37, October 30, 2015

²² The Village of Port Chester Comprehensive Plan (December 17, 2012) p. 135

Response:

As noted in Section I of this FEIS, revisions to the proposed PMU zoning text have been submitted to the Village Board (see also FEIS Appendix L). Specifically, the amended PMU zoning district would create a density bonus program specifically tailored to the United Hospital site. The density bonus program would require Applicants that wish to develop the Project Site at a density ~~of greater than~~ 1.64 FAR to contribute to community benefit funds maintained by the Village: Housing Rehabilitation, Open Space, Job Training, and/or Affordable Housing. As an example, funds deposited in the Housing Rehabilitation fund would be used by the Village for the rehabilitation, and subsequent preservation, of affordably priced housing in the Village.

Municipal Services**Comment F57:**

Would solid waste collected on the sidewalks be collected by the Applicant or the Village? If the Village, what is the estimated anticipated annual cost to the Village? If the Applicant, how would solid waste be picked up and managed on-site prior to off-site disposal?

AKRF and SPR, Letter 42, November 2, 2015

Response:

As indicated in Section III.F.5 of the DEIS, the Applicant would be responsible for the collection of solid waste on all sidewalks within the Project Site, including along Boston Post Road. A private vendor would be contracted through the Master Property Owners Association (MPOA). The MPOA would be the entity that would coordinate collection amongst the different tenants depending on intensity of use. The exact details of solid waste management on-site will be addressed during the detailed site plan approval process.

Comment F58:

Please detail the proposed ‘enhancements to pedestrian connectivity’ to Abendroth Park. The proposed Overlay District requires implementation of certain, unspecified, access improvements. Would these improvements be made if the Overlay District was not enacted, but rather the PMU was amended?

AKRF and SPR, Letter 42, November 2, 2015

Response:

DEIS Exhibit II-5, Public Realm and Connections provides initial concepts as to where possible connections could be made to Abendroth Park. The specific details as to the locations will be provided as part of a

subsequent specific site plan approval process. The Applicant will include the pedestrian enhancements regardless of which zoning approach is used to implement the Proposed Project. In addition, the Applicant has submitted revised proposed PMU zoning as part of this FEIS (refer to FEIS Appendix L. Specifically, the revised PMU would require that the Applicant implement access improvements to Abendroth Park. The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). The Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

Comment F59:

The Applicant notes that parking on-site may be available for users of Abendroth Park. How does this impact the ability of the Site to accommodate necessary parking for its on-site uses?

AKRF and SPR, Letter 42, November 2, 2015

Response:

There is currently nothing that would prohibit a member of the public from parking on the Project Site to access Abendroth Park. The Applicant does note that there is an existing parking lot located off of Touraine Avenue that provides patrons of Abendroth Park with a dedicated location to park. In the event that there is some parking on the Project Site used by Abendroth Park visitors, the Applicant does not anticipate that they would be in such numbers or at such times of the year as to impinge on the overall parking supply for the Proposed Project, given that the Applicant has increased the overall parking supply from 1,345 spaces to 1,453 spaces- and that peak on-site demand for parking generally would occur during the middle of the day on weekdays and in the evening on weekends, which do not correlate with the peak time of park usage on weekend days.

Comment F60:

Our EMS corporation is one of the greatest issues between our fair city and Rye Brook, and I am wondering how we are going to fund that, given all the additional people. That is definitely a concern I want to raise. They definitely are in need of funding.

Susanna Keith, PH 9/8/15, p. 93

Response:

The Applicant along with a representative of the Village of Port Chester met with representatives of the Port Chester-Rye-Rye Brook Volunteer Ambulance Corps to discuss the Proposed Project. The details of the Proposed Project including the extent of the number of units was reviewed and discussed with the Ambulance Corps. The Ambulance Corps indicated that they would be able to serve the Proposed Project with existing staffing and equipment²³.

As noted in the DEIS²⁴, ambulance service in the Village of Port Chester is funded partially through insurance (from calls to service), fundraising and directly by the Village; the balance is paid for by the other participating communities, the City of Rye and the Village of Rye Brook. The Ambulance Corps charges the insurance company of the individual for any call to service, and the amount charged varies based on the service provided to the individual. See Response to Comment F33 for details about the additional funding that the Proposed Project would provide to the Village of Port Chester.

Comment F61:

The redevelopment of Abendroth Park should be seen as a significant contribution to the overall development of this area aligned with United Hospital. It especially can play an important part in successfully marketing the residential development of the United Hospital site as Abendroth Park will form the backdrop view of many residential units. We are asking the Mayor and the Board of Trustees to endorse the outline of this letter in both initiating the feasibility study and approving Starwood's development with the outline of this project work. We envision that the cost of the work could be covered as part of the overall United Hospital development. We request that the Board of Trustees involve representatives from the Rec Commission as well as our Park Commission, in these discussions during continued plans - - planning negotiations.

Kim Morabito, PH 9/8/15, p. 98, Letter 52

Response:

The commentor submitted a letter as part of the public hearing process that outlined the potential for a feasibility study for new and upgraded sports and recreation facilities in Abendroth Park. As noted in Section I of this FEIS, revised PMU zoning text has been proposed by the Applicant. (refer also to FEIS Appendix L Specifically, the amended PMU zoning district would create a density bonus program specifically tailored to the United Hospital site. The density bonus program would require Applicants that wish to develop the Project Site at a density greater than of 1.64 FAR to contribute to one or more

²³ DEIS, page III.F-15

²⁴ United Hospital Redevelopment DEIS, page III.F-15

community benefit funds maintained by the Village: Housing Rehabilitation, Affordable Housing, Open Space, and/or Job Training. As an example, funds deposited in the Open Space fund would be used by the Village for the enhancement or creation of open space in the Village, including Abendroth Park.

Comment F62:

The police department is going to need more than two more patrolmen. They talk about \$140,000. How about add another 30 percent for benefits? How about cars? How about maintenance of those cars? What about gas? What about our emergency services? They said that they can get by with what they have.

John Revis, PH October 5, 2015, p. 62

The development will likely generate a need for more emergency services and equipment, including additional resources and aid devoted to Village Hall departments, fire department, police department, DPW, etc. Funds should be allocated accordingly.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

As noted in Section III.F.3 of the DEIS, representatives of the Applicant and the Village met with the Police Chief to discuss the Proposed Project and potential impacts to the Police Department. The Police Chief stated that because of the projected population from the Proposed Project there would be an anticipated need for two additional officers. The cost in salary is estimated at \$164,000 annually exclusive of benefits and pension, which is approximately 35% of the salary figure (see correspondence from the Port Chester Police Department FEIS Appendix G). It was further noted that the Applicant has proposed a PILOT to the Village amounting to approximately \$920,000 in year one and increasing 2.5% annually thereafter, which the Applicant contends would far outweigh the projected costs associated with the potential addition of two new officers and additional services required by the Department. In the event the amount of PILOT to the Village is different than that proposed by the Applicant and insufficient to cover costs during any year a PILOT is in place, the Applicant has agreed to cover the difference in the projected costs identified in the DEIS related to projected municipal services increases for the term of the PILOT, refer also to Response to Comment III.F-33.

Comment F63:

As the Starwood project or any proposed change in the new zoning district in the Village moves forward, the Firefighters Union requests an opportunity to have a voice at the table and be able to work collaboratively and cooperatively with all your agencies and developers so our concerns can be recognized.

Vincent Lyons, PH, August 27, 2015, p. 106

The Village's current fire equipment may not be sufficient for the height of the proposed development: the highest ladder stands ~100 feet, while the development could reach up to 115 feet. This would require purchase of new trucks and/or equipment that may pose maneuverability issues on-site and within the Village (e.g. low train trestle bridges).

Parking structures will also require specific fire safety vehicles that the Village does not currently own.

Port Chester Planning Commission, Letter 51, September 22, 2015

Response:

Comment noted. As part of the preparation of the DEIS, representatives of the Applicant and the Village met with the Port Chester Fire Department to discuss the Proposed Project and its potential impact on the provision of services (refer to DEIS Section III.F4). Discussions with the Fire Department indicated that they would be able to service the Proposed Project with existing staffing and equipment. The Fire Department will be consulted during the specific site plan approval process regarding site access and circulation.

Demographics

Comment F64:

Section III F(1) Demographics at (a.) reports that "(h)istorically, the Village has had a higher percentage of growth compared to the County at large" and that ~~Port~~; Port Chester has a significantly lower median income when compared to the County between 2000 and 2009, approximately 70%; however that the median income of the Village is projected to grow at a slightly faster rate than the County" No support is provided for this trend projection or whether this increase will be due to developments within existing Village communities or through the influx of higher income new residents.

Geoffrey Smith, Letter 37, October 30, 2015

Response:

It appears that the commenter is referring to an earlier version of a DEIS for the United Hospital that was submitted to the Village of Port Chester but never accepted as complete. The reference to median income projections is not included in the accepted version of the DEIS that has been the subject of this environmental review. It is noted, however, that DEIS Table III.F-5, Number of Housing Units, notes that 274 new housing units were constructed between 2000 and 2010. DEIS Table III.F-6 Median Household Income provides a 2013 projection for median household income which may reflect newer developments within the Village such as Wellington Greene and The Mariner.

Comment F65:

Section III (F) b projects, again without detailed support that the concept plan will generate approximately 1,431 new residents (in a total of 762 total units) in the Village of Port Chester, based on assumptions that all units of housing produced will be rented, including 10% "affordable" "across the board". While these conclusions suggest a range, there is no support or allocation to support this marketing model for studio's

and 1 & 2 bedroom units either from the existing need within Port Chester or from a population outside Port Chester representing the regional need for the housing to be built.

Geoffrey Smith, Letter 37, October 30, 2015

Response:

Comment noted. The Applicant notes that it appears that the comment is related to a previous submission to the Village back in 2010 which is not the Proposed Project. The Proposed Project estimates 1,082 new residents in 730 housing units and, in the Applicant's opinion, the unit mix is consistent with what was envisioned in the Comprehensive Plan.

Sustainable

Comment F66:

The project would be a good demonstration site for green design treatments, which would benefit Starwood Capitol's project overall. Green design applications such as described in the EPA's Green Parking Lot Resource Guide would be fitting in this scenario, and work toward retrieving the character of open space and natural landscaping.

<http://nepis.epa.gov/Exe/ZyPDF.cgi/P100D97A.PDF?Dockey=P100D97A.PDF>

Ivana Hildago, Letter 41

Response:

DEIS Section III.F-6.c. Green Building and Sustainability Initiatives outlines the Applicant's approach to sustainable design, starting at the conceptual development planning level. These concepts include redevelopment as an urban infill project, promoting walkability in project design, incorporation of bicycle infrastructure, car share program, and incorporation of a comprehensive landscaping program. Environmentally friendly building considerations include green roof surface treatments and water efficient plumbing fixtures. The Applicant will be reviewing the proposed parking program and design with the Village as part of specific Site Plan review. The Applicant contends that it addresses several of the design considerations outlined in the EPA resource guide referenced by the commenter by providing a preliminary limit on the number of parking spaces and the use of structured parking to reduce the number of at grade parking lots.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review [and preliminary FEIS submission made to the Village in April of 2016](#) have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment G1:

3.E.G.18 Natural Resources

Exhibit 3.G-4 Would like to see a more detailed landscape plan.

Michael Scarola, Letter 40, October 30, 2015

Response:

A detailed landscape plan will be prepared as part of the specific Site Plan approval process. Conceptual landscaping is illustrated on FEIS Exhibit III-G1, Illustrative Landscape Plan.

Comment G2:

The use of responsible construction contractors that follow proper safety procedures is especially important on this project because, according to the DEIS, an initial investigation by Starwood's engineer identified the potential that hazardous materials associated with the existing buildings was on site including suspected "asbestos-containing building materials" as well as what appeared to be "mold, PCBs, lead...possible medical waste and other biohazards associated with dead animals, animal waste, and dried blood." Given the presence of these materials, it is essential that any work at this site be done by workers trained to safely deal with these hazards through participation in a state-approved apprenticeship program.

Build Up NYC, Letter 39, October 30, 2015

Response:

Workers involved in activities that include hazardous materials will be trained in accordance with OSHA requirements (i.e., 29 CFR 1910). Workers will also abide by the project-specific work plan(s) and Health and Safety Plan(s)(HASP), which will be prepared in the detailed specific Site Plan approval process and will incorporate applicable OSHA and other state and local requirements (also refer to Response to FEIS Comment III.G8). State-approved apprenticeship programs, such as the job-training fund associated with proposed PMU zoning incentives and community benefits program, represent an appropriate source of safety training for trade workers. (Also see, DEIS page III.G-18.)

It is noted that some commenters have suggested that the Village retain an independent consultant to oversee the Applicant's remediation.

Comment G3:

The soil erosion and sediment control measures, presented on pages III.G-10 through III.G-15 will be evaluated by the Village Engineer.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Sediment and erosion control was discussed in both the DEIS and Stormwater Pollution Prevention Plan (SWPPP), which were submitted to the Village Engineer for review. Review comments to the SWPPP were received from the Village Engineer and revisions were incorporated into the FEIS document. The Village Engineer will provide a further review of the detailed sediment and erosion control during future specific site plan reviews.

Comment G4:

The Applicant should update their request to the DEC's Natural Heritage Program as nearly five years have elapsed since the last query.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant's Engineer received a letter from the New York State Department of Environmental Conservation (NYSDEC) New York Natural Heritage Program (NYNHP) on March 27, 2015 indicating that the Program has no records of rare, state-listed animals or plants, or significant natural communities at the Project Site or in its immediate vicinity (FEIS Appendix G).

Comment G5:

Please evaluate the potential for the presence of certain protected species of bat, particularly the Northern Long-Eared Bat, which was recently listed as a Threatened species by the US Fish and Wildlife Service (USFWS), to occur on-site. It should be noted that several bat species are known to live in abandoned buildings.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Northern Long-Eared Bat (NLEB) (Myotis septentrionalis) is a Federal and State listed threatened species. By far the largest threat to NLEB in New York State has been the white-nose syndrome, which has resulted in a reduction of its population by approximately 98% since 2006. The U.S. Fish and Wildlife Service (USFWS) website indicates that population decline in the northeast could be as high as 99% based on hibernacula surveys

(<http://www.fws.gov/midwest/nleb/>). White-nose syndrome is caused by a fungus that infects the skin of hibernating bats and can cause bats to awaken from their winter hibernation, resulting in unnecessary burning of the fat needed for their survival over the winter season. Other threats include, in part, harvesting of forest canopies resulting in reduction of habitat, herbicides and pesticides, and commercial cave development.

Research documentation regarding summer roost locations or winter hibernacula in New York is limited. However, NLEB are typically associated with dense, mature interior forests and tend to avoid significant edge habitat. They forage beneath forest canopies and roost in dead or live trees under loose bark or crevices. NLEB are short-distance migrants and, like most bats, they breed in the fall and migrate to winter sites where they hibernate within cool humid caves and mines (October 1 to March 31). (Reference: NYNHP Conservation Guide – Northern Long-eared Bat, Appendix G.)

Since the NLEB are dense forest dwellers, short-distance migrants, the Project Site is essentially void of typical tree roosts and has no nearby dense, mature forests, it is unlikely that they would roost or hibernate within the site's abandoned buildings. Occurrences of NLEB within abandoned buildings are almost exclusively limited to abandoned agricultural buildings in close proximity to appropriate forest habitat or hibernacula.

U.S. Fish and Wildlife Service (USFWS), in their Final 4(d) Rule, indicates that private landowners are not required to provide surveys on their land and should consult the Natural Heritage Program inventory to inquire of the known presence of the NLEB (<http://www.fws.gov/midwest/endangered/mammals/nleb/FAQsFinal4dRuleNLEB.html>, included in FEIS Appendix G). In response to the Applicant's inquiry, a letter dated March 27, 2015 from the NYSDEC New York Natural Heritage Program indicated that their database contained no known rare or State-listed animals in the vicinity of the Site (see Response to FEIS Comment G4). Therefore, no Site survey is required and since there are no known maternity tree roosts or hibernation sites in the site vicinity, there are no restrictions to tree removal or building demolition.

Comment G6:

The DEIS indicates that the cut/fill plan includes approximately 70,000 cubic yards of soil and 30,000 cubic yards of bedrock being excavated during development. Please clarify that excavated fill would be properly characterized in accordance with all local, State (including 6NYCRR Part 360) and Federal regulations (which should be identified) and that non-hazardous historic fill and contaminated soil taken off-site would be handled, at minimum, as a Municipal Solid Waste per 6NYCRR Part 360-1.2.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Disposal of excess soil and rock will be performed in accordance with 6 NYCRR Part 360 Solid Waste Management Facilities, Part 370 Hazardous Waste Management System-General, Part 371 Identification and Listing of Hazardous Wastes, Part 372 Hazardous Waste Manifest System and Related Standards for Generators, Transporters and Facilities, and Part 374 Management of Specific Hazardous Waste. In addition, federal regulations at 40 Code of Federal Regulations (CFR) Parts 260 through 273 will be followed.

It is the intent of the Applicant, to the extent practicable, to manage excess soils and rock consistent with the Pre-Determined Beneficial Use Determinations [6 NYCRR Part 360-1.15(b)]. Subject to approval by the Village Engineer, materials subject to beneficial use may include, but not be limited to:

- Uncontaminated soil which has been excavated as part of a construction project, and which is being used as a fill material, in place of soil native to the site of disposition;*
- Nonhazardous petroleum contaminated soil which has been decontaminated to the satisfaction of NYSDEC and is being used in a manner acceptable to NYSDEC; and,*
- Recognizable, uncontaminated concrete and concrete products, asphalt pavement, brick, glass, soil and rock placed in commerce for service as a substitute for conventional aggregate.*

Soil and rock that is not subject to beneficial use will be disposed in a permitted treatment, storage or disposal facility or recycled off-site at a NYSDEC-registered construction and demolition debris processing facility.

Consistent with NYSDEC, Division of Environmental Remediation's document entitled "DER-10 Technical Guidance for Site Investigation and Remediation", excavated bedrock containing less than 10% by weight material which would pass through a size 80 mesh sieve will typically not be subject to sampling and analytical testing for reuse or disposal.

Comment G7:

The DEIS indicates that only "low level" contamination exists, and the potential impacts to workers and the community are "controllable". While this may be the case, this conclusion cannot be substantiated without further characterization of the areas of concern identified in the Phase I report or further explanation of how these materials would be addressed consistent with public health and safety. The Phase I ESA identified Recognized Environmental Conditions (RECs), including several USTs, as well as C&D piles, dry wells, and a history of hazardous waste generation. The Phase I ESA also documented that the property historically contained coal storage and an incinerator that was associated with a boiler house. It is unknown how coal or incinerator ash was disposed, and it could be present within the on-site fill material. In each of these cases, the environmental status is assumed based on limited data and several areas were not able to be inspected due to safety concerns. The Applicant should clarify how it plans to more completely characterize the environmental conditions on the site or otherwise address the potential for contaminated materials.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Phase I ESA identified Recognized Environmental Conditions (RECs) and Historic Recognized Environmental Conditions (HRECs) associated with several closed in place USTs, as well as other noted issues including C&D piles, possible former septic fields and/or dry wells, and a history of hazardous waste generation associated with the day-to-day operations of the former hospital. The Phase I ESA also documented that a portion of the United Hospital property historically contained coal storage and an incinerator that was associated with a boiler house. It is unknown how coal or incinerator ash was disposed, and thus it could be present within the on-site fill material.

Impacts and/or potential impacts associated with the items documented in the Phase I ESA include:

- Known petroleum contaminated soil in the vicinity of the USTs, and potential petroleum contaminated soil in building areas, including elevator pits, which are unable to be accessed prior to decommissioning and demolition of existing structures.*
- It is currently unknown if petroleum, solvent, metals, and polychlorinated biphenyl (PCB) contaminated soil within/below any former septic system and/or dry well discharge areas are present on site given that there are no known records of how sewage was treated prior to 1930 when it is believed by the Applicant that municipal sewer service was provided to the Project Site¹. Due to the size of the site and site conditions, it is currently impractical to identify locations of any possible former septic systems and/or dry well discharge areas prior to site excavation following decommissioning and demolition of the existing structures.*
- It is currently unknown if coal ash or incinerator ash are present in the fill material on site. Due to the size of the site and site conditions, it is currently impractical to identify locations of any possible coal ash or incinerator ash in the fill material prior to site excavation following decommissioning and demolition of the existing structures.*
- It is currently unknown if hazardous waste (aromatic and halogenated VOCs, acids, and/or metals compounds) in the subsurface (e.g., soil) associated with any inappropriate handling and/or on-site disposal of chemicals documented by the RCRA Large Quantity Generator (LQG) status are present on site. Due to the size of the site and site conditions, it is currently impractical to identify locations of any possible hazardous waste in the subsurface prior to site excavation following decommissioning and demolition of the existing structures.*

The scope of subsurface remediation is generally anticipated to involve excavation and off-site disposal of soil exhibiting concentrations of compounds above the New York State Department of Environmental Conservation (NYSDEC) Restricted Residential, if not Unrestricted Use, Soil

¹ Sewer System Evaluation Survey Port Chester Sanitary Sewer District, URS Consultants, Inc., January 1995

Cleanup Objectives (SCOs); establishing institutional controls (e.g., deed restrictions) and engineering controls (i.e., site cover systems of impervious surfaces, maintained lawn and/or landscaping) consistent with the proposed uses of the site; and periodic environmental monitoring and reporting. The excavation and disposal of contaminants in soil is an accepted and common remediation, and does not require unusual techniques to complete. If warranted by the subsurface conditions associated with the areas noted above, a Phase II Environmental Site Investigation (ESI) will be performed to facilitate any necessary remediation. The basic protective measures that will be taken during any such removal are described in the response to Comment G8, and include air monitoring, a construction health and safety plan, and dust suppression measures. If known contaminated materials will remain after remediation that require deed restrictions, the Applicant would file a deed restriction or similar document that will incorporate such restriction and engineering controls, will run with the land, and be enforceable by the Village.

The site-specific subsurface geotechnical investigation encountered groundwater, that appeared perched, in only 2 of the 25 test borings at depths of 9 and 12 feet below the existing ground surface. Groundwater treatment, either in-situ (i.e., treating the contaminated media in place in the subsurface) or ex-situ (i.e., treating the contaminated media at the ground surface following removal), may be performed if there is an indication of contamination.

Based on the results of the Phase I ESA, the following scope of work would be completed during the initial phase of Project construction to mitigate the potential impacts at the Project Site:

- Waste characterization, removal, and disposal of C&D piles in accordance with disposal facility requirements.*
- The active 4,000-gallon No. 4 fuel oil AST currently serving the apartment building at 999 High Street will be formally closed at the appropriate time, by removal and deregistration in accordance with NYSDEC and WCDH rules and regulations. Additionally, the closed-in-place UST that formerly served the 999 High Street will be removed and disposed as a part of the redevelopment. UST closure will include removal of soil that exhibits evidence of petroleum contamination, and collection of post- excavation endpoint soil samples to confirm that petroleum contamination has been effectively mitigated. Removal of USTs that were closed in place will include collection of soil samples from beneath the tanks to confirm that the soil meets the SCOs.*
- During the closure and removal in March 2013 of two 25,000-gallon underground storage tanks (USTs) that had stored No. 6 fuel oil, impacted soil was observed, excavated and soil samples were collected. The tanks (along with a nearby 2,000 above ground storage tanks (ASTs) that had stored No. 2 fuel oil) were located in close proximity to the east side of the Power House. Review of files provided by the Village of Port Chester in response to a request for records during the Phase I ESA indicates that five of the 18 post-excavation samples taken had exceedances of the NYSDEC Unrestricted Soil Cleanup Objectives (“SCO”). Removal and off-site disposal or beneficial reuse off-site in New York (in accordance with NYSDEC Part 360 or analogous requirements for States outside of New York) of petroleum-impacted soil containing compounds above the Unrestricted Use SCO*

associated with this, and, if it becomes known, other historic UST areas noted in the Phase I ESA, will be undertaken.

- In the event that the possible former septic fields and/or dry wells and/or the potential areas for ash disposal are discovered during excavation, the area(s) will be investigated. The investigation will include the collection of continuous soil samples through the zone of potential contamination, and laboratory analysis of soil samples for VOCs, SVOCs PCBs, Pesticides, and Metals 8270 to verify the completion of the removal. If ash is observed, the ash will be excavated and disposed of and post-excavation samples for RCRA 8 metals and semi volatile organic compounds (EPA Method 8270) and waste characterization data for disposal off-site. Based on the investigation results, the Applicant will excavate soils that exceed the Restricted Residential SCOs, provide for proper disposal of those soils, and collect of post-excavation endpoint samples consistent with NYSDEC's DER-10 to confirm that the contamination area was appropriately mitigated.*
- The Applicant will develop a written contingency plan to address unknown conditions (undocumented USTs and/or areas of unknown soil contamination) encountered during redevelopment. The contingency plan will generally identify procedures to be followed by the parties implementing the Project for such scenarios, for the purpose of managing full resolution in a timely and comprehensive manner.*
- An environmental professional will be present during all excavation work.*
- If encountered, abandoned septic systems(s) or cesspool(s) associated with former liquid waste management practices prior to the presence of the municipal sanitary sewer system, will be removed, along with any soil that exhibits evidence [staining, odors, detection of VOCs with a photoionization detector (PID)] of contamination. Post- excavation endpoint soil samples will be collected to confirm that the concentration of any remaining contaminants are below the Restricted Residential Use, if not Unrestricted Use, SCOs.*

Remedial investigations and actions will be subject to a HASP which, at a minimum, will address the following items:

- Provide safety and health risk or hazard analysis for each site task and operation.*
- Identify key personnel responsible for site safety, including name and qualifications of the Safety Officer.*
- Address personal protection equipment to be employed during work.*
- Designate work area exclusion zone(s) and decontamination zone(s) as defined by OSHA.*
- Provide procedures for decontamination of personnel materials and equipment.*
- State the frequency and types of air monitoring, personnel monitoring, and environmental sampling techniques and instrumentation to be used, including methods of maintenance and calibration.*
- Establish site emergency procedures and describe emergency equipment to be made available on site.*
- Identify, provide location of, and list arrangements with the nearest medical facility.*

Remedial actions will either be self-implemented or be performed under NYSDEC and/or WCDOH oversight should the applicant encounter a condition that requires reporting to one or both of these agencies. Self-implemented remedial actions, to the extent known to be required prior to construction, will be described in a remedial work plan that would be reviewed and approved by the Village prior to implementation. Remediation completed under NYSDEC and/or WCDOH oversight would include preparation and implementation of the specific investigation and remedial work plans required by State program. Remedial actions will be planned and conducted in accordance with relevant NYSDEC rules, regulations, and guidance including; but not limited to, the DER-10 Technical Guidance for Site Investigation and Remediation, 6 NYCRR 360, 6 NYCRR Part 364, 6 NYCRR Part 371, 6 NYCRR Part 374, and 6 NYCRR 375.

Comment G8:

The Applicant should further specify the ways in which the health and safety of the surrounding community and those working on the site during construction would be protected, and this should be coordinated with the potential for contaminated fill noted above and any further characterization of such. Additional detail on the safety plans and inspections proposed in the DEIS should be provided, particularly with regard to dust-control measures, and the approving authority for those plans should be detailed.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant will prepare and implement a Community Air Monitoring Program (CAMP) protective of the public during contaminated soil disturbing activities, including remediation. General earth moving and utility installation activities will only be subject to CAMP if contamination is known to be present or indicated by field observation or measurements. The CAMP will, at a minimum, be prepared in accordance with the New York State Department of Health (NYSDOH) generic CAMP requirements (see NYSDEC DER-10). The CAMP will be subject to review and approval of the Village of Port Chester, unless the Site is in a NYSDEC program that provides direct oversight. If a NYSDEC program is implemented, it would not override the Village of Port Chester's enforcement authority, although the Village understands that it would have limited involvement with the remediation of hazardous materials that would be under the NYSDEC authority. CAMP activities will include real-time dust monitoring. The dust monitoring will take the form of background and down-wind particulate matter of 10 microns in diameter or smaller (PM₁₀) monitoring, on a 15-minute time weighted average basis, utilizing calibrated field-monitoring equipment. The results of CAMP monitoring will be made available to the public via the Internet in a timely fashion. If the pre-determined CAMP response levels are exceeded, the CAMP will include a response and mitigation program that will include an instruction to stop work and re-evaluate both dust suppression measures and the CAMP and to report such occurrences to the Village Engineer. Finally, the CAMP document will include a provision requiring the monitoring program to be upgraded should conditions warrant.

In the case of the abatement of asbestos-containing materials (ACM) associated with the Site, activities will be performed in accordance with federal, state, and local rules and requirements. In particular, particulate monitoring for ACM fibers outside the work areas will be performed in accordance with 12 NYCRR Part 56. This monitoring typically consists of air sampling, with laboratory analysis of samples, at multiple perimeter locations such as entrances to work areas and any HEPA exhaust locations. This air monitoring will be subject to oversight by the NYSDOH.

Workers involved in activities involving hazardous materials will be required to have appropriate training in accordance with federal, state, and local laws, in conjunction with the implementation of project-specific work plan(s) and Health and Safety Plan(s), which would be subject to approval by the Village of Port Chester. Worker health and safety procedures will comply with OSHA requirements. (See also response to FEIS Comments IIIG2 and IIIG7.)

A dust control plan, subject to review and approval by the Village of Port Chester's Village Engineer, and potentially the WCHD and NYSDOH; will be prepared. Dust management during soil disturbing work will include, at a minimum, the items listed below:

- Keeping construction vehicle speed to 5 mph to reduce dust suspension;*
- Covering trucks carrying soils and other dry materials;*
- Covering exposed stockpiles of soil and gravel to eliminate wind-driven dust suspension, and possibly also minimizing the height of these piles;*
- Periodic wetting of paved surfaces during dry periods as a means to suppress dust suspension;*
- Applying water, as necessary, during concrete slab removal and crushing;*
- The application of water on stockpiles and unpaved roads during dry periods as a means to suppress dust suspension; watering will be provided by the use of a dedicated onsite water truck (or equivalent) equipped with a water cannon and/or sprayer system;*
- Wetting shall also be used to control dust where drilling, grinding, compacting, crushing, or other similar construction activities occur, as well as at non-enclosed transfer points such as conveyors and chutes;*
- The wheels of all trucks shall be washed as they exit from the site. A wheel washing station shall be constructed at each truck exit, whereby truck wheels shall be washed, and the water shall be contained to avoid tracking mud out of the construction site and recycled if practicable;*
- Final grading and landscaping of exposed areas as soon as possible;*
- Truck cleaning pads; and*
- Decontamination zone*

Comment G9:

The DEIS indicated that petroleum contaminated soil near the power house would be removed, and that NYSDEC would be engaged about using restricted use Soil Cleanup Objectives and engineering/institutional controls for any contamination that is not able to be removed. The DEIS

also states that no remediation is mandated for petroleum compounds documented at the site, and any remaining petroleum contamination would be addressed by methods consistent with the established State cleanup programs.

NYSDEC manages sites that have entered a State remedial program (i.e., Brownfield Cleanup Program) or sites that are subject to enforcement (i.e., Spills, Superfund). It is not feasible to assume that, in the course of excavating petroleum contaminated soil, one could enter an NYSDEC program in the middle of development in order to utilize engineering and institutional controls and restricted use Soil Cleanup Objectives under a NYSDEC program. The Applicant should further describe their approach to addressing contaminated soil. This may include entering a State program or developing its own remediation plan consistent with state regulations, including the filing of a deed restriction that is comparable to the Environmental Easement required by NYSDEC in certain of its programs to assure continued protection of health and safety after the completion of a cleanup. In either case, additional description of the approach is necessary.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The decision to self-implement remediation or perform remediation under NYSDEC oversight will be determined based on information, including the magnitude of the required remediation, which will be determined based on the results of the work performed as described in Comment G7 above, as well as project schedule and cost factors. If unanticipated contamination is discovered, its presence will be reported to the Village (as well as NYSDEC or WCDOH, if required), along with an anticipated schedule for remediation.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review [and preliminary FEIS submitted to the Village in April of 2016](#) have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment H1:

The FEIS should clarify whether the replica of the mile marker is considered to be a potential architectural resource—that is, is it likely eligible for the S/NR—based on correspondence from the SHPO.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The replica mile marker is not listed on the New York State and National Registers of Historic Places (S/NR) and SHPO has made no determination of its eligibility on the same. Since the mile marker is not original, it is not considered to be potentially eligible for S/NR listing. Given the mile marker is a replica, is not S/NR listed, and is not considered to be potentially eligible for S/NR listing, its relocation would not be considered a significant adverse impact on historic and cultural resources.

Comment H2:

Please clarify the Study Area used to evaluate the impacts of the Project on architectural, as opposed to archaeological, resources, and what was the basis for its selection?

AKRF and SPR, Letter 42, November 2, 2015

Response:

As noted in the Phase 1A Literature Review and Sensitivity Analysis prepared for the project (see Appendix H of the DEIS), for the purposes of the analysis, the area of potential effect (APE) for archaeological resources is considered to be the entire Project Site. The APE for architectural resources is larger to evaluate the potential for visual/contextual impacts, as well as direct/physical impacts. The Phase 1A does not specifically define an APE for architectural resources; however, it broadly refers to resources within one mile of the project site. As depicted in Exhibit III.B-3 of the DEIS (Surrounding Views), the Project Site is generally visible from within ¼ mile of the site boundaries, with the exception of the area between High Street and Hillside Road, west of I-287. Therefore, for the purposes of this analysis, the APE for architectural resources is considered to be the Project Site and the area within ¼ mile of the site boundaries.

Comment H3:

The Phase 1A does not specifically identify the known architectural resources that are reportedly within the (not geographically defined) study area. Please provide the list of County or municipally identified properties within the study area for architectural resources. Using this list, evaluate the potential for the Project to have a significant adverse impact on any of these resources.

AKRF and SPR, Letter 42, November 2, 2015

Response:

There are no S/NR-listed structures, structures determined to be eligible for S/NR listing, or sites listed on the Westchester County Inventory of Historic Places within the APE for architectural resources. As noted above, the Phase 1A broadly refers to resources within one mile of the project site; however, any such listed resources, including any in the City of Rye, are located outside the project site and the surrounding ¼-mile radius. Therefore, the proposed project would not have any significant adverse direct/physical or visual/contextual impacts on historic architectural resources. There are no S/NR listed or eligible structures, structures on the Westchester Inventory, or structures designated as Protected Sites and Structures by the City of Rye adjacent to any roads that are expected to have substantial additional Project-generated traffic. The closest such structure is the Rye Post Office on Purdy Avenue, as shown on Exhibit III.H-3. The Applicant's traffic engineer has indicated that an estimated peak hour total of 20/16/23 (approx. 1 vehicle every 3 minutes) during the Peak AM/PM/SAT hours traveling south on BPR past Peck Avenue. The Applicant anticipates that very few, if any, of those vehicles would turn right onto Purdy Avenue and circulate past the Post Office.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

The screening analyses performed to determine the potential of significant adverse impacts to air quality as a result of increases in traffic on the roadway network were updated for this FEIS as a result of the updates to the traffic study (see FEIS Chapter III.E). As noted in the Technical Memorandum at the end of this Chapter and in Appendix I, the updated screening analyses continue to show that the increases in traffic will not cause a significant adverse air quality impact.

Comment I1:

Please include the following input parameters for each of the AERSCREEN model runs: Estimated Project Emission Rates; Stack Height; Stack Diameter; Exhaust Temperature; Exhaust Flowrate/Exit Velocity; Elevated Receptor Flagpole Height.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The detailed stack emissions and exhaust parameters were previously provided in Appendix B of the Air Quality Impact Study (DEIS Appendix I). Those parameters are summarized below:

Table I1: Stack Emissions

Building	Emission Rates (lb/hr)			
	NO_x	CO	SO₂	PM/PM-10/PM-2.5
<i>Senior Residential</i>	0.35	0.30	0.03	0.03
<i>Market-Rate Housing - 2 HVAC Units</i>	0.75	0.63	0.05	0.06
<i>Hotel</i>	0.16	0.13	0.01	0.01
<i>Office/Retail</i>	0.27	0.23	0.02	0.02

Table I1a: Stack Exhaust Parameters

Building	Stack Exhaust Height^a (m)	Stack Exhaust Diameter (m)	Stack Exit Flow (ACFM)	Stack Exit Temperature (K)	Stack Exit Velocity (m/sec)
<i>Senior Residential</i>	25.91	0.23	1667	394	19.17
<i>Market-Rate Housing - 2 HVAC Units</i>	25.91	0.23	1772	394	20.37
<i>Hotel</i>	21.34	0.23	746	394	8.58
<i>Office/Retail</i>	36.58	0.23	1292	394	14.86

^aBased upon the current Project architectural site plan (September 28, 2015)

The revised elevated flagpole receptor grid, based on the FEIS concept site plan (per comment I4), includes receptors placed at each of the following heights:

- *Millennial Residential Buildings: 20 feet, 31 feet, 42 feet, 53 feet, 64 feet, 75 feet;*
- *Senior Residential Buildings: 20 feet, 31 feet, 42 feet, 53 feet, 64 feet, 75 feet; and*
- *Hotel: 20 feet, 30 feet, 40 feet, 50 feet, 60 feet.*

Comment I2:

Please provide explanations for the above input parameters for each model run.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The basis for the stack emissions and exhaust parameters is provided in Sections 4.6.1 and 4.6.2 of the DEIS and the emission calculations in Appendix B of the Air Quality Impact Study (DEIS Appendix I). Potential criteria pollutant emissions from the Proposed Project are based upon natural gas combustion in the boilers and upon U.S. EPA's AP-42 document, Section 1.4, "Natural Gas Combustion" in the External Combustion Sources chapter, and the calculated energy requirements for operation of the heat and hot-water systems for the Proposed Project. The stack exhaust heights are based upon a design stack height of 10 feet above the roof elevation of each Proposed Project component utilizing a representative stack exhaust diameter for boilers in the commercial/residential sector.

The modeled elevated receptors are based upon the current architectural site concept plan for the Proposed Project and are placed at the heights of each of the balconies and rooftops of the residential and hotel buildings.

Comment I3:

Each model run used the same stack height, and building height. Please explain why the Hotel, Millennial, or Senior model runs were not run with a lower height.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Each of the DEIS AERSCREEN model runs utilized the same stack height and building height for all Proposed Project buildings based upon the maximum building height of 85 feet for all uses per the originally proposed alternative text amendment to the zoning law, which involves the replacement of Article XI of the existing Zoning Law (Section 345-62). Please refer to Comment III.I4 for revised air quality modeling analyses based upon the current FEIS architectural concept site plan discussed in Comment III.I1 and III.I2.

Comment I4:

In order to ensure that worst-case elevated receptor concentrations were considered, the AERSCREEN model should be run with flagpole heights between ground level and rooftop heights to assess the potential for impacts on balconies on receptor buildings.

AKRF and SPR, Letter 42, November 2, 2015

Response:

A revised modeling analysis was conducted with the U.S. EPA AERMOD refined dispersion modeling for calculating worst-case modeled impacts at ground-level and at publicly accessible rooftops and open balconies. The modeling assessment was conducted utilizing the stack emissions, stack exhaust parameters, and receptor locations identified in Responses to FEIS Comments III.I1 through III.I2. The NYSDEC provided five years (2010-2014) of AERMOD ready meteorological data from the nearest representative National Weather Service meteorological station, which is located in White Plains, New York.

The results of the AERMOD modeling are presented below:

Table I4: Heating and Hot-Water Systems Air Quality Modeling Results

	Maximum Modeled Concentration ^a (ug/m ³)								
	CO		SO ₂		PM ₁₀	PM _{2.5}		NO ₂	
	1-Hour	8-Hour	1-Hour	Annual	24-Hour	24-Hour	Annual	1-Hour	Annual
Maximum Total Boilers' Concentration	31	27	2.7	2.6	2.1	2.1	0.4	29.4	4.3
Background Concentration ^b	2,185	1,495	81.0	12.2	36.0	24.2	10.2	112.0	39.0
Total Project Concentration ^c	2,216	1,522	84	15	38	26	10.6	141	43
NAAQS	40,000	10,000	197	80	150	35	12	188	100

^aMaximum AERMOD modeled pollutant-specific concentration based on the overall maximum of the modeled ground-level and flagpole receptors.

^bBackground CO concentrations represent the calculated 2018 CO background concentrations. Background SO₂, PM₁₀, PM_{2.5}, and NO₂ concentrations reflect the maximum monitored concentrations.

^cTotal Project Concentration = Total Boilers' Concentration + Background Concentration.

As shown in Table I4, the maximum-modeled boiler concentrations, including the background concentrations, are less than the associated NAAQS.

Comment I5:

Please provide worst case unitary concentrations used in the calculation of the concentrations reported in Table 4-6 of Appendix I.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The following table provides the worst-case modeled unitary concentrations utilized in developing the pollutant-specific maximum modeled concentration in DEIS Table 4-6 of Appendix I.

Table I5: Maximum Modeled Unitary Concentrations

Project Component	Maximum Modeled Unitized Concentration (ug/m³ per g/s)			
	1-Hour	8-Hour	24-Hour	Annual
<i>Senior Residential</i>	386.1	347.5	231.7	38.6
<i>Millennial Residential</i>	225.6	203.0	135.4	22.6
<i>Hotel</i>	586.1	527.5	351.7	58.6
<i>Office/Retail</i>	438.8	394.9	263.3	43.9

The Applicant's Air Quality Consultant offers the following explanation to help the reader understand the purpose of "Unitary Concentrations": It is a common practice within the air quality assessment community to run the atmospheric dispersion model with all parameters set to the physical emission conditions of the source, but to enter a unitary emission rate (i.e., 1 gram per second). When this is done, the resulting model output concentration is called a unitary concentration or a relative concentration (C over Q), where C is the atmospheric concentration and Q is the source emission rate. The modeled concentration of a given pollutant can then be calculated by multiplying the relative concentration times the actual pollutant emission rate of the source. Because there is often more than one pollutant emitted from a single point, running the model once to obtain the relative concentration and then multiplying that value by the various pollutant emission rates saves the analyst a considerable amount of computer time (and real time) in actually running the air quality dispersion model. It is also important to note that relative concentrations are only valid for a single source, or a group of sources that have identical emission parameters, i.e., the same stack height, exhaust flow and exit velocity, and exhaust temperature.

Comment I6:

NYSDOT volume thresholds for Intersections 1, 9, & 16 should be revised to refer to the appropriate vehicle volume threshold for the emission factor of 10.0 g/mi (the listed MOVES factor is greater than the 7.5 g/mi value used).

AKRF and SPR, Letter 42, November 2, 2015

Response:

The NYSDOT volume thresholds for intersections 1, 9, and 16 were revised in the following Table I6 (DEIS Table III.I-4) to reflect an emission factor of 10.0 g/mi.

Table I6: Projected 2018 Peak Hour Traffic Volumes and NYSDOT Volume Thresholds

ID	Intersection	Movement	NYSDOT Volume Threshold (veh/hr)	Projected Peak Hour Traffic Volume (veh/hr)		
				Peak AM	Peak PM	Peak Saturday
1	High Street and Site Driveway (unsignalized)	EB	5,845	NA	NA	217
		WB	5,845	NA	NA	201
		SB	8,000	NA	NA	183
9	Route 1 and Hillside Road (unsignalized)	EB	8,000	71	NA	40
		NB	5,845	430	NA	689
		SB	5,845	973	NA	874
16	Purchase Street and Hillside Road/Wappanoca Avenue (unsignalized)	EB	5,845	21	38	NA
		NB	5,845	291	452	NA
		WB	5,845	62	68	NA
		SB	5,845	463	501	NA

Comment I7:

NYSDOT volume thresholds for Intersection 9 should be revised for the NB/SB approaches to refer to two-way free flow sites, and the EB approach to refer to one-way free flow sites.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Please refer to Table I6 that provides the revised NYSDOT volume thresholds for Intersection 9 based upon two-way free flow sites for the NB/SB approaches and one-way free flow sites for the EB approach.

Comment I8:

Per the updated 2014 CEQR Technical Manual, from which guidance was taken by the Applicant to analyze the air quality impacts of the parking facilities, impacts associated with particulate matter should be analyzed.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Air quality impacts associated with the proposed aboveground parking garages at the Proposed Project were studied for CO and PM-2.5 resulting from large concentrations of vehicles at those locations. A six-level naturally ventilated parking garage for the residential component will have approximately 461 spaces and will serve the majority of the market rate residential units. A separate 6 level naturally ventilated parking garage will have approximately 645 spaces and will primarily service the wellness/medical offices.¹

The air quality analysis for the parking facilities was conducted following the guidance provided in the New York City Environmental Quality Review (CEQR) Technical Manual: Appendices (CEQR, 2014). It was conservatively assumed that vehicles entering and exiting the parking facilities would idle for one minute on each parking level and travel at 5 miles per hour (mph) through the parking areas. The idling time accounts for individuals warming up their vehicle during cold weather and other traffic/parking queues while entering and exiting the parking facilities. Engines of the vehicles entering the parking facilities were assumed to be in hot stabilized mode (warm or hot engines), while the vehicles exiting the parking facilities were assumed to be in cold stabilized mode (cold engines).

Although most vehicles will only travel one or two portions of a parking level before locating a parking space, it was conservatively assumed that all vehicles would travel ½ the width and 2/3 the length of each level in addition to the length of the ramps connecting each level before locating a parking space and/or leaving the parking facility consistent with CEQR guidance.

Emissions of CO and PM-2.5 for vehicles in the parking garages were calculated using the U.S. EPA MOVES mobile source emission factor model. Model inputs pertaining to inspection/maintenance, anti-tampering programs, age distribution, etc., were obtained from the NYSDEC. Model inputs pertaining to vehicle operating modes and ambient conditions were based upon CEQR Guidance. The equations used to calculate the maximum CO and PM-2.5 concentrations due to the parking garages yield maximum 1-hour CO and PM-2.5 concentrations. To convert the maximum 1-hour CO concentration to a maximum 8-hour concentration the NYSDOT and U.S. EPA recommended conversion factor of 0.7 was applied. To convert the maximum modeled 1-hour PM-2.5 concentration to a 24-hour concentration utilized the NYSDOT and U.S. EPA recommended conversion factor of 0.6.

Results of calculating the maximum 1-hour and 8-hour CO and 24-hour PM-2.5 concentrations due to the Proposed Project parking garages indicates that the 1-hour and 8-hour CO NAAQS and 24-hour PM-2.5 NAAQS will not be threatened or exceeded. Table I8 presents the maximum

¹ The air quality analyses that included the parking garage sources referenced in this Chapter were done with a project that included only 550 spaces in the medical/wellness parking garage. Subsequent to the analyses, the project was modified so that this garage now includes 645 spaces on an additional level of parking. While the additional level of parking would result in potentially longer travel distances, there should not be a substantial change in pollutant concentrations due to the garage being naturally ventilated. In addition, as the additional travel distances would occur at the top of the structure, the effect of the additional travel would be minor compared to the activity at the receptors located at base of the structure.

calculated 1-hour and 8-hour CO and 24-hour PM-2.5 concentrations from each parking garage including the background concentrations. Calculations, along with the assumptions, variable inputs, and emission rates, for the parking garage air quality analyses are shown in the attached Parking Garage Air Quality Modeling Assessment Appendix I1.

Table I8
Parking Garage Maximum CO and PM-2.5 Concentrations

Source	CO Concentration (ppm)
1-Hour CO Concentration (ppm)	
<i>Project Parking Garage (Office Deck D)</i>	0.9
<i>Project Parking Garage (Residential Deck C)</i>	1.1
<i>Calculated 2018 Background</i>	2.9
<i>Garage Total^a</i>	4.6
<i>NAAQS</i>	35.0
8-Hour CO Concentration (ppm)	
<i>Project Parking Garage (Office Deck D)</i>	0.6
<i>Project Parking Garage (Residential Deck C)</i>	0.8
<i>Calculated 2018 Background</i>	2.0
<i>Garage Total^a</i>	3.4
<i>NAAQS</i>	9.0
24-Hour PM-2.5 Concentration (ug/m³)	
<i>Project Parking Garage (Office Deck D)</i>	0.69
<i>Project Parking Garage (Residential Deck C)</i>	0.59
<i>Monitored Background</i>	24.2
<i>Garage Total^a</i>	25.5
<i>NAAQS</i>	35.0

^aGarage Total = Project Parking Garages + 2018 Background Concentration

Comment I9:

Per CEQR guidance, utilized by the Applicant to analyze the air quality impacts of the parking facilities, a cumulative analysis of emissions from both the parking garages and on-street traffic for appropriate receptors is required. Emissions from on-street sources should be included in the parking analysis.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The maximum modeled concentrations of adjacent street traffic for CO and PM-2.5 was modeled per guidance in the CEQR Technical Manual (CEQR, 2014). The Route 1 and Kohl's site driveway traffic was conservatively modeled to occur directly adjacent to the sidewalks of both parking garages to determine maximum modeled cumulative impacts of the parking garages and adjacent street traffic. The maximum impacts from the two parking garages were added to the maximum impacts from the adjacent street traffic. This methodology results in a very conservative estimate of cumulative impacts as there is no credit being taken for the horizontal separation between the parking garages and adjacent street traffic. The peak period intersection traffic for the peak PM time period was modeled with the CEQR Technical Manual Guidance and emissions for adjacent vehicle traffic per the MOVES model. The resulting maximum modeled 1-hour and 8-hour CO impacts are 0.5 ppm and 0.4 ppm, respectively. The maximum modeled 24-hour PM-2.5 impacts for the adjacent street traffic is 0.78 ug/m³. With the addition of the contributions of adjacent street traffic to the modeled concentrations from the parking garages and monitored background concentrations the maximum cumulative impacts are 5.1 ppm for 1-hour CO, 3.8 ppm for 8-hour CO, and 25.9 ug/m³ for 24-hour PM-2.5. All of these cumulative concentrations are well below the respective NAAQS.

Thus, the cumulative impact of the proposed parking garages, adjacent street traffic, and background CO and PM-2.5 concentrations will not exceed the CO and PM-2.5 NAAQS.

Comment I10:

Please provide calculations for the determination of Total Hot Start 5 mph CO Emission Factor. The MOVES output database presents an emissions factor of 6.28 g/mi for Link 3 (vehicle travel link with an average speed of 5 mph).

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Total Hot Start CO emission factor presented in the DEIS conservatively included CO emissions from portions of the vehicle drive cycle that would occur prior to vehicles entering the parking garage. The revised parking garage air quality assessment presented in Response to FEIS Comment III.I9 is based upon a hot start emission factor of 6.28 g/mi to be consistent with the MOVES output for vehicles traveling at an average speed of 5 mph within the parking garage.

Comment I11:

CO backgrounds of 3.0 and 1.7 are listed in Table III.I-1 for the 1-hour and 8-hour time periods, respectively. Please provide calculations/source for future CO background concentrations used in the Parking analysis.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The future year 2018 CO background calculations used in the revised parking garage assessment are provided below.

Table I11: 2018 CO Background Concentrations

Year	Averaging Time ³	Background CO Concentration (ppm)
2013 ¹	1-Hour	3.00
	8-Hour	2.10
2018 ²	1-Hour	2.88
	8-Hour	2.01

¹ Based upon Table 8 from Chapter 1.1 of the NYSDOT Environmental Procedures Manual.

² Based upon Year 2013 Background CO Concentrations and the rollback method described in Chapter 1.1 of the NYSDOT Environmental Procedures Manual.

³ 8-Hour concentrations developed by multiplying 1-Hour concentrations by the 8-hour persistence factor of 0.70 for Westchester County.

2018 Background CO Concentration Calculation

1-Hour Averaging Time

$$C_{\text{future}} = C_{\text{base}} * (0.2 + ((EF_{\text{future}} * G) / EF_{\text{base}}) * 0.8)$$

where:

C_{future} =	2.88	2018 background CO concentration (ppm)
C_{base} =	3.00	2013 background CO concentration (ppm)
EF_{future} =	2.71	2018 CO emission factor (grams/mi)*
EF_{base} =	3.14	2013 CO emission factor (grams/mi)*
G =	1.1	Ratio of Year 2018 traffic volume to Year 2013 traffic volume

⁴ Determined using the NYSDOT's CO Emission Factor Table EF1 for an average vehicle speed of 25 mph and urban collector/local roadway type.

$$G = 1 + (GR/100) * N$$

where:

GR =	2.00	Growth rate (%)
N =	5	Number of years from 2013 to 2018

Comment I12:

An assessment of the air quality impacts of the on-site operation of construction equipment, especially potential peak short-term impacts, should be performed. It is unclear that the construction activities associated with the Proposed Project would not have a potential for significant impact. Please provide reasoning, including factors such as total construction duration, individual location, construction duration, estimated construction activity (i.e., equipment types and engine size), proximity to nearby receptors (including sensitive receptors), and any particular project commitments (ie. exclusive use of Tier 4 equipment).

AKRF and SPR, Letter 42, November 2, 2015

Response:

The CEQR Technical Manual (CEQR, 2014) lists several factors for consideration in determining whether a quantified on-site construction impact assessment for air quality is appropriate. For on-site assessment, these factors include the duration and intensity of construction activities, the location of nearby sensitive receptors, and the use of emission control measures. The nearest sensitive receptors to the Proposed Project are the residential Co-Ops along South Regent Street to the east of the Project Site and the nursing home along High Street west of the Project Site, with minimum distances of approximately 50 feet, to the Project Site.

In order to minimize impacts from construction vehicles, the following emissions control measures would be implemented. The measures would be enforced as described in the Response to Comment III.K-9:

- Diesel Equipment Reduction. Construction of the Proposed Project would minimize the use of diesel engines and use electric engines, to the extent practicable, subject to Village approval. This would reduce the need for on-site generators, and require the use of electric engines in lieu of diesel where practicable.*
- Clean Fuel. Ultra-low sulfur diesel (ULSD) would be used exclusively for all diesel engines throughout the construction site.*
- Best Available Tailpipe Reduction Technologies. Non-road diesel engines with a power rating of 50 horsepower (hp) or greater and controlled truck fleets (i.e., truck fleets under long-term contract, such as concrete mixing and pumping trucks) would utilize the best available tailpipe (BAT) technology for reducing diesel particulate matter (DPM) emissions to the extent practicable, subject to Village approval. Diesel particulate filters (DPFs) are the tailpipe technology currently proven to have the highest reduction capability. Construction contracts would specify that all diesel non-road engines rated at 50 hp or greater would utilize DPFs, either installed by the original equipment manufacturer (OEM) or a retrofit DPF verified by the United States Environmental Protection Agency (USEPA) or the California Air Resources Board, and may include active DPFs,² if necessary; or other technology proven to achieve an equivalent reduction.*

² There are two types of DPFs currently in use: passive and active. Most DPFs currently in use are the “passive” type, which means that the heat from the exhaust is used to regenerate (burn off) the PM to eliminate the buildup of PM

- *Utilization of New Equipment.* EPA's Tier 3 and 4 standards for non-road engines regulate the emission of criteria pollutants from new engines, including PM, CO, NOx, and hydrocarbons (HC). All non-road construction equipment with a power rating of 50 hp or greater would meet at least the Tier 3 and 4 emissions standards, to the extent practicable, subject to Village approval.
- *Idle Restriction.* In addition to adhering to the local law restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to five minutes for all equipment and vehicles that are not using their engines to operate a loading, unloading, or processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.

The Proposed Project's general progression of construction will include site preparation, building demolition including remediation, site demolition including remediation (Table III.K6, Stage 1), and site construction in a single phase that is projected to last upwards of 22 months (Table III.K6, Stages 2 to 5). While overall construction is anticipated to last 36 months, the most concentrated construction activities in terms of air pollutant emissions would be during earthwork and demolition operations, which are anticipated to occur during a period of 18 to 24 months (Table III.K6 Stages 2, 3 and 4, with some overlap into Stages 1 and 5). These construction activities include demolition, excavation, and foundations tasks where large non-road diesel engine driven construction equipment (i.e., dozers, excavators) would be used.

Construction activities that would produce the greatest air quality impact include the demolition, excavation, and foundations tasks, where a number of large non-road diesel engines (i.e., excavators) would be utilized and when the potential to generate fugitive dust is greatest. Construction equipment would be expected to operate intermittently, move throughout the site, and spread across a large area (approximately 15 acres). Therefore, emissions from multiple engine exhausts are not expected to occur at the same location for extended periods of time but would be more dispersed in nature compared to a stationary point source (i.e., a boiler exhaust). In addition, to the extent practicable and where logistics allow, large emissions sources and activities such as concrete trucks and pumps shall be located away from sensitive receptors.

Fugitive Dust

A number of measures will be employed during construction activities to ensure that dust suspension is kept low. These measures will be applied in light of dust suspension resulting from construction as well as from demolition activities and in response to potentially hazardous materials present on the site. These include:

- Keeping construction vehicle speed to 5 mph to reduce dust suspension;
- Covering trucks carrying soils and other dry materials;
- Stabilizing (seed, mulch or cover as appropriate) exposed stockpiles of soil and gravel to eliminate wind-driven dust suspension,;

in the filter. Some engines do not maintain temperatures high enough for passive regeneration. In such cases, "active" DPFs can be used (i.e., DPFs that are heated either by an electrical connection from the engine, by plugging in during periods of inactivity, or by removal of the filter for external regeneration).

- *Periodic wetting of paved surfaces during dry periods as a means to suppress dust suspension;*
- *Applying water, as necessary, during concrete slab removal and crushing;*
- *The application of water on stockpiles and unpaved roads during dry periods as a means to suppress dust suspension; watering will be provided by the use of a dedicated onsite water truck (or equivalent) equipped with a water cannon;*
- *Wetting shall also be used to control dust where drilling, grinding, compacting, crushing, or other similar construction activities occur, as well as at non-enclosed transfer points such as conveyors and chutes;*
- *The wheels of all trucks shall be washed as they exit from the site. A wheel washing station shall be constructed at each truck exit, whereby truck wheels shall be washed, and the water shall be contained to avoid tracking mud out of the construction site and recycled if practicable;*
- *Final grading and landscaping of exposed areas as soon as possible;*
- *Truck cleaning pads; and*
- *Decontamination zone*

A Fugitive Dust Control Plan will be prepared by the Contractor and submitted to the Village of Port Chester's Building Department for review and approval as part of the application for a building permit for a specific approved Site Plan. The Contractor will follow the Plan and the Applicant will be required to ensure the contractor's compliance during construction. (also refer to Response to FEIS Comment III.K9). Based on the use of previously stated measures to control dust suspension, fugitive dust-related air quality impacts associated with the Proposed Project will be minimized to ensure the health and safety of the construction workers and the surrounding community.

Conclusions

As detailed above, an emissions control program would be implemented to minimize potential construction-period effects on air quality. Overall, this emissions control program is expected to significantly reduce DPM emissions by a similar reduction level that would be achieved by applying currently defined best available control technologies. Air emissions generated by construction activities would be greatly dispersed before reaching offsite public receptors, and with the implementation of the emissions control measures described above the construction activities are not expected to result in air quality concentrations significantly above the existing background air quality concentrations in the area. Therefore, the construction of the proposed project would not result in any significant adverse impact on air quality.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS ~~review~~ review and preliminary FEIS submitted to the Village in April of 2016, have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

The analyses performed in the DEIS to determine the potential of significant adverse impacts from noise at proximate receptors as a result of increases in traffic on the roadway network were not updated for this FEIS. As shown in the DEIS, the greatest calculated increase in noise owing to Project traffic was at the Boston Post Road intersection with the Kohl's driveway at an increment of 1.5 dBA. While the traffic study has been updated in this FEIS (see FEIS Chapter III.E), only two intersections experienced traffic volume increases of more than 15% during any peak hour as compared to the volumes used to estimate noise level increases in the DEIS. As a point of reference, a 25% change in traffic volumes would be expected to result in a change of approximately 1.0 dBA.

- High Street and the Existing Site Driveway West experiences a 16.5% increase in volumes during the peak PM hour from what was analyzed in the DEIS. In the DEIS, the estimated impact of the noise attributable to Proposed Project-generated traffic at that intersection during the peak PM hour was 0.6 dBA.
- High Street and Proposed Site Driveway Middle during the AM, PM, and Saturday peak hours experiences volume increases from the traffic study in the DEIS of 20.5%, 26.2%, and 30.9%, respectively. In the DEIS, the estimated impact of the noise attributable to the Proposed Project-generated traffic at that intersection during the AM, PM, and Saturday peak hours was 0.4 dBA, 0.6 dBA, and 0.2 dBA.

Therefore, the conclusion of the DEIS with respect to there being no significant adverse impacts from traffic remains valid.

Comment J1:

The DEIS contains a study of possible construction noise pollution in a number of neighborhoods, including ours. Unfortunately, they picked a location in our neighborhood that is a high ambient noise from I-287 and is not representative of the rest of the neighborhood. The study should be re-done using more representative test locations.

Michael Caponiti, PH 9/8/15, p. 81

Response:

Comment noted. The monitoring location that the commenter is referencing is Cope Circle. The Commenter's residence is on Evergreen Avenue. The Cope Circle location was selected for analysis during the public scoping process because of its proximity to the Project Site (approximately 650 feet from the nearest Project property line) within a nearby residential neighborhood. Noise monitoring was also conducted at seven additional locations surrounding the Project Site. While it is likely that ambient sound levels in the vicinity of the Evergreen Avenue

area will be somewhat lower due to the increased distance from I-287, construction related sound levels from the Project Site will also be lower at that location, again due to the increased distance (approximately 1,500 feet from the nearest Project Site property line). For example, the additional distance of Evergreen Avenue (over Cope Circle) from the Project Site would afford an additional almost 8 dBA reduction in construction noise compared to what Cope Circle would experience. The Evergreen Avenue location is approximately 1,300 feet away from I-287. Traffic noise from I-287 (a line source) will decay at a lesser rate than construction noise (about 3 dBA per doubling of distance) resulting in an approximate 7 dBA lower level of I-287 traffic noise at Evergreen Avenue than at Cope Circle.

Comment J2:

NOISE—Problem: The limited requirements of the Port Chester Noise ordinance, if adhered to, are totally inadequate for a project of this size (1 million square feet and 3 years of construction). The current ordinance permits construction between 8:00 am and 8:00 pm on weekdays and between 10:00 am and 7:00 pm on weekends and holidays. Adjacent neighborhoods would have to live with the “roar” of construction, rock chipping and/or blasting 7 days a week, 8---12 hours a day for up to three years. The DEIS indicates some of the rock chipping equipment will produce in excess of 90 dB of noise. Current research indicates health damage can occur from noise above 70 dB – particularly in children----- The “Transformation of this Pile of Rocks” [as one Starwood representative called it] requires a dramatic decrease in the permissible time periods for general construction noise and very specific limits on rock chipping and blasting which are not addressed in either the PC ordinance or the Starwood DEIS

a) Solutions:

- i) For this project, Port Chester should adopt construction periods of no more than 7 hours per day 5 days per week and adopt the recently enacted Rye ordinance limiting the times and duration of rock chipping and blasting. The Rye ordinance was adopted after much discussion by residents and contractors as a reasonable compromise between developers’ and contractors’ economic and operational needs and nearby residents’ rights to peace and quiet.
- ii) NYS DOT should build Sound barriers on 287 and 95 to reduce the noise created by both by the construction process and the additional traffic generated by the project.

Once again, we respectfully request that the Board give these proposals your serious consideration. The size and density of the Starwood project and the proposed overlay re---zoning could easily turn our neighborhood and other residential neighborhoods in Rye, Port Chester and Rye Brook into islands overrun by traffic from adjoining commercial, office and high---rise multi---family housing. We believe that one of the main attractions of the UH site to developers is its proximity and easy access to two major Interstate highways permitting people who don’t live

in Rye, Port Chester and Rye Brook to have easy access to Port Chester's businesses. We urge you to insist that any approval of the United Hospital site zoning and development proposals restricts the pre--- construction and post--- construction traffic these developments will generate to the interstates and away from the residential neighborhoods surrounding the site. We also urge you to insist that developers and contractors, who also don't live near their construction sites, be required to conduct construction in a manner that does not result in nightmares for the surrounding residents.

As noted above, we and our neighbors stand ready to work with the Board and Starwood to satisfactorily address these issues. Please don't hesitate to contact any of us with questions or comments.

Rye Park Steering Committee, Letter 32, October 30, 2015

Response:

Comment noted. FEIS Section III.K – Construction responds to construction related issues raised as part of the DEIS, specifically Response to Comment K-6 including Table III.K-6 Proposed Construction Sequencing and FEIS Exhibits III.6 through III.6d detail proposed construction activities and proposed mitigation. Construction activities do not occur continuously for the 12 hours per day, seven days a week as may be permitted by the Village Code, Chapter 224-2C(5 (included below).

“Construction work, including but not limited to building, repairing or alteration, excavation, leveling, tree removal or trimming and other site work between the hours of 8:00 p.m. and 8:00 a.m. the following day on weekdays, and between the hours of 7:00 p.m. and 10:00 a.m. the following day on weekends and legal holidays,”

*Typical construction operations start in the morning around 7:45 AM as workers arrive to the site and typically wind down in the late afternoon as the majority of the construction workers leave the job site (workers are typically gone before the PM Peak Hour), however construction hours are permitted to extend to the time references noted in the Village Code above.. (Also refer to FEIS Response III.K3 for further discussion related to construction traffic). FEIS Table III.K-6 notes that the first two months are related to preparation of staging and parking area setup which includes more benign construction activities related to establishing field office(s) trailers, installing fencing, preparing parking and storage areas and implementing erosion control measures. The following 12 months includes activities related to on-site remediation and building and site demolition in which noise associated with demolition would generally be intermittent. Proposed construction stages 2, 3 and 4, which are projected to last approximately **18 to 24** months in the construction sequencing, involves the construction of the internal roadway network, site grading and infrastructure. It is during this timeframe that rock removal and heavy earthwork operations would occur.*

The Applicant notes that reducing construction hours would result in an extended construction duration beyond the three year anticipated schedule as described DEIS Table III.K-1 and FEIS Table III.K-6. According to Village of Port Chester Noise Ordinance (Chapter 224-2C(5)), construction noise would be permitted to occur approximately 4,000 hours per year. The suggested limitation described in the Comment would limit construction to approximately 1800 hours per year or 45% of the permitted time. Therefore, the estimated 3-year duration of construction (under the limitations of the Village Code) would be more than doubled (under the suggested limitations) to more than 6-years.

The Applicant proposes limiting construction to the times allowed by the Village Code. Although the Applicant does not propose amending the referenced Code to be consistent with the City of Rye's regarding rock removal, blasting will, however, be limited to weekdays (refer to FEIS Response III.J6). Also refer to Responses to FEIS Comments III.K1 and III.J6.. Specifically, additional proposed noise mitigation measures to reduce the impact of construction noise are provided in the FEIS Response to Comment III.J6. It is noted that Section 224-3.1 provides the Village Board with the authority to enlarge or reduce subject time limitations.

The exact list of types and number of construction equipment to be utilized are not available at this conceptual stage of project development, and as such, a detailed analysis of the reductions in noise levels that can be afforded by specific noise mitigation measures such as those proposed in the Response to Comment J6 cannot be quantified. This level of detailed analysis could be provided as part of a future specific site plan submittal.

The traffic noise analysis revealed that additional traffic generated by the Proposed Project would result in negligible increases in traffic related noise on local roads and I-287 on and off ramps. Accordingly, Project related vehicular traffic increases on I-287 would also be negligible. As such, construction of sound barriers adjacent to I-287 and I-95 would not be warranted by the Proposed Project.

The Applicant has conducted an analysis of the potential noise increase at residences in the City of Rye from the widening of the I-287 Eastbound off-ramp at Boston Post Road. The analysis, included at the end of this Chapter and in Appendix J, indicates that the combined effects of increased traffic for the AM peak hour condition, new off-ramp lane, and minor restriping would increase noise on the order of 0 to 0.5 dBA at homes on Hillside Road and Cope Circle. Increases of this magnitude would be extremely difficult to detect for traffic noise. This result is consistent with the analysis conducted for the Draft EIS which only examined the noise increase from the change in traffic volumes. Furthermore, as the existing noise environment measured in 2010 at Cope Circle during the late afternoon was on the order of 58 dBA, it is not feasible that the Build condition noise would approach the NYSDOT noise abatement threshold of 67 dBA, and no noise abatement analysis would be required.

The amount of additional traffic generated by the Proposed Project, in the Applicant's opinion, would be adequately accommodated on the roadway network with implementation of the mitigation measures set forth in DEIS and FEIS Sections III.E. With the interstate highways being in immediate proximity to the Project Site, these interstates will provide convenient access for

movement of construction materials to and from the Project Site, as well as arrival/departure of construction workers. .

Construction truck traffic is anticipated to access the Project Site from nearby Interstate highways I-95 and I-287. With the Project Site's close proximity to these highways, minimal use of local streets by truck traffic is anticipated and therefore impact to surrounding neighborhoods is not expected to be significant. Site access to and from I-287 and I-95 south is within ¼ mile of the Site and is accessed via the Boston Post Road. Access to and from I-95 north is within 1.5 miles of the Project Site and can be accessed utilizing the Boston Post Road, Midland Avenue and Peck Avenue. These access routes are primarily in commercial areas and therefore significant impact to surrounding residential neighborhoods and local roads will be minimal. The Applicant shall implement and enforce a construction traffic management plan (CMP) that will limit and restrict construction vehicles of two axles or more to travel to and from the Project Site using major highways, arterials, and connector roadways only. The Applicant shall make compliance with the CMP a condition of, and shall attach the CMP as an exhibit to every contract for the construction of the Proposed Project, and shall make, or require the general contractor(s) to make compliance with the CMP a condition of, and attach the CMP as an Exhibit to every sub-contract. Enforcement of the CMP is discussed in the Response to Comment K9.

Comment J3:

The HVAC noise discussion compares HVAC noise to measured ambient noise, but the measured ambient noise does not include levels measured during late-night hours. Because the HVAC equipment would have the potential to operate during those hours, the comparison of noise levels is incomplete, and larger potential noise level increases could occur during the quieter night-time hours, when sensitivity to noise is typically greatest. Night-time noise level measurements should be conducted at Gilbert Place and South Regent Street. HVAC noise levels should be logarithmically added to the night-time baseline noise levels and the arithmetic difference between the measured existing nighttime noise level and the sum of HVAC and existing noise should be compared to NYSDEC impact criteria. Additionally, a source for the 52 dBA SPL at 50 feet should be provided; either a description of noise measurements conducted and the equipment measured, or a manufacturer's spec for specific equipment.

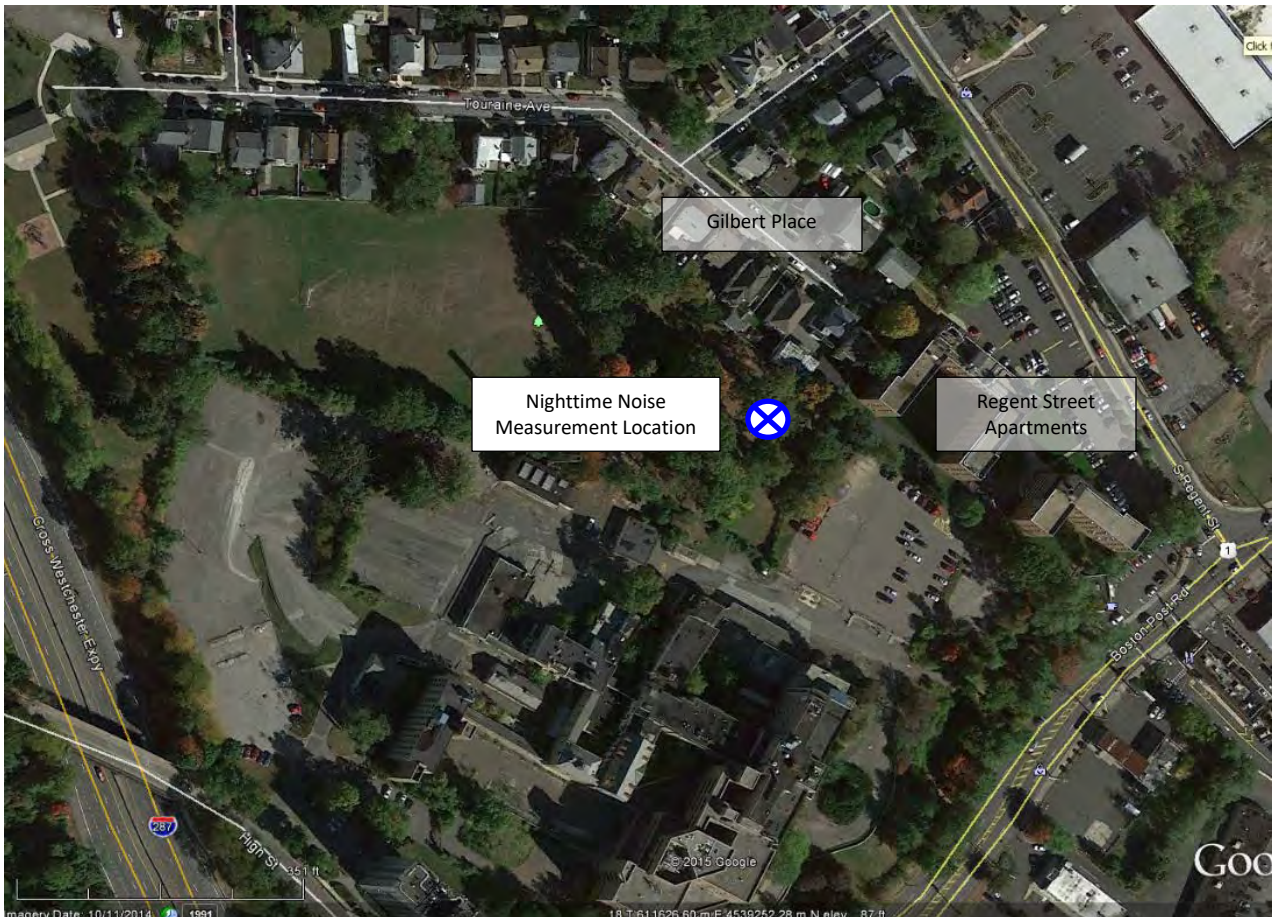
AKRF and SPR, Letter 42, November 2, 2015

Response:

A nighttime ambient noise monitoring program was conducted during the period from September 20, 2015 through September 25, 2015, covering a total of five nights. A RION NL-21 integrating sound level meter was utilized for monitoring. The meter meets the requirements for ANSI S1.4-1983 Type 2 sound level meters. A Bruel & Kjaer 4231 calibrator was used for field calibration.

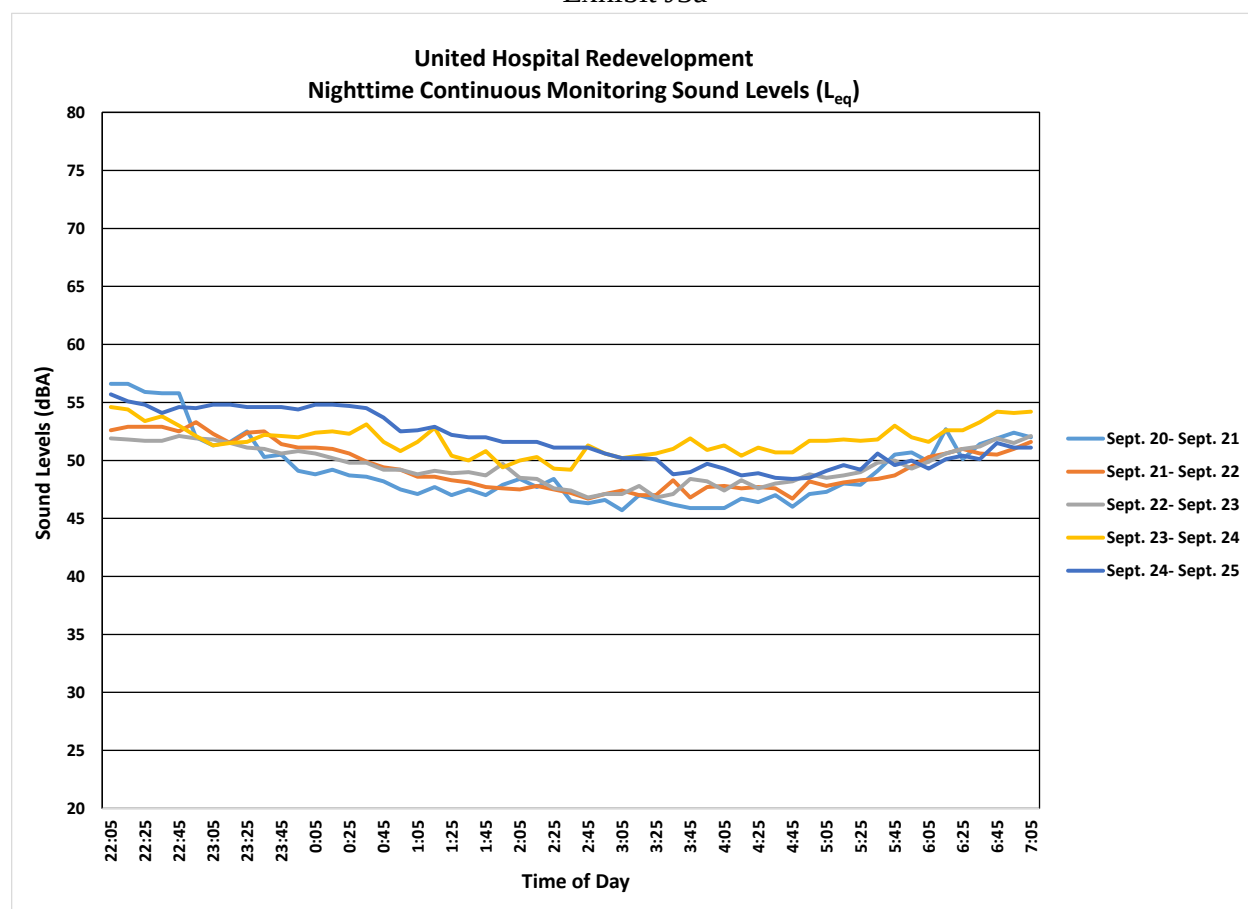
Both the meter and calibrator were laboratory calibrated within one year of the measurement program. The meter microphone was fitted with a windscreen in order to reduce wind generated noise, and mounted on a small pole in the wooded area of Abendroth Park approximately 50 feet south of residences on Gilbert Place and approximately 200 feet southeast of the Regent Street Apartments (see Exhibit III.J3 below).

Exhibit J3



The meter was programmed to measure and store the ambient L_{eq} sound level during the nighttime hours (10 pm to 7 am) on a continuous basis. The data summary from this monitoring program is presented graphically in Figure J3a below.

Exhibit J3a



The graphed data reveal that existing nighttime ambient $L_{eq(10min)}$ noise levels range from about 46 dBA up to about 57 dBA during the 9 hour nighttime period. Minimum nighttime levels each night were consistent, in the range of about 46 dBA to 50 dBA.

Details regarding the specific HVAC systems and their potential locations on the Project Site are not available at this time. Thus, an analysis was conducted assuming a typical HVAC unit (Trane Model 4TTA3030A3/4). Vendor sound level data for this unit (included in FEIS Appendix J) indicate a sound power level of 78 dBA, which corresponds to a sound pressure level of 46 dBA at a distance of 50 feet. The worst case scenario would entail an HVAC unit placed on the ground level and located at the approximate distance to the nearest residence from any of the proposed buildings. The nearest residences are the Regent Street Cooperative Apartments, located at Gilbert Place and South Regent Street. This multi-story structure would be as close as 50 feet from a ground level HVAC unit. At this distance, the sound level from the HVAC unit experienced at the residences would also be approximately 46 dBA.

The aforementioned nighttime ambient noise monitoring program revealed that the lowest ambient nighttime noise level was 46 dBA. This worst case scenario (an HVAC unit as close as possible to the existing residences, and the minimum measured nighttime ambient noise level) would result in an increase in of about 3 dBA over existing minimum nighttime noise levels. A summary is provided in Table J3, HVAC Related Noise Levels (dBA) below.

Table III.J3: HVAC Related Noise Levels (dBA)

Location	Minimum Measured Ambient Nighttime Noise Level (dBA)	Projected HVAC Noise Level at 50 Feet	Total Future Noise Level	Increase Over Existing Minimum Nighttime Noise Level
Gilbert Place / Regent Street Coops	46	46	49	3

Source: TRC Engineering, Inc.

As provided in Table J3, increases in noise over the minimum measured nighttime sound levels would be on the order of 3 dBA, below the NYSDEC noise impact criterion of 6 dBA. It is the Applicant's opinion that the Proposed Project HVAC systems would therefore not result in any significant impacts to offsite residents and as a result does not require mitigation.

Comment J4:

While the construction sources for the Excavation phase of construction included in the BBN 1971 report on which the construction noise analysis is based included a "Rock Drill," the noise analysis does not address the impacts caused by the use of blasting or hydraulic hammers during construction. As the Applicant, states that both methods are considered likely in Chapter III.K, the impacts of these methods must be considered. Hydraulic hammers and blasting have the potential to result in substantially higher noise levels than rock drilling.

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Response:

Hydraulic hammers (hoe ram) and blasting have been added to the analysis. Please see Response to FEIS Comment III.J5.

Comment J5:

Construction noise was calculated at each receptor location by assuming the total construction noise from the project site as a point source at the center of the site. This would tend to result in an under- estimate of construction noise at the receptors, particularly those that are relatively close to the project site, such as Abendroth Park, South Regent Street, and the Port Chester Nursing Home and Rehabilitation Center, located at distances approximately 120 to 500 feet from the project site. For a construction site on an approximately 450 foot by 350 foot area, with noise sources spread throughout the area, distances from each receptor to each individual noise source would vary widely, and assuming a site-total noise level at the center point of the project site under-estimates noise from sources close to the site boundary, which includes many construction noise sources, such as concrete trucks, concrete pumps, cranes, and dump trucks. Furthermore, the site boundaries are long compared to the distance to the adjacent receptors, and assuming a 6 dBA decrease in noise level per doubling of distance from the source (assuming 50 dBA as a reference

distance) is appropriate for a point source, i.e., a source whose size is small compared to the distance between source and receptor. The noise chapter does point out that the size is large and that construction activity would move throughout the site during the construction period. However, during excavation and foundation work, which is when the heaviest construction equipment occurs, only limited pieces of equipment operate within the excavation area. Additionally, the BBN 1971 report, from which the reference site-total noise levels are taken, assumed the loudest construction noise source at a distance of 50 feet, and all other sources at a distance of 200 feet. Using 50 feet as a reference distance, as the construction noise analysis in the DEIS does, would result in an under- estimate of the noise levels at the identified receptors. If contributions from individual construction noise source cannot be computed individually and a site-total noise level is to be used, a more conservative method to calculate noise levels at adjacent receptors would be to assume a 3 dBA decrease in the site-total noise level per doubling of distance from the nearest point to the receptor along the site boundary.

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Response:

The Applicant contends that the BBN 1971 average construction sound levels presented in the DEIS (Table III.J-3, Typical Site Average Noise Levels by Construction Activity) are valid. Specifically, the BBN average sound level during excavation was provided as a level of 89 dBA at 50 feet. To confirm these values, additional analysis was conducted by utilizing construction equipment noise data as provided in the Federal Highway Administration's Roadway Construction Noise Model (RCNM). The RCNM also provides usage factors for each piece of equipment. Usage factors account for the fact that equipment are not always operated at full throttle conditions, and are not used for an entire workday. The exact equipment to be utilized has not been determined. However the highest sound levels will likely occur during the excavation phase. DEIS Table III.J-2, Noise Levels of Major Construction Equipment, provided a list of potential construction equipment. That list was modified to reflect the equipment likely to be utilized during excavation. The construction equipment, along with the RCNM sound level data and usage factors, and the sound level adjusted for a typical workday (based on the usage factors), are provided in FEIS Table J5, Noise Levels of Major Construction Equipment - Excavation. The RCNM model was designed as a screening tool, and therefore uses conservative usage factor data which results in the calculation of reasonable construction related sound levels.

Table J5: Noise Levels of Major Construction Equipment - Excavation

Equipment Type	Instantaneous Maximum Noise Level (L_{max}) at 50 Feet (dBA)	Usage Factor (Hourly Percentage of Maximum Power Output)	Average Noise Level (L_{eq}) at 50 Feet (dBA)
Backhoe	78	40	74
Clam Shovel	87	20	80
Cement Mixer	79	40	75
Dozer	82	40	78
Dump Truck	77	40	73
Excavator	81	40	77
Loader	79	40	75
Grader	85	40	81
Hoe Ram	90	20	83
Rock Drill	81	20	74
Blasting	94	1	74
Sum Total Sound Level:			88

Sources: FHWA, 2006

The data in FEIS Table J5, even accounting for usage factors, is conservative in that it assumes that all of the equipment are utilized (including blasting), and that all equipment are in the same physical space, which is not possible. Also provided in the FEIS Table J5 is the sound level of all the sources added together (88 dBA at 50 feet). This level is almost identical to the aforementioned 89 dBA at 50 foot level, which supports the Applicant's claim that the BBN data are valid.

Further, calculating construction noise levels at distances from the Project Site by treating the sources as point sources (i.e., 6 dBA reduction with doubling of distance) is also valid, in that the dimensions of the equipment pieces in relation to the distances to the receivers are more than sufficiently large enough that the equipment do in fact behave as point sources of sound.

In addition to the above, additional analysis was conducted as requested in the comment to calculate construction sound levels not only from the center of the Project Site, but also at the nearest approaches to each receiver, and the furthest distance that equipment may be from each receiver. The calculated levels (using the BBN 1971 levels as a base) are also compared to the measured existing average and L_{max} sound levels. That analysis is summarized in FEIS Table J5a, Construction Sound Levels Compared to Ambient Conditions – From Closest Approach To Project Site and FEIS Table J5b, Construction Sound Levels Compared to Ambient Conditions – From Furthest Distance To Project Site.

**Table J5a: Construction Sound Levels Compared to Ambient Conditions –
From Closest Approach To Project Site**

Location	Closest Approach To Construction Distance(ft)	Average Measured Ambient Leq Sound Level (dBA)	Maximum Measured Ambient Sound Level (dBA)	Demolition (dBA)	Excavation (dBA)	Foundations (dBA)	Building Construction (dBA)	Restoration/ Finishing (dBA)
Cope Circle	650	57	69	49-64	48-66	54-55	49-64	51-66
89 Inwood Avenue	800	50	71	46-61	45-63	51-52	46-61	48-63
77 Touraine Avenue	300	55	81	56-71	55-73	61-62	56-71	58-73
Abendroth Park 1	100	59	74	66-81	65-83	71-72	66-81	68-83
Abendroth Park 2	100	55	67	66-81	65-83	71-72	66-81	68-83
33 Gilbert Place	200	52	75	60-75	59-77	65-66	60-75	62-77
South Regent Street	100	57	73	66-81	65-83	71-72	66-81	68-83
Nursing Home	50	62	82	72-87	71-89	77-78	72-87	74-89

Source: TRC Engineering, Inc

**Table J5b: Construction Sound Levels Compared to Ambient Conditions –
From Furthest Distance To Project Site**

Location	Furthest Approach From Construction (ft)	Average Measured Ambient Leq Sound Level (dBA)	Maximum Measured Ambient Sound Level (dBA)	Demolition (dBA)	Excavation (dBA)	Foundations (dBA)	Building Construction (dBA)	Restoration/Finishing (dBA)
Cope Circle	1,500	57	69	40-55	39-57	45-46	40-55	42-57
89 Inwood Avenue	1,700	50	71	38-53	37-55	43-44	38-53	40-55
77 Touraine Avenue	1,400	55	81	41-56	40-58	46-47	41-56	43-58
Abendroth Park 1	1,200	59	74	42-57	41-59	47-48	42-57	44-59
Abendroth Park 2	1,000	55	67	44-59	43-61	49-50	44-59	46-61
33 Gilbert Place	1,100	52	75	43-58	42-60	48-49	43-58	45-60
South Regent Street	1,100	57	73	43-58	42-60	48-49	43-58	45-60
Nursing Home	1,000	62	82	44-59	43-61	49-50	44-59	46-61

Source: TRC Engineering, Inc

A review of the data in FEIS Table J5a and FEIS Table J5b reveals that when construction equipment is at the closest approach to any receiver, construction noise levels will exceed average ambient conditions when the maximum equipment are in use. Please see the response to Comment J6 for a discussion of factors that reduce the potential significance of any impacts that may occur from the increase in noise.

However, when the minimum equipment is in use, construction sound levels will be below ambient conditions for the receivers further from the Project Site. FEIS Exhibits III.K-6 through 6d Construction Stage illustrate how construction activities are proposed to commence and work their way around the Project Site. It is noted that for the majority of the building construction process, Block E, located across the street from the nursing home, will be used as a staging area which will include field office, contractor parking and material staging area, thereby minimizing the noise impacts on the nursing home.

The analysis for when equipment is furthest from any receivers reveals that construction noise levels when the maximum equipment is in use will generally be below existing average sound levels, and will be below average existing conditions at all locations when the minimum equipment are in use.

Comment J6:

The construction noise levels should be logarithmically added to the existing noise levels to determine total noise levels during the construction period and the incremental change in noise levels during the construction period should be shown. This incremental change should be compared to NYSDEC impact criteria. The duration of any potential exceedances of NYSDEC impact criteria should be estimated.

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Response:

Provided in the tables below (FEIS Table J6, Construction Noise Levels Compared Added to Existing Ambient Conditions –Equipment at Center of Project Site, FEIS Table J6a, Construction Noise Levels Compared Added to Existing Ambient Conditions – Equipment at Closest Approach, and FEIS Table J6b, Construction Noise Levels Compared Added to Existing Ambient Conditions –Equipment At Furthest Distance) are the calculated construction noise levels from the center of the Project Site, from the closest approach to any receiver, and from the furthest distance to any receiver added logarithmically to the average measured ambient sound level, and the incremental change in sound. FEIS Exhibits IIIJ, Ja and Jb Distance Between NSA and Project Site – Closest Approach, Distance Between NSA and Project Site – Furthest Approach, and Distance Between NSA and Project Site – Center of Site, depict the approximate distances from each receptor to each construction location and are provided at the end of this Section.

Table J6: Construction Noise Levels Compared Added to Existing Ambient Conditions –Equipment at Center of Project Site

Location	Average Measured Ambient Leq Sound Level (dBA)	Demolition (dBA)			Excavation (dBA)			Foundations (dBA)			Building Construction (dBA)			Restoration/Finishing (dBA)		
		Demo-lition	Added to Ambient	Inc	Excava-tion	Added to Ambient	Inc	Founda-tion	Added to Ambient	Inc	Constr-uction	Added to Ambient	Inc	Restor-ation	Added to Ambient	Inc
Cope Circle	57	44-59	57-61	0-4	43-61	57-62	0-5	49-50	58-58	1	44-59	57-61	0-4	46-61	57-62	0-5
89 Inwood Avenue	50	42-57	51-58	1-8	41-59	51-60	1-10	47-48	52-52	2	42-57	51-58	1-8	44-59	51-60	1-10
77 Touraine Avenue	55	45-60	55-61	0-6	44-62	55-63	0-8	50-51	56-56	1	45-60	55-61	0-6	47-62	56-63	1-8
Abendroth Park 1	59	47-62	59-64	0-5	46-64	59-65	0-6	52-53	60-60	1	47-62	59-64	0-5	49-64	59-65	0-6
Abendroth Park 2	55	51-66	56-66	1-11	50-68	56-68	1-13	56-57	59-59	4	51-66	56-66	1-11	53-68	57-68	2-13
33 Gilbert Place	52	51-66	55-66	3-14	50-68	54-68	2-16	56-57	57-58	5-6	51-66	55-66	3-14	53-68	56-68	4-16
South Regent Street	57	51-66	58-67	1-10	50-68	58-69	1-12	56-57	60-60	3	51-66	58-67	1-10	53-68	58-68	1-11
Nursing Home	62	53-68	63-69	1-7	52-70	62-71	0-9	58-59	63-64	1-2	53-68	63-69	1-7	55-70	63-71	1-9

**Table J6a: Construction Noise Levels Compared Added to Existing Ambient Conditions –
Equipment at Closest Approach**

Location	Average Measured Ambient Leq Sound Level (dBA)	Demolition (dBA)			Excavation (dBA)			Foundations (dBA)		
		Demolition	Added to Ambient	Increase	Excavation	Added to Ambient	Increase	Foundations	Added to Ambient	Increase
Cope Circle	57	49-64	58-65	1-8	48-66	58-67	1-10	54-55	59-59	2
89 Inwood Avenue	50	46-61	51-61	1-11	45-63	51-63	1-13	51-52	54-54	4
77 Touraine Avenue	55	56-71	59-71	4-16	55-73	58-73	3-18	61-62	62-63	7-8
Abendroth Park 1	59	66-81	67-81	8-22	65-83	66-83	7-24	71-72	71-72	12-13
Abendroth Park 2	55	66-81	66-81	11-26	65-83	65-83	10-28	71-72	71-72	16-17
33 Gilbert Place	52	60-75	61-75	9-23	59-77	60-77	8-25	65-66	65-66	13-14
South Regent Street	57	66-81	67-81	10-24	65-83	66-83	9-26	71-72	71-72	14-15
Nursing Home	62	72-87	72-87	10-25	71-89	72-89	10-27	77-78	77-78	15-16

Table J6a (cont): Construction Noise Levels Compared Added to Existing Ambient Conditions – Equipment at Closest Approach (cont.)

Location	Average Measured Ambient Leq Sound Level (dBA)	Building Construction (dBA)			Restoration/Finishing (dBA)		
		Building Construction	Added to Ambient	Increase	Restoration/Finishing	Added to Ambient	Increase
<i>Cope Circle</i>	<i>57</i>	<i>49-64</i>	<i>58-65</i>	<i>1-8</i>	<i>51-66</i>	<i>58-67</i>	<i>1-10</i>
<i>89 Inwood Avenue</i>	<i>50</i>	<i>46-61</i>	<i>51-61</i>	<i>1-11</i>	<i>48-63</i>	<i>52-63</i>	<i>2-13</i>
<i>77 Touraine Avenue</i>	<i>55</i>	<i>56-71</i>	<i>59-71</i>	<i>4-16</i>	<i>58-73</i>	<i>60-73</i>	<i>5-18</i>
<i>Abendroth Park 1</i>	<i>59</i>	<i>66-81</i>	<i>67-81</i>	<i>8-22</i>	<i>68-83</i>	<i>69-83</i>	<i>10-24</i>
<i>Abendroth Park 2</i>	<i>55</i>	<i>66-81</i>	<i>66-81</i>	<i>11-26</i>	<i>68-83</i>	<i>68-83</i>	<i>13-28</i>
<i>33 Gilbert Place</i>	<i>52</i>	<i>60-75</i>	<i>61-75</i>	<i>9-23</i>	<i>62-77</i>	<i>62-77</i>	<i>10-25</i>
<i>South Regent Street</i>	<i>57</i>	<i>66-81</i>	<i>67-81</i>	<i>10-24</i>	<i>68-83</i>	<i>68-83</i>	<i>11-26</i>
<i>Nursing Home</i>	<i>62</i>	<i>72-87</i>	<i>72-87</i>	<i>10-25</i>	<i>74-89</i>	<i>74-89</i>	<i>12-27</i>

Source: TRC Engineering, Inc.

**Table J6b: Construction Noise Levels Compared Added to Existing Ambient Conditions –
Equipment At Furthest Distance**

Location	Average Measured Ambient Leq Sound Level (dBA)	Demolition (dBA)			Excavation (dBA)			Foundations (dBA)		
		Demolition	Added to Ambient	Increase	Excavation	Added to Ambient	Increase	Foundations	Added to Ambient	Increase
<i>Cope Circle</i>	<i>57</i>	<i>40-55</i>	<i>57-59</i>	<i>0-2</i>	<i>39-57</i>	<i>57-60</i>	<i>0-3</i>	<i>45-46</i>	<i>57-57</i>	<i>0</i>
<i>89 Inwood Avenue</i>	<i>50</i>	<i>38-53</i>	<i>50-55</i>	<i>0-5</i>	<i>37-55</i>	<i>50-56</i>	<i>0-6</i>	<i>43-44</i>	<i>51-51</i>	<i>1</i>
<i>77 Touraine Avenue</i>	<i>55</i>	<i>41-56</i>	<i>55-59</i>	<i>0-4</i>	<i>40-58</i>	<i>55-60</i>	<i>0-5</i>	<i>46-47</i>	<i>56-56</i>	<i>1</i>
<i>Abendroth Park 1</i>	<i>59</i>	<i>42-57</i>	<i>59-61</i>	<i>0-2</i>	<i>41-59</i>	<i>59-62</i>	<i>0-3</i>	<i>47-48</i>	<i>59-59</i>	<i>0</i>
<i>Abendroth Park 2</i>	<i>55</i>	<i>44-59</i>	<i>55-60</i>	<i>0-5</i>	<i>43-61</i>	<i>55-62</i>	<i>0-7</i>	<i>49-50</i>	<i>56-56</i>	<i>1</i>
<i>33 Gilbert Place</i>	<i>52</i>	<i>43-58</i>	<i>53-59</i>	<i>1-7</i>	<i>42-60</i>	<i>52-61</i>	<i>0-9</i>	<i>48-49</i>	<i>53-54</i>	<i>1-2</i>
<i>South Regent Street</i>	<i>57</i>	<i>43-58</i>	<i>57-61</i>	<i>0-4</i>	<i>42-60</i>	<i>57-62</i>	<i>0-5</i>	<i>48-49</i>	<i>58-58</i>	<i>1</i>
<i>Nursing Home</i>	<i>62</i>	<i>44-59</i>	<i>62-64</i>	<i>0-2</i>	<i>43-61</i>	<i>62-65</i>	<i>0-3</i>	<i>49-50</i>	<i>62-62</i>	<i>0</i>

**Table J6b (cont.): Construction Noise Levels Compared Added to Existing Ambient Conditions –
Equipment At Furthest Distance (cont.)**

Location	Average Measured Ambient Leq Sound Level (dBA)	Building Construction (dBA)			Restoration/Finishing (dBA)		
		Building Construction	Added to Ambient	Increase	Restoration/Finishing	Added to Ambient	Increase
<i>Cope Circle</i>	57	40-55	57-59	0-2	42-57	57-60	0-3
<i>89 Inwood Avenue</i>	50	38-53	50-55	0-5	40-55	50-56	0-6
<i>77 Touraine Avenue</i>	55	41-56	55-59	0-4	43-58	55-60	0-5
<i>Abendroth Park 1</i>	59	42-57	59-61	0-2	44-59	59-62	0-3
<i>Abendroth Park 2</i>	55	44-59	55-60	0-5	46-61	56-62	1-7
<i>33 Gilbert Place</i>	52	43-58	53-59	1-7	45-60	53-61	1-9
<i>South Regent Street</i>	57	43-58	57-61	0-4	45-60	57-62	0-5
<i>Nursing Home</i>	62	44-59	62-64	0-2	46-61	62-65	0-3

Source: TRC Engineering, Inc.

There are no federal or state regulations that define what a significant noise impact is for construction activities. Construction noise is considered to be an unavoidable and temporary aspect of this type of project. Construction noise differs from typical operational noise (e.g., HVAC noise) in that it has a limited duration, it is variable in magnitude depending on the construction phase in progress and equipment in use, and the sound level at any discrete receptor will vary as construction occurs in different parts of the Site. The NYSDEC noise policy considers an increase in noise of 6 dBA or more as having the potential for causing impact from continuous (i.e., operational) noise. The noise policy considers an increase in noise of 10 dBA or more as being very noticeable. In general, a change of 3 dBA or less is considered to be barely perceptible, an increase of 5 dBA is readily noticeable and an increase of 10 dBA is perceived as a doubling of the sound. NYSDEC also provides suggestions for construction noise mitigation that includes use of “appropriate mufflers” and limiting the hours of construction (i.e., Village of Port Chester noise ordinance, Chapter 224 of the Port Chester Code).

This analysis is based on the current conceptual site plan. Project construction is currently estimated to occur for 36 months. Of that period, earth moving (heavy equipment use) is estimated to occur for 18-24 months (the duration of Construction Stages 2, 3 and 4 with some overlap into Stages 1 and 5 (refer to FEIS Table III.K6). It is noted that construction activities such as those described in Table III.K6 do not occur continuously throughout the day, and there will be periodic breaks to mobilize and set up equipment. Construction will occur throughout the Project Site. For purposes of analysis, it is further estimated that construction will occur for a shorter period of time for the worst case assessment (3 months) when construction equipment is as close as possible to any one receptor, and approximately 3 months when construction is occurring as far as possible from any one receptor. Based on typical construction practices, the three month estimates are believed to be representative as the durations of the ‘best’ and ‘worst’ case scenarios. The remaining 12 months are estimated as an average for the equipment at the center of the site.

As shown in the above tables (III.J-6, III.J-6a and III.J-6b), construction related sound levels will vary depending on the construction phase, and where construction is taking place within the Project Site. Notably, the construction sound levels do not take into account any noise mitigation measures that will be employed (portable noise barriers), any shielding that will be provided by topography, existing buildings, and proposed buildings as they are constructed. Therefore, actual noise levels may be less than shown.

The analysis for when equipment is as far as possible from any receivers shows that increases in sound would be less than 10 dBA regardless of whether the minimum or maximum equipment are in use, and, coupled with the limited duration of construction (3 months), would not constitute a significant impact.

The analysis for when construction equipment is at the center of the Project Site shows that increases over ambient conditions would be below 10 dBA when the minimum equipment are in use, and generally below 10 dBA when the maximum equipment are in use (with the exception of the Abendroth Park area). The approximate duration for when construction is at the approximate

center of the site is estimated to be approximately 12 months. Increases of 10 dBA and more do have the potential to result in significant impacts if they were to occur on a continuous basis. However, increases of 10 dBA or more are only projected when the maximum equipment are in operation (i.e., the increase will not occur for the entire estimated 12 months of this scenario). Regardless of the amount of equipment in operation, construction will be of a limited nature (12 months) and will also be limited to the allowable hours in the Village of Port Chester noise ordinance (8 am to 8 pm on weekdays and 10 pm to 7 am on weekends).

The analysis for when equipment is at the closest possible approach to any receiver indicates much larger increases in sound of up to 27 dBA. Increases of this magnitude would result in significant noise impacts if they were to occur on a continuous basis. As presented in DEIS Section III.K, construction noise levels presented above are those that would be experienced for people outdoors. A building (house) will provide significant attenuation for those who are indoors. Sound levels can be expected to be up to 27 dBA lower indoors with the windows closed. Even in homes with the windows open, indoor sound levels can be reduced by up to 17 dBA (USEPA, 1978).

As noted above, this potential scenario would likely occur for approximately 3 months, and would further be limited to the allowable hours per the Village of Port Chester Noise Ordinance. The aforementioned increases in sound of up to 27 dBA are associated with exterior construction noise levels of up to 89 dBA when construction is at its closest approach to the nursing home location. The nursing home can be considered a special sensitive receptor in that residents are typically in the nursing home during the day when construction activities will be occurring.

The nursing home contains old, single pane windows and through the wall air conditioner units for each resident room. Both of these features would tend to allow for less attenuation of exterior noise levels than solid walls or double pane windows, and it is possible that the exterior to interior noise reduction is even less than the maximum USEPA windows-open estimate of 17 dBA attenuation from exterior noise. Interior noise levels could therefore be greater than 70 dBA at times during this 3 month period when construction is located closest to the nursing home. To minimize the potential for noise impacts to the nursing home residents, therefore, the Applicant is proposing to install two forms of noise mitigation directly onto the interior of each nursing home resident room that has a direct line of sight to the construction site as follow:

- *Air Conditioner Covers* – Covers will be installed on the faces of air conditioners. The covers will be built of a material that has a density of at least 2 pounds per square foot (e.g., ¾ inch plywood). The covers act to reduce transmission of exterior noise, and will be removable for times when the air conditioners are being operated. When the covers are removed and air conditioners operated, the sound generated by the air conditioner units will mask the additional exterior sound transmitted through the units.
- *Acoustical Storm Windows* – Acoustical storm windows will be installed on the interior of resident rooms. The storm windows will be fitted over the existing windows (the existing windows will not be replaced).

The use of these mitigation measures is anticipated to be very effective in reducing construction noise levels inside of each resident room at the nursing home. It is estimated that through application of these measures, the USEPA estimated 27 dBA attenuation of exterior noise would be achieved and likely exceeded. This would reduce the highest calculated exterior noise level of 87 dBA to 62 dBA or lower inside any nursing home room. ~~The Applicant has initiated discussions with the nursing home administrator regarding the indicated that they have not discussed the feasibility of installing air conditioner covers and storm windows within the nursing home with the nursing home's owner or operator. The Village and its reviewing consultants contend that~~ If the nursing home owner or operator determines that installing the air conditioner covers and/or storm windows is not feasible, or will not be authorized, then the Proposed Project cwould have an unmitigated significant adverse impact on the nursing home population from construction noise.

While large increases are also shown at the Gilbert Place and Regent Street Coops locations, exterior construction sound levels are lower (83 dBA) than those that are projected for the nursing home. The buildings (including windows) at these locations are better constructed than the nursing home, and the attenuation provided will be greater, and with windows closed, the USEPA 27 dBA attenuation would also be expected to be achieved or exceeded. Interior levels are therefore anticipated to be 56 dBA or lower inside these residences for the few months that construction is closest to these locations. Further, residents often work and many would be anticipated to be away during the daytime hours when construction is occurring. As such, no additional mitigation measures (other than the site specific measures presented below) would be warranted for these locations.

Construction noise is an unavoidable and temporary feature of the Proposed Project. Even though the analyses conducted indicate that the NYSDEC 10 dBA criterion for evaluating mitigation is not always reached, the Applicant is committed to minimizing potential noise impacts as practical. In addition to the mitigation measures proposed for the nursing home, the following additional onsite measures will be utilized during construction (also refer to FEIS Response III.K9 for enforcement). Implementation of these measures is expected to reduce noise levels and increases over existing conditions beyond the levels presented in the above tables.

- *Utilizing backup beepers that self-adjust to a level of 5 dBA above the existing ambient levels;*
- *Use of low noise generators;*
- *Installation of temporary or portable noise barriers during rock splitting when in close proximity (within 200 feet) to residential receivers; and*
- *The Applicant shall implement and enforce a construction management plan (CMP) that will require contractors to employ functional mufflers on equipment. The Applicant shall make compliance with the CMP a condition of, and shall attach the CMP as an exhibit to, every contract for the construction of the Proposed Project, and shall make, or require the*

general contractor(s) to make, compliance with the CMP a condition of, and attach the CMP as an Exhibit to, every sub-contract.

- *Blasting will be limited to non-holiday weekdays;*
- *Construction activities within 200 feet of the nursing home and South Regent Street Co-ops will be prohibited on Sundays.*

Comment J7:

Even accepting the construction noise analysis assumptions and methodology used in this report, the analysis predicts noise level increments at several receptors that approach or exceed 10 dB(A), which the NYSDEC impact criteria state “deserves consideration of avoidance and mitigation in most cases.” If the Applicant believes such noise level increments would be infrequent and of short duration, the noise report should explicitly state as much and back up this assertion using information from the construction schedule.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Refer to Response to FEIS Comment III.J6. The Applicant acknowledges that large increases in noise of greater than 10 dBA are anticipated to occur when construction occurs in close proximity to noise sensitive areas, and that increases of this magnitude would result in significant noise impacts although the increases would not occur on a continuous basis. However, as also provided in that response, the most significant increases would occur for shorter durations (3 months) at any one receptor location, and would be further limited to the allowable hours in the Village of Port Chester noise ordinance. The Applicant has also committed to implementing special mitigation measures directly to the nursing home building and additional site specific noise mitigation measures, as described in Response to Comment III.J-6, the effects of which are not included in the sound levels presented herein.

Comment J8:

The traffic noise screening analysis does not include all of the receptor locations at which existing noise level measurements were conducted. Potential increases in traffic on Inwood Avenue, Touraine Avenue, and Gilbert Place should be examined. If there is no potential for the Proposed Project to result a doubling of traffic, which is the minimum increase in traffic necessary to result in a potentially significant increase in noise on these roads, this should be stated.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant’s Traffic Engineer projects virtually no new Proposed Project related traffic to occur on Inwood Avenue, Touraine Avenue and Gilbert Place (refer to DEIS/FEIS Traffic

analyses). Since no new traffic is projected for these roads, no increase in traffic related noise will result from the Proposed Project and, therefore, no noise screening analysis is warranted.

Comment J9:

If the Applicant is considering construction on the weekends, as allowed by the Noise Ordinance, the construction noise analysis should consider this separately, as ambient baseline noise levels on the weekend may be different from the weekday noise levels measured as part of the existing conditions noise survey. If the Applicant believes that the construction noise analysis is representative of weekday and weekend conditions because weekend baseline noise levels are the same as or lower than weekday baseline noise levels, this should be explicitly stated, and the reason for this belief should be explained.

AKRF and SPR, Letter 42, November 2, 2015

Response:

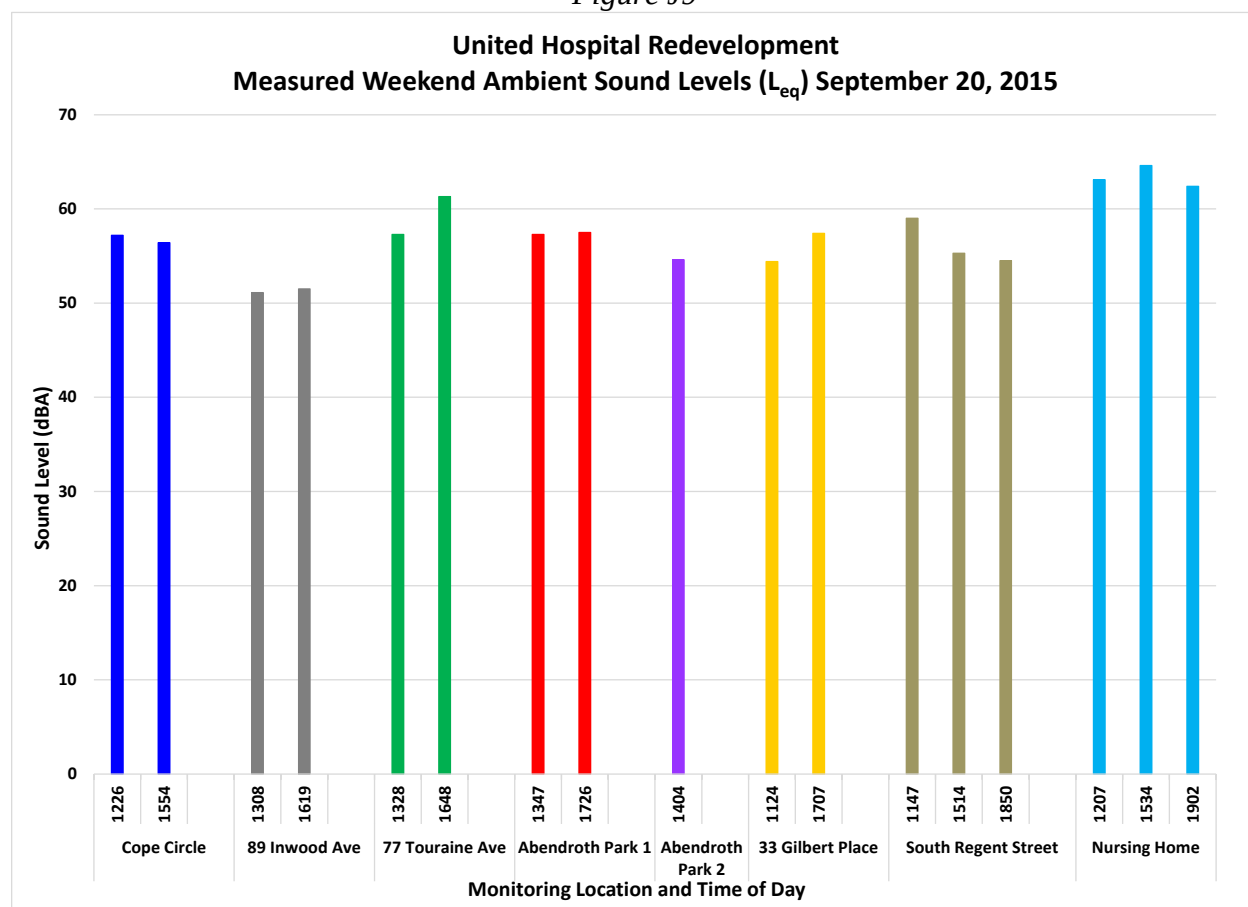
Weekend construction activities may occur as permitted by the Code, and as requested, a weekend ambient noise monitoring program was conducted. Daytime ambient noise level measurements were conducted at the same seven locations as provided in the DEIS (Exhibit III.J-1). The same methodology for measuring ambient noise levels was utilized, except that a Type 1 Rion NL-52 sound level meter was used for measurements. Measurements were conducted on September 20, 2015 (Sunday). The existing weekend noise environment was found to be similar to the weekday environment, dominated by vehicular traffic sounds (including from I-287 and local roads), aircraft, natural sounds, and activity at Abendroth Park. A summary of the A-weighted L_{eq} sound levels measured at all locations from both the May 2010 and September 2015 ambient measurement programs is presented in FEIS Table J9 United Hospital Redevelopment Measured Weekend Ambient Sound Levels and Figure J9 below.

Table J9

United Hospital Redevelopment Measured Ambient Sound Levels (dBA)								
		September 20, 2015 Weekend Measurements			May 7, 2010 Weekday Measurements			
Cope Circle	Measurement Period	1226 - 1241	1554 - 1609	---	0747 - 0802	1045 - 1100	1412 - 1427	1616 - 1631
	Leq	57.2	56.4	---	55.1	55.4	58.3	58.1
89 Inwood Ave	Measurement Period	1308 - 1323	1619 - 1634	---	0812 - 0827	1107 - 1122	1437 - 1452	1732 - 1747
	Leq	51.1	51.5	---	48.1	48.4	48.7	53.6
77 Touraine Ave	Measurement Period	1328 - 1343	1648 - 1703	---	0840 - 0855	1127 - 1142	1535 - 1550	1752 - 1807
	Leq	57.3	61.3	---	55.0	55.7	55.1	55.4
Abendroth Park 1	Measurement Period	1347 - 1402	1726 - 1739	---	0859 - 0914	1144 - 1159	1500 - 1515	1810 - 1825
	Leq	57.3	57.5	---	57.4	57.0	60.5	61.0
Abendroth Park 2	Measurement Period	1404 - 1419	---	---	0916 - 0931	1202 - 1217	1517 - 1532	---
	Leq	54.6	---	---	54.5	53.8	55.8	---
33 Gilbert Place	Measurement Period	1124 - 1139	1707 - 1722	---	0947 - 1002	1300 - 1315	1555 - 1610	1833 - 1848
	Leq	54.4	57.4	---	50.2	50.0	52.3	53.1
South Regent Street	Measurement Period	1147 - 1202	1514 - 1529	1850 - 1857	1006 - 1021	1319 - 1334	1658 - 1713	1946 - 1956
	Leq	59.0	55.3	54.5	57.0	57.7	56.3	58.1
Nursing Home	Measurement Period	1207 - 1222	1534 - 1549	1902 - 1909	1025 - 1040	1339 - 1354	1637 - 1652	1932 - 1942
	Leq	63.1	64.6	62.1	63.6	61.1	63.5	60.7

Source: TRC Engineering, Inc.

Figure J9



The data reveal that, similar to the weekday program summarized in the DEIS, the highest ambient sound levels were measured at the Nursing Home location. Measured noise levels at each location were very consistent, varying by only few dBA between measurements. Overall, measured noise levels at all locations ranged from 51 dBA to 65 dBA, very similar to the 48 dBA to 64 dBA range found during the weekday monitoring program.

Given that the weekend ambient noise levels are nearly identical to the weekday levels, the conclusions for the weekday construction analysis would not differ for the possible weekend analysis.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS and preliminary FEIS document submitted in April of 2016 review have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment K 1:

The DEIS indicates that blasting in CoCoRaHS [sic], which are jackhammers, and rock chippers will be used during construction.

Does that mean for three years there will be blasting, rock chipping and drilling, constant use of heavy excavators, bulldozers, and other heavy equipment? What is the applicant's plan to mitigate that construction, quote, "roar"?

The DEIS indicates that construction will comply with Port Chester Noise Ordinances, but the ordinance permits construction between 8:00 A.M. and 8:00 P.M. on the weekdays, and between 10:00 A.M. and 7:00 P.M. on the weekends and holidays.

That is, we may have to live with, the quote, "roar" seven days a week, eight to 12 hours a day for three years.

Michael Caponiti, PH 9/8/15, p. 80

Response:

As noted in DEIS Table III.K-1 (updated in FEIS Response III.K6), construction of the Proposed Project will occur over a three year period. Prior to actual site construction, the process will involve several tasks including site preparation, site remediation and site demolition (Stage 1, Table III.K6) during which the referenced noise generating equipment (blasting, rock chipping, and drilling) will not generally be utilized. Excavators and bulldozers may be used to excavate foundations and move demolition debris; however, these operations are generally performed on more intermittent basis and therefore don't generate continuous noise as during later stages of construction (stages 2, 3, 4 and a portion of 5). Demolition also involves many tasks in which items are removed manually on an item by item basis without the use of heavy equipment. Demolition generally generates noise at lower decibel levels than during heavy construction.

Heavy earthmoving equipment (e.g. excavators, bulldozers) and rock excavation and blasting will occur at various locations around the Project Site and at various times during the construction project. Rock splitting, which typically is associated with having the highest noise levels will likely occur at times within an 18 to 24 month time frame (refer to FEIS Table III.K6 Stages 2, 3 and 4 with some overlap into Stages 1 and 5).

Since much of the noise generated during construction is typically exhaust noise from diesel engines that power equipment, functioning mufflers will be maintained to the maximum extent practicable, as detailed in Response to Comment III.K-9.

Regarding rock removal, power equipment such as jackhammers and rock chippers will be employed where productive. When this approach is shown to be slow and unproductive, blasting will be utilized to increase efficiency. By comparison, blasting noise is short while rock chipping is generally extended. Blasting will be utilized as deemed appropriate by the Contractor and Geotechnical Engineer during construction to increase productivity, which will result in shorter time to remove the rock and a shorter duration of noise impacts. Refer also to Appendix K, Blasting Protocols, for a description of the proposed process and procedures for rock removal by blasting, which will be finalized by the Project's Geotechnical Engineer: as part of the site plan approval process. The Blasting Protocol will be subject to review and approval by the Village Engineer during Site Plan review.

Also refer to Responses to Comments III.K9, III.J2, III.J5, III.J6 and DEIS Section III.J. Proposed noise mitigation measures are specifically listed in the response to Comment III.J6. Enforcement of such construction noise reduction protocol is discussed in Response to FEIS Comment III.K9.

The Applicant will abide by the Village Code, which limits construction to certain specified times. Chapter 224-2C(5), Noise, limits noise resulting from construction to weekdays between the hours of 8 A.M. and 8 P.M. and on weekends between the hours of 10 A.M. and 7 P.M. While the Code permits construction activities to occur seven days per week, the Applicant proposes limiting certain construction activities described as follows:

- *Blasting will be limited to weekdays;*
- *Construction activities within 200 feet of sensitive receptors (nursing home on High Street and Co-Ops on South Regent Street) will be prohibited on Sundays.*
- *Construction activities in Boston Post Road and High Street will be limited to typical NYSDOT protocol as described in Response to Comment III.K3.*

Comment K2:

The third issue with the construction phase is the air pollution. Asbestos dust, mud, rock dust, diesel fumes' emissions, and emissions from blasting chemicals are all identified by the DEIS as possible air pollutants arising from the project.

The applicant indicates that they will employ good housekeeping throughout the construction period to contain or reduce such pollutants, and the Board should devise a way to verify compliance with that commitment.

Michael Caponiti, PH 9/8/15, p. 80

Response:

Standard emissions mitigation measures listed below and in Response to FEIS Comment K9, as required by the Applicant will be implemented by the Contractor to minimize potential air quality impacts in accordance with all applicable laws, regulations, and building codes. All construction equipment will be required to comply with applicable EPA air quality regulations. To minimize fugitive dust emissions, vehicles on-site will be limited to a speed of 5 mph, and water and/or

surfactants will be used to wet working surfaces. Storage piles will be covered and/or treated with surfactants or binding agents. Exposed areas will be stabilized after disturbance to minimize dust. Tracking pads will be established at construction exits to minimize dirt from being tracked onto roadways. Dust associated with demolition activities will be controlled with water misting systems or an alternative equivalent control method. Construction areas will be surrounded by perimeter fencing that will help contain fugitive dust emissions. Emission reduction and related construction best management measures will be included in the specifications of the construction contracts.

A preliminary Fugitive Dust Control Plan is included in Appendix K. The sample fugitive dust control plan provides recommended control measures and enforcement of those measures. A Fugitive Dust Control Plan specific to the Proposed Project, which will include at a minimum the control measures discussed above, would be prepared and submitted to the Village for review and approval in conjunction with a specific Site Plan application.

With regard to potential hazardous conditions such as dust from asbestos, refer to Response to FEIS Comment III.G8.

The mechanism by which the Village would enforce these provisions is discussed in the Response to Comment III.K-9.

Comment K3:

An additional environmental impact that must be addressed as the applicant prepares more in-depth analyses is the maintenance and protection of traffic during construction. Specifically, detours, lane closures, etc. must be discussed with regards to the installation of utilities in Boston Post Road.

Dolph Rotfeld Engineering, Letter 43, 2015, p.4

The maintenance and protection of traffic during construction must be more fully analyzed. Specifically, detours, lane closures, etc. must be discussed with regards to the installation of utilities in Boston Post Road as well as the roadwork (re-alignment) being proposed.

AKRF and SPR, Letter 42, November 2, 2015

Response:

In the Applicant's opinion, significant traffic impacts are not anticipated, due to the temporary condition of construction workers arriving and departing the Project Site. The bulk of contractor related traffic will primarily occur at the beginning and end of each work day. Since the Noise ordinance limits construction noise until after 8:00 AM., workers will generally access the site at the beginning of their work day at around 7:45 AM and depart after their eight-hour shift around 3:45 PM. While the bulk of the workers will be leaving at the referenced time, some workers may remain on site until around 7 PM since the noise ordinance permits construction related noise until 7 PM. While the AM arrival will slightly overlap with the Peak AM Roadway Hour (7:30 AM to 8:30 AM) the overlap will be for an abbreviated period of the Peak Hour. Additionally,

construction employee traffic arriving during the Peak AM Hour will be traveling in the opposite direction of the primary flow of traffic during this time period. The afternoon departure time for the contractors will be around 3:45 PM, which is well in advance of the Peak PM Hour (5:15 PM to 6:15 PM). The Applicant notes that should shift work be required, it also would typically be during off-peak traffic hours, thereby minimizing traffic impact from contractor traffic.

Within the introductory portion of FEIS III.E under “Mass Transit Credit”, it is noted that the Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Based on the foregoing, it is the Applicant’s opinion that no additional mitigation is necessary to offset potential traffic impacts associated with the temporary construction traffic.

Boston Post Road (Route 1) in the Village of Port Chester is under the jurisdiction of the NYS Department of Transportation. All construction activities within its right-of-way will require a Highway Work Permit and must be performed in accordance with the NYS DOT Standards and Specifications. Construction activities, will comply with the applicable provisions of the National Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) 2009 Edition; 17 NYCRR Chapter V (New York Supplement 2010 Edition, effective March 16, 2011) and the New York State Department of Transportation (NYSDOT) Work Zone Traffic Control Manual. High Street, where adjacent to the Project Site, is a Village of Port Chester Road. Construction activities within the High Street right-of-way will also be performed in accordance with the referenced standards. NYSDOT standard work zone traffic control diagrams, which will be applied during roadway utility construction, are included in FEIS Appendix K.

Development of the Proposed Project will require utility work within both the Boston Post Road and High Street rights-of-way. Utility work will include connections of proposed site utility services to existing services located within the referenced roadway rights-of-ways. Utility connections will include storm, sanitary, water, natural gas and telecommunications. Utility construction would typically be classified by NYS DOT standards as “Short-Term Stationary”, which means that construction would occur for a period greater than one (1) hour within a single daylight period and traffic flow would be restored at the end of each day. Due to the limited number of required utility connections as listed, utility work will be intermittent and would be constructed over an approximately 2-month period. Temporary intermittent and short-term lane closures along High Street are expected during the installation of the referenced utility connections. Lane closures would be temporary, open trenches would be covered by traffic plates and lanes would be reopened at the end of each work day prior to the peak roadway PM hour. Short term lane closures would be scheduled to avoid peak roadway AM and PM hours. Traffic would likely be controlled with the aid of temporary cones, flaggers and signs.

Roadway construction within the Boston Post Road will be performed along the site frontage extending to immediately south of High Street and will include but not be limited to: road widening to construct the additional travel lane; raised traffic control medians; paving; traffic signal improvements; sidewalk; relocation of drainage inlets, hydrants, light poles, signal pole and signs; and miscellaneous work including such items as adjustments to utility surface covers and pavement markings. Roadway widening and related work will be constructed on the west side of Boston Post Road which will require a southbound lane closure. Construction of the raised median islands will require closure of adjacent northbound and southbound lanes. Construction of utilities crossing the road will be performed on a lane by lane basis to minimize traffic impact. Traffic markings and lane lines will be installed and will require short term single lane closures on a moving basis. It can be expected that there would be a single lane closure (lanes varying) throughout the roadway construction period, which is anticipated to occur over an approximate 6-month time-frame. Road construction will be staged to minimize lane closures to the maximum extent practicable, however, lane closures will be necessary.

Narrowing of lanes and temporary closure of lanes will tend to slow traffic through the work zone, however, signs and flaggers will be provided to direct traffic and ease delays. Active construction will be scheduled to minimize impact to peak traffic periods. Although the Applicant's engineer believes that the roadway improvements can be performed without the need to detour traffic to alternate routes, this will ultimately be determined by the DOT during the Highway Work Permit review and approval process.

Boston Post Road, in the vicinity of the Proposed Project's proposed improvements, meets the NYS DOT classification for a low speed (30-40 mph) urban roadway. Construction of the proposed improvements are classified as short term. The NYS DOT Work Zone Traffic Control Manual includes the work zone traffic control measures that would apply to the Proposed Project. The appropriate maintenance and protection of traffic details are listed in FEIS Table III.K3, Short Term Operations (Low Speed Urban Conditions). Corresponding Application Figures illustrating the appropriate maintenance and protection measures are included in FEIS Appendix K. During preparation of detailed engineering plans for the highway improvements, project-specific Maintenance and Protection of Traffic Plans (MPT) will be developed for Village and NYS DOT review and approval.

Table K3 SHORT TERM OPERATIONS (Low Speed Urban Conditions)		
Typical Application No.	Title	Roadway Type
<u>TAST-C1UL</u>	Lane Closure w/ Flaggers	Conventional Highway Low Speed Urban (30-40 mph)
<u>TAST-C2UL</u>	Lane Closure Prior to an Intersection w/ Flagger Control	Conventional Highway Low Speed Urban (30-40 mph)
<u>TAST-C3UL</u>	Lane Closure with 2 Automated Flagger Devices	Conventional Highway Low Speed Urban (30-40 mph)
<u>TAST-C4U</u>	Shoulder Closure (Paved Shoulder 8 Ft. or Wider)	Conventional Highway Urban
<u>TAST-C5UL</u>	Right Lane Closure (Paved Shoulder Less than 8 Ft.)	Conventional Highway Low Speed Urban (30-40 mph)
<u>TAST-C6UL</u>	Right Two Lane Closure	Conventional Highway Low Speed Urban (30-40 mph)
<u>TAST-C7UL</u>	Two-Way Left Turn Lane Closure	Conventional Highway Low Speed Urban (30-40 mph)
<u>TAST-C8UL</u>	Right Lane Closure Thru Intersection	Conventional Highway Low Speed Urban (30-40 mph)
Source: New York State Department of Transportation (NYSDOT) Work Zone Traffic Control Manual		

The Contractor will be required to perform all work in accordance with the NYS DOT typical permit conditions. Based on other projects of similar scope, the Applicant's Engineer believes that typical NYS DOT permit conditions would include "Time Restrictions" and "Work Restriction for Holidays and Other Events". Typical time restrictions would include avoidance of travel lane closures to the maximum extent practicable during the peak a.m. and p.m. travel hours for the roadway. During holiday periods, the Contractor would not typically be allowed to perform any work that would be disruptive to traffic, including, but not limited to, lane closures. Lane closures would typically not be permitted during the Easter Weekend; Memorial Day Weekend; July 4th; Labor Day; Columbus Day; Thanksgiving Day; Christmas Day and New Year's Day. The Applicant agrees with the DOT's typical protocol and will implement these restrictions as part of the Proposed Project.

The NYS DOT may also preclude lane closures during periods of inclement weather, wet or icy pavement, reduced visibility, traffic accidents or any other emergencies. The NYS DOT may also alter any lane closures should traffic conditions or other unforeseen circumstances arise which would adversely affect the traffic flow.

Comment K4:

Please provide the anticipated distribution of construction truck traffic associated with the removal of demolition and excavation debris (estimated at 65 trucks per day) throughout that phase of construction? What is the number of peak truck trips associated with the removal of demolition and excavation debris? What routes would they take and what would the impact be on traffic and local roadways?

AKRF and SPR, Letter 42, November 2, 2015

Response:

The DEIS, refer to page III.K-6, described the anticipated truck traffic resulting from construction based on the estimated volume of excess excavation material plus building and site demolition material. The DEIS estimated excess general excavation to be 40,000 cubic yards and demolition material to be 125,000 cubic yards, which yielded approximately 65 truckloads per day occurring over an approximately 6-month period.

Since submitting the DEIS, the Applicant obtained architectural drawings of the existing buildings and prepared a more detailed floor by floor analysis of the actual building material that would be demolished. In addition, the Applicant modified the Conceptual Site Plan for the FEIS by raising bottom floor elevations of the proposed parking decks to reduce the amount of required earth and rock excavation. With the reduced excavation, the excess material to be exported from the Project Site is also reduced. The computed demolition material and general earth excavation that must be exported from the Project Site is revised and summarized as follows:

- *Building demolition equals 40,000± cubic yards;*
- *Site demolition (e.g. pavements, curbs, etc.) equals 10,000± cubic yards (includes minor excavation for site remediation);*
- *Total building and site demolition to be exported from the Site equals 50,000± cubic yards;*
- *Excess general earth excavation to be exported from the Site equals 30,000± cubic yards.*

Building and site demolition will be performed in Stages 1b and 1c over a 12-month period, as reflected on FEIS Table III.K6, Construction Sequencing (for Conceptual Site Plan). Major earth excavation will be performed mainly in Stages 2, 3 and 4 over an 18 to 24 month period (with some overlap into Stages 1 and 5), as reflected on FEIS Table III.K6, Construction Sequencing (for Conceptual Site Plan). For purposes of calculating the number of potential truck trips, the calculations assume the following: exporting will be performed evenly distributed over the referenced time period; trucks with 20 cubic yard capacity will be used; and hauling will be performed 5-days per week (understanding and reserving the right that construction and exportation is permitted by Village Code, Chapter 224, every day of the week). Based on the aforementioned assumptions, the number of truckloads exporting demolition and excess excavation is calculated as follows.

- *Site and Building Demolition: (50,000 cubic yards) / (5 days per week for 52 weeks) / (20 cubic yards per truckload) = approximately 10 truckloads or 20 trips per day*

- *Excess Earth Excavation: (30,000 cubic yards) / (5 days per week for 78 weeks) / (20 cubic yards per truckload) = approximately 4 truckloads or 8 trips per day.*

Since demolition and general excavation are separate tasks and demolition would be accomplished prior to general excavation, the truck traffic for these separate tasks would not be cumulative. Although removal of material would likely be consistent over the anticipated timeframe, some degree of fluctuation could be expected. Some material may be stockpiled prior to removal allowing truck trips to be more condensed. The Applicant's engineer estimates a 50% increase during peak times. Therefore, the estimated peak number of truckloads of demolition debris would be approximately 15 truckloads or 30 trips per day; while the estimated peak number of truckloads of general earth excavation would be 6 truckloads or 12 trips per day.

~~Construction truck traffic is anticipated to access the Project Site from nearby Interstate highways I-95 and I-287. With the Project Site's close proximity to these highways, minimal use of local streets by truck traffic is anticipated and therefore impact to surrounding neighborhoods is not expected to be significant.~~ Site access to and from I-287 and I-95 south is within ¼ mile of the Site and is accessed via the Boston Post Road. Access to and from I-95 north is within 1.5 miles of the Project Site and can be accessed utilizing the Boston Post Road, Midland Avenue and Peck Avenue. With the Project Site's close proximity to these highways, minimal use of local streets by truck traffic is anticipated and therefore impact to surrounding neighborhoods is not expected to be significant. These access routes are primarily in commercial areas and therefore significant impact to surrounding residential neighborhoods and local roads will be minimal. The Applicant shall implement and enforce a construction traffic management plan (CMP) that will limit and restrict construction vehicles of two axles or more to travel to and from the Project Site using major highways, arterials, and connector roadways only. The Applicant shall make compliance with the CMP a condition of, and shall attach the CMP as an exhibit to every contract for the construction of the Proposed Project, and shall make, or require the general contractor(s) to make, compliance with the CMP a condition of, and attach the CMP as an Exhibit to, every sub-contract.

Comment K5:

Reserved

Response:

Reserved.

Comment K6:

More detail needs to be provided regarding the availability of parking for construction workers throughout the various stages of development. The general outline is presented on page III.K-5; however, the adequacy of the plans cannot be evaluated without more detail as to the timing of the need for various parking facilities and the nature of the facilities that would be utilized. III.K-1

states that a portion of the parking area at the rear of the Project Site would be preserved to provide adequate parking for construction vehicles, staging, storage of construction materials and placement of the construction field office/trailer.” This area should be quantified and illustrated and the adequacy of the space should be verified using the approximate number of construction vehicles (private vehicles, equipment, trailers) during various stages of construction.

AKRF and SPR, Letter 42, November 2, 2015

Response:

A more detailed analysis of the sequence of construction has been prepared as described in FEIS Table K6. FEIS Exhibits K6a to K6e, illustrate the conceptual construction staging. Construction-related facilities, such as construction field office, contractor parking, locations of site ingress and egress, construction material staging areas, limit of disturbance, and sequence of construction, etc. are illustrated on the referenced figures.

As noted in response to FEIS III.K3, in order to minimize construction traffic and onsite parking impacts, the Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site.

<u>Table III.K6</u> <u>Proposed Construction Sequencing (for Conceptual Site Plan)</u>		
<u>Stage 1 - Remediation and Demolition</u> Under this stage of construction, activities include but are not limited to establishing a staging area and construction worker vehicle parking lot within the existing parking lot in Block A; remediation of potential site and building contamination; building and site demolition; and site preparation.		
Stage	Description	Time Frame
1A	Staging and parking area setup - Establish field office(s), install project sign, sanitary facilities, construction and worker vehicle entrances and implement site safety measures. - Install perimeter site construction fence. - Implement initial erosion control measures including silt fence and stabilized construction entrance(s). - Establish construction worker parking for 135± vehicles for this stage within the limits of the existing parking area. This is the maximum number of construction worker parking spaces required on-site during this stage. - Prepare construction equipment storage and lay down yard. - Implement pest and rodent remediation procedures within the existing building(s) and any other areas of refuge identified onsite.	2 months
1B	Building and Site Abatement and Remediation - Identification of regulated materials and abatement within the existing building(s) and onsite. - Closure and removal of aboveground storage tank (AST) and/or underground storage tank (UST); remediation of soil contamination if necessary due to potential leaking UST's. - If any other contaminated soil is encountered during demolition, remediation of that soil. - If ash is encountered, remediation of any ash contamination.	12 months

<u>Table III.K6</u> <u>Proposed Construction Sequencing (for Conceptual Site Plan)</u>		
	• If abandoned underground structures are encountered, e.g., septic systems, cesspools, grease traps, remediation of any associated contamination. • Any other remediation which may be required prior to demolition of buildings. • Removal and disposal of existing onsite construction and demolition debris piles.	
1C	Building and Site Demolition • Building decommissioning including termination of existing utility service connections and relocation of the existing telecommunications antennas from the rooftops. • Establish and maintain applicable erosion and sediment control measures. • Demolition of the above referenced buildings after remediation. • Controlled demolition (per 12 NYCRR 56-11.5) for those buildings condemned by the Building Inspector. • Remediation and removal of contamination if found after/during building and site demolition. Applies to all stages of demolition and construction. • Export/dispose of building and site demolition debris, contaminated soil and potential hazardous materials to approved offsite landfills, appropriate disposal and treatment sites, and recycling facilities. • Remove existing site pavement, sidewalks, curbs, drainage and sewer systems, structures, tree removal, topsoil stockpiling and vegetation. • Stabilize disturbed areas.	
Stage 2 – <u>Block A and Internal Road Network Construction</u> Under this stage of construction, activities include but are not limited to the establishment of a staging area within Block E; decommissioning of the Block A staging area; demolition and site preparation within Block A; rough grading within Blocks A and C and along the internal road network; construction of the internal road network; Block A infrastructure, road and building construction.		
	• Establish and maintain erosion and sediment control measures. • Relocation of staging area and parking from Block A to Block E; Establish construction worker parking for 155± vehicles for this stage. This is the maximum number of construction worker parking spaces required on-site during this stage. • Complete site demolition within Block A (removal of pavement, utilities and structures). • Remediation and removal of contaminated soil if found during construction. • Rough grading within Block E and Block C. • Establish subgrade elevations within Block A using material obtained from Block C. • Export demolition debris and related wastes to approved offsite facilities; • Strip and stockpile topsoil. • Establish and maintain rock crushing facility. • Excavate to establish rough subgrade and remove existing site utilities during site excavation. • Fill and compact to subgrade. • Export excess cut material. • Establish building pad, pavement subgrades and stabilize with aggregate base.	6 months

<u>Table III.K6</u> <u>Proposed Construction Sequencing (for Conceptual Site Plan)</u>		
	• Begin construction of site infrastructure. • Construct Block A. • Stabilize disturbed areas including cuts, fills and stockpiles.	
Stage 3 – <u>Block C Construction</u> Under this stage of construction, activities include but are not limited to Block C infrastructure, road and building construction.		
	• Establish and maintain erosion and sediment control measures. • Maintain staging area in Block E; Establish construction worker parking for 232± vehicles for this stage (150± vehicles can be parked within Block E and the established parking area within Block A will be used to provide supplemental parking (82± vehicles) which may not be accommodated within Block E). This is the maximum number of construction worker parking spaces required on-site during this stage. • Complete rough grading operations. • Remediation and removal of contaminated soil if found during construction. • Establish final subgrade elevations. • Establish building pad, pavement subgrades and stabilize with aggregate base. • Construct Block C. • Stabilize all disturbed areas and install landscaping.	6 months
Stage 4 – <u>Block B and D Construction</u> Under this stage of construction, activities include but are not limited to Block B and D infrastructure, road and building construction.		
	• Establish and maintain erosion and sediment control measures. • Maintain staging area in Block E; Establish construction worker parking for 259± vehicles for this stage (This is the maximum number of construction worker parking spaces required on-site during this stage.); the established parking area within Block A will be used to provide supplemental parking which may not be accommodated within Block E. • Complete rough grading operations. • Remediation and removal of contaminated soil if found during construction. • Establish final subgrade elevations. • Establish building pad, pavement subgrades and stabilize with aggregate base. • Construct Block B and D. • Stabilize all disturbed areas. • Construct/install site amenities. • Install permanent soil erosion control practices. • Install landscaping.	6 months
Stage 5 – <u>Block E Construction</u> Under this stage of construction, activities include but are not limited to Block E infrastructure, road and building construction.		
	• Establish and maintain erosion and sediment control measures. • Maintain staging area in Block E; Establish construction worker parking for 95 vehicles for this stage within Blocks B and/or D. (This is the maximum	4 months

Table III.K6 <u>Proposed Construction Sequencing (for Conceptual Site Plan)</u>		
	number of construction worker parking spaces required on-site during this stage.) • Complete fine grading operations. • Remediation and removal of contaminated soil if found during construction. • Establish final subgrade elevations. • Establish building pad, pavement subgrades and stabilize with aggregate base. • Construct Block E. • Stabilize all disturbed areas. • Construct/install site amenities. • Install permanent soil erosion control practices. • Install landscaping.	
Total		36 months
Note: Number of construction workers for each phase is calculated based on: Sacramento Metropolitan Air Quality Management District analysis of SMAQMD Building Construction Worker and Vendor trip rates. A 15% allowance for car pooling and mass transit is applied based on the "American Community Survey Westchester County-Commuting_2008-2012".		

Comment K7:

Table III.K-3 uses the word "identify" several times. Please clarify that these areas would not be 'identified' during this construction period; rather that they would be staked out by a licensed surveyor according to previously approved site plans. This applies to parking and staging areas, limits of disturbance, and limit of construction.

AKRF and SPR, Letter 42, November 2, 2015

Response:

DEIS Table III.K-1 on page III.K-3 states that the construction "parking and staging areas" as well as the "limit of construction" shall be "identified". As indicated in the Comment, the referenced areas shall be staked by a licensed surveyor based on detailed site plans as part of the specific Site Plan submittal. FEIS Table K6 has been prepared to reflect greater detail and is intended to accompany the Conceptual Construction Staging Exhibits K6a to K6e that are included at the end of this section. Refer also to Response to FEIS Comment K6.

Comment K8:

The "Construction Management Plans" referenced on page III.K-8 should be more fully explained. What would the contents of the plan include? Who would approve the plans? How would the plans be enforced?

AKRF and SPR, Letter 42, November 2, 2015

Response:

The term “Construction Management Plan” can be synonymous with “construction staging or phasing plan(s)” which would be prepared and submitted to the Building Department as part of the specific Site Plan application for its approval. The Plans (FEIS Exhibits K6a to K6e) are intended to accompany FEIS Table K6 and illustrate the sequence in which site construction is planned to proceed. The Plans show construction related items such as construction field office, contractor parking, locations of site ingress and egress, construction material staging areas, limit of disturbance, and sequence in which construction is intended to occur. As construction proceeds, there will be a need to relocate construction parking, staging and site access points. The relocated elements are shown in conjunction with the advancement of construction (refer to Responses to FEIS Comments III.K6 and III.K7).

In addition, the Construction Management Plan would include but not be limited to: the General Contractor’s (GC) safety protocol, intended schedule of construction events, coordination with Village Officials, establishment of GC/Village regular coordination meetings to be held throughout the duration of construction, and establishment of inspection protocol to provide oversight, to identify and resolve issues as they arise

Comment K9:

The impact of construction on the vulnerable population residing at the Port Chester Nursing Home and Rehabilitation Center has not been adequately discussed. Temporary impacts caused by the noise and vibration of construction on this population, and on the building, must be analyzed as well as the temporary air quality impacts that would occur from construction equipment and fugitive dust.

AKRF and SPR, Letter 42, November 2, 2015

Response:*Air Quality*

The Applicant contends that the impacts from construction vehicles are expected to be minimal through the implementation of the following emissions control measures: diesel equipment reduction though electrification where practicable, commitment to the use of newer construction equipment meeting EPA’s Tier 4 emissions standards where available, the use best available tailpipe reduction control technologies, proper maintenance of construction equipment, use of ultra-low sulfur diesel fuel exclusively, controlling unnecessary idling of equipment, and following a Fugitive Dust Control Plan.

- *Diesel Equipment Reduction. Construction of the proposed project would minimize the use of diesel engines and use electric engines, to the extent practicable. This would reduce the need*

for on-site generators, and require the use of electric engines in lieu of diesel where practicable.

- *Clean Fuel. Ultra-low sulfur diesel (ULSD) would be used exclusively for all diesel engines throughout the construction site.*
- *Best Available Tailpipe Reduction Technologies. Nonroad diesel engines with a power rating of 50 horsepower (hp) or greater and controlled truck fleets (i.e., truck fleets under long-term contract, such as concrete mixing and pumping trucks) would utilize the best available tailpipe (BAT) technology for reducing diesel particulate matter (DPM) emissions to the extent practicable. Diesel particulate filters (DPFs) are the tailpipe technology currently proven to have the highest reduction capability. Construction contracts would specify that all diesel nonroad engines rated at 50 hp or greater would utilize DPFs, either installed by the original equipment manufacturer (OEM) or a retrofit DPF verified by the United States Environmental Protection Agency (USEPA) or the California Air Resources Board, and may include active DPFs,¹ if necessary; or other technology proven to achieve an equivalent reduction.*
- *Utilization of New Equipment. EPA's Tier 3 and 4 standards for nonroad engines regulate the emission of criteria pollutants from new engines, including PM, CO, NOx, and hydrocarbons (HC). All non-road construction equipment with a power rating of 50 hp or greater would meet at least the Tier 3 and 4 emissions standards, to the extent practicable.*
- *Idle Restriction. In addition to adhering to the local law restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to five minutes for all equipment and vehicles that are not using their engines to operate a loading, unloading, or processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.*

The Proposed Project's general progression of construction will include site preparation, building demolition including remediation, site demolition including remediation (Table III.K6, Stage 1), and site construction in a single phase that is projected to last upwards of 22 months (Table III.K6, Stages 2 to 5). While the overall construction is anticipated to last 36 months, the most intense construction activities in terms of air pollutant emissions would be during earthwork operations over approximately 18 to 24 months (Table III.K6 Stages 2, 3 and 4, with some overlap into Stages 1 and 5). These construction activities would include: demolition, excavation, and foundations tasks where large non-road diesel engine driven construction equipment (i.e., dozers, excavators) would be used.

Construction activities that would produce the greatest air quality impact include the demolition, excavation, and foundations tasks, where a number of large non-road diesel engines (i.e., excavators) would be utilized and when the potential to generate fugitive dusts is greatest. Construction equipment would be expected to operate intermittently, move throughout the site, and spread across a large area (approximately 15 acres). Therefore, emissions from multiple

¹ There are two types of DPFs currently in use: passive and active. Most DPFs currently in use are the "passive" type, which means that the heat from the exhaust is used to regenerate (burn off) the PM to eliminate the buildup of PM in the filter. Some engines do not maintain temperatures high enough for passive regeneration. In such cases, "active" DPFs can be used (i.e., DPFs that are heated either by an electrical connection from the engine, by plugging in during periods of inactivity, or by removal of the filter for external regeneration).

engine exhausts are not expected to occur at the same location for extended periods of time but would be more dispersed in nature compared to a stationary point source (i.e., a boiler exhaust). In addition, to the extent practicable and where logistics allow, large emissions sources and activities such as concrete trucks and pumps shall be located away from sensitive receptors.

Fugitive Dust

Several measures will be employed during construction activities to ensure that dust suspension is kept low. These measures will be applied in light of dust suspension resulting from construction as well as from demolition activities and in response to potentially hazardous materials present on the site. These include:

- Keeping construction vehicle speed to 5 mph to reduce dust suspension;*
- Covering trucks carrying soils and other dry materials;*
- Covering exposed stockpiles of soil and gravel to eliminate wind-driven dust*
Stabilizing (seed, mulch or cover as appropriate) exposed stockpiles of soil and gravel
to eliminate wind-driven dust suspension,;
- Periodic washing of paved surfaces during dry periods as a means to suppress dust suspension;*
- Applying water, as necessary, during concrete slab removal and crushing;*
- The application of water on stockpiles and unpaved roads during dry periods as a means to suppress dust suspension; watering will be provided by the use of a dedicated onsite water truck (or equivalent) equipped with a water cannon and/or sprayer system;*
- Wetting shall also be used to control dust where drilling, grinding, compacting, crushing, or other similar construction activities occur, as well as at non-enclosed transfer points such as conveyors and chutes;*
- The wheels of all trucks shall be washed as they exit from the site. A wheel washing station shall be constructed at each truck exit, whereby truck wheels shall be washed, and the water shall be contained to avoid tracking mud out of the construction site and recycled if practicable;*
- Final grading and landscaping of exposed areas as soon as possible.*
- Truck cleaning pads; and*
- Decontamination zone*

A Fugitive Dust Control Plan will be prepared and submitted to the Building Department for review and approval as part of the application for a building permit for a specific approved Site Plan. A sample Fugitive Dust Control plan for the Proposed Project is included in Appendix K. A Fugitive Dust Control Plan specific to the Proposed Project, which will include at a minimum the control measures discussed above, would be prepared and submitted to the Village for review and approval in conjunction with a specific Site Plan application. Also refer to Responses to FEIS Comments III.K2 and III.I12.

Conclusions

As detailed above, an emissions control program would be implemented to minimize potential construction-period effects on air quality. Overall, this emissions control program is expected to significantly reduce DPM emissions by a similar reduction level that would be achieved by applying currently defined best available control technologies. Air emissions generated by construction activities would be greatly dispersed before reaching offsite public receptors, and with the implementation of the emissions control measures described above the construction activities are not expected to result in air quality concentrations above the existing background air quality concentrations in the area. Therefore, emissions from private and construction vehicles will be minimal. (Also refer to Response to Comment I12.)

Based on low expected incidence of heavy construction activities, the good maintenance of the construction vehicles, and the use of previously stated measures to control dust suspension, construction-related air quality impacts associated with the Proposed Project will be minimized to ensure the health and safety of the construction workers and the surrounding community, including the Port Chester Nursing Home and Rehabilitation Center.

Noise

The additional noise analyses conducted (see Response to FEIS Comments III.J5 and III.J6) reveal that construction related sound levels will vary depending on the construction phase, and where construction is taking place within the Project Site. Similarly, increases in noise over existing conditions will be variable. Specifically for the nursing home location, increases over ambient conditions of greater than 10 dBA would be expected to occur when construction is occurring in close proximity to the nursing home. Construction nearest these receptors would occur during construction of Blocks C, D and E, as described in FEIS Table III.K6 and depicted on Exhibits III.K6c and III.K6d. Construction of Block C (Stages 2 and 3) will occur during a 12-month period after site demolition, Block D (Stage 4) will occur during a 6-month period approximately 22 months into the 36-month construction project. Construction of Block E will occur intermittently over a 10-month period during Stages 2 (6 months) when the area will be graded to establish it as a staging area, and during Stage 5 (4 months) when final construction will occur. When construction takes place further away in other areas of the Project Site however, increases over ambient would be much smaller at these receptors, and at times, no increases over ambient will occur.

Construction noise is an unavoidable temporary feature of the Proposed Project. Even though the analyses conducted indicate that the NYSDEC 10 dBA criterion for evaluating mitigation is not always reached at the nursing home, the Applicant is committed to minimizing potential noise impacts as is practical. The following measures will therefore be utilized during construction when the noisiest activities would occur and could present a disturbance to the nursing home residents. Implementation of these measures is expected to reduce noise levels and increases over existing conditions beyond the levels presented in the tables presented in Response to FEIS Comment III.J6.

- Limiting blasting to non-holiday weekdays;*
- Prohibiting construction activities within 200 feet of sensitive receptors (nursing home*

- on High Street and Co-Ops on South Regent Street) on Sundays.
 - Utilizing backup beepers that self-adjust to a level of 5 dBA above the existing ambient levels;
 - Use of low noise generators;
 - Installation of temporary or portable noise barriers around rock splitting activities when in close proximity (within 200 feet) to residential receivers; and
 - Requiring contractors to use appropriate functional mufflers on equipment.
- In addition to these site specific measures, mitigation will be implemented directly onto the nursing home building as discussed in the response to FEIS III.J.6. To minimize the potential for noise impacts to the nursing home residents, the Applicant is proposing to install two forms of noise mitigation directly onto the interior of each nursing home resident room that has a direct line of sight to the construction site as follows: Air Conditioner Covers – Covers will be installed on the faces of air conditioners. The covers will be built of a material that has a density of at least 2 pounds per square foot (e.g., ¾ inch plywood). The covers act to reduce transmission of exterior noise, and will be removable for times when the air conditioners are being operated. When the covers are removed and air conditioners operated, the sound generated by the air conditioner units will mask the additional exterior sound transmitted through the units.
- Acoustical Storm Windows – Acoustical storm windows will be installed on the interior of resident rooms. The storm windows will be fitted over the existing windows (the existing windows will not be replaced).

The Applicant has initiated discussions with the nursing home administrator regarding the indicated that they have not discussed the feasibility of installing air conditioner covers and storm windows within the nursing home with the nursing home's owner or operator. The Village and it's reviewing consultants contend that if the nursing home owner or operator determines that installing the air conditioner covers and/or storm windows is not feasible, or will not be authorized, then the Proposed Project ~~w~~could have an unmitigated significant adverse impact on the nursing home population from construction noise.

Proposed noise mitigation measures are also discussed in the response to Comment III.J6.

Implementation of such measures as those listed above that are intended to minimize air and noise impacts, will be enforced. A Construction Management Plan (CMP) will be prepared as part of the specific site plan approval. The CMP will be submitted to the Village during the site plan review process for their review, input and approval and it is anticipated that the Village will make ~~conformance to~~ conformance with the CMP a condition of site plan approval enforced by the Village Building Department. The Applicant shall make compliance with the approved CMP a condition of, and shall attach the CMP as an exhibit to every contract for the construction of the Proposed Project, and shall make, or require the general contractor(s) to make, compliance with the CMP a condition of, and attach the CMP as an Exhibit to, every sub-contract.

Comment K10:

The adequacy of the sediment and erosion control measures proposed on page III.K-8 and 9 will be evaluated by the Village Engineer.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Sediment and erosion control was discussed in the DEIS and Stormwater Pollution Prevention Plan (SWPPP), which were submitted to the Village Engineer for review. Review comments to the SWPPP were received from the Village Engineer and revisions were incorporated into the FEIS document. The Village Engineer will provide a further review of sediment and erosion control during future specific site plan reviews.

Comment K11:

Page III.I-24 states that a Fugitive Dust Control Plan is expected to be developed and utilized by the contractor. What would this plan include? Who would approve the plan? How would the plan be enforced?

AKRF and SPR, Letter 42, November 2, 2015

Response:

A Fugitive Dust Control Plan will be and submitted to the Village of Port Chester's Building Department for review and approval as part of the application for a building permit for a specific approved Site Plan. A sample fugitive dust control is included in Appendix K. A Fugitive Dust Control Plan specific to the Project, which will include at a minimum the control measures discussed above, would be prepared and submitted to the Village for review and approval in conjunction with a specific Site Plan application. Also refer to Response to FEIS Comment III.K9.

Comment K12:

If the Village of Port Chester does not have a local law regarding blasting, please describe the mechanism for requiring contractors to obtain a permit from the Village prior to commencement on on-Site blasting activities?

AKRF and SPR, Letter 42, November 2, 2015

Response:

Blasting permits are typically authorized by the Building Inspector of the local governing municipality. For the Proposed Project, the Applicant proposes to submit the request for blasting permits to the Village of Port Chester Building Inspector. Prior to construction, the Contractor would have a blasting professional prepare a Blasting Plan and submit it with an application to permit blasting to the Village of Port Chester Building Department for review and approval. A Controlled Blasting Specification (Section 02311) is provided in FEIS Appendix K in which

Sections 1.4.B and 3.1.G specifies the Contractor's responsibility to submit a Blasting Plan and obtain a blasting permit from the Village. The Blasting Specification identifies contents that must be included in the Blasting Plan. Such subjects include but are not limited to the following: qualification of blasting specialist, description of blasting method, explosive types, blasting mats, pre- and post- blasting surveys, vibration and air-blast monitoring, vibration limits, record keeping and final report.

Comment K13:

Allowing blasting at all times when normal construction activity is allowed (8am – 8pm during the week and 10a – 7pm on weekends and holidays) has the potential to create a significant impact on neighboring residents. The Applicant should consider the potential to reduce the impacts from blasting by restricting the times of its use.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Review of other municipal codes indicates that timeframes for which blasting may be permitted vary widely but timeframes typically range from 8 a.m. through 7 p.m. on Monday through Friday. The times in which blasting will be permitted can be resolved in the permitting process with the Village Building Inspector. The Applicant will limit blasting activities to Weekdays.

Comment K14:

Please clarify the 'appropriate advance notification' to the Village and adjacent property owners that is alluded to on Page III.K-11?

AKRF and SPR, Letter 42, November 2, 2015

Response:

Prior to blasting, the Contractor will provide the Village, and neighboring property owners and residents within a defined radius that is approved by Village, with advance notification of the blasting schedule for approval. Advance notice of each scheduled blast shall typically be no less than 24 hours. Section 02311, part 3.1 of the Controlled Blasting Specification (FEIS Appendix K) requires formal discussions between the blasting professional and property owners within the defined radius (minimum 300 feet). During that interview, methods and timing of notification will be discussed. The method of notification as well as the advance period of notification prior to blasting will be finalized in the permitting process with the Village Building Inspector. Also refer to Responses to FEIS Comment III.K12.

Comment K15:

How was 300 feet determined as the appropriate extent of, the pre- and post-blast surveys? Would these surveys and the daily noise and vibration reports be provided to the property owners and the Village for verification?

AKRF and SPR, Letter 42, November 2, 2015

Response:

A Controlled Blasting Specification is included in Appendix K of this FEIS. Part 3.1 of the Specification requires the Contractor to conduct pre- and post-blast surveys within a radius of at least 300 feet ~~radius~~ around any blasting operation. This ~~minimum~~ actual radius required for each blast will be confirmed by a Geotechnical Engineer and Blasting Sepcialist based upon site-specific conditions. The distance for which pre- and post- blast surveys will be required will include those property owners within the sphere of potential impact. This limit, in part, is a function of subsurface geologic characteristics, as well as the anticipated size and frequency of explosive charges that will be used. A Blasting Plan will be prepared by a licensed, experienced and insured blasting professional. The Plan will include such details as confirming the radius around the Project Site in which the pre- and post-blast survey must be prepared. The Plan will also include but not be limited to noise and vibration reports as described in a Controlled Blasting Specification. (Also refer to Response to FEIS Comment III.K12).

The size of explosive charges will be limited, as practical, to effectively manage the extent (distance) of impact. Based on site conditions, the blasting professional will be responsible to determine the extent of the pre-and post-blast survey. The Village Building Department will confirm the Applicant's proposed survey radius. The Plan will be presented to the Village for review and approval as part of the application process for a building permit relative to a specific approved Site Plan.

Comment K16:

Please clarify which roadways need to be closed during the blasting activities?

AKRF and SPR, Letter 42, November 2, 2015

Response:

When blasting on the Project Site is proposed in close proximity to adjacent roads, Boston Post Road and High Street, adequate safety precautions will be taken to avoid impacting offsite pedestrian and vehicular traffic. Adjacent automotive and pedestrian traffic could be temporarily stopped, if necessitated due to proximity of the blast site, resulting in temporary traffic delays typically lasting a few minutes. In order to protect health and safety of adjacent traffic and minimize traffic delays, several precautions will be employed but not limited to the following: sound alarm in advance of the blast to alert nearby traffic; limit size and frequency of explosive charges to reduce the sphere and duration of potential impact; employ blasting mats to reduce potential hazard; control traffic with signs and flaggers; avoid times of anticipated high volume traffic; and resume traffic flow immediately after the blast. The time, duration and extent of any

traffic control would be determined by the blasting professional and coordinated with and approved by the Village Building Inspector.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

-The Applicant no longer requests and withdraws that portion of the April 16, 2014 Petition seeking a Text Amendment to the Zoning Law (Southern Gateway Mixed Use Overlay Zone) and modification of the Village's Official Zoning Map. The Applicant only seeks to pursue and proposes a Text Amendment to the Zoning Law, which modifies Article XI of the existing Zoning Law (Section 345-62). The Applicant no longer requests the creation of the Overlay District for several reasons, including the following: after consideration of comments received, the amendments to the PMU District text better achieves its objectives than the Overlay District; given the complexities involved in the Overlay District, any such District should be considered separately and independently of the proposed amendments to the PMU District and the proposed redevelopment of the former United Hospital site; and in light of the foregoing the Overlay District is not a reasonable and practicable alternative. Accordingly, the Proposed Action in this FEIS refers to the proposed amendments to the PMU District text and the Proposed Project, and no longer includes the Overlay District. Nonetheless, this FEIS addresses all substantive comments addressed to the previously proposed Overlay District for purposes of completeness and for informational purposes.

Comment L1:

The proposed Overlay zoning text appears to allow a maximum FAR of 1.7. However, the DEIS only analyzes a program with a density of 1.6 and a maximum height of 8 stories or 115 feet.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant analyzed a development program consistent with the Proposed Project at an FAR of approximately 1.6 and did not include the additional 0.1 FAR. The purpose of having a not to exceed number is to limit the overall amount of development program on any one particular site. The Applicant did include a preliminary analysis of the development potential of applying a 1.7 FAR to the redevelopment of the Kohl's Shopping Center Site, which was analyzed in DEIS Section III.L Southern Gateway Mixed Use Development Overlay Zoning District. The Village would still maintain control and discretion over the application of the bonus provision in the Code. In addition, the Applicant has submitted revised proposed text for the PMU (Appendix L of this FEIS) that restricts the development potential on the Project Site to 1.6 FAR, inclusive of any density bonus.

Comment L2:

Paragraph (F) states that the dimensional standards of the underlying CD and PMU districts are applicable, but supplemented by the Overlay. This is confusing since the Overlay appears to set new height and density standards for uses in both districts. This should be clarified.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The intention is to allow for the existing dimensional standards related to minimum lot size and yards to remain in place, but allow for height and density standards to be applied as part of the overlay. If the Village desires to implement the Overlay District, this section would have to be amended and an additional public hearing would have to be held.

Comment L3:

Please clarify if the Overlay zone were adopted, would the Applicant be petitioning the Board for FAR bonuses pursuant to its adherence to the design guidelines, the public benefit categories in Table 1, the provisions of §345-16, or a combination thereof?

AKRF and SPR, Letter 42, November 2, 2015

Response:

In the event the Overlay District is adopted, the Applicant would subsequently file a site plan application with the Board requesting the necessary FAR bonuses that would allow for the development of the Proposed Project as described in this EIS. The exact manner in which such site plan application would be made and whether to propose certain design guidelines or public benefits in exchange for additional FAR would be determined during the site plan review. Notwithstanding and as mentioned above and in this FEIS, the Applicant's preferred zoning approach is to amend the existing PMU District (refer to Appendix L – Zoning Text Amendments for latest proposed amendments) and the Applicant is not pursuing Zoning Text Amendments and a Zoning Map change to create a Southern Gateway Mixed Use Overlay District (Overlay District).

Comment L4:

The review and approval authority and procedure in paragraph (I) is confusing. The process for designation of a 'development site' is not well defined, nor is the meaning of such designation. Likewise, the role of a 'conceptual' site plan is not well defined. Finally, the process for acting on a site plan petition is not well defined.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The review criteria in paragraph (I) is intended to be reviewed comprehensively in conjunction with paragraph (C) Eligibility of Development Sites which prescribes total development area necessary for consideration.

As noted in paragraph H.(5), the purpose of the conceptual site plan is to allow the Board of Trustees and an applicant to reach an understanding on basic design requirements and the appropriateness of designating a site to the Southern Gateway Mixed Use Overlay Zone prior to such applicant's preparation of detailed plans. The Board of Trustees would review the conceptual plan and related documents and render either a favorable report or an unfavorable report to the applicant within 45 days. This provides both the Village and a prospective applicant with an opportunity to review the proposed conceptual level planning at an early stage in the review process.

It is contemplated in paragraph H.(9) in the proposed Overlay District text that where an applicant has prepared site plans consistent with Article V of the Village Code (Section 345-23 of the Village Code) as part of the application and review and the Board of Trustees approves said petition the site plans are also approved. In the event that only conceptual level plans were included (as opposed to detailed plans) and reviewed with the petition, then a site plan review process, consistent with Section 345-23, would need to be followed and approved by the Board of Trustees.

If the Village desires to implement the Overlay district, it may also choose to amend these sections for clarity.

Comment L5:

We have doubts about the legality of a blanket waiver (i.e., proposed paragraph (K)), as that would in effect, for some provisions, constitute an amendment of the zoning without the appropriate process. We also think that this is not a prudent provision; any waiver should be limited to minor, not material changes.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. If the Village desires to implement the Overlay district, it may also choose to delete this section.

Comment L6:

Why are the design guidelines proposed in the Overlay District not mandatory? The analysis in the DEIS seems to rely on the design guidelines being followed by the Applicant regardless of the zoning option ultimately adopted.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The design guidelines were included in the proposed Overlay District to encourage appropriate attention to site plan design considerations, and provide incentives for “Placemaking” development schemes that will enhance and be integrated within the existing fabric of the Village. The analysis in the DEIS has focused on a comprehensive evaluation of site design, refer to DEIS Section II – Project Description. The Board of Trustees is currently considering two different zoning approaches that could be used to implement the Proposed Project. The decision as to which approach will be applied (if either) is a discretionary decision on the part of the Board of Trustees. The Applicant has included Design Standards as a requirement as part of the revised PMU amendments that would be further detailed as part of the specific site plan approval process. In the event the Village decided to use the Overlay District concept those same design standards could be incorporated therein. The intention of the design standards is to reinforce the design intent outlined in the DEIS, refer to DEIS Section II Project Description. It is noted that the design guidelines, regardless of the zoning being proposed by the Applicant, would apply to the Proposed Project.

In addition, the Petition includes specific design criteria for developments within the PMU, with which the Applicant’s site plan would be required to conform. The revised PMU requires the Applicant to incorporate design guidelines specific to the Proposed Project as part of the site plan approval process. These guidelines would be enforceable by the Village Board as part of the site plan review process.

Comment L7:

The DEIS absolutely does not address, let alone propose, sufficient mitigation for all the impacts related to the additional overlay zone.

Joe Sack, PH 9/8/15 p 44

Really big-picture issue that we have with the EIS as it stands right now is that the overlay plan, the zoning overlay plan, proposes rezoning a very, very large area, and yet, the EIS only evaluates those impacts for a much smaller area within the overlay zone.

Laura Brett, PH, August 27, 2015, p. 53

Response:

There is currently no application for redevelopment in the Overlay District outside of the Project Site. DEIS Section III.L, however, provides an evaluation of potential impacts of the proposed Southern Gateway Mixed Use Overlay Zoning District (Overlay District) outside of the Project Site. (The impacts of the Proposed Project were analyzed in Chapters III.A through III.K of the DEIS).

While the Overlay District encompasses an area of approximately 75 acres, it can be reasonably applied, in the Applicant’s opinion, only to the Kohl’s Shopping Center Site (the “Kohl’s Site”) other than to the Project Site. This constraint is due to a number of factors: the configuration of the Kohl’s

site, the available land area that could be devoted to additional development program, the fact that other parcels within the Overlay District are not eligible and because other eligible sites are fully built out. The 10 acre minimum land area for inclusion in the Overlay District becomes one of the limiting factors relative to other properties in the proposed Overlay District. As such, the analysis in Chapter III.L of the DEIS focused exclusively on the potential of the Kohl's site to be redeveloped. The impacts related to other potential development occurring under the existing CD zoning within the Overlay District were not addressed because the Overlay District, if enacted, would not change the existing development potential of those sites.

Chapter III.L of the DEIS provides an analysis of the development potential and conceptual impacts that redevelopment of the Kohl's site may entail. As a specific program is not being proposed by the Applicant or any other entity, a conceptual analysis was deemed to be appropriate. Chapter III.L of the DEIS includes an analysis of potential infrastructure, traffic, community services, and socioeconomic impacts of redeveloping the Kohl's site under the Overlay District. If the Overlay were to be adopted by the Village and if a specific application were to be filed for redevelopment of the Kohl's site, a site-specific evaluation of the full impacts of that additional development would be conducted. It is noted that the Section III.L of the DEIS included both specific and more generic evaluation of impacts based on varying levels of development.

Comment L8:

Stormwater Management

The condition, size and capacity of existing drainage infrastructure through the Kohl's Shopping center to Midland Avenue must be examined for capacity and discussed as part of this report. This would likely require verification by a licensed surveyor and/or a TV inspection of existing drain piping. Any information provided by the Village of existing infrastructure is schematic, anecdotal and cannot be confirmed for accuracy.

Dolph Rotfeld Engineering, Letter 43, 2015, p.2

Response:

Any proposed redevelopment of the Kohl's Shopping Center Site would, as appropriate, be required to evaluate the condition, size and capacity of the existing drainage infrastructure running through that site.

Comment L9:

Page III.L-6 indicates that the development of the Kohl's site under the proposed Overlay District would be limited to buildings of 3 stories or 35 feet. However, the proposed zoning text (at §(F)(1)) allows buildings of 8 stories or 115 feet. Please clarify.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The intention of the proposed Overlay District text was to allow for new development that meets the eligibility criteria outlined in Section C, to apply the maximum building height provision of 8 stories or 115 feet compared to the 3 stories 35 feet in the underlying CD District. The text on page III.L-6 of the DEIS should be considered by this Response to be clarified to state that fact. However, the analysis presented assumed that taller buildings were to be constructed on the Kohl's site. Therefore, the analysis in Chapter III.L does not need to be amended. If the Village desires to implement the Overlay District, it may also choose to amend this section of the proposed Overlay District for clarity.

Comment L10:

The changes to the visual character of the Kohl's site, including taller buildings and bringing the buildings closer to Boston Post Road, would appear to be similar to that of the Proposed Project, but in contrast to existing development further east on Boston Post Road. Please clarify the potential visual relationship between development of the Kohl's site under the Overlay District with the Proposed Project and the development to the east.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The proposed changes to the Kohl's Shopping Center Site are conceptual in nature only, as there is no formal development program for that site. The potential visual relationship was discussed in DEIS Section III.L.1.B. The potential visual relationship between the development of the Kohl's site under the Overlay District and the Proposed Project would most likely be multi-story buildings fronting against multi-story building. There are a number of existing buildings located on the Boston Post Road that are closer to the street, such that a development on the Kohl's site would not, in the Applicant's opinion, be discordant. Any development would be subject to a site specific review and site plan approval.

Comment L11:

Please clarify that development of the Kohl's site under the Overlay district in the base FAR and full-build out FAR scenarios would increase the estimated daily water and sewer demand by 140,000 to 295,000 GPD and 130,000 to 269,000 GPD, respectively (and is not the larger figures presented in Tables III.L-1 and III.L-2). This accounts for the existing on-site usage estimated for the current Kohl's development.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The figures presented in Tables L-1 and L-2 do not include existing development program on the Kohl's site (approximately 440,000 square feet). The figures presented therein are the additional

demand, over and above the existing demand for the operating Kohl's site, for a conceptual development program using a base FAR of 1.0 and using the Overlay District FAR of 1.7. The estimated water demand would be expected to increase above current levels by a projected 190,000 to 345,000 gpd depending on whether the base case or full build out is assumed and the projected sewer demand would increase above current levels from 175,000 gpd to 314,000 gpd depending on whether the base case or full build out is assumed.

Comment L12:

Please clarify that the redevelopment of Kohl's in the baseline scenario would have an assessed value of \$107.5 million. Isn't the baseline build out program larger than that of the Proposed Project, which is stated to have an estimated assessed value of \$130 million? This has direct impacts on the potential taxes generated by the Proposed Action.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Redevelopment of the Kohl's site in the baseline scenario (FAR 1.0) includes a development program, refer to DEIS Table L-1, of 604 residential units compared to 730 being considered as part of the Proposed Project as well as 141,000 s.f. of office use compared to 217,000 s.f. with the Proposed Project. The difference in development program is reflected in the estimated assessed value comparison of the Kohl's baseline scenario with the Proposed Project. Note that the assessed value identified in the DEIS is in addition to the value of the existing development. Therefore, the estimated tax revenue presented would be revenue in addition to what is currently collected from the Kohl's site.

Comment L13:

Table III.L-2 on page III.L-5 shows that 480 jobs would be generated from 160,000 sf of retail. This retail employment estimate used a ratio 1 employee per 333 sf of retail space. For the proposed project, there is 90,000 sf of restaurant/retail. Direct employment from the proposed project on page III.F-31 includes 225 retail jobs. The retail employment ratio was 1 employee per 400 sf of retail space. Please clarify this inconsistency.

Similarly, the proposed project includes 217,000 sf of office space. Direct employment from the office component of the proposed project includes 651 jobs. The office employment ratio for the proposed project was 1 employee per 333 sf. Table III.L-2 shows 925 jobs for 370,000 sf of office space. The office employment ratio for the overlay district development analysis was 1 employee per 400 sf. Please clarify this inconsistency.

However, it is noted that the employment ratios for the existing Base FAR shown in Table III.L-1 are consistent with the employment ratios for the proposed project.

AKRF and SPR, Letter 42, November 2, 2015

Response:

For consistency purposes the figure of 1 employee per 400 square feet of retail was applied to DEIS Table III.L-2 which would yield 400 employees. The square footage for office use on DEIS Table III.L-2 should be 1 employee per 333 square feet of office use, which would yield approximately 1,111 employees.

Comment L14:

Page III.L-15: "Potential employment generated by the redevelopment alternatives outlined in Tables III.L-1 and III.L-2 is anticipated to be approximately 1,139 to 1,566 permanent jobs. However, Table III.L-1 shows 740 jobs, not 1,139.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The text on page III.L-15 should read "740 to 1,566 permanent jobs".

Comment L15:

The qualitative assessment due to the increased natural gas usage from use of the Overlay District should include a discussion on whether increased concentrations of ambient air pollutants would result in a significant air quality impact or not.

AKRF and SPR, Letter 42, November 2, 2015

Response:

As noted in DEIS Section III-I Air Quality, natural gas would likely be burned in the proposed building heating and hot water systems. The sulfur content of natural gas is negligible. Therefore, an analysis of SO₂ from the Proposed Action stationary combustion sources was not warranted. It is contemplated that the anticipated impact of the conceptual development program for the Kohl's site would also be negligible. Any redevelopment of the Kohl's site using the Overlay District concept would be required to conduct their own site specific environmental review.

Comment L16:

Page III.L-16. We suggest the change in BOLD with regard to the sentence "A review of existing survey data on the OPRHP website indicated that there were no properties or structures listed or **determined** eligible for listing on the State or National Registers of **Historic Places** on or within [study area needs to be defined] to the Kohl's site."

AKRF and SPR, Letter 42, November 2, 2015

Response:

Consistent with the methodology used in the analysis of the Proposed Project, this analysis of the Overlay District Development considers the APE for architectural resources to be the Kohl's site and the area within ¼ mile of the Kohl's site boundaries. There are no S/NR-listed structures, structures determined to be eligible for S/NR listing, or sites listed on the Westchester County Inventory of Historic Places within this APE. Therefore, the Overlay District would not have any significant adverse direct/physical or visual/contextual impacts on historic architectural resources.

Comment L17:

The redevelopment of the Kohl's site would presumably require subsurface disturbance. Therefore, please clarify that an analysis of potential impacts to archaeological resources on the Project Site would be performed at the time a specific development was proposed.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Any redevelopment of the Kohl's site under the Overlay District would have to conduct their own site-specific environmental review, which would include an evaluation of the potential for impacts to archaeological resources. The extent of previous disturbance as a result of prior development activity will factor into the scope of the analysis of potential impacts to archeological resources.

Comment L18:

Finally, Page E-9 concerns the southern gateway mixed-use overlay zone. The district is opposed to this overlay zoning district as it opens nearly 75 acres within the Village to residential development.

On January 15, 2014, the Board of Education, Port Chester Board of Education, passed a resolution to discourage large-scale housing projects that increase student enrollment in this district.

Bob Johnson, PH 09/08/15, p. 53

Response:

Comment noted. As indicated in DEIS Section III.L, Overlay Development Potential, while the extent of the Overlay District is approximately 75 acres, redevelopment opportunities are essentially limited to a portion of the approximately 30 acre Kohl's site. It is noted that the Village's Comprehensive Plan called for residential development to be permitted in the CD District that would include a majority of studio and one bedroom units that typically generate fewer public school age children. An estimate of the number of school age children that could potentially be generated by a future redevelopment of the Kohl's site, as well as the potential additional tax revenue that could be used to offset that increased demand, was presented in Chapter III.L of the DEIS.

Comment L19:

As part of its proposal for a new zoning overlay district, Starwood proposes including provisions for density bonuses in exchange for public benefits. Will the Board of Trustees consider requiring job standards and affordable housing as public benefits required for the density bonus?

John Tritt, Letter 23, October 5, 2015

Build Up NYC, Letter 25, October 5, 2015

Response:

Comment noted. The proposed zoning text revisions were provided for the Board of Trustees' consideration. The Board of Trustees in their discretion could make a variety of changes to the text to reflect conditions they would like to see included as part of proposed zoning text amendments, refer also to FEIS Response to Comment III.A-25. The proposed Overlay zoning does not include a requirement to provide affordable housing or job standards.

Comment L20:

The proposed change to the Southern Gateway Mixed Use Overlay Zoning District including the proposed Starwood project has the potential to increase density in the village. The increase in density may significantly impact the [fire] department in a number of ways. Some of those impacts may include an increase in population, call volume, response times and there may be a need for additional manpower and equipment.

Vincent Lyons, Letter 49, August 27, 2015

Response:

Comment noted. DEIS Section III.L describes the development potential related to the implementation of the Southern Gateway Mixed Use Overlay Zoning District (Overlay Zone) including a full build out potential of more than 1,200 residential units, a 222 key hotel, 160,000± square feet of retail and 370,000± of office use, beyond what has been proposed by the Applicant as part of the Proposed Project. While the full build out would also generate additional tax and fee revenue for the Village, in the event the Village decides to implement the Overlay Zone concept, any subsequent development proposal would be required to prepare their own environmental review where potential impacts associated with added population would be reviewed and evaluated. As noted in Response to Comment F74b, discussions with the Fire Department indicated that they would be able to service the Proposed Project with existing staffing and equipment. The Fire Department will be consulted during the site plan review process for the Proposed Project regarding access and circulation.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment IV-1:

Under the “No Action” alternative, please clarify that additional development is currently permitted in the CD district under the current zoning (as the Site is not fully built-out), which has the potential to generate impacts on traffic, infrastructure, and municipal revenues and services without any change to the existing zoning.

AKRF and SPR, Letter 42, November 2, 2015

Response:

As indicated in Section IV. B. Development Under Existing Zoning, there is an estimated 864,000 square feet of additional development potential on the Kohl’s Site under the existing zoning. Any specific development proposal for sites within the CD District would need to prepare its own site specific analysis and evaluate impacts related to, among other subjects, traffic, infrastructure and municipal revenues and services.

Comment IV-2:

The Applicant states that development of the Project Site under the current zoning is not viable. See comments on earlier Chapters regarding this issue. If developing the Project Site with a density less than that in the preferred alternative is found by the EIS to be financially feasible, the Applicant may be required to evaluate the impacts of development at that lower density.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant does not consider the proposed development of the Project Site under the current zoning to be an economically viable project, particularly given the site preparation and development costs necessary to sustain a successful mixed use development. This includes significant costs associated with the demolition and removal of the existing buildings and the need for rock removal and excavation to create the necessary design layout for street retail and mixed use development. Refer ~~also~~ to Response III.F-32 and the project economic evaluation prepared by AKRF on behalf of the Village, refer to Appendix P. Refer also to Response IV.8 with regard to the impacts of development at lower densities than requested by the Applicant.

Comment IV-3:

The Applicant states that there is enough utility capacity and adequate infrastructure to serve the Project Site as a hospital use (i.e., water, sewer, roadway). The analysis presented in Chapter IV (and III.D, III.E) do not present enough information to verify that statement. As the hospital has not been in use for a decade, is it reasonable to assume that the infrastructure in place is still adequate to meet that need.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Based on information presented in Section III-A of the DEIS, there have been no significant development trends that would have replaced capacity in the various infrastructure systems that serve the Project Site since the United Hospital facility closed at the end of 2005. Refer to Response to Comment III.D-3, which details a response from United Water for water service, and Response to Comment III.D-8, which provides details as to the extent of development activity between 1995, when certain sewer infrastructure reports were prepared and the present, and between 1995 and 2005 when the Hospital closed and the present. Refer also to Exhibits IV-3a, 2004 Existing Conditions with Exhibit IV-3b, 2013 Existing Conditions, which reveals the limited extent of development between those times. The Applicant contends, therefore, that it is reasonable to assume that the infrastructure in place is adequate to meet the needs of a hospital use on the Project Site. As noted in Section III.D Utilities, the Applicant is proposing to make physical improvements (refer to FEIS Response to Comment III.D-11) to selected sections of the Village's existing sanitary sewer lines. In addition, as noted in Section III. C Stormwater Management, the Applicant ~~has reduced~~ would reduce stormwater levels from the Project Site to below existing conditions ~~but~~ and has agreed to provide a monetary contribution to the Village to address inflow and infiltration issues to the existing Village ~~stormwater management~~ sanitary sewer system serving the United Hospital neighborhood. Refer also to Section III.E, Traffic and Transportation Introduction for a more detailed discussion of roadway capacity.

Comment IV-4:

On page IV-9, the DEIS states that the zoning petition requests a maximum FAR of 1.6 for the Project Site. However, as specified in the proposed zoning, an FAR of 1.7 would be allowed throughout the Southern Gateway Mixed Use Overlay District in combination with various density bonuses. Please clarify.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The discussion in Section IV.H of the DEIS referenced in Comment IV-4 relates to the redevelopment of the Project Site with and without the 999 High Street building. Keeping the building and the land area associated with it would mean there is less available land area on which needed FAR could be made available. In order to create the development program considered as part of the Proposed Project, the FAR across the entire Project Site would need to be increased from 1.6 to 1.7. Under both the Overlay District and PMU proposals in the DEIS, this would be technically allowed, though potentially subject to a revised environmental review.

However, as noted previously, the Applicant has submitted an amended petition which includes revised PMU text changes that would limit the total amount of FAR, including any density bonus, to 1.6 on the Project Site. The Applicant does not intend, and is not proposing, a development program that exceeds 1.6.

Comment IV-5:

The DEIS evaluates the ability of the Project to incorporate the existing building at 999 High Street into the currently proposed conceptual layout. However, if the building were to be kept on-Site, would a different Project layout be possible that would still preserve the goals of the Applicant, including an integrated street grid, connectivity, and the same basic amount of uses on Site?

AKRF and SPR, Letter 42, November 2, 2015

Response: *The Applicant contends that it is not possible to incorporate the existing building at 999 High Street and maintain the goal of an integrated street grid set out in the Village's Comprehensive Plan.*

Section IV.H of the DEIS notes that the 999 High Street building is located such that to keep the building would require elimination of the middle driveway entrance to the Project Site from High Street, refer to DEIS Exhibit IV-4 Visual and Physical Site Impact, provided herewith as FEIS Exhibit IV-5. The Applicant contends that this has a number of impacts which jeopardizes the viability of the Proposed Project. First, the 999 High Street Building, Buildings D and E would become a single "superblock", thus constraining and adversely impacting the traffic circulation into, out of, and through the Project Site. Further, the ability to close off the upper portion of the Project Site to accommodate community-type events would be lost. In the Applicant's opinion, this would result in the reduction of leasing flexibility and therefore real estate value.

The Applicant contends that the impact on parking adds a serious challenge. Eliminating close proximity and a reasonable, in the Applicant's opinion, amount of easily accessed parking adjacent to each building will have a significantly negative impact on leasing and the customer experience. Two very tall parking structures ~~will~~would be required to meet the demand on the Project Site for this alternative. This assertion is based on available land area remaining to construct these facilities, refer to FEIS Exhibit IV-5a which illustrates only two relatively constrained available locations for new parking structures including one at the corner of the Boston Post Road and High Street. In addition to being inefficient and therefore expensive, such tall structures are not considered customer friendly, particularly for retail, hotel and office uses. Moreover, the towering parking structure located at High Street and the Boston Post Road ~~creates~~would create an adverse visual impact and inconsistency with the Comprehensive Plan at this key entrance point into the Village. Maintaining the 999 High Street Building alone would also require the construction of additional parking for the 133 units. This could only be accomplished by increasing further the height of the parking structures that serve Proposed Buildings D, E and 999 High Street, given the unavailability of land for at-grade parking. In the Applicant's opinion, each of these impacts alone is detrimental to the Proposed Project and taken together they would put in question the viability of the Proposed Project.

Comment IV-6:

While the Village's Traffic Engineer will comment on the assertion that the traffic improvements proposed by the Applicant are more than would be necessary to mitigate the impacts of the Proposed Project, there is no analysis presented in Chapter IV to support this assertion. Please clarify and explain the basis for this position given that the project does require traffic mitigation.

AKRF and SPR, Letter 42, November 2, 2015

Response:

As noted in Section IV.E of the DEIS, there was a 2010 proposal for which a DEIS had been prepared (the "2010 Submission", 773 residential units and 254,000 square feet of commercial/office space). Such DEIS was submitted but not accepted. In the Applicant's opinion the building program in that proposal was similar to that of the Proposed Action, although the 2010 proposal did not include a limited service hotel. It is further noted that the Village did not review the merits of the proposal and perforce did not agree that the mitigation proposed as part of the 2010 proposal was sufficient.

The Applicant notes that the 2010 Submission did not contemplate the more comprehensive mitigative measures being proposed as part of the Proposed Project, including the elimination of the High Street signal and associated circulation enhancement and widening of the Boston Post Road Corridor along the Project Site frontage.

Appendix E of this FEIS includes the analysis provided as part of the 2010 Submission that was used to make the comparison as part DEIS Table IV-J1, Fair Share Calculations – Traffic Improvements Boston Post Road Corridor.

The mitigation in the 2010 Submission included an evaluation of the following 18 intersections:

1. High Street and Proposed Site Driveway
 - a. Widen existing driveway to provide one entering lane and two exiting lanes (a left-turn lane and a right-turn lane)
2. Route 1 & Slater Street
 - a. No improvements required
3. Route 1 & Pearl Street
 - a. Modify the traffic signal to provide a right-turn arrow on Pearl Street during the Northbound ROW phase
 - b. Adjust Signal Timings

4. Route 1 & South Regent Street
 - a. Widen South Regent Street to provide separate left and right turn lanes, if right-of-way is available
 - b. Modify the traffic signal to provide a right-turn arrow on the South Regent Street approach to operate during the Northbound ROW phase
 - c. Adjust Signal Timings
5. Route 1 & Kohl's Driveway/Proposed Site Driveway
 - a. Re-stripe Route 1 to provide a Northbound Left-Turn Lane
 - b. Widen Route 1 southbound to provide a right-turn lane
 - c. Re-stripe the Kohl's Driveway exiting approach to allow for a through movement
 - d. Construct the Site Driveway to provide three exiting lanes and two entering lanes
 - e. Modify traffic signal to accommodate the new driveway approach and geometry modifications
6. Route 1 & High Street
 - a. Widen High Street to provide separate 12-foot left- and right-turn lanes
 - b. Modify the traffic signal to provide a right-turn arrow during the Route 1 northbound ROW phase
7. Route 1 and I-287 WB On-Ramp/ I-95 NB Off-Ramp
 - a. No improvements required
8. Route 1 & I-287 EB Off-Ramp/ I-95 SB On-Ramp
 - a. Modify signal to provide a Lead as well as a Lag Southbound ROW phase
 - b. Adjust Signal Timings
9. Route 1 & Hillside Road
 - a. No improvements required
10. Ridge Street & High Street
 - a. No improvements required
11. High Street & Grandview Avenue
 - a. No improvements required
12. High Street & Evergreen Avenue
 - a. No improvements required
13. US Route 1 & Cedar Street
 - a. No improvements required
14. US Route 1 & Peck Avenue
 - a. No improvements required

15. Midland Avenue & Peck Avenue/Credit Union Driveway

- a. Modify traffic signal to provide a protected lead phase for the Peck Avenue approach.

16. Purchase Street & Hillside Road/Wappanocca Avenue

- a. No improvements required

17. Grandview Avenue & Hillside Road

- a. No improvements required

18. US Route 1 & Grace Church Street/Purdy Avenue

- a. No improvements required

The following table (2010 DEIS Submission Table No.E-13) was taken from the 2010 DEIS submitted to the Village but not accepted. Table No.E-13 provides a preliminary evaluation of anticipated levels of service at the then Build condition with improvements.

FEIS Table IV-6
2010 DEIS
Table No. E-13
2015 Level of Service Summary

Intersection		Peak AM Hour			Peak PM Hour			Peak Saturday Hour		
		No-Build	Build	Build w/ Imp.	No-Build	Build	Build w/ Imp.	No-Build	Build	Build w/ Imp.
1	High Street & Site Driveway	b 11	b 14.2	N/A	b 11.9	c 20.4	N/A	b 12.4	d 31.3	N/A
2	Route 1 & Slater Street	B 14.4	B 14.9	N/A	B 14.1	B 14.9	N/A	B 15.6	B 17.2	N/A
3	Route 1 & Pearl Street	C 23.2	C 24.5	C 20.5	C 28.4	C 35.0	C 24.2	C 33.6	D 46.7	C 28.4
4	Route 1 & South Regent Street	E 73.5	E 77.0	B 19.6	D 38.1	D 46.4	B 19.1	C 27.0	D 39.3	C 23
5	Route 1 & Kohl's Driveway/Proposed Site Driveway	B 10.1	B 16.4	N/A	B 13.4	C 27.5	N/A	B 15.0	C 28.2	N/A
6	Route 1 & High Street	A 7.8	B 12.6	A 9.7	B 12.2	D 47.8	B 13.3	A 10.0	D 42.4	B 17.8

7	Route 1 Northbound & I-95 Off-Ramp ⁽¹⁾	<i>b</i> 14.2	<i>b</i> 16.0	N/A	<i>b</i> 15.4	<i>b</i> 17.2	N/A	<i>b</i> 16.4	<i>b</i> 19.0	N/A
8	Route 1 & I-287 EB Off-Ramp/I-95 SB On-Ramp	<i>C</i> 34.1	<i>D</i> 41.5	<i>D</i> 35.7	<i>D</i> 49.2	<i>F</i> 82.1	<i>D</i> 51.9	<i>C</i> 32.4	<i>E</i> 59.5	<i>D</i> 40.2
9	Route 1 & Hillside Road	<i>b</i> 13.2	<i>b</i> 13.5	N/A	<i>b</i> 13.5	<i>b</i> 14.2	N/A	<i>b</i> 14.6	<i>c</i> 15.7	N/A
10	Ridge Street & High Street	<i>B</i> 14.7	<i>B</i> 15.0	N/A	<i>B</i> 18.6	<i>C</i> 20.1	N/A	<i>B</i> 16.5	<i>B</i> 17.6	N/A
11	Grandview Avenue & High Street	<i>b</i> 10.3	<i>b</i> 10.7	N/A	<i>b</i> 11.1	<i>b</i> 11.6	N/A	<i>b</i> 11.2	<i>b</i> 11.9	N/A
12	Evergreen Avenue & High Street	<i>b</i> 10.4	<i>b</i> 10.8	N/A	<i>b</i> 12.3	<i>b</i> 13.3	N/A	<i>b</i> 10.8	<i>b</i> 11.5	N/A
13	Route 1 & Cedar Street	<i>B</i> 12.6	<i>B</i> 12.8	N/A	<i>B</i> 11.4	<i>B</i> 11.4	N/A	<i>A</i> 9.8	<i>A</i> 10	N/A
14	Route 1 & Peck Avenue	<i>B</i> 18.6	<i>B</i> 19.9	N/A	<i>B</i> 17.8	<i>B</i> 18.4	N/A	<i>B</i> 19	<i>C</i> 20.2	N/A
15	Midland Avenue & Peck Avenue/Credit Union Driveway	<i>C</i> 27.3	<i>C</i> 28.6	<i>C</i> 27.4	<i>C</i> 29.9	<i>C</i> 33.7	<i>C</i> 29.2	<i>D</i> 37.1	<i>D</i> 43.3	<i>C</i> 34.8
16	Purchase Street & Hillside Rd/Wappanoca Avenue	<i>c</i> 20	<i>c</i> 20.5	N/A	<i>c</i> 19.3	<i>c</i> 20.3	N/A	<i>c</i> 18.1	<i>c</i> 18.8	N/A
17	Grandview Avenue & Hillside Road	<i>a</i> 7.56	<i>a</i> 7.56	N/A	<i>a</i> 7.3	<i>a</i> 7.3	N/A	<i>a</i> 7.19	<i>a</i> 7.19	N/A
18	Route 1 & Purdy Avenue/Grace Church St.	<i>B</i> 19.3	<i>B</i> 19.9	N/A	<i>B</i> 19.1	<i>B</i> 19.3	N/A	<i>B</i> 19.7	<i>C</i> 21	N/A

Note: Signalized intersections represented by upper case letters.

Unsignalized intersections represented by lower case letters.

Delay is in seconds per vehicle.

(1) Numerical values provided for this ramp junction are expressed in terms of density (pcpmpl).

Source: TRC Engineers, Inc.

Based on the information presented in the DEIS and this FEIS (including the 2010 proposal), the Village staff and ~~traffic consultants~~ Village Traffic Engineer believe that it has not been

demonstrated that the traffic improvements proposed by the Applicant are more than would be necessary to mitigate the impacts of the Proposed Project.

Comment IV-7:

The Applicant states that it should be compensated for the on-site conveyance of Project Site roadways to the Village. The rationale for this is not clear. If the project is choosing to re-subdivide the property and convey the roadways necessary to serve the Project to the Village such that the Village is responsible for bearing the costs of maintaining that roadway, it is unclear why the Applicant should be compensated for that.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The Applicant contends that there is value to the land area to be dedicated as right of way either for the Boston Post Road widening or that limited portion of on-site roadway proposed to be offered to the Village for dedication. The Applicant contends, based on the analysis provided as part of DEIS Section IV.J, that the proposed traffic mitigation associated with the elimination of the north-bound High Street signal, rerouting of traffic to accommodate the north-bound High Street signal elimination and widening of the Boston Post Road at the Project Site entrance is not necessary to mitigate the Project's impacts and is over and above mitigation that would typically be required to satisfy mitigation of impacts. The Applicant contends that the improvements over and above those required to satisfy mitigation of impacts provides a benefit to the greater Port Chester community. The Applicant has previously indicated (FEIS Response III.A5) that while it proposes to offer for dedication (including all rights, responsibilities and liabilities) a limited portion of the on-site roadway, the Applicant has committed to provide snow plowing and maintenance of the utilities under the roadway for that roadway segment.

Comment IV-8:

I have one particular question, though: So we've heard a lot in terms of impact of what is proposed against what exists today. Is it possible for us to look at what is proposed against the impact of what is maximally possible today under the zoning, and is that -- so that wasn't an alternative in the SEQRA scope itself, I don't think.

Mayor Pilla, PH October 5, 2015, p. 81

Response:

A discussion of maximum development potential under existing zoning was discussed in Section IV.B of the DEIS, as required by the adopted scope. Development of the Project Site under the existing PMU District would yield a development program of approximately 538,401 s.f. with a 0.8 FAR. (This could be increased to 673,000± s.f. with the additional 0.2 FAR bonus provided for in the existing Code. However, to be conservative, the Applicant used the as-of-right 0.8 FAR.)

FEIS Table III.IV-8 provides a comparison of a development program utilizing the FAR restrictions in the existing PMU District with the Proposed Project. It is noted that maximum FAR permitted for each use in the PMU district adds up to 1.2 FAR. However, the current PMU caps the maximum FAR of a development at 0.8 FAR. Therefore, the Applicant, in contemplating a project at 0.8 FAR, made certain assumptions about the relative mix of uses within a potential development.

**Table IV-8
Build out Matrix Existing PMU**

Program	Pop. ¹	School Age Children ²	Water Use (gpd)	Sewage ³ (gpd)	Traffic (peak hour vehicle trips AM/PM/Sat. ⁴)	Fiscal ⁵ est. assessed value ± (million)	Employment ⁶ (employees)
108 Age Restricted	180	0	105,850 gpd	95,000 gpd	~~750/661/751/~~ 662/816	\$48.51 ⁷	10
140 lofts/studios units	140						
47 1BR units	76	1					
47 2BR units	106	14					
63 key hotel (45,438 s.f.)	-	0				\$2.21	31
101,650 s.f. commercial	-	-				\$7.59	252
Retail (90,000 s.f.)						\$6.76	270
Total	502	15	105,850	95,000	750/661/816	\$65.07	563

Source: 1. Rutgers University; 2. Overcrowding and Mitigation Report, Urbanomics, November 10, 2014; 3. NYSDEC/NYS Design Standards; 4. ITE 5. In the absence of direct input from the Town of Rye's Assessor's Office, existing records from that office were used to estimate assessed values for the different uses proposed, this is the same methodology used in the DEIS; 6. Projected employment figures were taken from ratios derived from employment analysis prepared as part of the DEIS. 7. Total residential square footage ±301,314 s.f.

The Applicant notes that the Proposed Project reflects the considerable experience of its design team in creating and building successful mixed use projects. The Applicant contends that the various land uses identified during the course of the Comprehensive Plan process have been incorporated into a comprehensive design that creates vitality and activity needed for a successful project. The Applicant contends that certain aspects of the program like the retail and housing are important elements that need critical mass to be sustainable.

Two reduced density options, along with their impacts, are discussed below, see also Table IV-8a Alternative Density Analysis. It should be noted that neither one of these options are being advanced by the Applicant and the Applicant is not proposing either of these projects as an alternative project configuration that it would construct.

Option One is a 1.4 FAR option and achieves that FAR reduction by eliminating 117,000 s.f. of general office use. This modification to the program results in a loss of Assessed Value of 11% or almost \$11,500,000 which would ultimately result in lower ratables and/or PILOT on the Project Site. It would also result in the loss of more than 360 permanent jobs. From a traffic perspective, the greatest impact would be a reduction in cars entering and leaving the site in the A.M. peak

hour of 14.7% or 144 trips. No single movement would see this trip reduction; rather, the largest reduction would be 83 trips at the northbound BPR left-turn movement at the Site Driveway in the A.M. peak hour. This equates to less than 1.4 fewer cars per minute. Please see FEIS Chapter III.E for a more detailed discussion of the impacts to the traffic network that would be expected based on this program. The Applicant's Traffic Engineer has affirmed that these values referenced above are accurate per the final traffic study.

Option Two is a 1.2 FAR option. It eliminates 130,000 s.f. of residential use in addition to eliminating the 117,000 s.f. of office. This option results in a loss of Assessed Value of 21% or more than \$27,000,000, again ultimately resulting in lower ratables and/or PILOT on the Project Site. It would also result in the loss of about 365 permanent jobs and in a reduction in School Age Children of 12 from 34 to 22. From a traffic perspective, the greatest impact would again be in the A.M. peak hour with a reduction of 17.8% or 174 trips entering and leaving the site. Again no single movement would see this full reduction; rather, the largest reduction would be 86 trips at the northbound BPR left-turn movement at the Site Driveway in the A.M. peak hour.. This equates to less than 1.5 fewer cars per minute. Please see FEIS Chapter III.E for a more detailed discussion of the impacts to the traffic network that would be expected based on this program. The Applicant's Traffic Engineer has affirmed that these values referenced above are accurate per the final traffic study.

Table IV-8a
Alternatives Density Analysis

	SF	FAR		AV		JOBS	SAC	TRAFFIC					
								AM	PM	SAT			
PROPOSED PROJECT	1,051,000	1.56		\$ 130,479,680		983	36	980	896	987			
1.4 FAR PROJECT	934,000	1.39	Total	\$ 116,003,850		622		836	797	949			
reduce office by 117K			Difference	\$ 14,475,830	11%	361	37%	144	15%	99	11%	38	4%
1.2 FAR PROJECT	804,000	1.19	Total	\$ 103,469,770		616	24	806	754	912			
reduce office by 117K sf + reduce resi by 130K sf			Difference	\$ 27,009,910	21%	367	37%	174	18%	142	16%	75	8%

Source: Compiled by Street Works Development

Comment IV-9:

The project should have a 'perimeter road' that would allow a driver to go around the perimeter of the project and end up back where they started. Perimeter road would access all the parking lots and allow the driver to exit to High Street (the curb cut closest to the cemetery) or the only exit to Boston Post Road, at the Kohl's traffic light.

Michael Scarola, Letter 40, October 30, 2015

Response:

Comment noted. The Applicant has proposed a concept that centralizes the vehicular access so as to maximize exposure to the retail component around an integrated open space while creating a dynamic, walkable mixed use environment. Creating a "perimeter road" would require the use

of additional land area which would impinge on the ability to adequately create the central open space area. Creating the “perimeter road” would require at least two lanes of traffic equating to approximately 30 feet (two 12-foot vehicle lanes and two 3-foot sidewalks) which effectively moves the buildings A, B and D closer to each other leaving less area for publicly accessible open space.

Comment IV-10:

Although it is not illegal to allude to targeting a specific age group, it may be unrealistic, since according to the Fair Housing Act it is illegal to, in fact, discriminate based on age or familial status. The existing likelihood of additional children stressing the school system could be addressed simply by designating a greater proportion of housing units for 55+ tenants.

Ivana Hidalgo, Letter 41

Response:

The Applicant will not discriminate against potential tenants based on a tenant’s age, familial status, or any other characteristic listed by the Fair Housing Act. However, the Applicant would, as allowed by the Fair Housing Act, designate 230 units as restricted for those 55 years old and older. In doing this, the Applicant has followed the vision for the Project Site outlined in the Village’s Comprehensive Plan and PMU Zoning that recommended senior housing and smaller unit configurations, such as studio, lofts and one bedroom, which typically generate fewer school age children.

Comment IV-11:

The designation of Block D for medical /wellness offices only may be too restrictive. It may behoove the Board to examine more closely whether there can be more potential for a lasting and significant benefit to the community with the inclusion of amenities such as a satellite library location, satellite classrooms, and a component of more diverse and inviting uses in addition to medical and wellness offices.

Ivana Hildago, Letter 41

Response:

The Applicant has indicated in the DEIS, page III-F43, that it would be willing to consider a lease arrangement to accommodate a satellite library facility during site plan approval process. The introduction of a potential satellite library on the Project Site would most likely, when compared to the proposed medical/wellness office use, generate fewer employees per square foot given its less intense nature.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment V-1:

The potential for construction to have unmitigated significant adverse impacts on the vulnerable population of the adjacent nursing home should be evaluated in the Air Quality, Noise, and Construction Chapters.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. Refer to Sections III-I, J and K for further discussion of the potential impact and proposed mitigation on the adjacent nursing home facility. The Applicant has initiated discussions with the nursing home administrator regarding the indicated that they have not discussed the feasibility of installing air conditioner covers and storm windows within the nursing home with the nursing home's owner or operator. The Village and its review consultants contend that if the nursing home owner or operator determines that installing the air conditioner covers and/or storm windows is not feasible, or will not be authorized, then the Proposed Project would have an unmitigated significant adverse impact on the nursing home population from construction noise.

Comment V-2:

The Applicant has not provided necessary justification to conclude that there are no unmitigated significant adverse impacts related to traffic from the Proposed Project.

Peter Feroe and Mark Chertok, Letter 42, November 2, 2015

Response:

Section III-E of this FEIS responds to comments on the Traffic and Transportation analysis. The Proposed Action includes a series of traffic mitigation measures including, but not limited to, the elimination of left turns into and out of High Street, inclusion of medians, improvements at the Project Site entrance/Boston Post Road and South Regent Street/Boston Post Road intersections, that the Applicant contends, based on its revised TIS, avoids, minimizes and mitigates potential significant adverse impacts to the maximum extent practicable, and improves traffic flows on Boston Post Road.

The Applicant proposes to coordinate transportation services to and from the Project Site at the commencement of construction to accommodate construction workers who will be working at the Project Site. Such services may include, but are not limited to, local taxi services, coordinated car pools, and/or van services to and from the local train station. These services shall continue during peak hours upon project opening until formal jitney service is implemented. Peak hours are expected to be between 7 AM and 9 AM and 5 PM and 7 PM Monday through Friday. The service is expected to serve both the residents and the employees who work at the Project Site and will therefore pick up passengers

both on site and at the station during both peak periods. The Applicant will operate the jitney service at least until the Post Implementation Traffic Study is complete.

It is noted that to assist the reader, the written public comments submitted as part of the DEIS review and as part of preliminary FEIS submitted to the Village in April of 2016 have been included as part of the FEIS document as well as the Appendix. The reader can go to their correspondence and look for a notation in the margin as to where in the FEIS document the response to their comment is provided.

Comment IX-1:

Please provide full source data for the figures used in the tables in Chapter III.F. For example, “US Census” should be updated to reference the specific product from which the data was sourced (i.e., ‘2010 Census’ or ‘2013 ACS 5-year estimate’).

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. Going forward revised tables will have updated reference information. Refer to FEIS Tables, F-2, F-3, F-5, F-32, F-37, F-39 and F-44.

Comment IX-2:

On page III. F-2, the following boldfaced numbers do not conform with those described in the Executive Summary on p. E-7 (which are also incorrect and should be revised to the bracketed and italicized numbers): “This is a difference of approximately \$2.115 million from the potential PILOT payment, **\$1.226 million** [should be \$1.215 million] of which is attributable to the School District and **\$0.592 million** [should be \$260,000] is associated with the Village and **\$0.297** [should be \$640,000] to other taxing jurisdiction [sic].”

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. Based on comments raised by the Port Chester IDA, the proposed PILOT payment has been amended to include the other taxing jurisdictions that were not included in the DEIS document (Town, County and special assessment districts). As noted by the IDA, the Proposed Project would be subject to ad valorem taxes to the Sewer and Solid Waste Districts based on the full assessed value of the Proposed Project, regardless of whether the Project receives any IDA benefits. The total PILOT and ad valorem tax payment proposed in the FEIS is \$3.35 million to account for these full taxes. Based on the \$130.5 million estimated assessed value in the DEIS, taxes to these jurisdictions would total \$146,137 using 2015 tax rates. Therefore, the proposed PILOT fee would be \$3,203,863 in the first year of the PILOT of which \$0.920 million would go to the Village, \$1.994 million would go to the Port Chester School District, \$4,432 to the Town of Rye, \$286,063 to Westchester County.

Comment IX-3:

In Table III.F-2, the number of Total Households for Westchester County in 2010 appears to be incorrect. The 2010 Census and 2013 ACS Five-Year Estimates both present different figures.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. According to the 2010 Census, the total number of households in Westchester County was 347,232, which is a 3% increase from 2000.

Comment IX-4:

In Table III. F-3, please update the source of the average household size to the ACS 2009-2013 estimates.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The updated figure for average household size for the Village of Port Chester should be 3.08, based on the 2010 U.S. Census, which is a 6.6% increase from the average household size in 2000.

Comment IX-5:

On page III.F-4, it is stated that, “Overall, Port Chester has a lower median household income compared to the County as a whole (approximately 73%) when compared to the County as a whole.” Based on Table III.F-6, the Village of Port Chester median household income is 29.2% lower than the county’s median household income. Please clarify.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. The median household income for the Village of Port Chester based on the US Census Bureau Community Survey 2009-2013 is \$56,127 which is approximately 68 percent of the County’s median household income of \$81,946.

Comment IX-6:

In Table III.F-5, the number of housing units for Westchester County in 2010 appears to be incorrect. According to 2010 SF1 data, there are 370,821 housing units; according to 2013 ACS Five-Year Estimates, 369,996. Please verify the 2000 and 2010 data and revise, if necessary.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. Census figures were provided by Westchester County¹ but were reportedly taken from US Census data. A review of the 2010 Census² data reveals there are 370,821 housing units in Westchester County in 2000 there were 349,445³ housing units. The data indicate a 6.1% increase in the number of housing units in Westchester County between 2000 and 2010.

Comment IX-7:

In Table III.F-6, the median household income for Port Chester is reported as \$58,003; according to the 2013 ACS Five-Year Estimates, that figure is \$56,127, which is a 23.5% increase from the 2000 estimate.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted, the figure should be \$56,127 according to the 2013 ACS Five-Year Estimates.

Comment IX-8:

The tax revenues described in *a. Existing Conditions* on page III. F-24 do not conform with those presented in Table III. F-16. For example, “Today, the School District receives approximately \$391,178 annually...” The table indicates that the School district receives \$394,863. Based on the tax rates and assessed value presented in the table, the table numbers appear correct.

AKRF and SPR, Letter 42, November 2, 2015

Response:

Comment noted. Based on the total assessed valuation, the tax generation figure to the School District should be \$394,863.

Comment IX-9:

The School District tax rate presented in Table III. F-17 (\$23.046479/\$1,000 AV) does not conform with the rate presented previously in this chapter (\$24.38619/\$1,000 AV). The actual tax bills for the most recent year should be provided as an appendix.

AKRF and SPR, Letter 42, November 2, 2015

¹ <http://planning.westchestergov.com/images/stories/Census/housingoccupancy.pdf>

² <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

³ <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>

Response:

The \$23.046479 figure in DEIS Table IIIF-17 was taken from a 2013/2014 tax bill for the Port Chester School District and reflects the rate at that time. The updated figure should use the \$24.38619 number which translates to a projected school tax generation of \$3,181,902 compared to the \$3,007,000 figure. Refer to Appendix F for a copy of the most recent tax bills for the Project Site, which indicate a tax rate of \$24.635947 per \$1,000 of assessed value, or \$3,214,490 for the Project Site.

Comment IX-10:

Page III.L-6 indicates that the development of the Kohl's site under the proposed Overlay District would be limited to buildings of 3 stories or 35 feet. However, the proposed zoning text (at §(F)(1)) allows buildings of 8 stories or 115 feet. Please clarify.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The intention of the proposed Overlay District text was to allow for new development that meets the eligibility criteria outlined in Section C, to apply the maximum building height provision of 8 stories or 115 feet compared to the 3 stories 35 feet in the underlying CD District. The text on page III.L-6 of the DEIS should be clarified to state that fact. However, the analysis presented assumed that taller buildings were to be constructed on the Kohl's site. Therefore, the analysis in Chapter III.L does not need to be amended. If the Village desires to implement the Overlay District, it may also choose to amend this section of the proposed Overlay District for clarity.

Comment IX-11:

Table III.L-2 on page III.L-5 shows that 480 jobs would be generated from 160,000 sf of retail. This retail employment estimate used a ratio 1 employee per 333 sf of retail space. For the proposed project, there is 90,000 sf of restaurant/retail. Direct employment from the proposed project on page III.F-31 includes 225 retail jobs. The retail employment ratio was 1 employee per 400 sf of retail space. Please clarify this inconsistency.

Similarly, the proposed project includes 217,000 sf of office space. Direct employment from the office component of the proposed project includes 651 jobs. The office employment ratio for the proposed project was 1 employee per 333 sf. Table III.L-2 shows 925 jobs for 370,000 sf of office space. The office employment ratio for the overlay district development analysis was 1 employee per 400 sf. Please clarify this inconsistency.

However, it is noted that the employment ratios for the existing Base FAR shown in Table III.L-1 are consistent with the employment ratios for the proposed project.

AKRF and SPR, Letter 42, November 2, 2015

Response:

For consistency purposes the figure of 1 employee per 400 square feet of retail was applied to DEIS Table III.L-2 which would yield 400 employees. The square footage for office use on DEIS Table III.L-2 should be 1 employee per 333 square feet of office use, which would yield approximately 1,111 employees.

Comment IX-12:

Page III.L-15: “Potential employment generated by the redevelopment alternatives outlined in Tables III.L-1 and III.L-2 is anticipated to be approximately 1,139 to 1,566 permanent jobs. However, Table III.L-1 shows 740 jobs, not 1,139.

AKRF and SPR, Letter 42, November 2, 2015

Response:

The text on page III.L-15 should read “740 to 1,566 permanent jobs”.

APPENDIX D

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Hawthorne, New York 10532

Tel: (914) 592-4040

November 10, 2016

Revised December 1, 2016

Revised December 9, 2016

Revised December 14, 2016

1. Introduction

The Village of Port Chester requested that a flow monitoring study be conducted on the existing sanitary sewer system. Flow monitors were installed at two (2) selected locations along Boston Post Road at the direction of the Village Consulting Engineer. Flow Monitor No. 1 was positioned in Manhole 90520 and Flow Monitor No. 2 was positioned in Manhole 90500. Manhole 90520 was selected to monitor the tributary area immediately upstream of the manhole to which the Port Chester Shopping Center is tributary. Manhole 90500 is the lower limit of Subsystem PP-04 as set forth in the 1995 Sewer System Evaluation Study (SSES) prepared by URS for the Westchester County Department of Environmental Facilities (DEF) (URS Report). The Village of Port Chester selected Flow Assessment Services to set the monitors and submit a monitoring report. The monitoring report is included in Appendix A. Flow Assessment Services conducted and recorded flow data between October 6, 2016 and October 20, 2016. The Average Dry Weather (ADW) flow is typically determined from analyzing a one to two week period that is not influenced by rainfall. The flow monitoring period was a total of 15 days and met the minimum necessary to perform an analysis. The ADW flow is defined as the base sanitary flow plus infiltration.

For inflow analysis, the Average Wet Weather (AWW) flow is estimated from flow data for a one week period when there has been significant rain. If a single storm event is used to analyze wet weather inflow, it should be an event large enough to cause surface ponding and runoff. During the flow monitoring period, rainfall data collection was not performed.

Wastewater flow in a sanitary sewer system consist of three major components including base sanitary (or wastewater) flow, groundwater infiltration and rainfall derived inflow and infiltration, commonly referred to as inflow. Virtually every sewer system has some infiltration and/or inflow. Historically, small amounts of I&I are expected and can be tolerated.

The 1995 Sewer System Evaluation Study (SSES) prepared by URS for the Westchester County Department of Environmental Facilities (DEF) (URS Report) provided an analysis of the flows at Manhole 90500, located in the vicinity of the Boston Post Road and Willow Street. Table No. 3-3 of the SSES reported the following information for Subsystem PP-04.

Table 1 URS 1995 SSES Table 3-3					
Subsystem	Base Flow (mgd)	Average Flow (mgd)	Infiltration (mgd)	In.-Dia. Miles (IDM)	Infiltration Rate gpd/IDM
PP-04	0.658	1.247	0.589	126.96	4,641

The SSES also reported that contributing equivalent population was 6,450 persons. The following Sections of this report include analyses of the Average Dry Weather Flow

(ADW), Groundwater Infiltration (GWI), Average Wet Weather (AWW) Flow and the Base Sanitary Flow (BSF).

A survey of the sanitary sewer system was also performed to define the rims, inverts and pipe sizes of the sewer system along High Street and along Boston Post Road from High Street to Grace Church Street. The survey was used to perform a capacity analysis of the existing pipe network to which the project site is tributary.

2. Average Dry Weather Flow

Average Dry Weather Flow (ADW) is defined as the flow during a period of extended dry weather (7 to 14 days) during a period of seasonally high groundwater. Tables 2 and 3 provide an analysis of the ADW for each flow monitoring station. The cumulative flows reported for October 6th and October 20th at both flow monitors were for partial days and were adjusted to account for a full day (24 hour period). The adjusted cumulative flows for these days are consistent with the cumulative flow measured for the remaining days within the monitoring period.

Table 2 Flow Monitor No. 1 (Manhole 90520)				
Day	Date	Hours	Cumulative Flow	Adjusted Cumulative Flow
Thursday	10/6/16	12.5	0.073	0.140*
Friday	10/7/16	24	0.139	0.139
Saturday	10/8/16	24	0.139	0.139
Sunday	10/9/16	24	0.146	0.146
Monday	10/10/16	24	0.136	0.136
Tuesday	10/11/16	24	0.129	0.129
Wednesday	10/12/16	24	0.133	0.133
Thursday	10/13/16	24	0.125	0.125
Friday	10/14/16	24	0.113	0.113
Saturday	10/15/16	24	0.113	0.113
Sunday	10/16/16	24	0.137	0.137
Monday	10/17/16	24	0.133	0.133
Tuesday	10/18/16	24	0.123	0.123
Wednesday	10/19/16	24	0.123	0.123
Thursday	10/20/16	9	0.041	0.109*
Total Flow (mg)				1.938
No. of Days Monitored				15
Average Dry Weather Flow (mgd)				0.129
* Cumulative flow value has been adjusted for a 24 hour period.				

Table 3 Flow Monitor No. 2 (Manhole 90500)				
Day	Date	Hours	Cumulative Flow	Adjusted Cumulative Flow
Thursday	10/6/16	12	0.252	0.504*
Friday	10/7/16	24	0.423	0.423
Saturday	10/8/16	24	0.425	0.425
Sunday	10/9/16	24	0.460	0.460
Monday	10/10/16	24	0.412	0.412
Tuesday	10/11/16	24	0.372	0.372
Wednesday	10/12/16	24	0.443	0.443
Thursday	10/13/16	24	0.486	0.486
Friday	10/14/16	24	0.469	0.469
Saturday	10/15/16	24	0.488	0.488
Sunday	10/16/16	24	0.497	0.497
Monday	10/17/16	24	0.522	0.522
Tuesday	10/18/16	24	0.518	0.518
Wednesday	10/19/16	24	0.511	0.511
Thursday	10/20/16	9.25	0.179	0.464*
Total Adjusted Cumulative Flow (mg)				6.994
No. of Days Monitored				15
Average Dry Weather Flow (mgd)				0.466
* Cumulative flow value has been adjusted for a 24 hour period.				

The adjusted cumulative flows were then divided by the monitoring period of 15 days to determine the Average Dry Weather Flow (mgd) at each monitoring station.

3. Groundwater Infiltration

Groundwater Infiltration (GWI) can be estimated from the flow data collected during a dry weather period and is defined as at least three (3) days without a rainfall event. During this period, inflow is assumed to be zero. The infiltration rate is quantified by averaging the nighttime flows, between the hours of midnight and 6 am, during the period monitored. The nighttime flows are assumed to be mostly groundwater since the tributary area does not contain significant industrial or commercial nighttime flows.

The groundwater infiltration rate has been determined from the average of the nighttime flows recorded between Friday October 7, 2016 and Thursday October 20, 2016. No flow monitoring data was available during the nighttime hours on October 6, 2016. Table 4 summarizes the groundwater infiltration for Flow Monitor Nos. 1 and 2.

Table 4 Groundwater Infiltration (GWI)			
Day	Date	Cumulative Flow	
		Flow Monitor No. 1 (MH 90520)	Flow Monitor No. 2 (MH 90500)
Friday	10/7/2016	0.023	0.068
Saturday	10/8/2016	0.025	0.062
Sunday	10/9/2016	0.026	0.058
Monday	10/10/2016	0.027	0.062
Tuesday	10/11/2016	0.024	0.060
Wednesday	10/12/2016	0.023	0.051
Thursday	10/13/2016	0.019	0.079
Friday	10/14/2016	0.018	0.075
Saturday	10/15/2016	0.015	0.069
Sunday	10/16/2016	0.024	0.072
Monday	10/17/2016	0.023	0.081
Tuesday	10/18/2016	0.022	0.085
Wednesday	10/19/2016	0.020	0.083
Thursday	10/20/2016	0.025	0.091
Total GWI (mg)		0.314	0.996
No. of Days Monitored		14	14
GWI (mgd)		0.022	0.071
in.- dia. miles (idm)		126.96	126.96
gpd/idm		177	560

Therefore, the average Groundwater Infiltration at Flow Monitor No. 1 is 0.022 million gallons per day (mgd) and at Flow Monitor No. 2 is 0.071 mgd. The infiltration rate was then calculated as gallons per day per inch diameter per mile of sewer within the PP-04 Subsystem based on the In.-Dia. Miles (IDM) value of 126.96 IDM from Table 1.

4. Average Wet Weather (AWW) Flow

To prepare an inflow analysis, the Average Wet Weather (AWW) flow should be estimated from flow data for a one week period when there has been significant rain. If a single storm event is used to analyze wet weather inflow, it should be an event large enough to cause surface ponding and runoff. Wet weather flow is defined as the highest daily flow during and immediately after a significant rainfall event. A review of the Northeast Regional Climate Center (NRCC) precipitation data recorded at Westchester County Airport for the monitoring period (Table 5) indicates that minor rainfall events occurred on October 8, 2016 and October 9, 2016.

Table 5 Precipitation Data	
Date	Precipitation (inches)
10/6/2016	0.00
10/7/2016	0.00
10/8/2016	0.15
10/9/2016	0.22
10/10/2016	0.00
10/11/2016	0.00
10/12/2016	0.00
10/13/2016	0.01
10/14/2016	0.00
10/15/2016	0.00
10/16/2016	0.00
10/17/2016	0.00
10/18/2016	0.00
10/19/2016	0.00
10/20/2016	0.02

Neither of these recorded storm events would be considered large enough to cause surface ponding and runoff. Therefore, an Average Wet Weather (AWW) flow analysis could not be performed.

5. Base Sanitary Flow (BSF)

The Base Sanitary Flow (BSF) is defined as the portion of the wastewater flow that includes domestic, commercial, industrial, and institutional flows but excludes infiltration and inflow. The Base Sanitary Flow has been determined by subtracting the estimated Groundwater Infiltration (GWI) flow from the Average Daily Dry Weather (ADW) Flow.

Table 6 Base Sanitary Flow (BSF)		
Flow Condition	Monitor No. 1 (MH 90520)	Monitor No. 2 (MH 90500)
Average Daily Dry Weather (ADW) Flow	0.129	0.466
Groundwater Infiltration (GWI)	0.022	0.071
Base Sanitary Flow (BSF)	0.107	0.395

From Table 1, the 1995 SSES Base Flow was reported to be 0.658 million gallons per day at Manhole 90500. There is a net reduction in the Base Sanitary Flow between the 1995 SSES and the October 2016 monitoring study of 0.263 mgd or 263,000 gallons per day (gpd). Between the time that the 1995 SSES was conducted and the current flow monitoring program, there has been minimal development within the area of Subsystem PP-04. Based on a review of available aerial photography, it appears that

development/redevelopment has been limited to the construction of a new Westy Self Storage facility just north of the Kohl's Shopping Center site and scattered in-fill residential development within the PP-04 Subsystem. Therefore it can be concluded that the United Hospital closing in February 2005 would account for a major portion of the net reduction in the base sanitary flow tributary to Subsystem PP-04.

In order to determine the sewage flow rate from the Project Site's hospital and associated 999 High Street, apartment uses, the Applicant's engineer contacted Aquarion Water Company and secured water use records from May 2003 through October 2006. It is reported that the hospital's peak capacity occurred in the 12-month period from 1999 to 2000 and in the years prior to 1999, and that by 2003 certain elements of the hospital function were reduced. Water use records prior to 2003, during the peak operating years, were unavailable. Even so, an analysis of the available water use records indicates that for the 12-month period from May 2003 to April 2004 the hospital and apartment complex utilized 184,000 gpd of water. The sewage flow for that period is estimated to be 10 percent less than water use, since lawn sprinkling does not reach the sewer system. Thus, for the period between May 2003 and April 2004 the estimated average daily sewage flow for the Project Site hospital complex use was determined to be 166,000 gpd.

6. Projected Sewage Flow

The projected average daily sewage flow for the Project Site was reported in the DEIS to be 165,000 gallons per day. In Table 7 below, the projected average daily sewage flow for the Project Site and the groundwater infiltration have been added to the Base Sanitary Flow from Table 6 to determine the estimated Average Daily Dry Weather (ADW) Flow at Manhole 90500.

Table 7 Projected Base Sanitary Flow (BSF)	
Flow Condition	Flow Rate (mgd)
Base Sanitary Flow (BSF)	0.395
Project Site Base Flow Rate	0.165
Groundwater Infiltration (GWI)	0.071
Average Daily Dry Weather (ADW) Flow	0.628

7. Sewer System Analysis

A survey of the existing sanitary sewer was performed by Ward Carpenter Engineers, Inc. The survey was utilized to determine existing pipe system characteristics including rims, inverts, slopes and pipe sizes. A review of the manhole data indicated that the inverts within several manholes could not be obtained. These manholes include 90532, 90531, 90530, 90527, 90506 and 90505. In order to perform an analysis of the sewer, the inverts at each of these manholes were interpolated based on the inverts of the manhole on either side of the missing information. Table 8, Manhole Data Table indicates the manhole rims, inverts, and interpolated inverts.

Table 8 Manhole Data Table				
Manhole No.	Rim	Invert In	Invert Out	Notes
90537	93.77	83.67	83.57	
90536	91.89	80.39	80.29	
90535	85.93	75.58	75.48	
90534	83.24	74.14	74.04	
90533	76.59	70.19	70.09	
90532	77.45	[70.09]	[70.09]	Sealed - Invert Interpolated
90567	74.99	70.19	70.09	
90531	74.09	[66.90]	[66.80]	Unobtainable - Invert Interpolated
90530	74.00	[66.15]	[66.05]	Unobtainable - Invert Interpolated
90529	71.04	63.04	62.34	
90528	67.16	60.31	60.16	
90527	63.95	[57.42]	[57.32]	Rusted Shut - Inverts Interpolated
90526	57.87	52.32	52.22	
90525	45.05	40.65	40.55	
90524	31.53	26.43	26.33	
90523	26.52	22.72	22.62	
90522	26.43	21.93	21.83	
90521	27.84	21.74	21.64	
90520	31.30	21.20	21.10	
90509	36.02	20.92	20.82	
90508	37.84	21.14	21.04	
90507	38.84	20.44	20.34	
90506	38.63	[20.14]	[20.04]	Unobtainable - Invert Interpolated
90505	34.76	[19.63]	[19.53]	Sealed - Invert Interpolated
90504	25.74	19.34	19.24	
90503	20.46	16.71	16.61	
90520	16.11	12.21	12.11	
90501	16.19	11.89	11.79	
90500	16.46	11.36	11.26	
90203	15.44	10.54	10.44	
90202	13.95	9.45	9.35	
90198	12.19	9.55	6.39	

The developed site flows were then distributed to several manholes along the site frontage (Table 9). The actual connection points may vary somewhat once the final design documents are prepared. The flow values attributed to various points along the existing sewer system were calibrated to include the site flow and the monitored data (Table 10).

Table 9 Projected Site Flow Distribution by Manhole			
Site Conn No.	Manhole	Gallon/Day	MGD
1	90537	38,000	0.038
2	90534	12,000	0.012
3	90531	93,000	0.093
4	90528	22,000	0.022
Total		165,000	0.165

Table 10 Proposed Flow at Monitoring Stations		
Description	Monitor #1	Monitor #2
Manhole No.	90520	90500
Base Sanitary Flow	0.106	0.392
Proposed Sanitary Flow	0.165	0.165
Total Sanitary Flow	0.271	0.557
GWI	0.022	0.071
Total Flow	0.293	0.628

From the existing sewage flows provided in the monitoring study at two downstream manholes (90520 and 90500) and the calculated existing flow from the nursing home at the upstream end of the sewer at High Street, existing flows were calibrated along the length of the existing sewer. Projected sewage flow from the Proposed Project was added to the existing flow to simulate the future condition accounting for Proposed Project.

Sewer analyses were performed accounting for existing (monitored) and Proposed Project average dry weather flow. Results of the analyses identified several issues within the existing sewer system. These issues are consistent with the findings in the URS 1995 Sewer System Evaluation Study. The analyses identified the following conditions in which proposed sewage flow would either exceed the existing capacity (by gravity flow) or the existing pipes had negative slopes.

Sewer analyses were performed using the base sanitary flow data in the first analysis and a second analysis was performed by adding the projected site flows at the manholes and rates defined in Table 10. Through the analyses performed, some issues were identified within the existing sewer system. These issues are consistent with the findings in the 1995 Sewer System Evaluation Study (SSES). The analysis identified the following issues within the existing system (Table 11).

Table 11 Identified Existing System Issues	
Issue	Description
1	The pipe section between manholes 90533 and 90567 has an adverse pipe slope.
2	The pipe section between manholes 90509 and 90508 has an adverse slope.

8. TV Inspection

The Village of Port Chester requested that an inspection of the existing sanitary sewers be performed from MH 90533 located at the intersection of Boston Post Road and High Street to MH 90508 located at the intersection of Boston Post Road and Olivia Street. The Village retained the services of National Water Main Cleaning Company, 1806 Newark Turnpike, Kearny, NJ to perform this service. The inspection was performed on Monday November 7, 2016 and Tuesday November 8, 2016. The results are summarized in Table 12.

The Village had previously inspected the existing sanitary sewers from MH 90508 located at the intersection of Boston Post Road and Olivia Street to MH 90198 located at the intersection of Boston Post Road and Grace Church Street. Under the Village Contract, these sewers were cleaned, inspected and ultimately improved with a Cured-in-Place-Pipe Lining (CIPP) system. Table No. 1 provides a summary of the pipe and manhole conditions between Manhole 90533 and Manhole 90508.

Table 12 Existing Sanitary Sewer Pipe Condition Assessment Table					
MH	MH	Size (inches)	Length (feet)	Pipe Condition	Cause of Capacity Deficiency (C) or Source of Infiltration (I)
90533	90532	8	40	Adverse slope identified from survey	C
90532	90567	8	85	Adverse slope identified from survey	C
90567	90531	8	270	Sag in pipe 229 feet in from MH 90567	C
90531	90530	8	59	MH 90530 invert appears to be nonexistent with debris present; Extensive grease buildup; Pipe alignment is not uniform and continuous and has several deflections in its alignment.	I/C
90530	90529	8	253	Sag (dip) in pipe 75 feet in from MH 90530	C
90529	90528	8	157	Sag (dip) in pipe 98 feet in from MH 90529	C
90528	90527	8	116	Cracks and infiltration	I
90527	90526	8	206	Sag (dip) in pipe 8 feet in from MH 90526	C
90526	90525	15	319	Numerous Pipe Cracks	I
90525	90524	15	215	Numerous Pipe Cracks	I
90524	90523	15	197	Numerous Pipe Cracks	I
90523	90522	12	106	Sag in pipe 84 feet in from MH 90523, Reduced pipe size	C
90522	90521	12	139	Reduced pipe size	C
90521	90520	12	121	Reduced pipe size	C
90520	90509	10	100	Reduced pipe size	C
90509	90508	10	58	Adverse slope identified from survey	C

9. Proposed Offsite Sewer Remediation

A review of the existing pipe conditions (Table 12) indicates that the existing sewer system warrants attention to correct pipe sags (dips), adverse pipe slopes, damaged or missing manhole inverts and pipe cracks. The sewer restoration plan has been broken down into four separate sections. Section No. 1 would include the pipe section from MH 90536 to MH 90533; Section No. 2 would include the pipe section from MH 90533 to MH 90526;

Section No. 3 would include the pipe section from MH 90526 to MH 90523 and Section No. 4 would include the pipe section from MH 90523 to MH 90507.

➤ Section No. 1

The video inspection did not include the section of pipe along High Street from MH 90536 to MH 90533. Analysis of this pipe section based on the surveyed invert and pipe sizes indicates that this section of pipe will prove adequate to handle the site flows. However, due to the overall age of the sewer system, it was deemed prudent to restore this section of pipe through the use of a Cured-in-Place-Pipe Lining (CIPP) system. The total length of pipe that will be restored through lining would be approximately 1065 feet of 8-inch sewer pipe.

➤ Section No. 2

Reconstruction of the pipe system along Boston Post Road from MH 90533 to MH 90526 is needed to address several issues in the condition of the existing pipe system including manholes with no inverts, sections of pipe with adverse pipe slopes, and sections of pipe with sags between manholes. Reconstruction will consist of 1166 feet of 8 inch sewer pipe and fittings; 24 feet of 12 inch sewer pipe and fittings and 15 feet of 15 inch sewer pipe and fittings; abandonment of the existing 8-inch sewer pipe in place; plugging of the open ends of sewer pipe with Controlled Low Strength Material (CLSM); removal of the existing manholes; and backfilling of the excavations with Controlled Low Strength Material (CLSM). The sewer pipe will be replaced in accordance with applicable codes and requirements. The Proposed Project includes reconstruction and widening of Boston Post Road between High Street and South Regent Street. The reconstruction of this pipe section would coincide with the highway improvements along this section of road.

➤ Section No. 3

The section of pipe along Boston Post Road from MH 90526 at South Regent Street to MH 90523 and was determined to be in serviceable condition but requires lining to eliminate the potential for infiltration/exfiltration as a result of numerous cracks along the pipe section. The restoration of this section of pipe would be performed using a Cured-in-Place-Pipe Lining (CIPP) system for the 771 feet of the existing 15-inch sewer pipe.

➤ Section No. 4

Reconstruction of this section of pipe system from MH 90523 to MH 90507 is needed to address several issues in the condition of the existing pipe system including sections of pipe with adverse pipe slopes, and sections of pipe with sags (dips) between manholes. The reconstruction will consist of 592 feet of 15 inch sewer pipe and fittings; abandonment of the existing sewer pipe in place; filling and plugging of the open ends of sewer pipe with Controlled Low Strength Material (CLSM); removal of the existing manholes; and backfilling of the excavations with Controlled Low Strength Material

(CLSM). The sewer pipe will be replaced in accordance with applicable codes and requirements.

The above recommended remedial actions will be performed as part of any future specific future site plan approvals associated with the Proposed United Hospital Redevelopment Project.

10. Conclusion

The Applicant proposes to correct the above referenced system issues by reconstructing the existing sewer pipes to restore sufficient pipeline flow capacity and provide positive slopes. By implementing the proposed sewer improvements as described above in Section No.1 through Section No. 4, the sewer collection system will have adequate capacity to provide service to the Proposed Project.

Respectfully submitted,

Provident Design Engineering, PLLC



Ralph P. Peragine, P.E.
Senior Project Manager

Under New York State Education Law Article 145 (Engineering), Section 7209 (2), it is a violation of this law for any person, unless acting under the direction of a Licensed Professional Engineer, to alter this document.



Exhibits

Offsite Sanitary Sewer Improvements United Hospital Redevelopment Village of Port Chester, NY	
FEIS Exhibit	Exhibit Subtitle
III.D6-1	Cured-in-place pipe from Manhole 90536 to Manhole 90533 Pipe Reconstruction from Manhole 90533 to Manhole 90531
III.D6-2	Pipe Reconstruction from Manhole 90531 to Manhole 90526
III.D6-3	Cured-in-place pipe from Manhole 90526 to Manhole 90523
III.D6-4	Flow Monitor No. 1 Pipe Reconstruction from Manhole 90523 to Manhole 90507
III.D6-5	Flow Monitor No. 2

Appendices

- A. Summary and Daily Flow Reports prepared by Flow Assessment Services
- B. Map of Sanitary Sewer prepared by Ward Carpenter Engineers, Inc. Revised 11/01/2016
- C. Existing System Pipe Analysis Base Sanitary Flow Data
- D. Existing System Pipe Analysis Base Sanitary Flow Data plus Projected Site Flows
- E. National Water Main CCTV Report

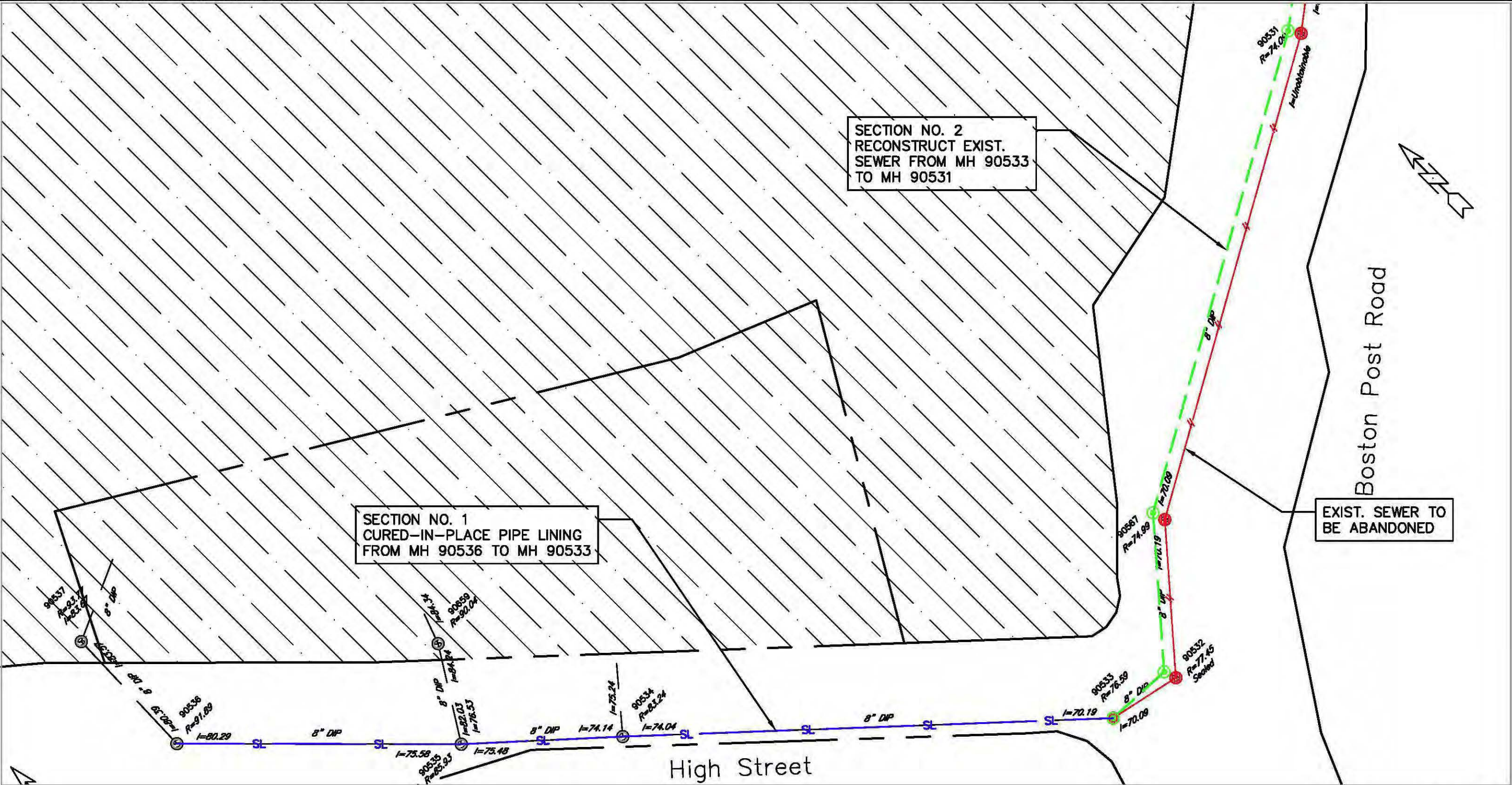
References

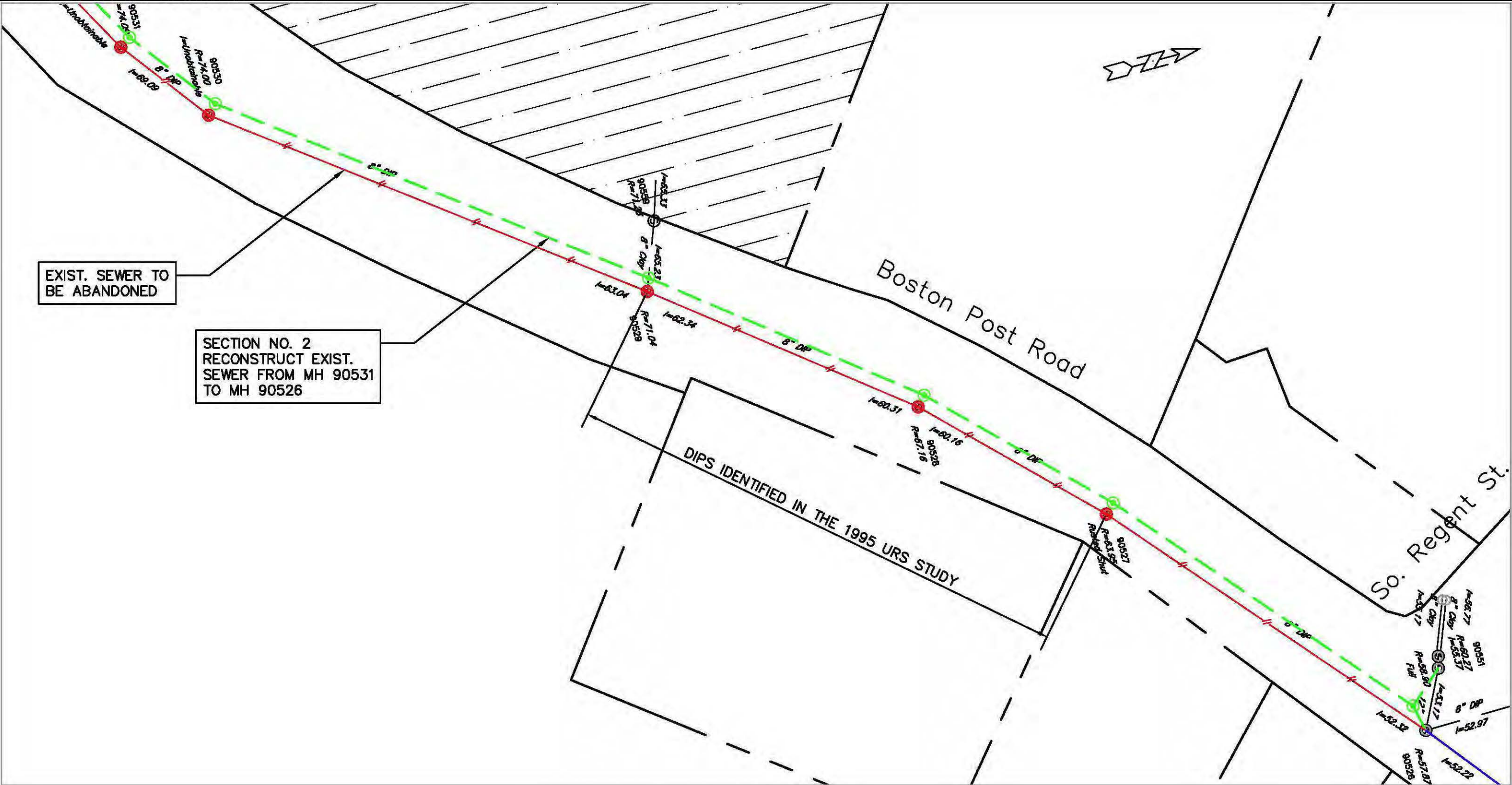
- 1995 Sewer System Evaluation Study (SSES) prepared by URS for the Westchester County Department of Environmental Facilities (DEF) (URS Report)
- US EPA Guide for Estimating Infiltration and Inflow June 2014
- Map of Sanitary Sewer prepared by Ward Carpenter Engineers, Inc. Revised 11/01/2016
- Summary and Daily Flow Reports prepared by Flow Assessment Services
- Northeast Regional Climate Center (NRCC) website www.nrcc.cornell.edu/
- Draft Environmental Impact Statement (DEIS)

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EXHIBITS

Offsite Sanitary Sewer Improvements United Hospital Redevelopment Village of Port Chester, NY	
FEIS Exhibit	Exhibit Subtitle
III.D6-1	Cured-in-place pipe from Manhole 90536 to Manhole 90533 Pipe Reconstruction from Manhole 90533 to Manhole 90531
III.D6-2	Pipe Reconstruction from Manhole 90531 to Manhole 90526
III.D6-3	Cured-in-place pipe from Manhole 90526 to Manhole 90523
III.D6-4	Flow Monitor No. 1 Pipe Reconstruction from Manhole 90523 to Manhole 90507
III.D6-5	Flow Monitor No. 2

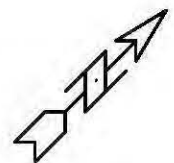




Offsite Sanitary Sewer Improvements
United Hospital Redevelopment
Village of Port Chester, NY

(Pipe Reconstruction from Manhole 90531 to Manhole 90526)

Scale 1"=50'



SECTION NO. 3
CURED-IN-PLACE PIPE
LINING FROM MH 90526
TO MH 90523

**Offsite Sanitary Sewer Improvements
United Hospital Redevelopment
Village of Port Chester, NY**

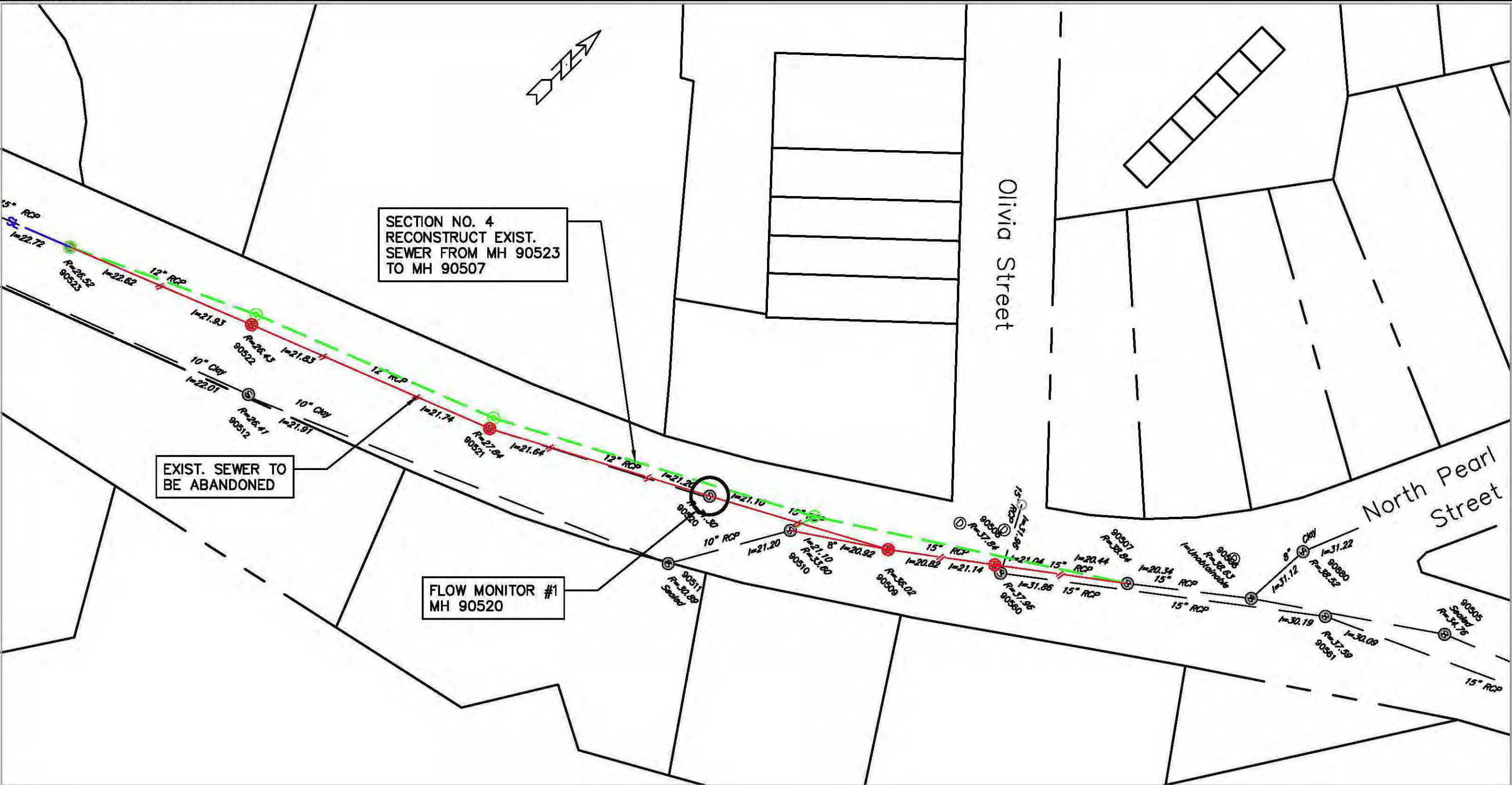
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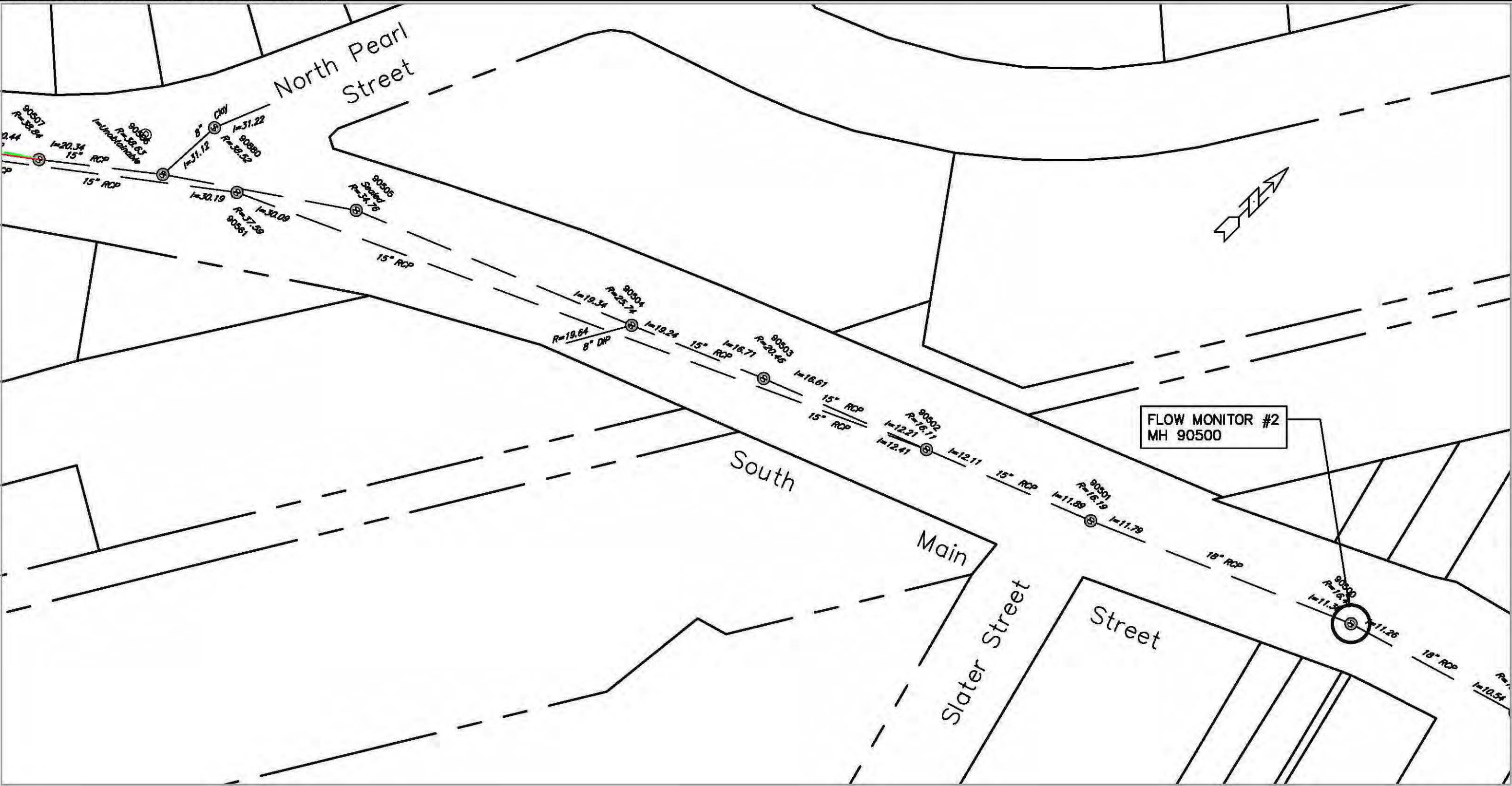
7 Skyline Drive, Hawthorne, New York 10532
Tel: (914) 592-4040 www.pdresults.com

(Cured-in-place pipe from Manhole 90526 to Manhole 90523)

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Exhibit III.D6-3





Offsite Sanitary Sewer Improvements
United Hospital Redevelopment
Village of Port Chester, NY

(Flow Monitor #2)

Scale 1"=50'

APPENDIX A

**SUMMARY AND DAILY FLOW REPORTS
MONITOR STATIONS NO.1 AND NO. 2
PREPARED BY FLOW ASSESSMENT SERVICES**

Flow Monitor No. 1							
Day	Date	Hours	Cumm Flow	Adjusted Cumm Flow	GWl	BSF	Peak Flow
Thursday	10/6/16	12.5	0.073	0.140			0.240
Friday	10/7/16	24	0.139	0.139	0.023	0.116	0.262
Saturday	10/8/16	24	0.139	0.139	0.025	0.114	0.246
Sunday	10/9/16	24	0.146	0.146	0.026	0.120	0.296
Monday	10/10/16	24	0.136	0.136	0.027	0.109	0.262
Tuesday	10/11/16	24	0.129	0.129	0.024	0.105	0.364
Wednesday	10/12/16	24	0.133	0.133	0.023	0.110	0.273
Thursday	10/13/16	24	0.125	0.125	0.019	0.106	0.260
Friday	10/14/16	24	0.113	0.113	0.018	0.095	0.257
Saturday	10/15/16	24	0.113	0.113	0.015	0.098	0.325
Sunday	10/16/16	24	0.137	0.137	0.024	0.113	0.338
Monday	10/17/16	24	0.133	0.133	0.023	0.110	0.269
Tuesday	10/18/16	24	0.123	0.123	0.022	0.101	0.249
Wednesday	10/19/16	24	0.123	0.123	0.020	0.103	0.260
Thursday	10/20/16	9	0.041	0.109	0.025	0.084	0.230
Total for period				1.938	0.314	1.484	
No. of Days Monitored				15	14	14	
Average Dry Weather Flow				0.129		0.106	
Average Peak Flow Rate							0.275
Average Dry Weather Flow							0.106
Peaking Factor							2.60
Average GWl =					0.022		
inch diameter miles =					126.96		
Rate gpd/IDM =					176.66		

Flow Monitor No. 2							
Day	Date	Hours	Cumm Flow	Adjusted Cumm Flow	GWl	BSF	Peak Flow
Thursday	10/6/16	12.0	0.252	0.504			0.654
Friday	10/7/16	24	0.423	0.423	0.068	0.355	0.659
Saturday	10/8/16	24	0.425	0.425	0.062	0.363	0.793
Sunday	10/9/16	24	0.460	0.460	0.058	0.402	1.036
Monday	10/10/16	24	0.412	0.412	0.062	0.35	0.725
Tuesday	10/11/16	24	0.372	0.372	0.06	0.312	0.551
Wednesday	10/12/16	24	0.443	0.443	0.051	0.392	0.798
Thursday	10/13/16	24	0.486	0.486	0.079	0.407	0.708
Friday	10/14/16	24	0.469	0.469	0.075	0.394	0.680
Saturday	10/15/16	24	0.488	0.488	0.069	0.419	0.714
Sunday	10/16/16	24	0.497	0.497	0.072	0.425	0.768
Monday	10/17/16	24	0.522	0.522	0.081	0.441	0.819
Tuesday	10/18/16	24	0.518	0.518	0.085	0.433	0.777
Wednesday	10/19/16	24	0.511	0.511	0.083	0.428	0.754
Thursday	10/20/16	9.25	0.179	0.464	0.091	0.373	0.777
Total for period				6.994	0.996	5.494	
No. of Days Monitored				15	14	14	
Average Dry Weather Flow				0.466		0.392	
Average Peak Flow Rate							0.748
Average Dry Weather Flow							0.392
Peaking Factor							1.90
Average GWl =					0.071		
inch diameter miles					126.96		
Rate gpd/IDM					560.36		

Summary Flow Report

Site:

1

225 Boston Post Road

Port Chester, NY



10" Circular line

Date	Minimum Flow (mgd)	Peak Flow (mgd)	Total Daily Flow (mg)	Total Rain (in)	Peak Hourly Rain (in)	Peak Interval Rain (in)
10/6/2016 (Thu)	0.087	0.240	0.073			
10/7/2016 (Fri)	0.069	0.262	0.139			
10/8/2016 (Sat)	0.077	0.246	0.139			
10/9/2016 (Sun)	0.082	0.296	0.146			
10/10/2016 (Mon)	0.065	0.262	0.136			
10/11/2016 (Tue)	0.058	0.364	0.129			
10/12/2016 (Wed)	0.041	0.273	0.133			
10/13/2016 (Thu)	0.051	0.260	0.125			
10/14/2016 (Fri)	0.041	0.257	0.113			
10/15/2016 (Sat)	0.040	0.325	0.113			
10/16/2016 (Sun)	0.053	0.338	0.137			
10/17/2016 (Mon)	0.063	0.269	0.133			
10/18/2016 (Tue)	0.056	0.249	0.123			
10/19/2016 (Wed)	0.056	0.260	0.123			
10/20/2016 (Thu)	0.065	0.230	0.041			
Total for period			1.802			
Min:			0.040			
Avg:			0.120			
Max:			0.364			

Flow Graph

Site:

1

225 Boston Post Road

Port Chester, NY

10" Circular line

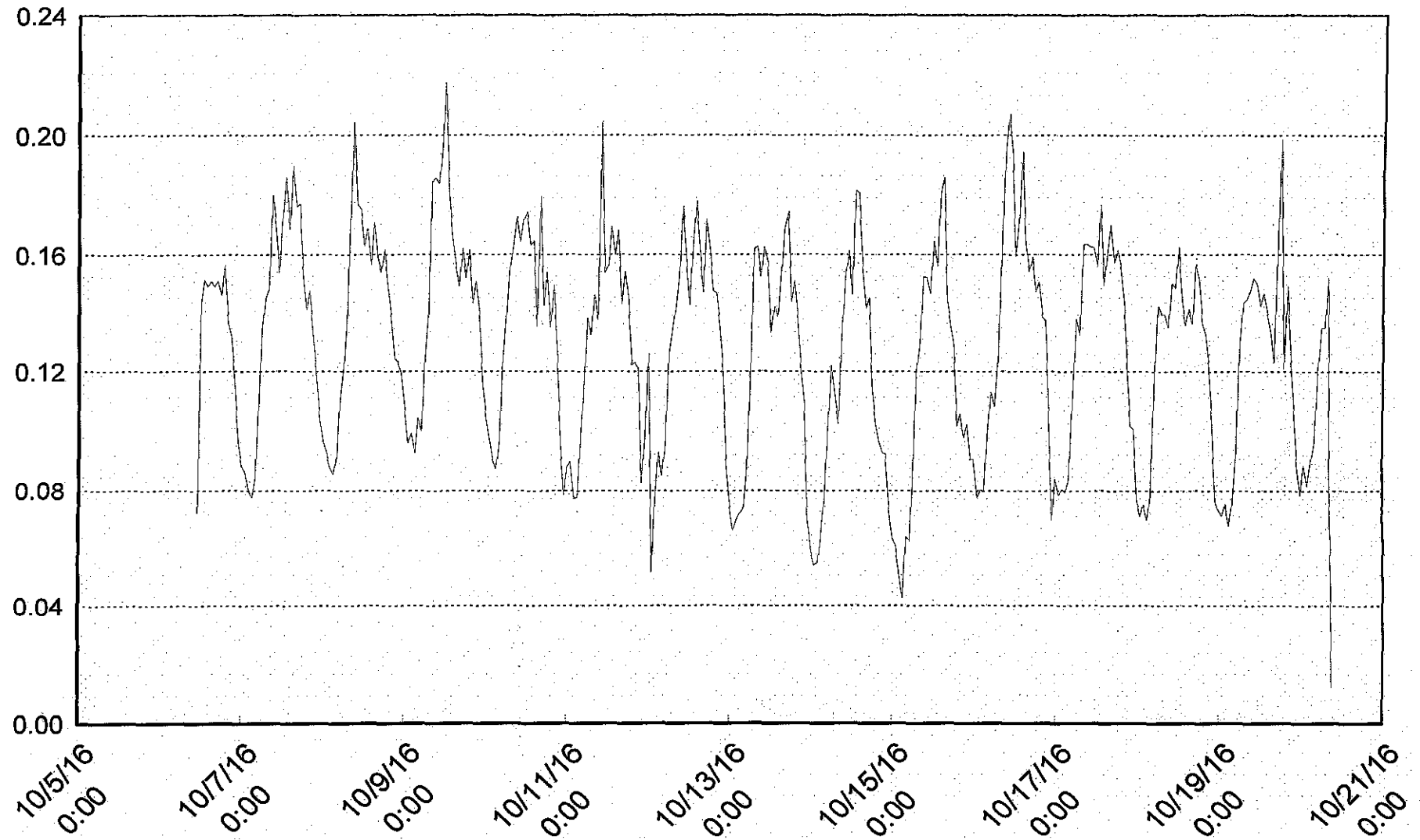


Flow (mgd)

Printed on:

10/24/2016

Period Covered: 10/06/2016 - 10/21/2016 Every 1 Hour



Daily Flow Report

Site:

1

225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/6/2016						12:30	4.53	0.99	0.154	0.007	
0:00						12:45	4.46	0.98	0.150	0.009	
0:15						13:00	4.52	1.00	0.155	0.011	
0:30						13:15	4.62	0.98	0.156	0.012	
0:45						13:30	4.46	0.97	0.148	0.014	
1:00						13:45	4.40	0.98	0.146	0.015	
1:15						14:00	4.55	0.99	0.155	0.017	
1:30						14:15	4.46	0.95	0.144	0.018	
1:45						14:30	4.46	1.01	0.153	0.020	
2:00						14:45	4.44	0.95	0.145	0.021	
2:15						15:00	4.51	0.97	0.149	0.023	
2:30						15:15	4.49	1.04	0.159	0.025	
2:45						15:30	4.42	0.97	0.146	0.026	
3:00						15:45	4.45	0.98	0.149	0.028	
3:15						16:00	4.53	0.97	0.151	0.029	
3:30						16:15	4.34	0.97	0.142	0.031	
3:45						16:30	4.73	0.97	0.160	0.032	
4:00						16:45	4.37	0.97	0.144	0.034	
4:15						17:00	4.39	1.00	0.149	0.036	
4:30						17:15	4.50	0.98	0.151	0.037	
4:45						17:30	4.43	0.93	0.141	0.039	
5:00						17:45	4.62	1.03	0.163	0.040	
5:15						18:00	4.56	1.00	0.157	0.042	
5:30						18:15	4.40	0.91	0.135	0.043	
5:45						18:30	4.62	0.95	0.152	0.045	
6:00						18:45	4.38	0.94	0.140	0.046	
6:15						19:00	4.79	1.06	0.179	0.048	
6:30						19:15	4.44	0.96	0.145	0.050	
6:45						19:30	4.51	0.94	0.145	0.051	
7:00						19:45	4.56	1.00	0.157	0.053	
7:15						20:00	4.45	0.96	0.146	0.054	
7:30						20:15	4.38	0.93	0.138	0.056	
7:45						20:30	4.35	0.87	0.128	0.057	
8:00						20:45	4.36	0.92	0.136	0.059	
8:15						21:00	4.31	0.94	0.136	0.060	
8:30						21:15	4.31	0.86	0.125	0.061	
8:45						21:30	4.34	0.94	0.138	0.063	
9:00						21:45	4.22	0.90	0.127	0.064	
9:15						22:00	4.18	0.89	0.124	0.065	
9:30						22:15	4.18	0.90	0.126	0.067	
9:45						22:30	3.96	0.80	0.103	0.068	
10:00						22:45	3.96	0.82	0.107	0.069	
10:15						23:00	3.86	0.80	0.101	0.070	
10:30						23:15	3.79	0.79	0.097	0.071	
10:45						23:30	3.77	0.73	0.089	0.072	
11:00						23:45	3.83	0.79	0.098	0.073	
11:15						Daily Totals:			0.098	0.073	
11:30	4.40	0.96	0.143	0.001		Data reported every: 15 Minutes					
11:45	4.40	0.96	0.144	0.003							
12:00	4.41	0.90	0.135	0.004							
12:15	4.37	0.91	0.135	0.006							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/7/2016						12:30	4.62	1.05	0.167	0.066	
0:00	3.80	0.74	0.091	0.001		12:45	5.02	1.17	0.209	0.068	
0:15	3.69	0.73	0.086	0.002		13:00	4.70	1.04	0.170	0.070	
0:30	3.72	0.76	0.091	0.003		13:15	4.84	1.10	0.185	0.072	
0:45	3.65	0.73	0.085	0.004		13:30	4.95	1.15	0.200	0.074	
1:00	3.64	0.72	0.084	0.005		13:45	4.82	1.12	0.189	0.076	
1:15	3.68	0.75	0.088	0.005		14:00	4.80	1.09	0.182	0.078	
1:30	3.68	0.74	0.088	0.006		14:15	4.77	1.08	0.179	0.079	
1:45	3.63	0.73	0.085	0.007		14:30	4.52	1.00	0.155	0.081	
2:00	3.66	0.72	0.084	0.008		14:45	4.60	1.01	0.159	0.083	
2:15	3.56	0.72	0.080	0.009		15:00	4.80	1.04	0.174	0.084	
2:30	3.51	0.70	0.077	0.010		15:15	5.02	1.15	0.204	0.087	
2:45	3.53	0.70	0.078	0.011		15:30	4.82	1.10	0.185	0.089	
3:00	3.48	0.66	0.072	0.011		15:45	5.03	1.11	0.197	0.091	
3:15	3.48	0.67	0.073	0.012		16:00	4.64	1.00	0.159	0.092	
3:30	3.55	0.70	0.078	0.013		16:15	4.74	1.04	0.171	0.094	
3:45	3.67	0.74	0.086	0.014		16:30	5.10	1.19	0.216	0.096	
4:00	3.58	0.73	0.083	0.015		16:45	4.65	0.99	0.159	0.098	
4:15	3.52	0.68	0.075	0.015		17:00	4.74	1.01	0.166	0.100	
4:30	3.64	0.74	0.086	0.016		17:15	4.88	1.11	0.190	0.102	
4:45	3.75	0.76	0.092	0.017		17:30	4.95	1.09	0.190	0.104	
5:00	3.86	0.80	0.100	0.018		17:45	4.73	0.99	0.163	0.105	
5:15	3.88	0.81	0.102	0.019		18:00	4.50	0.92	0.141	0.107	
5:30	3.98	0.88	0.115	0.021		18:15	4.61	0.94	0.150	0.108	
5:45	4.17	0.86	0.120	0.022		18:30	4.70	0.98	0.160	0.110	
6:00	4.16	0.90	0.124	0.023		18:45	4.72	1.01	0.165	0.112	
6:15	4.38	0.96	0.142	0.025		19:00	4.42	0.92	0.139	0.113	
6:30	4.28	0.91	0.130	0.026		19:15	4.33	0.92	0.134	0.115	
6:45	4.33	0.96	0.141	0.027		19:30	4.51	0.93	0.144	0.116	
7:00	4.37	0.93	0.138	0.029		19:45	4.51	0.95	0.147	0.118	
7:15	4.27	0.94	0.135	0.030		20:00	4.44	0.91	0.137	0.119	
7:30	4.60	1.00	0.158	0.032		20:15	4.63	0.98	0.157	0.121	
7:45	4.45	0.99	0.149	0.034		20:30	4.57	0.95	0.149	0.122	
8:00	4.26	0.95	0.136	0.035		20:45	4.51	0.95	0.146	0.124	
8:15	4.47	0.94	0.143	0.036		21:00	4.44	0.94	0.141	0.125	
8:30	4.44	1.01	0.152	0.038		21:15	4.37	0.89	0.132	0.127	
8:45	4.61	1.02	0.162	0.040		21:30	4.32	0.90	0.131	0.128	
9:00	4.63	1.01	0.162	0.041		21:45	4.22	0.90	0.128	0.129	
9:15	4.81	1.09	0.183	0.043		22:00	4.33	0.92	0.134	0.131	
9:30	4.69	1.08	0.175	0.045		22:15	4.27	0.88	0.126	0.132	
9:45	4.88	1.17	0.200	0.047		22:30	4.00	0.79	0.104	0.133	
10:00	4.93	1.11	0.194	0.049		22:45	4.05	0.81	0.109	0.134	
10:15	4.48	0.97	0.149	0.051		23:00	4.08	0.83	0.112	0.135	
10:30	4.75	1.05	0.174	0.053		23:15	4.00	0.79	0.105	0.136	
10:45	4.67	1.00	0.161	0.054		23:30	3.93	0.80	0.102	0.138	
11:00	4.56	1.05	0.164	0.056		23:45	3.97	0.75	0.098	0.139	
11:15	4.43	0.97	0.146	0.058		Daily Totals:		0.098		0.139	
11:30	4.47	0.98	0.149	0.059		Data reported every:		15 Minutes			
11:45	4.56	0.99	0.155	0.061							
12:00	4.50	1.00	0.154	0.062							
12:15	4.56	1.03	0.162	0.064							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/8/2016						12:30	4.56	1.03	0.160	0.070	
0:00	4.11	0.82	0.113	0.001		12:45	4.59	1.02	0.161	0.071	
0:15	3.99	0.77	0.101	0.002		13:00	4.65	1.07	0.172	0.073	
0:30	3.77	0.69	0.084	0.003		13:15	4.76	1.02	0.169	0.075	
0:45	3.82	0.72	0.089	0.004		13:30	4.75	1.08	0.178	0.077	
1:00	3.93	0.74	0.095	0.005		13:45	4.49	1.02	0.157	0.078	
1:15	3.90	0.76	0.096	0.006		14:00	4.79	1.03	0.174	0.080	
1:30	3.85	0.76	0.095	0.007		14:15	4.44	0.99	0.150	0.082	
1:45	3.77	0.69	0.084	0.008		14:30	4.32	0.97	0.141	0.083	
2:00	3.86	0.74	0.092	0.009		14:45	4.53	1.03	0.161	0.085	
2:15	3.74	0.72	0.087	0.010		15:00	4.81	1.12	0.189	0.087	
2:30	3.72	0.69	0.083	0.011		15:15	4.49	1.01	0.155	0.088	
2:45	3.77	0.73	0.089	0.012		15:30	4.54	1.03	0.161	0.090	
3:00	3.75	0.67	0.080	0.012		15:45	4.73	1.09	0.179	0.092	
3:15	3.77	0.72	0.088	0.013		16:00	4.65	1.06	0.171	0.094	
3:30	3.79	0.72	0.089	0.014		16:15	4.64	1.07	0.171	0.096	
3:45	3.73	0.71	0.085	0.015		16:30	4.43	1.00	0.151	0.097	
4:00	3.75	0.70	0.085	0.016		16:45	4.38	0.95	0.142	0.099	
4:15	3.81	0.75	0.093	0.017		17:00	4.76	1.12	0.188	0.101	
4:30	3.83	0.75	0.092	0.018		17:15	4.30	0.95	0.137	0.102	
4:45	3.80	0.73	0.090	0.019		17:30	4.25	0.89	0.127	0.103	
5:00	4.26	0.85	0.124	0.020		17:45	4.52	1.05	0.162	0.105	
5:15	4.03	0.80	0.106	0.021		18:00	4.62	1.05	0.167	0.107	
5:30	4.07	0.82	0.110	0.022		18:15	4.64	1.04	0.167	0.109	
5:45	4.01	0.79	0.104	0.023		18:30	4.53	1.02	0.158	0.110	
6:00	4.04	0.81	0.108	0.025		18:45	4.56	1.00	0.156	0.112	
6:15	4.17	0.87	0.122	0.026		19:00	4.43	0.99	0.149	0.113	
6:30	4.31	0.91	0.132	0.027		19:15	4.44	1.00	0.151	0.115	
6:45	4.18	0.85	0.119	0.028		19:30	4.58	1.03	0.162	0.117	
7:00	4.22	0.84	0.119	0.030		19:45	4.31	0.93	0.136	0.118	
7:15	4.37	0.90	0.134	0.031		20:00	4.45	0.99	0.150	0.120	
7:30	4.44	0.95	0.144	0.033		20:15	4.27	0.94	0.135	0.121	
7:45	4.46	0.98	0.149	0.034		20:30	4.31	0.96	0.140	0.122	
8:00	4.64	0.95	0.153	0.036		20:45	4.24	0.92	0.131	0.124	
8:15	4.67	1.01	0.164	0.037		21:00	4.16	0.91	0.127	0.125	
8:30	4.81	1.03	0.173	0.039		21:15	4.20	0.94	0.132	0.126	
8:45	4.99	1.15	0.203	0.041		21:30	4.10	0.87	0.119	0.128	
9:00	5.14	1.14	0.207	0.044		21:45	4.09	0.88	0.120	0.129	
9:15	5.17	1.17	0.214	0.046		22:00	3.97	0.79	0.103	0.130	
9:30	4.95	1.09	0.189	0.048		22:15	4.16	0.94	0.130	0.131	
9:45	5.14	1.13	0.206	0.050		22:30	4.19	0.90	0.126	0.133	
10:00	4.89	1.12	0.191	0.052		22:45	4.34	0.91	0.134	0.134	
10:15	4.65	1.03	0.166	0.054		23:00	4.21	0.86	0.121	0.135	
10:30	4.72	1.06	0.174	0.055		23:15	4.16	0.85	0.119	0.137	
10:45	4.77	1.06	0.176	0.057		23:30	4.12	0.82	0.113	0.138	
11:00	4.67	1.06	0.171	0.059		23:45	4.24	0.89	0.126	0.139	
11:15	4.71	1.06	0.172	0.061		Daily Totals:			0.126	0.139	
11:30	4.82	1.08	0.182	0.063		Data reported every: 15 Minutes					
11:45	4.67	1.08	0.175	0.065							
12:00	4.66	1.05	0.169	0.066							
12:15	4.55	1.03	0.160	0.068							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/9/2016						12:30	5.33	1.24	0.237	0.074	
0:00	4.14	0.83	0.115	0.001		12:45	5.46	1.16	0.228	0.076	
0:15	4.13	0.83	0.114	0.002		13:00	5.23	1.11	0.207	0.078	
0:30	4.03	0.75	0.099	0.003		13:15	5.06	1.08	0.193	0.080	
0:45	3.98	0.80	0.105	0.005		13:30	4.75	0.98	0.162	0.082	
1:00	4.04	0.77	0.103	0.006		13:45	4.69	0.98	0.160	0.084	
1:15	3.90	0.74	0.094	0.007		14:00	4.80	0.98	0.163	0.085	
1:30	3.85	0.74	0.093	0.008		14:15	4.83	1.03	0.174	0.087	
1:45	3.87	0.74	0.093	0.009		14:30	4.74	1.02	0.168	0.089	
2:00	3.92	0.76	0.098	0.010		14:45	4.70	0.98	0.159	0.091	
2:15	3.89	0.73	0.092	0.010		15:00	4.57	0.96	0.150	0.092	
2:30	3.85	0.85	0.106	0.012		15:15	4.58	0.95	0.149	0.094	
2:45	3.86	0.80	0.101	0.013		15:30	4.75	1.01	0.166	0.096	
3:00	3.83	0.71	0.088	0.014		15:45	4.67	1.00	0.161	0.097	
3:15	3.84	0.73	0.091	0.015		16:00	4.36	0.86	0.128	0.099	
3:30	3.92	0.73	0.094	0.015		16:15	4.41	0.89	0.134	0.100	
3:45	3.94	0.76	0.098	0.016		16:30	4.65	0.96	0.154	0.102	
4:00	3.99	0.74	0.097	0.018		16:45	4.88	1.06	0.181	0.103	
4:15	4.11	0.82	0.112	0.019		17:00	4.96	1.09	0.191	0.105	
4:30	4.01	0.82	0.108	0.020		17:15	4.55	0.91	0.142	0.107	
4:45	3.97	0.77	0.100	0.021		17:30	4.52	0.94	0.145	0.108	
5:00	3.88	0.77	0.097	0.022		17:45	4.77	1.02	0.169	0.110	
5:15	3.87	0.71	0.090	0.023		18:00	4.63	0.97	0.155	0.112	
5:30	3.89	0.75	0.096	0.024		18:15	4.68	0.98	0.159	0.113	
5:45	4.13	0.84	0.116	0.025		18:30	4.52	0.94	0.146	0.115	
6:00	4.22	0.84	0.119	0.026		18:45	4.60	0.94	0.149	0.117	
6:15	4.16	0.87	0.121	0.028		19:00	4.73	0.96	0.157	0.118	
6:30	4.25	0.90	0.128	0.029		19:15	4.78	1.00	0.166	0.120	
6:45	4.31	0.91	0.132	0.030		19:30	4.73	1.00	0.165	0.122	
7:00	4.26	0.93	0.132	0.032		19:45	4.68	0.98	0.158	0.123	
7:15	4.37	0.92	0.137	0.033		20:00	4.59	0.96	0.151	0.125	
7:30	4.51	0.88	0.136	0.034		20:15	4.52	0.94	0.145	0.126	
7:45	4.53	0.96	0.149	0.036		20:30	4.52	0.92	0.142	0.128	
8:00	4.83	1.07	0.180	0.038		20:45	4.41	0.90	0.135	0.129	
8:15	4.89	1.08	0.186	0.040		21:00	4.53	0.90	0.140	0.131	
8:30	4.74	1.06	0.174	0.042		21:15	4.51	0.92	0.142	0.132	
8:45	4.95	1.12	0.197	0.044		21:30	4.63	0.96	0.155	0.134	
9:00	4.94	1.11	0.192	0.046		21:45	4.76	1.01	0.166	0.136	
9:15	4.91	1.07	0.185	0.048		22:00	4.54	0.94	0.146	0.137	
9:30	4.91	1.06	0.182	0.049		22:15	4.39	0.91	0.136	0.138	
9:45	4.91	1.06	0.183	0.051		22:30	4.53	0.92	0.143	0.140	
10:00	5.01	1.05	0.186	0.053		22:45	4.40	0.88	0.132	0.141	
10:15	5.02	1.04	0.183	0.055		23:00	4.31	0.83	0.121	0.143	
10:30	5.09	1.04	0.188	0.057		23:15	4.29	0.85	0.122	0.144	
10:45	5.02	1.00	0.178	0.059		23:30	4.20	0.80	0.113	0.145	
11:00	4.85	1.02	0.173	0.061		23:45	4.15	0.77	0.106	0.146	
11:15	4.89	1.00	0.171	0.063		Daily Totals:		0.106		0.146	
11:30	5.41	1.23	0.241	0.065		Data reported every:		15 Minutes			
11:45	5.07	1.11	0.199	0.067							
12:00	5.07	1.12	0.200	0.069							
12:15	5.12	1.12	0.203	0.071							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/10/2016						12:30	4.90	0.99	0.170	0.071	
0:00	4.19	0.82	0.114	0.001		12:45	5.31	1.06	0.202	0.073	
0:15	4.10	0.74	0.101	0.002		13:00	4.92	0.93	0.160	0.074	
0:30	4.09	0.80	0.109	0.003		13:15	4.86	0.92	0.156	0.076	
0:45	4.04	0.71	0.094	0.004		13:30	4.91	0.96	0.166	0.078	
1:00	4.04	0.68	0.091	0.005		13:45	4.91	0.99	0.171	0.079	
1:15	4.08	0.70	0.095	0.006		14:00	5.02	1.00	0.177	0.081	
1:30	4.12	0.76	0.104	0.007		14:15	4.80	0.94	0.157	0.083	
1:45	4.05	0.74	0.099	0.008		14:30	4.91	0.94	0.161	0.085	
2:00	3.95	0.70	0.091	0.009		14:45	4.84	0.97	0.164	0.086	
2:15	3.98	0.75	0.098	0.010		15:00	4.52	0.84	0.130	0.088	
2:30	3.90	0.68	0.086	0.011		15:15	4.55	0.86	0.135	0.089	
2:45	3.89	0.68	0.087	0.012		15:30	4.55	0.85	0.133	0.090	
3:00	3.89	0.71	0.090	0.013		15:45	4.66	0.90	0.145	0.092	
3:15	3.97	0.72	0.094	0.014		16:00	5.37	1.14	0.221	0.094	
3:30	3.91	0.67	0.086	0.015		16:15	4.95	0.92	0.161	0.096	
3:45	3.85	0.63	0.079	0.016		16:30	5.06	0.98	0.176	0.098	
4:00	3.87	0.61	0.077	0.017		16:45	4.95	0.93	0.161	0.099	
4:15	3.94	0.69	0.090	0.018		17:00	4.73	0.87	0.143	0.101	
4:30	4.22	0.82	0.117	0.019		17:15	4.49	0.82	0.126	0.102	
4:45	4.10	0.75	0.103	0.020		17:30	4.66	0.87	0.141	0.104	
5:00	4.45	0.90	0.138	0.021		17:45	4.91	0.93	0.161	0.105	
5:15	4.16	0.82	0.114	0.022		18:00	4.72	0.88	0.145	0.107	
5:30	4.24	0.86	0.122	0.024		18:15	4.70	0.92	0.149	0.108	
5:45	4.38	0.86	0.128	0.025		18:30	4.79	0.95	0.159	0.110	
6:00	4.51	0.91	0.140	0.027		18:45	4.84	0.96	0.163	0.112	
6:15	4.59	0.86	0.135	0.028		19:00	4.57	0.91	0.143	0.113	
6:30	4.55	0.91	0.142	0.029		19:15	4.41	0.84	0.126	0.115	
6:45	4.60	0.91	0.144	0.031		19:30	4.42	0.90	0.136	0.116	
7:00	4.50	0.89	0.138	0.032		19:45	4.54	0.87	0.136	0.117	
7:15	4.78	0.98	0.162	0.034		20:00	4.49	0.91	0.139	0.119	
7:30	4.79	1.00	0.167	0.036		20:15	4.72	1.00	0.164	0.121	
7:45	4.76	0.95	0.158	0.037		20:30	4.73	0.97	0.158	0.122	
8:00	4.66	0.95	0.152	0.039		20:45	4.54	0.87	0.136	0.124	
8:15	4.74	0.96	0.159	0.041		21:00	4.43	0.90	0.135	0.125	
8:30	4.80	0.98	0.163	0.042		21:15	4.28	0.80	0.115	0.126	
8:45	4.99	1.02	0.179	0.044		21:30	4.40	0.85	0.128	0.128	
9:00	4.85	0.96	0.163	0.046		21:45	4.43	0.85	0.128	0.129	
9:15	4.78	0.98	0.164	0.048		22:00	4.02	0.69	0.092	0.130	
9:30	5.18	1.11	0.206	0.050		22:15	4.16	0.78	0.109	0.131	
9:45	4.81	0.95	0.159	0.051		22:30	4.00	0.75	0.100	0.132	
10:00	4.78	0.91	0.152	0.053		22:45	3.86	0.66	0.082	0.133	
10:15	4.87	1.00	0.171	0.055		23:00	3.86	0.67	0.084	0.134	
10:30	4.94	0.95	0.164	0.056		23:15	3.80	0.64	0.079	0.135	
10:45	4.95	0.98	0.171	0.058		23:30	3.78	0.59	0.073	0.135	
11:00	4.92	1.01	0.174	0.060		23:45	3.81	0.63	0.078	0.136	
11:15	5.04	1.07	0.191	0.062		Daily Totals:		0.078		0.136	
11:30	4.90	0.92	0.158	0.064		Data reported every: 15 Minutes					
11:45	4.90	0.96	0.164	0.065							
12:00	4.69	0.91	0.148	0.067							
12:15	4.98	1.01	0.176	0.069							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/11/2016						12:30	4.99	0.93	0.164	0.066	
0:00	3.83	0.62	0.077	0.001		12:45	4.68	0.93	0.150	0.067	
0:15	3.94	0.70	0.091	0.002		13:00	4.88	0.95	0.163	0.069	
0:30	3.93	0.68	0.088	0.003		13:15	5.01	1.04	0.186	0.071	
0:45	4.00	0.72	0.095	0.004		13:30	4.69	0.96	0.157	0.073	
1:00	3.94	0.65	0.084	0.005		13:45	4.93	0.99	0.173	0.074	
1:15	4.02	0.67	0.089	0.005		14:00	4.81	0.95	0.159	0.076	
1:30	4.03	0.68	0.090	0.006		14:15	4.76	0.88	0.146	0.078	
1:45	3.91	0.75	0.096	0.007		14:30	4.85	0.96	0.163	0.079	
2:00	3.82	0.71	0.087	0.008		14:45	4.95	0.98	0.171	0.081	
2:15	3.81	0.58	0.071	0.009		15:00	4.82	0.94	0.158	0.083	
2:30	3.83	0.61	0.076	0.010		15:15	4.86	0.96	0.163	0.084	
2:45	3.75	0.61	0.074	0.011		15:30	5.00	1.00	0.177	0.086	
3:00	3.70	0.59	0.070	0.011		15:45	5.04	0.98	0.175	0.088	
3:15	3.81	0.57	0.070	0.012		16:00	4.96	0.97	0.168	0.090	
3:30	3.89	0.76	0.096	0.013		16:15	4.94	0.93	0.161	0.091	
3:45	3.83	0.59	0.073	0.014		16:30	4.45	0.85	0.129	0.093	
4:00	3.80	0.63	0.078	0.015		16:45	4.41	0.76	0.114	0.094	
4:15	3.84	0.68	0.085	0.016		17:00	5.00	1.02	0.181	0.096	
4:30	4.24	0.80	0.122	0.017		17:15	4.68	0.91	0.146	0.097	
4:45	4.27	0.75	0.108	0.018		17:30	4.62	0.89	0.141	0.099	
5:00	4.31	0.79	0.115	0.019		17:45	4.67	0.92	0.149	0.100	
5:15	4.36	0.84	0.124	0.020		18:00	4.57	0.90	0.142	0.102	
5:30	4.24	0.78	0.111	0.022		18:15	4.54	0.87	0.136	0.103	
5:45	4.27	0.81	0.117	0.023		18:30	4.72	0.92	0.150	0.105	
6:00	4.49	0.84	0.129	0.024		18:45	4.71	0.93	0.153	0.106	
6:15	4.65	0.90	0.145	0.026		19:00	4.61	0.84	0.133	0.108	
6:30	4.66	0.90	0.144	0.027		19:15	4.25	0.73	0.104	0.109	
6:45	4.52	0.87	0.134	0.029		19:30	4.33	0.79	0.116	0.110	
7:00	4.49	0.86	0.132	0.030		19:45	4.58	0.86	0.135	0.112	
7:15	4.45	0.86	0.130	0.031		20:00	4.43	0.84	0.126	0.113	
7:30	4.43	0.87	0.131	0.033		20:15	4.43	0.84	0.126	0.114	
7:45	4.47	0.89	0.136	0.034		20:30	4.41	0.83	0.124	0.115	
8:00	4.49	0.86	0.132	0.035		20:45	4.37	0.78	0.116	0.117	
8:15	4.59	0.88	0.140	0.037		21:00	4.15	0.72	0.099	0.118	
8:30	4.69	0.91	0.148	0.038		21:15	4.49	0.84	0.130	0.119	
8:45	4.90	0.95	0.165	0.040		21:30	4.82	0.91	0.153	0.121	
9:00	4.62	0.80	0.128	0.041		21:45	4.07	0.75	0.101	0.122	
9:15	4.46	0.82	0.124	0.043		22:00	3.97	0.69	0.090	0.123	
9:30	4.72	0.90	0.147	0.044		22:15	4.04	0.69	0.092	0.124	
9:45	4.75	0.92	0.152	0.046		22:30	3.82	0.55	0.068	0.124	
10:00	6.10	1.34	0.305	0.049		22:45	3.94	0.62	0.080	0.125	
10:15	4.94	0.98	0.169	0.051		23:00	3.80	0.64	0.078	0.126	
10:30	5.12	1.09	0.203	0.053		23:15	3.80	0.54	0.066	0.127	
10:45	4.55	0.90	0.140	0.054		23:30	3.80	0.58	0.071	0.127	
11:00	4.69	0.91	0.148	0.056		23:45	4.93	1.01	0.174	0.129	
11:15	4.82	0.93	0.157	0.058		Daily Totals:		0.174		0.129	
11:30	4.70	0.96	0.157	0.059		Data reported every: 15 Minutes					
11:45	4.78	0.92	0.153	0.061							
12:00	4.73	0.92	0.150	0.062							
12:15	4.88	0.94	0.160	0.064							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/12/2016						12:30	4.69	0.86	0.139	0.063	
0:00	4.89	0.96	0.164	0.002		12:45	4.77	0.90	0.149	0.065	
0:15	4.64	0.85	0.137	0.003		13:00	4.88	0.99	0.170	0.067	
0:30	4.29	0.76	0.110	0.004		13:15	4.82	0.93	0.156	0.068	
0:45	3.99	0.71	0.093	0.005		13:30	4.80	0.93	0.155	0.070	
1:00	3.55	0.47	0.053	0.006		13:45	4.95	0.99	0.173	0.072	
1:15	3.44	0.47	0.051	0.006		14:00	5.00	1.01	0.178	0.074	
1:30	3.43	0.48	0.052	0.007		14:15	4.97	0.96	0.167	0.075	
1:45	3.37	0.48	0.051	0.007		14:30	5.01	1.00	0.177	0.077	
2:00	3.66	0.57	0.066	0.008		14:45	5.13	1.03	0.190	0.079	
2:15	3.47	0.49	0.053	0.009		15:00	4.94	0.96	0.167	0.081	
2:30	3.27	0.50	0.050	0.009		15:15	4.89	0.96	0.165	0.083	
2:45	4.60	0.89	0.140	0.011		15:30	4.76	0.89	0.148	0.084	
3:00	4.44	0.80	0.120	0.012		15:45	4.89	0.97	0.166	0.086	
3:15	4.18	0.67	0.093	0.013		16:00	4.71	0.89	0.146	0.087	
3:30	4.04	0.60	0.080	0.014		16:15	4.63	0.88	0.141	0.089	
3:45	3.93	0.60	0.077	0.014		16:30	4.65	0.91	0.147	0.090	
4:00	3.94	0.68	0.088	0.015		16:45	4.86	0.91	0.155	0.092	
4:15	3.87	0.64	0.081	0.016		17:00	4.89	0.96	0.164	0.094	
4:30	3.88	0.65	0.082	0.017		17:15	4.77	0.93	0.154	0.095	
4:45	3.97	0.68	0.089	0.018		17:30	4.91	0.93	0.161	0.097	
5:00	4.01	0.59	0.078	0.019		17:45	5.35	1.08	0.209	0.099	
5:15	4.18	0.76	0.107	0.020		18:00	5.22	1.03	0.192	0.101	
5:30	4.09	0.67	0.091	0.021		18:15	4.90	0.91	0.157	0.103	
5:45	4.22	0.73	0.104	0.022		18:30	4.83	0.92	0.155	0.104	
6:00	4.33	0.80	0.117	0.023		18:45	4.72	0.88	0.144	0.106	
6:15	4.42	0.80	0.121	0.024		19:00	4.78	0.87	0.144	0.108	
6:30	4.42	0.90	0.134	0.026		19:15	4.66	0.88	0.142	0.109	
6:45	4.44	0.87	0.132	0.027		19:30	4.72	0.93	0.152	0.111	
7:00	4.31	0.85	0.124	0.029		19:45	4.76	0.91	0.151	0.112	
7:15	4.16	0.75	0.104	0.030		20:00	4.65	0.88	0.142	0.114	
7:30	4.54	0.85	0.133	0.031		20:15	4.77	0.93	0.154	0.115	
7:45	4.84	1.01	0.176	0.033		20:30	4.65	0.89	0.142	0.117	
8:00	4.64	0.99	0.159	0.034		20:45	4.72	0.90	0.147	0.118	
8:15	4.71	0.97	0.158	0.036		21:00	4.60	0.83	0.131	0.120	
8:30	4.51	0.86	0.134	0.038		21:15	4.65	0.88	0.141	0.121	
8:45	4.52	0.77	0.119	0.039		21:30	4.44	0.84	0.127	0.122	
9:00	4.51	0.86	0.133	0.040		21:45	4.58	0.89	0.141	0.124	
9:15	4.75	0.89	0.147	0.042		22:00	4.45	0.81	0.123	0.125	
9:30	4.92	0.97	0.167	0.043		22:15	4.37	0.82	0.122	0.126	
9:45	4.88	0.95	0.162	0.045		22:30	4.33	0.81	0.119	0.128	
10:00	4.92	0.94	0.163	0.047		22:45	4.27	0.80	0.115	0.129	
10:15	4.98	0.97	0.171	0.049		23:00	4.03	0.67	0.089	0.130	
10:30	5.10	1.03	0.185	0.051		23:15	3.99	0.68	0.090	0.131	
10:45	5.10	1.03	0.186	0.052		23:30	4.00	0.70	0.092	0.132	
11:00	5.09	1.02	0.185	0.054		23:45	4.05	0.64	0.086	0.133	
11:15	4.76	0.90	0.150	0.056		Daily Totals:		0.086		0.133	
11:30	4.79	0.91	0.152	0.058		Data reported every: 15 Minutes					
11:45	4.76	0.90	0.148	0.059							
12:00	4.71	0.88	0.143	0.061							
12:15	4.58	0.88	0.139	0.062							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/13/2016						12:30	4.69	0.85	0.138	0.061	
0:00	4.00	0.65	0.085	0.001		12:45	4.61	0.82	0.130	0.062	
0:15	3.84	0.63	0.078	0.002		13:00	4.64	0.84	0.135	0.063	
0:30	3.78	0.60	0.073	0.002		13:15	4.77	0.91	0.152	0.065	
0:45	3.81	0.53	0.065	0.003		13:30	4.74	0.90	0.149	0.067	
1:00	3.74	0.59	0.071	0.004		13:45	4.57	0.85	0.133	0.068	
1:15	3.83	0.57	0.071	0.005		14:00	4.58	0.86	0.135	0.069	
1:30	3.74	0.52	0.063	0.005		14:15	4.58	0.84	0.133	0.071	
1:45	3.74	0.48	0.058	0.006		14:30	4.51	0.88	0.136	0.072	
2:00	3.75	0.49	0.060	0.006		14:45	4.73	0.93	0.152	0.074	
2:15	3.85	0.61	0.076	0.007		15:00	4.64	0.91	0.146	0.075	
2:30	3.77	0.57	0.069	0.008		15:15	4.93	0.95	0.166	0.077	
2:45	3.74	0.60	0.072	0.009		15:30	4.83	0.93	0.157	0.079	
3:00	3.78	0.56	0.068	0.009		15:45	4.67	0.87	0.141	0.080	
3:15	3.81	0.58	0.071	0.010		16:00	4.94	0.93	0.162	0.082	
3:30	3.82	0.61	0.075	0.011		16:15	5.00	0.99	0.175	0.084	
3:45	3.81	0.59	0.073	0.012		16:30	4.98	1.03	0.180	0.085	
4:00	3.77	0.49	0.060	0.012		16:45	4.86	0.93	0.157	0.087	
4:15	3.82	0.59	0.074	0.013		17:00	4.94	0.96	0.167	0.089	
4:30	3.94	0.62	0.081	0.014		17:15	4.93	0.95	0.164	0.091	
4:45	3.90	0.63	0.080	0.015		17:30	5.26	1.08	0.204	0.093	
5:00	3.75	0.62	0.075	0.016		17:45	5.04	0.91	0.163	0.094	
5:15	4.10	0.76	0.103	0.017		18:00	4.91	0.88	0.151	0.096	
5:30	3.84	0.66	0.082	0.018		18:15	4.81	0.87	0.147	0.097	
5:45	3.82	0.67	0.083	0.018		18:30	4.86	0.89	0.151	0.099	
6:00	3.92	0.66	0.084	0.019		18:45	4.69	0.78	0.126	0.100	
6:15	4.30	0.82	0.119	0.021		19:00	4.89	0.91	0.156	0.102	
6:30	4.30	0.80	0.116	0.022		19:15	4.76	0.89	0.147	0.103	
6:45	4.67	0.90	0.146	0.023		19:30	4.76	0.92	0.153	0.105	
7:00	5.03	1.01	0.180	0.025		19:45	4.78	0.89	0.147	0.107	
7:15	4.91	0.90	0.156	0.027		20:00	4.71	0.87	0.143	0.108	
7:30	4.87	0.96	0.164	0.028		20:15	4.72	0.89	0.146	0.110	
7:45	4.74	0.89	0.147	0.030		20:30	4.58	0.81	0.128	0.111	
8:00	4.83	0.95	0.161	0.032		20:45	4.58	0.85	0.133	0.112	
8:15	5.17	1.08	0.200	0.034		21:00	4.43	0.77	0.116	0.114	
8:30	4.83	0.89	0.151	0.035		21:15	4.53	0.84	0.131	0.115	
8:45	4.62	0.88	0.140	0.037		21:30	4.37	0.75	0.111	0.116	
9:00	4.56	0.93	0.146	0.038		21:45	4.56	0.80	0.125	0.117	
9:15	4.65	0.93	0.149	0.040		22:00	4.48	0.80	0.123	0.119	
9:30	4.68	0.90	0.146	0.041		22:15	4.43	0.80	0.121	0.120	
9:45	4.90	0.98	0.168	0.043		22:30	4.25	0.71	0.101	0.121	
10:00	4.81	0.87	0.146	0.045		22:45	4.17	0.67	0.093	0.122	
10:15	4.93	0.98	0.170	0.046		23:00	3.93	0.58	0.074	0.123	
10:30	4.86	0.95	0.161	0.048		23:15	3.80	0.50	0.061	0.123	
10:45	5.01	0.97	0.172	0.050		23:30	3.83	0.58	0.072	0.124	
11:00	5.03	1.01	0.179	0.052		23:45	3.81	0.62	0.076	0.125	
11:15	4.87	0.89	0.152	0.053		Daily Totals:		0.076		0.125	
11:30	4.86	0.99	0.169	0.055		Data reported every: 15 Minutes					
11:45	4.57	0.82	0.128	0.056							
12:00	4.55	0.84	0.131	0.058							
12:15	4.59	0.86	0.135	0.059							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/14/2016						12:30	4.67	0.83	0.135	0.054	
0:00	3.78	0.58	0.071	0.001		12:45	4.91	0.96	0.165	0.056	
0:15	3.71	0.52	0.061	0.001		13:00	5.06	1.02	0.182	0.058	
0:30	3.63	0.46	0.053	0.002		13:15	4.94	0.89	0.154	0.059	
0:45	3.56	0.45	0.051	0.002		13:30	5.00	0.98	0.173	0.061	
1:00	3.56	0.44	0.049	0.003		13:45	5.34	1.12	0.216	0.063	
1:15	3.56	0.48	0.053	0.004		14:00	5.12	1.03	0.188	0.065	
1:30	3.57	0.50	0.057	0.004		14:15	5.15	1.03	0.189	0.067	
1:45	3.59	0.49	0.056	0.005		14:30	5.06	0.97	0.174	0.069	
2:00	3.57	0.51	0.058	0.005		14:45	4.92	0.99	0.171	0.071	
2:15	3.51	0.49	0.055	0.006		15:00	4.85	0.99	0.168	0.073	
2:30	3.59	0.47	0.054	0.006		15:15	4.70	0.91	0.148	0.074	
2:45	3.51	0.47	0.052	0.007		15:30	4.86	0.95	0.162	0.076	
3:00	3.54	0.51	0.057	0.008		15:45	4.69	0.89	0.145	0.077	
3:15	3.60	0.55	0.063	0.008		16:00	4.77	0.91	0.151	0.079	
3:30	3.58	0.58	0.066	0.009		16:15	4.74	0.93	0.154	0.081	
3:45	3.78	0.60	0.074	0.010		16:30	4.53	0.91	0.142	0.082	
4:00	3.84	0.65	0.081	0.011		16:45	4.39	0.81	0.121	0.083	
4:15	3.83	0.59	0.073	0.011		17:00	4.44	0.85	0.128	0.085	
4:30	3.92	0.61	0.078	0.012		17:15	4.42	0.84	0.126	0.086	
4:45	4.01	0.57	0.076	0.013		17:30	5.19	1.03	0.192	0.088	
5:00	4.11	0.67	0.091	0.014		17:45	4.62	0.85	0.135	0.089	
5:15	4.23	0.71	0.101	0.015		18:00	4.40	0.79	0.118	0.091	
5:30	4.20	0.69	0.097	0.016		18:15	4.30	0.75	0.108	0.092	
5:45	4.41	0.77	0.116	0.017		18:30	4.37	0.72	0.107	0.093	
6:00	4.45	0.81	0.123	0.018		18:45	4.48	0.81	0.124	0.094	
6:15	4.58	0.89	0.140	0.020		19:00	4.35	0.75	0.111	0.095	
6:30	4.43	0.81	0.123	0.021		19:15	4.25	0.68	0.097	0.096	
6:45	4.28	0.71	0.103	0.022		19:30	4.37	0.73	0.108	0.097	
7:00	4.87	0.88	0.154	0.024		19:45	4.16	0.71	0.098	0.098	
7:15	4.18	0.73	0.101	0.025		20:00	4.18	0.72	0.101	0.100	
7:30	4.12	0.70	0.095	0.026		20:15	4.21	0.69	0.098	0.101	
7:45	4.17	0.71	0.099	0.027		20:30	4.03	0.64	0.085	0.101	
8:00	4.21	0.74	0.104	0.028		20:45	4.24	0.72	0.103	0.102	
8:15	4.33	0.78	0.114	0.029		21:00	4.23	0.73	0.104	0.104	
8:30	4.22	0.73	0.103	0.030		21:15	4.09	0.66	0.089	0.105	
8:45	4.08	0.65	0.088	0.031		21:30	3.99	0.63	0.083	0.105	
9:00	4.40	0.83	0.125	0.032		21:45	4.05	0.70	0.094	0.106	
9:15	4.46	0.86	0.131	0.034		22:00	4.12	0.67	0.092	0.107	
9:30	4.61	0.86	0.136	0.035		22:15	4.24	0.75	0.107	0.108	
9:45	4.65	0.89	0.143	0.037		22:30	4.04	0.65	0.087	0.109	
10:00	4.93	0.96	0.168	0.038		22:45	3.86	0.66	0.083	0.110	
10:15	4.62	0.86	0.137	0.040		23:00	3.90	0.63	0.080	0.111	
10:30	4.63	0.87	0.140	0.041		23:15	3.91	0.64	0.082	0.112	
10:45	4.84	0.97	0.164	0.043		23:30	3.78	0.56	0.068	0.113	
11:00	4.89	0.98	0.168	0.045		23:45	3.78	0.55	0.067	0.113	
11:15	4.87	0.96	0.163	0.047		Daily Totals:			0.067	0.113	
11:30	4.88	0.94	0.160	0.048		Data reported every: 15 Minutes					
11:45	4.81	0.92	0.155	0.050							
12:00	4.60	0.90	0.143	0.051							
12:15	4.68	0.88	0.142	0.053							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY

10" Circular line



Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/15/2016						12:30	5.05	0.98	0.175	0.052	
0:00	3.66	0.60	0.070	0.001		12:45	4.62	0.85	0.136	0.054	
0:15	3.68	0.53	0.063	0.001		13:00	4.73	0.89	0.147	0.055	
0:30	3.72	0.54	0.065	0.002		13:15	4.67	0.85	0.137	0.057	
0:45	3.56	0.49	0.056	0.003		13:30	4.87	0.93	0.159	0.058	
1:00	3.61	0.58	0.066	0.003		13:45	5.03	1.02	0.180	0.060	
1:15	3.67	0.58	0.068	0.004		14:00	5.18	1.04	0.192	0.062	
1:30	3.57	0.50	0.056	0.005		14:15	5.26	1.08	0.203	0.064	
1:45	3.51	0.48	0.053	0.005		14:30	4.92	0.97	0.168	0.066	
2:00	3.45	0.46	0.049	0.006		14:45	4.87	0.93	0.158	0.068	
2:15	3.49	0.53	0.058	0.006		15:00	4.92	0.94	0.163	0.070	
2:30	3.46	0.48	0.052	0.007		15:15	5.08	1.00	0.180	0.071	
2:45	3.42	0.43	0.046	0.007		15:30	5.61	1.20	0.246	0.074	
3:00	3.34	0.41	0.042	0.008		15:45	4.88	0.91	0.155	0.076	
3:15	3.46	0.40	0.043	0.008		16:00	4.69	0.85	0.139	0.077	
3:30	3.50	0.39	0.043	0.009		16:15	4.76	0.89	0.148	0.079	
3:45	3.42	0.39	0.041	0.009		16:30	4.79	0.92	0.153	0.080	
4:00	3.56	0.49	0.055	0.010		16:45	4.64	0.85	0.136	0.082	
4:15	3.48	0.50	0.055	0.010		17:00	4.63	0.85	0.136	0.083	
4:30	3.82	0.59	0.073	0.011		17:15	4.59	0.85	0.134	0.084	
4:45	3.84	0.57	0.071	0.012		17:30	4.63	0.83	0.133	0.086	
5:00	3.59	0.50	0.057	0.012		17:45	4.64	0.89	0.143	0.087	
5:15	3.47	0.64	0.069	0.013		18:00	4.66	0.86	0.139	0.089	
5:30	3.56	0.50	0.056	0.014		18:15	4.53	0.87	0.136	0.090	
5:45	3.77	0.56	0.068	0.014		18:30	4.39	0.77	0.115	0.091	
6:00	3.69	0.55	0.065	0.015		18:45	4.56	0.81	0.127	0.093	
6:15	3.89	0.68	0.086	0.016		19:00	4.45	0.77	0.116	0.094	
6:30	3.80	0.59	0.072	0.017		19:15	4.23	0.70	0.100	0.095	
6:45	4.26	0.72	0.105	0.018		19:30	4.24	0.72	0.102	0.096	
7:00	3.99	0.66	0.087	0.019		19:45	4.06	0.66	0.088	0.097	
7:15	4.57	0.80	0.126	0.020		20:00	4.22	0.72	0.102	0.098	
7:30	4.32	0.76	0.111	0.021		20:15	4.37	0.72	0.107	0.099	
7:45	4.88	0.91	0.156	0.023		20:30	4.33	0.74	0.109	0.100	
8:00	4.51	0.77	0.118	0.024		20:45	4.23	0.74	0.104	0.101	
8:15	4.74	0.92	0.151	0.026		21:00	4.45	0.79	0.119	0.102	
8:30	4.53	0.78	0.122	0.027		21:15	4.28	0.71	0.102	0.104	
8:45	4.45	0.85	0.128	0.028		21:30	4.07	0.64	0.087	0.104	
9:00	4.75	0.91	0.151	0.030		21:45	4.01	0.63	0.083	0.105	
9:15	4.84	0.89	0.151	0.031		22:00	4.07	0.66	0.089	0.106	
9:30	4.77	0.88	0.146	0.033		22:15	4.49	0.84	0.130	0.108	
9:45	4.85	0.95	0.161	0.034		22:30	4.22	0.69	0.098	0.109	
10:00	4.80	0.90	0.151	0.036		22:45	4.02	0.69	0.091	0.110	
10:15	4.72	0.84	0.138	0.038		23:00	4.03	0.69	0.092	0.111	
10:30	4.81	0.88	0.149	0.039		23:15	3.98	0.69	0.091	0.111	
10:45	5.01	0.96	0.171	0.041		23:30	3.94	0.67	0.087	0.112	
11:00	4.68	0.82	0.133	0.042		23:45	3.96	0.71	0.092	0.113	
11:15	4.64	0.90	0.144	0.044		Daily Totals:		0.092		0.113	
11:30	4.74	0.87	0.144	0.045		Data reported every: 15 Minutes					
11:45	4.90	0.96	0.165	0.047							
12:00	5.05	0.99	0.177	0.049							
12:15	5.04	0.95	0.170	0.051							

Daily Flow Report

Site:

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225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/16/2016						12:30	4.84	0.95	0.160	0.069	
0:00	3.94	0.68	0.088	0.001		12:45	4.89	0.94	0.161	0.070	
0:15	4.13	0.70	0.096	0.002		13:00	5.08	1.06	0.190	0.072	
0:30	4.03	0.70	0.093	0.003		13:15	4.88	0.96	0.163	0.074	
0:45	3.92	0.67	0.086	0.004		13:30	4.89	0.94	0.160	0.076	
1:00	3.86	0.66	0.083	0.005		13:45	4.95	0.96	0.168	0.077	
1:15	3.86	0.62	0.078	0.005		14:00	4.94	0.94	0.163	0.079	
1:30	3.83	0.60	0.074	0.006		14:15	5.22	1.04	0.195	0.081	
1:45	3.81	0.61	0.075	0.007		14:30	5.47	1.15	0.233	0.084	
2:00	3.85	0.61	0.076	0.008		14:45	5.12	1.02	0.186	0.086	
2:15	3.83	0.63	0.078	0.009		15:00	4.89	0.95	0.162	0.087	
2:30	3.80	0.73	0.090	0.010		15:15	4.78	0.91	0.151	0.089	
2:45	3.83	0.62	0.077	0.010		15:30	4.97	0.97	0.170	0.091	
3:00	3.77	0.67	0.081	0.011		15:45	4.98	0.98	0.172	0.092	
3:15	3.69	0.68	0.080	0.012		16:00	4.76	0.95	0.157	0.094	
3:30	3.77	0.60	0.073	0.013		16:15	4.58	0.87	0.137	0.095	
3:45	3.88	0.66	0.084	0.014		16:30	4.75	0.95	0.156	0.097	
4:00	4.16	0.74	0.102	0.015		16:45	4.85	0.98	0.167	0.099	
4:15	4.09	0.70	0.095	0.016		17:00	4.81	0.95	0.159	0.100	
4:30	4.09	0.73	0.099	0.017		17:15	4.95	0.97	0.169	0.102	
4:45	4.15	0.72	0.100	0.018		17:30	4.74	0.91	0.151	0.104	
5:00	4.11	0.74	0.101	0.019		17:45	4.76	0.95	0.157	0.105	
5:15	4.38	0.80	0.119	0.020		18:00	4.67	0.92	0.149	0.107	
5:30	4.49	0.81	0.124	0.021		18:15	4.70	0.92	0.151	0.109	
5:45	4.29	0.75	0.108	0.023		18:30	4.54	0.94	0.147	0.110	
6:00	4.25	0.68	0.097	0.024		18:45	4.58	0.90	0.143	0.112	
6:15	4.26	0.72	0.103	0.025		19:00	4.75	0.95	0.157	0.113	
6:30	4.25	0.76	0.108	0.026		19:15	4.58	0.90	0.142	0.115	
6:45	4.61	0.78	0.124	0.027		19:30	4.74	0.94	0.155	0.116	
7:00	4.32	0.78	0.113	0.028		19:45	4.69	0.91	0.148	0.118	
7:15	4.44	0.79	0.119	0.029		20:00	4.71	0.90	0.147	0.119	
7:30	4.48	0.82	0.126	0.031		20:15	4.58	0.85	0.134	0.121	
7:45	4.63	0.83	0.132	0.032		20:30	4.55	0.85	0.133	0.122	
8:00	4.84	0.86	0.145	0.034		20:45	4.59	0.89	0.141	0.124	
8:15	4.81	0.89	0.148	0.035		21:00	4.51	0.88	0.136	0.125	
8:30	4.98	0.97	0.170	0.037		21:15	4.42	0.87	0.130	0.126	
8:45	5.08	1.02	0.184	0.039		21:30	4.43	0.86	0.130	0.128	
9:00	5.01	0.97	0.172	0.041		21:45	4.66	0.95	0.154	0.129	
9:15	5.16	1.12	0.206	0.043		22:00	4.17	0.85	0.118	0.131	
9:30	5.21	1.13	0.210	0.045		22:15	4.18	0.80	0.112	0.132	
9:45	5.18	1.05	0.193	0.047		22:30	4.16	0.75	0.104	0.133	
10:00	5.16	1.12	0.206	0.049		22:45	3.93	0.70	0.090	0.134	
10:15	5.15	1.09	0.199	0.051		23:00	3.64	0.58	0.068	0.134	
10:30	5.37	1.19	0.230	0.054		23:15	3.56	0.50	0.057	0.135	
10:45	5.20	1.04	0.193	0.056		23:30	3.47	0.54	0.059	0.136	
11:00	5.58	1.18	0.241	0.058		23:45	3.93	0.74	0.095	0.137	
11:15	5.09	1.01	0.182	0.060		Daily Totals:			0.095	0.137	
11:30	5.06	1.01	0.181	0.062		Data reported every: 15 Minutes					
11:45	4.93	0.99	0.171	0.064							
12:00	4.67	0.95	0.153	0.065							
12:15	4.87	0.96	0.164	0.067							

Daily Flow Report

Site:

1

225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/17/2016						12:30	4.81	0.95	0.158	0.065	
0:00	3.99	0.71	0.094	0.001		12:45	4.74	0.92	0.152	0.066	
0:15	3.87	0.65	0.081	0.002		13:00	4.67	0.89	0.144	0.068	
0:30	3.87	0.64	0.081	0.003		13:15	5.13	1.11	0.203	0.070	
0:45	3.88	0.63	0.080	0.003		13:30	5.21	1.06	0.196	0.072	
1:00	3.81	0.64	0.079	0.004		13:45	4.83	0.97	0.164	0.074	
1:15	3.77	0.63	0.076	0.005		14:00	4.63	0.90	0.144	0.075	
1:30	3.79	0.69	0.084	0.006		14:15	4.78	0.99	0.165	0.077	
1:45	3.77	0.62	0.075	0.007		14:30	4.56	0.87	0.137	0.078	
2:00	3.83	0.71	0.088	0.008		14:45	4.68	0.94	0.152	0.080	
2:15	3.79	0.70	0.086	0.009		15:00	4.62	0.83	0.132	0.081	
2:30	3.75	0.62	0.075	0.009		15:15	4.87	0.97	0.166	0.083	
2:45	3.70	0.62	0.073	0.010		15:30	4.94	1.00	0.173	0.085	
3:00	3.71	0.61	0.073	0.011		15:45	4.91	0.99	0.171	0.087	
3:15	3.80	0.63	0.078	0.012		16:00	5.09	1.01	0.182	0.089	
3:30	3.77	0.68	0.083	0.013		16:15	4.95	0.99	0.173	0.090	
3:45	3.73	0.70	0.084	0.013		16:30	4.84	0.93	0.157	0.092	
4:00	3.79	0.60	0.073	0.014		16:45	4.96	0.97	0.169	0.094	
4:15	3.81	0.57	0.071	0.015		17:00	4.91	0.98	0.169	0.096	
4:30	3.95	0.64	0.084	0.016		17:15	4.68	0.87	0.140	0.097	
4:45	4.18	0.76	0.106	0.017		17:30	4.91	1.01	0.175	0.099	
5:00	4.17	0.78	0.108	0.018		17:45	4.69	0.89	0.145	0.100	
5:15	4.21	0.79	0.111	0.019		18:00	4.94	0.98	0.170	0.102	
5:30	4.19	0.78	0.109	0.020		18:15	4.95	0.97	0.169	0.104	
5:45	4.33	0.78	0.114	0.022		18:30	4.75	0.92	0.151	0.105	
6:00	4.40	0.89	0.133	0.023		18:45	4.76	0.94	0.155	0.107	
6:15	4.51	0.90	0.138	0.024		19:00	4.72	0.90	0.148	0.109	
6:30	4.64	0.88	0.142	0.026		19:15	4.81	0.97	0.162	0.110	
6:45	4.54	0.89	0.138	0.027		19:30	4.80	0.96	0.161	0.112	
7:00	4.55	0.90	0.141	0.029		19:45	4.77	0.92	0.152	0.114	
7:15	4.52	0.86	0.133	0.030		20:00	4.65	0.86	0.137	0.115	
7:30	4.47	0.83	0.127	0.031		20:15	4.57	0.88	0.137	0.116	
7:45	4.53	0.84	0.130	0.033		20:30	4.63	0.92	0.147	0.118	
8:00	4.80	0.98	0.165	0.034		20:45	4.62	0.95	0.151	0.120	
8:15	4.86	0.95	0.161	0.036		21:00	4.56	0.90	0.141	0.121	
8:30	4.70	0.93	0.152	0.038		21:15	4.34	0.82	0.120	0.122	
8:45	4.92	1.01	0.175	0.040		21:30	4.22	0.81	0.114	0.123	
9:00	4.64	0.88	0.141	0.041		21:45	4.25	0.77	0.109	0.125	
9:15	4.76	0.89	0.147	0.043		22:00	4.26	0.75	0.107	0.126	
9:30	4.61	0.91	0.144	0.044		22:15	4.22	0.81	0.115	0.127	
9:45	5.38	1.14	0.222	0.046		22:30	4.02	0.73	0.097	0.128	
10:00	5.18	1.06	0.196	0.048		22:45	4.00	0.67	0.088	0.129	
10:15	4.86	0.97	0.165	0.050		23:00	4.01	0.69	0.092	0.130	
10:30	4.71	0.93	0.151	0.052		23:15	4.06	0.77	0.103	0.131	
10:45	4.52	0.89	0.138	0.053		23:30	4.18	0.83	0.115	0.132	
11:00	4.79	0.99	0.164	0.055		23:45	3.95	0.71	0.092	0.133	
11:15	4.92	0.96	0.166	0.057		Daily Totals:		0.092		0.133	
11:30	4.78	0.96	0.160	0.058		Data reported every:		15 Minutes			
11:45	4.77	0.96	0.158	0.060							
12:00	4.71	0.93	0.152	0.062							
12:15	4.83	0.96	0.161	0.063							

Daily Flow Report

Site:

1

225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/18/2016						12:30	4.72	0.92	0.150	0.061	
0:00	3.94	0.70	0.091	0.001		12:45	4.73	0.91	0.150	0.063	
0:15	3.78	0.56	0.069	0.002		13:00	4.72	0.90	0.148	0.064	
0:30	3.71	0.60	0.071	0.002		13:15	4.67	0.91	0.146	0.066	
0:45	3.69	0.64	0.075	0.003		13:30	4.77	0.94	0.156	0.067	
1:00	3.64	0.61	0.071	0.004		13:45	4.58	0.81	0.127	0.069	
1:15	3.66	0.57	0.067	0.005		14:00	4.48	0.81	0.124	0.070	
1:30	3.70	0.54	0.064	0.005		14:15	4.53	0.78	0.121	0.071	
1:45	3.80	0.67	0.083	0.006		14:30	4.55	0.81	0.127	0.073	
2:00	3.73	0.63	0.075	0.007		14:45	4.97	0.97	0.170	0.074	
2:15	3.72	0.63	0.075	0.008		15:00	4.82	0.91	0.152	0.076	
2:30	3.78	0.65	0.080	0.009		15:15	4.64	0.85	0.137	0.077	
2:45	3.65	0.60	0.070	0.009		15:30	4.66	0.87	0.139	0.079	
3:00	3.61	0.64	0.073	0.010		15:45	4.69	0.84	0.136	0.080	
3:15	3.71	0.59	0.070	0.011		16:00	4.49	0.79	0.120	0.082	
3:30	3.73	0.54	0.065	0.011		16:15	4.73	0.90	0.147	0.083	
3:45	3.75	0.59	0.071	0.012		16:30	4.83	0.86	0.146	0.085	
4:00	3.70	0.57	0.068	0.013		16:45	4.58	0.83	0.131	0.086	
4:15	3.72	0.63	0.075	0.014		17:00	4.68	0.88	0.143	0.087	
4:30	3.90	0.67	0.086	0.015		17:15	5.01	1.00	0.177	0.089	
4:45	3.94	0.65	0.084	0.015		17:30	4.86	0.92	0.157	0.091	
5:00	4.00	0.66	0.087	0.016		17:45	4.79	0.89	0.148	0.093	
5:15	4.50	0.87	0.134	0.018		18:00	4.82	0.88	0.148	0.094	
5:30	4.35	0.80	0.118	0.019		18:15	4.67	0.88	0.142	0.096	
5:45	4.50	0.87	0.134	0.020		18:30	5.04	0.98	0.176	0.097	
6:00	4.60	0.89	0.140	0.022		18:45	4.68	0.87	0.140	0.099	
6:15	4.81	0.93	0.156	0.023		19:00	4.66	0.86	0.138	0.100	
6:30	4.58	0.86	0.135	0.025		19:15	4.62	0.88	0.140	0.102	
6:45	4.66	0.86	0.138	0.026		19:30	4.63	0.83	0.133	0.103	
7:00	4.59	0.86	0.136	0.028		19:45	4.60	0.86	0.136	0.105	
7:15	4.82	0.92	0.154	0.029		20:00	4.53	0.84	0.130	0.106	
7:30	4.57	0.85	0.134	0.031		20:15	4.54	0.81	0.126	0.107	
7:45	4.55	0.86	0.134	0.032		20:30	4.61	0.86	0.137	0.109	
8:00	4.88	0.94	0.162	0.034		20:45	4.69	0.85	0.138	0.110	
8:15	4.53	0.77	0.120	0.035		21:00	4.61	0.86	0.136	0.111	
8:30	4.53	0.84	0.130	0.036		21:15	4.55	0.84	0.132	0.113	
8:45	4.68	0.91	0.147	0.038		21:30	4.40	0.77	0.116	0.114	
9:00	4.50	0.82	0.127	0.039		21:45	4.28	0.70	0.101	0.115	
9:15	4.50	0.84	0.129	0.041		22:00	4.43	0.78	0.118	0.116	
9:30	4.57	0.87	0.136	0.042		22:15	4.51	0.82	0.126	0.118	
9:45	4.67	0.92	0.148	0.044		22:30	4.22	0.63	0.089	0.119	
10:00	4.89	0.95	0.163	0.045		22:45	4.05	0.57	0.076	0.119	
10:15	4.67	0.88	0.142	0.047		23:00	3.98	0.59	0.078	0.120	
10:30	4.68	0.85	0.139	0.048		23:15	3.90	0.56	0.071	0.121	
10:45	4.86	0.92	0.157	0.050		23:30	3.99	0.57	0.074	0.122	
11:00	4.76	0.86	0.143	0.051		23:45	3.92	0.62	0.079	0.123	
11:15	4.75	0.88	0.146	0.053		Daily Totals:		0.079		0.123	
11:30	4.74	0.91	0.150	0.054		Data reported every:		15 Minutes			
11:45	4.85	0.92	0.156	0.056							
12:00	4.81	0.94	0.158	0.058							
12:15	5.23	1.02	0.193	0.060							

Daily Flow Report

Site:

1

225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/19/2016						12:30	4.80	0.90	0.150	0.059	
0:00	3.86	0.58	0.072	0.001		12:45	4.85	0.88	0.149	0.061	
0:15	3.87	0.53	0.067	0.001		13:00	4.77	0.86	0.143	0.062	
0:30	3.85	0.58	0.073	0.002		13:15	4.79	0.89	0.148	0.064	
0:45	3.86	0.64	0.081	0.003		13:30	4.88	0.91	0.155	0.066	
1:00	3.80	0.61	0.074	0.004		13:45	4.76	0.84	0.140	0.067	
1:15	3.79	0.57	0.070	0.005		14:00	4.84	0.87	0.147	0.069	
1:30	3.73	0.56	0.067	0.005		14:15	5.01	0.95	0.169	0.070	
1:45	3.88	0.59	0.075	0.006		14:30	4.48	0.81	0.124	0.072	
2:00	3.98	0.62	0.081	0.007		14:45	4.53	0.77	0.120	0.073	
2:15	3.79	0.60	0.074	0.008		15:00	4.68	0.83	0.134	0.074	
2:30	3.74	0.59	0.071	0.008		15:15	4.49	0.78	0.120	0.075	
2:45	3.80	0.61	0.075	0.009		15:30	4.63	0.84	0.134	0.077	
3:00	3.86	0.55	0.069	0.010		15:45	4.72	0.89	0.146	0.078	
3:15	3.85	0.52	0.065	0.011		16:00	4.63	0.87	0.139	0.080	
3:30	3.85	0.55	0.069	0.011		16:15	4.24	0.70	0.100	0.081	
3:45	3.81	0.55	0.068	0.012		16:30	4.41	0.82	0.122	0.082	
4:00	3.86	0.51	0.064	0.013		16:45	4.53	0.84	0.130	0.084	
4:15	3.87	0.58	0.073	0.013		17:00	4.52	0.82	0.126	0.085	
4:30	3.93	0.57	0.073	0.014		17:15	4.31	0.74	0.108	0.086	
4:45	4.08	0.67	0.091	0.015		17:30	5.43	1.06	0.207	0.088	
5:00	4.01	0.60	0.079	0.016		17:45	5.19	1.07	0.198	0.090	
5:15	4.09	0.56	0.076	0.017		18:00	5.24	1.10	0.206	0.092	
5:30	4.18	0.65	0.091	0.018		18:15	5.24	1.12	0.210	0.094	
5:45	4.42	0.73	0.111	0.019		18:30	4.97	1.02	0.178	0.096	
6:00	4.60	0.81	0.129	0.020		18:45	5.20	1.07	0.200	0.098	
6:15	4.70	0.82	0.134	0.022		19:00	4.53	0.85	0.133	0.100	
6:30	4.59	0.83	0.131	0.023		19:15	4.26	0.75	0.107	0.101	
6:45	4.48	0.79	0.121	0.024		19:30	4.30	0.81	0.117	0.102	
7:00	4.77	0.87	0.145	0.026		19:45	4.44	0.84	0.128	0.103	
7:15	4.71	0.87	0.142	0.027		20:00	5.00	1.03	0.181	0.105	
7:30	4.81	0.86	0.145	0.029		20:15	4.68	0.92	0.149	0.107	
7:45	4.76	0.86	0.142	0.030		20:30	4.53	0.88	0.137	0.108	
8:00	5.02	0.92	0.164	0.032		20:45	4.49	0.84	0.129	0.110	
8:15	4.71	0.81	0.132	0.033		21:00	4.43	0.83	0.125	0.111	
8:30	4.62	0.84	0.134	0.035		21:15	4.32	0.81	0.118	0.112	
8:45	4.84	0.88	0.149	0.036		21:30	4.41	0.82	0.123	0.113	
9:00	4.76	0.86	0.142	0.038		21:45	4.55	0.84	0.131	0.115	
9:15	4.66	0.79	0.127	0.039		22:00	4.33	0.80	0.117	0.116	
9:30	4.84	0.94	0.160	0.041		22:15	4.34	0.83	0.122	0.117	
9:45	4.94	0.93	0.161	0.042		22:30	4.14	0.71	0.097	0.118	
10:00	4.97	0.96	0.168	0.044		22:45	3.97	0.67	0.088	0.119	
10:15	4.82	0.85	0.143	0.046		23:00	3.98	0.65	0.085	0.120	
10:30	4.82	0.88	0.148	0.047		23:15	4.07	0.65	0.087	0.121	
10:45	4.84	0.88	0.148	0.049		23:30	3.96	0.68	0.088	0.122	
11:00	4.90	0.88	0.150	0.050		23:45	3.82	0.73	0.090	0.123	
11:15	5.12	0.96	0.177	0.052		Daily Totals:		0.090		0.123	
11:30	4.83	0.88	0.149	0.054		Data reported every:		15 Minutes			
11:45	4.58	0.78	0.123	0.055							
12:00	4.61	0.84	0.133	0.056							
12:15	4.77	0.83	0.138	0.058							

Daily Flow Report

Site:

1

225 Boston Post Road

Port Chester, NY



10" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/20/2016						12:30				0.041	
0:00	3.85	0.65	0.082	0.001		12:45				0.041	
0:15	3.84	0.63	0.078	0.002		13:00				0.041	
0:30	3.81	0.58	0.071	0.002		13:15				0.041	
0:45	3.86	0.67	0.084	0.003		13:30				0.041	
1:00	3.92	0.65	0.083	0.004		13:45				0.041	
1:15	3.98	0.68	0.089	0.005		14:00				0.041	
1:30	3.95	0.71	0.092	0.006		14:15				0.041	
1:45	4.00	0.70	0.091	0.007		14:30				0.041	
2:00	3.88	0.65	0.082	0.008		14:45				0.041	
2:15	3.83	0.65	0.081	0.009		15:00				0.041	
2:30	3.70	0.67	0.079	0.009		15:15				0.041	
2:45	3.73	0.70	0.084	0.010		15:30				0.041	
3:00	3.77	0.66	0.081	0.011		15:45				0.041	
3:15	3.82	0.68	0.084	0.012		16:00				0.041	
3:30	3.68	0.71	0.083	0.013		16:15				0.041	
3:45	4.20	0.79	0.111	0.014		16:30				0.041	
4:00	4.21	0.75	0.106	0.015		16:45				0.041	
4:15	4.14	0.74	0.103	0.016		17:00				0.041	
4:30	4.00	0.69	0.091	0.017		17:15				0.041	
4:45	3.97	0.66	0.086	0.018		17:30				0.041	
5:00	4.05	0.73	0.097	0.019		17:45				0.041	
5:15	4.56	0.89	0.140	0.021		18:00				0.041	
5:30	4.45	0.85	0.129	0.022		18:15				0.041	
5:45	4.31	0.80	0.117	0.023		18:30				0.041	
6:00	4.47	0.87	0.132	0.025		18:45				0.041	
6:15	4.52	0.83	0.128	0.026		19:00				0.041	
6:30	4.57	0.91	0.144	0.027		19:15				0.041	
6:45	4.58	0.85	0.135	0.029		19:30				0.041	
7:00	4.36	0.77	0.114	0.030		19:45				0.041	
7:15	4.42	0.83	0.125	0.031		20:00				0.041	
7:30	4.54	0.85	0.132	0.033		20:15				0.041	
7:45	4.85	0.98	0.169	0.034		20:30				0.041	
8:00	4.90	0.94	0.162	0.036		20:45				0.041	
8:15	4.88	0.97	0.166	0.038		21:00				0.041	
8:30	4.69	0.87	0.141	0.039		21:15				0.041	
8:45	4.67	0.86	0.138	0.041		21:30				0.041	
9:00	1.59	0.30	0.049	0.041		21:45				0.041	
9:15				0.041		22:00				0.041	
9:30				0.041		22:15				0.041	
9:45				0.041		22:30				0.041	
10:00				0.041		22:45				0.041	
10:15				0.041		23:00				0.041	
10:30				0.041		23:15				0.041	
10:45				0.041		23:30				0.041	
11:00				0.041		23:45				0.041	
11:15				0.041		Daily Totals:				0.041	
11:30				0.041		Data reported every:			15 Minutes		
11:45				0.041							
12:00				0.041							
12:15				0.041							

Summary Flow Report

Site:

2

137 Boston Post Road

Port Chester, NY



17" Circular line

Date	Minimum Flow (mgd)	Peak Flow (mgd)	Total Daily Flow (mg)	Total Rain (in)	Peak Hourly Rain (in)	Peak Interval Rain (in)
10/6/2016 (Thu)	0.276	0.654	0.252			
10/7/2016 (Fri)	0.200	0.659	0.423			
10/8/2016 (Sat)	0.181	0.793	0.425			
10/9/2016 (Sun)	0.185	1.036	0.460			
10/10/2016 (Mon)	0.180	0.725	0.412			
10/11/2016 (Tue)	0.166	0.551	0.372			
10/12/2016 (Wed)	0.131	0.798	0.443			
10/13/2016 (Thu)	0.222	0.708	0.486			
10/14/2016 (Fri)	0.213	0.680	0.469			
10/15/2016 (Sat)	0.212	0.714	0.488			
10/16/2016 (Sun)	0.221	0.768	0.497			
10/17/2016 (Mon)	0.226	0.819	0.522			
10/18/2016 (Tue)	0.252	0.777	0.518			
10/19/2016 (Wed)	0.240	0.754	0.511			
10/20/2016 (Thu)	0.256	0.777	0.179			
Total for period			6.457			
Min:			0.131			
Avg:			0.430			
Max:			1.036			

Flow Graph

Site:

2

137 Boston Post Road

Port Chester, NY

17" Circular line

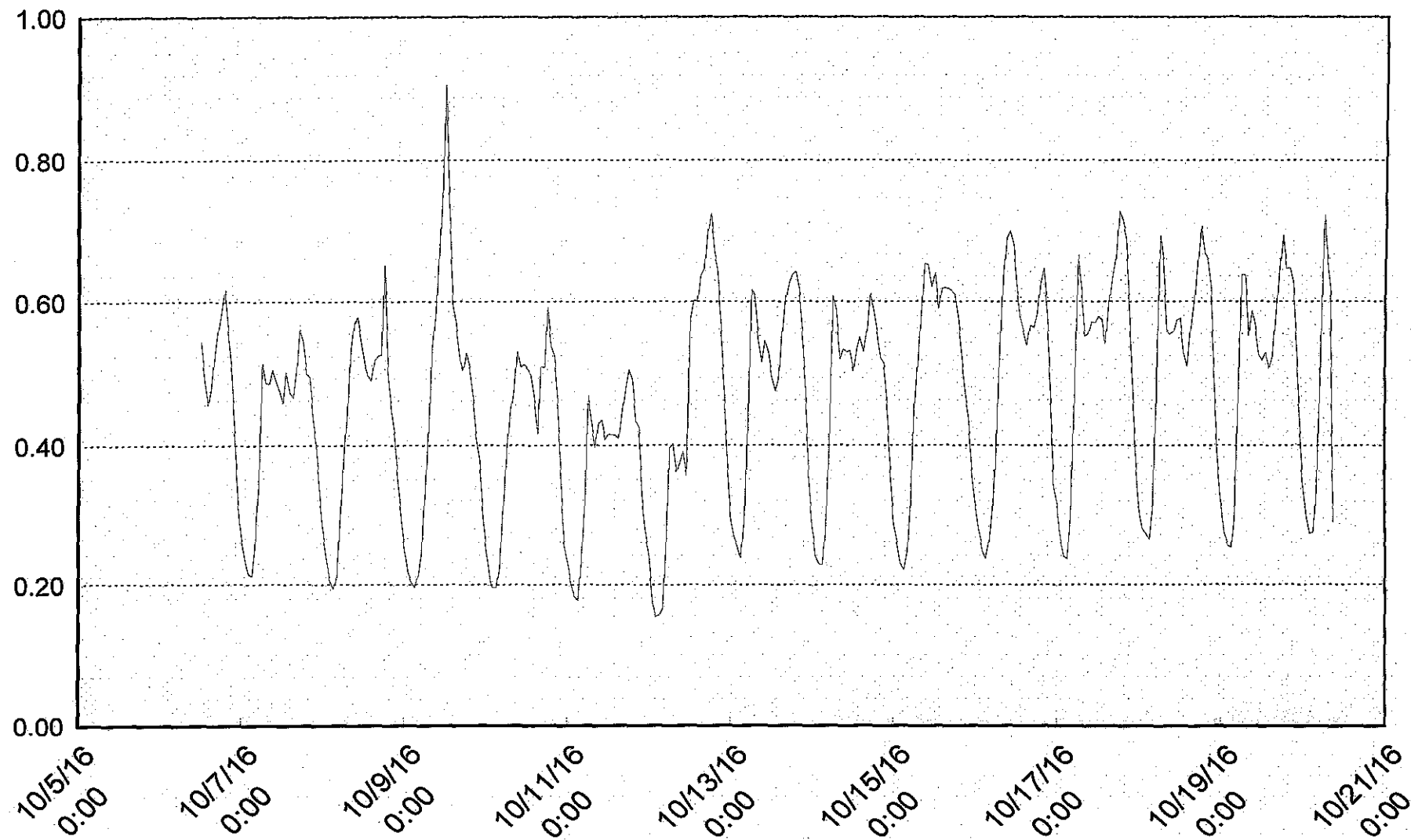


Flow (mgd)

Printed on:

10/24/2016

Period Covered: 10/06/2016 - 10/21/2016 Every 1 Hour



Daily Flow Report

Site:

2

137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/6/2016						12:30	5.40	2.16	0.602	0.017	
0:00						12:45	5.34	2.13	0.584	0.023	
0:15						13:00	5.38	2.16	0.597	0.029	
0:30						13:15	4.64	2.05	0.462	0.034	
0:45						13:30	4.65	2.07	0.468	0.039	
1:00						13:45	4.58	2.00	0.442	0.043	
1:15						14:00	4.65	2.07	0.467	0.048	
1:30						14:15	4.66	1.99	0.451	0.053	
1:45						14:30	4.50	2.05	0.442	0.057	
2:00						14:45	4.64	2.06	0.464	0.062	
2:15						15:00	4.53	2.05	0.448	0.067	
2:30						15:15	4.61	2.14	0.477	0.072	
2:45						15:30	4.72	2.14	0.493	0.077	
3:00						15:45	4.77	2.15	0.504	0.082	
3:15						16:00	4.73	2.15	0.497	0.087	
3:30						16:15	4.81	2.17	0.514	0.093	
3:45						16:30	4.95	2.17	0.535	0.098	
4:00						16:45	5.00	2.25	0.562	0.104	
4:15						17:00	5.07	2.25	0.575	0.110	
4:30						17:15	4.94	2.20	0.542	0.116	
4:45						17:30	4.92	2.21	0.542	0.121	
5:00						17:45	5.12	2.26	0.585	0.128	
5:15						18:00	5.08	2.23	0.571	0.134	
5:30						18:15	5.22	2.29	0.607	0.140	
5:45						18:30	5.18	2.26	0.593	0.146	
6:00						18:45	5.08	2.27	0.580	0.152	
6:15						19:00	5.12	2.29	0.591	0.158	
6:30						19:15	5.30	2.32	0.630	0.165	
6:45						19:30	5.33	2.33	0.637	0.171	
7:00						19:45	5.26	2.29	0.614	0.178	
7:15						20:00	5.00	2.27	0.568	0.184	
7:30						20:15	5.00	2.25	0.563	0.190	
7:45						20:30	5.03	2.27	0.572	0.196	
8:00						20:45	4.80	2.16	0.511	0.201	
8:15						21:00	4.79	2.21	0.520	0.206	
8:30						21:15	4.87	2.20	0.530	0.212	
8:45						21:30	4.69	2.10	0.480	0.217	
9:00						21:45	4.68	2.08	0.475	0.222	
9:15						22:00	4.51	2.03	0.440	0.226	
9:30						22:15	4.40	1.97	0.412	0.231	
9:45						22:30	4.35	1.93	0.397	0.235	
10:00						22:45	4.31	1.86	0.377	0.239	
10:15						23:00	4.15	1.83	0.352	0.242	
10:30						23:15	4.00	1.79	0.328	0.246	
10:45						23:30	3.88	1.72	0.301	0.249	
11:00						23:45	3.81	1.68	0.286	0.252	
11:15						Daily Totals:			0.286	0.252	
11:30						Data reported every:			15 Minutes		
11:45											
12:00	3.69	1.35	0.387	0.004							
12:15	5.59	2.08	0.605	0.010							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/7/2016						12:30	4.85	1.94	0.466	0.201	
0:00	3.79	1.68	0.284	0.003		12:45	4.84	1.98	0.473	0.206	
0:15	3.70	1.64	0.269	0.006		13:00	5.00	1.99	0.499	0.211	
0:30	3.75	1.62	0.270	0.009		13:15	4.95	1.98	0.487	0.216	
0:45	3.67	1.55	0.250	0.011		13:30	5.05	2.03	0.515	0.221	
1:00	3.64	1.55	0.248	0.014		13:45	5.05	2.00	0.508	0.227	
1:15	3.58	1.49	0.232	0.016		14:00	4.96	2.00	0.495	0.232	
1:30	3.53	1.55	0.236	0.019		14:15	4.95	2.00	0.494	0.237	
1:45	3.50	1.47	0.222	0.021		14:30	4.87	1.95	0.471	0.242	
2:00	3.49	1.51	0.227	0.023		14:45	4.68	1.92	0.438	0.246	
2:15	3.44	1.39	0.206	0.025		15:00	4.63	1.96	0.440	0.251	
2:30	3.45	1.45	0.214	0.028		15:15	4.86	2.06	0.495	0.256	
2:45	3.45	1.45	0.215	0.030		15:30	4.79	1.99	0.470	0.261	
3:00	3.41	1.45	0.211	0.032		15:45	4.78	1.98	0.465	0.266	
3:15	3.39	1.41	0.204	0.034		16:00	4.73	1.99	0.461	0.271	
3:30	3.45	1.45	0.215	0.037		16:15	4.95	2.05	0.506	0.276	
3:45	3.44	1.47	0.217	0.039		16:30	5.07	2.08	0.530	0.282	
4:00	3.49	1.51	0.228	0.041		16:45	5.01	2.05	0.514	0.287	
4:15	3.58	1.54	0.241	0.044		17:00	5.06	2.08	0.529	0.292	
4:30	3.75	1.58	0.263	0.046		17:15	5.21	2.16	0.570	0.298	
4:45	3.79	1.60	0.271	0.049		17:30	5.38	2.14	0.592	0.305	
5:00	4.07	1.69	0.317	0.053		17:45	5.14	2.13	0.553	0.310	
5:15	4.00	1.77	0.323	0.056		18:00	5.05	2.16	0.546	0.316	
5:30	4.14	1.85	0.354	0.060		18:15	5.18	2.17	0.570	0.322	
5:45	4.16	1.91	0.370	0.063		18:30	5.11	2.10	0.543	0.328	
6:00	4.55	2.04	0.447	0.068		18:45	4.95	2.13	0.525	0.333	
6:15	4.72	2.05	0.474	0.073		19:00	4.86	2.09	0.502	0.338	
6:30	5.49	2.15	0.611	0.079		19:15	4.77	2.04	0.479	0.343	
6:45	4.93	2.14	0.526	0.085		19:30	4.91	2.08	0.508	0.349	
7:00	4.87	2.11	0.508	0.090		19:45	4.90	2.11	0.513	0.354	
7:15	4.85	2.14	0.513	0.095		20:00	4.85	2.07	0.496	0.359	
7:30	4.70	2.07	0.474	0.100		20:15	4.83	2.10	0.500	0.364	
7:45	4.66	2.01	0.455	0.105		20:30	4.85	2.09	0.500	0.369	
8:00	4.56	2.09	0.461	0.110		20:45	4.83	2.04	0.486	0.375	
8:15	4.78	2.04	0.479	0.115		21:00	4.75	2.02	0.470	0.379	
8:30	4.92	2.12	0.519	0.120		21:15	4.64	1.96	0.440	0.384	
8:45	4.82	2.04	0.485	0.125		21:30	4.50	1.92	0.414	0.388	
9:00	4.89	2.10	0.508	0.131		21:45	4.51	1.93	0.417	0.393	
9:15	4.91	2.09	0.511	0.136		22:00	4.53	1.96	0.427	0.397	
9:30	4.94	2.06	0.506	0.141		22:15	4.42	1.95	0.411	0.401	
9:45	5.04	1.97	0.496	0.146		22:30	4.34	1.83	0.376	0.405	
10:00	4.94	2.03	0.499	0.152		22:45	4.20	1.85	0.362	0.409	
10:15	4.92	1.94	0.474	0.157		23:00	4.19	1.81	0.354	0.413	
10:30	5.02	1.93	0.486	0.162		23:15	4.11	1.77	0.336	0.416	
10:45	4.97	2.01	0.497	0.167		23:30	4.00	1.78	0.325	0.420	
11:00	4.93	2.00	0.490	0.172		23:45	3.91	1.70	0.302	0.423	
11:15	5.14	1.96	0.509	0.177		Daily Totals:			0.302	0.423	
11:30	4.66	1.95	0.441	0.182		Data reported every: 15 Minutes					
11:45	4.81	1.95	0.463	0.187							
12:00	4.74	1.95	0.454	0.191							
12:15	4.74	1.90	0.442	0.196							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/8/2016						12:30	4.96	2.08	0.515	0.202	
0:00	3.94	1.70	0.303	0.003		12:45	4.96	2.04	0.504	0.207	
0:15	3.89	1.68	0.295	0.006		13:00	4.78	2.04	0.479	0.212	
0:30	3.76	1.53	0.257	0.009		13:15	4.85	2.05	0.492	0.217	
0:45	3.69	1.57	0.255	0.012		13:30	4.95	2.06	0.507	0.222	
1:00	3.61	1.51	0.239	0.014		13:45	4.91	2.10	0.513	0.228	
1:15	3.60	1.51	0.238	0.017		14:00	4.73	2.01	0.465	0.233	
1:30	3.55	1.51	0.233	0.019		14:15	4.78	2.07	0.485	0.238	
1:45	3.55	1.53	0.236	0.021		14:30	4.90	2.05	0.499	0.243	
2:00	3.47	1.47	0.219	0.024		14:45	4.96	2.07	0.512	0.248	
2:15	3.42	1.43	0.209	0.026		15:00	4.97	2.08	0.516	0.254	
2:30	3.34	1.41	0.200	0.028		15:15	4.85	2.09	0.501	0.259	
2:45	3.32	1.43	0.200	0.030		15:30	4.86	2.10	0.505	0.264	
3:00	3.34	1.41	0.200	0.032		15:45	5.11	2.15	0.553	0.270	
3:15	3.31	1.38	0.192	0.034		16:00	4.99	2.10	0.523	0.275	
3:30	3.31	1.37	0.191	0.036		16:15	5.04	2.09	0.529	0.281	
3:45	3.34	1.36	0.193	0.038		16:30	5.12	2.08	0.540	0.286	
4:00	3.35	1.37	0.195	0.040		16:45	5.01	2.02	0.506	0.292	
4:15	3.35	1.39	0.198	0.042		17:00	5.35	2.16	0.594	0.298	
4:30	3.47	1.40	0.210	0.044		17:15	5.06	2.02	0.514	0.303	
4:45	3.48	1.46	0.219	0.047		17:30	5.05	2.02	0.513	0.309	
5:00	3.63	1.53	0.243	0.049		17:45	4.95	1.96	0.483	0.314	
5:15	3.89	1.59	0.278	0.052		18:00	5.51	2.28	0.655	0.320	
5:30	3.88	1.64	0.287	0.055		18:15	5.95	2.31	0.737	0.328	
5:45	4.05	1.70	0.317	0.058		18:30	5.55	2.20	0.636	0.335	
6:00	4.11	1.77	0.336	0.062		18:45	5.24	2.16	0.576	0.341	
6:15	4.21	1.80	0.354	0.066		19:00	4.96	2.11	0.523	0.346	
6:30	4.38	1.91	0.397	0.070		19:15	4.79	2.04	0.481	0.351	
6:45	4.60	2.00	0.444	0.074		19:30	4.81	2.07	0.491	0.356	
7:00	4.37	1.90	0.394	0.078		19:45	4.81	2.05	0.486	0.361	
7:15	4.58	1.97	0.435	0.083		20:00	4.81	2.05	0.487	0.366	
7:30	4.76	2.06	0.480	0.088		20:15	4.70	2.01	0.460	0.371	
7:45	4.72	2.01	0.464	0.093		20:30	4.55	1.96	0.430	0.376	
8:00	4.91	2.07	0.506	0.098		20:45	4.50	1.96	0.423	0.380	
8:15	4.99	2.12	0.530	0.104		21:00	4.42	1.93	0.406	0.384	
8:30	5.08	2.17	0.555	0.109		21:15	4.51	1.99	0.431	0.389	
8:45	5.00	2.13	0.533	0.115		21:30	4.47	1.96	0.419	0.393	
9:00	5.08	2.17	0.556	0.121		21:45	4.41	1.92	0.401	0.397	
9:15	5.20	2.17	0.572	0.127		22:00	4.22	1.83	0.361	0.401	
9:30	5.18	2.21	0.582	0.133		22:15	4.35	1.83	0.378	0.405	
9:45	5.09	2.21	0.566	0.139		22:30	4.04	1.79	0.333	0.409	
10:00	5.31	2.23	0.608	0.145		22:45	4.00	1.80	0.329	0.412	
10:15	5.23	2.22	0.591	0.151		23:00	3.95	1.74	0.314	0.415	
10:30	5.11	2.15	0.554	0.157		23:15	3.91	1.80	0.318	0.419	
10:45	5.10	2.19	0.563	0.163		23:30	3.82	1.70	0.291	0.422	
11:00	5.22	2.16	0.572	0.169		23:45	3.75	1.70	0.284	0.425	
11:15	5.00	2.09	0.523	0.174		Daily Totals:		0.284		0.425	
11:30	5.05	2.13	0.538	0.180		Data reported every: 15 Minutes					
11:45	5.09	2.13	0.548	0.186							
12:00	4.99	2.06	0.513	0.191							
12:15	5.04	2.10	0.531	0.196							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/9/2016						12:30	6.72	2.53	0.949	0.220	
0:00	3.64	1.65	0.263	0.003		12:45	6.81	2.55	0.971	0.230	
0:15	3.61	1.61	0.255	0.005		13:00	6.43	2.47	0.873	0.239	
0:30	3.59	1.58	0.248	0.008		13:15	5.99	2.31	0.741	0.247	
0:45	3.46	1.63	0.242	0.010		13:30	5.76	2.28	0.694	0.254	
1:00	3.45	1.55	0.229	0.013		13:45	5.57	2.20	0.639	0.261	
1:15	3.36	1.55	0.221	0.015		14:00	5.54	2.19	0.632	0.267	
1:30	3.40	1.47	0.213	0.017		14:15	5.33	2.12	0.579	0.273	
1:45	3.38	1.44	0.208	0.020		14:30	5.39	2.16	0.599	0.280	
2:00	3.45	1.44	0.214	0.022		14:45	5.26	2.15	0.578	0.286	
2:15	3.36	1.43	0.204	0.024		15:00	5.31	2.16	0.588	0.292	
2:30	3.26	1.42	0.194	0.026		15:15	5.31	2.10	0.572	0.298	
2:45	3.28	1.47	0.203	0.028		15:30	5.21	2.09	0.553	0.303	
3:00	3.29	1.45	0.200	0.030		15:45	5.22	2.12	0.564	0.309	
3:15	3.31	1.43	0.199	0.032		16:00	5.08	2.03	0.519	0.315	
3:30	3.27	1.41	0.193	0.034		16:15	4.97	1.99	0.494	0.320	
3:45	3.25	1.39	0.189	0.036		16:30	5.06	2.04	0.519	0.325	
4:00	3.26	1.42	0.194	0.038		16:45	5.09	2.13	0.546	0.331	
4:15	3.33	1.46	0.206	0.040		17:00	5.03	2.03	0.511	0.336	
4:30	3.45	1.51	0.224	0.043		17:15	4.91	2.00	0.487	0.341	
4:45	3.47	1.50	0.224	0.045		17:30	4.98	2.04	0.507	0.347	
5:00	3.53	1.49	0.228	0.047		17:45	5.03	2.04	0.514	0.352	
5:15	3.50	1.50	0.226	0.050		18:00	5.15	2.08	0.542	0.358	
5:30	3.60	1.53	0.241	0.052		18:15	5.08	2.11	0.539	0.363	
5:45	3.84	1.56	0.270	0.055		18:30	4.90	2.10	0.510	0.368	
6:00	3.74	1.67	0.278	0.058		18:45	4.97	2.12	0.524	0.374	
6:15	3.94	1.73	0.310	0.061		19:00	4.84	2.10	0.502	0.379	
6:30	4.17	1.80	0.348	0.065		19:15	4.87	2.05	0.495	0.384	
6:45	4.33	1.89	0.387	0.069		19:30	4.88	2.12	0.512	0.390	
7:00	4.44	1.87	0.395	0.073		19:45	4.90	2.16	0.526	0.395	
7:15	4.39	1.92	0.400	0.077		20:00	4.93	2.09	0.513	0.400	
7:30	4.50	1.98	0.427	0.082		20:15	4.76	2.08	0.485	0.406	
7:45	4.68	2.04	0.466	0.086		20:30	4.64	2.03	0.457	0.410	
8:00	4.80	2.10	0.496	0.092		20:45	4.52	1.93	0.419	0.415	
8:15	5.03	2.16	0.546	0.097		21:00	4.44	1.93	0.410	0.419	
8:30	5.05	2.18	0.553	0.103		21:15	4.36	1.92	0.397	0.423	
8:45	5.06	2.17	0.552	0.109		21:30	4.42	1.98	0.415	0.427	
9:00	5.25	2.22	0.595	0.115		21:45	4.52	1.96	0.425	0.432	
9:15	5.22	2.24	0.595	0.121		22:00	4.39	1.95	0.406	0.436	
9:30	5.22	2.19	0.581	0.127		22:15	4.32	1.86	0.380	0.440	
9:45	5.20	2.15	0.569	0.133		22:30	4.20	1.90	0.373	0.444	
10:00	5.36	2.26	0.622	0.140		22:45	4.17	1.82	0.352	0.448	
10:15	5.55	2.30	0.664	0.147		23:00	4.00	1.78	0.325	0.451	
10:30	5.56	2.28	0.661	0.153		23:15	3.89	1.72	0.301	0.454	
10:45	5.71	2.41	0.724	0.161		23:30	3.92	1.68	0.299	0.457	
11:00	5.58	2.34	0.680	0.168		23:45	3.85	1.68	0.290	0.460	
11:15	5.70	2.36	0.707	0.175		Daily Totals:		0.290	0.460		
11:30	5.97	2.47	0.790	0.184		Data reported every:		15 Minutes			
11:45	6.08	2.50	0.818	0.192							
12:00	6.22	2.48	0.839	0.201							
12:15	6.36	2.48	0.864	0.210							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/10/2016						12:30	5.09	2.01	0.515	0.193	
0:00	3.68	1.59	0.259	0.003		12:45	5.05	2.07	0.524	0.198	
0:15	3.68	1.59	0.259	0.005		13:00	5.05	2.10	0.533	0.204	
0:30	3.61	1.56	0.247	0.008		13:15	4.90	2.02	0.490	0.209	
0:45	3.51	1.50	0.228	0.010		13:30	4.70	2.11	0.485	0.214	
1:00	3.44	1.48	0.218	0.013		13:45	4.81	2.06	0.487	0.219	
1:15	3.40	1.47	0.214	0.015		14:00	4.65	2.06	0.466	0.224	
1:30	3.39	1.46	0.211	0.017		14:15	4.81	2.06	0.488	0.229	
1:45	3.32	1.44	0.202	0.019		14:30	4.65	2.05	0.463	0.234	
2:00	3.32	1.42	0.199	0.021		14:45	4.61	2.01	0.451	0.239	
2:15	3.28	1.38	0.190	0.023		15:00	4.38	1.96	0.406	0.243	
2:30	3.29	1.42	0.197	0.025		15:15	4.35	2.00	0.412	0.247	
2:45	3.29	1.41	0.195	0.027		15:30	4.42	1.99	0.418	0.251	
3:00	3.28	1.41	0.194	0.029		15:45	4.46	2.01	0.429	0.256	
3:15	3.26	1.43	0.195	0.031		16:00	4.69	2.09	0.478	0.261	
3:30	3.33	1.35	0.190	0.033		16:15	4.87	2.16	0.522	0.266	
3:45	3.36	1.43	0.204	0.035		16:30	4.79	2.11	0.498	0.271	
4:00	3.40	1.48	0.215	0.038		16:45	4.93	2.22	0.545	0.277	
4:15	3.39	1.46	0.211	0.040		17:00	4.76	2.15	0.502	0.282	
4:30	3.52	1.53	0.233	0.042		17:15	4.78	2.20	0.517	0.288	
4:45	3.56	1.54	0.239	0.045		17:30	4.76	2.09	0.488	0.293	
5:00	3.80	1.66	0.284	0.048		17:45	4.90	2.17	0.527	0.298	
5:15	3.83	1.70	0.292	0.051		18:00	6.03	2.17	0.701	0.306	
5:30	3.86	1.72	0.298	0.054		18:15	5.20	2.19	0.578	0.312	
5:45	4.15	1.80	0.346	0.057		18:30	5.08	2.19	0.559	0.317	
6:00	4.29	1.92	0.387	0.062		18:45	4.95	2.15	0.529	0.323	
6:15	4.28	1.84	0.370	0.065		19:00	4.93	2.17	0.531	0.329	
6:30	4.43	1.89	0.399	0.070		19:15	4.92	2.20	0.538	0.334	
6:45	4.54	1.93	0.423	0.074		19:30	4.91	2.24	0.546	0.340	
7:00	4.60	1.96	0.437	0.079		19:45	4.94	2.18	0.537	0.345	
7:15	4.54	1.97	0.430	0.083		20:00	4.88	2.13	0.515	0.351	
7:30	4.67	2.00	0.454	0.088		20:15	5.00	2.17	0.542	0.356	
7:45	4.80	1.99	0.470	0.093		20:30	4.88	2.18	0.526	0.362	
8:00	4.69	1.98	0.453	0.097		20:45	4.83	2.13	0.508	0.367	
8:15	4.60	2.01	0.447	0.102		21:00	4.75	2.09	0.485	0.372	
8:30	4.77	2.04	0.478	0.107		21:15	4.51	2.01	0.435	0.377	
8:45	4.97	2.13	0.528	0.112		21:30	4.48	2.06	0.442	0.381	
9:00	5.05	2.05	0.522	0.118		21:45	4.58	2.03	0.448	0.386	
9:15	4.96	2.11	0.522	0.123		22:00	4.32	1.95	0.397	0.390	
9:30	5.17	2.18	0.571	0.129		22:15	4.21	1.87	0.366	0.394	
9:45	4.87	2.10	0.506	0.135		22:30	4.11	1.81	0.344	0.398	
10:00	4.86	2.11	0.507	0.140		22:45	3.92	1.69	0.301	0.401	
10:15	4.82	2.06	0.488	0.145		23:00	3.81	1.63	0.278	0.404	
10:30	4.95	2.15	0.530	0.150		23:15	3.72	1.62	0.267	0.406	
10:45	4.86	2.13	0.512	0.156		23:30	3.61	1.56	0.247	0.409	
11:00	4.87	2.09	0.502	0.161		23:45	3.65	1.52	0.244	0.412	
11:15	5.30	2.08	0.565	0.167		Daily Totals:			0.244	0.412	
11:30	4.82	2.06	0.491	0.172		Data reported every: 15 Minutes					
11:45	4.87	2.05	0.495	0.177							
12:00	4.84	2.11	0.504	0.182							
12:15	4.98	1.96	0.486	0.187							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/11/2016						12:30	4.47	1.91	0.410	0.176	
0:00	3.57	1.53	0.237	0.002		12:45	4.36	1.95	0.403	0.180	
0:15	3.58	1.50	0.235	0.005		13:00	4.35	1.91	0.393	0.184	
0:30	3.55	1.47	0.227	0.007		13:15	4.52	1.99	0.432	0.189	
0:45	3.50	1.49	0.225	0.010		13:30	4.39	1.99	0.415	0.193	
1:00	3.47	1.42	0.213	0.012		13:45	4.47	1.97	0.422	0.197	
1:15	3.42	1.43	0.209	0.014		14:00	4.64	2.04	0.459	0.202	
1:30	3.34	1.40	0.198	0.016		14:15	4.42	1.95	0.410	0.206	
1:45	3.35	1.38	0.196	0.018		14:30	4.33	1.88	0.384	0.210	
2:00	3.17	1.36	0.179	0.020		14:45	4.31	1.99	0.404	0.214	
2:15	3.14	1.39	0.180	0.022		15:00	4.35	1.93	0.396	0.219	
2:30	3.21	1.37	0.184	0.024		15:15	4.46	1.94	0.412	0.223	
2:45	3.21	1.39	0.185	0.026		15:30	4.43	1.92	0.406	0.227	
3:00	3.12	1.34	0.171	0.027		15:45	4.46	1.99	0.424	0.232	
3:15	3.12	1.31	0.167	0.029		16:00	4.60	2.02	0.450	0.236	
3:30	3.14	1.36	0.176	0.031		16:15	4.59	2.00	0.445	0.241	
3:45	3.37	1.35	0.193	0.033		16:30	4.56	1.98	0.435	0.245	
4:00	3.41	1.41	0.206	0.035		16:45	4.65	2.01	0.454	0.250	
4:15	3.49	1.43	0.216	0.037		17:00	4.66	2.10	0.476	0.255	
4:30	3.60	1.49	0.234	0.040		17:15	4.67	2.03	0.462	0.260	
4:45	3.65	1.64	0.263	0.043		17:30	4.75	2.12	0.494	0.265	
5:00	3.64	1.66	0.266	0.045		17:45	4.73	2.10	0.484	0.270	
5:15	3.77	1.71	0.287	0.048		18:00	4.81	2.04	0.483	0.275	
5:30	3.95	1.80	0.323	0.052		18:15	4.81	2.10	0.498	0.280	
5:45	4.06	1.87	0.349	0.055		18:30	4.96	2.14	0.529	0.286	
6:00	4.35	2.00	0.411	0.060		18:45	4.86	2.12	0.509	0.291	
6:15	4.53	2.03	0.443	0.064		19:00	4.90	2.14	0.520	0.297	
6:30	4.84	2.13	0.510	0.070		19:15	4.82	2.10	0.500	0.302	
6:45	4.86	2.14	0.514	0.075		19:30	4.79	2.03	0.479	0.307	
7:00	4.71	2.10	0.483	0.080		19:45	4.73	2.01	0.466	0.312	
7:15	4.52	2.03	0.440	0.085		20:00	4.63	1.94	0.437	0.316	
7:30	4.38	1.96	0.409	0.089		20:15	4.66	1.99	0.450	0.321	
7:45	4.30	1.95	0.395	0.093		20:30	4.57	1.93	0.426	0.325	
8:00	4.25	1.92	0.382	0.097		20:45	4.55	1.94	0.425	0.330	
8:15	4.25	1.92	0.381	0.101		21:00	4.64	2.01	0.453	0.334	
8:30	4.38	1.98	0.412	0.105		21:15	4.47	2.00	0.427	0.339	
8:45	4.48	1.92	0.411	0.109		21:30	4.52	2.01	0.436	0.343	
9:00	4.61	1.98	0.443	0.114		21:45	4.39	1.83	0.383	0.347	
9:15	4.40	1.95	0.408	0.118		22:00	4.17	1.76	0.341	0.351	
9:30	4.57	2.01	0.444	0.123		22:15	4.06	1.75	0.326	0.354	
9:45	4.54	1.96	0.428	0.127		22:30	4.07	1.73	0.325	0.358	
10:00	4.59	1.99	0.443	0.132		22:45	3.97	1.71	0.309	0.361	
10:15	4.73	2.01	0.467	0.137		23:00	3.89	1.68	0.295	0.364	
10:30	4.57	2.00	0.442	0.141		23:15	3.86	1.59	0.275	0.367	
10:45	4.38	1.89	0.392	0.146		23:30	3.82	1.63	0.280	0.370	
11:00	4.45	1.95	0.413	0.150		23:45	3.70	1.49	0.245	0.372	
11:15	4.33	1.93	0.395	0.154		Daily Totals:			0.245	0.372	
11:30	4.30	1.90	0.386	0.158		Data reported every: 15 Minutes					
11:45	4.51	2.03	0.439	0.163							
12:00	4.49	2.03	0.436	0.167							
12:15	4.30	2.05	0.414	0.171							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/12/2016						12:30	5.31	2.18	0.592	0.160	
0:00	3.77	1.56	0.263	0.003		12:45	5.29	2.17	0.587	0.167	
0:15	3.80	1.55	0.263	0.005		13:00	5.34	2.26	0.619	0.173	
0:30	3.69	1.44	0.234	0.008		13:15	5.31	2.23	0.607	0.179	
0:45	3.44	1.39	0.205	0.010		13:30	5.29	2.16	0.583	0.185	
1:00	3.30	1.38	0.191	0.012		13:45	5.31	2.21	0.599	0.192	
1:15	3.01	1.30	0.158	0.014		14:00	5.42	2.24	0.626	0.198	
1:30	3.28	1.36	0.187	0.016		14:15	5.27	2.19	0.588	0.204	
1:45	3.04	1.27	0.157	0.017		14:30	5.36	2.25	0.621	0.211	
2:00	3.01	1.22	0.148	0.019		14:45	5.23	2.12	0.565	0.217	
2:15	2.98	1.28	0.153	0.020		15:00	5.40	2.24	0.624	0.223	
2:30	3.03	1.24	0.152	0.022		15:15	5.45	2.25	0.635	0.230	
2:45	3.10	1.29	0.164	0.024		15:30	5.51	2.29	0.653	0.237	
3:00	3.27	1.29	0.177	0.026		15:45	5.45	2.25	0.634	0.243	
3:15	3.25	1.24	0.168	0.027		16:00	5.40	2.24	0.622	0.250	
3:30	2.96	1.16	0.138	0.029		16:15	5.44	2.25	0.633	0.256	
3:45	2.93	1.21	0.142	0.030		16:30	5.52	2.27	0.652	0.263	
4:00	2.97	1.15	0.138	0.032		16:45	5.56	2.32	0.671	0.270	
4:15	3.09	1.26	0.159	0.033		17:00	5.51	2.31	0.659	0.277	
4:30	3.38	1.26	0.182	0.035		17:15	5.59	2.32	0.678	0.284	
4:45	3.38	1.26	0.181	0.037		17:30	5.61	2.37	0.695	0.291	
5:00	3.49	1.37	0.206	0.039		17:45	5.85	2.43	0.753	0.299	
5:15	3.66	1.49	0.240	0.042		18:00	5.92	2.49	0.787	0.307	
5:30	3.75	1.52	0.253	0.044		18:15	5.54	2.45	0.705	0.315	
5:45	3.94	1.60	0.285	0.047		18:30	5.67	2.42	0.721	0.322	
6:00	4.29	1.72	0.347	0.051		18:45	5.53	2.38	0.684	0.329	
6:15	4.50	1.80	0.388	0.055		19:00	5.41	2.36	0.657	0.336	
6:30	4.57	1.81	0.400	0.059		19:15	5.39	2.39	0.665	0.343	
6:45	4.76	1.93	0.450	0.064		19:30	5.44	2.41	0.676	0.350	
7:00	4.81	1.85	0.439	0.068		19:45	5.47	2.41	0.684	0.357	
7:15	4.67	1.78	0.405	0.073		20:00	5.31	2.35	0.639	0.364	
7:30	4.57	1.78	0.392	0.077		20:15	5.33	2.39	0.655	0.371	
7:45	4.40	1.78	0.373	0.081		20:30	5.33	2.38	0.651	0.377	
8:00	4.54	1.83	0.400	0.085		20:45	5.31	2.33	0.632	0.384	
8:15	4.26	1.64	0.328	0.088		21:00	5.07	2.26	0.576	0.390	
8:30	4.32	1.73	0.353	0.092		21:15	5.04	2.23	0.565	0.396	
8:45	4.46	1.73	0.369	0.096		21:30	5.04	2.28	0.576	0.402	
9:00	4.27	1.71	0.341	0.099		21:45	4.92	2.20	0.539	0.407	
9:15	4.48	1.78	0.383	0.103		22:00	4.82	2.21	0.526	0.413	
9:30	4.54	1.76	0.384	0.107		22:15	4.62	2.09	0.468	0.418	
9:45	4.56	1.80	0.395	0.111		22:30	4.62	2.10	0.470	0.423	
10:00	4.61	1.72	0.384	0.115		22:45	4.52	1.98	0.431	0.427	
10:15	4.66	1.79	0.406	0.120		23:00	4.43	1.94	0.410	0.431	
10:30	4.56	1.74	0.383	0.124		23:15	4.30	1.90	0.384	0.435	
10:45	4.62	1.74	0.390	0.128		23:30	4.15	1.89	0.363	0.439	
11:00	4.59	1.73	0.386	0.132		23:45	4.16	1.86	0.360	0.443	
11:15	4.37	1.65	0.343	0.135		Daily Totals:		0.360	0.443		
11:30	4.39	1.77	0.370	0.139		Data reported every:		15 Minutes			
11:45	4.24	1.67	0.331	0.143							
12:00	5.12	2.03	0.534	0.148							
12:15	5.33	2.16	0.591	0.154							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/13/2016						12:30	4.80	2.17	0.513	0.229	
0:00	3.99	1.76	0.321	0.003		12:45	4.71	2.09	0.480	0.234	
0:15	3.83	1.70	0.293	0.006		13:00	4.62	2.03	0.455	0.239	
0:30	3.82	1.72	0.295	0.009		13:15	4.75	2.09	0.487	0.244	
0:45	3.75	1.68	0.280	0.012		13:30	4.69	2.08	0.475	0.249	
1:00	3.70	1.65	0.270	0.015		13:45	4.71	2.11	0.486	0.254	
1:15	3.65	1.62	0.260	0.018		14:00	4.76	2.10	0.492	0.259	
1:30	3.65	1.65	0.265	0.021		14:15	4.80	2.09	0.494	0.264	
1:45	3.67	1.66	0.268	0.023		14:30	4.74	2.04	0.472	0.269	
2:00	3.64	1.60	0.256	0.026		14:45	4.82	2.15	0.511	0.275	
2:15	3.66	1.62	0.260	0.029		15:00	4.90	2.21	0.537	0.280	
2:30	3.57	1.63	0.252	0.031		15:15	4.97	2.23	0.552	0.286	
2:45	3.60	1.60	0.253	0.034		15:30	4.97	2.23	0.552	0.292	
3:00	3.54	1.53	0.235	0.037		15:45	5.07	2.28	0.582	0.298	
3:15	3.48	1.54	0.232	0.039		16:00	5.11	2.26	0.582	0.304	
3:30	3.56	1.55	0.240	0.041		16:15	5.22	2.27	0.603	0.310	
3:45	3.58	1.58	0.246	0.044		16:30	5.20	2.27	0.599	0.316	
4:00	3.64	1.59	0.254	0.047		16:45	5.27	2.35	0.632	0.323	
4:15	3.73	1.63	0.270	0.049		17:00	5.18	2.31	0.606	0.329	
4:30	3.91	1.72	0.305	0.053		17:15	5.22	2.29	0.607	0.336	
4:45	4.02	1.77	0.325	0.056		17:30	5.38	2.36	0.654	0.342	
5:00	4.15	1.86	0.358	0.060		17:45	5.28	2.37	0.640	0.349	
5:15	4.34	1.93	0.397	0.064		18:00	5.32	2.41	0.656	0.356	
5:30	4.56	2.09	0.461	0.069		18:15	5.36	2.30	0.635	0.363	
5:45	4.69	2.13	0.486	0.074		18:30	5.27	2.31	0.621	0.369	
6:00	4.93	2.23	0.547	0.079		18:45	5.32	2.35	0.641	0.376	
6:15	5.13	2.26	0.587	0.086		19:00	5.39	2.38	0.659	0.383	
6:30	5.33	2.37	0.648	0.092		19:15	5.34	2.34	0.642	0.389	
6:45	5.43	2.43	0.682	0.099		19:30	5.36	2.29	0.631	0.396	
7:00	5.45	2.46	0.692	0.107		19:45	5.37	2.30	0.636	0.402	
7:15	5.29	2.35	0.635	0.113		20:00	5.33	2.32	0.633	0.409	
7:30	5.03	2.27	0.574	0.119		20:15	5.36	2.36	0.651	0.416	
7:45	4.92	2.17	0.529	0.125		20:30	5.16	2.27	0.592	0.422	
8:00	4.87	2.16	0.521	0.130		20:45	5.13	2.28	0.591	0.428	
8:15	4.90	2.21	0.537	0.136		21:00	5.13	2.27	0.588	0.434	
8:30	5.03	2.24	0.565	0.142		21:15	5.07	2.23	0.569	0.440	
8:45	5.00	2.27	0.568	0.148		21:30	4.96	2.22	0.549	0.446	
9:00	4.77	2.15	0.505	0.153		21:45	4.90	2.11	0.514	0.451	
9:15	4.81	2.15	0.508	0.158		22:00	4.97	2.21	0.548	0.457	
9:30	4.84	2.18	0.521	0.164		22:15	4.68	2.07	0.472	0.462	
9:45	4.89	2.17	0.526	0.169		22:30	4.62	2.06	0.461	0.467	
10:00	5.04	2.24	0.566	0.175		22:45	4.47	1.98	0.423	0.471	
10:15	4.86	2.20	0.528	0.180		23:00	4.35	1.91	0.394	0.475	
10:30	4.88	2.18	0.526	0.186		23:15	4.20	1.84	0.360	0.479	
10:45	5.03	2.22	0.560	0.192		23:30	4.17	1.84	0.357	0.483	
11:00	5.01	2.24	0.563	0.198		23:45	4.09	1.79	0.336	0.486	
11:15	4.87	2.17	0.524	0.203		Daily Totals:			0.336	0.486	
11:30	4.88	2.18	0.527	0.209		Data reported every: 15 Minutes					
11:45	4.82	2.10	0.500	0.214							
12:00	4.74	2.13	0.495	0.219							
12:15	4.73	2.11	0.488	0.224							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/14/2016						12:30	4.82	2.11	0.502	0.223	
0:00	3.99	1.74	0.317	0.003		12:45	4.87	2.14	0.516	0.228	
0:15	3.85	1.65	0.286	0.006		13:00	4.80	2.13	0.504	0.233	
0:30	3.81	1.68	0.287	0.009		13:15	4.80	2.13	0.502	0.239	
0:45	3.64	1.60	0.255	0.012		13:30	4.99	2.24	0.560	0.244	
1:00	3.61	1.57	0.248	0.015		13:45	5.03	2.24	0.566	0.250	
1:15	3.61	1.56	0.247	0.017		14:00	5.03	2.24	0.563	0.256	
1:30	3.57	1.53	0.237	0.020		14:15	5.06	2.23	0.568	0.262	
1:45	3.51	1.54	0.233	0.022		14:30	4.92	2.19	0.535	0.268	
2:00	3.50	1.53	0.232	0.024		14:45	4.89	2.20	0.534	0.273	
2:15	3.49	1.50	0.226	0.027		15:00	4.91	2.16	0.527	0.279	
2:30	3.46	1.52	0.226	0.029		15:15	4.87	2.17	0.522	0.284	
2:45	3.49	1.52	0.228	0.031		15:30	4.94	2.19	0.538	0.290	
3:00	3.45	1.51	0.224	0.034		15:45	4.92	2.18	0.534	0.295	
3:15	3.47	1.48	0.221	0.036		16:00	5.06	2.29	0.581	0.301	
3:30	3.56	1.50	0.233	0.039		16:15	5.00	2.27	0.567	0.307	
3:45	3.53	1.51	0.232	0.041		16:30	4.91	2.20	0.538	0.313	
4:00	3.68	1.57	0.254	0.044		16:45	4.95	2.24	0.553	0.319	
4:15	3.76	1.59	0.266	0.046		17:00	5.08	2.32	0.593	0.325	
4:30	3.86	1.70	0.295	0.049		17:15	5.16	2.33	0.608	0.331	
4:45	3.88	1.70	0.297	0.053		17:30	5.25	2.33	0.626	0.338	
5:00	4.08	1.78	0.335	0.056		17:45	5.19	2.33	0.614	0.344	
5:15	4.27	1.90	0.381	0.060		18:00	5.13	2.28	0.591	0.350	
5:30	4.50	1.92	0.414	0.064		18:15	5.14	2.28	0.593	0.356	
5:45	4.65	2.03	0.458	0.069		18:30	5.13	2.33	0.603	0.363	
6:00	4.97	2.24	0.556	0.075		18:45	5.00	2.25	0.564	0.368	
6:15	5.21	2.23	0.590	0.081		19:00	5.06	2.27	0.577	0.374	
6:30	5.42	2.32	0.650	0.088		19:15	4.96	2.24	0.554	0.380	
6:45	5.40	2.29	0.639	0.094		19:30	4.95	2.22	0.546	0.386	
7:00	5.40	2.39	0.665	0.101		19:45	4.93	2.25	0.551	0.392	
7:15	5.20	2.29	0.605	0.108		20:00	4.79	2.14	0.505	0.397	
7:30	5.02	2.21	0.556	0.113		20:15	4.92	2.23	0.546	0.403	
7:45	4.86	2.20	0.529	0.119		20:30	4.82	2.16	0.515	0.408	
8:00	4.93	2.13	0.522	0.124		20:45	4.87	2.17	0.522	0.413	
8:15	4.86	2.14	0.515	0.130		21:00	4.86	2.18	0.524	0.419	
8:30	4.88	2.18	0.526	0.135		21:15	4.87	2.17	0.524	0.424	
8:45	4.83	2.16	0.514	0.141		21:30	4.71	2.16	0.498	0.430	
9:00	4.99	2.22	0.553	0.146		21:45	4.82	2.15	0.511	0.435	
9:15	4.84	2.20	0.526	0.152		22:00	4.76	2.13	0.498	0.440	
9:30	4.86	2.15	0.517	0.157		22:15	4.70	2.09	0.480	0.445	
9:45	4.98	2.16	0.536	0.163		22:30	4.51	1.99	0.431	0.450	
10:00	4.93	2.19	0.538	0.168		22:45	4.42	1.95	0.411	0.454	
10:15	4.95	2.14	0.528	0.174		23:00	4.34	1.93	0.396	0.458	
10:30	4.88	2.20	0.531	0.179		23:15	4.24	1.89	0.375	0.462	
10:45	4.86	2.17	0.521	0.185		23:30	4.14	1.85	0.356	0.466	
11:00	4.89	2.19	0.531	0.190		23:45	4.09	1.84	0.347	0.469	
11:15	4.87	2.19	0.528	0.196		Daily Totals:			0.347	0.469	
11:30	4.92	2.21	0.540	0.202		Data reported every: 15 Minutes					
11:45	4.94	2.15	0.529	0.207							
12:00	4.82	2.13	0.508	0.212							
12:15	4.73	2.11	0.488	0.217							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/15/2016						12:30	5.32	2.39	0.651	0.230	
0:00	4.00	1.73	0.317	0.003		12:45	5.13	2.30	0.596	0.236	
0:15	3.86	1.72	0.298	0.006		13:00	5.07	2.26	0.575	0.242	
0:30	3.77	1.66	0.279	0.009		13:15	5.17	2.31	0.605	0.249	
0:45	3.68	1.60	0.259	0.012		13:30	5.17	2.30	0.602	0.255	
1:00	3.69	1.63	0.266	0.015		13:45	5.15	2.21	0.577	0.261	
1:15	3.68	1.61	0.261	0.017		14:00	5.16	2.25	0.588	0.267	
1:30	3.66	1.60	0.258	0.020		14:15	5.21	2.31	0.612	0.273	
1:45	3.61	1.59	0.251	0.023		14:30	5.28	2.38	0.641	0.280	
2:00	3.52	1.56	0.237	0.025		14:45	5.31	2.32	0.632	0.287	
2:15	3.48	1.50	0.225	0.028		15:00	5.15	2.31	0.602	0.293	
2:30	3.50	1.54	0.233	0.030		15:15	5.15	2.32	0.604	0.299	
2:45	3.44	1.50	0.221	0.032		15:30	5.22	2.30	0.612	0.306	
3:00	3.42	1.48	0.217	0.035		15:45	5.37	2.38	0.656	0.312	
3:15	3.41	1.51	0.219	0.037		16:00	5.13	2.25	0.584	0.319	
3:30	3.44	1.49	0.219	0.039		16:15	5.16	2.30	0.600	0.325	
3:45	3.42	1.52	0.223	0.041		16:30	5.32	2.35	0.640	0.331	
4:00	3.45	1.49	0.220	0.044		16:45	5.28	2.38	0.644	0.338	
4:15	3.50	1.53	0.231	0.046		17:00	5.27	2.31	0.622	0.345	
4:30	3.63	1.59	0.254	0.049		17:15	5.21	2.27	0.600	0.351	
4:45	3.78	1.66	0.281	0.052		17:30	5.23	2.30	0.612	0.357	
5:00	3.85	1.70	0.294	0.055		17:45	5.27	2.30	0.620	0.364	
5:15	3.87	1.65	0.288	0.058		18:00	5.37	2.31	0.636	0.370	
5:30	3.97	1.76	0.319	0.061		18:15	5.25	2.31	0.619	0.377	
5:45	4.13	1.85	0.353	0.065		18:30	5.19	2.23	0.588	0.383	
6:00	4.29	1.92	0.387	0.069		18:45	5.15	2.26	0.590	0.389	
6:15	4.53	2.01	0.438	0.073		19:00	5.15	2.28	0.593	0.395	
6:30	4.74	2.05	0.477	0.078		19:15	5.10	2.25	0.578	0.401	
6:45	4.86	2.14	0.516	0.084		19:30	5.06	2.26	0.575	0.407	
7:00	4.74	2.07	0.481	0.089		19:45	4.97	2.19	0.544	0.413	
7:15	4.76	2.17	0.506	0.094		20:00	4.90	2.14	0.520	0.418	
7:30	4.76	2.11	0.493	0.099		20:15	4.86	2.12	0.510	0.424	
7:45	5.15	2.21	0.574	0.105		20:30	4.89	2.15	0.521	0.429	
8:00	5.06	2.28	0.579	0.111		20:45	4.90	2.16	0.524	0.435	
8:15	5.04	2.27	0.574	0.117		21:00	4.85	2.16	0.518	0.440	
8:30	5.08	2.28	0.584	0.123		21:15	4.76	2.04	0.477	0.445	
8:45	5.14	2.32	0.604	0.130		21:30	4.59	2.01	0.445	0.450	
9:00	5.36	2.35	0.647	0.136		21:45	4.57	2.03	0.447	0.454	
9:15	5.43	2.41	0.675	0.143		22:00	4.57	1.98	0.437	0.459	
9:30	5.32	2.41	0.655	0.150		22:15	4.56	2.02	0.444	0.463	
9:45	5.29	2.35	0.635	0.157		22:30	4.67	2.03	0.461	0.468	
10:00	5.21	2.34	0.620	0.163		22:45	4.44	1.93	0.409	0.472	
10:15	5.30	2.40	0.649	0.170		23:00	4.28	1.88	0.379	0.476	
10:30	5.38	2.42	0.670	0.177		23:15	4.25	1.89	0.378	0.480	
10:45	5.37	2.42	0.667	0.184		23:30	4.16	1.91	0.369	0.484	
11:00	5.34	2.37	0.651	0.191		23:45	4.09	1.76	0.333	0.488	
11:15	5.18	2.32	0.611	0.197		Daily Totals:			0.333	0.488	
11:30	5.20	2.32	0.614	0.203		Data reported every: 15 Minutes					
11:45	5.18	2.30	0.605	0.210							
12:00	5.30	2.38	0.644	0.216							
12:15	5.33	2.44	0.668	0.223							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/16/2016						12:30	5.50	2.23	0.636	0.238	
0:00	4.02	1.73	0.319	0.003		12:45	5.25	2.21	0.591	0.244	
0:15	3.98	1.72	0.312	0.007		13:00	5.26	2.25	0.603	0.250	
0:30	4.04	1.73	0.320	0.010		13:15	5.07	2.24	0.571	0.256	
0:45	3.97	1.75	0.316	0.013		13:30	5.12	2.22	0.574	0.262	
1:00	3.91	1.71	0.304	0.016		13:45	5.12	2.17	0.559	0.268	
1:15	3.75	1.67	0.279	0.019		14:00	5.00	2.15	0.538	0.274	
1:30	3.68	1.62	0.264	0.022		14:15	4.97	2.16	0.536	0.279	
1:45	3.71	1.64	0.269	0.025		14:30	5.05	2.20	0.559	0.285	
2:00	3.64	1.56	0.249	0.027		14:45	5.26	2.26	0.607	0.292	
2:15	3.63	1.56	0.249	0.030		15:00	5.03	2.18	0.550	0.297	
2:30	3.63	1.60	0.254	0.033		15:15	4.93	2.15	0.527	0.303	
2:45	3.57	1.56	0.243	0.035		15:30	4.97	2.12	0.526	0.308	
3:00	3.56	1.58	0.245	0.038		15:45	5.05	2.18	0.553	0.314	
3:15	3.57	1.54	0.240	0.040		16:00	5.06	2.14	0.543	0.320	
3:30	3.54	1.58	0.242	0.043		16:15	5.10	2.25	0.577	0.326	
3:45	3.50	1.51	0.229	0.045		16:30	5.10	2.23	0.572	0.332	
4:00	3.61	1.57	0.248	0.048		16:45	5.13	2.22	0.576	0.338	
4:15	3.65	1.57	0.252	0.050		17:00	4.97	2.15	0.533	0.343	
4:30	3.67	1.61	0.261	0.053		17:15	4.97	2.14	0.529	0.349	
4:45	3.76	1.67	0.280	0.056		17:30	5.19	2.26	0.594	0.355	
5:00	3.80	1.68	0.284	0.059		17:45	5.21	2.26	0.599	0.361	
5:15	3.84	1.65	0.284	0.062		18:00	5.11	2.22	0.572	0.367	
5:30	3.96	1.68	0.303	0.065		18:15	5.18	2.30	0.604	0.373	
5:45	4.04	1.79	0.332	0.069		18:30	5.16	2.21	0.576	0.379	
6:00	4.04	1.76	0.326	0.072		18:45	5.15	2.22	0.578	0.385	
6:15	4.11	1.81	0.343	0.075		19:00	5.28	2.24	0.605	0.392	
6:30	4.31	1.91	0.387	0.080		19:15	5.39	2.24	0.621	0.398	
6:45	4.56	2.01	0.444	0.084		19:30	5.46	2.30	0.648	0.405	
7:00	4.57	2.00	0.442	0.089		19:45	5.44	2.25	0.632	0.411	
7:15	4.85	2.14	0.513	0.094		20:00	5.49	2.30	0.655	0.418	
7:30	5.04	2.20	0.556	0.100		20:15	5.56	2.30	0.668	0.425	
7:45	5.11	2.19	0.565	0.106		20:30	5.42	2.26	0.631	0.432	
8:00	5.11	2.26	0.583	0.112		20:45	5.40	2.27	0.631	0.438	
8:15	5.23	2.36	0.629	0.118		21:00	5.35	2.22	0.610	0.445	
8:30	5.41	2.37	0.661	0.125		21:15	5.24	2.21	0.589	0.451	
8:45	5.48	2.35	0.668	0.132		21:30	5.16	2.14	0.558	0.457	
9:00	5.43	2.37	0.663	0.139		21:45	5.21	2.18	0.578	0.463	
9:15	5.52	2.41	0.691	0.146		22:00	5.09	2.03	0.522	0.468	
9:30	5.54	2.34	0.673	0.153		22:15	4.89	1.96	0.475	0.473	
9:45	5.72	2.43	0.730	0.161		22:30	4.92	1.97	0.481	0.478	
10:00	5.53	2.41	0.694	0.168		22:45	4.69	1.92	0.440	0.483	
10:15	5.58	2.39	0.697	0.175		23:00	4.41	1.81	0.379	0.487	
10:30	5.55	2.44	0.704	0.183		23:15	4.27	1.75	0.351	0.490	
10:45	5.55	2.42	0.699	0.190		23:30	4.19	1.71	0.334	0.494	
11:00	5.73	2.49	0.751	0.198		23:45	4.14	1.65	0.316	0.497	
11:15	5.50	2.39	0.683	0.205		Daily Totals:		0.316		0.497	
11:30	5.28	2.32	0.627	0.212		Data reported every:		15 Minutes			
11:45	5.39	2.36	0.655	0.218							
12:00	5.35	2.34	0.644	0.225							
12:15	5.28	2.25	0.608	0.231							

Daily Flow Report

Site:

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137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/17/2016						12:30	5.35	2.23	0.613	0.240	
0:00	4.25	1.71	0.341	0.004		12:45	5.23	2.13	0.566	0.246	
0:15	4.18	1.71	0.332	0.007		13:00	5.17	2.13	0.559	0.252	
0:30	4.07	1.65	0.310	0.010		13:15	5.28	2.19	0.591	0.258	
0:45	3.93	1.61	0.287	0.013		13:30	5.33	2.16	0.589	0.264	
1:00	3.82	1.55	0.265	0.016		13:45	5.24	2.10	0.559	0.270	
1:15	3.83	1.56	0.267	0.019		14:00	5.12	2.14	0.552	0.276	
1:30	3.78	1.58	0.267	0.022		14:15	5.15	2.10	0.548	0.282	
1:45	3.74	1.54	0.256	0.024		14:30	5.10	2.09	0.539	0.287	
2:00	3.70	1.50	0.246	0.027		14:45	5.10	2.04	0.524	0.293	
2:15	3.71	1.49	0.245	0.029		15:00	5.22	2.12	0.562	0.299	
2:30	3.66	1.51	0.243	0.032		15:15	5.29	2.22	0.599	0.305	
2:45	3.62	1.45	0.230	0.034		15:30	5.34	2.18	0.597	0.311	
3:00	3.60	1.48	0.233	0.037		15:45	5.44	2.24	0.629	0.318	
3:15	3.63	1.50	0.238	0.039		16:00	5.53	2.28	0.655	0.325	
3:30	3.65	1.46	0.234	0.042		16:15	5.54	2.16	0.622	0.331	
3:45	3.72	1.50	0.248	0.044		16:30	5.57	2.14	0.620	0.337	
4:00	3.75	1.52	0.254	0.047		16:45	5.52	2.22	0.636	0.344	
4:15	3.87	1.59	0.278	0.050		17:00	5.57	2.30	0.668	0.351	
4:30	4.13	1.63	0.311	0.053		17:15	5.55	2.21	0.640	0.358	
4:45	4.30	1.71	0.346	0.057		17:30	5.54	2.25	0.650	0.364	
5:00	4.47	1.79	0.384	0.061		17:45	5.63	2.29	0.674	0.371	
5:15	4.60	1.88	0.419	0.065		18:00	5.70	2.36	0.708	0.379	
5:30	4.94	1.97	0.484	0.070		18:15	5.70	2.37	0.710	0.386	
5:45	5.01	2.03	0.509	0.075		18:30	5.93	2.47	0.780	0.394	
6:00	5.24	2.13	0.570	0.081		18:45	5.71	2.36	0.708	0.402	
6:15	5.41	2.26	0.629	0.088		19:00	5.68	2.34	0.698	0.409	
6:30	5.75	2.39	0.724	0.095		19:15	5.73	2.39	0.721	0.417	
6:45	5.84	2.37	0.735	0.103		19:30	5.78	2.36	0.719	0.424	
7:00	5.56	2.28	0.661	0.110		19:45	5.80	2.33	0.714	0.431	
7:15	5.38	2.33	0.643	0.117		20:00	5.74	2.37	0.717	0.439	
7:30	5.21	2.21	0.586	0.123		20:15	5.71	2.34	0.703	0.446	
7:45	5.20	2.17	0.572	0.129		20:30	5.65	2.29	0.678	0.453	
8:00	5.18	2.18	0.573	0.135		20:45	5.52	2.27	0.650	0.460	
8:15	5.06	2.12	0.540	0.140		21:00	5.53	2.26	0.650	0.467	
8:30	5.03	2.12	0.535	0.146		21:15	5.42	2.20	0.616	0.473	
8:45	5.09	2.16	0.555	0.152		21:30	5.22	2.16	0.574	0.479	
9:00	5.15	2.17	0.565	0.157		21:45	5.10	2.10	0.539	0.485	
9:15	5.11	2.15	0.554	0.163		22:00	5.13	2.09	0.542	0.491	
9:30	5.04	2.11	0.533	0.169		22:15	4.94	2.05	0.505	0.496	
9:45	5.13	2.17	0.564	0.175		22:30	4.93	1.99	0.487	0.501	
10:00	5.23	2.20	0.585	0.181		22:45	4.75	1.94	0.453	0.506	
10:15	5.28	2.23	0.603	0.187		23:00	4.61	1.91	0.425	0.510	
10:30	5.18	2.18	0.572	0.193		23:15	4.45	1.84	0.392	0.514	
10:45	5.06	2.07	0.525	0.198		23:30	4.38	1.83	0.380	0.518	
11:00	5.17	2.14	0.561	0.204		23:45	4.36	1.83	0.377	0.522	
11:15	5.22	2.21	0.587	0.210		Daily Totals:			0.377	0.522	
11:30	5.24	2.13	0.568	0.216		Data reported every: 15 Minutes					
11:45	5.17	2.16	0.565	0.222							
12:00	5.18	2.14	0.563	0.228							
12:15	5.19	2.18	0.575	0.234							

Daily Flow Report

Site:

2

137 Boston Post Road

Port Chester, NY

17" Circular line



Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/18/2016						12:30	5.29	2.18	0.591	0.247	
0:00	4.22	1.78	0.352	0.004		12:45	5.11	2.13	0.549	0.253	
0:15	4.08	1.65	0.310	0.007		13:00	5.06	2.08	0.530	0.258	
0:30	4.04	1.65	0.306	0.010		13:15	5.09	2.16	0.553	0.264	
0:45	3.99	1.53	0.280	0.013		13:30	4.98	2.08	0.517	0.269	
1:00	3.90	1.60	0.281	0.016		13:45	4.98	2.06	0.514	0.275	
1:15	3.87	1.59	0.277	0.019		14:00	4.98	2.09	0.520	0.280	
1:30	3.90	1.58	0.279	0.022		14:15	4.86	2.00	0.482	0.285	
1:45	3.95	1.63	0.293	0.025		14:30	4.91	2.04	0.498	0.290	
2:00	4.04	1.64	0.304	0.028		14:45	5.02	2.14	0.538	0.296	
2:15	3.82	1.58	0.270	0.031		15:00	5.17	2.19	0.574	0.302	
2:30	3.78	1.53	0.258	0.033		15:15	5.20	2.17	0.573	0.308	
2:45	3.76	1.57	0.263	0.036		15:30	5.12	2.09	0.541	0.313	
3:00	3.78	1.53	0.258	0.039		15:45	5.12	2.12	0.549	0.319	
3:15	3.81	1.57	0.267	0.042		16:00	5.17	2.13	0.557	0.325	
3:30	3.83	1.57	0.270	0.044		16:15	5.26	2.20	0.592	0.331	
3:45	3.79	1.54	0.261	0.047		16:30	5.39	2.26	0.628	0.338	
4:00	3.80	1.56	0.265	0.050		16:45	5.34	2.24	0.613	0.344	
4:15	3.95	1.62	0.291	0.053		17:00	5.41	2.28	0.636	0.351	
4:30	4.10	1.67	0.317	0.056		17:15	5.48	2.25	0.639	0.357	
4:45	4.29	1.74	0.352	0.060		17:30	5.54	2.35	0.677	0.364	
5:00	4.41	1.76	0.370	0.064		17:45	5.50	2.30	0.657	0.371	
5:15	4.63	1.86	0.419	0.068		18:00	5.56	2.35	0.679	0.378	
5:30	4.89	1.99	0.483	0.073		18:15	5.71	2.44	0.732	0.386	
5:45	5.09	2.04	0.523	0.079		18:30	5.73	2.37	0.716	0.393	
6:00	5.50	2.21	0.632	0.085		18:45	5.60	2.38	0.697	0.401	
6:15	5.73	2.34	0.707	0.093		19:00	5.53	2.30	0.661	0.407	
6:30	5.75	2.33	0.705	0.100		19:15	5.47	2.33	0.659	0.414	
6:45	5.81	2.35	0.724	0.107		19:30	5.55	2.29	0.663	0.421	
7:00	5.80	2.42	0.743	0.115		19:45	5.65	2.32	0.688	0.428	
7:15	5.63	2.29	0.674	0.122		20:00	5.58	2.25	0.656	0.435	
7:30	5.51	2.24	0.640	0.129		20:15	5.44	2.28	0.640	0.442	
7:45	5.24	2.14	0.572	0.135		20:30	5.60	2.30	0.672	0.449	
8:00	5.37	2.16	0.595	0.141		20:45	5.59	2.29	0.669	0.456	
8:15	5.22	2.08	0.551	0.147		21:00	5.65	2.23	0.661	0.463	
8:30	5.09	2.07	0.530	0.152		21:15	5.44	2.29	0.645	0.469	
8:45	5.24	2.13	0.568	0.158		21:30	5.30	2.20	0.596	0.476	
9:00	5.30	2.11	0.574	0.164		21:45	5.25	2.13	0.571	0.482	
9:15	5.25	2.16	0.578	0.170		22:00	5.21	2.13	0.563	0.487	
9:30	5.14	2.09	0.543	0.176		22:15	4.97	2.01	0.498	0.493	
9:45	5.08	2.04	0.522	0.181		22:30	4.84	1.96	0.469	0.498	
10:00	5.19	2.12	0.559	0.187		22:45	4.68	1.99	0.455	0.502	
10:15	5.26	2.15	0.576	0.193		23:00	4.59	1.90	0.422	0.507	
10:30	5.17	2.09	0.547	0.199		23:15	4.42	1.80	0.379	0.511	
10:45	5.20	2.09	0.552	0.205		23:30	4.43	1.76	0.371	0.514	
11:00	5.29	2.16	0.585	0.211		23:45	4.36	1.75	0.361	0.518	
11:15	5.26	2.12	0.569	0.217		Daily Totals:			0.361	0.518	
11:30	5.23	2.10	0.560	0.222		Data reported every: 15 Minutes					
11:45	5.25	2.18	0.583	0.229							
12:00	5.26	2.11	0.565	0.234							
12:15	5.32	2.20	0.601	0.241							

Daily Flow Report

Site:

2

137 Boston Post Road

Port Chester, NY



17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/19/2016						12:30	4.98	2.19	0.546	0.239	
0:00	4.27	1.73	0.346	0.004		12:45	5.05	2.05	0.519	0.245	
0:15	4.16	1.68	0.324	0.007		13:00	5.18	2.11	0.554	0.250	
0:30	4.19	1.61	0.315	0.010		13:15	5.04	2.06	0.522	0.256	
0:45	4.01	1.63	0.300	0.013		13:30	4.99	2.09	0.521	0.261	
1:00	3.98	1.56	0.283	0.016		13:45	4.96	2.09	0.517	0.267	
1:15	3.97	1.61	0.291	0.019		14:00	4.99	2.05	0.512	0.272	
1:30	3.86	1.54	0.268	0.022		14:15	5.04	2.08	0.525	0.277	
1:45	3.82	1.51	0.258	0.025		14:30	4.95	1.98	0.489	0.283	
2:00	3.80	1.57	0.267	0.028		14:45	5.00	2.02	0.504	0.288	
2:15	3.81	1.53	0.261	0.030		15:00	5.02	2.12	0.534	0.293	
2:30	3.74	1.51	0.251	0.033		15:15	4.95	2.07	0.512	0.299	
2:45	3.77	1.48	0.248	0.036		15:30	4.92	2.08	0.510	0.304	
3:00	3.78	1.50	0.253	0.038		15:45	5.07	2.12	0.542	0.310	
3:15	3.77	1.52	0.255	0.041		16:00	5.17	2.23	0.583	0.316	
3:30	3.77	1.52	0.256	0.043		16:15	5.15	2.18	0.569	0.322	
3:45	3.79	1.49	0.253	0.046		16:30	5.18	2.12	0.558	0.327	
4:00	3.84	1.52	0.262	0.049		16:45	5.35	2.25	0.617	0.334	
4:15	3.93	1.57	0.279	0.052		17:00	5.41	2.26	0.629	0.340	
4:30	4.04	1.66	0.307	0.055		17:15	5.30	2.21	0.599	0.347	
4:45	4.19	1.65	0.321	0.058		17:30	5.55	2.29	0.664	0.354	
5:00	4.43	1.73	0.367	0.062		17:45	5.62	2.35	0.689	0.361	
5:15	4.60	1.84	0.411	0.066		18:00	5.77	2.35	0.717	0.368	
5:30	4.92	2.00	0.490	0.072		18:15	5.66	2.27	0.675	0.375	
5:45	5.08	2.06	0.525	0.077		18:30	5.64	2.36	0.699	0.383	
6:00	5.26	2.12	0.568	0.083		18:45	5.60	2.33	0.681	0.390	
6:15	5.51	2.22	0.635	0.090		19:00	5.57	2.29	0.663	0.397	
6:30	5.65	2.29	0.679	0.097		19:15	5.60	2.32	0.680	0.404	
6:45	5.58	2.31	0.672	0.104		19:30	5.48	2.26	0.641	0.410	
7:00	5.66	2.35	0.698	0.111		19:45	5.30	2.21	0.599	0.417	
7:15	5.51	2.22	0.635	0.117		20:00	5.49	2.27	0.647	0.423	
7:30	5.51	2.22	0.635	0.124		20:15	5.54	2.26	0.651	0.430	
7:45	5.34	2.12	0.579	0.130		20:30	5.39	2.27	0.632	0.437	
8:00	5.20	2.09	0.553	0.136		20:45	5.56	2.28	0.660	0.444	
8:15	5.19	2.11	0.555	0.142		21:00	5.73	2.20	0.663	0.450	
8:30	5.22	2.14	0.568	0.148		21:15	5.68	2.14	0.639	0.457	
8:45	5.20	2.02	0.533	0.153		21:30	5.52	2.09	0.600	0.463	
9:00	5.22	2.09	0.554	0.159		21:45	5.51	2.12	0.607	0.470	
9:15	5.25	2.17	0.581	0.165		22:00	5.47	2.09	0.593	0.476	
9:30	5.31	2.20	0.599	0.171		22:15	5.21	2.01	0.532	0.481	
9:45	5.32	2.25	0.613	0.178		22:30	5.24	2.03	0.543	0.487	
10:00	5.29	2.14	0.578	0.184		22:45	5.17	1.96	0.515	0.492	
10:15	5.30	2.18	0.591	0.190		23:00	5.05	1.95	0.495	0.498	
10:30	5.27	2.12	0.570	0.196		23:15	4.85	1.88	0.450	0.502	
10:45	5.07	2.06	0.527	0.201		23:30	4.77	1.84	0.430	0.507	
11:00	5.01	2.09	0.524	0.207		23:45	4.61	1.76	0.393	0.511	
11:15	5.06	2.10	0.534	0.212		Daily Totals:			0.393	0.511	
11:30	5.02	2.10	0.528	0.218		Data reported every: 15 Minutes					
11:45	4.99	2.07	0.516	0.223							
12:00	4.91	2.07	0.504	0.228							
12:15	4.93	2.05	0.503	0.234							

Daily Flow Report

Site:

2

137 Boston Post Road

Port Chester, NY

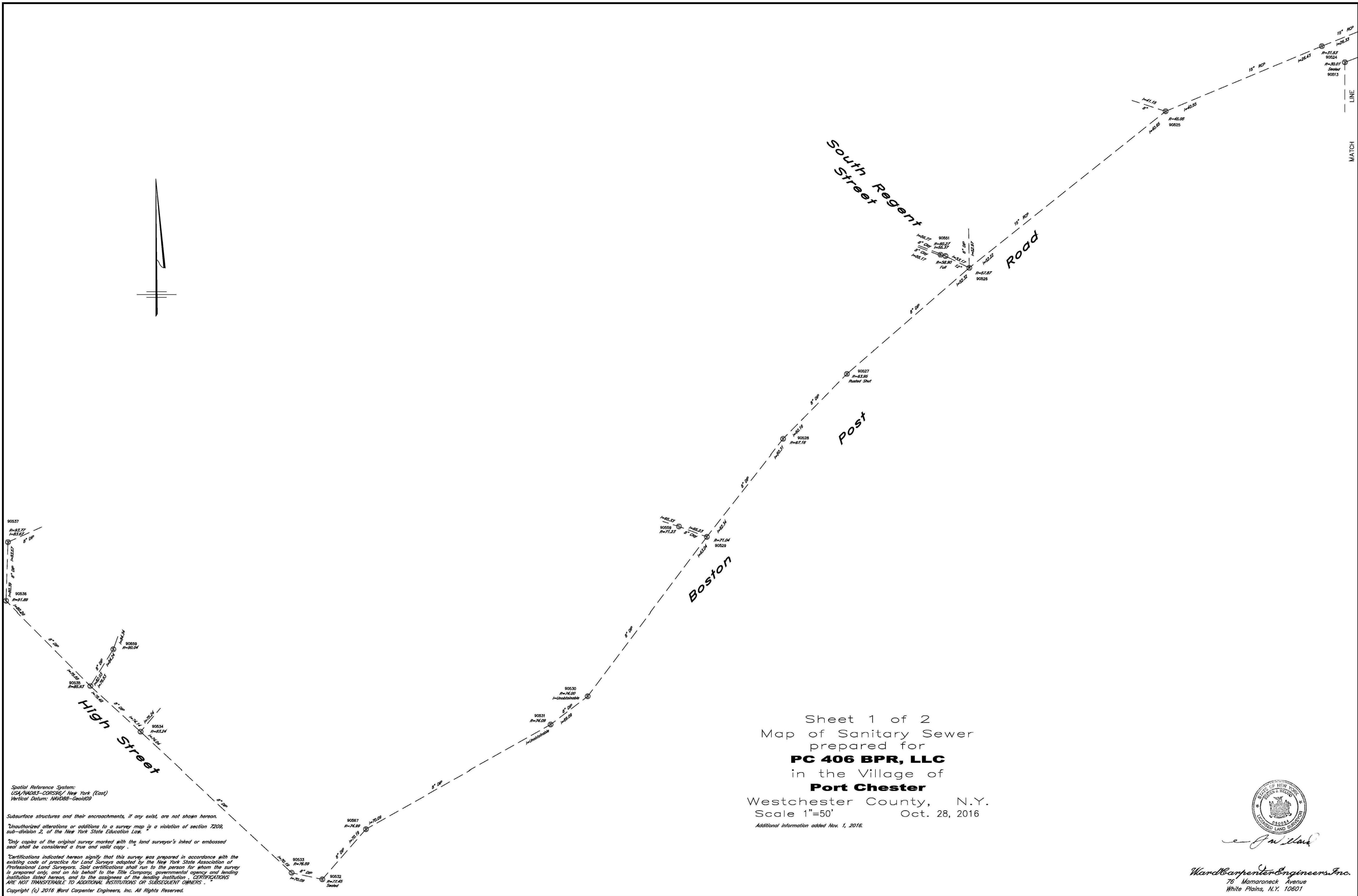


17" Circular line

Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)	Time	Depth (in)	Velocity (fps)	Flow (mgd)	Cumm Flow (mg)	Rain (in)
10/20/2016						12:30				0.179	
0:00	4.50	1.66	0.360	0.004		12:45				0.179	
0:15	4.33	1.65	0.336	0.007		13:00				0.179	
0:30	4.38	1.72	0.357	0.011		13:15				0.179	
0:45	4.31	1.67	0.339	0.014		13:30				0.179	
1:00	4.22	1.60	0.315	0.018		13:45				0.179	
1:15	4.13	1.57	0.300	0.021		14:00				0.179	
1:30	4.11	1.59	0.303	0.024		14:15				0.179	
1:45	4.08	1.56	0.294	0.027		14:30				0.179	
2:00	4.01	1.56	0.287	0.030		14:45				0.179	
2:15	3.98	1.53	0.276	0.033		15:00				0.179	
2:30	3.98	1.51	0.273	0.036		15:15				0.179	
2:45	3.94	1.47	0.264	0.039		15:30				0.179	
3:00	3.92	1.49	0.264	0.041		15:45				0.179	
3:15	3.99	1.56	0.285	0.044		16:00				0.179	
3:30	3.99	1.52	0.276	0.047		16:15				0.179	
3:45	4.03	1.54	0.284	0.050		16:30				0.179	
4:00	4.13	1.56	0.299	0.053		16:45				0.179	
4:15	4.21	1.66	0.326	0.057		17:00				0.179	
4:30	4.26	1.64	0.329	0.060		17:15				0.179	
4:45	4.45	1.69	0.359	0.064		17:30				0.179	
5:00	4.51	1.75	0.380	0.068		17:45				0.179	
5:15	4.88	1.88	0.453	0.072		18:00				0.179	
5:30	5.21	1.97	0.522	0.078		18:15				0.179	
5:45	5.43	2.07	0.581	0.084		18:30				0.179	
6:00	5.72	2.20	0.661	0.091		18:45				0.179	
6:15	5.86	2.25	0.701	0.098		19:00				0.179	
6:30	6.01	2.35	0.757	0.106		19:15				0.179	
6:45	6.02	2.38	0.770	0.114		19:30				0.179	
7:00	5.87	2.31	0.722	0.122		19:45				0.179	
7:15	5.78	2.21	0.674	0.129		20:00				0.179	
7:30	5.69	2.11	0.631	0.135		20:15				0.179	
7:45	5.53	2.14	0.615	0.142		20:30				0.179	
8:00	5.53	2.13	0.611	0.148		20:45				0.179	
8:15	5.59	2.16	0.629	0.155		21:00				0.179	
8:30	5.49	2.14	0.608	0.161		21:15				0.179	
8:45	5.45	2.15	0.605	0.167		21:30				0.179	
9:00	5.31	2.13	0.579	0.173		21:45				0.179	
9:15	5.36	2.12	0.584	0.179		22:00				0.179	
9:30				0.179		22:15				0.179	
9:45				0.179		22:30				0.179	
10:00				0.179		22:45				0.179	
10:15				0.179		23:00				0.179	
10:30				0.179		23:15				0.179	
10:45				0.179		23:30				0.179	
11:00				0.179		23:45				0.179	
11:15				0.179		Daily Totals:					0.179
11:30				0.179		Data reported every:					15 Minutes
11:45				0.179							
12:00				0.179							
12:15				0.179							

APPENDIX B

MAP OF SANITARY SEWER PREPARED BY WARD CARPENTER ENGINEERS, INC.



Additional information added Nov. 1, 2016.



Special Reference System:
USA/NA83-CORS96/ New York (East)
Vertical Datum: NAVD83-Geoid93

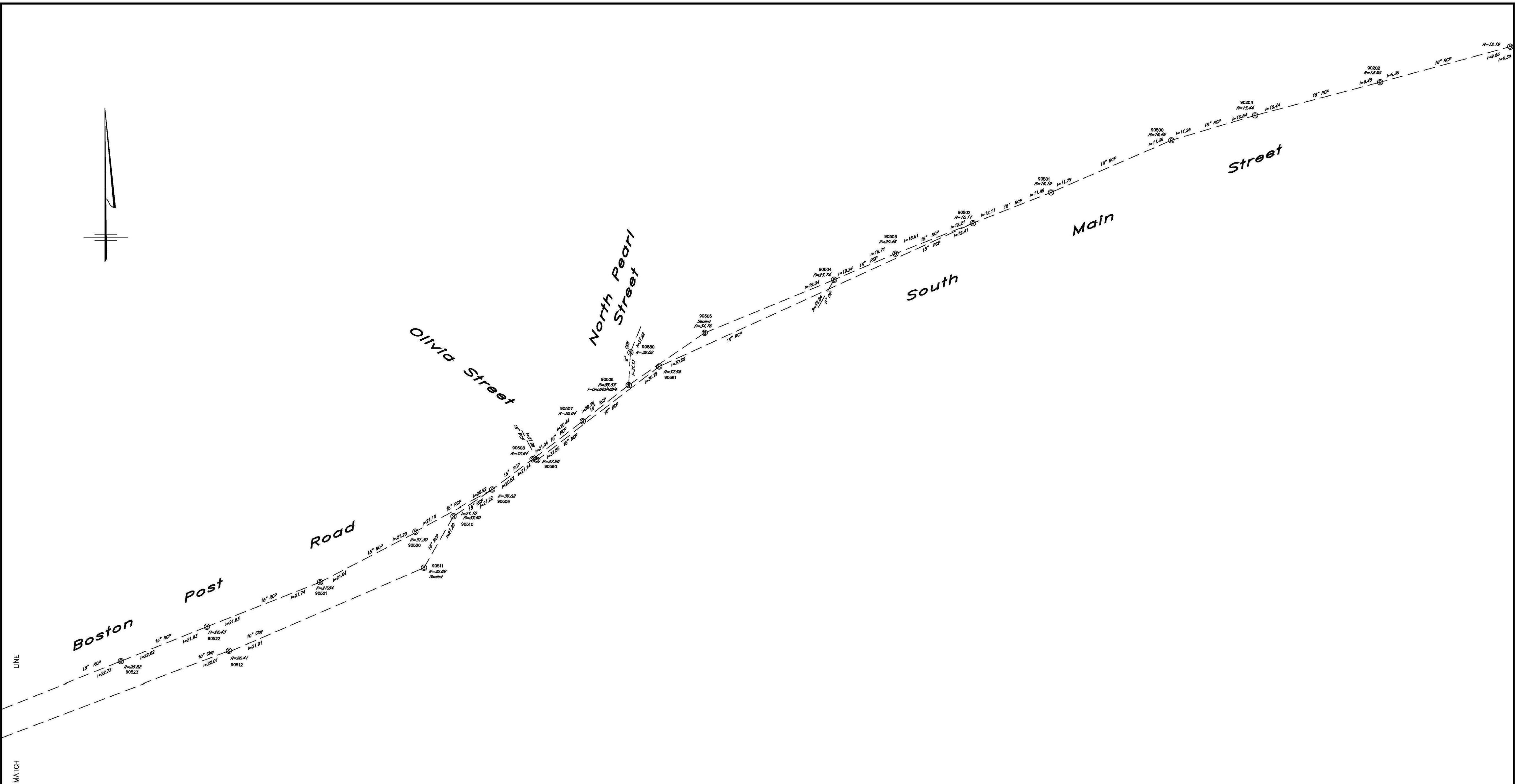
Subsurface structures and their encroachments, if any exist, are not shown hereon.

"Unauthorized alterations or additions to a survey map is a violation of section 7209, sub-division 2, of the New York State Education Law.

"Only copies of the original survey marked with the land surveyor's inked or embossed seal shall be considered a true and valid copy."

"Certifications indicated hereon signify that this survey was prepared in accordance with the existing code of practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run to the person for whom the survey is prepared only, and on his behalf to the Title Company, governmental agency and lending institution, and to the assignees of the lending institution. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS."

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Spatial Reference System:
USA NAD83 - CORRESPONDING New York (East)
Vertical Datum: NAVD83 - Geoid09

Subsurface structures and their encroachments, if any exist, are not shown hereon.

Unauthorized alterations or additions to a survey map is a violation of section 2209, sub-division 2, of the New York State Education Law.

Only copies of the original survey marked with the land surveyor's inked or embossed seal shall be considered a true and valid copy.

Certifications indicated hereon signify that this survey was prepared in accordance with the existing code of practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run to the person for whom the survey is prepared only, and on his behalf to the Title Company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

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Sheet 2 of 2
Map of Sanitary Sewer
prepared for
PC 406 BPR, LLC
in the Village of
Port Chester
Westchester County, N.Y.
Scale 1"=50' Oct. 28, 2016

Additional information added Nov. 1, 2016.


Ward Carpenter Engineers, Inc.
76 Mamaroneck Avenue
White Plains, N.Y. 10601

APPENDIX C

**EXISTING SYSTEM PIPE ANALYSIS
BASE SANITARY FLOW DATA**

EXISTING SEWER ANALYSIS																														
Pipe Run					Average Flow			Peak Flow				Infiltration		Design Flow	Pipe Data											Invert		Rim Elevation		
Run	From	To	Location & Description		Mgd	Σ Mgd	cfs	Pop	Σ Pop	PF	cfs	mgd/idm	cfs		cfs	Cap. (cfs)	"n" Value	Size (in)	Vdes (fps)	Vpeak (fps)	Vcap (fps)	Slope (%)	OAL (ft)	MH Dia. (ft)	Lgth. (ft)	Fall (ft)	Upper	Lower	Upper	Lower
1	90537	90536	High St.	Nursing Home		-	-	-	-	4.5	-	0.000176	0.00003	0.00	2.5	0.013	8	0.00	0.00	7.23	4.36%	75.0	2.0	73.0	3.18	83.57	80.39	93.77	91.89	
2	90536	90535	High St.				-	-	-	-	4.5	-	0.000176	0.00006	0.00	2.2	0.013	8	0.00	0.00	6.18	3.18%	152.0	4.0	148.0	4.71	80.29	75.58	91.89	85.93
3	90535	90534	High St.			0.024	0.024	0.04	300	300	4.1	0.15	0.000176	0.00003	0.04	1.5	0.013	8	1.68	2.79	4.43	1.63%	86.0	4.0	82.0	1.34	75.48	74.14	85.93	83.24
4	90534	90533	High St.				0.024	0.04	-	300	4.1	0.15	0.000176	0.00011	0.04	1.5	0.013	8	1.64	2.65	4.21	1.48%	262.0	2.0	260.0	3.85	74.04	70.19	83.24	76.59
5	90533	90532	High St.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00001	0.04	0.0	0.013	8				0.00%	40.0	4.0	36.0	0.00	70.09	70.09	76.59	77.45	
6	90532	90567	Post Rd.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00003	0.04	0.0	0.013	8				0.00%	85.0	4.0	81.0	0.00	70.19	70.19	77.45	74.99	
7	90567	90531	Post Rd.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00011	0.04	1.3	0.013	8	1.63	2.50	3.79	1.20%	270.0	4.0	266.0	3.19	70.09	66.90	74.99	74.09	
8	90531	90530	Post Rd.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00002	0.04	1.3	0.013	8	1.62	2.48	3.76	1.18%	59.0	4.0	55.0	0.65	66.80	66.15	74.09	74.00	
9	90530	90529	Post Rd.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00010	0.04	1.3	0.013	8	1.63	2.50	3.79	1.20%	253.0	2.0	251.0	3.01	66.05	63.04	74.00	71.04	
10	90529	90528	Post Rd.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00006	0.04	1.4	0.013	8	1.67	2.59	3.99	1.33%	157.0	4.0	153.0	2.03	62.34	60.31	71.04	67.16	
11	90528	90527	Post Rd.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00005	0.04	1.9	0.013	8	2.17	3.25	5.41	2.45%	116.0	4.0	112.0	2.74	60.16	57.42	67.16	63.95	
12	90527	90526	Post Rd.			0.024	0.04	-	300	4.1	0.15	0.000176	0.00008	0.04	1.9	0.013	8	2.18	3.27	5.45	2.48%	206.0	4.0	202.0	5.00	57.32	52.32	63.95	57.87	
13	90526	90525	Post Rd.	S. Regent	0.047	0.071	0.11	588	888	3.8	0.42	0.000176	0.00024	0.11	12.4	0.013	15	3.03	4.54	10.09	3.67%	319.0	4.0	315.0	11.57	52.22	40.65	57.87	45.05	
14	90525	90524	Post Rd.		0.007	0.078	0.12	88	975	3.8	0.46	0.000208	0.00019	0.12	16.7	0.013	15	4.09	6.13	13.62	6.69%	215.0	4.0	211.0	14.12	40.55	26.43	45.05	31.53	
15	90524	90523	Post Rd.		0.007	0.085	0.13	88	1,063	3.8	0.50	0.000228	0.00019	0.13	8.8	0.013	15	2.59	4.03	7.20	1.87%	197.0	4.0	193.0	3.61	26.33	22.72	31.53	26.52	
16	90523	90522	Post Rd.		0.007	0.092	0.14	88	1,150	3.8	0.54	0.000245	0.00009	0.14	2.9	0.013	12	1.94	2.84	3.73	0.68%	106.0	4.0	102.0	0.69	22.62	21.93	26.52	26.43	
17	90522	90521	Post Rd.	Flow Monitor 1	0.007	0.099	0.15	88	1,238	3.7	0.57	0.000254	0.00012	0.15	0.9	0.013	12	0.87	1.23	1.17	0.07%	139.0	4.0	135.0	0.09	21.83	21.74	26.43	27.84	
18	90521	90520	Post Rd.			0.007	0.106	0.16	88	1,325	3.7	0.61	0.000265	0.00011	0.16	2.2	0.013	12	1.63	2.37	2.76	0.37%	121.0	2.0	119.0	0.44	21.64	21.20	27.84	31.30
19	90520	90509	Post Rd.	Shopping Center		0.106	0.16	-	1,325	3.7	0.61	0.000274	0.00012	0.16	2.8	0.013	15	2.26	1.80	2.26	0.18%	100.0	2.0	98.0	0.18	21.10	20.92	31.30	36.02	
20	90509	90508	Post Rd.			0.046	0.152	0.23	574	1,899	3.6	0.85	0.000282	0.00007	0.24	#NUM!	0.013	15				-0.59%	58.0	4.0	54.0	(0.32)	20.82	21.14	36.02	37.84
21	90508	90507	Post Rd.	Olivia St.	0.120	0.272	0.42	1,500	3,399	3.4	1.43	0.000286	0.00009	0.42	6.1	0.013	15	2.92	4.10	4.94	0.88%	72.0	4.0	68.0	0.60	21.04	20.44	37.84	38.84	
22	90507	90506	Post Rd.	N. Pearl Street		0.272	0.42	-	3,399	3.4	1.43	0.000291	0.00008	0.42	3.3	0.013	15	1.80	2.57	2.65	0.25%	67.0	4.0	63.0	0.16	20.34	20.18	38.84	38.63	
23	90506	90505	Post Rd.			0.120	0.392	0.61	1,500	4,899	3.3	1.97	0.000295	0.00013	0.61	3.2	0.013	15	2.02	2.75	2.62	0.25%	105.0	4.0	101.0	0.25	20.08	19.83	38.63	34.76
24	90505	90504	Post Rd.				0.392	0.61	-	4,899	3.3	1.97	0.000303	0.00021	0.61	3.2	0.013	15	2.01	2.75	2.62	0.25%	160.0	2.0	158.0	0.39	19.73	19.34	34.76	25.74
25	90504	90503	Post Rd.			0.392	0.61	-	4,899	3.3	1.97	0.000313	0.00010	0.61	12.1	0.013	15	5.13	7.20	9.87	3.51%	76.0	4.0	72.0	2.53	19.24	16.71	25.74	20.46	
26	90503	90502	Post Rd.			0.392	0.61	-	4,899	3.3	1.97	0.000318	0.00013	0.61	14.2	0.013	15	5.44	8.10	11.57	4.84%	95.0	4.0	91.0	4.40	16.61	12.21	20.46	16.11	
27	90502	90501	Post Rd.	Flow Monitor 2		0.392	0.61	-	4,899	3.3	1.97	0.000324	0.00013	0.61	3.2	0.013	15	2.01	2.70	2.57	0.24%	96.0	4.0	92.0	0.22	12.11	11.89	16.11	16.19	
28	90501	90500	Post Rd.				0.392	0.61	-	4,899	3.3	1.97	0.000560	0.00043	0.61	5.7	0.013	18	2.10	2.94	3.23	0.29%	150.0	4.0	146.0	0.43	11.79	11.36	16.19	16.46
29	90500	90203	Post Rd.				0.392	0.61	-	4,899	3.3	1.97	0.000560	0.00028	0.61	9.1	0.013	18	2.99	5.35	5.15	0.75%	100.0	4.0	96.0	0.72	11.26	10.54	16.46	15.44
30	90203	90202	Post Rd.			0.392	0.61	-	4,899	3.3	1.97	0.000560	0.00043	0.61	8.7	0.013	18	2.86	3.99	4.93	0.69%	148.0	4.0	144.0	0.99	10.44	9.45	15.44	13.95	
31	90202	90198	Post Rd.			0.392	0.61	-	4,899	3.3	1.97	0.000560	0.00044	0.61	#NUM!	0.013	18				-0.13%	154.0	4.0	150.0	(0.20)	9.35	9.55	13.95	12.19	
																	Overall Pipe Length (OAL) =					3,837				Inverts Interpolated				
																	Pipe Length (L) =					3,737				Adverse Pipe Slope				
																	Pipe Length from MH 90526 to 90500 =					1,703								

SEWER CALCULATION LEGEND AND FORMULAE

Abbreviation	Description
mgd =	Million Gallons per day
Pop =	Estimated Population = gallons per day /80 gallons/person/day
PF =	Peaking Factor based on Harmon equation and the estimated population $\frac{18 + P^{1/2}}{4 + P^{1/2}}$ Where P= design contributing population in thousands
cfs =	cubic feet per second (calculated using Mannings equation)
Cap =	$Q = AV \quad \text{Where } V = \frac{K (A/P)^{2/3} S^{1/2}}{n} \quad (\text{Mannings Equation})$ Q = Discharge (flow rate), cfs A = Flow area of the pipe, culvert, or channel, ft² k = unit conversion factor = 1.486 P = Wetted perimeter which is the portion of the circumference that is in contact with water. n = Manning coefficient of roughness S = Downward (longitudinal) slope of the culvert, ft/ft V = Average velocity in the pipe, culvert, or channel, fps
mgd/idm	Million gallons per day per inch of diameter per mile of pipe (mgd/idm)
Infiltration =	mgd/idm times length times diameter times 1.547 (conversion factor)
Design Flow =	Average Flow (cfs) plus Infiltration (cfs)
fps	feet per second (cfs/pipe area)
in	Pipe diameter in inches
OAL =	Overall Pipe Length (center of manhole to center of manhole)
Lgth =	Length (Pipe length less manhole diameter)
Vdes =	Pipe velocity at design flow = Design Flow / Flow Area of Pipe at Design Flow
Vpeak =	Pipe velocity at design flow = Peak Flow / Flow Area of Pipe at Peak Flow
Vcap =	Pipe velocity at Capacity = Capacity (full flow) / Flow Area of Pipe at Full Flow
Fall =	Upper invert minus lower invert
Slope =	Fall/Length

APPENDIX D

**EXISTING SYSTEM PIPE ANALYSIS
BASE SANITARY FLOW DATA PLUS PROJECTED SITE FLOWS**

EXISTING SEWER ANALYSIS WITH PROJECTED SITE FLOW																															
Pipe Run					Average Flow			Peak Flow				Infiltration		Design Flow	Pipe Data												Invert		Rim Elevation		
Run	From	To	Location & Description		Mgd	Σ Mgd	cfs	Pop	Σ Pop	PF	cfs	mgd/idm	cfs		cfs	Cap. (cfs)	"n" Value	Size (in)	Vdes (fps)	Vpeak (fps)	Vcap (fps)	Slope (%)	OAL (ft)	MH Dia. (ft)	Lgth. (ft)	Fall (ft)	Upper	Lower	Upper	Lower	
1	90537	90536	High St.	Site Conn. #1	0.038	0.038	0.06	475	475	4.0	0.23	0.000176	0.00003	0.06	2.5	0.013	8	2.7	3.2	7.2	4.36%	75.0	2.0	73.0	3.18	83.57	80.39	93.77	91.89		
2	90536	90535	High St.			0.038	0.06	-	475	4.0	0.23	0.000176	0.00006	0.06	2.2	0.013	8	2.7	2.8	6.2	3.18%	152.0	4.0	148.0	4.71	80.29	75.58	91.89	85.93		
3	90535	90534	High St.	Nursing Home	0.024	0.062	0.10	300	775	3.9	0.37	0.000176	0.00003	0.10	1.5	0.013	8	2.4	2.7	4.4	1.63%	86.0	4.0	82.0	1.34	75.48	74.14	85.93	83.24		
4	90534	90533	High St.	Site Conn. #2	0.012	0.074	0.11	150	925	3.8	0.44	0.000176	0.00011	0.11	1.5	0.013	8	2.5	2.7	4.2	1.48%	262.0	2.0	260.0	3.85	74.04	70.19	83.24	76.59		
5	90533	90532	High St.			0.074	0.11	-	925	3.8	0.44	0.000176	0.00001	0.11	0.0	0.013	8	0.0	0.0	0.0	0.00%	40.0	4.0	36.0	0.00	70.09	70.09	76.59	77.45		
6	90532	90567	Post Rd.			0.074	0.11	-	925	3.8	0.44	0.000176	0.00003	0.11	0.0	0.013	8	0.0	0.0	0.0	0.00%	85.0	4.0	81.0	0.00	70.19	70.19	77.45	74.99		
7	90567	90531	Post Rd.			0.074	0.11	-	925	3.8	0.44	0.000176	0.00011	0.11	1.3	0.013	8	2.3	2.5	3.8	1.20%	270.0	4.0	266.0	3.19	70.09	66.90	74.99	74.09		
8	90531	90530	Post Rd.	Site Conn. #3	0.093	0.167	0.26	1,163	2,088	3.6	0.92	0.000176	0.00002	0.26	1.3	0.013	8	2.9	3.1	3.8	1.18%	59.0	4.0	55.0	0.65	66.80	66.15	74.09	74.00		
9	90530	90529	Post Rd.			0.167	0.26	-	2,088	3.6	0.92	0.000176	0.00010	0.26	1.3	0.013	8	2.9	3.1	3.8	1.20%	253.0	2.0	251.0	3.01	66.05	63.04	74.00	71.04		
10	90529	90528	Post Rd.			0.167	0.26	-	2,088	3.6	0.92	0.000176	0.00006	0.26	1.4	0.013	8	3.1	3.2	4.0	1.33%	157.0	4.0	153.0	2.03	62.34	60.31	71.04	67.16		
11	90528	90527	Post Rd.	Site Conn. #4	0.022	0.189	0.29	280	2,368	3.5	1.03	0.000176	0.00005	0.29	1.9	0.013	8	4.0	4.2	5.4	2.45%	116.0	4.0	112.0	2.74	60.16	57.42	67.16	63.95		
12	90527	90526	Post Rd.			0.189	0.29	-	2,368	3.5	1.03	0.000176	0.00008	0.29	1.9	0.013	8	3.9	4.2	5.4	2.48%	206.0	4.0	202.0	5.00	57.32	52.32	63.95	57.87		
13	90526	90525	Post Rd.	S. Regent	0.047	0.236	0.37	588	2,955	3.4	1.26	0.000176	0.00024	0.37	12.4	0.013	15	4.5	6.9	10.1	3.67%	319.0	4.0	315.0	11.57	52.22	40.65	57.87	45.05		
14	90525	90524	Post Rd.		0.007	0.243	0.38	88	3,043	3.4	1.29	0.000208	0.00019	0.38	16.7	0.013	15	5.0	8.6	13.6	6.69%	215.0	4.0	211.0	14.12	40.55	26.43	45.05	31.53		
15	90524	90523	Post Rd.		0.007	0.250	0.39	88	3,130	3.4	1.33	0.000228	0.00019	0.39	8.8	0.013	15	3.5	5.5	7.2	1.87%	197.0	4.0	193.0	3.61	26.33	22.72	31.53	26.52		
16	90523	90522	Post Rd.		0.007	0.257	0.40	88	3,218	3.4	1.36	0.000245	0.00009	0.40	2.9	0.013	12	2.6	3.4	3.7	0.68%	106.0	4.0	102.0	0.69	22.62	21.93	26.52	26.43		
17	90522	90521	Post Rd.		0.007	0.264	0.41	88	3,305	3.4	1.39	0.000254	0.00012	0.41	0.9	0.013	12	1.1	1.3	1.2	0.07%	139.0	4.0	135.0	0.09	21.83	21.74	26.43	27.84		
18	90521	90520	Post Rd.	Flow Monitor 1	0.007	0.271	0.42	88	3,393	3.4	1.43	0.000265	0.00011	0.42	2.2	0.013	12	2.1	2.8	2.8	0.37%	121.0	2.0	119.0	0.44	21.64	21.20	27.84	31.30		
19	90520	90509	Post Rd.			0.271	0.42	-	3,393	3.4	1.43	0.000274	0.00012	0.42	2.8	0.013	15	1.6	2.4	2.3	0.18%	100.0	2.0	98.0	0.18	21.10	20.92	31.30	36.02		
20	90509	90508	Post Rd.	Shopping Center	0.046	0.317	0.49	574	3,966	3.3	1.64	0.000282	0.00007	0.49	#NUM!	0.013	15				-0.59%	58.0	4.0	54.0	(0.32)	20.82	21.14	36.02	37.84		
21	90508	90507	Post Rd.	Olivia St.	0.120	0.437	0.68	1,500	5,466	3.2	2.17	0.000286	0.00009	0.68	6.1	0.013	15	3.2	4.8	4.9	0.88%	72.0	4.0	68.0	0.60	21.04	20.44	37.84	38.84		
22	90507	90506	Post Rd.			0.437	0.68	-	5,466	3.2	2.17	0.000291	0.00008	0.68	3.3	0.013	15	2.1	3.0	2.7	0.25%	67.0	4.0	63.0	0.16	20.34	20.18	38.84	38.63		
23	90506	90505	Post Rd.	N. Pearl Street	0.120	0.557	0.86	1,500	6,966	3.1	2.68	0.000295	0.00013	0.86	3.2	0.013	15	2.1	3.0	2.6	0.25%	105.0	4.0	101.0	0.25	20.08	19.83	38.63	34.76		
24	90505	90504	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000303	0.00021	0.86	3.2	0.013	15	2.1	3.0	2.6	0.25%	160.0	2.0	158.0	0.39	19.73	19.34	34.76	25.74		
25	90504	90503	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000313	0.00010	0.86	12.1	0.013	15	5.7	8.4	9.9	3.51%	76.0	4.0	72.0	2.53	19.24	16.71	25.74	20.46		
26	90503	90502	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000318	0.00013	0.86	14.2	0.013	15	6.5	9.4	11.6	4.84%	95.0	4.0	91.0	4.40	16.61	12.21	20.46	16.11		
27	90502	90501	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000324	0.00013	0.86	3.2	0.013	15	2.2	2.9	2.6	0.24%	96.0	4.0	92.0	0.22	12.11	11.89	16.11	16.19		
28	90501	90500	Post Rd.	Flow Monitor 2		0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00043	0.86	5.7	0.013	18	2.3	3.6	3.2	0.29%	150.0	4.0	146.0	0.43	11.79	11.36	16.19	16.46		
29	90500	90203	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00028	0.86	9.1	0.013	18	3.2	5.2	5.1	0.75%	100.0	4.0	96.0	0.72	11.26	10.54	16.46	15.44		
30	90203	90202	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00043	0.86	8.7	0.013	18	3.1	5.0	4.9	0.69%	148.0	4.0	144.0	0.99	10.44	9.45	15.44	13.95		
31	90202	90198	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00044	0.86	#NUM!	0.013	18				-0.13%	154.0	4.0	150.0	(0.20)	9.35	9.55	13.95	12.19		
																	Overall Pipe Length (OAL) =					3,837						Inverts Interpolated			
																	Pipe Length (L) =					3,737						Adverse Pipe Slope			
																	Pipe Length from MH 90526 to 90500 =					1,703									

EXISTING SEWER ANALYSIS WITH PROJECTED SITE FLOW AND PROPOSED PIPE RECONSTRUCTION																														
Pipe Run					Average Flow			Peak Flow				Infiltration		Design Flow	Pipe Data												Invert		Rim Elevation	
Run	From	To	Location & Description		Mgd	Σ Mgd	cfs	Pop	Σ Pop	PF	cfs	mgd/ldm	cfs		cfs	Cap. (cfs)	"n" Value	Size (in)	Vdes (fps)	Vpeak (fps)	Vcap (fps)	Slope (%)	OAL (ft)	MH Dia. (ft)	Lgth. (ft)	Fall (ft)	Upper	Lower	Upper	Lower
1	90537	90536	High St.	Site Conn. #1	0.038	0.038	0.06	475	475	4.0	0.23	0.000176	0.00003	0.06	2.5	0.013	8	2.7	3.2	7.2	4.36%	75.0	2.0	73.0	3.18	83.57	80.39	93.77	91.89	
2	90536	90535	High St.			0.038	0.06	-	475	4.0	0.23	0.000176	0.00006	0.06	2.2	0.013	8	2.7	2.8	6.2	3.18%	152.0	4.0	148.0	4.71	80.29	75.58	91.89	85.93	
3	90535	90534	High St.	Nursing Home	0.024	0.062	0.10	300	775	3.9	0.37	0.000176	0.00003	0.10	1.5	0.013	8	2.4	2.7	4.4	1.63%	86.0	4.0	82.0	1.34	75.48	74.14	85.93	83.24	
4	90534	90533	High St.	Site Conn. #2	0.012	0.074	0.11	150	925	3.8	0.44	0.000176	0.00011	0.11	1.5	0.013	8	2.5	2.7	4.2	1.49%	262.0	4.0	258.0	3.85	74.04	70.19	83.24	76.59	
5	90533	90532	High St.			0.074	0.11	-	925	3.8	0.44	0.000176	0.00001	0.11	1.5	0.013	8	2.5	2.7	4.2	1.48%	40.0	4.0	36.0	0.53	70.09	69.56	76.59	77.45	
6	90532	90567	Post Rd.			0.074	0.11	-	925	3.8	0.44	0.000176	0.00003	0.11	1.5	0.013	8	2.5	2.7	4.2	1.48%	85.0	4.0	81.0	1.20	69.46	68.26	77.45	74.99	
7	90567	90531	Post Rd.			0.074	0.11	-	925	3.8	0.44	0.000176	0.00011	0.11	1.5	0.013	8	2.5	2.7	4.2	1.48%	270.0	4.0	266.0	3.94	68.16	64.22	74.99	74.09	
8	90531	90530	Post Rd.	Site Conn. #3	0.093	0.167	0.26	1,163	2,088	3.6	0.92	0.000176	0.00002	0.26	1.5	0.013	8	3.2	3.4	4.2	1.48%	59.0	4.0	55.0	0.81	64.12	63.31	74.09	74.00	
9	90530	90529	Post Rd.			0.167	0.26	-	2,088	3.6	0.92	0.000176	0.00010	0.26	1.5	0.013	8	3.2	3.4	4.2	1.48%	253.0	4.0	249.0	3.69	63.21	59.52	74.00	71.04	
10	90529	90528	Post Rd.			0.167	0.26	-	2,088	3.6	0.92	0.000176	0.00006	0.26	1.5	0.013	8	3.2	3.4	4.2	1.48%	157.0	4.0	153.0	2.26	59.42	57.16	71.04	67.16	
11	90528	90527	Post Rd.	Site Conn. #4	0.022	0.189	0.29	280	2,368	3.5	1.03	0.000176	0.00005	0.29	1.5	0.013	8	3.3	3.5	4.2	1.48%	116.0	4.0	112.0	1.66	57.06	55.40	67.16	63.95	
12	90527	90526	Post Rd.			0.189	0.29	-	2,368	3.5	1.03	0.000176	0.00008	0.29	1.5	0.013	8	3.3	3.5	4.2	1.48%	206.0	4.0	202.0	2.99	55.30	52.31	63.95	57.87	
13	90526	90525	Post Rd.	S. Regent	0.047	0.236	0.37	588	2,955	3.4	1.26	0.000176	0.00024	0.37	12.4	0.013	15	4.5	6.3	10.1	3.67%	319.0	4.0	315.0	11.57	52.22	40.65	57.87	45.05	
14	90525	90524	Post Rd.		0.007	0.243	0.38	88	3,043	3.4	1.29	0.000208	0.00019	0.38	16.7	0.013	15	5.0	7.9	13.6	6.69%	215.0	4.0	211.0	14.12	40.55	26.43	45.05	31.53	
15	90524	90523	Post Rd.		0.007	0.250	0.39	88	3,130	3.4	1.33	0.000228	0.00019	0.39	8.8	0.013	15	3.5	4.9	7.2	1.87%	197.0	4.0	193.0	3.61	26.33	22.72	31.53	26.52	
16	90523	90522	Post Rd.		0.007	0.257	0.40	88	3,218	3.4	1.36	0.000246	0.00011	0.40	3.5	0.013	15	2.0	2.4	2.8	0.29%	106.0	4.0	102.0	0.30	22.62	22.32	26.52	26.43	
17	90522	90521	Post Rd.		0.007	0.264	0.41	88	3,305	3.4	1.39	0.000254	0.00015	0.41	3.5	0.013	15	2.7	3.2	2.8	0.29%	139.0	4.0	135.0	0.39	22.22	21.83	26.43	27.84	
18	90521	90520	Post Rd.	Flow Monitor 1	0.007	0.271	0.42	88	3,393	3.4	1.43	0.000265	0.00014	0.42	3.5	0.013	15	2.2	2.6	2.8	0.29%	121.0	4.0	117.0	0.34	21.73	21.39	27.84	31.30	
19	90520	90509	Post Rd.			0.271	0.42	-	3,393	3.4	1.43	0.000274	0.00012	0.42	3.5	0.013	15	2.1	2.7	2.8	0.29%	100.0	4.0	96.0	0.28	21.29	21.02	31.30	36.02	
20	90509	90508	Post Rd.	Shopping Center	0.046	0.317	0.49	574	3,966	3.3	1.64	0.000282	0.00007	0.49	3.5	0.013	15	2.8	2.8	2.8	0.29%	58.0	4.0	54.0	0.16	20.92	20.76	36.02	37.84	
21	90508	90507	Post Rd.	Olivia St.	0.120	0.437	0.68	1,500	5,466	3.2	2.17	0.000286	0.00009	0.68	3.5	0.013	15	1.8	2.6	2.8	0.29%	72.0	4.0	68.0	0.20	20.66	20.46	37.84	38.84	
22	90507	90506	Post Rd.			0.437	0.68	-	5,466	3.2	2.17	0.000291	0.00008	0.68	3.3	0.013	15	2.1	2.8	2.7	0.25%	67.0	4.0	63.0	0.16	20.34	20.18	38.84	38.63	
23	90506	90505	Post Rd.	N. Pearl Street	0.120	0.557	0.86	1,500	6,966	3.1	2.68	0.000295	0.00013	0.86	3.2	0.013	15	2.1	2.9	2.6	0.25%	105.0	4.0	101.0	0.25	20.08	19.83	38.63	34.76	
24	90505	90504	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000303	0.00021	0.86	3.2	0.013	15	2.1	2.9	2.6	0.25%	160.0	4.0	156.0	0.39	19.73	19.34	34.76	25.74	
25	90504	90503	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000313	0.00010	0.86	12.1	0.013	15	5.7	7.8	9.9	3.51%	76.0	4.0	72.0	2.53	19.24	16.71	25.74	20.46	
26	90503	90502	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000318	0.00013	0.86	14.2	0.013	15	6.5	8.8	11.6	4.84%	95.0	4.0	91.0	4.40	16.61	12.21	20.46	16.11	
27	90502	90501	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000324	0.00013	0.86	3.2	0.013	15	2.2	2.9	2.6	0.24%	96.0	4.0	92.0	0.22	12.11	11.89	16.11	16.19	
28	90501	90500	Post Rd.	Flow Monitor 2		0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00043	0.86	5.7	0.013	18	2.3	3.4	3.2	0.29%	150.0	4.0	146.0	0.43	11.79	11.36	16.19	16.46	
29	90500	90203	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00028	0.86	9.1	0.013	18	3.2	4.8	5.1	0.75%	100.0	4.0	96.0	0.72	11.26	10.54	16.46	15.44	
30	90203	90202	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00043	0.86	8.7	0.013	18	3.1	4.7	4.9	0.69%	148.0	4.0	144.0	0.99	10.44	9.45	15.44	13.95	
31	90202	90198	Post Rd.			0.557	0.86	-	6,966	3.1	2.68	0.000560	0.00044	0.86	#NUM!	0.013	18				-0.13%	154.0	4.0	150.0	(0.20)	9.35	9.55	13.95	12.19	
This is a theoretical analysis of the proposed sections of pipe to be reconstructed. The design slope has been averaged across the total length of the pipe runs for this analysis. The final design may vary based on final field survey and is subject to DOH review and approval.																	Overall Pipe Length (OAL) = 3,837										Inverts Interpolated			
																	Pipe Length (L) = 3,727										Adverse Pipe Slope			
																	Pipe Length from MH 90526 to 90500 = 1,697													

APPENDIX I

Air Quality (partial rev)

TRC
1200 Wall Street West
5th Floor
Lyndhurst, NJ 07071

Main 201.933.5541
Fax 201.933.5601

Technical Memorandum

To: Carlito Holt, P.E., Provident Design Engineering, PLLC
From: Darin Ometz, TRC
Subject: **Proposed United Hospital Redevelopment
FEIS Air Quality Analysis**
Date: December 14, 2016
CC:
Project No.: 265002.0000.0000

This memorandum has been prepared for the Final Environmental Impact Statement (FEIS) for the United Hospital Redevelopment (Project) in the Village of Port Chester, New York. This FEIS air quality assessment provides additional analysis based upon the latest traffic assessment Levels of Service (LOS) prepared by Provident Design Engineering (PDE) for the United Hospital Redevelopment FEIS.

For the United Hospital Redevelopment FEIS, a screening level air quality assessment was prepared for the intersections directly affected by the Project and concluded per methodology outlined in the NYSDOT Environmental Procedures Manual (EPM) that the Project will not violate the carbon monoxide (CO) National Ambient Air Quality Standards (NAAQS). This FEIS air quality assessment provides a screening level air quality analysis per EPM Guidance and is based upon the revised LOS for intersections directly affected by the Project prepared by Provident Design Engineering. TRC compared the LOS for the Peak AM, Peak PM, and Peak Saturday study periods for each of the intersections analyzed by PDE to determine if the LOS changed from the initial air quality assessment in the FEIS.

Level of Service Screening Results

The first step in the offsite street traffic air quality assessment per NYSDOT EPM guidance is to prepare a LOS screening assessment. Intersections impacted by the Project are excluded from additional air quality assessment when they have a LOS of A, B, or C. Intersections impacted by the Project that have a LOS of D, E, or F must undergo additional air quality screening assessment. Thus, TRC compared the LOS provided in the FEIS to the latest traffic analysis to the FEIS prepared by PDE. For intersections that were determined to have a LOS of A, B, or C per the FEIS traffic analysis, no further screening was necessary per NYSDOT EPM Guidance. Intersections that have a LOS of D,

E, or F per the FEIS traffic analysis were further analyzed using the NYSDOT EPM capture criteria screening method.

Note that some of the intersections that were determined to have a LOS of D, E, or F per the FEIS traffic analysis were previously analyzed using the NYSDOT EPM capture criteria and volume screening methods. Because the traffic volumes used in the latest traffic analysis to the FEIS are identical to those previously assessed in the FEIS for these intersections, there is no additional screening assessment necessary. These study intersections per the FEIS did not require a refined microscale air quality analysis as the traffic volumes are below the volumes at which there is an extremely unlikely chance for the potential violation of the CO NAAQS. Table 1 provides the LOS for each intersection and peak study period per the LOS determined in the latest FEIS traffic analysis with a summary of the NYSDOT EPM screening criteria.

Table 1: Level of Service Screening Assessment

Intersection ID	Intersection	Peak Study Period			NYSDOT EPM Screening Results
		Peak AM	Peak PM	Peak Saturday	
1	High Street and Site Driveway (unsignalized)	B	E	D	Requires further screening assessment
2	Route 1 and Slater Street (signalized)	D	E	D	Requires further screening assessment
3	Route 1 and Pearl Street (signalized)	D	D	D	Requires further screening assessment
4	Route 1 and South Regent Street (signalized)	F	F	F	Requires further screening assessment
5	Route 1 and Kohls Driveway (signalized)	D	E	E	Requires further screening assessment
6	Route 1 and High Street (unsignalized)	B	C	B	Passes NYSDOT LOS screening
7	Route 1 & I287 Westbound Off-Ramp/I95 Northbound Off-Ramp (signalized)	D	E	C	Passed NYSDOT volume threshold screening per FEIS
8	Route 1 & I287 Eastbound Off-Ramp/I95 Southbound On-Ramp (signalized)	F	F	D	Requires further screening assessment
9	Route 1 and Hillside Road (unsignalized)	D	E	D	Requires further screening assessment
10	Ridge Street and High Street (signalized)	B	B	B	Passes NYSDOT LOS screening
11	Grandview Avenue and	B	B	B	Passes NYSDOT

Intersection ID	Intersection	Peak Study Period			NYSDOT EPM Screening Results
		Peak AM	Peak PM	Peak Saturday	
	High Street (unsignalized)				LOS screening
12	Evergreen Avenue and High Street (unsignalized)	B	B	B	Passes NYSDOT LOS screening
13	Route 1 and Cedar Street (signalized)	D	C	B	Requires further screening assessment
14	Route 1 and Peck Avenue (signalized)	D	C	D	Requires further screening assessment
15	Midland Avenue and Peck Avenue (signalized)	D	D	D	Passed NYSDOT volume threshold screening per FEIS
16	Purchase Street and Hillside Road/Wappanoca Avenue (unsignalized)	D	D	C	Passed NYSDOT volume threshold screening per FEIS
17	Grandview Avenue and Hillside Road (unsignalized)	A	A	A	Passes NYSDOT LOS screening
18	Route 1 and South Main Street/Grace Church Street (signalized)	C	D	C	Requires further screening assessment
19	Route 1 and Olivia Street (signalized)	A	A	A	Passes NYSDOT LOS screening
20	Ridge Street and Purchase Street (signalized)	C	E	C	Requires further screening assessment
21	Ridge Street and Bowman Avenue (Signalized)	C	C	C	Passes NYSDOT LOS screening
22	Ridge Street and Westchester Avenue (Signalized)	E	F	C	Requires further screening assessment

Bold values indicate intersection did not pass the LOS screening analysis.

Source: Provident Design Engineers

As shown above, the LOS for twelve (12) intersections were determined to have a LOS of D or worse and did not previously pass a NYSDOT EPM volume screening assessment per the screening assessment presented in the FEIS. As such, these intersections were further analyzed using NYSDOT EPM capture criteria screening methodology.

Capture Criteria Screening Results

The capture criteria screening has five criteria that must be met to avoid proceeding to the volume threshold screening or potentially conducting a refined air quality modeling analysis. If one of the criteria is not met, than a volume threshold screening analysis is necessary. Only those 2018 peak hour intersections that failed the LOS screening and did not previously pass the NYSDOT EPM

screening per the FEIS assessment were examined using the capture criteria. The 2018 no build (Project is not constructed) traffic volumes were compared to the 2018 build with improvements traffic volumes to determine if there was a volume increase in traffic of more than 10% for these twelve (12) intersections. As shown in Table 2, all of the intersections with a LOS of D or worse for the build with improvements condition have traffic volumes increases of more than 10% when comparing 2018 no build and build with improvements traffic volumes. Thus, volume threshold screening analyses were necessary for these 12 intersections listed in Table 2.

Volume Threshold Screening Results

The volume threshold screening analysis compares the project traffic volumes for each intersection to the traffic volume thresholds below which a violation of the 1-hour and 8-hour CO NAAQS is extremely unlikely. Therefore, no refined air quality analysis is required for intersections with projected traffic volumes below the volume threshold determined using the NYSDOT's EPM procedures.

Following the guidance provided in the NYSDOT's EPM, CO emission factors for both free flow links and queue links were developed in the Project FEIS for each intersection approach and used to determine the peak hour traffic volume threshold with Tables 3a-3c of the EPM. A comparison of these traffic volume thresholds to the project traffic volumes for each intersection approach is presented in Table 3. The table shows that the projected traffic volumes for the 2018 peak weekday AM, weekday PM, and Saturday time periods are less than the volume thresholds for each intersection approach. Thus, none of the study intersections require a refined microscale air quality analysis as the traffic volumes are below the volumes at which there is an extremely unlikely chance for the potential violation of the CO NAAQS.

Microscale Screening Summary

A screening level air quality assessment per EPM Guidance and based upon the FEIS traffic analysis for intersections directly affected by the Project prepared by Provident Design Engineering was conducted and showed that a refined air quality modeling analysis is not required. Thus, using the screening methodology presented in the NYSDOT EPM indicates that it is highly unlikely that the Project will violate the CO NAAQS.

Table 2: Capture Criteria Screening Assessment

ID	Intersection	Movement	Peak AM			Peak PM			Peak Saturday		
			No-Build Condition Count	Build with Improvements Condition Count	Percent Increase	No-Build Condition Count	Build with Improvements Condition Count	Percent Increase	No-Build Condition Count	Build with Improvements Condition Count	Percent Increase
1	High Street and Site Driveway	EB	NA	NA	NA	384	296	-23%	317	217	-32%
		WB	NA	NA	NA	228	131	-43%	252	201	-20%
		SB	NA	NA	NA	0	274	>10%	0	183	>10%
2	Route 1 and Slater Street	NB	814	887	9%	978	1,074	10%	933	1,026	10%
		SB	354	442	25%	586	647	10%	623	701	13%
		WB	262	295	13%	291	316	9%	258	296	15%
3	Route 1 and Pearl Street	NB	786	877	12%	1,014	1,123	11%	1,055	1,168	11%
		SB	597	728	22%	857	945	10%	860	976	13%
		EB	701	717	2%	677	718	6%	399	523	31%
4	Route 1 and South Regent Street	EB	637	672	5%	572	595	4%	533	564	6%
		NB	934	1,044	12%	1,235	1,366	11%	1,151	1,267	10%
		WB	111	111	0%	111	111	0%	7	7	0%
		SB	738	895	21%	1,003	1,112	11%	1,066	1,208	13%
5	Route 1 and Kohls Driveway	EB	0	383	>10%	0	527	>10%	0	556	>10%
		NB	1,109	1,473	33%	1,421	1,613	14%	1,513	1,721	14%
		WB	91	107	18%	536	547	2%	807	822	2%
		SB	1,136	1,340	18%	1,227	1,352	10%	1,240	1,410	14%
8	Route 1 & I287 EB Off Ramp/I95 SB On Ramp	NB	254	314	24%	445	487	9%	554	609	10%
		SB	806	900	12%	987	1,126	14%	930	1,051	13%
		EB	1,099	1,266	15%	932	1,033	11%	780	924	18%
9	Route 1 and Hillside Road	EB	71	71	0%	70	70	0%	40	40	0%
		NB	299	359	20%	466	508	9%	575	689	20%
		SB	935	973	4%	955	998	5%	829	874	5%
13	Route 1 and Cedar Street	NB	383	443	16%	NA	NA	NA	NA	NA	NA
		SB	921	956	4%	NA	NA	NA	NA	NA	NA
		EB	286	286	0%	NA	NA	NA	NA	NA	NA
14	Route 1 and Peck Avenue	NB	464	492	6%	NA	NA	NA	655	683	4%
		SB	1,032	1,069	4%	NA	NA	NA	804	848	5%

ID	Intersection	Movement	Peak AM			Peak PM			Peak Saturday		
			No-Build Condition Count	Build with Improvements Condition Count	Percent Increase	No-Build Condition Count	Build with Improvements Condition Count	Percent Increase	No-Build Condition Count	Build with Improvements Condition Count	Percent Increase
		WB	290	320	10%	NA	NA	NA	314	343	9%
18	Route 1 and South Main Street/Grace Church Street	NB	NA	NA	NA	680	743	9%	NA	NA	NA
		SB	NA	NA	NA	269	269	0%	NA	NA	NA
		WB	NA	NA	NA	317	317	0%	NA	NA	NA
		EB	NA	NA	NA	607	668	10%	NA	NA	NA
20	Ridge Street and Purchase Street	EB	NA	NA	NA	229	251	10%	NA	NA	NA
		NB	NA	NA	NA	488	494	1%	NA	NA	NA
		SB	NA	NA	NA	363	392	8%	NA	NA	NA
22	Ridge Street and Westchester Avenue	EB	713	724	2%	1,106	1,113	1%	NA	NA	NA
		NB	543	560	3%	648	671	4%	NA	NA	NA
		WB	663	663	0%	513	513	0%	NA	NA	NA
		SB	439	460	5%	404	417	3%	NA	NA	NA

Table 3: Volume Threshold Screening Assessment

ID	Intersection	Movement	NYSDOT Volume Threshold (veh/hr)	Projected Peak Hour Traffic Volume (veh/hr)		
				Peak AM	Peak PM	Peak Saturday
1	High Street and Site Driveway	EB	7,795	NA	296	217
		WB	7,795	NA	131	201
		SB	8,000	NA	274	183
2	Route 1 and Slater Street	NB	4,000	887	1,074	1,026
		SB	4,000	442	647	701
		WB	4,000	295	316	296
3	Route 1 and Pearl Street	NB	4,000	877	1,123	1,168
		SB	4,000	728	945	976
		EB	4,000	717	718	523
4	Route 1 and South Regent Street	EB	4,000	672	595	564
		NB	4,000	1,044	1,366	1,267
		WB	4,000	111	111	7
		SB	4,000	895	1,112	1,208
5	Route 1 and Kohls Driveway	EB	4,000	383	527	556
		NB	4,000	1,473	1,613	1,721
		WB	4,000	107	547	822
		SB	4,000	1,340	1,352	1,410
8	Route 1 & I287 EB Off Ramp/I95 SB On Ramp	NB	4,000	314	487	609
		SB	4,000	900	1,126	1,051
		EB	4,000	1,266	1,033	924
9	Route 1 and Hillside Road	EB	7,795	71	70	40
		NB	8,000	359	508	689
		SB	8,000	973	998	874
13	Route 1 and Cedar Street	NB	4,000	443	NA	NA
		SB	4,000	956	NA	NA
		EB	4,000	286	NA	NA
14	Route 1 and Peck Avenue	NB	4,000	492	NA	683
		SB	4,000	1,069	NA	848
		WB	4,000	320	NA	343
18	Route 1 and South Main Street/Grace Church Street	NB	4,000	NA	743	NA
		SB	4,000	NA	269	NA
		WB	4,000	NA	317	NA
		EB	4,000	NA	668	NA
20	Ridge Street and Purchase Street	EB	4,000	NA	251	NA
		NB	4,000	NA	494	NA
		SB	4,000	NA	392	NA
22	Ridge Street and Westchester Avenue	EB	4,000	724	1,113	NA
		NB	4,000	560	671	NA
		WB	4,000	663	513	NA
		SB	4,000	460	417	NA

Appendix R

Updated Parking Report

TECHNICAL MEMORANDUM

DATE: *Tuesday, November 22, 2016*

TO: *Eric Zamft, Planning Director – Village of Port Chester*

CC: *Bernard Adler/Michael O'Rourke – Adler Consulting*

FROM: *Andrew S. Hill*

PROJECT: *United Hospital Redevelopment* **PROJECT #:** *20-14146.00-3*

RE: *Impact Analysis*

Pursuant to questions submitted to the developer from the City and its consultants, DESMAN has revised our Shared Parking Analysis of the proposed development to reflect two impacts:

1. Withdrawal of the 42 planned on-street parking spaces located within the project's confines;
2. Application of a 10% artificial buffer to the planned parking supply against perceived parking shortfalls.

INTRODUCTION

The New York United Hospital Medical Center closed its doors in December 2005 due to failing finances. The 15.4-acre property supported roughly 720,000 square feet of building space. The developer is proposing a mixed-use concept for the property that would introduce just over 1 million square feet of development to the site, including residential units, medical office space, a new hotel and street-level retail shops. The most recent program was amended to include a total of 1,453 parking spaces¹ distributed across garages, surface lots and public streets servicing each block. The following document details an independent analysis, employing Shared Parking methodology, to confirm that the planned parking supply is adequate to support the project's parking demand when completed.

WITHDRAWAL OF CURBSIDE PARKING SPACES FROM PLANNED CAPACITY

If the curbside spaces contained within the project's boundaries were not included within the planned supply, the adjusted total parking capacity for the project would be 1,411 spaces. Based on the building program analyzed previously, peak demand on weekdays would be for 1,431 spaces and 1,417 spaces on weekends. The removal of the curbside spaces from the planned supply would create moderate shortfalls of between 12 and 20 spaces on three weekdays annually in March, May and October for no more than one hour on each date. Shortfalls on weekends would not exceed 6 spaces and would occur for only one hour during one Saturday in May and October. Projections for this scenario are included as Exhibit A at the conclusion of this memorandum.

¹ Including 42 curbside spaces located on the internal streets of the project site.

DESMAN is confused by the nature of this request as there does not appear to be any land uses external to the project to generate competing demand for the curbside spaces. It is our understanding that there is a large commercial development across Boston Post Road from the project site, but this appears to be supplied with abundant surface parking which is both closer to popular destinations and easier to access. In addition, the width and volume of traffic along Boston Post Road would create a natural deterrent to parkers seeking to use the curbside parking within the project, but patronize other land uses in the area.

APPLICATION OF A TEN PERCENT SET-ASIDE WITHIN THE PARKING SUPPLY

DESMAN was also asked to evaluate how often the project exceeded 90% of the planned parking capacity. In order to quantify this, DESMAN took the planned parking capacity (1,453 spaces) and reduced it by 10% to 1,308 spaces.

Under these conditions, shortfalls were projected to occur in 11 out of 12 months per year on weekdays and 10 of 12 months each year on weekends. Peak hour weekday shortfalls ranged from 34 spaces up to 123 spaces, while peak hour weekend shortfalls ran from 32 spaces to 109 spaces. May and October were the worst months of the year, with weekdays projected to have a total of 7 hours where demand exceeded the artificially constricted supply and 5 hours on weekends. August and the winter Holiday period has no projected shortfalls. During the rest of the year, shortfall periods ranged from 1 to 5 hours on a weekday – mostly late mornings and mid-day – and 2 to 3 hours on weekends – mostly in the evening. Results of this exercise are included as Exhibit B at the conclusion of this memorandum.

As discussed in prior correspondence and discussions, designing a parking supply to carry capacity above the peak hour demand projections is a dated practice advocated by the International Council of Shopping Centers at the inception of Shared Parking modelling. The practice has since been disavowed within the industry by no less than Mary Smith², editor of the Urban Land Institute's Shared Parking, the definitive work on the topic.

DESMAN would advocate for the project to be judged relative to the full parking capacity contained therein (1,453 spaces), rather than subject to artificial restrictions created by sectioning a portion of the supply off to exclusive use by outside users or constricting the supply against user perceptions of availability. However, should the City persist in assigning conditions to the project as a result of the preceding analysis, DESMAN would like to reiterate that the project can accommodate an additional 160 vehicles in the P3 and P4 garages through an assisted parking program (aka. 'stacking') and another 230 vehicles by installing mechanical lifts over each surface parking space, as outlined in our revised analysis issued 27 September 2016.

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² See "Ride-hailing services, driverless cars reshape parking garage design", The Tennessean, 8/29/2016.

APPENDIX S

MPOA AGREEMENT EXAMPLE

**ARTICLE XII FROM
MASTER AGREEMENT**

ARTICLE XII

PUBLIC IMPROVEMENTS

Section 12.1 Construction of Public Improvements and Acquisition of Town Property.

The parties hereby acknowledge that the Developer's obligations and rights with respect to the construction of the Public Improvements is an integral component to the consideration which the Developer is paying for the acquisition of the Town Property. The Town waives bids for the construction of all Public Improvements to be constructed by the Developer.

Section 12.2 Maintenance of the Public Improvements.

(a) Subject to the Developer's obligations under Section 12.2(b) hereof, the Town, at its own cost and expense, shall maintain, repair, operate, refurbish and replace (including capital items) all Public Improvements to the extent such Improvements are located in the street right-of-way, on land owned by the Town or on land in which the Developer has granted an access and maintenance easement to the Town, including, without limitation, the North Garage, the South Garage, and all Site Improvements (including, without limitation, the Blue Back Square Improvements, and all sidewalks, roads, light fixtures, sprinklers, lawns, trees, bushes and other landscaping, container planters and plantings, benches and other public seating, decorative improvements, retaining walls and other streetscape improvements installed by the Developer pursuant to the performance of its obligations hereunder, and underground utilities and lighting serving any of the foregoing) make all necessary repairs, replacements and capital expenditures, in order to keep same in good, safe and clean condition and repair and in a manner at least equivalent to the manner in which the Town is then maintaining similar improvements throughout the Town of West Hartford.

(b) Notwithstanding anything to the contrary contained in Section 12.2(a), the Developer (or subsequent owner of the abutting private land) shall be responsible for sweeping of and the removal of snow and ice from the portions of those sidewalks identified as "Developer's Area" on the drawing attached hereto as Exhibit JJ, and shall be responsible for all legal liability for failure to do so.

(c) Notwithstanding anything to the contrary contained herein, the Developer shall be responsible for the repair or re-execution of the work of any Public Improvement resulting from construction defects or construction that does not conform to the Plans for one (1) year from the date of Substantial Completion of any such Public Improvement; provided, however, that the one-year period for correction of the work shall be extended with respect to portions of the work first performed after Substantial Completion by the period of time between Substantial Completion and the actual performance of such work.

Section 12.3 Modifications of the Public Improvements.

(a) So long as neither Blue Back Square, LLC nor any of its Affiliates have supported a dissolution of the Blue Back Square SSD that has resulted in dissolution of the Blue Back Square SSD, except with respect to modifications or alterations that are necessary to protect the safety of the public, without the prior written consent of the Developer, which consent shall not be unreasonably withheld, conditioned or delayed, or if the Developer no

longer holds any interest in any of the Private Improvements or any of the land underlying any of the Private Improvements, without the prior written consent of the then owners of Building A, Building B-1 and Building B-2, the Town shall not (i) make or permit any Material Modification (hereinafter defined) to the Blue Back Square Improvements, (ii) make any modification to the BBS Area that is inconsistent with the intended purpose of the BBS Area for pedestrian travel and as a central public gathering space for the Project (information booths, movable kiosks and similar improvements being consistent with such intended purpose provided that they do not materially adversely obstruct visibility of or access to retail portions of the Project), or (iii) violate the no-build restriction contained in the deed to Parcel A to be delivered to the Developer at the Town Property Closing (which affects a portion of the BBS Area).

(b) Except with respect to modifications or alterations that are necessary to protect the safety of the public and comply with the Town's insurance carrier and consultant's recommendations, the Town shall not make or permit any Material Modification to the North Garage without the prior written consent of the Developer, or if the Developer no longer holds any interest in any of the Private Improvements or any of the land underlying any of the Private Improvements, without the prior written consent of the then owners of Building B-1 and Building B-2;

(c) Except with respect to modifications or alterations that are necessary to protect the safety of the public, the Town shall not make or permit any Material Modification to the South Garage without the prior written consent of the Developer, or if the Developer no longer holds any interest in any of the Private Improvements or any of the land underlying any of the Private Improvements, without the prior written consent of the then owners of Building C and Building D;

(d) As used herein, "Material Modification" means any such modification or alteration which individually or in the aggregate (i) will materially adversely affect pedestrian or vehicular access to any of the Private Improvements, or (ii) will have a materially adverse effect on the Project (including any Legal Requirements with respect to parking for the Private Improvements).

(e) In the event that the consent of the then owner of any real property is required pursuant to this Section 12.3 and there is more than one owner of such real property, then the requisite consent shall be deemed given if the holders of a majority of the undivided interests in such real property consent to such to the Material Modification; provided, however, that if any such real property is held in a common interest community form of ownership, the declaration establishing such community may grant or delegate the power to give or withhold any such consent to the applicable unit owner's association and/or the executive board or board of directors of such association.

Section 12.4 Building Permits and Other Fees. The Developer shall not be required to pay any building permit application fees or other fees to the Town in connection with the construction of the Public Improvements.

Section 12.5 Prevailing Wages. In constructing the Public Improvements, to the extent applicable the Developer shall comply with the requirements set forth in Connecticut General Statutes

§31-53, as that section exists on the date of this Agreement (or as it may be amended or recodified from time to time provided such amendment or recodification automatically and legally applies retroactively to this Agreement) (the "Prevailing Wage Statute"). The Developer shall include covenants in its architect's agreement for the Public Improvements and in all construction-related contracts with respect to the Public Improvements, including its contract with the Developer's Construction Manager for the Public Improvements, which covenants shall require those entities to comply with the Prevailing Wage Statute.

Section 12.6 Town's Covenants regarding the North Garage and the South Garage.

(a) The Town shall operate or cause the operation of the North Garage, South Garage and North Parking Lot at rates that bear a reasonable relationship to the parking rates in the public parking garage and lots owned by the Town and located west of the Project Area, although such rates may be consistently higher and the first half hour of parking in the North Garage and the South Garage need not be provided at no cost. The North Garage and the South Garage shall be open for public parking during prescribed hours set by the Town; provided, however, that access through the North Garage and South Garage to the underground parking garages on Parcel B and Parcel C/D, respectively shall be unlimited access. Hourly, daily, weekly and monthly public parking shall be offered in the North Garage and the South Garage and the Town shall work with the Developer in providing public parking during hours sufficient to accommodate parking for early morning appointments in the medical offices to be located in the Proposed Project and parking for patrons of the retail, restaurant and theater space to be located in the Proposed Project.

(b) No later than the opening date of the health club to be located in Building C, the Town and the Developer or the Town and the health club operator shall enter into a parking agreement in accordance with the parameters set forth on Exhibit QQ attached hereto. No later than such opening date, the Developer shall use commercially reasonable efforts (which shall not include the payment of money or other consideration) to cause the health club operator to enter into such a parking agreement with the Town.

Section 12.7 Town's Audit Right of Public Development Cost. The Town may, at its sole cost and expense, at any time within six (6) months after the final completion of all Public Improvements to be constructed by the Developer, elect to have an accountant or other qualified individual, selected by the Town and reasonably acceptable to Developer, examine the Developer's books, records, invoices, purchase orders and Change Orders (collectively, the "Records") with respect to all Public Development Costs actually incurred by the Developer with respect to the Public Improvements constructed by the Developer. In the event that the Town, after having reasonable opportunity to examine the Records, determines that the aggregate amount of the Developer's Actual Costs is less than \$35,073,542 plus the aggregate Net Cost Increase, if any, of all Town Change Orders for the Public Improvements constructed by Developer, then the Town may send a written notice ("Audit Statement") to Developer of such determination, specifying in reasonable detail the basis for the Town's determination and the amount of any refund claimed to be due the Town. The Developer shall pay the Town such amount within thirty (30) days following its receipt of the Audit Statement; provided, however, that the Developer shall be entitled to contest the amount of the refund claimed by the Town in the Audit Statement. If, in spite of good faith efforts, within forty-five (45) days after receipt by Developer of the Audit Statement the Parties are unable to mutually agree with respect to any refund that may be due to the Town, the Parties shall designate a reputable independent

firm of certified public accountants not regularly engaged by either ("Expense Arbiter") whose determination made in accordance with this Section shall be binding upon the Parties. Either party shall be entitled to request agreement as to the designation of the Expense Arbiter by written notice to the other party (an "Arbiter Request"), which Arbiter Request shall contain the names and addresses of two (2) or more independent firms of certified public accountants who are not regularly engaged by and are acceptable to the party sending the Arbiter Request (any of whom, if acceptable to the Party receiving the Arbiter Request as evidenced by notice given by the receiving Party to the other Party within such thirty (30) day period, shall be the agreed upon Expense Arbiter). In the event that the Parties shall be unable to agree upon the designation of the Expense Arbiter within thirty (30) days after receipt of an Arbiter Request, then either Party shall have the right to request the American Arbitration Association (or any successor thereto) to designate as the Expense Arbiter an independent firm of certified public accountants not regularly engaged by either Party. The fees and expenses of the Expense Arbiter shall be paid equally by the parties. The Expense Arbiter shall hold a hearing within thirty (30) days after selection at which representatives of the Parties shall have an opportunity to present their respective positions and evidence and shall render its determination within sixty (60) days thereafter. In the event that the Expense Arbiter determines that the aggregate amount of the Developer's Actual Costs is less than \$35,073,542 plus the Aggregate Net Cost Increase, if any, all Town Change Orders for the Public Improvements constructed by Developer, then the Developer shall refund such deficiency to the Town within fifteen (15) days of such determination. The Expense Arbiter's determination shall be binding upon the Parties and enforceable in a court of competent jurisdiction.

Section 12.8 Town Park. The Developer shall apply for and use commercially reasonable efforts to obtain any inlands wetlands approval and building permit necessary to construct the Town Park in accordance with plans mutually agreed upon by the Town and the Developer (the "Town Park Plans"). The Town, as owner of the site on which the Town Park is located, will join in any and all such applications required to be signed by the owner of such property for the Developer to obtain such approvals (at no cost to the Town except as provided in the last sentence of this Section 12.8). The Town, as owner of the site on which the Town Park is located, shall use commercially reasonable efforts to obtain the issuance of a special use permit and an amendment of the Special Development District plan for the site to enable construction and operation of the Town Park. The Developer will join in any such applications as a co-applicant, at no cost to the Developer other than the payment of the standard application fee for the special use permit. If the Developer and the Town obtain all such approvals on or before the twenty-fourth (24th) month following the Town Property Closing Date, the Developer shall design and construct the Town Park in accordance with the Town Park Plans and the Construction Schedule, including filling and re-grading of the site to the limits indicated on the Town Park Plans, seeding the site and planting four trees in each of the corner paving areas to be located at the northeast and southeast corners of Raymond Road and Memorial Road, as shown on the Town Park Plans. All such work shall be at the Developer's sole cost and expense; provided, however, that if the Developer encounters the presence of any Hazardous Substance at, upon or under the Town Park, which materially increases the Developer's costs, the Developer, upon recognizing such Hazardous Substance, shall be entitled to stop the work in the affected area and report the condition to the Town in writing. Within ten (10) Business Days after such written notice is delivered by the Developer to the Town, the Town shall notify the Developer of its election to acknowledge the presence of such Hazardous Substance or to reasonably promptly obtain, at its sole cost and expense, the services of an environmental consultant to verify and estimate the anticipated costs related to the presence or absence of such Hazardous Substance and provide a written report of such findings to the Developer (the "Town Park Notice"). Within five (5) Business Days of such acknowledgement or the Town's receipt of such environmental consultant's report (whichever is

later), the Town shall elect by written notice to the Developer (a) to reimburse the Developer for the reasonable additional costs of constructing the Town Park which are attributable to such Hazardous Substance, (b) to reasonably address such Hazardous Substance such that the Developer does not further incur additional costs related to same (with evidence thereof provided to the Developer) at the Town's sole cost and expense, or (c) to release the Developer in writing of all of the Developer's unperformed obligations with respect to design and construction of the Town Park (the "Town Park Election"). The Town's failure to provide said Town Park Notice to the Developer within such ten (10) Business Day period or to provide said Town Park Election to the Developer within such five (5) Business Day period shall be deemed an election to release the Developer of all of the Developer's obligations unperformed obligations with respect to design and construction of the Town Park, and such release shall be automatic without further action of the Town; provided, however, that the Town may request reasonable extensions of time for providing the Town Park Notice and/or the Town Park Election to the Developer (which shall not be unreasonably denied by the Developer), and the Town shall provide a written release with respect to such Hazardous Substance at, upon or under the Town Park upon the request of the Developer. Notwithstanding anything to the contrary contained herein, the Developer shall have no obligation to defend or pursue the appeal of any permit for which it is obligated to use commercially reasonable efforts to obtain hereunder.

ARTICLE XIII

PERMITS AND APPROVALS

Section 13.1 Special Development Districts. The Parties acknowledge that one or more of the Parcels included in the Project may be contained in the same Special Development District (as defined in the West Hartford Zoning Ordinance) as one or more other Parcels. Each of the Developer and the Town hereby agree, for themselves, their successors and assigns, to execute any application for amendment of the Special Development District plan (an "SDD Amendment Application") applicable to the subject Special Development District in which its Parcel is located and proposed by the owner (the "Proposing Owner") of any other Parcel located in such Special Development District, reserving to such Party, its successors and assigns the right to contest the Proposing Owner's application on its merits.

Section 13.2 Overriding Authority of Town's Planning Authority and Zoning Authority. This Agreement is not intended to supplant or influence the role of the Town's Plan and Zoning Commission, Town Council or other regulatory body, authority or official with respect to any aspect of any application which may now be, or hereinafter become necessary to complete the Project. The execution of this Agreement by the Town shall not be construed in any way to constitute a commentary on, or approval of, any such application by the Town's Plan and Zoning Commission, Town Council or other regulatory body, authority or official in such capacity.

Section 13.3 Common Interest Community. In the event that any portion of the Private Improvements or any land underlying any portion of the Private Improvements is submitted to the common interest community form of ownership, the declaration establishing such common interest community shall delegate to the Association (and to the executive board or board of directors thereof) the authority of the unit owners to consent to an SDD Amendment Application relating to the real property comprising or containing the common interest community and shall require said executive board or board of directors to execute any such application, provided, however, that nothing herein shall preclude the unit owners, the unit owners' association and/or the executive board or board of directors thereof from contesting such application on its merits.

**EXHIBIT T FROM
MASTER AGREEMENT –
FORM OF SSD ORDINANCE**

EXHIBIT T

FORM OF SSD ORDINANCE

An Ordinance Establishing a Special Services District
For a Portion of West Hartford Center

WHEREAS West Hartford Center has become a destination for retail shopping, dining and other activities; and

WHEREAS the continued growth of West Hartford Center is an important element in maintaining West Hartford's stature as a regional leader; and

WHEREAS the establishment of a Special Services District within West Hartford Center will enable portions of West Hartford Center to develop programs, public improvements and opportunities which will benefit all of West Hartford indirectly; and

WHEREAS, The Council hereby determines that the establishment of such Special Services District will promote the economic and general welfare of the citizens and property owners of the Town both within and without such district through the preservation, enhancement, protection and development of the economic health of the Town.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT Chapter 161 of the West Hartford Code of Ordinances is hereby amended by the addition of the following Article XI thereto:

(New) Article XI, West Hartford Center Special Services District

(New) §161-22. Establishment of District. Purpose. Boundaries.

- A. Pursuant to Chapter 105a of the Connecticut General Statutes, as the sections contained therein may be amended or recodified from time to time, there is hereby established a special services district to be known as the West Hartford Center Special Services District. The purpose of the West Hartford Center Special Services District shall be to promote the economic and general welfare of the citizens and property owners of West Hartford both within and without such district through the preservation, enhancement, protection and development of the economic health and vitality of West Hartford Center.
- B. The boundaries of the West Hartford Center Special Services District are hereby established as shown on the map entitled "BBS Special Services District" and dated May 3, 2004, which map is attached to and is hereby made a part of this Article and shall be recorded upon the land records of the Town of West Hartford. Should any question arise as to the precise location of the boundaries of the District, the principles set forth in West Hartford Code of Ordinances §177-5 shall be applied to aid in making such determination.
- C. In order to provide that different land use categories within the District share equitably in the funding of the District in proportion to the different benefits to be derived therefrom, there are hereby established within the District the following categories of land use (each

a "Land Use Category"): Municipal Land Use, Commercial Land Use or Residential Land Use. All Real Estate within the District shall be classified within one of these Land Use Categories in accord with the definitions of those classifications set forth in §161-23 of this Article.

(New) §161-23. Definitions.

The following words, terms and phrases, as used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved shall mean, with respect to building area within a Land Use Category or subcategory thereof, any area for which all legal preconditions to the application for a building permit have been satisfied.

Assessed Value for each Fiscal Year shall be the assessed value of the applicable Real Estate shown on the grand list of the Town of West Hartford effective on October 1 of the prior year.

Blue Back Square Public Improvements Bond Ordinance means the ordinance entitled "An Ordinance Making Appropriations Aggregating \$48,821,543 For Town Projects and Public Improvements Related to the Blue Back Square Project and Authorizing the Issuance of \$48,821,543 Bonds of the Town to Meet Said Appropriations and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purposes and Declaring the Town's Official Intent to Reimburse Expenditures from Such Borrowings" adopted by the Town Council of West Hartford on _____, 2004

Board of Commissioners or *Board* shall be the Board of Commissioners established pursuant to §161-27 of this Article.

Commercial Land Use shall refer to any Property other than a Municipal Land Use or a Residential Land Use. Solely for purposes of implementing the levy established pursuant to this Article, Commercial Land Uses shall be divided into two sub-categories: Office Land Use and Retail Land Use.

Commissioner shall be any member of the board of commissioners.

Common Area shall mean any area within a building which is available to more than one owner, tenant, occupant or patron of said building for their common use, including, but not limited to hallways, lobbies, storage areas and loading docks.

District shall be the West Hartford Center Special Services District described in §161-22 of this Article.

Fiscal Year shall be the fiscal year of the District as established in § 161-28A.

Land Use Category shall mean, as the context indicates, one or more of the categories of land use constituting Commercial Land Use, Municipal Land Use or Residential Land Use or to any specified sub-category thereof.

Member shall be a Property Owner, as defined herein.

Municipal Land Use shall refer to any Property owned by the District or that portion of any Property which is categorized by the Director of Assessments, for property tax purposes, as municipal property exempt from taxation pursuant to Connecticut General Statutes § 12-81(4), as that section may be amended or recodified from time to time.

Office Land Use shall be a sub-category of Commercial Land Use and shall refer to any property which is categorized by the Director of Assessments, for property tax purposes, as any type or category of office use. For purposes of this Article, a physical therapy, exercise and/or rehabilitation facility associated or affiliated with medical offices or with a hospital shall be classified as an Office Land Use.

Original Property Owner shall refer to a Property Owner entitled to participate in the referendum to be held pursuant to West Hartford Code of Ordinances §161-25A-H.

Property shall be real property within the District which is identified in the tax records of the Town of West Hartford as a parcel of land and/or building, or which constitutes an individual condominium unit, planned community unit or separately taxable common element as shown on the records of the Town's Director of Assessments.

Property Owner shall be the individual, corporation, partnership, limited liability company, unincorporated association, trustee, fiduciary, guardian, conservator, or other legal entity or any combination thereof in whose name(s) the title to a Taxable Interest in Real Estate stands on the land records of the Town.

Public Improvements shall refer to those areas and objects within the boundaries of the District which are owned, administered, managed or operated by the District and which are available to the public for recreational or other public purposes or located within street rights-of-way including, but not limited to public parking facilities, parks, playgrounds, squares, plazas, decorative improvements, retaining walls, flag poles, fences, fountains, sidewalks, street lights, sprinklers, trees, gardens, landscaping, street amenities, benches and similar features.

Real Estate shall refer to that Property constituting real estate for purposes of the compilation of the grand list of the Town as set out in Connecticut General Statutes §12-64, and located within the boundaries of the District as established pursuant to §161-22 of this Article, as those boundaries may be amended from time to time in accord with the procedures set forth in §161-26 of this Article or, following the dissolution of the District, as located within the boundaries of the District at its dissolution.

Residential Land Use shall refer to that portion of any Property which is categorized by the

Director of Assessments, for property tax purposes, as any category of residential use.

Retail Land Use shall be a sub-category of Commercial Land Use and shall refer to any Property which is categorized by the Director of Assessments, for property tax purposes, as any taxable classification other than residential, office or municipal.

Taxable Interest in Real Estate shall refer to an interest in Real Estate which: (1) is not exempt from property taxes levied by the Town pursuant to the provisions of the Connecticut General Statutes, (2) is not being constructed or reconstructed pursuant to a contract with the Town obligating the Town to acquire such Real Estate, and (3) which is newly-constructed, reconstructed or under construction following the effective date hereof. For purposes of the levy to be implemented pursuant to this Article, all areas within a building and which constitute a sub-category of the Commercial Land Use category or which constitute a Residential Land Use shall be deemed Taxable Interests in Real Estate within such respective Land Use category or Land Use sub-category upon the issuance of a certificate of occupancy or temporary certificate of occupancy by the Building Official of the Town of West Hartford for any area of the building Approved for use within that same Land Use Category or Land Use Category sub-category. Thereafter all such areas shall remain Taxable Interests in Real Estate regardless of occupancy.

A.

(New) §161-24. Powers of West Hartford Center Special Services District

Pursuant to Connecticut General Statutes §7-339n, as that section may be amended or recodified from time to time, the West Hartford Center Special Services District shall constitute a body politic and corporate and shall have the following powers:

- (1) to sue and be sued;
- (2) to acquire, hold and convey any estate, real or personal;
- (3) to contract;
- (4) to borrow money, provided any obligation incurred for this purpose shall be discharged not more than one year after it was incurred, and the District may pledge any revenues to be received pursuant to Connecticut General Statutes §7-339r, as that section may be amended or recodified from time to time, against any such obligation;
- (5) to recommend to the Town Council of West Hartford the imposition of a levy upon all Taxable Interests in Real Estate within the District, the revenues from which may be used in carrying out any of the powers of the District;
- (6) to construct, own, operate, administer and maintain such Public Improvements as

the Town may license to the District by contract from time to time, including, without limitation, the authority to administer, regulate and charge fees for the non-municipal use of those public street rights of way now or hereinafter acquired by the Town of West Hartford which are located within the District notwithstanding any other provisions in this Code of Ordinances to the contrary and;

- (7) to provide, within the District, some or all of the other services which the Town of West Hartford is authorized to provide therein;
- (8) to construct, acquire, or obtain leasehold interests in motor vehicle parking facilities, within the District;
- (9) to operate a motor vehicle parking facility or facilities within the District;
- (10) to lease or sublease to other parties motor vehicle parking facilities;
- (11) to enter into, fund and perform agreements which reduce the cost of motor vehicle parking to residents of the District and to employees of, and those doing business with, businesses located within the District.

Commencing with the Fiscal Year following the Fiscal Year in which the final maturity date occurs for the series of bonds last to mature issued by the Town pursuant to the Blue Back Square Public Improvements Bond Ordinance, the powers of the District shall be exercised only to the extent which is reasonably necessary to maintain, repair, replenish or refurbish, or to replace substantially in kind (which terms shall be construed to exclude street plowing and/or street repairs or reconstruction to the level of service otherwise generally provided elsewhere by the Town, but shall be construed to include the cost of public safety services directly allocable to proper management of the Public Improvements), the Public Improvements then in existence within the District, exclusive of any parking garage structures contained therein or appurtenances thereto, and the levy recommended by the Board shall be limited to such amount as is required to exercise those limited powers.

(New) §161-25. Referendum; Effective Date

- A. The provisions of this Article shall take effect upon the tenth (10th) day following the approval of the establishment of the District at a referendum held in accord with the provisions of this section.
- B. The referendum shall be held among all holders of record of Taxable Interests in Real Property in the District on the question of whether this article shall take effect. The Town Clerk shall determine the identity of such holders in the West Hartford land records and shall give notice of the referendum to such holders.

- C. The referendum question shall appear on a ballot created by the Town Clerk. Each ballot shall be accompanied by a copy of the ordinance from which this article is derived and a letter explaining how the ballot is to be cast and identifying the date and time by which the completed ballot must be received by the Town Clerk. Each ballot shall be signed by the Property Owner or the duly authorized representative of said owner. The signature of any person signing a ballot in their capacity as the duly authorized representative of any owner shall also attest to their authority to sign said ballot under penalties of false statement.
- D. In addition to the referendum question, the ballot shall contain an identification of each Property owned by the Property Owner within the District, the Assessed Value of said Property as shown in the Town's Grand List as of the first day of October last preceding preparation of the ballot and the allocation of such Assessed Value to each of the Land Use Categories established in §161-22C. The Town Clerk shall prepare and shall post in the Town Clerk's office, prior to the mailing of said ballots, a list of the Property Owners within the District, the Assessed Value of each Property located within the District and the allocation of such Assessed Value to each of the Land Use Categories established in §161-22C.
- E. The ballot shall be mailed by certified mail to the address used by the Town's Director of Assessments for tax purposes not later than thirty five (35) days following adoption of this ordinance. The ballots must be returned to the Town Clerk not later than 4:30 p.m. on the twenty-first day after the initial mailing.
- F. Each Property Owner shall be entitled to cast one (1) ballot for each Property which they own within the District, which will be so counted in determining whether the necessary majority of Property Owners have voted in favor of the creation of the proposed district. For the purposes of this section:
- (1) Any tenant in common of any freehold interest in Property shall have a vote equal to their fractional ownership interest therein.
 - (2) All joint tenants of any freehold interest in Property shall have a vote representing an equal fractional ownership interest therein.
 - (3) A corporation shall have its vote cast by the chief executive officer of such corporation or his designee.
 - (4) A limited partnership, limited liability company or other similar legal entity which is authorized at law to take legal action in its own name shall have its vote cast by an authorized agent thereof, whose authority to vote shall be noted on the ballot executed on behalf of the entity in question.
 - (5) No Property Owner shall have more than one vote for each Property owned.

- (6) Any Property Owner may authorize an agent to vote on their behalf, by executing an affidavit evidencing such authorization. A copy of any such affidavit shall be appended to the ballot which is executed by the authorized agent and delivered to the Town Clerk.
- G. The Town Clerk shall supervise the referendum and shall certify the results of the referendum. The referendum shall comply, to the extent applicable and practicable, with Chapter 145 (Absentee Voting) and Chapter 152 (Referenda) of the Connecticut General Statutes, except as Chapter 105a of the Connecticut General Statutes and the terms of this Article may otherwise permit or direct.
- H. The referendum shall be approved if a majority of the Property Owners within each of the Commercial and Residential Land Use Categories shall respond affirmatively and further provided that Property Owners in each such Land Use Category the assessments of which shall constitute more than one-half of the total of assessments for all taxable interests within each such Land Use Category shall respond affirmatively.
- I. No ordinance amending or repealing the provisions of this Article shall be effective unless approved by the Property Owners within each of the Commercial and Residential Land Use Categories by referendum conducted, and the outcome determined, in the same manner as the referendum establishing the District described in this §161-25.

(New) §161-26. Addition of Land to District.

- A. Any Property Owner whose real property has at least one (1) boundary adjoining one of the boundaries of the District, notwithstanding the intervention of a street, may request that such real property be incorporated into the District. Such owner shall make such request to the Board of Commissioners and to all Original Property Owners who are still Property Owners at the time of such request in writing by certified mail, return receipt requested, which request shall be delivered to the address of each such original Property Owner on file with the Board. This request must be signed by the Property Owner or owners having greater than fifty (50) percent interest in said property, or a representative of such owner(s) authorized to sign such a request. All such requests shall be granted unless any Original Property Owner who is still a Property Owners at the time of such request notifies the Board of Commissioners of its opposition to such request within thirty (30) days following the receipt of said notice.
- B. The Board of Commissioners shall notify the Director of Assessments and the Town of additions to the District and record a copy of the written notification in the land records of the Town. The levy imposed on a Property incorporated into the District after its inception shall be at the same rate as that imposed upon all other Property in the District, but shall be prorated to cover the period from the date upon which such request is granted to the end of the Fiscal Year.

(New) §161-27. Board of Commissioners of District.

- A. There shall be established a Board of Commissioners consisting of eleven (11) members. In addition, the Town Manager and the Director of Financial Services for the Town of West Hartford shall sit as *ex officio* nonvoting members of the Board. The voting members shall be elected in the following manner:
- (1) Following the town elections held pursuant to West Hartford Charter, Chapter II, §2, the individuals elected to the Town Council shall serve as members of the Board of Commissioners representing the Municipal Land Uses within the District for terms coterminous with their elective terms as members of the Town Council. The individuals holding those offices upon the effective date of this Article shall serve as members of the Board of Commissioners for the remainder of their current elective terms as members of the Town Council.
 - (2) Within thirty (30) days following the referendum creating the district, the Town Clerk shall call a general meeting of the Members to elect those members of the Board of Commissioners who remain to be elected in accordance with subsections A(3)(a) and A(3)(b) of this section. Said general meeting shall be warned as provided in §161-27H(3). Said election shall be held in the manner described in subsection A(4) of this section. The Board of Commissioners shall meet within twenty (20) business days following the general meeting to elect officers and to establish schedules for subsequent meetings and for adopting bylaws for the District, said bylaws to be adopted within sixty (60) days of the first meeting of the Board.
 - (3) Two additional members of the Board of Commissioners and two alternate members shall be elected as follows:
 - (a) One (1) member of the Board of Commissioners and one (1) alternate member shall be Property Owners whose Property constitutes a Commercial Land Use for purposes of this Article.
 - (b) One (1) member of the Board of Commissioners and one (1) alternate member shall be Property Owners whose Property constitutes a Residential Land Use for purposes of this Article.
 - (c) If no Property in the District falls into any one or more of the categories set forth in subsections 161-27A(3)(a) or (b), the member and alternate member to be elected to represent Property Owners of such category shall

not be elected and the positions of those representative members and alternate members shall remain vacant until such time as Property within that category is occupied in the District.

- (d) If all Property located in the District which falls into any one or more of the categories set forth in subsections 161-27A(3)(a) or (b) should cease to be occupied, or be reclassified such that no Property remains within the District in said Land Use Category, the term of the member elected to represent said eliminated Land Use Category of Property shall terminate immediately and the position of that representative member and alternate member shall remain vacant until such time as Property within that Land Use Category is re-occupied or re-established in the District.
- (4) Following the initial election of members to the Board of Commissioners described in subsection A, the members of the Board of Commissioners to be elected pursuant to subsection A(3) of this section shall be elected by a plurality vote of Members present and voting at a general meeting to be held in January of each even-numbered year. Nominations for candidates for elections to the Board of Commissioners shall be made at the time of the general meeting. Each owner of Property including a Commercial Land Use shall be entitled to cast one (1) vote for the member to be elected pursuant to subsection A(3)(a) of this section. Each owner of Property including a Residential Land Use shall be entitled to cast one (1) vote for the member to be elected pursuant to subsection A(3)(b) of this section. The candidate in each category described in subsections A(3)(a) and A(3)(b) receiving the highest total vote count shall be elected as a commissioner. The candidate with the second highest vote count in each category shall be elected alternate or, if there is no such candidate, the Commissioner elected to represent such category shall promptly appoint an alternate Commissioner from among the other Members within the respective category.
- B. The Board of Commissioners shall be the executive body governing the day to day operations of the District. A quorum of the Board shall consist of six (6) voting members and actions of the Board shall be taken by a majority vote of those present and voting at any meeting where a quorum is present. The Board shall make administrative decisions and establish or interpret policies of the District which are consistent with the purpose, intent and powers of the District. The Board may designate such agents, including a District manager and a District clerk, as it deems necessary and advisable to act on its behalf in the conduct of the business of the Board.
- C. The term of each Commissioner and alternate Commissioner elected to represent the Commercial or Residential Land Use Categories shall commence on the date of the general meeting of the Members to elect said members of the Board of Commissioners.

Each Commissioner and alternate Commissioner shall continue to serve respectively as a member of the Board of Commissioners or alternate Commissioner until a successor is elected and qualified or until such office is terminated in accordance with the provisions of § 161-27A(3)(d).

- D. If any Commissioner elected to represent the Commercial or Residential Land Use Categories shall for any reason (including, without limitation, such Commissioner ceasing to be a Property Owner within said Land Use Category) cease to serve as such prior to the end of such Commissioner's current term, the alternate Commissioner representing that Land Use Category shall fill the remainder of such term. If any alternate Commissioner elected to represent the Commercial or Residential Land Use Categories shall for any reason cease to serve as such prior to the end of such alternate Commissioner's current term (including, but not limited to, the appointment of the alternate Commissioner to fill a vacancy), the Commissioner then representing that Land Use Category shall appoint a new Alternate Commissioner of the Board to from among the Members of that Land Use Category. If a vacancy occurs among the Commissioners elected to represent the Municipal Land Use Category, such Commissioner shall be replaced by the individual appointed to fill the terms of the same Council office as was held by the departing Commissioner. If a Commissioner representing the Commercial or Residential Land Use categories is absent from a meeting of the Board of Commissioners, their respective alternate Commissioners may act at said meeting in the stead of their respective Commissioner.
- E. The Board of Commissioners may hire such staff or consultants considered necessary to perform the duties and carry out the obligations of the District as approved in the annual budget and may contract with the Town of West Hartford to provide such services as it deems advisable.
- F. The Board of Commissioners shall elect officers, the positions to be determined at the first business meeting of the Board after the District is created and incorporated into the bylaws when written.
- G. No Commissioner shall receive any compensation for service as such, but may be reimbursed for reasonable expenses incurred on behalf of the District as determined and approved by the Board.
- H. Meetings:
 - (1) The Board of Commissioners shall establish a regular schedule of meetings and provide notice of its regular meetings, including dates, times, and places for said meetings in accord with the provisions of the Freedom of Information Act, Connecticut General Statutes Chapter 14, as that Act may be amended or

recodified from time to time (the "FOIA").

- (2) The Board of Commissioners may call special meetings from time to time as necessary to conduct the business of the District. The Board of Commissioners shall provide notice of the special meeting setting forth the date, time, place and subject matter of the meeting in accordance with the FOIA.
- (3) There shall be at least one (1) annual general meeting of Members to review the activities of the District and to conduct District elections when appropriate. Said meeting shall be held on the first Tuesday following the first Monday in January, provided that if such day falls upon a holiday, such meeting shall be held on the next Tuesday thereafter. The Town Clerk shall warn the general meeting of Members by publishing a notice thereof in a newspaper having a general circulation in the Town not less than ten (10) days prior to the date of said meeting. Said meeting shall be conducted in conformance with the provisions of Robert's Rules of Order.

(New) §161-28. Annual budget and tax levy for the special services district; financial reports; audit.

- A. The Fiscal Year of the District shall begin on the first day of July and shall end on the last day of June of each calendar year. The first Fiscal Year of the District shall commence on July 1, 2005.
- B. The Board of Commissioners shall prepare and adopt the first annual budget from the District on or before April 15, 2005 and annually thereafter. The budget shall include proposed expenditures, revenues and a recommended tax levy for the District. The procedures set forth in Subsection C of this section shall not apply to the adoption of the first annual budget, but said procedures shall serve to guide the Board of Commissioners in the process which it establishes for the adoption of the first annual budget.
- C. Budget Procedures:
 - (1) Not later than one hundred thirty (130) days before the end of the Fiscal Year, the Town shall provide the Board of Commissioners a statement detailing the square footage of gross building area allocated to the Residential Land Use Category, each of the sub-categories within the Commercial Land Use Category and of each Taxable Interest in Real Estate classified within each of those Land Use Categories or sub-categories.
 - (2) Not later than one hundred ten (110) days before the end of the Fiscal Year, the

Board of Commissioners shall compile and shall file with the Town Clerk detailed preliminary estimates of the expenditures to be made by the District; the estimated revenue, other than levy revenues, to be collected by the District in the ensuing Fiscal Year; and the estimated levy on each Land Use Category or sub-category thereof to be recommended by the Board.

- (3) The Board of Commissioners shall schedule and hold one or more public hearings, the first of which shall take place not later than seventy five (75) days before the end of the Fiscal Year, on the proposed annual budget for the District for the ensuing Fiscal Year. The Town Clerk shall publish notice thereof in a newspaper having a general circulation in the Town not less than ten (10) days prior to the date of the first of said hearings. At said hearings any Member shall have an opportunity to be heard regarding appropriations for the ensuing Fiscal Year.
 - (4) Not later than sixty five (65) days before the end of the Fiscal Year the Board of Commissioners shall, by resolution, adopt a budget for the ensuing Fiscal Year, including its recommended levy upon all Taxable Interests in Real Estate constituting Residential Land Uses or Commercial Land Uses (by sub-category) within the District as necessary to support the District's budget, and file the same with the Town Clerk not later than forty five (45) days before the end of the Fiscal Year. Under no circumstances shall the budgeted expenditures of the District for any Fiscal Year be permitted to exceed budgeted revenues.
 - (5) Expenditures in any Fiscal Year shall be made in accordance with the budget so adopted, or as amended by the Board of Commissioners from time to time. Should the Board of Commissioners fail to adopt a budget as hereinabove set forth, the most recently adopted budget shall remain in effect for the ensuing Fiscal Year(s) until such may be amended by the Board of Commissioners pursuant to the procedures set forth in this subsection for the adoption of an annual budget.
- D. Except as otherwise provided in this section, the recommended levy established by the Board for any Fiscal Year shall not exceed \$1,714,000 and shall be subject to the further limitations that:
- (1) The aggregate tax levy on all Taxable Interests in Real Estate constituting Commercial Land Uses shall not exceed \$1,554,000 and the tax levy with respect to each individual Taxable Interest in Real Estate constituting a Commercial Land

Use shall not exceed \$3.45¹/square foot of gross building area; and

- (2) The aggregate tax levy on all Taxable Interests in Real Estate constituting Residential Land Uses shall not exceed \$160,000 and the tax levy with respect to each individual Taxable Interest in Real Estate constituting a Residential Land Use shall not exceed \$1.00/square foot of gross building area.

E. The limitations imposed upon the recommended levy pursuant to subsection D hereof shall be subject to adjustment under any of the following circumstances, any or all of which may be applied cumulatively:

- (1) If the District is expanded in accord with the terms of §161-26, in which case the maximum recommended levy shall be increased by an amount equal to \$3.45/square foot of additional gross building area Approved as Commercial Land Uses and/or \$1.00/square foot of gross building area Approved as Residential Land Uses; or
- (2) Commencing with the thirtieth (30th) month following the imposition of the first levy upon a Taxable Interest in Real Estate, at which time the maximum recommended levy upon Commercial Land Uses shall be increased by an amount equal to the combination of:
 - (a) any shortfall between the actual levy on existing Residential Land Uses within the District and \$160,000; and
 - (b) any shortfall between the actual levy on existing Commercial Land Uses within the District and \$1,554,000

which increase shall be allocated between the various Commercial Land Uses then in existence on an equal per-square-foot basis, but shall not cause the aggregate tax levy on all Taxable Interests in Real Estate to exceed \$1,714,000 except where applied cumulatively with the increase permitted pursuant to subsection E(1) of this section.

F. All recommended levies shall be allocated between the various land use categories based upon the 3.45/1 ratio described hereinabove as said ratio may have been adjusted over time pursuant to subsection E of this section. Municipal Land Uses and other land uses exempt from property taxation pursuant to any applicable provision of law shall not be subject to

¹ \$1,554,000/total square footage of Commercial Land Use initially contemplated in approved plans, rounded to the nearest 5¢.

any levy imposed by the Town on behalf of the District. Notwithstanding any other provision hereof to the contrary, any Taxable Interest in Real Estate established or created during a Fiscal Year, whether through new construction, division of a Taxable Interest in Real Estate into multiple parts or through any other mechanism whatsoever shall become subject to levy pursuant to this Article commencing with the calendar month in which that Taxable Interest in Real Estate is established or created and the levy for any such Taxable Interest in Real Estate shall be prorated on a monthly basis during said Fiscal Year. Any Common Area within a building which serves more than one Land Use Category shall be classified as belonging to that Land Use Category or sub-category which otherwise occupies the greatest portion of the floor area on the floor upon which said Common Area is located.

- G. The levy on the Taxable Interests in Real Estate in the District shall be due and payable in two (2) equal installments, due on or before July 1 and January 1 in the same manner as property tax bills of the Town. Each year the tax collector of the Town shall, accordingly, provide Property Owners with statements detailing the amount of their annual levy and the semi-annual installment amounts. Said statements may be provided with, or incorporated into the property tax bills of the Town. Delinquent charges shall be assessed on late District tax payments and shall be computed in the same manner used for establishing delinquent charges on property tax bills of the Town.
- H. The Town shall be obliged to impose the recommended levy as a municipal levy and to collect the revenues accruing therefrom. All moneys, including, but not limited to levies or any income, proceeds or fees issuing from the provision of services by the District or other business conducted by the District received by the Board or by the Town on behalf of the District shall be paid into the general fund of the Town where an account shall be maintained of such moneys for the benefit of the District. The Treasurer of the Town shall disburse such moneys in accordance with an annual budget adopted by the Board. The Treasurer of the Town shall disburse funds from the account to the District upon written request of a duly authorized representative of the District, and only upon such request in accordance with the then current approved annual budget of the Board of Commissioners of the District. The District shall set forth in its bylaws the procedures for approving disbursement of funds and requesting disbursement from the Treasurer.
- I. All orders or contracts for expenditures by the Board of Commissioners or their agents on behalf of the District which are greater than five thousand dollars (\$5,000.00) shall be awarded to the lowest responsible qualified bidder only after a public invitation to bid, which shall be advertised in a newspaper having circulation in the District.
- J. An annual financial report of all District revenues and expenditures shall be submitted to the Board of Commissioners and the Town Clerk within sixty (60) days following the end of Each Fiscal Year. Such report shall include, but shall not be limited to, a listing of

major disbursements and sources of receipts by the District.

- K. The Board of Commissioners shall have an independent financial audit of the District's financial affairs conducted by a certified public accountant within one hundred eighty (180) days of the end of the Fiscal Year. Said audit shall be performed in accordance with the provisions of Connecticut General Statutes, Chapter 111 (The Municipal Auditing Act) as that chapter may be amended or recodified from time to time. A copy of the audit shall be forwarded to the finance director of the Town and the Town Clerk. Said audit may be conducted in conjunction with an independent audit of the Town's financial affairs.

(New) §161-29. Municipal Service Agreements.

The Town may enter into a contract with the District pursuant to Section 7-339t of the Connecticut General Statutes in which the Town is excused from providing to the District some or all of the services which the District is authorized to provide pursuant to this Article and in which the District agrees to provide all such services from which the Town has been excused. The Town and the District may also enter into contracts pursuant to Section 7-339t of the Connecticut General Statutes in which the District is given the right to elect to purchase from the Town some or all of the services for which the District has become responsible. Any contracts executed pursuant to this section shall not be subject to the requirements of §161-281.

(New) §161-30. Dissolution of the District.

- A. The District may be dissolved by an ordinance repealing this article or after a referendum is conducted by the Board of Commissioners among all Property Owners within the District on the question of whether the District shall be dissolved, in which event, such referendum shall be conducted, and the outcome determined, in the same manner as the referendum establishing the District described in §161-25.
- B. In the event the District is dissolved, the Board of Commissioners shall proceed to wind up the affairs of the District as of the end of the current Fiscal Year. If, after dissolution of the District there are outstanding liabilities or obligations, whether fixed or contingent, the Town Council may impose, in addition to the regular municipal levy, a levy on the Taxable Interests in Real Estate within such district pursuant to Section 7-339s of Chapter 105a of the Connecticut General Statutes for as many years as such liabilities remain outstanding. For purposes of this section, the obligations of the District pursuant to any municipal service agreements, contracts or other agreements between the District and the Town of West Hartford shall be deemed to be outstanding liabilities or obligations and the Town Council may impose such an additional levy as is necessary to fulfill the obligations of the District to the Town pursuant to any such agreements for the remainder of their

original term(s). Any levy imposed by the Town Council pursuant to this subsection shall be calculated to produce enough revenues to satisfy and release all liabilities and/or obligations of the District as they become due but shall otherwise be subject to any limitations set forth in this Article. The revenue collected shall be deposited into the general fund of the Town and disbursed solely for the purposes stated herein. If, after dissolution of the District, there are assets which remain following the winding up of the affairs of the District, such assets shall be transferred to the Town.

(New) §161-31. Property of the District.

All interests in real property held and all personal property owned by the District shall not be subject to any property tax levied by the Town.

**EXHIBIT JJ FROM
MASTER AGREEMENT –
MAINTENANCE SKETCH**

EXHIBIT JJ

MAINTENANCE SKETCH

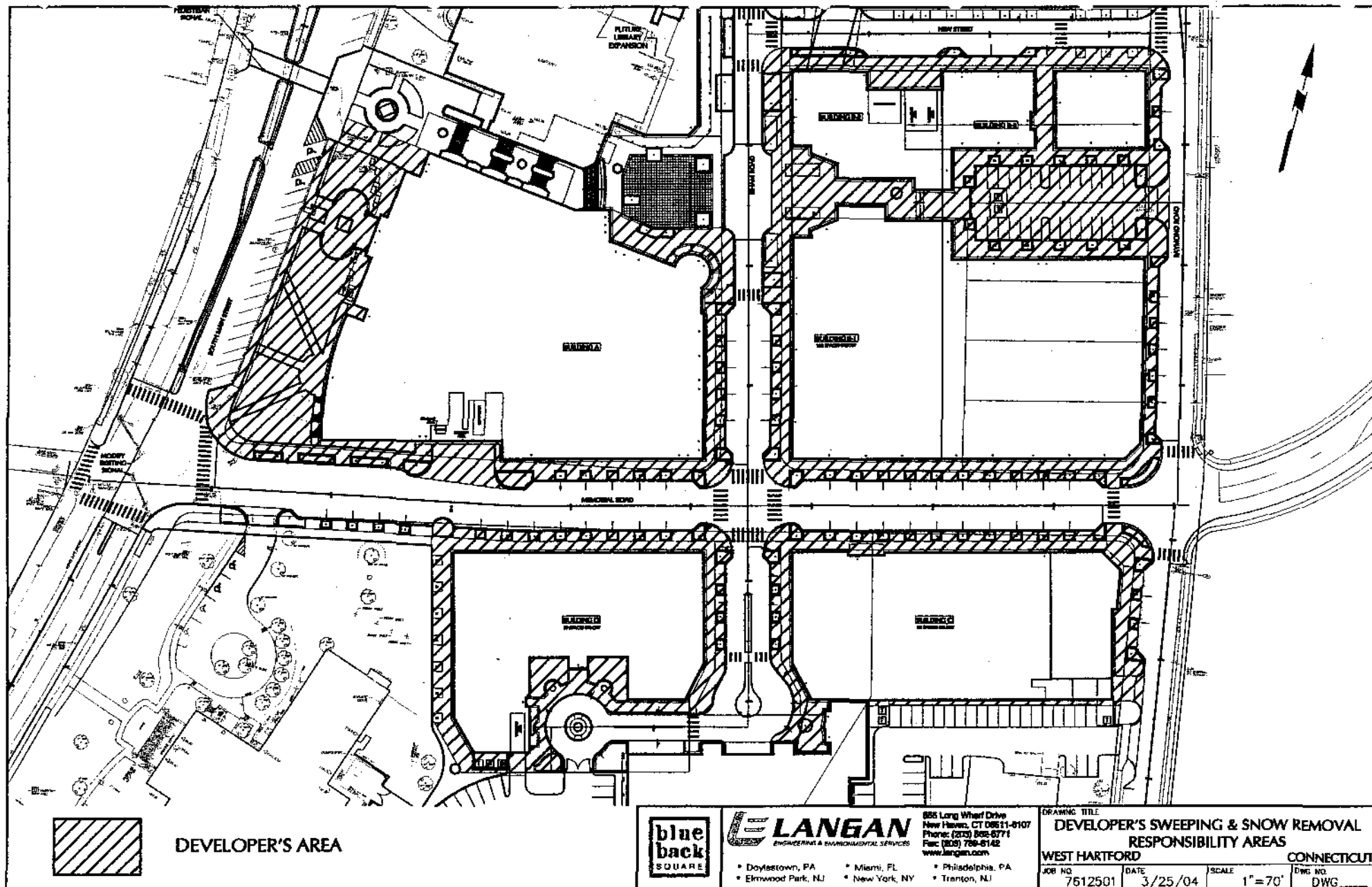


EXHIBIT JJ

Appendix
Westchester Affordable
Housing Rent Levels
2016

WESTCHESTER COUNTY 2016
AREA MEDIAN INCOME (AMI), SALES & RENT LIMITS

INCOME LIMITS & HOUSING COSTS	In determining affordability for housing, the housing costs must be calculated for the future residents. Housing costs include rent and any tenant paid utilities in rental housing; and includes the mortgage payment (Principal and Interest) property taxes, homeowners insurance and, in condominiums and cooperatives, any common charges and Home Owners Association (HOA) fees for ownership.								
	The U.S. Department of Housing and Urban Development (HUD) bases its income limits for a variety of housing programs on a standard called Area Median Income (AMI), for each metropolitan statistical area. The base AMI is estimated to be for an average family of 4 persons (highlighted in red on below chart). The maximum income by family size is then adjusted by a percentage determined by HUD:								
FAMILY SIZE PERCENTAGE	# of Persons	1	2	3	4	5	6	7	8
	Adjustment	70%	80%	90%	100%	108%	116%	124%	132%
	In the cases where the AMI for Westchester County is lower in a following year, the County policy is to hold-harmless any existing property with tenants in place or new homebuyers ready to purchase a home who have signed a Contract of Sale prior to the effective date of the of the published Income Limits.								
	The below Income Limits are published by HUD accordance with federal guidelines, including the limits to be applied to Multifamily Tax Subsidy Projects (MTSP) . HUD also publishes income limits for the Neighborhood Stabilization Program (NSP) which are higher than those which apply to other Westchester County Housing Programs, at 120% AMI. Those limits are presented in the below chart, but only apply to ownership of 1-4 family homes assisted with NSP.								
INCOME LIMITS	2016 Maximum Income Guidelines								
	1 Person Household	2 Person Household	3 Person Household	4 Person Household	5 Person Household	6 Person Household			
	120% AMI	\$90,600	\$103,500	\$116,450	\$129,360	\$139,750	\$150,100		
	100% AMI	\$75,500	\$ 86,250	\$ 97,100	107,800	\$116,450	\$125,100		
	80% AMI	\$60,400	\$ 69,000	\$ 77,650	\$ 86,250	\$ 93,150	\$100,050		
	*60% AMI	\$45,300	\$ 51,780	\$ 58,260	\$ 64,680	\$ 69,900	\$ 75,060		
	*50% AMI	\$37,750	\$ 43,150	\$ 48,550	\$ 53,900	\$ 58,250	\$ 62,550		
	30% AMI	\$22,650	\$ 25,900	\$ 29,150	\$ 32,350	\$ 34,950	\$ 37,550		
EFFECTIVE DATE	* MSTP, Section 8 & NSP Income Limits, March 6, 2016 * HOME Income Limits and 80% Uncapped Income Limits, June 6, 2016								

HOUSING COSTS	Westchester County uses the AMI Standard to set eligibility requirements for its funding programs for both rental and ownership housing. In addition, affordability is broadly defined as a household paying no more than 30% of their monthly gross income towards their housing costs. Based on the AMI for Westchester County, the following table calculates 30% of each income group’s total monthly gross income—the maximum that should be dedicated towards housing costs. Please note that in practice, affordability is calculated by the bedroom size of the unit assuming 1½ persons per bedroom. The below schedule is intended to provide a quick estimate of affordability for a given household.					
FAMILY SIZE	Estimated Monthly Housing Cost Limits Based on 30% of Income					
	1 Person Household	2 Person Household	3 Person Household	4 Person Household	5 Person Household	6 Person Household
	120% AMI	\$2,265	\$2,588	\$2,911	\$3,234	\$3,494
	100% AMI	\$1,888	\$2,156	\$2,428	\$2,695	\$2,911
	80% AMI	\$1,510	\$1,725	\$1,941	\$2,156	\$2,329
	60% AMI	\$1,133	\$1,295	\$1,457	\$1,617	\$1,748
	50% AMI	\$ 944	\$1,079	\$1,214	\$1,348	\$1,456
	30% AMI	\$ 566	\$ 648	\$ 729	\$ 809	\$ 874
The above Housing Costs calculation are based on family size. To estimate costs by unit size, typically HUD and New York State uses a general rule of 1½ persons per bedroom to determine rent and sale price limits based on the unit size. Please note, however, that municipalities may have their own occupancy requirements based on square footage of each bedroom. In some cases, the size of a bedroom may only accommodate 1 person and the rent must be proportioned accordingly. It is best to verify the municipality’s occupancy requirements before finalizing rents or sale prices. Westchester County has adopted the standard of 1½ persons per bedroom in its underwriting for new housing development, and will apply that standard to its underwriting for its funding of Fair and Affordable housing developments.						
SALE PRICE LIMITS	For homeownership developments, underwriting is based on the projected mortgage for which a family with a maximum income at 80% AMI can qualify, plus related housing costs. To assure that a broad range of families can both afford to purchase the unit, and qualify for a mortgage, Westchester County encourages developers to set sales prices to be affordable to a family at 70% AMI. Housing costs to be included in the calculation for the sales price include the expected principal and interest on the mortgage loan, property taxes, homeowners insurance (PITI); and any common charges, homeowners’ association fees and/or maintenance fees.					

RENT LIMIT	HUD publishes HOME Program Rent Limits for each metropolitan statistical area based on affordability for households with incomes at or below 60% AMI or 50% AMI. The published High HOME Rent is for units targeted to 60% AMI households and the Low HOME Rent is for units targeted to 50% AMI households. To assure that a broad range of families can afford to rent any unit, the County encourages that rents be set to be affordable to families with incomes below the maximum income limits. Westchester County has adopted the HOME rent limits for all its funding programs.					
	The rent levels are to include all housing costs associated with the apartment. If there are any tenant paid utilities, an amount based on the utility allowance is deducted from the maximum rent allowed to arrive at the Net Rent that may be charged the tenant under a lease. The utility allowance used by Westchester County is provided by New York State Homes and Community Renewal.					
	Please note that the <i>Housing and Economic Recovery Act of 2008</i> requires that income and rent limits be calculated separately for <i>Multifamily Tax Subsidy Projects (MTSP)</i> funded under Section 42 of the Internal Revenue Code. Rent calculation information is provided by New York State. To check for this information, go to http://www.nyshcr.org .					
UNIT SIZE	HOME Program 2016 Rent Limits					
	Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom	5-Bedroom
HIGH HOME	\$1,036	\$1,245	\$1,510	\$1,814	\$2,004	\$2,192
LOW HOME	\$ 945	\$1,012	\$1,215	\$1,403	\$1,565	\$1,726
EFFECTIVE DATE	June 6, 2016					
CALCULATING NET RENT	To calculate the maximum Net Rent, the rent that may be charged to the tenant on a lease for any unit, start with the rent limit in the above chart for the unit size and deduct any tenant paid utilities based on the chart on the back of this page.					
	For example, to set the rent for a 2-bedroom unit in a low rise apartment building for a household with an income at or below 60% AMI (the High HOME rent) where the tenant will also pay for these utilities, Natural Gas for Heating, Cooking and Hot Water as well as for Electricity, follow the below process:					
	High Home Rent for a 2-Bedroom Unit:		\$1,510			
	Utility Allowance: Natural Gas Heat:		\$98			
	Natural Gas Cooking:		\$19			
	Natural Gas Hot Water:		\$12			
	Electricity		<u>\$23</u>			
	Total Utility Allowance:		<u>\$ 152</u>			
	Maximum Net Rent charged to Tenant		\$1,358			
	It should be noted that rents should be set to be affordable to a wide range of families, not just those with incomes at the maximum income limits allowed.					
CONTACT INFORMATION	Interested municipalities, non-profit and for-profit developers should call or e-mail Norma V. Drummond at 914-995-2427 or nvv1@westchestergov.com					

UTILITY
ALLOWANCE
SCHEDULE

The following table is the Utility Allowance Schedule used to calculate tenants' utility costs. Circle and add the tenant paid utilities for each apartment size to determine the total utility allowance for that unit size:

TENANT PAID UTILITIES:		Studio	1	2	3	4	5
HEAT	Natural Gas	\$ 68	\$ 85	\$ 98	\$119	\$132	\$150
	Bottle Gas	\$ 87	\$117	\$140	\$177	\$200	\$233
	Oil	\$ 67	\$ 91	\$109	\$132	\$155	\$181
	Electric	\$ 99	\$127	\$148	\$183	\$204	\$234
COOKING							
	Natural Gas	\$ 13	\$ 17	\$ 19	\$ 22	\$ 24	\$ 26
	Electric	\$ 11	\$ 14	\$ 18	\$ 23	\$ 31	\$ 34
	Bottle Gas	\$ 11	\$ 15	\$ 17	\$ 19	\$ 21	\$ 23
LIGHTING, OTHER ELECTRIC	Other Electric	\$ 13	\$ 17	\$ 23	\$ 28	\$ 31	\$ 35
WATER HEATING							
	Natural Gas	\$ 7	\$ 9	\$ 12	\$ 14	\$ 16	\$ 18
	Electric	\$ 18	\$ 23	\$ 29	\$ 34	\$ 41	\$ 46
	Bottle Gas	\$ 12	\$ 16	\$ 20	\$ 24	\$ 29	\$ 32
	Oil	\$ 9	\$ 12	\$ 15	\$ 18	\$ 21	\$ 24
If appliances are provided by Tenant:							
	Range	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3	\$ 3
	Refrigerator	\$ 4	\$ 4	\$ 4	\$ 5	\$ 6	\$ 6
TRASH COLLECTION		\$ 10	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10
TOTAL ALLOWANCE		\$	\$	\$	\$	\$	\$

EFFECTIVE
DATE

January 1, 2016

Memorandum

To: Village of Port Chester Board of Trustees
From: Peter Feroe, AICP, Village SEQRA Consultant; Mark Chertok, Village Special Counsel
Date: December 16, 2016
Re: United Hospital: pFEIS Completeness

The Applicant has submitted a revised Final Environmental Impact Statement (“FEIS”) in two parts.

1. On December 12, 2016, the Applicant submitted all revised FEIS Chapters and Analyses, except Traffic and its related appendices.
2. On December 14, 2016, the Applicant submitted:
 - a. A revised air quality analysis (Appendix I) that was based on the updated traffic analysis;
 - b. A revised sewer report (FEIS Appendix D) that contained confirmatory information on previously submitted sewer flow calculations requested by the Village Consulting Engineer; and,
 - c. An amended traffic chapter and technical appendices.

This memorandum presents the opinion of the Village’s Consultants as to the completeness of the amended pFEIS.

Note that two areas of concern regarding the completeness of the pFEIS have been raised by members of the Board and public during the review of the most recent version of the pFEIS: 1) affordable housing; and, 2) traffic. As shown in the amended pFEIS Chapters submitted by the Applicant, the pFEIS now contains information about the range of potential impacts to affordable housing that would result from implementation of the Proposed Project. [Attached to this memo are responses to the range of concerns identified with respect to the Project’s impact on affordable housing and the treatment of that impact in the EIS.] With respect to traffic, as discussed below, the Village’s consultants are continuing to work with the Applicant to finalize the traffic analysis and address the full range of concerns raised by the Board and members of the public.

OPINION AS TO COMPLETENESS

FEIS Amendments Part 1; December 12, 2016 pFEIS

It is the opinion of the Village’s Consultants that all chapters and analyses submitted on December 12, 2016, *with the exception of the sewer analysis*, are complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)].

Specifically, the Village’s Consultants have reviewed the text, figures, and appendices submitted by the Applicant and find that the pFEIS chapters and analyses, *with the exception noted in the preceding paragraph*, address all substantive comments made on the DEIS and on the April 2016 pFEIS and that the FEIS adequately and accurately presents the type, nature, and magnitude of the potential impacts of the Proposed Project on the environment, as well as proposed mitigation measures.

*FEIS Amendments Part 2; December 14, 2016 pFEIS**Air Quality*

With regard to the air quality analysis, The Village's Consultants have reviewed the revised air quality analysis and submit that it is complete pursuant to the requirements of SEQRA [6 NYCRR §617.9(b)(8)]. No new adverse air quality impacts were identified; rather, the analysis was updated to include the information from the most recent traffic analysis. The air quality analysis is not anticipated to require revisions based on further changes to the traffic study, discussed below.

Sewer Analyses

With regard to the sewer report, The Village's Consultants have been working with the Applicant since the Board meeting on November 29, 2016 to clarify and confirm information contained in the sewer flow report (Appendix D). It is expected that the final sewer flow report submitted on December 14, 2016 will not identify any new adverse impacts; rather, it will confirm the ability of the Applicant's proposed sewer improvements to meet the increased sewer demand generated by the Project.

Traffic

The Village's Consultants received the revised traffic study late on Wednesday, December 14. Upon initial review, the revised traffic study appears to contain unanticipated changes to the analysis from the previously submitted traffic report. As such, the Village's Consultants will not be able to recommend completeness of the traffic study by December 19, 2016. It should be noted that the Village's Consultants have been working with the Applicant since the Board meeting on November 29, 2016 to finalize the traffic analysis. The Village's Consultants have met with, and have had numerous conversations with, the Applicant and the NYSDOT to discuss the final changes required to the traffic study.

UPDATES FROM NOVEMBER 14, 2016 PFEIS

Below is a summary of the changes made subsequent to the November 14, 2016 pFEIS.

- The December 12, 2016 pFEIS contains text edits throughout to clarify and explain salient points and provide appropriate cross-references, especially with regards to:
 - o Affordable Housing
 - o Post Implementation Traffic and School Studies
 - o Air/Noise Analyses with regard to updated traffic analysis
 - o Air/Visual Analyses updated with extra parking deck
 - o Noise analysis with regards to neighborhood in Rye
 - o Construction impacts, specifically blasting
- The December 12, 2016 pFEIS contains updated information and opinions about the impacts of the Project on, and the generalized need for, affordable housing in the Village and County. (I and III.F)
- The December 12, 2016 pFEIS contains an example of a Master Property Owner's Association agreement and information on the ability of the Village to enforce conditions on that entity. (III.A)
- The December 12, 2016 pFEIS contains additional details with regard to the impact of displacing on-site parking utilized by 330-350 S. Regent Street. (III.A)
- The December 12, 2016 pFEIS contains information on the results of previously required TV inspection of a portion of the sewer in Boston Post Road that was recently completed, including verification of previously reported 'dips' in the sewer line, and confirms Applicant's intention to repair those dips. (III.D)
- The December 12, 2016 pFEIS confirms the extent of improvements proposed by the Applicant to the sanitary sewer system to mitigate their impacts. (III.D)

- The December 12, 2016 pFEIS contains confirmatory information with regard to the noise analysis performed for mobile sources (traffic). (III.J)
- The Applicant summarized the results of the additional noise analysis performed with respect to potential impacts at the I-287 Exit 11 off-ramp as a result of the ramp widening. (III.J)
- The Applicant confirmed that they have not yet discussed the noise mitigation measures proposed for the nursing home rooms facing the Project Site with the nursing home (i.e., air conditioner covers and acoustical storm windows). (III.J)
- The Applicant clarified that the Blasting Specification would be finalized during site plan review, which is appropriate (III.K)
- The Applicant confirmed that the information presented in the Alternatives Chapter for the reduced density alternatives is updated with the latest traffic information. (IV)
- The December 14, 2016 amendments to the pFEIS provide:
 - Revised Air Quality analysis based on the final traffic study (Appendix I)
 - Revised sewer flow report (Appendix D).

To: Village of Port Chester Board of Trustees

From: Eric Zamft, AICP, Director of Planning and Development; Peter Feroe, AICP, Village SEQRA Consultant; Mark Chertok, Village Special Counsel

Date: December 14, 2016

Re: United Hospital pFEIS: Affordable Housing – Impacts and Treatment in FEIS

This memo summarizes several comments advanced by Geoffrey D. Smith, an attorney for the Sustainable Port Chester Alliance. As you know, Mr. Smith has advocated for the inclusion of affordable housing at the United Hospital site and has questioned the manner in which the issue of affordable housing is addressed in the FEIS. Village Staff and consultants have thoroughly reviewed Mr. Smith's comments. We firmly believe that the DEIS and FEIS adequately and completely address the potential impacts of the Project on affordable housing. Below is a summary of Mr. Smith's major contentions and the responses of the Village's Staff and consultants to those contentions.

Contention: The EIS does not address the issues raised by Mr. Smith and it truncates the Village's review of the Project, favoring 'future' residents of the Village over current residents.

Village Staff and consultants believe the FEIS responds to every substantive comment made on the DEIS and the pFEIS, including Mr. Smith's. In fact, the most recent edits the Village has required to the FEIS have amplified responses and information relating to affordable housing and the potential effects thereon of the Proposed Action.

The Board of Trustees, as has been documented numerous times, has gone above and beyond the level of review and public participation required by SEQRA. Public comments on the DEIS were orally received by the Village Board over four nights across three different months. Written comments on the DEIS were accepted for three months from the date of acceptance. These timeframes are well in excess of what is required by SEQRA. In addition, the Board conducted a public hearing and received written and oral comments on the *Preliminary* Final Environmental Impact Statement (pFEIS), neither of which is required by SEQRA. The Village's staff and consultants, as well as the Board, have reviewed the pFEIS for its adequacy and completeness, and have met with the Applicant and other Involved and Interested Agencies to ensure that the FEIS as adopted is complete. After adoption of the FEIS, the Village Board must still adopt a Statement of Findings, which sets out the Board's conclusions on the Project's potential environmental impacts and presents the rationale for the Board's ultimate decision on the proposed zoning.

The Board of Trustees has not preempted its ability to review a future site plan application. The EIS evaluates the potential impacts of the Proposed Project through the use of a detailed, but still conceptual site plan. This is a common and acceptable practice, as the review under SEQRA is not intended to substitute for site plan review. The latter review is based on detailed design and architectural drawings that are not appropriate, and not required, for a meaningful and sufficient environmental review.

Furthermore, any future site plan application must demonstrate that the impacts of that plan are consistent with the impacts evaluated in the EIS. If the potential impacts of a future site plan submission are not

consistent with the impacts identified in the EIS, an Applicant would have to complete additional analyses. If the site plan reflects new significant adverse impacts not addressed in the EIS, the lead agency may (and likely would) require the preparation of a supplemental EIS. See 6 NYCRR 617.9(a)(7).

Finally, Board of Trustees has not yet made a determination on the Proposed Zoning; the EIS is a precursor to the Board's adoption of a SEQRA Finding Statement. As part of the SEQRA Findings, the Board will balance social, economic, environmental and other factors, such as the interests of current residents, taxpayers, business owners, those employed in the Village, the environment impacts and benefits, and the need for economic development.

Contention: The Board is considering "contract" or "spot" zoning.

The proposed zoning – like the extant zoning – provides for a density bonus, which is explicitly authorized as a form of 'incentive zoning' in New York State. Thus, the proposed zoning does not constitute 'contract' zoning.

The proposed zoning is not 'spot' zoning. Spot zoning refers to a zoning action that is taken outside of the comprehensive planning process, that benefits a single owner, and that has no benefits to neighboring properties. The Site is already zoned PMU, and the proposed zoning would not change that zoning, which was adopted based on the Comprehensive Plan. The EIS also evaluates the consistency of the proposed zoning amendments with the Comprehensive Plan. While the Site is owned by affiliates of a single entity, benefits of the rezoning would accrue to both neighboring property owners (e.g., more business, enhanced streetscape) as well as the Village more generally (e.g., expansion of the tax base, increased consumer base for existing businesses, infrastructure improvements).

*Contention: The EIS lacks any meaningful treatment of the **need for** affordable housing including work force housing and, following the 2012 Housing Conditions Study, appears to conclude that there is no present need to augment either affordable housing or workforce housing stock available to Port Chester residents, based on a mistaken assumption that the lack of enforcement of the Housing Allocation Plan or the Housing Settlement as to the Village of Port Chester implies that these studies and the decisions of the Judge and Monitor in the Fair Housing case have no application to Port Chester's housing policy. The omission of a housing affordability study relating to the [Project] is without reasonable support either in the Village Code or authority governing comprehensive planning for affordable housing. The characterization of workforce and affordable housing as applying only to a middle range of income is arbitrary and capricious in that it wishes to avoid housing harder to produce for lower and moderate segments of the income spectrum.*

The Board, through this EIS discussed the general need for affordable housing in the Village, as reflected by the 2012 Housing Conditions Study. However, the Board has not made a conclusion with regard to the general need for affordable housing or workforce housing within Port Chester and has not characterized affordable or workforce housing as applying to a particular income level; rather, consistent with SEQRA, the EIS has focused on the potential impacts of the Proposed Action on affordable housing in the community. It is noted, however, that the units at 999 High Street were Mitchell-Lama units that were not subject to household income limitations; rather, they were limited to households with at least one member employed by United Hospital.

The DEIS and pFEIS are not intended to form a comprehensive plan in and of themselves, nor are they required to take a hard look at existing housing and employment opportunities within the Village, except as those issues relate to potential impacts of the Proposed Action. The DEIS and FEIS do, however, address the potential impacts of the Proposed Action on the Village. As noted above, the Village recently adopted a Comprehensive Plan, and the PMU zoning on the Site was recommended in that Plan.

The proposed zoning amendments do not substantively change the uses allowed in the current PMU district, which the Comprehensive Plan recommended for a mixed-use development and neither mandated nor excluded affordable housing from such use. The EIS addressed the impacts of the Proposed Action on affordable/workforce housing. In addition, the Comprehensive Plan acknowledged that the recommended PMU zoning might warrant modification based on a site-specific SEQRA review—which is precisely what has been conducted. See Response to FEIS Comments III.A.3.

Contention: The Board has delegated its authority in the SEQRA review process to the Applicant's consultants, which has resulted in an uncritical approach and one that lacks independent analysis, especially with respect to schools.

The Board did not delegate its authority under SEQRA. Rather, the Applicant exercised their right to prepare the DEIS, subject to the review and approval of the Lead Agency. The Board and its professional staff and consultants reviewed several drafts of the DEIS prior to the Board accepting the DEIS as complete. That is reflected by the several iterations of the DEIS that were filed with the Village. Furthermore, the FEIS has the subject of extensive review and comment. There were several pFEIS that were filed with the Board, and that were subject to intensive review and comment by the Board's professional staff and consultants, the public and the Board itself. The Board held several public work sessions on particularly important subjects, such as traffic, fiscal ramifications, and impacts on schools. In addition, over the course of a number of Board meetings, policy issues such as community benefits agreements, affordable housing, housing preferences, apprenticeship programs, and wages have been discussed and Special Counsel Mark Chertok has continued to advise the Board on such issues. The public has commented on the pFEIS over the course of more than 7 months, and the FEIS – though not required by SEQRA – includes responses to those comments (if substantive). Finally, the Board plans to hold a public hearing on the accepted FEIS – another public process not required by SEQRA.

With respect to the analysis of potential school impacts, the FEIS presents the several methodologies for estimating the potential impacts of the Project on the School District. These methodologies included reports commissioned by the Port Chester IDA and the School District, industry-standard census data compiled by Rutgers University, and case-study methodology from existing Port Chester developments. Village staff and consultants have independently evaluated the analyses and support the methodologies utilized. Based on comments received on the DEIS, the pFEIS further refines these methodologies as applied to the Project.

Contention: The DEIS does not address the need to reduce the number of cost burdened renters and owners among current Port Chester residents and does not contain a fair housing analysis.

The FEIS directly addresses the issue of affordable housing, as well as addresses other potential impacts of the Proposed Action. It is not incumbent upon the SEQRA review process for the Proposed Action to develop a plan to reduce the number of cost burdened renters and owners within the Village, as that subject has no nexus to the effects of the Proposed Action.

The Fair Housing Act prohibits discrimination based on the status of certain protected classes, whether discrimination is intentional or unintentional (disparate impact). The comment does not identify the protected class(es) which would assertedly suffer discrimination as a result of the Proposed Action amendments. The only potential impact of the Proposed Action on a protected class, based on the commenter's prior comments, appears to be the loss of affordable housing units for lower income households; the FEIS addresses the potential impact of the Proposed Action on affordable housing within the Village. Thus, even assuming for the purpose of this response that the Proposed Action may have an affect on a protected class of low income persons, that effect is not discriminatory and, in any event, has been addressed in the EIS. Thus, there is no need for a Fair Housing analysis.