

**SPECIAL BOARD OF TRUSTEES MEETING**  
**HELD MAY 24, 2016**

A special meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Tuesday, May 24, 2016 at 6:00 p.m. in the Senior Community Center 220 Grace Church Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla were Trustees Francis Ferrara, Daniel Brakewood, Eugene Ceccarelli, Gregory Adams and Luis Marino.

Also present were: Village Clerk David Thomas Village Manager Christopher Steers, Attorney Anthony Cerreto, Assistant to the Village Attorney David Kenny, Planning Director Eric Zamft and Planning Consultant Dolph Rotfeld.

On motion by TRUSTEE BRAKEWOOD, seconded by TRUSTEE MARINO, the Special Meeting was declared opened at 6:05 p.m.

**ROLL CALL**

AYES: Trustees Ferrara, Brakewood, Ceccarelli, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Didden and Adams

**RESOLUTIONS**

**RESOLUTION #1**

**ACCEPTING THE 2016 ANNUAL MS4 REPORT**

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

WHEREAS, The Village' of Port Chester's Small Municipal Stormwater Sewer System (MS4) is regulated under the Environmental Protection Agency's Phase II Stormwater Rule; and

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

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

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

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

Approved as to Form:

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Anthony M. Cerreto, Village Attorney

**ROLL CALL**

AYES: Trustees Ferrara, Brakewood, Ceccarelli, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Didden and Adams

DATE: May 24, 2016

**RESOLUTION #2**

SUPPORT OF THE VILLAGE'S APPLICATIONS TO THE MID-HUDSON REGIONAL ECONOMIC  
DEVELOPMENT COUNCIL'S DOWNTOWN REVITALIZATION INITIATIVE

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

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

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

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

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

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

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

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

NOW, THEREFORE, be it

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

Approved as to Form:

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Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Ferrara, Brakewood, Ceccarelli, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Didden and Adams

DATE: May 24, 2016

Planning Director Eric Zamft commented this will be a great gateway to the community, having the private sector and public sector as partners.

Mayor Pilla commented that there is a shortage of affordable units. Port Chester has already been recognized as somewhere affordable to live, with access to New York City.

Trustee Brakewood commented that many people who previously lived in public housing and subsidized housing are now living in market housing.

## **PRESENTATION**

### ***STARWOOD/UNITED HOSPITAL pFEIS AND PROPOSED REVISED ZONING***

We received a final impact statement on this project and this covers everything, including the schools. The scope of the final impact statement was taken with the public interest, including the City of Rye. Up to this point the technical resources have been working in consultation without public resources. Tonight's public hearing is to get public input on the preliminary Environmental Impact Statement. We want to make sure that our review is very thorough. The second reason, required by law, is that the zoning is right for the United Hospital site. We want to build something that fits with the concept. We have a team of experts in the area working on this project.

Planning Director Eric Zamft spoke of the purpose of this meeting. The applicant's zoning for the site and their impact statement, which is a preliminary draft. We want to focus tonight on this proposal and particularly on the pFEIS and the DEIS.

Mr. Chertok commented that they have had to do a public notice and other preliminary requirements to get to this public hearing.

Lucy Wildrick of Street-Works Development commented this project will bring over \$3MM a year to the Village in taxes. This mixed use development has housing options, a large public space and sidewalks. There is over 1MM sq. feet in retail space at the street level. There will be over 20,000 ft. in commercial and medical offices. We will have the hotel and restaurants in block E, the medical and commercial in block B, and 55+ housing in block A. Young professionals' housing will be in blocks B and C. There is deck parking and street parking throughout the project. Connections are there for Abendroth Park. This is a great amenity for people in the development.

The wide sidewalks, trees and streets all contribute to how comfortable the place feels. Our buildings are set back with a 23' building at the sidewalk. This project brings great benefits to the Village. We also offer 1,800 construction jobs and full time jobs post construction to Port Chester and surrounding residents.

Carlito Holt, the project manager with TRC, commented on the traffic patterns in Port Chester and the City of Rye. This complex is within walking distance to both the Rye and Port Chester train stations. However, the applicant has agreed to provide jitney service to both stations. The roadway improvements are part of the project based on the DEIS. There was an additional improvement location at Peck Avenue and Midland Avenue. There will also be made a contribution by the applicant to the City of Rye for implementing improvements to be made. We are committed to over \$4MM in contributions. The most significant changes are on the Boston Post Road on the project site's frontage. There will be a new traffic signal at the Boston Post Road and High Street. There will be a traffic study by the applicant after the changes have been made.

The environmental specialist commented on the improvements and the specific improvements to be made to the sewer system on the Post Road. The storm water system is an older one. The applicant is committed to at least \$36MM in improvements. The number of public school children projected is 34. The number of public school age children at the Mariner is 2. The cost is estimated at slightly more than \$15,000 per child annually for the school district. In addition the price for one time construction costs would be \$18,370 for each additional child. The applicant will provide to the school district for 10 years for any additional children over the estimate of 34. The applicant would still cover hard costs for any children over the estimate of 34. We have estimated \$220,000 for any additional police costs. The interior roadway will be dedicated to the Village.

Attorney Tony Gioffre of Cuddy and Seder commented that they submitted their requirements to the Village Clerk's Office. He spoke of the proposed Zoning that is part of the pFEIS as well as the Zoning portion of this application. This is a petition for Rezoning. All that is before the Board right now is a petition for Rezoning. The current status of the United Hospital property is the only property in the Village that is PMU Zoning. This does not provide for a zone density. We took a look at the comments made at the DEIS process and have come up with two concepts

for the zoning plan. We modified the zoning in the PMU for this project. The new zoning provides for more uses within that zone. The existing zoning does not provide the density for a project like this. We are proposing a bonus density program to reach an additional .2 FAR. There would be a maximum building height of eight stories. We will make sure that the planned mixed use is actually reached. The rezoning is necessary to reach the potential of this Gateway property.

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE FERRARA, the Public Comments on the Public Hearing on the Starwood/United Hospital pFEIS Revised Zoning was declared open at 7:35 p.m.

#### ROLL CALL

AYES: Trustees Ferrara, Brakewood, Ceccarelli, Marino and Mayor Pilla

NOES: None

ABSENT: Trustees Didden and Adams

#### **PUBLIC COMMENTS ON THE PUBLIC HEARING**

Mr. Bill Mooney commented that he is involved in the economic vitality process. The redevelopment of the United Hospital site is a great opportunity. The property is outdated. With a hotel and restaurant and open space and units for 55+ people can enjoy all that Port Chester has to offer. This project will create over 1,800 construction jobs and nearly 1,000 future jobs. This is an opportunity we cannot let go by.

Mr. Joseph Sach of Rye commented that he has been following what is being reported in the *Westmore News*. He was looking at the ads and saw that 70% of the people of Port Chester support the redevelopment of the United Hospital. We in Rye are in support of redevelopment. The FEIS has taken the environmental impacts to the greatest extent and he is therefore asking the Board to prepare a supplemental FEIS, to decide that the FEIS is not adequate and to send it back to the drawing board. Much more needs to be done. We have an already congested traffic situation and the intersections cannot handle more. One hot spot is the bridge over 287. The bridge has to be widened. He commented on the pFEIS. The post construction implementation study will not work. The impact is too great. The FEIS does not involve Rye as an involved party and this gives us a right to comment. The overlay is still part of the FEIS and that cannot be. The overlay district has an acreage three times the size of the United Hospital property. One thing that is in the pFEIS that was not addressed previously is the height bonus and why is that necessary? Without alterations or changes you cannot accept the FEIS.

Mr. Philip Greeley, a professional engineer from Hawthorne, commented that his firm prepared a letter for the City of Rye responding to the DEIS. Your traffic engineer had some of the same concerns. There have been ongoing meetings with the NYS DOT and the NYS Thruway Authority. You want the safest traffic conditions for both pedestrians and vehicles. One of the major concerns is that if the traffic pattern doesn't work at the targeted sites the traffic will find other roads. The jitney service to the train stations should be done up front.

Mr. Dan Sheridan commented that he is representing millennials. He loves working in Westchester but lives in Stamford because that City has the it has a vibrant downtown area. I want to live here, I love working here, I love playing here. Just 15 minutes up the road you have a place for millennials to live play.

Mr. Richard Heinman commented on affordable housing in Port Chester. They are not even considering replacing the High Street units. Their excuse is that the PMU zone doesn't require it. Since you have to redo the Zone you should require they at least replace the affordable units. They should be required to pay decent wages. There are five stages. They are going to build all the housing before they build the hotel. They may say they can't build the hotel and that is what's selling the project to the community. They should not get a building permit for the C building unless they get it for the others. The open space is scattered and the entrance to Abendroth Park would require a mountain climber.

Rev. Bruce Baker commented his concerns are the same as Richard Heinman on affordable housing. If we are looking for diversity, we are looking for millennials and if we want them to live here we need affordable housing.

Richard Smith, a Rye resident who lives adjacent to the proposed project, supports the redevelopment of the United Hospital property. We have concerns both short and long term. One is traffic and noise. One is safety of the children. There will be noise pollution and safety hazards from rock chipping. These concerns need to be addressed. Getting it right with the construction traffic is crucial. The Rye ordinance limits blasting or rock chipping to 38 days. You talk about an 18 month period. Is there a guarantee from Starwood that they will put up money if the money for construction is insufficient.

Mr. Jonathon Peters, a Rye Brook neighbor of the project, commented on the Starwood traffic engineer. Many of us were hopeful that there would be some response to letters received from Rye and Rye Brook. He wants to tweak one stoplight and throw money to Rye. Tractor trailers can barely make the turn off the I-95 ramp onto the Post Road.

Ms. Audrey Moore, a former resident of 999 High Street, commented on her experience. Originally the residents were scared and anxious about relocation. The persons we feared the most were the persons who helped us the most. Through intense negotiations they worked with the residents. If you work with Starwood Capital you will resolve the issues. If they would support the average lay person they will support Port Chester.

Chris Calabrese, who works in Port Chester, commented he is a member of the Port Chester sustainable alliance. We are committed that all development in Port Chester is sustainable. Originally we were against Starwood. We have changed our mind. The Board and IDA needs to change the zoning.

Mr. Vincent Lyons a Port Chester professional fire fighter, commented on the additional firefighting manpower and equipment that will be needed for the proposed Starwood project.

Ms. Joan Grangenous-Thomas commented that she doesn't want to see Port Chester become another Brooklyn. Starwood has not performed a retail study on downtown Port Chester. It would be a shame if this project harmed the downtown area. The buildings facing the street will be of heights to integrate it into the Village but will this be a self-sustaining community? How many local artists were brought into the iconic design?

Ms. Kiah Thomas commented Starwood plans to market 500 apartments. We need to have affordable housing for young people who grew up and work in Port Chester. We need housing that Port Chester residents can afford.

Ms. Perla Zuniga, a Port Chester High School graduate, commented she wants to work and keep living in Port Chester.

Mr. Joseph Rende commented he considers himself a historian in watching this process. Many years ago Rye raised concerns about the Home Depot and we heard the same concerns. Many years later Home Depot stayed committed to the project and it was positive for both Port Chester and Rye. Any development that brings in sales tax dollars is good for the community. This project has been on the table for the last ten years. This development is going to be great for both communities and will bring sales taxes into the County.

Mr. T. Kissner, a member of the Port Chester Alliance, is concerned about hazardous materials at the Hospital site and hazardous waste. He would like the Board and Starwood to consider testing of the site at regular intervals because of radioactive materials. He complimented the presentation. Mayor Sach has already mentioned the hot spot of the bridge crossing over the highway.

Mr. Richard Abel commented that this meeting was two sided, the pFEIS and the Zoning. Mr. Gioffre said that this Board should grant the Zoning on conceptual plans and not actual plans. You could say anything to get your zoning.

Mr. Lou Larizza commented he lived in Port Chester his whole life. He complimented Starwood. He came on board to relocate the 41 residents on High Street. He had to cut deals with each person and find them a place to live. There will always be traffic concerns. Work it out.

**BOARD COMMENTS**

Mayor Pilla commented that people may still submit comments to [DThomas@portchesterny.com](mailto:DThomas@portchesterny.com)

Trustee Ceccarelli appreciated the concerns brought up tonight. Traffic is one of the biggest ones. It would be good to get a sense of the traffic flow. The BOT has been working with the consultants. The setbacks are important. Affordable housing is important to the Village. We need a balance on how the affordable housing will impact the schools.

Trustee Brakewood commented that he would like to hear the actions planned by the applicants on the comments made tonight.

Mr. Marino commented on the number of people who will be living in the complex and the number of firefighters and apparatus needed to handle an incident.

Mayor Pilla thanked everyone for coming out and expressing your comments. We are not required to accept it or approve it. The law requires the process that we listen to the applicant and the residents.

Attorney Geioffre asked that a special meeting be set for next week to go over the comments expressed this evening.

Trustee Ferrara commented that if there is a pilot in place it will protect the Village.

On motion of TRUSTEE CECCARELLI, seconded by TRUSTEE MARINO, the Public Hearing was declared adjourned at 9:23 P.M. and a special meeting set for Wednesday, June 1<sup>st</sup> at 7:00 p.m. at the Senior Community Center.

**ROLL CALL**

AYES: Trustees Ferrara, Brakewood, Ceccarelli, Marino and Mayor Pilla  
NOES: None  
ABSENT: Trustees Didden and Adams

On motion of TRUSTEE FERRARA, seconded by TRUSTEE BRAKEWOOD, the Board agreed to go into Executive Session to discuss an Add-On Resolution.

**ROLL CALL**

AYES: Trustees Ferrara, Brakewood, Ceccarelli, Marino and Mayor Pilla  
NOES: None  
ABSENT: Trustees Didden and Adams

On motion of TRUSTEE FERRARA, seconded by TRUSTEE BRAKEWOOD, the Board went into Executive Session to discuss

**ADD ON RESOLUTION**

**CONSULTATION WITH COUNSEL TO DISCUSS THE RYE BROOK FIRE SERVICES AGREEMENT LITIGATION AND NEGOTIATION**

**ROLL CALL**

AYES: Trustees Ferrara, Brakewood, Ceccarelli, Marino and Mayor Pilla  
NOES: None  
ABSENT: Trustees Didden and Adams

Respectfully submitted,

David Thomas  
Village Clerk