

MEETING HELD MARCH 18, 2013

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, March 18, 2013 at 6:30 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Daniel Brakewood, Bart Didden, Luis Marino and Joseph Kenner.

It should be noted that Trustee Saverio Terenzi arrived at 6:53 p.m.

It should be noted that Trustee John Branca was absent.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Attorney, Anthony Cerreto; Village Treasurer, Leonie Douglas; Director of Planning and Development Christopher Gomez; Police Chief, Joseph Krzeminski and Village Planner, Jesica Youngblood.

On motion of Trustee Marino, seconded by Trustee Didden, the meeting was declared opened at 6:34 p.m.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustees Terenzi and Branca

SPECIAL MEETING OF THE BOARD OF TRUSTEES IN THEIR CAPACITY AS A BOARD OF POLICE COMMISSIONERS

At 6:34 p.m. the Board of Trustees, staff and Police Chief Krzeminski discussed several issues which included manpower, 350 North Main Street building, school safety and domestic violence. No action was taken in the special meeting, but the Board asked for a recurring monthly meeting with the Chief of Police.

At 7:05 p.m. on motion of Trustee Didden, seconded by Trustee Marino the Board closed the special meeting.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

After a brief recess, on motion of Trustee Didden, seconded by Trustee Marino, the general public portion of the meeting was reopened at 7:08 p.m.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

PRESENTATION

On behalf of the Mayor, the Board of Trustees and the Port Chester Community; Mayor Pilla presented to Ms. Sabrina Johnson the Shining Stars Port Chester Annual Mayor's Award for her excellence in cheerleading.

MOTION FOR EXECUTIVE SESSION

Trustee Didden made a motion to add-on an executive session to discuss a particular personnel matter with the Village Clerk, Village Manager and Village Attorney. The motion was seconded by Trustee Marino.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

At 7:14 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the Board of Trustees adjourned into an executive session to discuss a particular personnel matter with the Village Clerk, Village Manager and Village Attorney.

Roll Call

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustee Branca

No action was taken in the first executive session.

At 7:47 p.m., on motion of Trustee Marino, seconded by Trustee Didden, the Board of Trustees closed the executive session.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustee Branca

On motion of Trustee Didden, seconded by Trustee Kenner, the public portion of the meeting was reopened at 7:48 p.m.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustee Branca

PUBLIC COMMENTS

Mayor Pilla asked if there was anyone from the audience who would like to make any comments.

Ms. Dina commented about Port Chester having a dog park.

Ms. Goldie Solomon commented about the Police D.A.R.E program, school taxes, residential properties, March 2013 election and Police, Fire and EMT departments.

A resident of Midland Avenue commented regarding Village Inspectors and environmental issues.

Mr. Reavis commented about the some of the issues discussed in the earlier special meeting, the amnesty program, the Board of Trustees election and the reorganization of village staff and brining on village streets.

Mr. Abel also commented about brining on village streets.

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing to consider Zoning Text Amendments and Amendments to the Village Official Zoning Map Implementing the Comprehensive Plan

The following Public Notices were duly published in the Journal News and the Westmore News on February 1, 2013 certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE

Village of Port Chester

Zoning Text Amendments and Amendments to the
Village Official Zoning Map Implementing the Comprehensive Plan

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester, New York, will hold a public hearing on Tuesday, February 19, 2013 at 7:00 p.m. or as soon thereafter in the Village Justice Court Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 345 “Zoning,” and the Official Zoning Map of the Village of Port Chester, implementing the Comprehensive Plan.

Highlights of the draft local law amending the Official Zoning Text and Map include:

Residential Districts

- Makes strategic upzonings
- Reduces floor area ratio in all residential districts
- Reduces maximum allowable building height in the RA3 and RA4 Districts
- Eliminates the PTD Planned Tower Development District

Non-residential Districts

- Commercial
 - Renames and modifies the C2 Central Business District to C2 Main Street Business District

- Renames and modifies the C3 Design Office and Commercial District to C3 Office and Commercial District
- Modifies the C4 General Commercial District
- Establishes new C5 Train Station Mixed Use and C5T Downtown Mixed Use Transitional Districts
- Eliminates the PRSP Planned Railroad Station Plaza Development District
- Waterfront
 - Rezones portions of the waterfront area to DW Design Waterfront District
 - Establishes a new DW2 Downtown Design Waterfront District
- Former United Hospital Site
 - Establishes a new PMU Planned Mixed Use District

Other New Provisions

- Provides for a fee in lieu of open space per unit in the C2, C5, C5T, DW, and DW2 Districts
- Establishes a Building Height and Floor Area Bonus Program
- Deletes the provision for Cluster Development in the R2F District
- Amends the Schedule of Regulations for Residence and Nonresidence Districts

An electronic copy of the related draft Zoning Text and Map Amendments can be downloaded from the Village's website:

http://www.portchesterny.com/Pages/PortChesterNY_Webdocs/plan.

Paper copies of the related draft Zoning Text and Map Amendments are available for viewing at Village Hall, 222 Grace Church Street, Port Chester, NY 10573 and the Port Chester-Rye Brook Library, 1 Haseco Avenue, Port Chester, NY 10573. For information, please call (914) 937-6780.

Interested persons will be afforded the opportunity to be heard.

Janusz R. Richards
 Village Clerk
 Village of Port Chester

Dated: January 29, 2012

On motion of Trustee Kenner, seconded by Trustee Brakewood, the public hearing was declared open.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

Mr. Gomez spoke to the Board regarding the zoning text amendments and amendments to the village official zoning map implementing the Comprehensive Plan.

Mayor Pilla asked if there was anyone who would like to comment on the zoning text amendments and amendments to the village official zoning map implementing the Comprehensive Plan.

Comments were heard from Ms. Helen Mauch of Zarin & Steinmetz, Mr. Gene Ceccarelli, Mr. Abel, Mr. Gioffre and Ms. Eileen Geasor.

On motion of Trustee Kenner, seconded by Trustee Brakewood, the public hearing was closed.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

RESOLUTION

RESOLUTION ADOPTION OF LOCAL LAW NO. 4 OF 2013 RELATED ZONING TEXT AND MAP AMENDMENTS COMPREHENSIVE PLAN

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

WHEREAS, Local Law #4 of the year 2013 contains related text amendments to Section 345 Zoning of the Village Code and map amendments to the Official Village Zoning Map consistent with the goals and objectives of the adopted Comprehensive Plan. Now, therefore, be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby adopts Local Law #4 of 2013.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

Please see Local Law insert "LL0413"

AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

Public Hearing to consider the subdivision – Estate of Vera Davis, 96 Perry Avenue

The following Public Notices were duly published in the Journal News and the Westmore News on February 1, 2013 certified by Cecilia Hernandez, Principal Clerk of the Journal News and Angelina Brescia, Office Manager of the Westmore News.

PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on Monday, March 4, at 7:00 P.M., in the Village Justice Courtroom, 350 North Main Street, Port Chester, New York, to consider an application for subdivision approval submitted by Vera K. Davis, for property located at 96 Perry Avenue, known and designated as

Section 135.76, Block 3, Lot 60, proposing to subdivide a 10,500 square foot parcel of land located into two lots within the R-5 One Family Residence Zoning District..

Interested persons will be afforded the opportunity to be heard at this time. The application is available in the Village Clerk's office.

JANUSZ R. RICHARDS
Village Clerk

Dated: January 30, 2013

On motion of Trustee Marino, seconded by Trustee Kenner, the public hearing was declared open.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

Mr. Gomez spoke to the Board regarding the zoning compliance for this subdivision.

Mr. Colangelo spoke regarding the subdivision of the estate of Vera Davis, 96 Perry Avenue.

On motion of Trustee Kenner, seconded by Trustee Marino, the public hearing was closed.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

RESOLUTIONS

RESOLUTION SEQR DETERMINATION OF SIGNIFICANCE NEGATIVE DECLARATION

**96 PERRY AVENUE
LAND SUBDIVISION
Section 135.76 Block 3, Lot 60**

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

WHEREAS, the Village of Port Chester Board of Trustees is in receipt of a Land Subdivision application submitted by the Estate of Vera Davis (herein referred to as the Applicant), property owner of 96 Perry Avenue, more specifically known and designated as Section 135.76 Block 3, Lot 60 on the Tax Map of the Town of Rye; and

WHEREAS, the application involves the subdivision of the 10,500 square foot parcel of land in the R5 Single Family Residence District fronting on Perry Avenue that currently supports an existing 2 ½ story dwelling and detached garage; and

WHEREAS, the proposed land subdivision of 96 Perry Avenue, Section 135.76, Block 3, Lot 60, would create two legally conforming building lots consistent with zoning regulations described in Section 345 Zoning of the Village Code; and

WHEREAS, the proposed land subdivision is an Unlisted Action, pursuant to Article 8 of the State Environmental Quality Review Act; and

WHEREAS, the proposed subdivision will result in no adverse air, noise, traffic, or aesthetic impacts to the surrounding environment and will conform to the character of the neighborhood. Now, therefore, be it

RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the

Environmental Conservation Law, the proposed land subdivision of 96 Perry Avenue, Section 135.76, Block 3, Lot 60, is determined an Unlisted Action and will not have a significant, adverse impact on the environment for the reasons enumerated in the attached Negative Declaration Form.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

Project Number

Date: March 18, 2013

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Port Chester Board of Trustees as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

96 Perry Avenue, Land Subdivision

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The application involves the subdivision of 96 Perry Avenue, specifically known and designated as Section 135.76, Block 3, Lot 60, which comprises 10,500 square feet of land in the R5 Single Family Residential District, fronting Perry Avenue. Existing conditions on the site include a two and one-half story dwelling with detached garage. The proposed land subdivision would create two legally conforming lots consistent with zoning regulations described in Section 345 Zoning of the Village Code of Port Chester.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

96 Perry Avenue, Port Chester, Westchester County (Tax Map # 135.76, Block 3, Lot 60)

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

See attached.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Christopher Steers, Village Manager

Address: 222 Grace Church Street, Port Chester, NY 10573

Telephone Number: 914-939-2200

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

LOCATION MAP – 96 PERRY AVENUE, PORT CHESTER, WESTCHESTER COUNTY, NEW YORK



REASONS SUPPORTING THIS DETERMINATION

The proposed action involves the subdivision of 96 Perry Avenue, specifically known and designated as Section 135.76, Block 3, Lot 60, which comprises 10,500 square feet of land in the R5 Single Family Residential District fronting Perry Avenue. Existing conditions on the site include a two and one-half story dwelling with detached garage. The proposed land subdivision would create two legally conforming lots consistent with zoning regulations described in Section 345 Zoning of the Village Code of Port Chester.

Potential impacts relating to the proposed land subdivision include the following:

1. The site lies within the R5 Single Family Residential District, which requires a minimum lot size of 5,000 square feet. The site of the proposed action is 10,500 square feet. The Action would create two legally conforming lots in accordance with Section 345 Zoning of the Village Code and would not result in any adverse zoning impacts.
2. The nature of partitioning land into two legally conforming lots will bear no impact to the quality of ambient air. The proposed action will result in no negative air quality impacts.
3. The proposed action will not disrupt surface water features. No negative impacts to surface water features will result from the proposed action.
4. The proposed action is not located within a FEMA designated flood hazard zone. As such, no negative impacts are anticipated.
5. The proposed action will not disrupt ground and/or soil surfaces. No negative impacts to the environment with specific regard to soil erosion and sedimentation will result from the proposed action.
6. The proposed action will not include the introduction of hazardous materials. As a result, no adverse impacts caused by hazardous materials will result from the proposed action.
7. The proposed action will impart no increase in decibel levels to the environment. As a result, no adverse noise impacts will affect the environment from the proposed action.
8. The proposed action will impart no bearing upon waste generation. As a result, no adverse impacts are anticipated in regards to solid waste generation from the proposed action.
9. The proposed action would create one additional single-family lot in the R5 Single Family Residential District, which is not anticipated to adversely impact the Village's existing infrastructure network.
10. No wetlands are located in the vicinity of the site. As such, the proposed action will not result in any negative impacts on wetland resources.
11. The proposed action will not result in the removal of any significant existing vegetation or trees. No adverse impacts to existing vegetation and trees are anticipated.
12. No threatened or endangered species of animals or the habitat of such species have been identified on the site according to the New York State Natural Heritage Inventory. There will be no impact on the significant habitat area as a result of this project.
13. The proposed action will not alter traffic circulation patterns or add vehicular congestion. As a result, no adverse traffic impacts will result from the proposed action.
14. The proposed action does not create a material conflict with the community's current development plans or goals. The proposed action involves the subdivision of land into two conforming lots in a residential district. This type of land development is consistent with the surrounding residential character of the R5 Single Family Residential District. As a result, no significant adverse impacts to the area's character are anticipated.
15. No important historical, archaeological, or architectural resources are located on or in the immediate vicinity of the proposed action according to the State Historic Preservation

Office and the Westchester County Department of Planning. As a result, the proposed action will not impair such cultural resources.

16. It is not anticipated that the proposed action will overburden existing utility resources, and no adverse impacts are anticipated. The proposed action will not result in a change in the way energy is currently used on the site.
17. The proposed subdivision of land will provide for additional aesthetic, neighborhood conformance. No negative aesthetic impacts are anticipated from the proposed action.
18. The proposed action will not present any opportunity to adversely affect public safety or create a hazard to human health.
19. The proposed action will not result in changes in two or more elements of the environment, which alone would not have a significant effect on the environment; and, when considered together, would not result in a substantial adverse impact on the environment.
20. The proposed action is not related to another action which would be funded or approved by an agency which, when considered cumulatively, would meet one or any of the aforementioned criteria.

On motion of Trustee Marino, seconded by Trustee Brakewood, the following resolution was amended to add the word “**approved**” in the first sentence of the last paragraph of the resolution.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES:

ABSENT: Trustee Branca

DATE: March 18, 2013

RESOLUTION 96 PERRY AVENUE LAND SUBDIVISION

On motion of TRUSTEE MARINO, seconded by TRUSTEE

BRAKEWOOD, the following resolution was adopted as amended by the Board of

Trustees of the Village of Port Chester, New York:

WHEREAS, the Board of Trustees is in receipt of a Land Subdivision application submitted by the Estate of Vera Davis (herein referred to as the Applicant), property owner of 96 Perry Avenue, more specifically known and designated as Section 135.76 Block 3, Lot 60 on the Tax Map of the Town of Rye; and

WHEREAS, the application involves the subdivision of the 10,500 square foot parcel of land in the R5 Single Family Residence District fronting on Perry Avenue that currently supports an existing 2 ½ story dwelling and detached garage; and

WHEREAS, the proposed land subdivision of 96 Perry Avenue, Section 135.76, Block 3, Lot 60, would create two legally conforming building lots consistent with zoning regulations described in Section 345 Zoning of the Village Code; and

WHEREAS, the Applicant appeared before the Planning Commission on September 24, 2012 and November 26, 2012 and received a positive recommendation from the Planning Commission, dated January 3, 2013, to the Board of Trustees; and

WHEREAS, the Board of Trustees held a public hearing on March 4, 2013 and March 18, 2013; and

WHEREAS, any specific drainage improvements required as a result of future construction of a residence on the newly created lot must comply with all necessary regulations of the Village Code and must also be approved by the Village Engineer during the building permit process; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the above is classified as an Unlisted Action; and on March 18, 2013 the Village of Port Chester Board of Trustees adopted a Negative Declaration determining no significant adverse impacts would result from the above action for the reasons enumerated in the attached Negative Declaration Form; and, now therefore be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby approved the subdivision of 96 Perry Avenue, Section 135.76, Block 3, Lot 60, subject to the payment of the fee in lieu of parkland as provided for A-403 Land Subdivision Regulations.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustee Branca
DATE: March 18, 2013

RESOLUTION
TOROSAN REALTY/GATEWAY PLAZA SUBDIVISION

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

WHEREAS, a land subdivision application was submitted by Torosan Realty and Gateway Plaza for property located off South Main Street, known and designated as Section 142.38, Block 1, Lots 25, 26, 27, 28, 29 & 39, proposing to transfer a 306.91 square foot triangular parcel of land from lot 28 to Section 142.38, Block 1 Lot 35 located within the C-4 General Commercial Zoning District; and

WHEREAS, the action merely involves a minor a parcel line adjustment to accomplish the transfer of a 306 square foot portion of lot 28 to the adjacent lot 35; and

WHEREAS, the Board held a public hearing on the matter on March 4, 2013 at which time no one spoke for or against the application. Now therefore be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby approves the subdivision application submitted by Torosan Realty and Gateway Plaza for minor lot line adjustment.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustee Branca
DATE: March 18, 2013

PRESENTATION

Presentation by Port Chester Community Cares Coalition on Park signage

Ms. Chelsea Bodansky spoke to the Board about the signage in the park and presented to the Board the final park signs.

The Board asked staff to work with Ms. Bodansky where to place the signs in the parks.

RESOLUTION

RETAINING LABOR COUNSEL

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

WHEREAS, the Village has the need for specialized legal services in the area of labor and employment law; and

WHEREAS, the law firm of Bond, Schoeneck & King, PLLC. has been on retainer for the past several years; and

WHEREAS, the last retainer agreement with the firm expired on December 31, 2012; and

WHEREAS, in view of current and future issues confronting the Village, the Village Manager has indicated the need to continue this relationship on a sustained basis. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to enter into a retainer agreement with the law firm Bond, Shoeneck & King, Garden City, New York, to perform legal services as Labor Counsel, for the term January 1, 2013 to December 31, 2015, compensation to be \$40,000 flat fee for work involving collective bargaining agreements, and \$300/hour in the first year, \$305/hour in the second year and \$315/hour in the third year, \$275-285/hour for other partners; \$205-215 associates for all other work, all in accordance with the proposal letter dated January 18, 2013 from Terry O'Neil, Esq. to the Manager.

APPROVED:

Village Attorney, Anthony Cerreto

No action was taken on this resolution

RESOLUTION
SET PUBLIC HEARING FOR THE CARVER CENTER,
SPECIAL EXCEPTION USE

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

WHEREAS, application has been made by the Carver Center, 400 Westchester Avenue, to install a handicap-accessible entrance and new playground equipment; and

WHEREAS, this work requires site plan approval from the Planning Commission; and

WHEREAS, it also requires a special exception use from the Board of Trustees as a membership organization, fraternal organization or not-operated-for-profit; and

WHEREAS, the Planning Commission has favorably recommended to the Board such special exception use as it will better enable the Carver Center to perform its significant mission to the community and has deferred further action pending the Board's hearing and determination. Now, therefore be it

RESOLVED, that a public hearing is to be held on Monday, April 15, 2013 at 7:00 p.m. or shortly thereafter at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the application of the Carver Center, 400 Westchester Avenue, Port Chester, for a special exception use.

Approved as to Form:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

RESOLUTION

AGREEMENT TO PROVIDE SHELTER AND VETERINARY SERVICES FOR DOGS SEIZED IN THE VILLAGE OF PORT CHESTER

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

WHEREAS, the Village desires a shelter and veterinary services for dogs seized by the Police Department in accordance with the requirements of the New York Agriculture and Markets Law; and

WHEREAS, Village staff has identified an animal hospital/veterinarian qualified to provide such services;

WHEREAS, this matter is provided for in the 2012-2013 Budget.. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with Stamen Animal Hospital and Violi Veterinary Care PPC, 61 Quaker Ridge Road, New Rochelle, New York 10804 to provide an maintain a pound or shelter for dogs seized in the Village and necessary veterinary care, compensation and other terms as provided for in the said agreement annexed hereto, payable out of Account Code 3510-400 “Animal Control”.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

RESOLUTION

SUPPORTING AN APPLICATION BEING SUBMITTED BY THE CITY OF PEEKSKILL FOR A LOCAL GOVERNMENT EFFICIENCY GRANT SUPPORTING THE SHARED REDEVELOPMENT SERVICES PROGRAM OF THE MAYORS REDEVELOPMENT ROUNDTABLE

On motion of TRUSTEE DIDDEN, seconded 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 and its staff have been participating in the Mayors’ Redevelopment Roundtable (Roundtable) whose mission is developing strategies for making the participating municipalities redevelopment-ready to increase their tax base and stimulate sustainable economic development; and

WHEREAS, the Mayors' Redevelopment Roundtable creates a vehicle for and implements a program for sharing expert development staff and professional services among the municipalities participating, the staff of the Land Use Law Center, and experts on the strategies being developed;

WHEREAS, this shared services approach to developing redevelopment strategies has realized significant cost benefits through the essential services provided and the addition of development attracted by the strategies to the tax base;

WHEREAS, the Roundtable has been effective in working with the Mid-Hudson Regional Economic Development Council to create an urban redevelopment policy in its five year strategy so that projects for state funding from Roundtable communities are as competitive as possible;

WHEREAS, the Village of Port Chester benefits from the redevelopment strategies developed through the Roundtable by demonstrating its ability to engage in intermunicipal cooperation efforts in a regional redevelopment strategy in furtherance of several state policies;

WHEREAS, the cooperation of the nine communities in the Roundtable is memorialized by a Memorandum of Agreement signed by each of the mayors of the cooperating communities, constituting an intermunicipal agreement to cooperate in developing redevelopment strategies that respond to the critical issues faced by Roundtable communities;

WHEREAS, the City of Peekskill has agreed to submit a grant to the State of New York under the Local Government Efficiency Grant Program for a two-year \$200,000 grant to continue the shared services initiative of the Roundtable and to act as the fiscal agent for the Roundtable in administering the grant on behalf of the participating municipalities which include Yonkers, Mount Vernon, New Rochelle, White Plains, Port Chester, Beacon, Poughkeepsie, and Newburgh;

WHEREAS, the Grant requires a 10 percent local share, which can be contributed by any of the cooperating communities in the Roundtable through any projects that it funds that are part of the Shared Redevelopment Services Program: representing an average yearly local commitment of approximately \$1,000 per Roundtable community; Now, therefore, be it

RESOLVED, that the City of Peekskill, through Mayor, Mary Foster is authorized on behalf of the Village of Port Chester to submit an application for \$180,000, two year grant for the \$200,000 Shared Redevelopment Services

Program of the Mayors' Redevelopment Council and to execute all financial and administrative processes related to the implementation of the program; and be it

FURTHER RESOLVED that the Port Chester Board of Trustees supports this Shared Development Services initiative and pledges, if needed, to provide its share of the required \$20,000 local share required, an average of \$1,115 per year, in conjunction with the other co-applicants: the cities of Mount Vernon, Beacon, Peekskill, New Rochelle, Poughkeepsie, Yonkers, White Plains, and Newburgh.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

RESOLUTION

AUTHORIZING AGREEMENT FOR NIXLE, LLC WITH REGARD TO EMERGENCY NOTIFICATION SERVICES

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

WHEREFORE, it is increasingly important for local governments to
communicate with their residents; and

WHEREAS, Nixle, LLC, provides services free and paid emergency
notification services for residents by cell phone, text, e-mail or the Internet,
through participating local governments across the United States;

WHEREFORE, a presentation was recently made by Nixle to the Board of Trustees. Now, therefore, be it

RESOLVED, the Village Manager is hereby authorized to enter into an agreement with Nixle, LLC, 594 Howard Street, Suite 04, San Francisco, California 94105, to provide emergency notification services with a term of three years, compensation to be \$7,685.00.

APPROVED:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

RESOLUTION

APPOINTMENT OF ADDITIONAL ELECTION INSPECTORS

On a motion of DIDDEN, seconded by TERENCEZI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village Clerk has advised of the need for the Board of Trustees to appoint additional election inspectors for the 2013 Village Election; and

WHEREAS, the Clerk has proposed a number of candidates who have been qualified to serve in this capacity. Now, therefore, be it

RESOLVED, that the following named persons are qualified Election Inspectors and are hereby appointed to act as Election Inspectors for the Village of Port Chester with regard to the 2013 Village Election:

Leonor Correa

Lilian C Ochoa

Annie Federighi

Yocely Ochoa

Joseph W. Federighi

Mercedes Ortega

Rosa J Hernandez

Onilvia L. Naar

Sara Martinez

Charisse J Palma

Yolanda Maya

Jeanette Palma

Lesly Moreno

Awilda Santiago

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

RESOLUTION

ADOPTION OF LOCAL ADJUSTMENTS FOR HOMESTEAD AND NON-HOMESTEAD BASE PROPORTIONS

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE

DIDDEN, the following resolution was adopted by the Board of Trustees of the

Village of Port Chester, New York:

WHEREAS, on February 2, 2005, the Board of Trustees adopted Local Law #2-2005 relating to the adoption of the provisions of Section 1903 of the Real Property Tax Law regarding Homestead Base Proportions; and

WHEREAS, the Town of Rye Assessor has prepared Homestead and Non-Homestead base proportions for the Village of Port Chester; and

WHEREAS, the Board of Trustees of the Village of Port Chester wishes to adopt local adjustments to these base proportions that will be used to establish a Homestead tax rate and a Non-Homestead tax rate for the 2013-2014 Village Budget and tax rates.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Port Chester hereby adopts for the 2013-2014 Village tax, Homestead Base Proportions of 58.911412%, and Non-Homestead base proportions of 41.088588%; and be it

FURTHER RESOLVED, that the Village Manager is authorized to sign all necessary documents to implement the purposes of this resolution; and be it

FURTHER RESOLVED, that the Town Assessor and Tax Collector are authorized and directed to make any filings on behalf of Port Chester, and to take any additional actions necessary to implement the purposes of this resolution.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Kenner, Marino, and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

RESOLUTION
BUDGET AMENDMENT – DEA FUNDS
PATROL RIFLE UPGRADE

On motion of TRUSTEE KENNER, seconded by TRUSTEE DIDDEN, the following resolution was adopted by the Board of Trustees of the Village of Port Chester,

New York:

WHEREAS, the Police Chief recommends the use of DEA Funds to purchase two (2) Stag Arms 11 ½ inch upper receivers, two (2) sound suppressors, and two (2) muzzle brake adaptors from vendor Applied Tactical Technology, Inc., P.O. Box 268, Babylon, NY 11702-0268, to upgrade their Patrol Rifle (AR-15). Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2012-13 General Fund Budget as follows:

GENERAL FUND

Balance Sheet:

001-001-0695	Deferred Revenue DEA	(\$3,843.20)
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Revenues:

001-0001-2613	Use of Deferred DEA Funds	\$3,843.20
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Appropriations:

001-3120-0200	Police Equipment	\$3,843.20
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ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: March 18, 2013

DISCUSSION

Additional amendments to Amnesty Program for one and two family homes.

Mr. Steers spoke to the Board regarding his proposed amendments for one and two family homes. There was further discussion with the Board on this subject. The Board asked to have a work shop at the next meeting on the proposed changes.

CORRESPONDENCE

From Lou Del Bianco requesting permission to erect a memorial dedicated to his grandfather, Luigi Del Bianco, Chief Carver of Mount Rushmore.

The Board asked staff to draft a resolution for the next meeting.

DISCUSSION

Positive Recommendation from Planning Commission to the Board of Trustees regarding Planning Commission 2013 Work Program.

The Board acknowledged receipt of the resolution and correspondence.

CORRESPONDENCES

From the Churches of Our Lady of the Rosary and Corpus Christi request permission for a procession from Corpus Christi Church to Don Bosco Place on Good Friday, March 29, 2013.

The Board acknowledged receipt of the correspondence.

From the Port Chester-Rye Brook Town Independence Day Committee requesting permission to hold fireworks in the John Ryan Stadium at the Port Chester Senior High School on Thursday, July 4, 2013.

The Board acknowledged receipt of the correspondence.

From Tav Passarelli written comments relating to the proposed zoning –modified “DW2 district”.

The Board acknowledged receipt of the written comments.

From Eileen M. Geasor written comments relating to changes to the official zoning map regarding property now known as 28 ½ Pilgrim Drive.

The Board acknowledged receipt of the written comments.

From Anthony B. Gioffre III written comments relating to the Village of Port Chester zoning code and map amendments.

The Board acknowledged receipt of the written comments.

MINUTES

Approval of the Board of Trustees minutes of December 3, 2012; December 17, 2012; December 20, 2012; January 7, 2013; January 22, 2013; February 4, 2013; February 19, 2013 and March 4, 2013.

On motion of Trustee Didden, seconded by Trustee Marino, the minutes of December 3, 2012; December 17, 2012; December 20, 2012; January 7, 2013; January 22, 2013; February 4, 2013; February 19, 2013 and March 4, 2013 were adopted.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

PUBLIC COMMENTS AND BOARD COMMENTS

Public:

There were no comments from the public.

Board:

Trustee Brakewood commented about the Master Plan/Comprehensive Plan and the March 2013 election.

Trustee Terenzi commented about his role as being a Trustee for the Village of Port Chester

Trustee Didden commented about tax certioraris, tax assessments and the March 2013 election.

Trustee Marino thanked everyone for him being a part of the Board and commented about the March 2013 election. Trustee Marino also thanked

Trustee Branca for his years of service on the Board and asked everyone to keep Trustee Branca in their prayers.

Trustee Kenner commented that it is a pleasure serving on the Board and asked everyone to keep Trustee Branca in their prayers.

Mayor Pilla commented about his term as being the Mayor and commented about the historic March 2013 election. Mayor Pilla also thanked the staff for their support.

MOTION FOR EXECUTIVE SESSION

At 11:15 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the Board of Trustees adjourned into an executive session to discuss the tabled resolution, contract for labor counsel.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

No action was taken in the first executive session.

At 11:30 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the executive session was closed.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

At 11:30 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the meeting was closed.

Roll Call

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

Respectfully submitted,

Jacqueline Johnson
Deputy Village Clerk

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate a new matter.

County
City of Port Chester, New York
Town
Village

Local Law No. 4 of the year 2013

A local law amending the CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 345, ARTICLE II, SECTION 345-2B, ARTICLE III, SECTION 345-3, ARTICLE IV, SECTIONS 345-7, 345-8, 345-13, 345-14, 345-15 and 345-16, ARTICLE VIII, SECTIONS 345-39, 345-40, 345-41, 345-42, 345-43, 345-44, 345-45 and 345-46, ARTICLE IX, SECTIONS 345-47, 345-48, 345-49, 345-50, 345-50.1, 345-50.2, 345-51, 345-52, 345-53, 345-54, 344-54.1, 345-55, 345-56, 345-57 AND 345-57.1, ARTICLE X, SECTIONS 345-60 and 345-61, ARTICLE XI, SECTION 345-62, AND the OFFICIAL ZONING MAP of the Village of Port Chester.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County
City of Port Chester, New York as follows:
Town
Village

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 345, AND THE OFFICIAL ZONING MAP WITH REGARD TO IMPLEMENTING THE PROVISIONS OF THE COMPREHENSIVE PLAN.

SECTION 1: Purpose and Intent

Background

This local law amends the Village Code, Chapter 345, the Zoning Regulation, as well as the Official Zoning Map with regard to implementing the Village of Port Chester's Comprehensive Plan. New York's zoning enabling statutes – the statutes empowering cities, towns and villages to enact local zoning laws – require that zoning laws be adopted "in accordance with a comprehensive

plan.” The purpose of the Comprehensive Plan is to serve as the backbone for a local zoning code. The Zoning Regulation is adopted to provide a precise plan for residential, commercial, industrial, open space and other land uses in the Village, and is the principal device used to implement the Comprehensive Plan.

Originally adopted in 1975, and amended several times since then, the Village of Port Chester’s current Zoning Regulation has become, across several dimensions, outdated. The amendments included herein primarily deal with revisions to the dimensional requirements in the residential districts, and the use and dimensional requirements in the commercial districts. The secondary but no less significant purpose of this amendment process is the creation of new zoning districts to provide the opportunity for the creation of visually attractive, economically viable and environmentally sustainable development.

Overall Approach

Amendments to the Zoning Regulation are prepared to address the changing needs and desires of the community with respect to the built environment. The vision and policy recommendations set forth in the Comprehensive Plan – the foundation of these proposed zoning amendments – aim to retain the qualities of Port Chester that its people have come to cherish, including a diverse population, low-density residential neighborhoods, quality homes at relatively affordable prices, and a vibrant downtown. At the same time, the vision addresses the challenges confronting the Village, including changing socio-economic conditions, unpredictable growth patterns, physical constraints limiting waterfront access, and underutilized properties. The Plan identifies goals, policies, and guidelines for the immediate and long-range protection, enhancement, growth and development of Port Chester, focusing on major elements of the build environment, including maintenance and enhancement of residential neighborhoods; strengthening and revitalization of the downtown and waterfront areas; strengthening of industrial areas; and identifying key areas of limited growth opportunities. To this end, the overall approach of this zoning amendment process is captured in the following five (5) key elements:

- Reducing potential future density increases throughout the Village;
- Preserving and protecting the existing character of residential neighborhoods;
- Identifying strategic areas for limited growth opportunities;
- Improving development predictability and coordinating private development with public; investments in transportation and infrastructure systems; and
- Eliminating floating zones.

SECTION 2: The Code of the Village of Port Chester, Chapter 345, Article II "Definitions", is hereby amended as follows:

Section 345-2B. Word usage; terms defined.

....

[PLANNED TOWER DEVELOPMENT – An area of land or air right over such land controlled by a single proprietor to be developed as a single entity for one or a combination of the authorized uses as provided in Section 345-46. With respect to a planner tower development, a "single proprietor" shall be deemed to include a person or corporation having an enforceable proprietary interest in such land or the air rights over such land.]

...

SECTION 3: The Code of the Village of Port Chester, Chapter 345, Article III, "Districts, Boundaries and Application of regulations", is hereby amended as follows:

Section 345-3. Districts classified.

For the purposes of this Regulation, the Village of Port Chester is hereby divided into [25] 27 classes of districts, as follows:

R20 One-Family Residence District

R7 One-Family Residence District

R5 One-Family Residence District

R2F Two-Family Residence District

RA2 Multifamily Residence District

RA3 Multifamily Residence District

RA4 Multifamily Residence District

[PTD Planned Tower Development District]

C1 Neighborhood Retail District

C2 [Central Business District] Main Street Business District

C3 [Design] Office and Commercial District

C4 General Commercial District

C5 Train Station Mixed Use District

C5T Downtown Mixed Use Transitional District

CD Design Shopping Center District

CDS Special Design Commercial District

PD Design Professional Building District

DW Design Waterfront District

DW2 Downtown Design Waterfront District

M1 Light Industrial District

M2 General Industrial District

PMU Planned Mixed Use District

[PRSP Planned railroad Station Plaza Development]

M2D Designed Industrial District

VCRA/LIR Village Center Redevelopment Area Light Industrial/Research Use District

PRD Planned Residential Development District

ROO Residential Office Overlay District

TRD Transitional Residential Development District

MUR Marina Redevelopment Project Urban Renewal District

SECTION 4: The Code of the Village of Port Chester, Chapter 345, Article IV, "Supplementary Regulations," is hereby amended as follows:

345-7. Useable open space.

....

E. In the C2, C5, C5T, DW and DW2 Districts, the Village Board of Trustees may accept an offer of cash in lieu of 50 square feet of useable open space per unit or a portion thereof. The value shall be based on 50 percent of the assessed value of the land on the site, calculated by utilizing the 50 square feet of land per unit. All funds shall be kept by the Village in separate account to be used only for the acquisition, preservation, or improvement of open space.

SECTION 5: The Code of the Village of Port Chester, Chapter 345, Article IV, "Supplementary Regulations," is hereby amended as follows:

Section 345-8. Minimum residential floor area.

B. Minimum schedule. Every dwelling or other building converted in whole or in part to a residential use which is hereafter erected or converted to accommodate additional facilities, shall provide a minimum floor area per family on finished floors with a clear ceiling height of not less than seven feet six inches, in conformance with the following schedule and with other provisions of this section. The minimum stipulated herein shall be deemed to be exclusive of unenclosed porches, breezeways, garage area and basement and cellar rooms or areas, and of public hallways, foyers and service areas.

Type of Residence Building	Minimum Required Floor Area per Family (square feet)
One and two-family detached dwelling	900
Dwelling units in converted one-family Dwellings	750
Multiple dwelling, except one-room studio Apartment	600
Multiple dwelling, one-room studio Apartment only [not permitted in PTD District]	400

SECTION 6: The Code of the Village of Port Chester, Chapter 345, Article IV, "Supplementary Regulations," is hereby amended as follows:

Section 345-13. Nonconforming uses and nonconforming buildings and structures.

A. **Continuing Existing Uses.** Except as otherwise provided in this section, the lawfully permitted uses of land or buildings and structures existing at the time of the adoption of this Regulation, or amendments made to this Regulation inclusive of new zoning districts, may be continued in accordance with the provisions of this section, although such use does not conform to the regulations specified by this Regulation for the district in which such land or building is located. Said uses, buildings and structures shall be deemed nonconforming uses.

...

C. **Nonconforming use of buildings or structures.**

(2) Any such nonconforming use may be extended throughout any parts of the building or structure which were manifestly arranged or designed for such use at the time of the adoption of this Regulation and subsequent amendments.

SECTION 7: The Code of the Village of Port Chester, Chapter 345, Article IV, "Supplementary Regulations," is hereby amended as follows:

Section 345-14. Off-Street parking, truck loading and vehicular access.

A. General Application of off-street parking and truck loading requirements.

....

(3) Requirements for off-street parking facilities shall be applicable in all districts except the Central Business District, which district shall be defined as all lands located in the C2 Main Street Business District [Central Business District], the C5 Train Station Mixed Use District, and the C5T Downtown Mixed Use Transitional District, except that cabarets, catering and events establishments and theaters located in the C2 Main Street Business District [Central Business District], the C5 Train Station Mixed Use District, and the C5T Downtown Mixed Use Transitional District shall provide off-street parking according to the requirements applicable to those uses.

....

C. Schedule of off-street parking space requirements.

(1) For residential land uses

Uses	Number of Spaces Required
...	
Multifamily dwelling, including Condominium or cooperative dwelling [, except in PTD District]	1.5 per dwelling
[Condominium or cooperative multifamily Dwelling in PTD]	[1.5 per dwelling unit]
...	

SECTION 8: The Code of the Village of Port Chester, Chapter 345, Article IV, "Supplementary Regulations," is hereby amended as follows:

Section 345-15. Sign regulations

....

E. Other commercial and industrial district identification signs.

- (1) A wall identification sign shall be attached or incorporated in a building wall. Such sign shall not:
 - (a) Exceed two square feet in total area for each horizontal foot of such wall on which it is mounted up to a maximum of 100 horizontal feet and an additional one square foot for each horizontal foot, [; provided, however, that in the PTD District the sign area may be applied separately to both the base structure and to the individual tower buildings projecting from the open top deck of the base structure.]
 - (b) Be located above the second story of the building wall, [except in the PTD District this may be applied separately to the base structure and to the individual tower buildings projecting from the open deck of the base structure; and further provided that a symbol, not exceeding 10% of the permitted sign area, designed to identify a building, may be located higher on the building wall.]

...

H. Billboard Regulations

...

- (9) Permitted zones. Billboards shall be permitted in only the following zoning districts:
 - (a) C3 [Design] Office and Commercial District

....

SECTION 9: The Code of the Village of Port Chester, Chapter 345, Article IV, "Supplementary Regulations," Section 345-16 "Modifications for large subdivision developments," is deleted and new provisions of said Article, entitled "Building Height and Floor Area Bonus Program" is hereby added in its place and stead as follows:

[Section 345-16 Modifications for large subdivision developments]

[A. Where the owner of any tract of land having a total area of not less than 15,00 square feet presents for record a plat for the development of such tract primarily for residential purposes, the Planning Commission, in accordance with the provisions of Section 7-738 of the Village Law, may authorize a modification of all yard and area regulations as herein established and such modifications of the dwelling types herein are established as are essential in the effective carrying out of such residential development plan, subject to the following limitations:]

(1)

[(1) This section shall only apply in the R2F Zoning Districts.]

[(2) Useable open space of not less than 400 square feet per unit shall be provided and maintained, which open space will be kept in lawn or garden.]

[(3) Not less than two off-street parking spaces per unit shall be laid out and provided.]

[(4) Where the rear yard of an R2F Zone cluster abuts an R5 or R7 Zoning District, a minimum rear yard of 30 feet shall be maintained in the clustered development.]

[(5) Where the side yard of an R2F Cluster Zone abuts an R5 or R7 Zoning District, a minimum side yard of 14 feet shall be maintained on the side so abutting.]

[B. Purpose. The purpose of cluster development is to permit a procedure for development which will result in improved living and working environments, which will promote more economic subdivision layout, which will encourage a variety of types of residential dwellings, which will encourage ingenuity and originality in total subdivision and individual site design and which can preserve open space to serve recreational, scenic and public service purposes and other purposes related thereto within the densities established for the cluster net tract area.]

[C. Authorization and eligibility. Authorization is granted to the Planning Commission, pursuant to Section 7-738 of the Village Law, to apply clustering standards to plans of residential development.]

[D. Computation of unit density. In any R2F District, the Planning Commission may authorize the subdivision of tracts or parcels of land into lots for residential clustering use

in accordance with the density, use, height and parking requirements of the particular district.]

[(1) For purposes of computing net parcel acreage, the following areas are to be excluded from the gross area of the development:]

[(a) Bodies of water, including streams, ponds and swamps.]

[(b) Rock outcroppings of more than 200 square feet each.]

[(c) Areas with a slope of more than 25%.]

[(2) For purposes of computing parcel density, the net parcel square footage shall be divided by 2,500 square feet.]

[E. Subdivision review. Where any development will result in a division of land into two or more lots, plots, sites or parcels, subdivision review and application of clustering standards by the Planning Commission shall be coordinated through the Office of Planning and Development.]

[F. Application procedure and site plan elements. Application preparation, submission and review shall follow the procedure specified in Section 345-23 of this chapter and shall consist of the site plan elements required by Section 345-23E. The site plan shall further show:]

[(1) The disposition of various land uses and the areas covered by each, in acres.]

[(2) Delineation of the various residential areas, including the number of dwelling units by each housing type: single family detached and semidetached, attached quadruple or townhouse dwellings, multistory multiple dwellings, etc. plus a calculation of the density in lot area provided per dwelling unit.]

[(3) The common open space system and a statement as to how it is to be preserved as such throughout the life of any portion of the cluster development and how it is to be owned and maintained.]

[G. General requirements; design objectives and criteria. In reviewing a cluster development, the Planning Commission shall give particular consideration to the objectives set forth on Section 345-23 of this chapter and the following design objectives:]

[(1) Individual lots, buildings, streets and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.]

- [(2) The usability of cluster open space intended for recreation or public use shall be determined by the size, shape, topographic and location requirements of the particular purpose proposed for the site.]
- [(3) Cluster open space shall include irreplaceable natural features located in the tract, such as but not limited to stream beds, significant stands of trees, individual trees of significant size and rock outcroppings.]
- [(4) Cluster open space intended for recreation or public use shall be easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly.]
- [(5) Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the existing topography.]
- [(6) Individual lots, buildings, units and parking areas shall be situated to avoid the adverse effects of shadows, noise and traffic on the residents of the site.]
- [(7) Areas with slopes greater than 15% shall be preserved and not disturbed unless means to mitigate adverse environmental effects are defined in an engineer's, architect's or landscape architect's report and approved by the Planning Commission.]
- [(8) Energy conservation shall be encouraged through the use of southern slopes, where feasible, for passive solar access.]
- [H. Utility placement. All electrical, telephone, cable television and similar equipment shall be installed underground in accordance with the New York Public Service Commission regulations.]
- [I. On site improvements. The developer shall provide all necessary on site water and sewer facilities, including but not limited to water storage tanks, if necessary, storm drainage, highway access, paved service streets, curbing, sidewalks, parking and loading facilities, lighting, fire alarm and other necessary support systems, which shall be connected to the municipal systems at the nearest feasible point, and other necessary facilities, making reasonable provision for utility service or connections with adjoining properties in other ownerships. Such proposed improvements shall be subject to revision and approval by the appropriate municipal authority. The Village shall not be obligated to extend existing systems to accommodate the developer.]
- [J. Common lands and facilities.]

- [(1) Where a clustering development approved pursuant to this authorization results in the permanent preservation of open spaces or the creation of other commonly used lands or facilities, their location and use shall be governed by the Planning Commission, using as a guide the Comprehensive Development Plan and the concept of creating a coordinated system of open spaces with public right of way between them, as well as the purposes set forth herein and in section 7-738 of the Village Law.]
- [(2) In cluster developments having more than five acres, the developer may offer at least 25% of the total area of all common open space parcels containing an area greater than one acre each to the Village of Port Chester for dedication for public use. The Planning Commission shall review such offer of dedication during preliminary site plan review and recommend either acceptance or refusal of a part or all of said parcels to the Board of Trustees.]
- [(3) Common lands which are not dedicated in accordance with Subsection J(2) above and any private common facilities shall be owned and maintained by a property owners' association or its successor organization, subject to the following requirements:]
- [(a) The property owners' association shall be a legal entity authorized by the laws of the State of New York. It shall be created by a trust agreement or certificate of incorporation, approved as to form and sufficiency by the Corporation Counsel and designed to assure the permanent preservation and protection of the common lands and any improvements thereon for their intended purposes. The association shall be established prior to obtaining a building permit.]
- [(b) The property owners' association shall be responsible for the continued future maintenance, ownership and use of all such common lands and facilities.]
- [(c) The property owners' association shall be perpetual and shall not dispose of any common land or any improvements thereon or thereunder, by sale or otherwise, except to a successor organization.]
- [(d) The instrument establishing the association shall provide notice that, in the event that it or any successor organization shall at any time after approval of the development shall fail to maintain the common land or any improvements thereon in accordance with the approved plan, the Village Manager may serve certified or personal notice upon such legal entity or successor organization and upon the property owners as recorded on the assessment rolls within the development, setting forth the manner in which the association has failed to maintain the common land or any improvements thereon, and said notice shall include a demand that such deficiencies be corrected within 60 days. The Village Manager

may, upon application and for good cause, extend said period for additional sixty day periods. If the deficiencies are not so corrected, the Village Manager, in order to preserve the taxable values of the property within the development and to prevent the common land and improvements thereon from becoming a public nuisance, may direct that the Village enter upon and take possession of said common land and improvements and maintain the same until such time as the Board of Trustees shall determine that the property owners' association is ready and able to maintain the common land and improvements in proper condition. Said entry and maintenance shall not best in the public any rights to use the common land or improvements. The decision of the Village Manager with respect to the action described in this subsection shall constitute a final administrative decision subject to review in accordance with the provisions of Article 78 of the Civil Practice Law and Rules. The cost to the Village of any such maintenance shall be assessed against the properties within the cluster development affected, and in the event of a failure or refusal of any property owner to pay any such charges when levied, the unpaid amount thereof shall become a lien against the property and, together with interest allowed by state law from the due date thereof, shall be included in the following annual tax levy of the Village upon such property for the following fiscal year, and the amount so levied shall be collected in the same manner as other Village taxes.]

- [(e) The property owners' association agreement shall require that every property owner within the cluster development shall automatically be and become a member of the association and shall be subject to a charge for a proportionate share of expenses of the association's activities, including but not limited to the maintenance and operation of the common land improvements thereon.]
- [(4) After final site plan approval and before obtaining a building permit, the developer of the cluster development shall file a performance bond to ensure the proper installation of all improvements on common property.]

Section 345-16 Building Height and Floor Area Bonus Program

A. Purpose

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.

B. General Regulations

(1) The bonus program is available in the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional, PMU Planned Mixed Use, and DW2 Downtown Design

Waterfront Districts (see Schedule of Regulations for Non-Residence Districts, Attachment 3B) by special exception only and is subject to approval by the Village Board of Trustees.

(2) Only new developments are eligible for the bonuses unless otherwise approved by the Village Board of Trustees.

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

(4) Buildings using bonus floor area must not exceed the maximum height limits in the applicable district unless eligible for bonus height (see Schedule of Regulations for Nonresidence Districts, Attachment 3B).

C. Bonus Floor Area Option.

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

In the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional, and DW2 Downtown Design Waterfront Districts, a reduction in Minimum Size of Lot: Area per dwelling unit (square feet) can also be achieved in accordance with both this section and the Schedule of Regulations for Nonresidence Districts, Attachment 3B.

(1) Open space provision.

In the eligible zoning districts specified herein, proposals that include an open space monetary contribution in addition to the minimum useable open space requirement of the respective district can receive bonus floor area, as specified in the Schedule of Regulations for Nonresidence Districts, Attachment 3B and subject to approval of the Board of Trustees. The payment for bonusable floor area shall be calculated at a minimum of 15 percent of the assessed value of the bonusable floor space, as determined by the Village Assessor.

(2) "Housing Rehabilitation Program" provision.

In the eligible zoning districts specified herein, an applicant who contributes a monetary contribution to the Village Housing Rehabilitation Program can receive bonus floor area for the proposed development, as specified in the Schedule of Regulations for Nonresidence Districts, Attachment 3B and subject to approval by the Board of Trustees. The payment for bonusable floor

area shall be calculated at minimum of 15 percent of the assessed value of the bonusable floor space, as determined by the Assessor.

(3) "Funding for Downtown Public Parking Garage" provision.

In the eligible zoning districts specified herein, an applicant who contributes a monetary contribution to a Village-designated program used to fund the construction of a public parking garage in the downtown can receive bonus floor area for the proposed development, as specified in the Schedule of Regulations for Nonresidence Districts, Attachment 3B and subject to approval by the Village Board of Trustees. The payment for bonusable floor area shall be calculated at a minimum of 15 percent of the assessed value of the bonusable floor space, as determined by the Assessor.

(4) All three funds listed in Section 345-16C(1), (2) and (3) above shall be kept by the Village as dedicated funds in a separate account to be used only for their respective purposes of open space, housing rehabilitation and public parking.

D. Bonusable building height option.

Bonus building height is also earned in the C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional, and PMU Planned Mixed Use Districts in addition to the bonus floor area achieved through the provisions established in this Section. Bonus height is in addition to the maximum building height in the respective district, as established in the Schedule of Regulations for Nonresidence Districts, Attachment 3B. Bonus height is earned by contributing to any of the three provisions specified in Section 345-16C(1), (2) and (3) above.

In the C5 Train Station Mixed Use and C5T Downtown Mixed Use Transitional Districts, a reduction in Minimum Size of Lot: Area per dwelling unit (square feet) can also be achieved in accordance with both this section and the Schedule of Regulations for Nonresidence Districts, Attachment 3B.

SECTION 10: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article VIII, entitled "Use and Dimensional Regulations for Residential Districts", is hereby amended as follows:

Within any residence district, a building, structure or lot shall only be used for the uses indicated for that specific district in which it is located on the Zoning Map and in accordance with the specific classifications of that use in that district as shown in the Schedule of Regulations for Residence Districts which are annexed hereto and included at the end of this chapter ; and further, any such building, structure or lot shall only be utilized in conformance with the dimensional regulations set forth on the same Schedule of Regulations for Residence Districts. In addition, such use shall also comply with all other applicable provisions of this Regulation.

Section 345-39. R20 One-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-40. R7 One-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-41 R5 One-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-42 R2F Two-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-43 RA2 Multifamily Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-44 RA3 Multifamily Residence District.

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-45 RA4 Multifamily Residence District.

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-46 (Reserved) [PTD Planner Tower Development District]

SECTION 11: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article IX, Use and Dimensional Regulations for Nonresidence Districts, is hereby amended as follows:

Within any nonresidence district, a building, structure or lot shall only be used for the uses indicated for that specific district in which it is located on the Zoning Map and in accordance with the specific classification for that use in that district as shown in the Schedule of regulations for Nonresidence Districts which are annexed hereto and included at the end of this chapter; and further, any such building, structure or lot shall only be utilized in conformance with the dimensional regulations set forth on the same Schedule of Regulations for Nonresidence Districts. In addition such use shall also comply with all other applicable provisions of this Article.

Section 345-47 C1 Neighborhood Retail District

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-48 C2 Main Street Business District [Central Business District]

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-49 C3 [Design] Office and Commercial District

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-50 C4 General Commercial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-50.1 C5 Train Station Mixed Use District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-50.2 C5T Downtown Mixed Use Transitional District

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-51. CD Design Shopping Center District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-52, CDS Special Design Commercial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-53. PD Design Professional Building District.

See the Schedule of Regulations for Nonresidence Districts. (Attachments 3A and 3B)

Section 345-54. DW Design Waterfront District.

See the Schedule of Regulations for Nonresidence Districts. (Attachments 3A and 3B)

Section 345-54.1. DW2 Downtown Design Waterfront District

See the Schedule of Regulations for Nonresidence Districts. (Attachments 3A and 3B)

Section 345-54.1. DW2 Downtown Design Waterfront

A. Purpose of District

(1) It is the purpose of the DW2 Downtown Design Waterfront District to provide for appropriate scaled and environmentally sound development along the Byram River waterfront.

This section provides the criteria so that such waterfront development will enhance the Byram River waterfront without imposing potentially significant adverse environmental impacts.

B. All uses permitted in the DW2 Downtown Design Waterfront District and provided herein are granted by special exception in accordance with §345-60 and §345-61.

- (1) Multifamily dwelling.
- (2) Multifamily dwelling (floors above first floor).
- (3) Church or other place of worship.
- (4) Convalescent home or nursing home.
- (5) Membership club, fraternal organization or similar social institution not operated for a profit.
- (6) Public utility facility.
- (7) School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools.
- (8) Bank, excluding drive-in.
- (9) Hotel or motel.
- (10) Hotel, motel (floors above first floor).
- (11) Hotel, limited service.
- (12) Marina or yacht club.
- (13) Theater.
- (14) Office, office building.
- (15) Radio or television station studio, excluding transmission tower.
- (16) Radio or television station studio, excluding transmission tower (floors above first floor).
- (17) Retail store or personal service shop, services clearly incidental to retail sales on the premises or to personal services.
- (18) Veterinary hospital or board and care of small animals.
- (19) Wholesale business, storage building or warehouse
- (20) Creamery, ice cream parlor or bakery plant.

(21) Laundry or dry-cleaning plant.

(22) Nonnuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower.

(23) Printing plant.

(24) Research laboratory, provided that it shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration or hazardous from fire waste materials or the creation of excessive demands upon municipal services.

C. Permitted Accessory Uses

(1) Customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship.

(2) Ground-floor office as accessory use to multifamily development.

(3) Private garage or private off-street parking area, in accordance with §345-14.

(4) Sign, in accordance with §345-15.

D. Dimensional Standards and Regulations

(1) Maximum Floor Area Ratio (See definition, §345-2)

(a) The maximum floor area ratio (FAR): 2.4.

A 0.2 floor area ratio bonus over the maximum floor area ratio permitted is allowable, pursuant to the requirements set forth in Section 345-16(C) and the Schedule of Regulations for Nonresidence Districts, Attachment 3B with approval by the Village Board of Trustees.

(2) Maximum Floor Area Ratio for 1 Story: None required.

(3) Minimum Size of Lot

(a) Area, nonresidential (square feet): None required.

(b) Area per dwelling unit (square feet): 600.

A minimum area per dwelling unit of 500 square feet is allowable, pursuant to the requirements set forth in Section 345-16(C) and the Schedule of Regulations for Nonresidence Districts, Attachment 3B with approval by the Village Board of Trustees.

(c) Width (feet): 40.

(d) Depth (feet): None required.

(4) Minimum Yard Dimensions

(a) Front (feet): 5.

(b) Side

(i) One (feet): 5.

(ii) Total of 2 on interior lot (feet): 10.

(c) Rear (feet): 25.

(5) Maximum Height of Building

(a) In stories: 4.

(b) In feet: 50.

(6) Minimum Usable Open Space on Lot

(a) For each dwelling unit (square feet): 50. The Village Board of Trustees may accept an offer of cash in lieu of 50 square feet of useable open space per unit or portion thereof. The value shall be based on 50% of the assessed value of the land on the site, calculated by utilizing the 50 square feet of land per unit. All funds shall be kept by the Village in separate account to be used only for the acquisition, preservation, or improvement of open space.

Section 345-55. M1 Light Industrial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-56. M2 General Industrial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

...

Section 345-57 Planned Mixed Use District [PRSP Planned Railroad Station Plaza Development District]

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-57.1. M2D Designed Downtown Industrial District

See the Schedule of Regulations for Nonresidence Districts (Attachment 2)

...

SECTION 12: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article X, entitled "Special Exception Use Regulations", is hereby amended as follows:

Section 345-60 General standards

...

(B) All special exception uses in the DW Design Waterfront and DW2 Downtown Design Waterfront Districts shall meet the following additional general standards:

(1) All structures in the DW Design Waterfront District shall be set back at least 30 feet from the water's edge at mean high water or from a bulkhead, where such bulkhead exists. All structures in the DW2 Downtown Design Waterfront District shall be set back at least 25 feet from the water's edge at mean high water or from a bulkhead, where such bulkhead exists.

SECTION 13: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article X, entitled "Special Exception Use Regulations", is hereby amended as follows:

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

...

F. Gasoline Service Station

....

(4) Gasoline pumps and other service equipment shall be set back from a street lot line at least 20 feet. All other buildings and structures shall be set back at least 40 feet from a street lot line and 15 feet from other lot lines, unless larger distances are specified in the Regulations. All buildings, pumps and other service equipment shall be set back at least 30 feet from the boundary of any residence district, and a landscaped area at least 10 feet wide containing a dense screen of evergreens at least eight feet in height shall be maintained between any filling station and a contiguous lot in a residential district. [except that in any C2 Central Business District said evergreens need not be provided between any filling station and a contiguous lot in a residential district, but if said screen of evergreens is not provided, there shall be required instead a solid faced fence at least six feet high, with the smooth side facing any contiguous lot in a residential district.]

SECTION 14: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article X, entitled "Special Exception Use Regulations", is hereby amended as follows:

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

...

G. Health Club

(1) Off-street parking shall be provided in accordance with Section 345-14 in all zones, including the C2 Main Street Business District. [Central Business District] The adequacy of the parking shall be determined by considering all of the facilities to be contained within the health club.

SECTION 15: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article X, entitled "Special Exception Use Regulations", is hereby amended as follows:

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

....

X. Ground floor office as accessory use to multifamily development.

(1) The purpose of this special exception use is to permit ground floor office use in a C-2 Zone as a component of and in connection with a special exception use permitting multifamily development. For purposes of this section "office use" shall be defined as professional offices, including but not limited to medical, legal, architectural, real estate, insurance or similar professional uses. The use as a ground floor office shall be in addition to the currently permitted C2 Main Street Business [General Business] uses. This section provides criteria in which such use is to be permitted so that said special exception use may be planned and developed in an orderly manner on parcels of land which are appropriate for such use. It is further the intent to:

SECTION 16: The Code of the Village of Port Chester, Chapter 345 "Zoning", Article XI, entitled "PRSP Planned Railroad Station Development District" is deleted and new provisions of said Article, entitled "Planned Mixed Use District" is hereby added in its place and stead as follows:

Section 345-62. [PRSP Planned railroad Station Plaza Development District.] Planned Mixed Use District

[A. Permitted principal uses.]

[(1) Village parking lot or garage for passenger motor vehicles.]

[(2) Village offices or recreation facilities.]

[B. Permitted accessory uses.]

[(1) Any accessory building or use customarily incident to a permitted use.]

[C. Planned railroad station plaza development, subject to approval by the Board of Trustees, after a public hearing and pursuant to the following procedures and requirements:]

[(1) The planned railroad station plaza development may include one or a combination of the following uses:]

[(a) Any of the uses listed in Subsections A and B above.]

[(b) Membership club, fraternal organization and similar social institutions operated for profit.]

[(c) Office, office building, bank, excluding drive in facilities.]

[(d) Railroad passenger station, bus and taxi passenger facilities.]

[(e) Restaurant or other places serving food or beverages, other than a drive in restaurant.]

[(f) Retail store or personal service shop not exceeding 1,200 square feet of floor area; further provided that the total floor area devoted to such uses shall not exceed 1% of the total floor area of the principal uses in the district, excluding off-street parking, Village offices and recreation facilities, and all accessory uses.]

[(2) The planned railroad station plaza development application shall be submitted as a modification of the Village Comprehensive Plan and shall include the following:]

[(a) Proposed land use plan, including land area, total floor area by use and floor area by use for each building level.]

[(b) Proposed horizontal and vertical circulation plan for vehicles, pedestrians and service deliveries; and an analysis of the impact of the projected traffic generation on the surrounding community.]

[(c) Proposed drainage and utility service analysis and plan.]

[(d) Proposed plan for coordination of the planned railroad station plaza development proposal with projected land uses, circulation, community facilities and utilities in the vicinity, including any proposed agreements regarding such coordination.]

[(e) Such other supporting documentation as the Village Board of Trustees shall request.]

[(3) Prior to taking action on the proposed planned railroad station plaza development, the Village Board of Trustees shall hold a public hearing after public notice.]

[(4) The planned railroad station plaza development approval by the Village Board of Trustees shall be adequately documented to provide a definitive basis for the issuance of building permits. Such approval and building permits shall expire two years after such authorization if substantial work has not been completed within such period. Extension of the approval and building permits may be granted by the Board of Trustees.]

[(5) Planned railroad station plaza development uses shall be construed to be conforming uses.]

[(6) Any violation of the limitations or special conditions and safeguards established by such specific authorization and approval shall be deemed a violation of this Regulation and punishable under the provisions of Section 345-26.]

[(7) The fee for a planned railroad station plaza development zoning permit application shall be as set forth in Chapter 175, Fees. Such fee shall not be refundable.]

[(8) In approving such an application, the Village Board of Trustees shall determine that:]

[(a) Such uses will be in harmony with and will tend to promote the general purposes and intent of this Regulation and the Village Comprehensive Plan.]

[(b) The district site area is sufficient, appropriate and suitably situated for the uses and the reasonably anticipated operation and expansion thereof.]

[(c) The proposed uses will not prevent the orderly and reasonable use of adjacent properties in adjacent zoning districts.]

[(d) Access facilities are adequate for the estimated traffic from public streets, sidewalks and public transportation, so as to assure the public safety and to avoid undue traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection, except under unusual circumstances.]

[(e) All proposed curb cuts and signalization shall have been approved by the street or highway agency which has jurisdiction.]

[(f) There are off street parking and truck loading spaces at least equivalent in number to those required in this section, but in any case sufficient for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and driveways is convenient and conducive to safe operation.]

[(g) There are adequate yards, walls, fences and screening where necessary to protect the public and adjacent properties,]

[(h) Adequate provisions have been made for the collection and disposal of stormwater runoff from the site, and of sanitary sewage, refuse or other wastes, whether they be liquid, solid, gaseous or of any other character.]

[(i) Public open spaces are so designed and landscaped as to enhance the environment of the Central Business District.]

[D. Maximum floor area ratio. (See definition, Section 345-2) The maximum floor area ratios set forth herein shall apply to the aggregate of all buildings and structures on the district site.]

[(1) Parking garage structure on the east side of the railroad tracks shall have a floor area ratio not exceeding 1.80 with reference to the total district land area, provided that no one story shall exceed 0.45 and that the top floor level shall be on an open deck except for a potential covered walkway.]

[(2) Parking garage structure on the west side of the railroad shall primarily be below grade; nevertheless its floor area ratio shall not exceed 1.20 with reference to the total district land area, provided that no one story shall exceed 0.40 and that the top floor level shall be an open deck developed as the plaza setting for the proposed buildings, including only short term off street parking with an area not exceeding 50% of the total plaza area.

[(3) The aggregate floor area of any above ground structures on the west side of the railroad tracks shall not exceed a floor area ratio of 2.0 with reference to the total district land area, provided that no one story shall exceed 0.25.]

[E. Minimum size of lot.]

[(1) Area: 6 ½ acres.]

[(2) Width: none]

[(3) Depth: None]

[F. Minimum yard dimensions:]

[(1) Front: none, except as required by the Village Board of Trustees]

[(2) Side:]

[(a) Least one: none, except as required by the Village Board of Trustees]

[(b) Total of two: none, except as required by the Village Board of Trustees]

[(3) Rear: none, except as required by the Village Board of Trustees]

[G. Maximum height of buildings.]

[(1) East side of the railroad: 45 feet]

[(2) West side of the railroad: 235 feet]

[H. Maximum useable open space on lot, as required by Section 345-10C: none.]

[I. Mandatory off street loading space (as defined in Section 345-14): for all buildings other than parking garages: one space for each 60,000 square feet of floor area or part thereof, plus one additional space for railroad related use.]

[J. Other provisions and requirements.]

[(1) Required off street parking shall be computed on the basis of 3.0 parking spaces for each 1,000 square feet of net floor area, plus 500 parking spaces for railroad commuters and employees.]

A. Purpose of district.

(1) It is the purpose of the Planned Mixed Use (PMU) District to provide opportunity for appropriately scaled and context-sensitive redevelopment to replace the de-commissioned hospital located at 406 Boston Post Road (Section 141.052, Block 1, Lot 2 and Section 141.052, Block 1, Lot 2.4) and the adjacent 12-story residential apartment building located at 999 High Street (Section 141.052, Block 1, Lot 2.1), which together comprise approximately 15 acres, the largest remaining development site in the Village.

This section provides the criteria so that mixed use development, including a variety of commercial, office, residential, and community facility uses, may be planned and developed in a unified manner. The creation of a mixed use development shall be comprised of one or of a combination of the following uses:

B. Permitted principal uses.

(1) Multi-family dwellings containing efficiency, one-bedroom and two-bedroom units only; age restricted housing (e.g. 55+); convalescent home or nursing home.

(2) Hotel or motel.

(3) Bar or tavern; catering or events establishment; cabaret; table service restaurant, no drive-in, open front, fast-food or curb service types.

(4) Assembly hall; membership club; fraternal organization or similar social institution not operated for a profit.

(5) Health club, including racquetball facilities and indoor swimming pools; commercial indoor athletic training facility; bowling alley.

(6) Theater

(7) Retail store or personal service shop.

(8) Office, office building; bank, excluding drive-in.

(9) Off-street parking lot or garage for motor vehicles; minimum requirements shall be in accordance with Section 345-14.

(10) Ground-floor office as accessory use to multifamily development.

C. Permitted accessory uses.

(1) Private garage or private off-street parking area, in accordance with Section 345-14.

(2) Sign, in accordance with Section 345-15.

D. Special Exception Uses.

(1) Church or other place of worship, parish house, rectory, Sunday school, convent, seminary; customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship.

(2) Hospital; medical and dental offices; ethical pharmacy.

(3) School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools; nursery school, day camp or day-care center.

(4) Funeral home.

(5) Radio or television station studio; excluding transmission tower.

(6) Veterinary hospital or board and care of small animals.

[(7) Ground-floor office as accessory use to multi-family development.]

E. Dimensional standards and requirements.

(1) The maximum floor area ratio (FAR) for all uses shall be 0.80, excluding any incentive density increases which may be granted pursuant to the requirements set forth in Section 345-67 and with approval by the Village Board of Trustees.

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

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

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

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

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

(7) The maximum site coverage (buildings, access roads and parking, but excluding walkways) shall be seventy percent (70%).

(8) The maximum building height for hotel uses shall be eight (8) stories or eighty-five (85) feet.

(9) The maximum building height for mixed use (commercial/residential) structures shall be five (5) stories or fifty-five (55) feet. A maximum building height of eight (8) stories, or eighty-five feet shall be allowable by special exception, subject to the approval by the Board of Trustees and excluding any incentive density increases which may be granted pursuant to the requirements set forth in Section 345-67.

(10) A building height bonus of two (2) stories, or fifteen (15) feet over the maximum building height allowable by special exception is available pursuant to the requirements set forth in Section 345-16 and with approval by the Village Board of Trustees.

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

F. Approvals.

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

SECTION 17: The Official Zoning Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C2 Main Street Business District to a C5 Train Station Mixed Use District and be thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

C2 to C5

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
101-111 Westchester Ave	142.30-2-24	C2	C5
12 King St	142.30-2-25	C2	C5
136 Irving Ave	142.22-2-3	C2	C5
139 Irving Ave	142.22-2-72	C2	C5
14 King St	142.30-2-26	C2	C5
143 Irving Ave	142.22-2-71	C2	C5
143 Westchester Ave	142.30-2-21	C2	C5
144 King St	142.22-2-67	C2	C5
145 Irving Ave	142.22-2-70	C2	C5
145 Westchester Ave	142.30-2-20	C2	C5
146-148 Irving Ave	142.22-2-5	C2	C5
147 Irving Ave	142.22-2-69	C2	C5
151 Westchester Ave	142.30-2-19	C2	C5
153-157 Westchester Ave	142.30-2-18	C2	C5
16-18 King St	142.30-2-27	C2	C5
20 Broad St	142.30-2-22	C2	C5
20-24 King St	142.30-2-28	C2	C5
30 Broad St	142.22-2-2	C2	C5
34-36 Broad St	142.22-2-73	C2	C5
38 Broad St	142.22-2-74	C2	C5
40 Broad St	142.22-2-75	C2	C5
46 Broad St	142.22-2-76	C2	C5
5 N Pearl St	142.30-2-2	C2	C5
50 Broad St	142.22-2-77	C2	C5
9 -11 N Pearl St	142.30-2-1	C2	C5
Broad St	142.22-2-1	C2	C5
Broad St	142.30-2-23	C2	C5
Broad St	142.30-2-23.1	C2	C5
Irving Ave	142.22-2-4	C2	C5
King St	142.30-2-29	C2	C5
King St	142.23-1-1	C2	C5
N Pearl St	142.22-2-68	C2	C5

SECTION 18: The Official Zoning Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C2 Main Street Business District to a C5T Downtown Mixed Use District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

C2 to C5T

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
10 S Main St	142.30-2-49	C2	C5T
106 Westchester Ave	142.30-2-54	C2	C5T
11 Pearl St	142.30-2-3	C2	C5T
110 Westchester Ave	142.30-2-55	C2	C5T
112 Westchester Ave	142.30-2-56	C2	C5T
114-122 Westchester Ave	142.30-2-63.1	C2	C5T
14 S Main St	142.30-2-48	C2	C5T
140 Westchester Ave	142.30-2-65	C2	C5T
148-150 Westchester Ave	142.30-2-17	C2	C5T
15 E Broadway	142.30-2-58	C2	C5T
16 S Main St	142.30-2-47	C2/C4	C5T/C2
18 S Main St	142.30-2-46	C2/C4	C5T/C2
2 S Main St	142.30-2-53	C2	C5T
20 S Main St	142.30-2-45	C2	C5T
21 E Broadway	142.30-2-59	C2	C5T
22 S Main St	142.30-2-44	C2	C5T
4 S Main St	142.30-2-52	C2	C5T
6 S Main St	142.30-2-51	C2	C5T
7 E Broadway	142.30-2-57	C2	C5T
8 S Main St	142.30-2-50	C2	C5T
9 New Broad St	142.30-2-63	C2/C4	C5T/C4

SECTION 19: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C2 Main Street Business District to a DW2 Downtown Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

C2 to DW2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
10 Mill St	142.23-2-10	C2	DW2
1-11 Willett Ave	142.23-2-16	C2	DW2
141 Abendroth	142.23-2-47	C2	DW2
2 Highland St	142.23-2-14	C2	DW2
21 Abendroth Ave	142.23-2-11	C2	DW2
25 Abendroth Ave	142.23-2-12	C2	DW2

SECTION 20: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C4 General Commercial District to a C2 Main Street Business District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulations:

C4 to C2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
112 William St	142.38-1-37	C4	C2
113-115 William St	142.38-1-51	C4	C2
116 William St	142.38-1-38	C4	C2
118 William St	142.38-1-39	C4	C2
120 S Main St	142.38-1-32	C4	C2
122 S Main St	142.38-1-31	C4	C2
124 S Main St	142.38-1-30	C4	C2

140 S Main St	142.38-1-26	C4	C2
194 1/2 S Main St	142.38-1-28	C4	C2
194 S Main St	142.38-1-29	C4	C2
25 E Broadway	142.30-2-60	C4	C2
43 E Broadway	142.30-2-61	C4	C2
47 E Broadway	142.38-1-45	C4	C2
50 S Main St	142.38-1-53	C4	C2
51 E Broadway	142.38-1-46	C4	C2
55 E Broadway	142.38-1-47	C4	C2
57-59 E Broadway	142.38-1-48	C4	C2
63 E Broadway	142.38-1-49	C4	C2
65 E Broadway	142.38-1-50	C4	C2
S Main St	142.38-1-25	C4	C2
Westchester Ave	142.30-2-62	C4/C2	C2
William St	142.38-1-40	C4	C2
William St	142.38-1-41	C4	C2

SECTION 21: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a M1 Light Industrial District to a DW Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

M1 to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
1 Martin Pl	142.39-1-61	M1	DW
15 Beech St	142.47-1-27	M1	DW
26 Martin Pl	142.39-1-52	M1	DW
30-32 Martin Pl	142.39-1-51	M1	DW
31 Purdy Ave	142.39-1-70	M1/DW	DW
36 Martin Pl	142.39-1-50	M1	DW
38 Beech St	142.47-1-22	M1	DW
38 Townsend St*	142.39-1-31	M1/MUR	DW
40 Beech St	142.47-1-23	M1	DW
40 Martin Pl	142.39-1-49	M1	DW
44 Beech St	142.47-1-21	M1	DW
44 Purdy Ave	142.47-1-28	M1	DW
45 Townsend St	142.39-1-43	M1	DW

45 Traverse Ave	142.39-1-12	M1	DW
47 Purdy Ave	142.39-1-63	M1	DW
47 Townsend St	142.39-1-44	M1	DW
48 Beech St	142.47-1-20	M1	DW
48 Purdy Ave	142.47-1-29	M1	DW
48 Townsend St	142.39-1-30	M1	DW
49 Townsend St	142.39-1-45	M1	DW
49-51 Beech St	142.47-1-25	M1	DW
5 Dock St	142.39-1-48	M1	DW
51 Purdy Ave	142.39-1-69	M1	DW
52-54 Beech St	142.47-1-19	M1	DW
55 Purdy Ave	142.39-1-68	M1	DW
58 Townsend St	142.39-1-29	M1	DW
60 Townsend St	142.39-1-28	M1	DW
62 Townsend St	142.39-1-27	M1	DW
63 Purdy Ave	142.39-1-20	M1	DW
63 Townsend St	142.39-1-64	M1	DW
63 Traverse Ave	142.39-1-13	M1	DW
65 Traverse Ave	142.39-1-14	M1	DW
66 Townsend St	142.39-1-26	M1	DW
67 Purdy Ave	142.39-1-19	M1	DW
67-71 Townsend St	142.39-1-65	M1	DW
68 Townsend St	142.39-1-25	M1	DW
69 Traverse Ave	142.39-1-15	M1	DW
70 Purdy Ave	142.39-1-2	M1/R2F	DW/R2F
71 Purdy Ave	142.39-1-18	M1	DW
72 Townsend St	142.39-1-24	M1	DW
73 Traverse Ave	142.39-1-16	M1	DW
74 Townsend St	142.39-1-23	M1	DW
75 Traverse Ave	142.39-1-17	M1	DW
78 Townsend St	142.39-1-22	M1	DW
82 Townsend St	142.39-1-21	M1	DW
9 Beech St	142.47-1-18	M1/R2F	DW/R2F
Beech St	142.47-1-26	M1	DW
Martin Pl	142.39-1-62	M1	DW

**38 Townsend Street (TMID 142.39-1-3) also includes Parcel 4 – comprised of approximately 5,000 sf of real estate located adjacent to TMID No. 142.39-1-31 and being a portion of former TMID No. 2-100-10, all as more particularly described as follows: All that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, being more particularly bounded and described as follows:*

Beginning at a point being the intersection of the northerly line of lands now or formerly of Maria Sanellez and the westerly line of the premises herein, distant north 89° 30' 24" east 167.32 feet from the intersection of said northerly line and the easterly side of Traverse Avenue, a public way; running thence north 02° 39' 35" east, 17.39 feet; thence north 67° 45' 46" east, 20.46 feet; thence south 89° 03' 58" east, 20.21 feet; thence north 00° 00' 47" east, 6.06 feet; thence north 89° 26' 12" east, 56.41 feet to a point of curvature; thence along an arc of a circle bearing to the right, having a radius of 42.81 feet, a length of 59.84 feet to a point of tangency along the westerly line of Townsend Street; thence south 01° 19' 00" west 11.71 feet; thence leaving the westerly line of Townsend Street

Extension, south 89° 23' 34" west 105.03 feet; thence north 03° 33' 24" east, 4.03 feet; thence north 06° 16' 36" west 12.76 feet; south 89° 30' 24" west 32.45 feet to the point or place of beginning.

SECTION 22: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a M1 Light Industrial District to a R2F Two-Family Residence District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

M1 to R2F

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
10 Bulkley Ave	142.22-1-49	M1	R2F
10-12 Bush Ave	136.78-2-24	M1	R2F
11 Bulkley Ave	142.22-1-43	M1	R2F
11-13 Bush Ave	142.22-1-60	M1	R2F
12 Bulkley Ave	142.22-1-48	M1	R2F
14 Bush Ave	136.78-2-23	M1	R2F
15 Bulkley Ave	142.22-1-44	M1	R2F
15-17 Bush Ave	136.78-1-1	M1	R2F
16-18 Bulkley Ave	142.22-1-47	M1	R2F
18 Bush Ave	136.78-2-22	M1	R2F
19 Bush Ave	136.78-1-2	M1	R2F
20 Bulkley Ave	142.22-1-46	M1	R2F
20 Bush Ave	136.78-2-21	M1	R2F
21 Bush Ave	136.78-1-3	M1	R2F
227 Irving Ave	142.22-1-35	M1/C1	R2F/C1
24 Bush Ave	136.78-2-20	M1	R2F
26 Bush Ave	136.78-2-19	M1	R2F
28 Bulkley Ave	142.22-1-45	M1	R2F
30 Bush Ave	136.78-2-18	M1	R2F
31 Bush Ave	136.78-1-5	M1	R2F
32 Bulkley Ave	136.78-1-12	M1	R2F
34 Bulkley Ave	136.78-1-11	M1	R2F
34 Bush Ave	136.78-2-17	M1	R2F
35 Bush Ave	136.78-1-6	M1	R2F
36 Bush Ave	136.78-2-16	M1	R2F
38 Bulkley Ave	136.78-1-10	M1	R2F
39 Bush Ave	136.78-1-7	M1	R2F
5 Bush Ave	142.22-1-58.1	M1	R2F
57 Haseco Ave	136.78-1-9	M1	R2F

6 Bulkley Ave	142.22-1-51	M1	R2F
61 Haseco Ave	136.78-1-8	M1	R2F
7 Bulkley Ave	142.22-1-42	M1	R2F
7 Bush Ave	142.22-1-58	M1	R2F
8 Bulkley Ave	142.22-1-50	M1	R2F
8 Bush Ave	136.78-2-25	M1	R2F
9 Bush Ave	142.22-1-59	M1	R2F
Bush Ave	136.78-1-4	M1	R2F

SECTION 23: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a MUR Marina Redevelopment Project Urban Renewal District to a DW Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

MUR to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
3 Dock St	142.39-1-47	MUR	DW
43 Townsend St	142.39-1-42	MUR	DW
51 Townsend St	142.39-1-46	MUR	DW
73-75 Townsend St	142.39-1-66	MUR	DW
77 Townsend St	142.39-1-67	MUR	DW

SECTION 24: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a R2F Two Family Residence District to a PMU Planned Mixed Use District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

R2F to PMU

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
406 Boston Post Rd	141.52-1-2	R2F	PMU
406 Boston Post Rd	141.52-1-2.4	R2F	PMU
999 High St	141.52-1-2.1	R2F	PMU

SECTION 25: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a R2F Two-Family Residence District to a R5 One-Family Residence District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

R2F to R5

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
Putnam Ave	136.56-1-50	R2F/C4	R5/C4
15 Riverdale Ave	136.56-1-47	R2F	R5
17 Riverdale Ave	136.56-1-46	R2F	R5
18 Riverdale Ave	136.56-1-18	R2F	R5
19 Riverdale Ave	136.56-1-45	R2F	R5
20 Riverdale Ave	136.56-1-19	R2F	R5
21 Riverdale Ave	136.56-1-44	R2F	R5
210 Madison Ave	136.64-1-17	R2F	R5
211 Madison Ave	136.64-1-18	R2F	R5
213 Madison Ave	136.56-1-17	R2F	R5
215 Madison Ave	136.56-1-16	R2F	R5
216 Madison Ave	136.55-2-19	R2F	R5

217 Madison Ave	136.56-1-15	R2F	R5
217 Mortimer St	136.63-1-71	R2F	R5
218 Madison Ave	136.55-2-20	R2F	R5
219 Mortimer St	136.63-1-70	R2F	R5
22 Riverdale Ave	136.56-1-20	R2F	R5
221 1/2 Mortimer St	136.63-1-69	R2F	R5
221 Mortimer St	136.63-1-68	R2F	R5
222 Madison Ave	136.55-2-21	R2F	R5
223 Madison Ave	136.56-1-14	R2F	R5
223 Mortimer St	136.63-1-67	R2F	R5
225 Madison Ave	136.56-1-13	R2F	R5
226 Madison Ave	136.55-2-22	R2F	R5
229 Madison Ave	136.56-1-12	R2F	R5
23 Riverdale Ave	136.56-1-43	R2F	R5
23 Riverdale Ave	136.56-1-48	R2F	R5
230 Madison Ave	136.55-2-23	R2F	R5
231 Madison Ave	136.56-1-11	R2F	R5
232 Madison Ave	136.55-2-24	R2F	R5
233 Madison Ave	136.56-1-10	R2F	R5
233 Mortimer St	136.63-1-66	R2F	R5
234 Madison Ave	136.55-2-25	R2F	R5
235 Husted St	136.63-1-47	R2F	R5
235 Mortimer St	136.63-1-65	R2F	R5
236 Madison Ave	136.55-2-26	R2F	R5
237 Mortimer St	136.63-1-64	R2F	R5
238 Madison Ave	136.55-2-27	R2F	R5
239 Husted St	136.63-1-46	R2F	R5
239 Madison Ave	136.56-1-9	R2F	R5
239 Mortimer St	136.63-1-63	R2F	R5
240 Madison Ave	136.55-2-28	R2F	R5
241 Mortimer St	136.63-1-63.1	R2F	R5
242 Madison Ave	136.55-2-29	R2F	R5
245 Madison Ave	136.56-1-8	R2F	R5
247 Madison Ave	136.56-1-7	R2F	R5
249 Madison Ave	136.56-1-6	R2F	R5
25 Riverdale Ave	136.56-1-42	R2F	R5
250 Madison Ave	136.55-2-30	R2F	R5
252 Madison Ave	136.55-2-32	R2F	R5
254 Madison Ave	136.55-2-31	R2F	R5
258 Madison Ave	136.55-2-33	R2F	R5
26 Riverdale Ave	136.56-1-21	R2F	R5
260 Madison Ave	136.55-2-34	R2F	R5
261 Madison Ave	136.56-1-5	R2F	R5
262 Madison Ave	136.55-2-35	R2F	R5

263 Madison Ave	136.56-1-4	R2F	R5
265 Madison Ave	136.56-1-3	R2F	R5
267 Madison Ave	136.56-1-2	R2F	R5
27 Riverdale Ave	136.56-1-41	R2F	R5
28 Riverdale Ave	136.56-1-22	R2F	R5
29 Riverdale Ave	136.56-1-40	R2F	R5
31 Riverdale Ave	136.56-1-39	R2F	R5
33 Riverdale Ave	136.56-1-38	R2F	R5
35 Riverdale Ave	136.56-1-37	R2F	R5
36 Riverdale Ave	136.56-1-23	R2F	R5
37 Riverdale Ave	136.56-1-36	R2F	R5
38 Riverdale Ave	136.56-1-24	R2F	R5
40 Riverdale Ave	136.56-1-25	R2F	R5
44 Riverdale Ave	136.56-1-26	R2F	R5
46 Riverdale Ave	136.56-1-27	R2F	R5
47 Riverdale Ave	136.56-1-35	R2F	R5
48 Riverdale Ave	136.56-1-28	R2F	R5
52 Riverdale Ave	136.56-1-29	R2F	R5
54 Riverdale Ave	136.56-1-30	R2F	R5
549 Willett Ave	136.55-1-59	R2F	R5
551 Willett Ave	136.55-1-58	R2F	R5
557 Locust Ave	136.55-2-16	R2F	R5
557 Willett Ave	136.55-1-57	R2F	R5
558 Locust Ave	136.55-1-64	R2F	R5
559 Locust Ave	136.55-2-15	R2F	R5
56 Riverdale Ave	136.56-1-31	R2F	R5
560 Locust Ave	136.55-1-65	R2F	R5
561 Locust Ave	136.55-2-14	R2F	R5
561 Willett Ave	136.55-1-56	R2F	R5
562 Locust Ave	136.55-1-66	R2F	R5
563 Locust Ave	136.55-2-13	R2F	R5
565 Locust Ave	136.55-2-12	R2F	R5
565 Willett Ave	136.55-1-55	R2F	R5
566 Locust Ave	136.55-1-67	R2F	R5
568 Locust Ave	136.55-1-68	R2F	R5
569 Locust Ave	136.55-2-11	R2F	R5
569 Willett Ave	136.55-1-54	R2F	R5
570 Locust Ave	136.55-1-69	R2F	R5
571 Locust Ave	136.55-2-10	R2F	R5
572 Locust Ave	136.55-1-70	R2F	R5
573 Locust Ave	136.55-2-9	R2F	R5
574 Locust Ave	136.55-1-71	R2F	R5
576 Locust Ave	136.55-1-72	R2F	R5
579 Locust Ave	136.55-2-7	R2F	R5

58 Riverdale Ave	136.56-1-32	R2F	R5
6 Riverdale Ave	136.64-1-20	R2F	R5
62 Riverdale Ave	136.56-1-33	R2F	R5
8 Riverdale Ave	136.64-1-19	R2F	R5
Locust Ave	136.55-2-8	R2F	R5
Mortimer St	136.63-1-63.2	R2F	R5

SECTION 26: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a R7 One-Family Residence District to a DW Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

R7 to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
82-84 Fox Island Rd	142.55-1-3	R7	DW

SECTION 27: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a RA3 Multifamily Residence District to a R2F Two-Family Residence District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

RA3 to R2F

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
1 Drew St	141.44-3-61	RA3	R2F
10 Parker St	136.78-2-30	RA3	R2F
106 Poningo St	136.78-2-26	RA3	R2F
11 Parker St	136.78-3-11	RA3	R2F
110 Poningo St	136.78-2-27	RA3	R2F
114 Poningo St	136.78-2-28	RA3	R2F
118 Poningo St	136.78-2-29	RA3	R2F
12-14 Parker St	136.78-2-31	RA3	R2F

124 Poningo St	136.78-3-12	RA3	R2F
128 Poningo St	136.78-3-13	RA3	R2F
130 Poningo St	136.78-3-14	RA3	R2F
134 Poningo St	136.78-3-15	RA3	R2F
136 Poningo St	136.78-3-16	RA3	R2F
140 Poningo St	136.78-3-17	RA3	R2F
146 Poningo St	136.78-3-18	RA3	R2F
148 Poningo St	136.78-3-19	RA3	R2F
15-17 Parker St	136.78-3-10	RA3	R2F
152 Poningo St	136.78-3-20	RA3	R2F
156 Poningo St	136.78-3-21	RA3	R2F
16 Palace Pl	142.22-2-28.1	RA3	R2F
160 Poningo St	136.78-3-22	RA3	R2F
164 Poningo St	136.70-1-1	RA3	R2F
166 Poningo St	136.70-1-2	RA3	R2F
168 Poningo St	136.70-1-3	RA3	R2F
17 Palace Pl	142.22-2-56	RA3	R2F
18 Palace Pl	142.22-2-28	RA3	R2F
18 Parker St	136.78-2-32	RA3	R2F
19-21 Parker St	136.78-3-9	RA3	R2F
2 Drew St	141.44-3-62	RA3	R2F
20 Palace Pl	142.22-2-29	RA3	R2F
204 King St	142.22-2-64	RA3	R2F
208 King St	142.22-2-65	RA3	R2F
21 Poningo St	142.22-2-22	RA3	R2F
210-212 Seymour Rd	136.78-2-5	RA3	R2F
214 Seymour Rd	136.78-2-6	RA3	R2F
216 King St	142.22-2-45	RA3	R2F
217 Seymour Rd	136.78-2-52	RA3	R2F
218 King St	142.22-2-44	RA3	R2F
22 Parker St	136.78-2-33	RA3	R2F
220-222 Seymour Rd	136.78-2-7	RA3	R2F
221 Seymour Rd	136.78-2-51	RA3	R2F
224-226 Seymour Rd	136.78-2-8	RA3	R2F
228 King St	136.78-3-37	RA3	R2F
229 S Regent St	141.44-3-59	RA3	R2F
229 Seymour Rd	136.78-2-50	RA3	R2F
23 Palace Pl	142.22-2-54	RA3	R2F
23 Poningo St	142.22-2-21	RA3	R2F
231 S Regent St	141.44-3-60	RA3	R2F
232 King St	136.78-3-38	RA3	R2F
232 Seymour Rd	136.78-2-9	RA3	R2F
23-25 Parker St	136.78-2-67	RA3	R2F
233 Seymour Rd	136.78-2-49	RA3	R2F

234 Seymour Rd	136.78-2-10	RA3	R2F
235 S Regent St	141.44-3-68	RA3	R2F
235 Seymour Rd	136.78-2-48	RA3	R2F
235-241 S Regent St	141.44-3-69	RA3	R2F
237 Seymour Rd	136.78-2-47	RA3	R2F
239 Seymour Rd	136.78-2-46	RA3	R2F
241 S Regent St	141.44-3-70	RA3	R2F
243 Seymour Rd	136.78-2-45	RA3	R2F
246 Seymour Rd	136.78-2-11	RA3	R2F
247 Seymour Rd	136.78-2-44	RA3	R2F
248 Seymour Rd	136.78-2-12	RA3	R2F
25 Poningo St	142.22-2-20	RA3	R2F
251 Seymour Rd	136.78-2-43	RA3	R2F
252 Seymour Rd	136.78-2-13	RA3	R2F
26 Palace Pl	142.22-2-30	RA3	R2F
26 Parker St	136.78-2-34	RA3	R2F
27 Palace Pl	142.22-2-53	RA3	R2F
27 Poningo St	142.22-2-19	RA3	R2F
27-29 Parker St	136.78-2-66	RA3	R2F
29 Palace Pl	142.22-2-52	RA3	R2F
30 Palace Pl	142.22-2-31	RA3	R2F
30 Parker St	136.78-2-35	RA3	R2F
31 Poningo St	142.22-2-18	RA3	R2F
31-33 Parker St	136.78-2-65	RA3	R2F
32 Palace Pl	142.22-2-32	RA3	R2F
32 Parker St	136.78-2-36	RA3	R2F
32 Poningo St	142.22-1-40	RA3	R2F
33 Palace Pl	142.22-2-51	RA3	R2F
34 Palace Pl	142.22-2-33	RA3	R2F
35 Palace Pl	142.22-2-50	RA3	R2F
36 Poningo St	142.22-1-41	RA3	R2F
36-38 Parker St	136.78-2-37	RA3	R2F
37 Parker St	136.78-2-64	RA3	R2F
37 Poningo St	142.22-2-17	RA3	R2F
38-40 Palace Pl	142.22-2-34	RA3	R2F
39 Palace Pl	142.22-2-49	RA3	R2F
39 Parker St	136.78-2-63	RA3	R2F
39 Poningo St	142.22-2-16	RA3	R2F
4 Drew St	141.44-3-63	RA3	R2F
40-42 Parker St	136.78-2-38	RA3	R2F
42 Palace Pl	142.22-2-35	RA3	R2F
43 Poningo St	142.22-2-15	RA3	R2F
44/48 Poningo St	142.22-1-52	RA3	R2F
44-46 Parker St	136.78-2-39	RA3	R2F

45 Poningo St	142.22-2-14	RA3	R2F
46 Palace Pl	142.22-2-36	RA3	R2F
49 Poningo St	142.22-2-13	RA3	R2F
5 Drew St	141.44-3-67	RA3	R2F
50 Palace Pl	142.22-2-37	RA3	R2F
50 Poningo St	142.22-1-53	RA3	R2F
51 Poningo St	142.22-2-12	RA3	R2F
52 Palace Pl	142.22-2-38	RA3	R2F
54 Poningo St	142.22-1-54	RA3	R2F
54-56 Palace Pl	142.22-2-39	RA3	R2F
55 Poningo St	142.22-2-11.1	RA3	R2F
56 Poningo St	142.22-1-55	RA3	R2F
57 Palace Pl	136.78-3-34	RA3	R2F
57 Poningo St	142.22-2-11	RA3	R2F
58 Palace Pl	136.78-3-35	RA3	R2F
58 Palace Pl	136.78-3-36	RA3	R2F
58 Poningo St	142.22-1-56	RA3	R2F
59 Summerfield Pl	142.22-2-48	RA3	R2F
6 Drew St	141.44-3-64	RA3	R2F
60 Summerfield Pl	142.22-2-40	RA3	R2F
61 Poningo St	142.22-2-10	RA3	R2F
62 Summerfield Pl	142.22-2-41	RA3	R2F
63 Poningo St	142.22-2-9	RA3	R2F
63 Summerfield Pl	142.22-2-47	RA3	R2F
64 1/2 Summerfield Pl	142.22-2-41.1	RA3	R2F
64 Summerfield Pl	142.22-2-42	RA3	R2F
65 1/2 Poningo St	142.22-2-7	RA3	R2F
65 Poningo St	142.22-2-8	RA3	R2F
65 Summerfield Pl	142.22-2-46	RA3	R2F
66 Poningo St	136.78-2-1	RA3	R2F
67 Poningo St	136.78-3-33	RA3	R2F
7 Drew St	141.44-3-66	RA3	R2F
70 Poningo St	136.78-2-2	RA3	R2F
70 Summerfield Pl	142.22-2-43	RA3	R2F
73 Poningo St	136.78-3-32	RA3	R2F
74 Poningo St	136.78-2-3	RA3	R2F
75 Poningo St	136.78-3-31	RA3	R2F
78 Poningo St	136.78-2-4	RA3	R2F
7-9 Maple Pl	136.78-3-8	RA3	R2F
9 Drew St	141.44-3-65	RA3	R2F
Bush Ave	142.22-1-57	RA3	R2F
Palace Pl	142.22-2-55	RA3	R2F
Palace Pl	142.22-2-57	RA3	R2F

SECTION 28: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a RA4 Multifamily Residence District to a RA2 Multifamily Residence district and thereafter be subject to the requirements and regulations of such district as described in the Code of the Village of Port Chester.

RA4 to RA2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
356 Irving Ave	136.77-1-41	RA4	RA2
378 Irving Ave	136.77-1-42	RA4	RA2
380 Irving Ave	136.77-1-43	RA4	RA2
384 Irving Ave	136.77-1-44	RA4	RA2
388 Irving Ave	136.77-1-45	RA4	RA2
392 Irving Ave	136.77-1-46	RA4	RA2
394 Irving Ave	136.77-1-47	RA4	RA2
398 Irving Ave	136.77-1-48	RA4	RA2
402 Irving Ave	136.77-1-49	RA4	RA2

SECTION 21: Conflict with Other Laws

Whenever the requirements of this local law are in conflict with the requirements of any other lawfully adopted local laws, the most restrictive of such local law, or those imposing higher standards shall govern.

SECTION 22: Validity and Severability

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 23: Effective Date

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

ZONING

345 Attachment 1A

Village of Port Chester
Schedule of Regulations for Residence Districts
Part 1, Use Regulations

Type of Use	Districts							
	R20 One-Family Residential §345-391	R7 One-Family Residential §345-40	R5 One-Family Residential §345-41	R2F Two-Family Residential §345-42	RA2 Multi-family Residential §345-43	RA3 Multi-family Residential §345-44	RA4 Multi-family Residential §345-45	[PTD Planned Tower Development §345-46]
Residential Uses								[X]
One-family dwelling	P	P	P	P	P	P	P	[X]
Two-family dwelling, including covered one-family dwelling on adequate lot	X	X	X	P	P	P	P	[X]
Multifamily dwelling, excluding cooperative or condominium dwelling	X	X	X	X	P	P	P	[X]
Multifamily cooperative or condominium dwelling	X	X	X	X	P	P	P	[P]
Residential Facilities								
Church or other place of worship, parish house, rectory, Sunday school, convent, seminary	SE	SE	SE	SE	SE	SE	SE	[X]
Park, playground or recreation facility operated by the Village of Port Chester	P	P	P	P	P	P	P	[P]
Residential community facility, such as library, museum or community center, operated by the Village of Port Chester	P	P	P	P	P	P	P	[X]
School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools	P	P	P	P	P	P	P	[X]
General Community Facilities								[X]
Hospital	X	X	X	SE	SE	SE	SE	[X]
Membership club, fraternal organization and similar social institutions not operated for profit	X	X	X	SE	SE	SE	SE	[SE]
Municipal off-street parking lot or garage	X	X	X	P	P	P	P	[P]
Nursery school	X	X	X	SE	SE	SE	SE	[X]
Public utility building serving the local area only, excluding material storage or building, and general service facility	X	X	X	SE	SE	SE	SE	[X]
Business Uses								[X]
Funeral home	X	X	X	X	SE	SE	SE	[P]
Hotel, motel, boatal	X	X	X	X	X	X	X	[P]
Marina, private, or yacht club	X	X	X	X	X	X	X	[P]
Office or studio of a nonresident physician, dentist, town planner, architect, engineer or similar professional person	X	X	X	X	P	P	P	[P]
Office, office building, bank, excluding drive-in facility	X	X	X	X	X	X	X	[P]
Restaurant other than drive-in, open-front, or curb-service types	X	X	X	X	X	X	X	[P]
Nonresident physicians office on hospital grounds in accessory building [Added 2-9-1978 by L.L. No. 3, 1978]	X	X	X	SE	SE	SE	SE	[X]
Accessory Uses								
Accommodations for not more than 2 nontransient roomers per owner-occupied dwelling unit, except in multifamily dwellings, provided that there is no separate kitchen or entrance	P	P	P	P	P	P	P	[X]
Customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship.	P	P	P	P	P	P	P	[P]
Home occupation	SE	SE	SE	SE	SE	SE	SE	[X]
Home professional office or studio of a physician, dentist, architect, engineer or similar professional person	P	P	P	P	P	P	P	[P]
Personal service shops not exceeding 500 square feet in area designed to serve only residents and nonresidential occupants, with a total area not exceeding 40,500 square feet or 20,000 square feet in any 1 building	X	X	X	X	X	X	X	[P]
Private garage or private off-street parking space, in accordance with §§ 345-14 and 345-23 [Amended 4-26-1989 by L.L. No. 10, 1989]	P	P	P	P	P	P	P	[P]
Private swimming pool	P	P	P	P	P	P	P	[P]
Sign, in accordance with § 345-15	P	P	P	P	P	P	P	[P]

NOTE:
P = permitted use
SE = special exception use
X = prohibited use
All unlisted uses are prohibited in all districts.
¹ [Added 9-5-1995 by L.L. No. 6-1995]

ZONING

345 Attachment 1 B

Village of Port Chester
 Schedule of Regulations for Residence Districts
 Part 2, Dimensional Regulations

	Districts							
	R20 One-Family Residential §345-39 ¹	R7 One-Family Residential §345-40	R5 One-Family Residential §345-41	R2F Two-Family Residential §345-42	RA2 Multi-family Residential §345-43	RA3 Multi-family Residential §345-44	RA4 Multi-family Residential §345-45	[PTD Planned Tower Development § 345-46]
Maximum Floor Area Ratio								
(See definition, § 345-2)	[0.50] 0.35	[0.60] 0.50	[0.70] 0.60	[0.80] 0.70	[1.00] 0.90	[1.60] 1.50	[2.5] 2.00	[[a]]
Minimum Size of Lot:								
Area, total (square feet)	20,000	7,500	5,000	5,000	5,000	5,000	5,000	[4.75 acres]
Area per dwelling unit (square feet)	20,000	7,500	5,000	2,500	1,500	750	750	[575]
Width (feet)[(g)] c	125	70	50	50	50	50	50	[100]
Depth (feet)	150	100	100	100	100	100	100	[100]
Minimum Yard Dimensions:								
Front (feet)[(h)] d	40	30	25	20	50	20	25	[NR]
Side								
One (feet)	15	10	8	8	25	a [(b)]	b [(c)]	[NR(d)]
Total of 2 on interior lot (feet)	40	20	14	14	50			[NR(d)]
Rear (feet)	40	30	30	30	25	30	30	[NR]
Maximum Height of Building:								
In stories	2½	2½	2½	2½	3	[8] 6	[10] 7	[(e)]
In feet	35	35	35	35	40	[70] 60	[95] 70	[(e)]
Minimum Usable Open Space								
For each dwelling unit (sq. ft.)	5,000	3,500	2,000	800	400	400	400	[400 (f)]

NOTES:

[(a) The maximum floor area ratios set forth herein shall apply as indicated to all buildings and structures on the site:]

[(1) For the base structure or the first enclosed stories above ground level, a maximum floor area ratio of three and two-tenths (3.2) exclusive of the open deck which shall be set aside for usable open space and related pedestrian activities, provided that no one (1) story shall exceed zero and eight-tenths (0.8).]

[(2) For tower stories above the base structure or first enclosed stories above ground level, a maximum floor area ratio of five and three-tenths (5.3), provided that no one (1) story shall exceed zero and two-tenths (0.2).]

a [(b)] Each twenty-five (25) feet or one-half (½) the height of the building, whichever shall be the greater, except that one-and two-family dwellings shall have yards of not less than eight (8) feet.

b [(c)] Each twenty (20) feet or one-half (½) the height of the building, whichever shall be greater, except that one-and two-family dwellings shall have yards of not less than thirty (30) feet.

[(d) If provided, at least ten (10) feet per yard.]

[(e) Maximum height of building:]

[(1) In stories: none.]

[(2) In feet:]

[(a) For the base structure or first enclosed stories above ground level: fifty (50) feet.]

[(b) Overall height of base structure and tower structures: three hundred fifteen (315) feet.]

[(c) Minimum usable open space on the open deck at the top of the base structure.]

(1) One hundred (100) square feet for each dwelling unit and for each hotel, motel or boater room designed for the overnight accommodation of guests.

(2) All structures shall be set back at least ten (10) feet from the water's edge along the Byram River and the Byram River Cove; provided, however, that

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

d [(h) Section 345-10I must be complied with.

NR = none required

ZONING

345 Attachment [1] 2

Village of Port Chester

Schedule of Regulations for Designed Industrial District

Part 1, Use Regulations

Type of Use	M2D District §345-57.1
General Community Facilities	
Public utility facility	P
Railroad or other rapid-transit passenger stations, including accessory services and rights-of-way	P
Railroad or other rapid-transit passenger stations, freight siding and accessory services and rights-of-way	P
Recreational facility, provided that such facility is within a totally enclosed structure designed and used for participation only	P
Vocational training, secretarial and business schools	P
Telephone exchange	P
Business Uses	
Heating, air conditioning, plumbing, electrical and similar construction business, including outdoor storage of equipment, materials or vehicles, provided that the same shall be suitably screened from view of public streets	P
Office, office building, bank or other financial institution, including drive-in facility	P
Wholesale business, storage building, warehouse and distribution center	P
Common carriers, contract carriers and other freight and materials trucking businesses and terminals, provided that any lot used for such purposes does not exceed five (5) acres in size, and provided further that the aggregate of all such lots within any district used for such purposes do not, in the aggregate, exceed six (6) acres	P
Industrial Uses	
Cold storage plant, freezer plant, ice plant and center distribution station	P
Creamery, ice cream plant, bakery plant and food processing plant	P
Nonnuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than five (5) horsepower	P
Other industrial uses not offensive, obnoxious or detrimental to the neighborhood by reason of dust, smoke, vibration, noise, odor or other effluents	SE
Accessory outdoor freight facilities for public use	P
Plant for printing, lithography photoengraving and other similar duplicating processes	P
Research and development laboratory, provided that it shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration, hazardous from fire waste materials or the creation of excessive demands upon municipal services	P
Light or power plant, garbage or sewage disposal facility, provided that the same are designed for and used by only the owners and tenants of lots within a Designed Industrial (M2D) District and the owners and tenants of commercial lots which are contiguous thereto	P
Accessory Uses	
Private garage or private off-street parking area, in accordance with § 345-14	P
Sign, in accordance with § 345-15	P
Maintenance and service facilities relating solely to the authorized principal use or uses	P
Residence of superintendent, caretaker or watchman	P
Cafeterias, lunchrooms and similar facilities, provided that the use thereof is limited to employees and their guests	P

NOTE:

P = Permitted Use

SE = Special Exception Use

Village of Port Chester
 Schedule of Regulations for Nonresidence Districts
 Part 3, Use Regulations

Type of Use	Districts															
	C1 Neighborhood Retail 3345-47	C2 Central Business 3345-48	C3 Main Street Business 3345-48	C3a District Office and Commercial 3345-49	C4 General Commercial 3345-50	C5 Train Station Mixed Use 3345-50.1	C5T Downtown Mixed Use Transitional 3345-50.2	CD Design Shopping Center 3345-51	CD5 Special Design Commercial 3345-52	PD Design Professional Building 3345-53	DIV Design Waterfront 3345-54	DW7 Downtown Design Waterfront 3345-54.1	M1 Light Industrial 3345-55	M2 General Industrial 3345-56	JRSP Planned Railroad Station Plaza Development 3345-57	PMU Planned Mixed Use 3345-57
Residential Uses																
1 Family Dwelling	X	[N]	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2 Family Dwelling	X	[N]	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Multifamily Dwelling	X	[N]	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Multifamily Dwelling (floors above first floor)	X	[N]	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Residential Community Facilities																
Church or other place of worship, Parish House, Rectory, Sunday School, Convent, Seminary	SE	[N]	SE	SE	SE	SE	SE	SE	X	X	SE	SE	SE	[See § 345-62]	SE	
General Community Facilities																
Assembly Hall	X	[N]	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	
Consistent home or nursing home	X	[N]	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	
Hospital	X	[N]	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	
Medical and dental offices, not including operating room or community X-ray or therapy room	X	[N]	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	
Membership club, fraternal organization or similar social institution not operated for a profit	X	[N]	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	
Nursery, school, day camp or day care center	SE	[N]	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	
Public utility facility	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]	
Planned railroad station plaza, as provided in §345-57	X	[N]	SE	X	X	SE	SE	X	X	X	SE	X	X	X	X	
School, elementary or high, public, private, or parochial, having a curriculum equivalent to that ordinarily given in public schools.	X	[N]	SE	X	X	SE	SE	X	X	X	SE	X	X	X	X	
Medical and dental offices including X-ray and therapy room	X	[SE]	SE	X	X	SE	SE	X	X	X	X	X	X	X	X	
Business Uses																
Automobile repair garage	X	[N]	X	X	SE	X	X	X	X	X	X	X	X	X	X	
Bar, including distillery	X	[P]	X	X	X	X	X	X	X	X	X	X	X	X	X	
Bar or Tavern	X	[P]	X	X	X	X	X	X	X	X	X	X	X	X	X	
Bowling Alley	X	[P]	X	X	SE	X	X	X	X	X	X	X	X	X	X	
Cabaret	X	[P]	X	X	X	X	X	X	X	X	X	X	X	X	X	
Catering and Events Establishment	X	[P]	X	X	X	X	X	X	X	X	X	X	X	X	X	
Commercial Indoor Athletic Training Facility	X	[N]	X	X	X	X	X	X	X	X	X	X	X	X	X	
Drive-in establishments other than restaurant, or circus, carnival, or other outdoor amusements	X	[SE]	X	SE	SE	X	X	SE	X	X	X	X	X	X	X	
Diner and fast-food restaurant	X	[N]	X	X	SE	X	X	X	X	X	X	X	X	X	X	
Food processing shop	SE	[N]	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	
Funeral Home	X	[N]	X	X	SE	X	X	X	X	X	X	X	X	X	X	
Golfing Station	X	[SE]	X	X	X	X	X	X	X	X	X	X	X	X	X	
Health Club (including racquetball facilities and indoor swimming pools)	X	[SE]	X	X	X	X	X	X	X	X	X	X	X	X	X	
Heating, air conditioning, plumbing, electrical, and similar construction businesses, excluding open storage of materials	X	[N]	X	X	X	X	X	X	X	X	X	X	X	X	X	

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

All unlisted uses are prohibited in all districts.
 Editor's Note: See §345-56 for additional special exception uses in the M2 District.

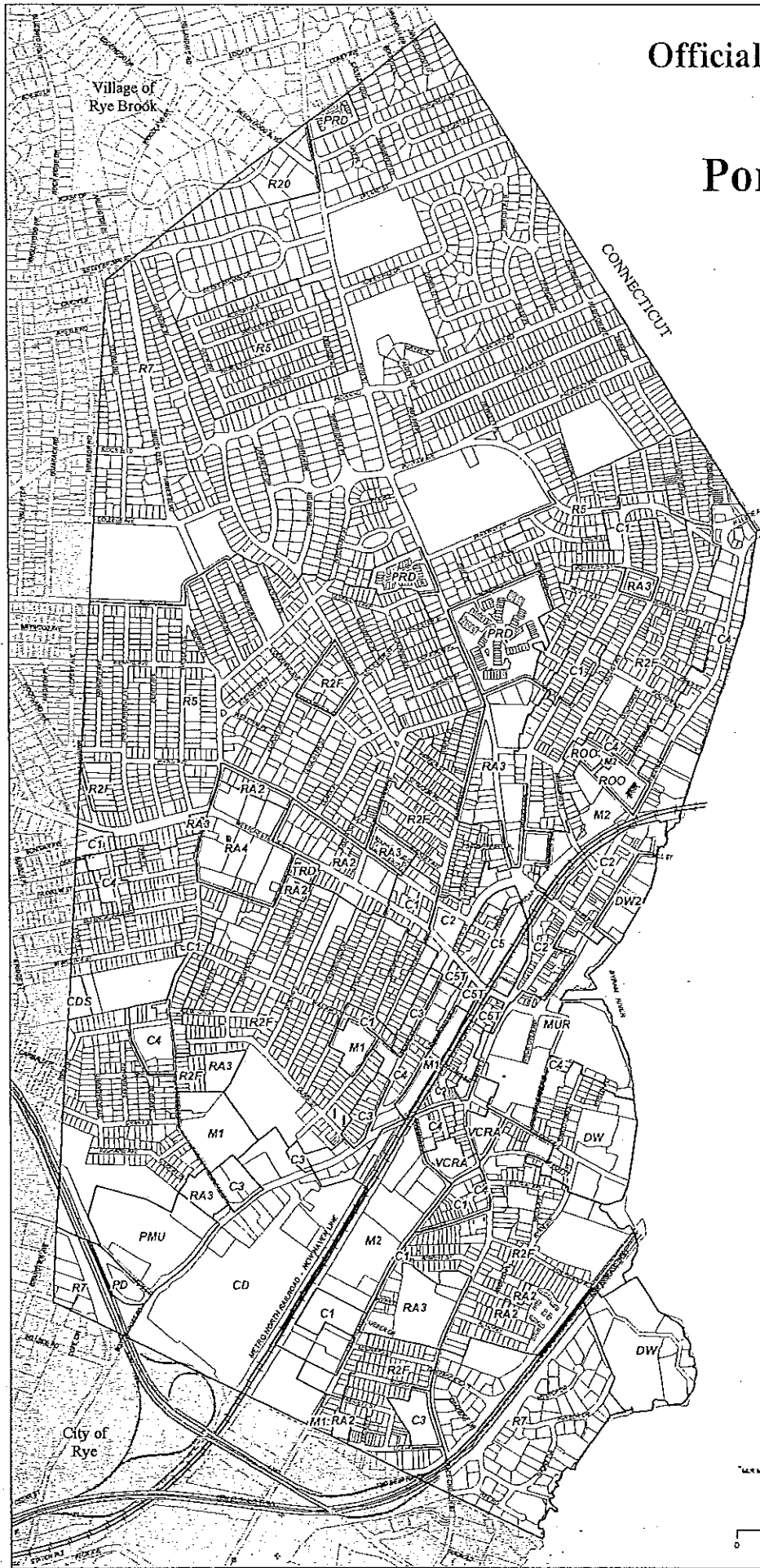
Village of Port Chester
Schedule of Regulations for Nonresidence Districts
Part 2. Dimensional Regulations

Type of Use	Minimum Floor Area Ratio (See Section 2.04)	Maximum Floor Area Ratio (See Section 2.04)	Minimum Lot Area (See Section 2.04)	Minimum Lot Width (See Section 2.04)	Minimum Lot Depth (See Section 2.04)	Minimum Yard Dimensions (See Section 2.04)	Minimum Front Yard (See Section 2.04)	Minimum Side Yard (See Section 2.04)	Minimum Rear Yard (See Section 2.04)	Minimum Open Space on Lot (See Section 2.04)	Notes
CI Neighborhood Retail § 245-47	1.0	1.2	3,200	30	30	10	10	10	10	50%	
C2 Central Business District § 245-48	1.0	1.2	3,200	30	30	10	10	10	10	50%	
C3 Main Street Residential § 245-49	1.0	1.2	3,200	30	30	10	10	10	10	50%	
C4 Office/Commercial § 245-50	1.0	1.2	3,200	30	30	10	10	10	10	50%	
C5 General Commercial § 245-51	1.0	1.2	3,200	30	30	10	10	10	10	50%	
C6 General Commercial (Multi-Family Dwellings) § 245-52	1.0	1.2	3,200	30	30	10	10	10	10	50%	
C7 Transit Station Mixed Use § 245-53	1.0	1.2	3,200	30	30	10	10	10	10	50%	
C8 Downtown Mixed Use Traditional District § 245-54	1.0	1.2	3,200	30	30	10	10	10	10	50%	
CD Design Shopping Center § 245-55	1.0	1.2	3,200	30	30	10	10	10	10	50%	
CD Special District Commercial § 245-56	1.0	1.2	3,200	30	30	10	10	10	10	50%	
Special Exception Use ¹											
PD Design Professional Building § 245-57	1.0	1.2	3,200	30	30	10	10	10	10	50%	
OW Design Waterfront § 245-58	1.0	1.2	3,200	30	30	10	10	10	10	50%	
OWZ Design Waterfront § 245-59	1.0	1.2	3,200	30	30	10	10	10	10	50%	
M1 Light Industrial § 245-60	1.0	1.2	3,200	30	30	10	10	10	10	50%	
M2 General Industrial § 245-61	1.0	1.2	3,200	30	30	10	10	10	10	50%	
PPSP Planned Railroad Station Plaza Development § 245-62											See § 245-62
PAU Planned Mixed Use § 245-63											See § 245-63

NOTES:
(a) If provided at least ten (10) feet per yard.
(b) One-half (1/2) the height of the building to which the yard is related, but not greater than twenty (20) feet.
(c) Each twenty (20) feet or one-half (1/2) the height of the building, whichever is greater.
(d) Twenty (20) square feet for each patient bed in a sanatorium, convalescent home or nursing home.
(e) In the event that the site of a special exception use is partially within the Village of Port Chester and partially within the Town of Port Chester, provided that the average floor area ratio for the entire site, both within the Village of Port Chester and within the Town of Port Chester, does not exceed thirty (30) hundredths (0.30).
(f) On a state or county road or highway or shall be contiguous to and in common ownership with a site which shall have said minimum frontages.
(g) Other than other buildings.
(h) Applicable only in the event that the site of a special exception use is partially within the Town of Port Chester and partially within the Village of Port Chester.
(i) Improved exterior space, e.g., recreation areas and gardens, may be included in the open space calculation. In addition, those portions of rooftop space that have been developed for recreational use and are made available for such use to occupants of the building as courts, swimming pools, deck areas or the like may, upon approval by the Planning Commission, be included in the open space calculation.
(j) Must be maintained from the minimum front yard depth to the rear lot line.
(k) Floor area ratio (FAR) bonus of 0.8 is available in accordance with § 245-16.
(l) A floor area bonus of 0.8 is available in accordance with § 245-16.
(m) A floor area bonus of 0.8 is available in accordance with § 245-16.
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(y) A floor area bonus of 0.8 is available in accordance with § 245-16.
(z) A floor area bonus of 0.8 is available in accordance with § 245-16.

Official Zoning Map

Village of Port Chester New York

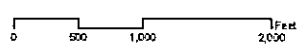


MAP NOTE: This map was produced by C. Gross, Village of Port Chester Director of Planning and Development - March 2013.

ZONING DISTRICTS

- SINGLE FAMILY RESIDENTIAL**
- R20 One Family Residence 20,000 sq ft min lot
- R7 One Family Residence 7,500 sq ft min lot
- R5 One Family Residence 5,000 sq ft min lot
- TWO-FAMILY RESIDENTIAL**
- R2F Two Family Residence 5,000 sq ft min lot
- MULTI-FAMILY RESIDENTIAL**
- RA2 Multi Family Residence 5,000 sq ft min lot
- RA3 Multi Family Residence 5,000 sq ft min lot
- RA4 Multi Family Residence 5,000 sq ft min lot
- PLANNED RESIDENTIAL**
- PRD Planned Residential Development
- COMMERCIAL**
- C1 Neighborhood Retail
- C2 Main Street Business
- C3 Office and Commercial
- C4 General Commercial
- CD Design Shopping Center
- CDS Special Designed Commercial
- OFFICE**
- PD Design Professional Building
- INDUSTRIAL**
- M1 Light Industrial
- M2 General Industrial
- WATERFRONT**
- MUR Marina Urban Redevelopment
- DW Design Waterfront
- DW2 Downtown Design Waterfront
- MIXED USE & OTHER**
- ROO Residential Office Overlay
- VCRA Village Center Redevelopment Area
- TRD Transitional Residential Development
- PMU Planned Mixed Use
- CS Train Station Mixed Use
- CST Downtown Mixed Use Transitional

*Map Shows Urban Planning and Land Use Zone in C2 Area, Area of Marine District



BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF PORT CHESTER, NEW YORK
DENNIS PILLA, Mayor
JANUSZ R. RICHARDS, Village Clerk

Adopted: March 18, 2013