

**CITY OF RYE
1051 BOSTON POST ROAD
RYE, NY 10580
AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL
Wednesday, July 17, 2019
7:30 p.m.**

Please Note: The Council will convene at 6:30 p.m. and it is expected they will adjourn into Executive Session at 6:31 p.m. to discuss attorney-client privileged matters, personnel matters and labor negotiations.

1. Pledge of Allegiance.
2. Roll Call
3. General Announcements.
4. Draft unapproved minutes of the Regular Meeting of the City Council held June 5, 2019.
5. Residents may be heard on matters for Council consideration that do not appear on the Agenda.
6. Acceptance of a donation to the City from the Disbrow Park Conservancy, owner of the Little Free Library, to install a free children's book exchange for residents at Disbrow Park.
Roll Call
7. Open a public hearing on a local law to allow physical fitness facilities in the B-1 (Neighborhood Business) and B-4 (Office Building) Zoning Districts.
8. Open a public hearing to amend the City Code Chapter 191 "Vehicles and Traffic", Article II "Traffic Regulations", Section 191-9 "Left turns" to prohibit left-hand turns and cross-Boston Post Road maneuvers from Hillside Avenue onto Boston Post Road with a posted "Right-turn only" sign.
9. Brief update on Food Scrap Recycling Test currently in progress.
10. Presentation on City Financials by Brendan K. Kennedy of the auditing firm of BST & Co, LLP.
11. Presentation by Stantec regarding potential Nursery Field donor-funded renovation.
12. Resolution to transfer \$90,000 from General Unassigned Fund balance to the Nursery Field Account to fund the re-design of Nursery Field.
Roll Call
13. Update on Capital Projects.

14. Consideration to set a public hearing on August 7, 2019 to add Article VI “Vestibules” to Chapter 167 (Streets and Sidewalks) of the City Code of the City of Rye to facilitate the use and implementation of vestibules on the City’s sidewalks, allowing commercial properties to insulate interiors in a safe and proper manner.
15. Consideration to set a public hearing for August 7, 2019 to adopt a local law, Article 21 “Financial Procedures” of the Charter of the City of Rye section § C21-9 “Bond Resolutions” to add a new subsection G to allow certain well-qualified debt of enterprise funds outside the charter debt limit.
16. Acknowledge Verizon Wireless application for a special permit to install a wireless communication facility on the roof of the Verizon building located at 182 Purchase Street.
17. Resolution to declare certain City equipment as surplus.
Roll Call
18. Consideration of a request from Rye Nature Center to waive parking restrictions at the snow field lot to accommodate summer employees on weekdays retroactive from July 1, 2019 – August 9, 2019.
19. Consideration to authorize the Comptroller to transfer \$6,000 from the Rye Golf Club Contingency Fund to Legal Claims and Settlements for the Lyon’s case.
Roll Call
20. Consideration of a request from Leigh Steckler to have a food truck on Saturday, July 27, 2019 at Rye Town Park from 7:00 pm – 8:00 pm for a graduation party. The City Council will have to waive § 144-8D and G of the City Code.
Roll Call
21. Old Business/New Business.
22. Adjournment

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The next regular meeting of the City Council will be held on Wednesday, August 7, 2019 at 7:30 p.m.

** City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at www.ryeny.gov under “RyeTV Live”.

The Mayor and City Council have office hours in the Mayor’s Conference Room Annex at Rye City Hall, 1051 Boston Post Road. Attendance by the Mayor and Council Members will vary. The Mayor’s Conference Room Annex is located on the 1st floor of City Hall adjacent to the Council Chambers. Hours are as follows:

**Mondays 9:30 a.m. to 11:00 a.m.
Wednesdays 9:30 a.m. to 11:00 a.m.**

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on June 5, 2019, at 7:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
EMILY HURD
RICHARD MECCA
JULIE SOUZA
BENJAMIN STACKS
Councilmembers

ABSENT: None

The Council convened at 6:30 P.M. Councilman Mecca made a motion, seconded by Councilwoman Hurd, enter into executive session to discuss litigation and personnel matters. At 7:34 P.M., Councilman Mecca made a motion, seconded by Councilwoman Hurd, to exit executive session and commence the regular meeting of the City Council. The meeting began at 7:39 P.M.

1. Pledge of Allegiance.

Mayor Cohn called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call.

Mayor Cohn asked the City Clerk to call the roll; a quorum was present to conduct official City business.

3. General Announcements.

Councilwoman Goddard announced that there will be a new drop-off opportunity for Food Scrap Recycling program participants on Saturdays from 6:00 to 10:00 a.m. at the DPW. The Monday through Friday 6:00 a.m. to 3:00 p.m. time was still in effect for the program, as well as at the Farmer's Market on Sundays.

Councilman Mecca was happy to announce that the Rye Free Reading Room had a celebration marking the completion of its capital campaign project. He said that the library improvements were lovely and praised the renovations. He invited the community to come to the library and see the improvements.

Councilwoman Hurd said that the Boat Basin was off to a great season. She said that there was the same number of boats this year that they had in previous years. Slips were still available for boats 23 feet and under. She also announced that the Carefree Boat Club has also been a

success. Also, with regard to Rye Town Park, Councilwoman Hurd said that the new parking system was functioning and has been a bit of a transition. The park had a successful Memorial Day Weekend. She also announced that the Barley House was redecorated, reorganized, and ready to go for the season. She reminded the community that patrons of the restaurant may have their parking validated.

Councilwoman Tagger-Epstein said that Friday, June 7, 2019, marks the beginning of Wear Orange Weekend to bring awareness to national gun violence, sponsored by Everytown for Gun Safety. She said that there were various events happening for this occasion, one being held at the Westchester County Center. Councilwoman Tagger-Epstein warned of the seriousness of gun violence, taking lives every day. She encouraged the community to look into the Moms Demand Action and Everytown for Gun Safety websites. Councilwoman Tagger-Epstein also announced that the Rye Historical Society Gala would be held Saturday, June 8, 2019. Regarding the Human Rights Commission, she stated that after a 15 year hiatus, the Human Rights Award is coming back to the interfaith service. There will be an individual award as well as a youth award. Eligibility requirements will be posted online and available in the City Clerk's office. The award will go to someone who works to create an inclusive community around them. The deadline for nominations will be October 15, 2019.

Councilwoman Souza announced that camp registration was still open for Rye Recreation. She also announced that the Chamber of Commerce will have its annual meeting June 6, 2019 at 5:30 P.M. at American Yacht Club.

Councilman Stacks stated that the Rye Golf Club has been very active. He said the course was in great shape and the pool was open. He also said that Movie Night would be coming back to the club soon. Councilman Stacks also reminded the community that senior citizens who register with Rye Recreation for the 2019 year would be permitted to visit the pool twice per week at a discounted rate of \$5 per visit. On behalf of the Finance Committee, Councilman Stacks reported that they have been meeting regularly and working hard.

Mayor Cohn announced that the County has created City/ Village days in the summer at Rye Playland, allowing for residents of a specific town to take advantage of discounted deals on a given date. He stated that Rye Day would be Thursday, August 15, 2019.

4. Draft unapproved minutes of the Regular Meeting of the City Council held May 22, 2019.

Councilman Mecca made a motion, seconded by Councilwoman Hurd, to approve the minutes of the regular meeting of the City Council held May 22, 2019.

5. Residents may be heard on matters for Council consideration that do not appear on the Agenda.

There was nothing discussed under this agenda item.

6. Consideration of a request from Universal Content Productions to film an episode of "Mr. Robot" on Purchase Street on Monday, July 15, 2019 with the following accommodations in exchange for a fee to be negotiated:

- Waive parking restrictions on the Snow Lot July 12, 15 and 16, 2019
- Occupy spots #22-#71 of Car Park 1 on July 15th, 7 am – 8:30 pm
- Permission to close Haviland St. on July 15th from 8am – 12 pm
- Occupy up to 10 parking spots on Purchase Street from Boston Post Road to Locust Street on July 15th, from 12:30 pm – 3:30 pm
- Occupy up to 15 parking spots on Purchase Street from W. Purdy to Smith Street on July 15th, from 3:30 – 8:30 pm
- Occupy 10-15 municipal spots on July 12 and 16, 2019 from 7 am – 8:30 pm

City Manager Serrano introduced City Clerk D’Andrea. City Clerk D’Andrea explained that City Code Chapter 93 allows for filming in the City of Rye, pursuant to a permit process for applicants. The subject of this particular application was Mr. Robot, a television series that applied to film in downtown Rye. While the permitting process for a film permit typically involves the office of the City Clerk, it was appropriate for the Council to hear this matter. The applicant was asking to use public space and parking, and also for the City to waive certain parking restrictions on Purchase Street, in Car Park 1, and on the Snow Field.

Michele Baker, Location Scout Manager for Mr. Robot, addressed the Council. She explained the proposed details of the project, with one day of filming and one day of set up and breakdown. She said that the project was drawn to Rye due to its beauty and charm.

Councilman Mecca asked about the need for food trucks for catering purposes, as this would require a waiver of the food truck law.

Councilwoman Tagger-Epstein asked if there was plan in case they did not get all of their intended shots. Ms. Baker responded that they felt their timeline was adequate enough to get all of the required shots on the one day of filming.

Councilwoman Goddard asked about the logistics of a rain date. Ms. Baker responded that the team would know ahead of the setup day whether a rain date would be necessary.

Councilwoman Hurd thanked the team for speaking with the Chamber of Commerce and answering any questions they may have had.

Pursuant to a film permit issued by the City Clerk, Councilwoman Souza made a motion, seconded to Councilwoman Tagger-Epstein, top adopt the following resolutions:

RESOLVED, that specific parking restrictions of City Code Chapter 191 are hereby waived for the film shoot scheduled for July 15, 2019, rain date to be decided, on Purchase Street in the City of Rye between Purdy Avenue and Boston Post Road, in Car Park 1, Haviland Lane, and on the Snow Field parking lot.

RESOLVED, that City Code Chapter 144-8 (D) and (G) are hereby waived for the film shoot scheduled for July 15, 2019, rain date to be decided, to permit food trucks on public streets in the City of Rye, specifically for Universal Content Productions.

7. Authorize the preparation and execution of two quitclaim deeds to transfer parcels No. 45 and 53 from the City of Rye to the County of Westchester to properly record the conveyance of these two parcels in 1927 from the Village of Rye to the County of Westchester. The parcels are currently occupied by the Westchester Children’s Museum.

Mayor Cohn explained that this resolution would formalize an effort attempted in 1927 concerning a property conveyance from the formerly known Village of Rye to the County of Westchester.

Corporation Counsel Wilson further stated that this resolution would authorize her to work with the County to execute two quit claim deeds. The parcels were currently occupied by the Westchester Children’s Museum.

Daniela Infield, Assistant County Attorney, addressed the Council. She said that when the County acquired the subject land, the deeds were never filed. She also appreciated the speed at which the City put this matter on the agenda.

Councilwoman Hurd made a motion, seconded by Councilwoman Souza, to adopt the following resolution:

That the City’s Corporation Counsel is hereby authorized to complete the preparation and execution of two quitclaim deeds to transfer parcels No. 45 and 53 from the City of Rye to the County of Westchester to properly record the conveyance of these two parcels in 1927 from the Village of Rye to the County of Westchester.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Hurd, Mecca, Souza, Stacks Tagger-Epstein
NAYS: None
ABSENT: None

8. Consideration of setting a public hearing on July 17, 2019 on a local law to allow physical fitness facility in the B-1 (Neighborhood Business) and B-4 (Office Building) Zoning Districts.

Jonathan Kraut, Harfenist Kraut and Perlstein LLP, attorney for the applicant, addressed the Council. He said that the goal of this meeting was to set the public hearing date. For the record, he said that the Council had referred the matter of the possible zoning amendment to the Planning Commission, who then sent a memo back with recommendations to the Council. This Council further discussed this proposal, and reached consensus to have a work session. The subject of the public hearing is the draft local law with zoning amendments. Mr. Kraut stated that the applicant was formally requesting that the Council set the hearing.

Councilman Mecca made a motion, seconded by Councilman Stacks and unanimously carried, to adopt the following resolution:

RESOLVED, that the City Council shall hold a public hearing on July 17, 2019 at 7:30 P.M. on a local law to allow physical fitness facility in the B-1 (Neighborhood Business) and B-4 (Office Building) Zoning Districts.

9. Consideration of setting a public hearing on July 17, 2019 to amend the City Code Chapter 191 “Vehicles and Traffic”, Article II “Traffic Regulations”, Section 191-9 “Left turns” to prohibit left-hand turns from Hillside Ave. onto Boston Post Road with a posted “Right-turn only” sign.

Corporation Counsel Wilson stated that this local law amendment was intended to codify the term “right urn only” from Hillside Avenue onto Boston Post Road.

Councilwoman Souza made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to adopt the following resolution:

RESOLVED, that the City Council shall hold a public hearing on July 17, 2019 at 7:30 P.M. to amend the City Code Chapter 191 “Vehicles and Traffic”, Article II “Traffic Regulations”, Section 191-9 “Left turns” to prohibit left-hand turns from Hillside Ave. onto Boston Post Road with a posted “Right-turn only” sign.

10. Discussion of potential changes to the seasonal outdoor seating permitting process.

Councilwoman Souza explained that this request came from members of the Chamber of Commerce. She said that the complaint was that the process for outdoor seating permits was time-consuming and costly. She asked if the City could consider something to make it less costly and less time-intensive. The question is to have a multiyear license, which may pose less of an administrative burden for both the merchant and the City to administer.

Councilman Mecca further explained that the City of Rye allows for outdoor dining in the B-2 business district, recently also expanded to the B-1 district. Generally, the Planning Commission looks at the proposed outdoor dining layout, including the number of chairs and the amount of leftover space between the dining area and the curb. The process is that the applicant comes before the Planning Commission. The Commission considers several factors annually, including whether there were any complaints made about the applicant in the previous year. If a complaint has been made regarding the outdoor seating, the Commission will consider that.

Councilwoman Hurd commented that the fee had been raised from \$500 to \$600 per year. There was a per table fee.

There was general discussion about the pros and cons of one versus two years for the length of a permit.

City Planner Miller said that the Planning Department would consider the process and cost, and consult with the Planning Commission.

Councilwoman Goddard stated that she has come to understand that fees are not profit-making entities. In fact, they are meant to cover the administrative costs. If lowering the fee of the permit does not cover the administrative costs associated, that would be an important factor to consider.

Councilman Mecca discussed the radius of notice and the process for obtaining and outdoor dining permit.

11. Award bid for the Annual Street Resurfacing contract (Contract #2014-02).
Roll Call.

Corporation Counsel Wilson stated that the bid specs that were put out included the streets that the Council agreed to this year. In the specifications, Labor Day was set as the paving deadline. That was the reason that the City received fewer bid responses than in previous years. Fortunately though, the proposed bid cost was lower than originally thought by the consultant.

City Manager Serrano said that the contractor, ELQ, was highly recommended.

Councilwoman Souza asked about the consequences for failure to adhere to the specifications in the contract. Corporation Wilson responded that the executed contract would include penalty provisions.

Councilman Mecca made a motion, seconded by Councilwoman Souza, to adopt the following resolution:

RESOLVED, that Contract #2019-01, is hereby awarded to the lowest bidder, ELQ Industries, Inc., in the amount of One Million Two Hundred Eighty Eight Thousand Six Hundred Eighty Four Dollars (\$1,288,684) as recommended by the City Engineer.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Hurd, Mecca, Souza, Stacks Tagger-Epstein
NAYS: None
ABSENT: None

Mayor Cohn thanked City Engineer Coyne and City Manager Serrano for taking the Council through the pavement plan.

Councilwoman Souza asked that the pavement plan be included on the website.

12. Consideration of a request by Christ’s Church for use of City streets on Sunday, June 16, 2019 from 9:00 a.m. to 1:30 p.m. for their semi-annual picnic.

Councilwoman Souza made a motion, seconded by Councilman Stacks and unanimously carried, to approve the request from Christ’s Church to use City streets on Sunday, June 16, 2019

from 9:00 a.m. to 1:30 p.m. for their semi-annual picnic, conditioned upon furnishing a certificate of insurance with the City of Rye listed as an additional insured.

13. Consideration of a request from the Friends of Rye City School District to have 3 to 4 food trucks stationed on 1 Parsons Street on June 11th from 3:00 – 9:00 pm during the Bond Vote. The City Council will have to waive §144-8D and G of the City Code.

Councilwoman Hurd made a motion, seconded by Councilwoman Souza, to adopt the following resolution:

WHEREAS, City Code Chapter 144-8(D) and (G) is hereby waived to accommodate a request from the Friends of Rye City School District to have 3 to 4 food trucks stationed on 1 Parsons Street on June 11th from 3:00 – 9:00 pm during the Bond Vote.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Hurd, Mecca, Souza, Stacks Tagger-Epstein
NAYS: None
ABSENT: None

- 13a. Boat Basin Delay of Penalties

Councilwoman Hurd introduced this item. She said that it had been a cold winter and spring, causing a delay in people putting their boats in the water. Typically, when boats are not put into the water by June 15, penalties are assessed against the slip holder. However, this year, the recommendation is to extend that period to June 30.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to extend the penalty deadline from June 15, 2019 to June 30, 2019 to allow slip holders to put their boats into the water at the Rye Boat Basin.

- 13b. Reappointment of Registrar and Deputy Registrar

Mayor Cohn announced that the current registrars for vital statistics, Clerk Carolyn D’Andrea and Deputy Clerk Euka Pietrosanti, needed to be reappointed.

The Council unanimously voted in the affirmative to reappoint City Clerk Carolyn D’Andrea and Deputy Clerk Euka Pietrosanti as Registrar and Deputy Registrar for the City of Rye, for the years 2019 and 2020.

14. Appointments to Boards and Commissions, by the Mayor with Council approval.

There was nothing discussed under this agenda item.

15. Old Business/New Business.

Councilman Mecca asked that the Council consider the issue of residential parking on the street in the beach district. By way of background, Rye City Code prohibits parking on the street in the areas closer to the beach during the summer months. In order to change this and allow residents to park on the streets, the City would need to petition New York State for a special exception under the Vehicle and Traffic law.

The Council agreed overall that it was worth pursuing a discussion on the subject in the coming meetings.

16. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion, seconded by Councilwoman Souza and unanimously carried, to adjourn the meeting at 9:10 P.M.

Respectfully submitted,

Carolyn D'Andrea
City Clerk



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Manager

DATE: July 1, 2019

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Acceptance of a donation to the City from the Disbrow Park Conservancy, owner of the Little Free Library, to install a free children's book exchange for residents at Disbrow Park.

FOR THE MEETING OF:

July 17, 2019

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council accept the donation.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The installation of the Little Free Library will be managed by donations and volunteer hours.



CITY COUNCIL AGENDA

NO. 7 DEPT.: Planning DATE: July 12, 2019
CONTACT: Christian K. Miller, City Planner

AGENDA ITEM: Public hearing on a local law to allow physical fitness facility in the B-1 (Neighborhood Business) and B-4 (Office Building) Zoning Districts.

FOR THE MEETING OF:

July 17, 2019

RYE CITY CODE,

CHAPTER 197
SECTION 3

RECOMMENDATION: That the City Council conduct the public hearing and consider adopting the attached resolution finding a SEQR negative declaration and adopting the proposed local law.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

On November 20, 2018, 1037 Boston Post Road, LLC in connection with the YMCA submitted a petition to the City Council to amend the City Zoning Code to allow physical fitness facilities in the B-1 and B-2 zoning districts located in the "A" and "B" Parking Districts. The proposed zoning text amendment was referred by the City Council to the Planning Commission for its advisory review and comment at its January 9, meeting. In response, the Planning Commission prepared a March 26, 2019 memorandum to the City Council in which it stated its support for allowing physical fitness facilities in the City and suggested additional business districts beyond those proposed in the petitioner's request that might also be appropriate for this use (see attached memo). The City Council discussed this matter at its April 24 and May 8 meetings and reached a consensus as to a preferred local law at its May 22 work session. The attached draft local law allows physical fitness facilities as a special use permit in the B-1 District for those properties having frontage on the west side of Boston Post Road between Library Lane and Orchard Avenue and as a permitted main use in the B-4 District for those properties having frontage on Theall Road (see attached maps depicting eligible properties). A Full EAF is attached for the City Council's review of this Type I Action. It is anticipated that the action will not have an adverse impact on the environment.

RESOLUTION

Adopting a Local Law to Amend Chapter 197, *Zoning*, of the Rye City Code to Allow Physical Fitness Facility in the B-1 Neighborhood Business District and the B-4 Office Building District.

WHEREAS, on November 20, 2018, 1037 Boston Post Road, LLC in connection with the YMCA submitted a petition to the City Council to amend the City Zoning Code to allow physical fitness facilities in the B-1 and B-2 zoning districts located in the “A” and “B” Parking Districts; and

WHEREAS, on January 9, 2019, the proposed zoning text amendment was referred by the City Council to the Planning Commission for its advisory review and comment; and

WHEREAS, the Planning Commission submitted a March 26, 2019 memorandum to the City Council in which it stated support for allowing physical fitness facilities in the City and suggested additional business districts beyond those proposed in the petitioner’s request that might also be appropriate for this use; and

WHEREAS, the City Council discussed this matter at its April 24 and May 8 meetings and reached a consensus as to a preferred local law at its May 22 work session to allow physical fitness facilities in the B-1 District for those properties having frontage on the west side of Boston Post Road between Library Lane and Orchard Avenue and as a permitted use in the B-4 District for those properties having frontage on Theall Road; and

WHEREAS, a draft local law and Full Environmental Assessment Form was presented to the City Council in advance of its June 5, 2019 meeting; and

WHEREAS, at its June 5, 2019 meeting the City Council set a public hearing for July 17, 2019 on a draft local law to amend Chapter 197, *Zoning*, of the Rye City Code to Allow Physical Fitness Facility in the B-1 Neighborhood Business District and the B-4 Office Building District; and

WHEREAS, notice of the hearing was published and circulated as required by law; and

WHEREAS, the City Council conducted a noticed public hearing on July 17, 2019 and all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, no public commented on the draft local law; and

WHEREAS, the City Council has reviewed the Full Environmental Assessment Form (EAF) and determines that the proposed action is consider a Type I Action; and

WHEREAS, the City Council is the only Involved Agency in connection with the proposed action;

NOW, THEREFORE, BE IT RESOLVED, that the City Council designates itself as Lead Agency and based on its review of the Environmental Assessment Form (EAF), the criteria listed in Section

617.7(c) of SEQRA and the complete record, the City Council finds that the proposed action will not have a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the City Council adopts Local Law #_____-2019 to amend Chapter 197, *Zoning*, of the Rye City Code to Allow Physical Fitness Facility in the B-1 Neighborhood Business District and the B-4 Office Building District.

CITY OF RYE

LOCAL LAW NUMBER __-2019 OF THE CITY OF RYE

AMENDMENT TO CHAPTER 197: ZONING
OF THE RYE CITY CODE TO ALLOW PHYSICAL FITNESS FACILITY IN THE B-1
NEIGHBORHOOD BUSINESS DISTRICT AND B-4 OFFICE BUILDING DISTRICT

BE IT ENACTED by the City Council of the City of Rye, Westchester
County, New York, as follows:

Section 1. Chapter 197: Zoning is hereby amended as follows:

1. Use Definition:

Amend Section 197-1: “Definitions and usage.” as follows:

Physical Fitness Facility:

An establishment or use where physical exercise or training is conducted on an individual or group basis, using exercise equipment or open floor space with or without instruction with a personal trainer and/or in a group class, to include, but not be limited to, the following: weight training, yoga, gymnastics, spin, aerobics, martial arts, wrestling, boxing, etc. Support functions accessory to the principal use include a child care area, spas, lockers, showers, health food bar, game or party room, counter and sales desk for sports health or fitness items associated with the facility.

2. Permitted Use:

Amend Section 197-86: Table of Regulations: Table B, Business Districts-Use Regulations, Column 2, Uses Permitted Subject to Additional Standards and Requirements, B-1 Neighborhood Business Districts as follows:

(15) Physical Fitness Facility. This use shall be limited to properties having frontage on the west side of Boston Post Road between Orchard Avenue and Library Lane.

Amend Section 197-86: Table of Regulations: Table B, Business Districts-Use Regulations, Column 2, Uses Permitted Subject to Additional Standards and Requirements, B-2 Central Business Districts as follows:

- (1) Uses permitted subject to additional standards and requirements in B-1 Districts and as limited therein, except that Physical Fitness Facility shall not be permitted in the B-2 District.

Amend Section 197-86: Table of Regulations: Table B, Business Districts-Use Regulations, Column 1, Permitted Main Uses, B-4 Office Building Districts as follows:

- (2) Physical Fitness Facility. This use shall be limited to properties having frontage on Theall Road.

3. Parking Standard:

Amend Section 197-28: Schedule of Off-Street Parking Requirements, Subsection A: Schedule of Parking Requirements, last amended 7-15-1987 by Local Law No. 7-1987 to include the following:

Use	A	B	C	Unit of Measurement
Physical Fitness Facility	1	1	1	200 square feet of gross floor area

Section 2. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated:

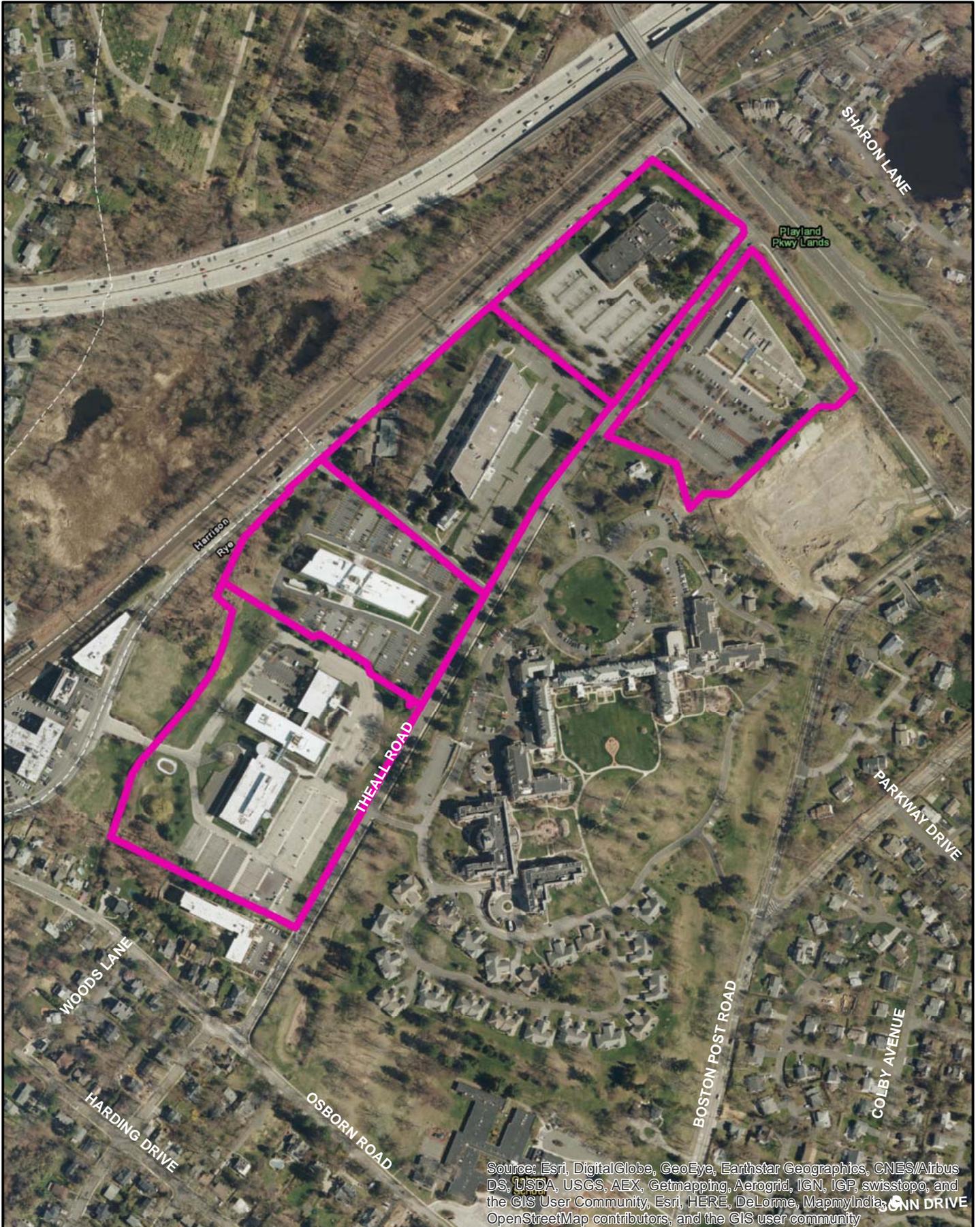
BY THE ORDER OF THE CITY COUNCIL
OF THE CITY OF RYE

CAROLYN D'ANDREA, CITY CLERK

B-1 District Properties Permissible for Physical Fitness Use



B-4 District Properties on Theall Road Permissible for Physical Fitness Use



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, ANN DRIVE, OpenStreetMap contributors, and the GIS user community

George Latimer
County Executive

County Planning Board

June 14, 2019

Christian K. Miller, City Planner
Rye City Planning Department
1051 Boston Post Road
Rye, NY 10580

Subject: Referral File No. RYC 19-002 — Zoning Text Amendment: Physical Fitness Facilities

Dear Mr. Miller:

The Westchester County Planning Board has received a proposed local law to amend the text of the City of Rye Zoning Ordinance to allow physical fitness facilities as a special permit use within the B-1 Neighborhood Business District for properties fronting on the west side of Boston Post Road between Library Lane and Orchard Avenue, and as a permitted use in the B-4 Office Building District for properties fronting on Theall Road. Parking standards for this use are also included to require one parking space for every 200 square feet of gross floor area.

We have no objection to the Rye City Council assuming Lead Agency status for this review.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and find this to be a matter for local determination in accordance with the City's planning and zoning policies.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By:



Norma V. Drummond
Commissioner

NVD/MV

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<p>i. Coastal Resources.</p> <p><i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
 iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
 iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
 i. During Construction:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____
 ii. During Operations:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Species and listing: _____ _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
E.3. Designated Public Resources On or Near Project Site	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____</p>	

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p style="margin-left: 20px;">ii. Name: _____</p> <p style="margin-left: 20px;">iii. Brief description of attributes on which listing is based: _____</p>
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe possible resource(s): _____</p> <p style="margin-left: 20px;">ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify resource: _____</p> <p style="margin-left: 20px;">ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p style="margin-left: 20px;">iii. Distance between project and resource: _____ miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify the name of the river and its designation: _____</p> <p style="margin-left: 20px;">ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency’s reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans			
The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character			
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Nick Everett, Chairman
Martha Monserrate, Vice Chair
Andy Ball
Laura Brett
Richard Mecca
Steven Secon
Brigit Townley



Planning Department
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CITY OF RYE Planning Commission

Memorandum

To: Rye City Council

From: Rye City Planning Commission

cc: Marcus Serrano, City Manager

Date: March 26, 2019

Subject: **Consideration of Zoning Amendment to Allow Physical Fitness Use**

Per the City Council's request, this memorandum provides the Planning Commission's advisory recommendation regarding a petition by 1037 Boston Post Road, LLC to amend the Rye City Zoning Code to allow physical fitness use in the City's B-1 and B-2 Business District in the "A" and "B" Parking Districts. The intent of the zoning amendment is to accommodate the YMCA as a new tenant for the 1037 property.

Background

There are instances where the Rye City Zoning Code can be considered antiquated in terms of not properly identifying or describing uses that reflect current or future community needs. One such use that is not explicitly identified in the Zoning Code is physical fitness facility. Demand for the growing array of physical fitness uses appears high. The City Building and Planning Departments are routinely approached by landlords and prospective tenants seeking to establish fitness businesses with group or class-based programming. Currently, the Zoning Code classifies these uses as personal services where only individualized instruction or use is permitted.

The petition by the owner of 1037 Boston Post Road is intended to accommodate the YMCA as a future tenant. Consistent with good planning and zoning practice, the petitioner's request is not limited to just its property, but also includes other properties in the City's Central Business District. More specifically, the proposed text amendment would allow physical fitness use in the B-1 and B-2 Business District in the "A" and "B" Parking Districts.

Consideration of Zoning Amendment to Allow Physical Fitness Use

March 26, 2019

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The Planning Commission agrees that with some modification the petitioner's request is reasonable. It addresses a community need and appears to add to a fairly limited list of economically viable uses for under-used or vacant tenant spaces in the Central Business District (CBD). Physical fitness use can present concerns in terms of parking demand, traffic generation and potentially compromise a pedestrian-oriented streetscape aesthetic if not designed properly or considered as part of a site plan review; however, physical fitness uses can complement existing uses in the CBD and allow for the opportunity to expand the diversity and economic health of the CBD.

The Planning Commission conducted a review of other areas in the City and recommends that the City Council consider amending the petitioner's request to allow or restrict physical fitness use as follows:

B-1, Neighborhood Business, District

The 1037 Boston Post Road property is located in the B-1, Neighborhood Business, District. There are 11 neighborhood business districts in the City, many of which are in close proximity to residential neighborhoods. These districts serve the commercial and business needs of the local community, but can create potential quality of life conflicts with residential neighbors. It is reasonable to allow physical fitness uses to be permitted in all B-1 Districts. In fact, physical fitness is arguably more compatible with residential neighbors than the uses that currently exists or are permitted by the B-1 District zoning. ***Expanding that list to include physical fitness in all B-1 Districts is recommended.*** It is noted that many of the properties in the B-1 District are small so they will not be able to support large commercial gyms or athletic facilities, which some may find more problematic. In some cases similar uses have existed in B-1 neighborhoods without significant consequence on area neighbors including the physical therapy/fitness use that operated at the office building located on Clinton Avenue near the Central Avenue intersection.

B-2, Central Business, District

The proposed text amendment would allow physical fitness in the "A" and "B" Parking Districts, which is conterminous with the B-2, Central Business, District. All members agreed that physical fitness use should be allowed in the B-2 District, but there was not consensus as to whether the use should be allowed on the first floor of the "A" Parking District (which is essentially the Purchase Street corridor). Some members did not want to allow physical fitness use on the first floor since they considered it disruptive to the streetscape environment because these uses lack a pedestrian orientation. Allowing them on the second floor was acceptable. It was reasoned that these uses are similar to offices, real estate agencies and banks, which are currently prohibited on the first floor in the B-2 District because they can create dead or inactive storefronts that distract from maintaining healthy and engaging facades. Other members stated that such uses are not disruptive

Consideration of Zoning Amendment to Allow Physical Fitness Use

March 26, 2019

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to the streetscape and can offer landlords additional economically viable options to fill vacant storefronts. They did not find them objectionable. The Commission agreed that these uses are acceptable on any floor of the side streets of Elm Place, Smith Street, Purdy Avenue or School Street.

B-3, Beach Business, District and B-7, Waterfront Business, District

The B-3 and B-7 Business Districts would not be appropriate for physical fitness use. The B-3 District is currently improved with the Water's Edge condominium community.

The B-7 District is a small area located near the City Boat Basin. This business district is restricted to uses that are water-dependent, such as the Row America facility at 668 Milton Road. Allowing non-water-dependent use such as physical fitness facilities is not recommended since it would generally not be considered consistent with the policies of the City's Local Waterfront Revitalization Program (LWRP).

B-4, Office Building, District.

The B-4 District includes the office buildings along Theodore Fremd Avenue and Theall Road. They are currently improved with office buildings that have relatively low vacancy rates. Some nearby communities, such as the Town of Harrison, have re-purposed under-performing office parks to include physical fitness use. If the zoning text amendment were to apply to these areas it could result in the conversion of all or portions of office buildings for physical fitness use.

The B-4 District also includes an area on the east side of Midland Avenue in the vicinity of the recently renovated FBI building at 600 Midland and an area along Boston Post Road including a portion of the Rye Country Day School campus and the Thruway property. Interestingly, these areas are currently improved with essentially fitness uses including existing or planned recreation fields and facilities at the School. Under current zoning these areas permit office development, educational and recreational uses.

Given the size of the properties in the B-4 District it is possible that allowing physical fitness use could result in the creation of larger full service gyms rather than the smaller specialized fitness uses anticipated for smaller properties and buildings. These larger uses would have a significantly larger scale and traffic demand that would require careful consideration; however this may advance a community need. **The Planning Commission recommends that the City Council consider allowing physical fitness use in the B-4 District.**

Consideration of Zoning Amendment to Allow Physical Fitness Use

March 26, 2019

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B-5, Interchange Business, District

The B-5 District is located on Midland and Peck Avenues and includes the Rye Marriott Courtyard and the recently vacated Avon office building. Allowing physical fitness use in this district would create a strong possibility for the conversion of some or all of the Avon building to a larger scale gym given that a future office tenant appears unlikely. The building has a large one-story floor plate with an 18-foot ceiling height. This will improve the marketability of this property, but the parking and traffic demands that could be generated would require careful consideration. ***The Planning Commission recommends that the City Council consider allowing physical fitness use in the B-5 District.***

B-6, General Business, District

The B-6 District includes the ConEdison property on Theodore Fremd Avenue and the properties along Nursery Lane. Nursery Lane currently has two veterinary establishments, a bus depot, contractor's office, auto repair/auto body and other similar uses. It also has some under-used or vacant buildings with relatively large floor spaces that could support physical fitness use. The Planning and Building Department have been approached by prospective tenants seeking class-based fitness programming but they have been advised that such uses are not permitted by zoning in this location.

This area could be challenging to support high-traffic generating uses such as a physical fitness facility since it lacks a formalized road through the area. ***Allowing physical fitness facilities is not recommended in the B-6 District.***

RA, Apartment, Districts

There are many RA, Apartment Districts in the City. They are generally located on major roadways including Purchase Street north of I-95, Boston Post Road and Theodore Fremd, but also on some smaller side streets such as Orchard Avenue (between Theodore Fremd and Boston Post Road) and Cedar Place. These districts allow business uses such as ground floor retail and service business that support the needs of the apartment building and medical office such as those located along Purchase Street. It is not objectionable to allow physical fitness use in these locations if the community is seeking to expand the commercial viability of these locations for non-residential use. Given, however the general size, configuration, existing use and surrounding neighborhood context of many of the multi-family buildings in this district is ***not recommended that physical fitness use be allowed in the RA Districts.***

Consideration of Zoning Amendment to Allow Physical Fitness Use

March 26, 2019

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Parking

The Commission received comments from the Rye Free Reading Room (RFRR) noting concern with the potential parking impact a physical fitness use may have on potentially constrained parking conditions at City Hall. The Commission agreed that these concerns could be addressed at the time of site plan review as it considers potential restrictions on the types and timing of programmed activities for the new tenant of 1037 Boston Post Road. The Commission also notes that the RFRR received a considerable parking variance in connection with the construction of its addition in 2001. Improved program coordination between RFRR and the new 1037 BPR tenant may be required. Many uses such as office, restaurant and some retail uses already permitted in the B-1 and B-2 District could have parking demands as great or greater than the proposed physical fitness use.

SEQR

The Planning Commission agrees that the addition of physical fitness use to existing business districts in the City would not result in significant adverse impacts.



CITY COUNCIL AGENDA

NO. 8

DEPT.: Legal

DATE: June 30, 2019

CONTACT: Kristen Wilson, Corporation Counsel

AGENDA ITEM: Public hearing to amend the City Code Chapter 191 "Vehicles and Traffic", Article II "Traffic Regulations", Section 191-9 "Left turns" to prohibit left-hand turns and cross-Boston Post Road maneuvers from Hillside Avenue onto Boston Post Road with a posted "Right-turn only sign "

FOR THE MEETING OF:
July 17, 2019

RYE CITY CODE:
CHAPTER
SECTION

RECOMMENDATION: That the City Council sets approves the amendment to the code.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The proposed amendments codify the prohibition of left-hand turns from Hillside Avenue to Boston Post Road as has been noticed to the public with street signage since November 2018.

See attached.

CITY OF RYE
LOCAL LAW NO. ____ 2019

A local law to amend Chapter 191 “Vehicles and Traffic” of the Code of the City of Rye by amending Part 1 “General Regulations” Article II “Traffic Regulations” to reflect a new prohibited left-hand turn as follows:

Be it enacted by the City Council of the City of Rye as follows:

Section 1. Chapter 191. Vehicles and Traffic

Article II. Traffic Regulations

Chapter 191 Vehicles and Traffic

§191-9 Left turns.

A. Left-hand turns are prohibited as described below during the hours indicated:

Location	Hours
<u>From Hillside Avenue onto Boston Post Road</u>	
Apawamis Avenue and Milton Road	7:30 a.m. to 8:30 a.m., M-F
From Boston Post Road at the intersection southbound with Cross Street (rear of police booth)	
Boston Post Road northbound at Liberty Lane (rear of flagpole)	
At the intersection of Cedar Street and the ramp leading to the westbound side of Station Plaza	7:30 a.m. to 8:30 a.m.
From the Citibank exit onto Cross Street	
From the 2 driveways of the Cowperwood-Osborn office building (411 Theodore Fremd Avenue) parking lot into Garver Drive	
From Cross Street at the driveway into Citibank	
Elm Place at Purchase Street	
From Grandview Avenue into the Rye Country Day School driveway closest to Cedar Street	

Location

Hours

From Grandview Avenue into the Rye Country Day School driveway closest to Elizabeth Street

At the high school parking lot exit and Milton Road

7:30 a.m. to 8:30 a.m., M-F

From the Oakland Beach Avenue driveway exit of 520 Milton Road

At the driveway of Osborn School leading onto Boston Post Road

When school is in session, from 8:00 a.m. to 9:00 a.m. and 2:30 p.m. to 3:30 p.m.

From Palisade Road at Milton Road

From Rye Country Day School's driveways closest to Hillside Avenue onto the Boston Post Road

Smith Street at Purchase Street

From northeastbound Theall Road into the northeasterly driveway of the Cowperwood-Osborn office building (411 Theodore Fremd Avenue)

7:30 a.m. to 7:30 p.m., M-F

From northeastbound Theall Road onto Garver Drive

From the YMCA parking lot onto Mead Place

Section 2. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated:

BY THE ORDER OF THE CITY COUNCIL
OF THE CITY OF RYE

CAROLYN D'ANDREA, CITY CLERK



CITY COUNCIL AGENDA

NO. 9

DEPT.: Engineering

DATE: July 17, 2019

CONTACT: Ryan Coyne, City Engineer

AGENDA ITEM: Brief update on Food Scrap Recycling Test currently in progress.

FOR THE MEETING OF:

July 17, 2019

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council hear the report.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

NO. 10

DEPT.: Comptroller's Office

DATE: July 1, 2019

CONTACT: Joe Fazzino, Deputy Comptroller

AGENDA ITEM: Presentation on City Financials by
Brendan K. Kennedy of the auditing firm of BST & Co, LLP

FOR THE MEETING OF:

July 17, 2019

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council hear the report.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

NO. 11

DEPT.: Engineering

DATE: July 1, 2019

CONTACT: Ryan Coyne, City Engineer

AGENDA ITEM: Presentation by Stantec regarding potential Nursery Field donor-funded renovation.

FOR THE MEETING OF:

July 17, 2019

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council hear the report.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGEND

NO. 12

DEPT.: City Manager

DATE: July 1,

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Resolution to transfer \$90,000 from the General Unassigned Fund balance to Nursery Field Project Fund to fund the re-design of Nursery Field.

FOR THE MEETING OF:
July 17, 2019

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, City staff has determined that there are funds available in the General Fund unassigned Fund Balance to provide funds for the Nursery Field project, and;

WHEREAS, these funds will be used to support current design and construction of the field, now, therefore be it;

RESOLVED, that the City Comptroller is authorized to transfer \$90,000 from the General Fund Unassigned Fund balance to the Nursery Field Project Fund.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: After the release of the 2018 financial report, it was determined that the fund balance has surplus funds that can be transferred to supply support for the Nursery Field project. Even with the transfer there are sufficient funds to meet the City's fund balance policy and to maintain the City's strong bond rating.



CITY COUNCIL AGENDA

NO. 14

DEPT.: Legal

DATE: January 23, 2019

CONTACT: Kristen Wilson, Corporation Council

AGENDA ITEM: Consideration to set a Public Hearing on August 7, 2019 to add Article VI "Vestibules" to Chapter 167 (Streets and Sidewalks) of the City Code of the City of Rye to facilitate the use and implementation of vestibules on the City's sidewalks, allowing commercial properties to insulate interiors in a safe and proper manner.

FOR THE MEETING OF:

July 17, 2019

City Code: Chapter 167

RECOMMENDATION: That the Council set a Public Hearing for August 7, 2019.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The purpose of this chapter is to establish regulations for the design, construction, installation and maintenance of vestibules in the City of Rye, in order to maintain safe conditions that protect the well-being of the community and to allow for additional insulation and protections to be provided during the winter season.

See attached.

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CITY OF RYE
Department of Planning

Memorandum

To: Marcus Serrano, City Manager

From: Christian K. Miller, City Planner
Kristen K. Wilson, Esq. Corporation Counsel

cc: Kerry Lenihan, Building Inspector

Date: January 3, 2019

Subject: **Local Law for the Regulation of Temporary Seasonal Vestibules**

Attached hereto for consideration by the City Council is a draft local law amending the City Code to add new regulations for the review, approval and installation of vestibules at entrances to businesses during winter months. These vestibules allow for a reduction of heat loss at commercial properties. The local law establishes new standards and requirements when they encroach into the City right-of-way and adjacent sidewalks.

The local law is modeled after the current City regulation for seasonal outdoor dining. Applicant's seeking to install vestibules would need approval from the City Building Inspector and must maintain a minimum of five feet of unobstructed sidewalk for safe pedestrian passage. Each vestibule would require approval by the Board of Architectural Review and would only be permitted between November 15 and April 15 of each year.

Attached for the City Council's consideration is a draft resolution implementing the local law and amending the City's Fee Schedule to establish a \$650 vestibule application fee (which is the same fee charged for outdoor dining applications) and a \$1,500 annual licensing fee for the use of City sidewalks. The resolution also establishes a \$100 per chair licensing fee for outdoor dining. This is proposed to provide regulatory consistency and equity since outdoor dining does not have a licensing fee for the use of City property in the City Fee Schedule.

Also attached as required by law a short Environmental Assessment Form (EAF). It is not anticipated that the proposed local law has any significant environmental impact.

CITY OF RYE
LOCAL LAW NO. OF 2019

A Local Law to add Article VI “Vestibules” to Chapter 167 (Streets and Sidewalks) of the City Code of the City of Rye to facilitate the use and implementation of seasonal vestibules on the City’s sidewalks, allowing commercial properties to insulate interiors in a safe and proper manner.

Section 1. General

§ 167-66 Purpose.

The purpose of this chapter is to establish regulations for the design, construction, installation and maintenance of seasonal vestibules in the City of Rye, in order to maintain safe conditions that protect the well-being of the community and to allow for additional insulation and protections to be provided during the winter season.

§ 167-67 Permit required.

- A. No person, firm or corporation conducting or maintaining any place of business in the entire City shall keep, use, erect, construct or maintain any vestibule in or upon the sidewalks or rights-of-way in the City unless the person, firm or corporation obtains a vestibule permit from the City of Rye Building Inspector.

§ 167-68 Permit applications.

- A. All applications for vestibule permits shall be submitted to the City of Rye Building Department and contain the following information:
 - (1) The name and business address of the applicant.
 - (2) The name of the street, alley or sidewalk onto which it is desired to place the vestibule.
 - (3) A site plan with appropriate dimensions showing the size and configuration of the vestibule and the extent of encroachment on adjacent City property, the location of adjacent buildings and storefront entrances and the dimensions to City curb and other existing obstructions (e.g. trees, signs, planters or other street amenities).

- (4) A drawing showing the materials, color and other physical elements and appearance of the vestibule in sufficient detail to facilitate review by the Board of Architectural Review.
- (5) Other information and plans as may be required by the City of Rye Building Department.
- (6) Application and seasonal licensing fees as set forth in the Fee Schedule adopted by the City Council.

B. No vestibule permit shall be issued until the Building Inspector has approved the proposed vestibule location and the sufficiency of the pedestrian pathway.

§ 167-69 Permit conditions; effect on existing vestibules.

A. Any vestibule permit shall be conditioned on the following:

- (1) Vestibule permits are effective from **November 15** to **April 15** each year. Vestibule permits are only effective for one winter season.
- (2) Any vestibule must allow for at least five (5) feet of unobstructed sidewalk to allow for sufficient pedestrian passage.
- (3) Before any permit is issued, the applicant shall furnish the City with proof of insurance naming the City of Rye as an additional insured in the amount of two-million dollars (\$2 Million) in addition to a signed and notarized hold harmless and indemnification agreement holding the City of Rye harmless from any liability and indemnifying the City of Rye. All documents shall be submitted to the City Attorney for review and approval.
- (4) All vestibules shall be approved by the City of Rye Board of Architectural Review prior to receiving a permit.

B. Any person, firm or corporation which has a vestibule located on the sidewalk along any streets or City rights-of-way in the City shall immediately remove same or comply with the terms of this article.

§ 167-70 Permit denial or revocation; appeal.

A. The Building Inspector may deny a vestibule permit or modify the above requirements if such vestibule would interfere with safe pedestrian passage on a particular area of sidewalk. If the Building Inspector denies a permit, he/she must state his/her reason(s) for

RESOLUTION

A Local Law to add Article VI “Vestibules” to Chapter 167 (Streets and Sidewalks) of the City Code of the City of Rye to facilitate the use and implementation of seasonal vestibules on the City’s sidewalks, allowing commercial properties to insulate interiors in a safe and proper manner.

WHEREAS, on _____, 2019, the Rye City Council set a public hearing for _____, 2019 on a local law to add Article VI “Vestibules” to Chapter 167 (Streets and Sidewalks) of the City Code of the City of Rye to facilitate the use and implementation of seasonal vestibules on the City’s sidewalks, allowing commercial properties to insulate interiors in a safe and proper manner.; and

WHEREAS, the City Council has reviewed the Environmental Assessment Form (EAF) and determines that the proposed action is consider an Unlisted Action; and

WHEREAS, the City Council is the only Involved Agency in connection with the proposed action; and

WHEREAS, the City Council conducted a noticed public hearing on _____, 2019 and all those wishing to be heard were given the opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED, that the City Council designates itself as Lead Agency and based on its review of the Environmental Assessment Form (EAF), the criteria listed in Section 617.7(c) of SEQRA and the complete record, the City Council finds that the proposed action will not have a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the City Council adopts Local Law # _____-2019 to add Article VI “Vestibules” to Chapter 167 (Streets and Sidewalks) of the City Code of the City of Rye to facilitate the use and implementation of seasonal vestibules on the City’s sidewalks, allowing commercial properties to insulate interiors in a safe and proper manner; and

BE IT FURTHER RESOLVED, that the City Council amends the current City Fee Schedule to add the following new fees: 1) “Vestibule Permit - \$650”; 2) “Seasonal Vestibule Licensing Fee - \$1,500”; and 3) “Outdoor Dining Licensing Fee – (\$100 per chair)”.

denying the vestibule permit, in writing, and mail a copy of the written decision to the applicant.

- B. The Building Inspector may issue a notice of violation for persons or entities violating any provision of this article or conditions of the approved vestibule permit. Such notice shall be in writing and specify the provision(s) violated, the remedial action to be taken and the time limit for compliance, which shall be no less than three (3) days from the date of the mailing of the notice of violation.
- C. If a person, firm or corporation willfully and consistently fails to comply with the provisions of this article, the City may take any necessary steps to ensure a clear pedestrian pathway of at least five (5) feet and assess against such party the costs of maintaining such pedestrian pathway.
- D. Right of appeal. Any holder of a vestibule permit who has had his/her permit revoked or who has been ordered by the Building Inspector to incur expense in connection with the clearing or maintenance of a vestibule, or any applicant whose application has been denied, may appeal to the Board of Appeals within 15 days of such revocation, order or decision.

§ 167-71 Fees.

Prior to the issuance of a vestibule permit, application and seasonal licensing fees as set forth in the Fee Schedule adopted by the City Council..

Section 2. Severability

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

Section 3. Effective Date

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.



CITY COUNCIL AGENDA

NO. 14

DEPT.: Legal

DATE: July 1, 2019

CONTACT: Kristen Wilson, Corporation Council

AGENDA ITEM: Consideration to set a public hearing for August 7, 2019 to adopt a local law, Article 21 “Financial Procedures” of the Charter of the City of Rye section § C21-9 “Bond Resolutions” to add a new subsection G to allow certain well-qualified debt of enterprise funds outside the charter debt limit.

FOR THE MEETING OF:

July 17, 2019

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the City Council set the public hearing.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See attached amendment.

CITY OF RYE

LOCAL LAW NO. ____ 2019

A local law to amend Article 21 “Financial Procedures” of the Charter of the City of Rye by amending § C21-9 “Bond Resolutions” to add a new subsection G as follows:

Be it enacted by the City Council of the City of Rye as follows:

Section 1. Charter Article 21 “Financial Procedures”

§ C21-9. Bond Resolutions.

G. The provisions of this section shall not apply to bond resolutions authorizing the issuance of bonds for the payment of capital improvements or equipment proposed to be constructed or acquired for a purpose determined by resolution of the Council in an amount not exceeding an amount determined by resolution of the Council in any fiscal year if the principal of and interest on the bonds is paid first from moneys in an Enterprise Fund. For purposes of this subsection G an Enterprise Fund shall be an account separate from the general fund containing user fees or assessments paid for a service or purpose of the City, in lieu of or in addition to real property taxes. No bonds shall be authorized or issued pursuant to the provisions of this subsection G unless: 1) two public hearings are conducted by the Council within fourteen (14) days before the consideration of such bond resolution at which the object or purpose to be financed and Financial Tests relating to such object or purpose are presented; and 2) the financing structure and the object or purpose to be financed with such bonds has been approved by a majority of the Council. For the purpose of this subsection G, Financial Tests shall mean: i) financial statements of the Enterprise Fund for the current and last four fiscal years demonstrating that full coverage of operating and debt service expenses have been paid in full from user fees or assessments in the Enterprise Fund as verified by the City Comptroller and the City Manager; ii) pro forma financial statements for the next five fiscal years demonstrating full coverage of operating expenses, outstanding debt service, and debt service generated from the issuance of such bonds as verified by the City Comptroller and the City Manager; iii) a current fiscal year reserve in the Enterprise Fund equal to or in excess of ten per centum (10%) of current year operating and debt service expenses; iv) a pro forma reserve in the Enterprise Fund for each fiscal year such bonds are outstanding equal to or in excess of ten per centum (10%) of pro forma operating expenses, outstanding debt service and debt service generated from the issuance of such bonds in each such fiscal year; and v) representations to the Council by the Enterprise Fund that such fund shall establish and impose user fees and assessments to be paid at the times and in the amounts sufficient to satisfy the requirements of clauses ii) and iv) of this subsection G.

Section 2. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated:

BY THE ORDER OF THE CITY COUNCIL
OF THE CITY OF RYE

CAROLYN D'ANDREA, CITY CLERK



CITY COUNCIL AGENDA

NO. 16

DEPT.: Building

DATE: July 5, 2019

CONTACT: Christian Miller, City Planner

AGENDA ITEM: Acknowledge Verizon Wireless application for a special permit to install a wireless communication facility on the roof of the Verizon building located at 182 Purchase Street..

FOR THE MEETING OF:

July 17, 2019

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council set the public hearing.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Verizon designed the wireless communication facility to be strategically located on the property, concealed behind a screened enclosure, to provide enhanced wireless communication services to the area.

See attached.

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REPLY TO:

WESTCHESTER OFFICE

June 28, 2019

Honorable Mayor Cohn
and Members of the City Council
City of Rye
1051 Boston Post Road
Rye, New York 10580

Re: Special Permit Application by New York SMSA Limited Partnership d/b/a
Verizon Wireless to Install a Public Utility Wireless Telecommunications Facility
on the Roof of the Building Located at 182 Purchase Street, Rye, New York

Honorable Mayor Cohn
and Members of the City Council:

We are the attorneys for New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") in connection with its request for a special permit to install a public utility wireless telecommunications facility ("Facility") at the above referenced property ("Property"). The City of Rye permits wireless telecommunications facilities, such as the Facility, on the Property by special permit from the City Council, in accordance with Chapter 196 of the City Code of the City of Rye ("City Code"). Verizon Wireless is a provider of wireless communications services, and is licensed by the Federal Communications Commission to provide same throughout the New York metropolitan area, including the City of Rye.

The Facility has been strategically designed and located on the Property. It consists of antennas and related equipment concealed behind a screened enclosure on the rooftop of the existing building so that all of the equipment will be shielded from view. Moreover, the Property is already used for telecommunications purposes. The Facility will provide enhanced wireless communication services to the area, including, without limitation, vital emergency wireless 911 communications.

In support of the foregoing, Verizon Wireless is pleased to enclose the following materials:

1. Ten (10) copies of the Wireless Telecommunications Facility Permit Application, together with a Letter of Authorization signed by the owner of the Property;
2. Ten (10) copies of the Statement in Support of the Application, with exhibits; and
3. Ten (10) copies of the Site Plan.

Since the City does not have a fee schedule, kindly advise on any fees associated with the special permit application and we will pay any such required fees.

We thank you for your consideration, and look forward to discussing this matter at the next City Council meeting. If you have any questions or require any additional documentation, please do not hesitate to contact me or Michael Sheridan of my office at 914-333-0700.

Respectfully submitted,



Leslie J. Snyder

LJS:ap

Enclosures

cc: Verizon Wireless
WFC Architects

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CITY OF RYE, NY
Department of Public Works
Memorandum

DATE: June 17, 2019

TO: Marcus Serrano, City Manager

FROM: Ryan Coyne, City Engineer 

RE: Surplus Vehicles and Equipment

As discussed, we have developed a list of vehicles and motorized equipment that are no longer useful to City departments. This list is inclusive of the Departments of Public Works, Police, Recreation, Fire Department and Staff vehicles and equipment. We are requesting that the council deem these items as "surplus" so that we can proceed to auction.

Should you need additional information, please feel free to call me.

- 2008 Ford F550, Vin#1FDAX57R08EC27233, Mileage 70,725 old Tk 13 (DPW)
- 2000 Mack RD688P, Vin# 1M2P295C3YM049810, Mileage 22,560 old Tk 9 (DPW)
- 2004 Toyota Prius, Vin # JTDKB20U44083312, Mileage 173,566 old car 28 (PEO)
- 2003 Ford Crown Vic, Vin # 2FAFP71W63X112587, Mileage 74,484 old car 29 (PEO)
- 2011 Ford Crown Vic, Vin # 1FABP7BV1BX156158, Mileage 88,139 old car 18 (PD)
- 2011 Ford Crown Vic, Vin # 2FABP7BVXBX156157, Mileage 83,130 old car 11 (PD)
- 2001 Ford Crown Vic, Vin # 2FABP7BV8BX156156, Mileage 103,637 old car 16 (PD)
- 2003 Ford Crown Vic, Vin #2FAHP71W33X181245, Mileage 56,523 old car 87 (STAFF)
- 2004 Ford Crown Vic, Vin #2FAHP71W54X172001, Mileage 64,433 old car 85 (STAFF)

Other miscellaneous equipment

- Pumps
- Snow blowers
- Truck bumper jack
- Kubota tractor
- Chain saws
- Pressure washer

Public Works
141 Oakland Beach Avenue
Rye, NY 10580

(914) 967-7464 phone

(914) 967-4107 fax



Wireless Telecommunications Facility Permit Application

**For Eligible Facility Requests, Special Use Permits and
Special Exception Permits**

City of Rye, New York

1051 Boston Post Road, Rye, New York 10580

This application should be completed and signed according to Chapter 196 of the Code of the City of Rye, accompanied by any necessary drawings, and submitted to the City with appropriate fees.

PART I – General Information:

A. Application Name New York SMSA Limited Partnership d/b/a Verizon Wireless
Wireless Telecommunications Facility

B. Applicant: *(Please specify if utility provider as defined in Chapter 196 or a governmental Agency).*

Name: New York SMSA Limited Partnership d/b/a Verizon Wireless
Address: 4 Centerock Road
City: West Nyack State: NY Zip: 10994
Phone: (914) 714-7352 Fax: _____ Email: _____

C. Property Owner:

Name: Verizon New York, Inc.
Address: 140 West Street, 27th Floor
City: New York State: NY Zip: 10007
Phone: 212-321-8136 Fax: _____ Email: _____

D. Applicant Representative:

Name: Leslie Snyder, Esq.
Firm: Snyder & Snyder, LLP
Address: 94 White Plains Road
City: Tarrytown State: NY Zip: 10591
Phone: 914-333-0700 Fax: 914-333-0743 Email: lsnyder@snyderlaw.net

For Internal Use Only:

Application Receipt Date:

Application No.: TC
Fee Check No.: _____
Fee Check No.: _____
Prior Approvals: _____



Wireless Telecommunications Facility Permit Application

City of Rye, New York

PART II – Project Information:

A. Property Information:

Street Address:	182 Purchase Street		
City:	Rye	State:	NY Zip: 10580
Property Area (Acres):			
Tax Map Designation:	Sheet: 139.19	Block: 3	Lot(s): 68.1
	Sheet:	Block:	Lot(s):
	Sheet:	Block:	Lot(s):
Zoning District:	RA-3		
Flood Insurance Zone:	N/A (installation on roof of existing building)		

B. Project Description:

In the space below, briefly describe the proposed project. A report detailing the specifications of this proposal, pursuant to the requirements set forth in section 196-6 of the Code of the City of Rye, must be attached.

Installation of a wireless telecommunications facility on the roof of the existing building on the property.

C. Regulatory Compliance

1. Will the proposed project place any fill or a structure within a Flood Zone? Yes No
(If yes, Chapter 100, Floodplain Management, may apply)
2. Is the proposed facility located within a designated preservation area? Yes No
(If yes, Chapter 117, Landmarks Preservation, may apply)
3. Is a fence or wall proposed as part of the application? Yes No
(If yes, Chapter 90, Fences and Walls, may apply)
4. Is the facility located within a designated coastal area boundary? Yes No
(If yes, Chapter 73, Coastal Zone Management, may apply)
5. Is the facility located within 100 feet of a wetland? Yes No
(If yes, Chapter 195, Wetlands and Watercourses, may apply)
6. Is the facility substantial contiguous to a historic structure? Yes No



Wireless Telecommunications Facility Permit Application

City of Rye, New York

D. Prior Approvals – Application Checklist for Permits

To facilitate the approval process, the City of Rye requests that applicants indicate below all permit applications that are **pending**, have been **approved** or have been **rejected** for the proposed facility. The following checklist will allow the City authorities to be more familiar with properties that are the subject of the current application. Please indicate all applications submitted for the facility in question, including those that were prepared for projects separate from the current one. Intentionally omitting any items from this checklist is cause for delay or rejection of the application(s) being considered.

Board, Commission or Inspector:	Date(s) of Prior Approval(s):	City Identifier Reference(s):	Previous Action(s) on Application(s):	New Permit(s) Applied for: (Check Boxes)
City Council				<input type="checkbox"/>
Appeals				<input type="checkbox"/>
Architectural Review				<input type="checkbox"/>
Conservation				<input type="checkbox"/>
Landmarks				<input type="checkbox"/>
Planning Commission				<input type="checkbox"/>
Building Inspector				<input type="checkbox"/>
City Engineer				<input type="checkbox"/>
City Planner				<input type="checkbox"/>
Other:				<input type="checkbox"/>

PART III – Facility Compliance: Please attach a written statement that affirms the following:

- A. The applicant's proposed wireless telecommunications facility will be maintained in a safe manner and in compliance with all conditions of the eligible facilities permit, special use permit or special exception permit without exception, unless specifically granted relief by the Council in writing, as well as all applicable and permissible local codes, ordinances and regulations, including any and all applicable county, state and federal laws, rules and regulations
- B. The construction of the wireless telecommunications facility is legally permissible, including but not limited to the fact that the applicant is authorized to do business in New York State.

PART IV – Fees and Consultant Review Deposit:

Application Fee Submitted: \$ _____

Deposit Submitted for Consultant Review: \$ _____



Wireless Telecommunications Facility Permit Application City of Rye, New York

PART V – Signatures

In signing this application, I acknowledge that I have read the Chapter 196 of the Rye City Code, and that the proposed use, to the best of my knowledge, will conform to those provisions. Further, I understand that a written request for re-certification, pursuant to Chapter 196-17 of the Code of the City of Rye, must be submitted prior to each fifth anniversary of the effective date of this application.

New York SMSA Limited Partnership d/b/a Verizon Wireless

By: 
Applicant Signature

5/9/19
Date

I, the owner of the property described herein, consent to the filing of this application.
(Property owner signature not required if located in the public right-of-way).

SEE ATTACHED LETTER OF AUTHORIZATION

Property Owner Signature(s)

Date

LETTER OF AUTHORIZATION

Municipality: City of Rye

APPLICATION FOR APPROVALS

Verizon New York Inc., the owner of the property located at 182 Purchase Street, Rye, New York (the "Property"), does hereby appoint New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless"), and its authorized representatives, as the owner's agent for the purpose of consummating any applications necessary to insure Verizon Wireless' ability to use the Property for the purpose of installing a communications facility on the Property, consisting of antennas and related equipment.

Assessor's Parcel Number: Section 139.19, Block 3, Lot 68.1

Signature of Property Owner:
VERIZON NEW YORK INC.

By: 
Authorized Signatory

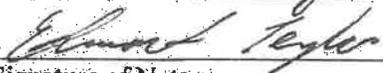
Name: Wayne Igawa

Title: Verizon Global Real Estate - Program Manager

Authorized Agent:
New York SMSA Limited Partnership d/b/a Verizon Wireless

Sworn to and subscribed to before me on this

4th day of February, 2016


Signature of Notary

EDWARD P. TEYBER
Notary Public, State of New York
Registration #02TE6319109
Qualified In New York County
Commission Expires Feb. 9, 20 17

CITY COUNCIL
CITY OF RYE

-----X
In the matter of the Application of
NEW YORK SMSA LIMITED PARTNERSHIP
d/b/a VERIZON WIRELESS

Premises: Section 139.19, Block 3, Lot 68.1
182 Purchase Street
City of Rye, New York

-----X
STATEMENT IN SUPPORT OF NEW YORK SMSA LIMITED PARTNERSHIP
d/b/a VERIZON WIRELESS' APPLICATION TO INSTALL
A PUBLIC UTILITY WIRELESS TELECOMMUNICATIONS FACILITY

I. Introduction

New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon Wireless”) respectfully submits this statement in support of its special use permit application to install a public utility wireless telecommunications facility (“Facility”) at the property located at 182 Purchase Street, Rye, New York (“Property”). The Facility has been strategically designed and located on the rooftop of the existing building (“Building”) at the Property. The Facility consists of antennas and related equipment concealed behind a screened enclosure on the rooftop of the Building so that all of the equipment is shielded from view. The Property is used for telecommunications purposes. The Facility is proposed in accordance with Chapter 196 of the City Code of the City of Rye, entitled Wireless Telecommunications Facilities (“Wireless Law”).

II. Statement of Facts

The Property consists of approximately +/- .35 acres and is known as Section 139.19, Block 3, Lot 68.1 on the City of Rye’s Tax Assessment Map. Although the Property is located in the RA-3 Residential Apartment zoning district, the Property is used exclusively for non-residential telecommunications purposes. Pursuant to the Wireless Law, the Facility is permitted at the Property by special use permit from the City Council.

The Facility will provide enhanced wireless communication services to the area, including, without limitation, vital emergency wireless 911 communications. The Facility is located on the rooftop of the existing Building, with antennas and equipment concealed behind a screening enclosure that has been designed to blend in with the existing Building to shield same from view. A detailed site plan (“Site Plan”) prepared by WFC Architects (“WFC”) is submitted herewith. The Facility complies with the purposes of the Wireless Law, including without limitation, using innovative camouflaging techniques to conceal the equipment from view and utilizing a non-residential structure for placement of the Facility.

III. Public Utility Status

Under the laws of the State of New York, Verizon Wireless qualifies as a public utility for zoning purposes. See Cellular One v. Rosenberg, 82 N.Y.2d 364 (1993); Cellular One v. Meyer, 607 N.Y.S.2d 81 (2nd Dept. 1994); Sprint Spectrum, L.P. v. Town of West Seneca, (Index No. 1996/9106, Feb. 25, 1997, Sup.Ct. Erie County). In Rosenberg, the Court of Appeals, New York's highest court, held that federally licensed wireless carriers (such as Verizon Wireless) provide an essential public service and are therefore public utilities in the State of New York. Public utilities are accorded favored treatment in zoning matters. Verizon Wireless' status as a public utility is underscored by the fact that its services are an important part of the national telecommunications infrastructure and will be offered to all persons that require advanced digital wireless communications services, including local businesses, public safety entities, and the general public.

The instant application is filed in furtherance of the goals and objectives established by Congress under the federal Telecommunications Act of 1996. The federal Telecommunications Act of 1996 is "an unusually important legislative enactment," establishing national public policy in favor of encouraging "*rapid deployment of new telecommunications technologies* (emphasis supplied)." Reno v. ACLU, 521 U.S. 844, 857 (1997). The federal Telecommunications Act of 1996 builds upon the regulatory framework for commercial mobile [radio] services which Congress established in 1993. Indeed, since 1993, it has been the policy of the United States to "foster the growth and development of *mobile services* that, by their nature, *operate without regard to state lines as an integral part of the national telecommunications infrastructure.*" H.R. Rep. No. 103-111, 103d Cong., 1st Sess. 260 (1993) (emphasis added).

In fact, in 1999, Congress expanded further upon this policy by enacting the Wireless Communications and Public Safety Act of 1999, Pub.L. 106-81, 113 Stat. 1286 (the "911 Act"). The "911 Act," empowered the FCC to develop regulations to make wireless 911 services available to all Americans. The express purpose of the Act, as articulated by Congress, was "*to encourage and facilitate the prompt deployment throughout the United States of seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs*" (emphasis added).

On November 18, 2009, the FCC issued a Declaratory Ruling regarding timely review of applications for siting of wireless facilities, WT Docket NO. 08-165 (the "Shot Clock Order").¹ The Shot Clock Order finds that a "reasonable period of time" for a local government to act on this type of application is presumptively 90 days. According to the Shot Clock Order, if the City fails to act within such reasonable period of time, the applicant may commence an action in court for "failure to act" under Section 332(c)(7)(B)(v) of the Federal Communications Act. Please further note that the Shot Clock Order was codified in federal regulation 47 C.F.R. § 1.6003. In addition, the FCC issued a Declaratory Ruling (In re Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79 and WC Docket No. 17-84 (adopted Sept. 26, 2018) ("FCC 2019 Order"), which provides that "an effective prohibition [of service] occurs where a

¹ A copy of the Shot Clock Order is available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-99A1.pdf.

state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service." A local government materially inhibits a provider "not only when filling a coverage gap but also when densifying a wireless network, introducing new services or otherwise improving service capabilities."²

IV. The Proposed Facility Meets the Special Permit Standards

The instant application is for a special use permit. A special permit use is permitted as of right when the applicant has demonstrated compliance with the applicable standards. See Matter of North Shore Steak House v. Board of Appeals of Inc. Vil. of Thomaston, 30 N.Y.2d 238, 331 N.Y.S. 2d 645 (1972). It is respectfully submitted that the Facility conforms to the requirements of the Wireless Law and Section 27 (b) of New York State General City Law, for the following reasons:

- A. Proposed Facility is Not Speculative §196-5(G)(1)(a): The Facility will be built by Verizon Wireless for Verizon Wireless' use, and used promptly upon approval.
- B. Verizon Wireless is a Utility Provider Under New York Law §196-5(G)(1)(b): As discussed above, under the laws of the State of New York, Verizon Wireless qualifies as a public utility for zoning purposes.
- C. No Adverse Visual Impact §196-5(G)(1)(c): The Facility will not have any adverse visual impact on the surrounding area since the Facility has been strategically designed with the antennas and related equipment concealed behind a proposed screening enclosure so that they are concealed from view.
- D. No Significant Site Impact §196-5(G)(1)(d): The Facility will not significantly impact the Site since it affects only a small area of the roof of the Building.
- E. Least Intrusive Alternative §196-5(G)(1)(e): The proposed Facility is necessary to remedy a critical capacity issue in the area of the City surrounding the Property, and by placing the Facility on a Building used for non-residential purposes, the Facility is the least intrusive alternative and consistent with the purposes of the Wireless Law.
- F. Proposed Facility Is a Stealth Facility §196-5(G)(2): The proposed Facility is not on any historic structure or environmentally sensitive area and qualifies as a "Stealth Facility" under the Wireless Law since all of the antennas and equipment will be concealed from view by the screening enclosure so that the Facility is virtually imperceptible to the casual observer, as the enclosure has been designed to blend in with the architectural features of the existing Building.
- G. Location §196-5(I)(1): The Facility has been located on the highest priority location for all installations, namely on an existing tall structure.

² A copy of the FCC Order is available at <https://docs.fcc.gov/public/attachments/FCC-18-133A1.pdf>

- H. Safety and Compliance §196-6(D)(1): Verizon Wireless' Facility will be maintained in a safe manner and in compliance with all conditions of the Special Use Permit, without exception, unless specifically granted relief by the City Council in writing, as well as all applicable and permissible local codes, ordinances and regulations, including any and all applicable county, state and federal laws, rules and regulations.
- B. Construction §196-6(D)(2): The construction of the Facility is legally permissible, and Verizon Wireless is authorized to do business in the State of New York.
- C. Required Information §196-6(E): In satisfaction of the requirements set forth in Section 196-6(E) of the Wireless Law:

Verizon Wireless has submitted documentation satisfying Section 196-5(G) and the other sections (E, F and H) are not applicable to Verizon Wireless' Facility.

Submitted herewith is the Site Plan signed and sealed by a licensed New York State engineer, Neil MacDonald of WFC, 12-1 Technology Drive, Setauket, New York 11733, containing the following information complying with subsections (2)-(14) and (19) of Section 196-6(E) of the Wireless Law:

1. The name and address of the property owner, operator and applicant. See Site Plan T-100.00;
2. The postal address and tax map parcel number of the Property. See Site Plan T-100.00;
3. The zoning district. See Site Plan T-100.00;
4. The size of the Property and a diagram showing the location of all lot lines. See Site Plan SP-100.00;
5. The location of all residential structures within 750 feet. See Site Plan SP-104.00;
6. The location of all habitable structures within 750 feet. See Site Plan SP-104.00;
7. The location of all structures on the property. See Site Plan SP-100.00-102.00;
8. There are no other proposed or existing wireless telecommunications facilities at the Site;
9. The proposed Facility is located on the roof of the existing Building, as such, no landscaping is proposed;
10. The number, type and design of the telecommunications facility(s) antenna(s) proposed on Site Plan SP-103.00 and the structural letter ("Structural Certification") attached hereto as Exhibit 1;
11. The make, model and manufacturer of the proposed antennas. See Site Plan SP-103.00;
12. A description of the proposed antennas and all related fixtures, structure appurtenances and apparatus, including the height above preexisting grade, materials, color and lighting. See Site Plan SP-100.00 - SP-102.00; and
13. The applicant's proposed maintenance and inspection procedures. See the Note on Site Plan SP-100.00.

Attached hereto as Exhibit 2 is an Antenna Site FCC RF Compliance Assessment and Report (“RF Safety Report”) signed and sealed by a licensed New York State engineer containing the following information complying with subsections (15) – (18) of Section 196-6(E) of the Wireless Law:

- The frequency, modulation and class of service of radio or other transmitting equipment;
- The transmission and maximum effective radiated power of the proposed antennas;
- The direction of maximum lobes and associated radiation of the antennas; and
- Certification that NIER levels at the Facility are within the threshold levels adopted by the FCC.

Attached hereto as Exhibit 3 is a copy of Verizon Wireless’ applicable FCC licenses in accordance with Section 196-6(E)(20).

With respect to Section 196-6(E)(21), such provision is not applicable since the Facility is not a tower.

Attached hereto as Exhibit 4 is an affidavit from Verizon Wireless’ radio-frequency engineer in accordance with Sections 196-6(E)(22) and (25).

With respect to Section 196-6(E)(23), Verizon Wireless is not aware of any agreement in existence that would limit or preclude the ability of Verizon Wireless to share any new wireless telecommunications facility that it constructs.

Attached hereto as Exhibit 5 is a notarized affidavit from Verizon Wireless’ project engineer (“Engineer Letter”) in accordance with Section 196-6(E)(24).

- D. Shared Use §196-6(F): The Alternative Site Analysis attached hereto as Exhibit 6 demonstrates that there are no existing wireless telecommunications facilities upon which Verizon Wireless could collocate and remedy its capacity issues.
- E. Structural Certification §196-6(G): The Structural Certification, attached as Exhibit 1, indicates that the Facility is designed to meet all county, state and federal structural requirements for loads, including wind and ice loads.
- F. Electrical Safety §196-6(H): The Facility will be grounded and bonded so as to protect persons and property and installed with appropriate surge protectors.
- G. EAF §196-6(I): Attached hereto as Exhibit 7, is a long Environmental Assessment Form (“EAF”) demonstrating that the Facility will not have a significant adverse impact on the environment.

- H. Visual Impact §196-6(J): As demonstrated by the Visual Analysis attached hereto as Exhibit 8, the installation of the Facility will not have any adverse visual impact on the surrounding area since the Facility has been strategically designed so that the antennas and related equipment are concealed from view behind a screening enclosure. The screening enclosure has been designed to blend in with the existing Building.
- I. Concealment Elements §196-6(K): The Facility is a Stealth Facility under the wireless law with concealment elements so that the antennas and equipment will be concealed from view by the screening enclosure. The screening enclosure has been designed to blend in with the existing Building. See Site Plan submitted herewith.
- J. Utilities §196-6(L): The utilities will be connected to the existing electrical and telco source within the Building. As noted above, the Facility is a Stealth Facility under the wireless law with concealment elements so that the antennas and equipment will be concealed from view by the screening enclosure designed to blend in with the existing Building.
- K. Access & Parking §196-6(M): The Facility is unmanned requiring maintenance visits of approximately once per month, so that existing access and parking at the Building is sufficient.
- L. Compliance with Codes §196-6(N): Verizon Wireless shall construct, operate, maintain, repair, modify or restore the Facility in strict compliance with all applicable technical, safety, and safety related codes.
- M. Required Permits and Licenses §196-6(O): Verizon Wireless shall obtain all required permits and licenses required by any applicable law, rule or regulation, and shall maintain same in full force and effect.
- N. Future Carriers §196-6(R): The proposed Facility is located on the roof of the existing Building. In connection with the feasibility of colocation on the roof of the Building, attached hereto as Exhibit 9 is a letter (“Colocation Letter”) from Verizon of New York Inc. (“Verizon”), the owner of the Building, confirming that once the Verizon Wireless’ installation is approved, Verizon does not have any issue with allowing additional colocation on the roof of the Building.
- O. Location from Residential Unit §196-6(T)(8)(a): The Facility will be 40 feet from any residential unit for two sectors and for the third sector, to the extent that you consider horizontal and vertical distance the antennas at said sector will be 20’ above the nearest residential unit, and 20’ away from the nearest residential unit.
- P. Height §196-8: The height of the Facility is not higher than the minimum height necessary to remedy Verizon Wireless’ capacity issues in the area. The Facility is in compliance with Section 196-8(A) since the Facility will be at or below 70 feet. Further,

and in accordance with Section 196-6(T)(3), the Facility only increases the height of the Building by 6 feet.

- Q. Visibility §196-9: The Facility will not be artificially lighted or marked.
- R. Security §196-10: The Facility is inaccessible to the public since it is located on the roof of the Building.
- S. Signage §196-11: As required by the Wireless Law, the Facility will contain a sign no larger than four (4) square feet, with the name and emergency telephone number of Verizon Wireless, and a sign in accordance with FCC regulations regarding radio frequency emissions. No commercial or retail signage is proposed.
- T. Setbacks §196-12: The Facility is located on an existing Building so the tower setback requirements are not applicable. With respect to Section 196-12(c), the Facility does not exacerbate the existing setbacks of the Building but it should be noted that the Building is dimensionally non-conforming.
- U. Performance Security & Insurance §196-20 & §196-23: Verizon Wireless respectfully requests that the removal bond and insurance certificates not be required until the issuance of a building permit, so a temporary waiver, pursuant to Section 196-28, is being requested at this time.
- V. Indemnity §196-24: Since the Facility is not proposed to be located on City property, Verizon Wireless respectfully requests a waiver, pursuant to Section 196-28, from the indemnity requirement.

Based on the foregoing, it is respectfully submitted that Verizon Wireless has complied with the requirements for special use permit approval under the Wireless Law and applicable City Law.

Conclusion

By granting the requested approvals, the City Council will permit Verizon Wireless to improve its wireless communications in the area and enable local residents, public service entities and the traveling public, to have enhanced wireless service critical for the public health, safety and welfare of the area. Any potential impact on the community created by the approval will be minimal and without significant adverse effect.

WHEREFORE, for all of the foregoing reasons, Verizon Wireless respectfully prays that this Honorable Board issue a negative declaration under the State Environmental Quality Review Act³ and grant the requested approvals.

Dated: June 21, 2019

Respectfully submitted,
Leslie J. Snyder
SNYDER & SNYDER, LLP
94 White Plains Road
Tarrytown, NY 10591

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³ It should also be noted that the proposal is a Type II action, thereby deemed not to have any significant environmental effect under SEQRA, since it involves the construction of a non-residential facility involving less than 4,000 square feet. See 6 NYCRR 617.5 (c)(9).

Exhibit 1
Structural Certification

Nicholas J. DeFelice, P.E.

Consulting Engineer
22 Hills Park Lane
Smithtown, NY 11787
631-361-7543

May 28, 2019

WFC Architects
12-1 Technology Drive
East Setauket, NY 11733

Attn: Mr. Glen DeMarino

Re: Verizon
RYE VZCO SC
182 Purchase Street
Rye, NY 10580

Dear Mr. DeMarino,

Pursuant to your request, I visited the above referenced site on 9/9/15 to conduct a visual inspection of the existing roof structure. Verizon Wireless is proposing to add (2) antennas mounted to the inside face of the north and south end walls behind RF transparent screening. In addition, Verizon Wireless is proposing to add (2) antennas, (1) equipment cabinet, (6) RRH's and (2) GPS units atop the existing roof top bulkhead behind RF transparent screening.

The locations of the antennas and appurtenances are shown on the zoning drawings prepared by WFC Architects dated 5/10/19.

It is my professional opinion that the existing structure can safely sustain the loads from the proposed antennas and appurtenances. This determination was based on the requirements of the 2015 New York State Building Code.

If you have any questions, please call.

Sincerely,



Nicholas J. DeFelice, P.E.



Exhibit 2
Antenna Site FCC RF Compliance Assessment and Report



Pinnacle Telecom Group

Professional and Technical Services

ANTENNA SITE FCC COMPLIANCE ASSESSMENT AND REPORT

**NEW YORK SMSA LIMITED PARTNERSHIP
d/b/a VERIZON WIRELESS**

**"Rye VZCO SC" SITE
182 PURCHASE STREET
Rye, NY**

FEBRUARY 18, 2019

14 RIDGEDALE AVENUE • SUITE 260 • CEDAR KNOLLS, NJ 07927 • 973-451-1630

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CERTIFICATION

APPENDIX A. BACKGROUND ON THE FCC MPE LIMIT

APPENDIX B. SUMMARY OF EXPERT QUALIFICATIONS

INTRODUCTION AND SUMMARY

At the request of New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon Wireless”), Pinnacle Telecom Group (PTG) has performed an independent expert assessment of radiofrequency (RF) levels and related FCC compliance for a proposed wireless base station antenna operation on the roof of a building at 182 Purchase Street in Rye, NY. Verizon Wireless refers to the site as “Rye VZCO SC” and the proposed operation involves directional panel antennas and transmission in the 746 MHz, 1900 MHz, and 2100 MHz frequency bands licensed to Verizon Wireless by the FCC.

The FCC requires wireless system operators to perform an assessment of potential human exposure to RF fields emanating from all the transmitting antennas at a site whenever antenna operations are added or modified, and to ensure compliance with the Maximum Permissible Exposure (MPE) limit in the FCC regulations. In this case, there are no other existing antenna operations at the site to include in the compliance assessment. Note that FCC regulations require any future antenna collocators to assess and assure continuing compliance based on the cumulative effects of all then-proposed and then-existing antennas at the site.

This report describes mathematical analyses of RF levels associated with the antennas. The analyses both at street level and on the roof employ standard FCC mathematical models for calculating the effects of the antennas in a very conservative manner, in order to overstate the RF levels and to ensure “safe-side” conclusions regarding compliance with the FCC limit for safe continuous exposure of the general public.

The results of a compliance assessment can be explained in layman’s terms by describing the calculated RF levels as simple percentages of the FCC MPE limit. If the reference for that limit is 100 percent, then calculated RF levels higher than 100 percent indicate the MPE limit is exceeded, while calculated RF levels consistently lower than 100 percent serve as a clear and sufficient demonstration of compliance with the MPE limit.

The results of the FCC RF compliance assessment in this case are as follows:

- At street level around the site and at any distance from the site, the conservatively calculated maximum RF level from the proposed antenna operation is 4.4314 percent of the FCC general population MPE limit – well below the 100-percent reference for compliance. In other words, even with the significant degree of conservatism incorporated in the analysis, the worst-case calculated RF level is still more than 20 times below the FCC limit established as safe for continuous human exposure to the RF emissions from antennas.
- A conservative analysis indicates that the RF levels potentially exceed the FCC MPE limit at the Verizon Wireless Beta antenna sector. Therefore, and consistent with the Verizon Wireless policy and FCC guidelines on rooftop compliance, Verizon Wireless will install standard RF alert signage at the Verizon Wireless Beta antenna sector. RF alert signage will also be installed at the roof access point(s).
- The results of the calculations, along with the proposed mitigation, combine to satisfy the FCC requirements and associated guidelines on RF compliance. Moreover, because of the significant conservatism incorporated in the analysis, RF levels actually caused by the antennas will be lower than these calculations indicate.

The remainder of this report provides the following:

- relevant technical data on the proposed Verizon Wireless antenna operation at the site;
- a description of the applicable FCC mathematical models for assessing MPE compliance, and application of the relevant technical data to those models; and
- the results of the analysis, and the compliance conclusion for the site.

In addition, two Appendices are included. Appendix A provides background on the FCC MPE limit, along with a list of FCC references on compliance.

Appendix B summarizes the expert qualifications of the individual certifying compliance for this site.

ANTENNA AND TRANSMISSION DATA

The table that follows provides the key compliance-related data for the proposed Verizon Wireless antenna operation.

General Data	
Frequency Bands	746 MHz, 1900 MHz, and 2100 MHz
Service Coverage Type	Sectorized
Antenna Type	Directional Panel
Antenna Centerline Height AGL	52 ft. 6 in.
Antenna Line Loss	Assumed 0 dB (conservatively ignored)
746 MHz Antenna Data	
Antenna Models (Max. Gain)	Commscope NHH-45A-R2B (15.5 dBi)
RF Channels per Sector	2 @ 60 watts
1900 MHz Antenna Data	
Antenna Models (Max. Gain)	Commscope NHH-45A-R2B (19.0 dBi)
RF Channels per Sector	2 @ 60 watts
2100 MHz Antenna Data	
Antenna Models (Max. Gain)	Commscope NHH-45A-R2B (19.2 dBi)
RF Channels per Sector	4 @ 45 watts

The area below the antennas at street level is of interest in terms of potential “uncontrolled” exposure of the general public, so the antenna’s vertical-plane emission characteristic is used in the compliance analysis.

By way of illustration, Figure 1 that follows shows the vertical-plane pattern for the proposed Verizon Wireless antenna model in the 746 MHz frequency band.

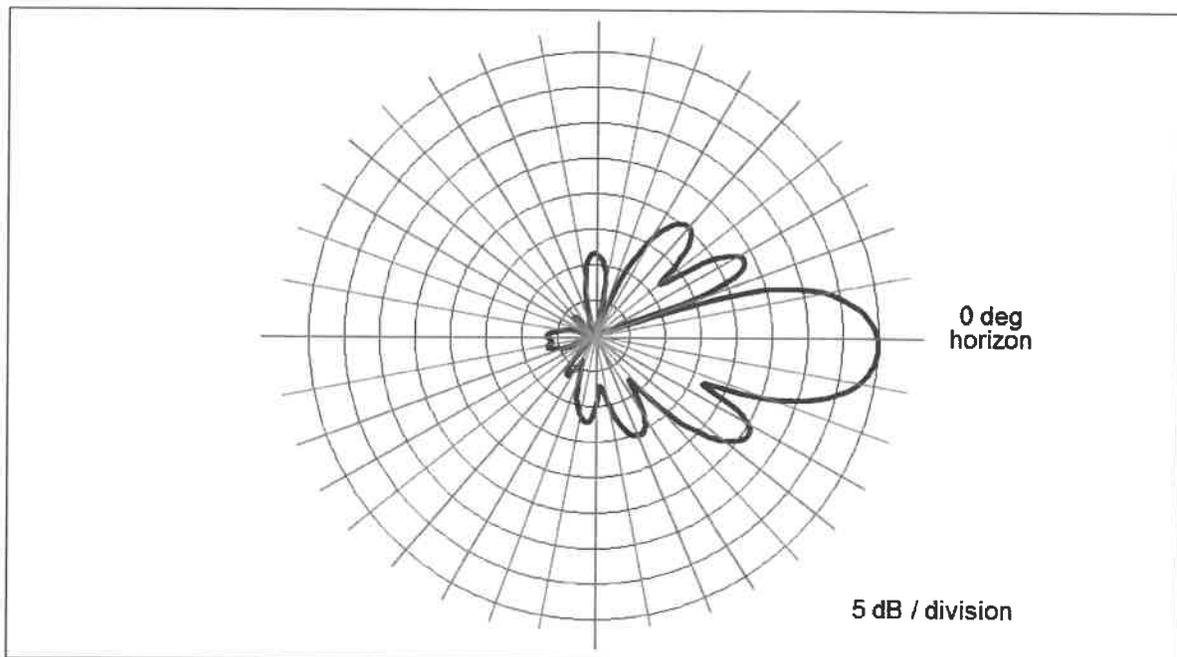
In this type of antenna pattern diagram, the antenna is effectively pointed at the three o’clock position (the horizon) and the relative strength of the pattern at different angles is described using decibel units.

The use of a decibel scale to describe the relative pattern at different angles

actually serves to visually understate the actual focusing effects of the antenna. Where the antenna pattern reads 20 dB the relative RF energy emitted at the corresponding downward angle is 1/100th of the maximum that occurs in the main beam (at 0 degrees); at 30 dB, the energy is 1/1,000th of the maximum.

Note that the automatic pattern-scaling feature of our internal software may skew side-by-side visual comparisons of different antenna models, or even different parties' depictions of the same antenna model.

Fig. 1. Commscope NHH-45A-R2B – 746 MHz Vertical-plane Pattern



Compliance Analysis

FCC Office of Engineering and Technology Bulletin 65 (“OET Bulletin 65”) provides guidelines for mathematical models to calculate the RF levels at various points around transmitting antennas.

Different models apply in different areas around antennas, with one model applying to street level around a site, and another applying to the rooftop near

the antennas. We will address each area of interest in turn in the subsections that follow.

Street Level Analysis

At street-level around an antenna site (in what is called the “far field” of the antennas), the RF levels are directly proportional to the total antenna input power and the relative antenna gain in the downward direction of interest – and the levels are otherwise inversely proportional to the square of the straight-line distance to the antenna. Conservative calculations also assume the potential RF exposure is enhanced by reflection of the RF energy from the ground. Our calculations will assume a 100% “perfect” reflection, the worst-case approach.

The formula for street-level RF compliance calculations for any given wireless antenna operation is as follows:

$$\text{MPE\%} = (100 * \text{TxPower} * 10^{(\text{Gmax-Vdisc}/10)} * 4) / (\text{MPE} * 4\pi * \text{R}^2)$$

where

MPE%	=	RF level, expressed as a percentage of the MPE limit applicable to continuous exposure of the general public
100	=	factor to convert the raw result to a percentage
TxPower	=	maximum net power into antenna sector, in milliwatts, a function of the number of channels per sector, the transmitter power per channel, and line loss
$10^{(\text{Gmax-Vdisc}/10)}$	=	numeric equivalent of the relative antenna gain in the downward direction of interest; data on the antenna vertical-plane pattern is taken from manufacturer specifications
4	=	factor to account for a 100-percent-efficient ground reflection, and the squared relationship between RF field strength and power density ($2^2 = 4$)
MPE	=	FCC general population MPE limit
R	=	straight-line distance from the RF source to the point of interest, centimeters

The MPE% calculations are performed out to a distance of 500 feet from the facility to points 6.5 feet (approximately two meters, the FCC-recommended standing height) off the ground, as illustrated in Figure 2, below.

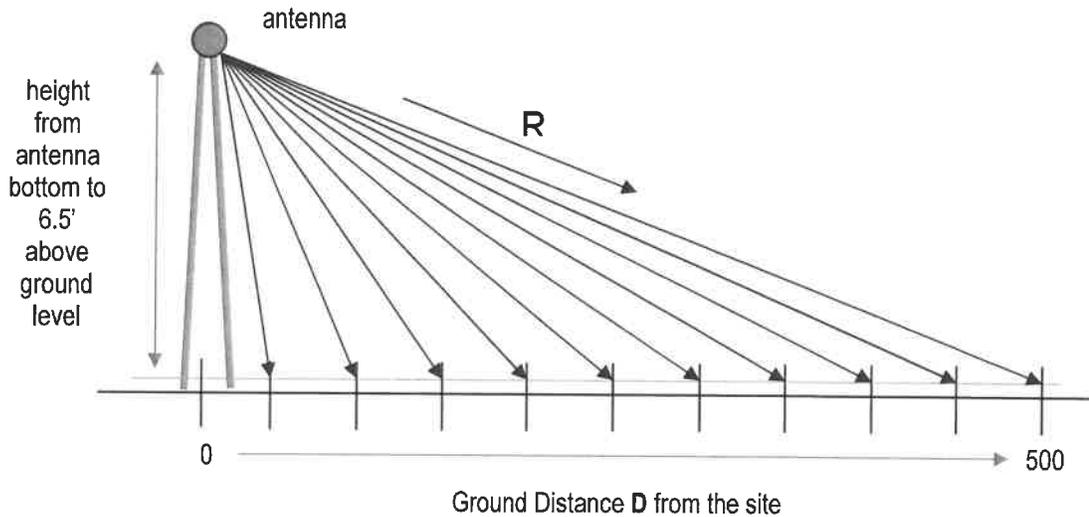


Figure 2. Street-level MPE% Calculation Geometry

It is popularly understood that the farther away one is from an antenna, the lower the RF level – which is generally but not universally correct. The results of MPE% calculations fairly close to the site will reflect the variations in the vertical-plane antenna pattern as well as the variation in straight-line distance to the antennas. Therefore, RF levels may actually increase slightly with increasing distance within the range of zero to 500 feet from the site.

As the distance approaches 500 feet and beyond, though, the antenna pattern factor becomes less significant, the RF levels become primarily distance-controlled, and as a result the RF levels generally decrease with increasing distance, and are well understood to be in compliance.

FCC compliance for a multiple-band antenna operation is assessed in the following manner. At each distance point along the ground, an MPE% calculation is made for the RF effect in each frequency band, and the sum of the individual MPE% contributions at each point is compared to 100 percent, which

serves as the normalized reference for the FCC MPE limit. We refer to the sum of the individual MPE% contributions as “total MPE%”, and any calculated total MPE% result exceeding 100 percent is, by definition, higher than the FCC limit and represents non-compliance and a need to mitigate the RF levels. If, on the other hand, all results are below 100 percent, that set of results serves as a demonstration of compliance with the MPE limit.

The following conservative methodology and assumptions are incorporated into the MPE% calculations on a general basis:

1. The antenna is assumed to be operating continuously at maximum power, and we are conservatively ignoring the power-attenuation effects associated with the antenna cabling.
2. The power-attenuation effects of shadowing or other obstructions to the line-of-sight path from the antenna to the point of interest are ignored.
3. The calculations intentionally minimize the distance factor (R) by assuming a 6’6” human and performing the calculations from the bottom (rather than the centerline) of each operator’s lowest-mounted antenna, as applicable.
4. The potential RF exposure at street level is assumed to be 100-percent enhanced (increased) via a “perfect” field reflection from the intervening ground.

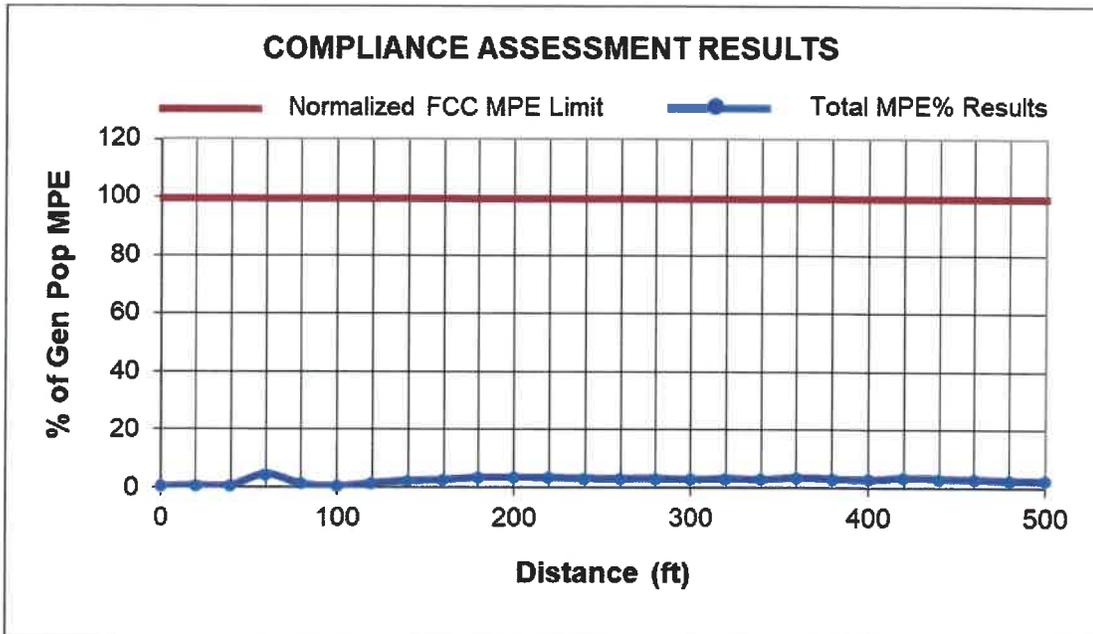
The net result of these assumptions is to significantly overstate the calculated RF exposure levels relative to the levels that will actually occur – and the purpose of this conservatism is to allow very “safe-side” conclusions about compliance.

The table that follows provides the results of the street-level MPE% calculations for each frequency band, with the overall worst-case result highlighted in bold in the last column.

Ground Dist (ft)	Verizon 746 MHz MPE%	Verizon 1900 MHz MPE%	Verizon 2100 MHz MPE%	Total MPE%
0	0.2062	0.0131	0.0145	0.2338
20	0.4383	0.0626	0.0746	0.5754
40	0.1962	0.3337	0.1068	0.6366
60	1.7100	0.4214	2.3001	4.4314
80	0.8341	0.1259	0.1954	1.1554
100	0.1206	0.2065	0.0271	0.3542
120	0.6167	0.4052	0.3637	1.3856
140	1.7621	0.0961	0.3705	2.2287
160	2.5194	0.0036	0.0454	2.5684
180	3.2170	0.0541	0.0683	3.3393
200	3.1813	0.0463	0.1181	3.3457
220	3.1284	0.0163	0.1094	3.2540
240	3.0508	0.0067	0.0507	3.1082
260	2.9579	0.0516	0.0158	3.0254
280	2.8398	0.1990	0.1086	3.1475
300	2.4815	0.1739	0.0949	2.7504
320	2.3810	0.4078	0.3627	3.1515
340	2.1136	0.3620	0.3219	2.7975
360	2.0191	0.6513	0.7428	3.4132
380	1.8149	0.5855	0.6677	3.0680
400	1.6400	0.5291	0.6034	2.7725
420	1.5666	0.8028	1.0610	3.4304
440	1.4288	0.7322	0.9676	3.1286
460	1.3084	0.6705	0.8861	2.8649
480	1.2025	0.6162	0.8144	2.6331
500	1.1089	0.5683	0.7510	2.4282

As indicated, even with the significant degree of conservatism built into the calculations, the maximum calculated RF level is 4.4314 percent of the FCC general population MPE limit.

A graph of the overall calculation results, provided on the next page, probably provides a clearer visual illustration of the relative compliance of the calculated RF levels. The line representing the overall calculation results shows an obviously clear, consistent margin to the FCC MPE limit.



Rooftop Analysis

The rooftop compliance analysis for the rooftop is performed using the Richard Tell Associates *RoofView* program, which is based on the near-field models in FCC Bulletin OET65 and which is considered an industry standard, and is accepted by the FCC for rooftop compliance analyses.

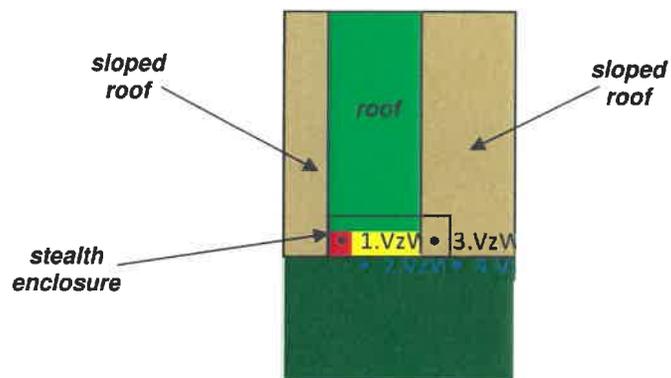
RF levels in the near field of an antenna depend on the power input to the antenna, the antenna's length and horizontal beamwidth, the mounting height of the antenna above nearby roof, and one's position and distance from the antenna. RF levels in front of a directional antenna are higher than they are to the sides or rear, and in any given horizontal direction are inversely proportional to the straight-line distance to the antenna.

The *RoofView* program's primary output is a color-coded depiction of the calculated RF levels in the vicinity of antennas. The color-coding scheme uses green for areas found to be subject to RF levels satisfying the FCC general

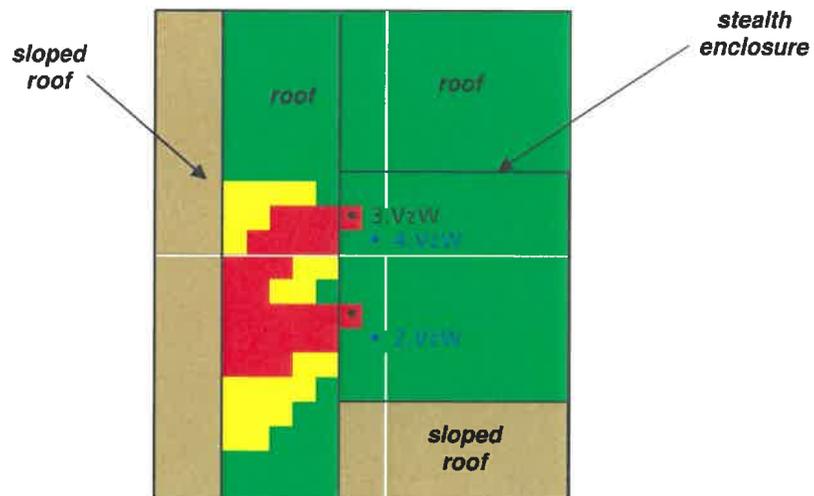
population MPE limit, red for areas where the FCC occupational limit is exceeded, and yellow for RF levels between those extremes.

Note that in a grayscale printout, green appears as medium gray, yellow is a lighter gray, and red is a dark gray.

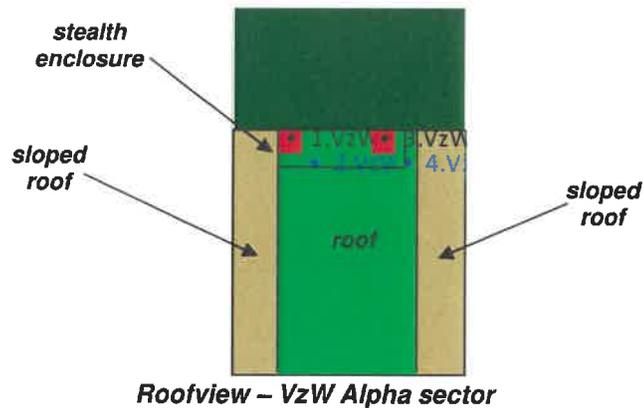
The *RoofView* graphic outputs for the areas surrounding the Verizon Wireless antenna sectors on the roof are reproduced below and on the next page.



Roofview – VzW Alpha sector



Roofview – VzW Beta sector



As indicated by the color coding on the roof, the calculated RF levels potentially exceed the FCC MPE limit at the Verizon Wireless Beta antenna sector. Therefore, and consistent with the Verizon Wireless policy and FCC guidelines on rooftop compliance, Verizon Wireless will install standard RF alert signage at the Verizon Wireless Beta antenna sector. RF alert signage will also be installed at the roof access point(s).

Compliance Conclusion

According to the FCC, the MPE limit has been constructed in such a manner that continuous human exposure to RF fields up to and including 100 percent of the MPE limit is acceptable and safe.

The street-level analysis in this case shows a maximum RF level of 4.4314 percent of the applicable FCC general population MPE limit.

The rooftop analysis shows that the calculated RF levels potentially exceed the FCC MPE at the Verizon Wireless Beta antenna sector. Therefore, and consistent with the Verizon Wireless policy and FCC guidelines on rooftop compliance, Verizon Wireless will install standard RF alert signage at the Verizon Wireless Beta antenna sector. RF alert signage will also be installed at the roof access point(s).

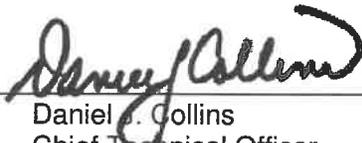
The results of the calculations, along with the described RF mitigation, combine to satisfy the FCC's RF compliance requirements and associated guidelines.

Moreover, because of the conservative calculation methodology and operational assumptions we applied in the analysis, RF levels actually caused by the antennas will be even less significant than the calculation results here indicate.

CERTIFICATION

It is the policy of Pinnacle Telecom Group that all FCC RF compliance assessments are reviewed, approved, and signed by the firm's Chief Technical Officer who certifies as follows:

1. I have read and fully understand the FCC regulations concerning RF safety and the control of human exposure to RF fields (47 CFR 1.1301 *et seq*).
2. To the best of my knowledge, the statements and information disclosed in this report are true, complete and accurate.
3. The analysis of site RF compliance provided herein is consistent with the applicable FCC regulations, additional guidelines issued by the FCC, and industry practice.
4. The results of the analysis indicate that the subject antenna operations will be in compliance with the FCC regulations concerning the control of potential human exposure to the RF emissions from antennas.



Daniel J. Collins
Chief Technical Officer
Pinnacle Telecom Group, LLC

2/18/19

Date

APPENDIX A. BACKGROUND ON THE FCC MPE LIMIT

FCC Rules and Regulations

As directed by the Telecommunications Act of 1996, the FCC has established limits for maximum continuous human exposure to RF fields.

The FCC maximum permissible exposure (MPE) limits represent the consensus of federal agencies and independent experts responsible for RF safety matters. Those agencies include the National Council on Radiation Protection and Measurements (NCRP), the Occupational Safety and Health Administration (OSHA), the National Institute for Occupational Safety and Health (NIOSH), the American National Standards Institute (ANSI), the Environmental Protection Agency (EPA), and the Food and Drug Administration (FDA). In formulating its guidelines, the FCC also considered input from the public and technical community – notably the Institute of Electrical and Electronics Engineers (IEEE).

The FCC's RF exposure guidelines are incorporated in Section 1.301 *et seq* of its Rules and Regulations (47 CFR 1.1301-1.1310). Those guidelines specify MPE limits for both occupational and general population exposure.

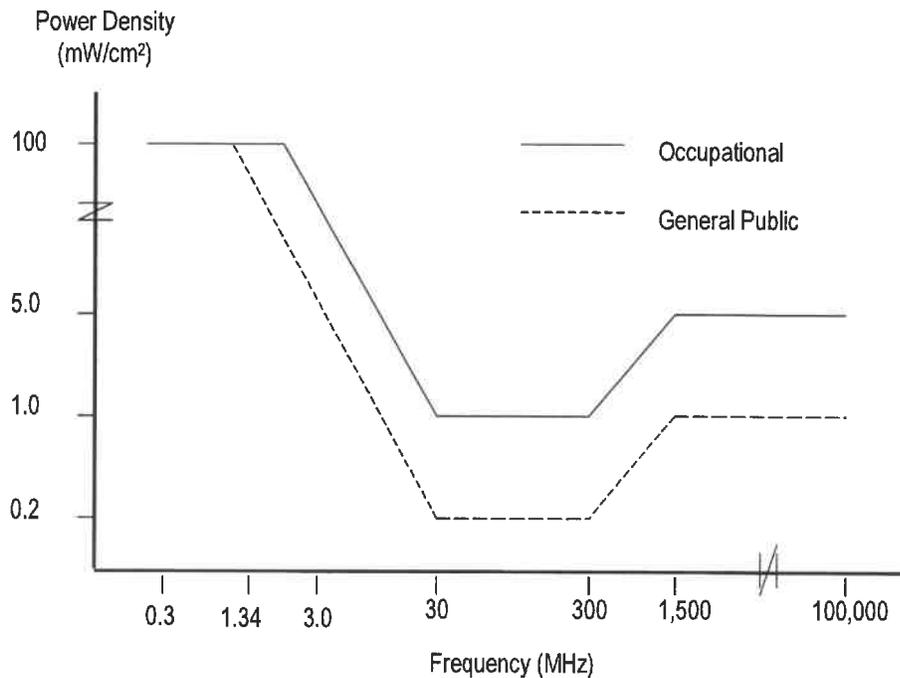
The specified continuous exposure MPE limits are based on known variation of human body susceptibility in different frequency ranges, and a Specific Absorption Rate (SAR) of 4 watts per kilogram, which is universally considered to accurately represent human capacity to dissipate incident RF energy (in the form of heat). The occupational MPE guidelines incorporate a safety factor of 10 or greater with respect to RF levels known to represent a health hazard, and an additional safety factor of five is applied to the MPE limits for general population exposure. Thus, the general population MPE limit has a built-in safety factor of more than 50. The limits were constructed to appropriately protect humans of both sexes and all ages and sizes and under all conditions – and continuous exposure at levels equal to or below the applicable MPE limits is considered to result in no adverse health effects or even health risk.

The reason for *two* tiers of MPE limits is based on an understanding and assumption that members of the general public are unlikely to have had appropriate RF safety training and may not be aware of the exposures they receive; occupational exposure in controlled environments, on the other hand, is assumed to involve individuals who have had such training, are aware of the exposures, and know how to maintain a safe personal work environment.

The FCC's RF exposure limits are expressed in two equivalent forms, using alternative units of field strength (expressed in volts per meter, or V/m), and power density (expressed in milliwatts per square centimeter, or mW/cm²). The table on the next page lists the FCC limits for both occupational and general population exposures, using the mW/cm² reference, for the different radio frequency ranges.

Frequency Range (F) (MHz)	Occupational Exposure (mW/cm ²)	General Public Exposure (mW/cm ²)
0.3 - 1.34	100	100
1.34 - 3.0	100	180 / F ²
3.0 - 30	900 / F ²	180 / F ²
30 - 300	1.0	0.2
300 - 1,500	F / 300	F / 1500
1,500 - 100,000	5.0	1.0

The diagram below provides a graphical illustration of both the FCC's occupational and general population MPE limits.



Because the FCC's MPE limits are frequency-shaped, the exact MPE limits applicable to the instant situation depend on the frequency range used by the systems of interest.

The most appropriate method of determining RF compliance is to calculate the RF power density attributable to a particular system and compare that to the MPE limit applicable to the operating frequency in question. The result is usually expressed as a percentage of the MPE limit.

For potential exposure from multiple systems, the respective percentages of the MPE limits are added, and the total percentage compared to 100 (percent of the limit). If the result is less than 100, the total exposure is in compliance; if it is more than 100, exposure mitigation measures are necessary to achieve compliance.

Note that the FCC “categorically excludes” certain types of antenna facilities from the routine requirement to specifically (i.e., mathematically) demonstrate compliance with the MPE limit. Among those types of facilities are cellular antennas mounted on any type of tower, when the bottoms of the antennas are more than 10 meters (c. 32.8 feet) above ground. The basis for the categorical exclusion, according to the FCC, is the understanding that because of the low power and the directionality of the antennas, such facilities – individually and collectively – are well understood to have no significant effect on the human environment. As a result, the FCC automatically deems such facilities to be in compliance.

FCC References on Compliance

47 CFR, FCC Rules and Regulations, Part 1 (Practice and Procedure), Section 1.1310 (Radiofrequency radiation exposure limits).

FCC Second Memorandum Opinion and Order and Notice of Proposed Rulemaking (FCC 97-303), *In the Matter of Procedures for Reviewing Requests for Relief From State and Local Regulations Pursuant to Section 332(c)(7)(B)(v) of the Communications Act of 1934 (WT Docket 97-192), Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation (ET Docket 93-62), and Petition for Rulemaking of the Cellular Telecommunications Industry Association Concerning Amendment of the Commission's Rules to Preempt State and Local Regulation of Commercial Mobile Radio Service Transmitting Facilities*, released August 25, 1997.

FCC First Memorandum Opinion and Order, ET Docket 93-62, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, released December 24, 1996.

FCC Report and Order, ET Docket 93-62, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, released August 1, 1996.

FCC Office of Engineering and Technology (OET) Bulletin 65, “Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields”, Edition 97-01, August 1997.

APPENDIX B. SUMMARY OF EXPERT QUALIFICATIONS

Daniel J. Collins, Chief Technical Officer, Pinnacle Telecom Group, LLC

<p>Synopsis:</p>	<ul style="list-style-type: none"> • 40+ years of experience in all aspects of wireless system engineering, related regulation, and RF exposure • Has performed or led RF exposure compliance assessments on more than 20,000 antenna sites since the latest FCC regulations went into effect in 1997 • Has provided testimony as an RF compliance expert more than 1,500 times since 1997 • Have been accepted as an FCC compliance expert in New Jersey, New York, Connecticut, Pennsylvania and more than 40 other states, as well as by the FCC
<p>Education:</p>	<ul style="list-style-type: none"> • B.E.E., City College of New York (Sch. Of Eng.), 1971 • M.B.A., 1982, Fairleigh Dickinson University, 1982 • Bronx High School of Science, 1966
<p>Current Responsibilities:</p>	<ul style="list-style-type: none"> • Leads all PTG staff work involving RF safety and FCC compliance, microwave and satellite system engineering, and consulting on wireless technology and regulation
<p>Prior Experience:</p>	<ul style="list-style-type: none"> • Edwards & Kelcey, VP – RF Engineering and Chief Information Technology Officer, 1996-99 • Bellcore (a Bell Labs offshoot after AT&T's 1984 divestiture), Executive Director – Regulation and Public Policy, 1983-96 • AT&T (Corp. HQ), Division Manager – RF Engineering, and Director – Radio Spectrum Management, 1977-83 • AT&T Long Lines, Group Supervisor – Microwave Radio System Design, 1972-77
<p>Specific RF Safety / Compliance Experience:</p>	<ul style="list-style-type: none"> • Involved in RF exposure matters since 1972 • Have had lead corporate responsibility for RF safety and compliance at AT&T, Bellcore, Edwards & Kelcey, and PTG • While at AT&T, helped develop the mathematical models for calculating RF exposure levels • Have been relied on for compliance by all major wireless carriers, as well as by the federal government, several state and local governments, equipment manufacturers, system integrators, and other consulting / engineering firms
<p>Other Background:</p>	<ul style="list-style-type: none"> • Author, <i>Microwave System Engineering</i> (AT&T, 1974) • Co-author and executive editor, <i>A Guide to New Technologies and Services</i> (Bellcore, 1993) • National Spectrum Management Association (NSMA) – former three-term President and Chairman of the Board of Directors; was founding member, twice-elected Vice President, long-time member of the Board, and was named an NSMA Fellow in 1991 • Have published more than 35 articles in industry magazines

Exhibit 3
FCC Licenses



Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY
 CELLCO PARTNERSHIP
 1120 SANCTUARY PKWY, #150 GA SA 5 REG
 ALPHARETTA, GA 30009-7630

Call Sign WQGB263	File Number
Radio Service AW - AWS (1710-1755 MHz and 2110-2155 MHz)	

FCC Registration Number (FRN): 0003290673

Grant Date 11-29-2006	Effective Date 01-04-2014	Expiration Date 11-29-2021	Print Date
Market Number CMA001	Channel Block A	Sub-Market Designator 0	
Market Name New York, NY-NJ/Nassau-Suffolk			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB-Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELLCO PARTNERSHIP

Call Sign: WQGB263

File Number:

Print Date:

The license is subject to compliance with the provisions of the January 12, 2001 Agreement between Deutsche Telekom AG, VoiceStream Wireless Corporation, VoiceStream Wireless Holding Corporation and the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI), which addresses national security, law enforcement, and public safety issues of the FBI and the DOJ regarding the authority granted by this license. Nothing in the Agreement is intended to limit any obligation imposed by Federal law or regulation including, but not limited to, 47 U.S.C. Section 222(a) and (c)(1) and the FCC's implementing regulations. The Agreement is published at VoiceStream-DT Order, IB Docket No. 00-187, FCC 01-142, 16 FCC Rcd 9779, 9853 (2001).

CONFIDENTIAL COPY

REFERENCE COPY

This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.



**Federal Communications Commission
Wireless Telecommunications Bureau**

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY
CELLCO PARTNERSHIP
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING
ALPHARETTA, GA 30022

Call Sign KNLH264	File Number 0007716974
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0003290673

Grant Date 06-02-2017	Effective Date 06-02-2017	Expiration Date 06-27-2027	Print Date 06-06-2017
Market Number BTA321	Channel Block F	Sub-Market Designator 0	
Market Name New York, NY			
1st Build-out Date 06-27-2002	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is conditioned upon the full and timely payment of all monies due pursuant to Sections 1.2110 and 24.716 of the Commission's Rules and the terms of the Commission's installment plan as set forth in the Note and Security Agreement executed by the licensee. Failure to comply with this condition will result in the automatic cancellation of this authorization.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELLCO PARTNERSHIP

Call Sign: KNLH264

File Number: 0007716974

Print Date: 06-06-2017

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).



Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY
CELLCO PARTNERSHIP
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING
ALPHARETTA, GA 30022

Call Sign WQBT539	File Number 0007490681
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0003290673

Grant Date 12-06-2016	Effective Date 12-06-2016	Expiration Date 01-03-2027	Print Date 12-07-2016
Market Number BTA321	Channel Block C	Sub-Market Designator 4	
Market Name New York, NY			
1st Build-out Date 12-07-2003	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is conditioned upon the full and timely payment of all monies due pursuant to Sections 1.2110 and 24.711 of the Commission's Rules and the terms of the Commission's installment plan as set forth in the Note and Security Agreement executed by the licensee. Failure to comply with this condition will result in the automatic cancellation of this authorization.

Conditions:
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELCO PARTNERSHIP

Call Sign: WQBT539

File Number: 0007490681

Print Date: 12-07-2016

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to Order DA 03-617 (rel. March 3, 2003), the designated entity holding period for this license is extended by 703 days, or until the licensee meets its five-year construction requirement, whichever is sooner.

Original Copy



Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AIRTOUCH CELLULAR

ATTN: REGULATORY
 AIRTOUCH CELLULAR
 5055 NORTH POINT PKWY, N#2NE NETWORK ENGINEERING
 ALPHARETTA, GA 30022

Call Sign KNLF644	File Number 0007490664
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0006146468

Grant Date 12-02-2016	Effective Date 12-02-2016	Expiration Date 01-03-2027	Print Date 12-03-2016
Market Number BTA321	Channel Block C	Sub-Market Designator 3	
Market Name New York, NY			
1st Build-out Date 12-07-2003	2nd Build-out Date 01-03-2007	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

<p>Conditions: Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.</p>

<p>This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.</p>
--

Licensee Name: AIRTOUCH CELLULAR

Call Sign: KNLF644

File Number: 0007490664

Print Date: 12-03-2016

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Original Copy



Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY
 CELLCO PARTNERSHIP
 1120 SANCTUARY PKWY, #150 GASASREG
 ALPHARETTA, GA 30009-7630

Call Sign WQGA906	File Number
Radio Service AW - AWS (1710-1755 MHz and 2110-2155 MHz)	

FCC Registration Number (FRN): 0003290673

Grant Date 11-29-2006	Effective Date 03-30-2016	Expiration Date 11-29-2021	Print Date
Market Number BEA010	Channel Block B	Sub-Market Designator 15	
Market Name New York-No. New Jer.-Long Isl			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Exhibit 4
RF Affidavit

Need for the Site

4. Verizon Wireless is licensed by the Federal Communications Commission (“FCC”) to provide wireless telecommunication services. Verizon Wireless provides voice and data communications through its various licensed radio-frequencies.

5. Throughout the New York metropolitan region, including the City of Rye, Verizon Wireless is designing its wireless network to be able to seamlessly transmit wireless data using various frequencies to wirelessly transmit and receive high-speed data.

6. Unlike radio and television broadcast towers, which utilize high power output transmitters to cover large geographical areas, Verizon Wireless’ network relies on geographically close, low power transmitters and antennas. This network is comprised of cell sites which operate within a group of assigned radio frequencies. Reliable wireless communications, including data receipt and transmission, depends on the architecture of the wireless network.

7. Verizon Wireless currently has critical capacity issues in the area of the City surrounding the Site. As mobile phone use continues to increase, especially the demand for data transmitted via such devices, the existing facilities in the area responsible for transmitting and receiving such data have become overburdened resulting in dropped calls, denied access to the network, a reduction in data transmission speed, or an inability to transmit data.

8. The Facility is primarily needed to remedy Verizon Wireless’ capacity needs. All cell sites have capacity/usage limitations, once those limitations are met or exceeded, a new site is required to provide viable service to the area.

9. Forward Data Volume (FDV) is the basic Key Performance Indicator (KPI) used to determine if a site is experiencing capacity limitations. FDV is the amount of data a cell site can provide before users start to experience poor data throughputs. Verizon Wireless keeps a close eye on these and other parameters to determine capacity relief solutions.

10. The charts attached hereto as Exhibit A show the exhaust points for the FDV. As can be seen on the FDV charts, the adjacent sites which serve the area of the City known as Westchester Country Club and Portchester 2 (Fox Island) (hereinafter referred to as

“Adjacent Sites”) reached maximum capacity, causing a slowdown or inability to access data from those sites.

11. The Facility at the Site will provide immediate capacity relief to Verizon Wireless’ Adjacent Sites, providing the residents in that area of the City better access to Verizon Wireless’ services. The proposed Facility will allow for fewer dropped calls, better ability to access Verizon Wireless’ network and faster data transmission speeds from not only the proposed Facility, but also from the Adjacent Sites.

12. In accordance with Section 196-6(E)(22) of the City Code, a list of all adjoining sites is attached hereto as Exhibit B and any propagation study is not relevant since the Site has been designed to address capacity.

Verizon Wireless’ Proposed Facility’s Usefulness

13. In accordance with Section 196-6(E)(25) of the City Code, Verizon Wireless’ proposed Facility is expected to be useful so long as there is capacity/coverage needs in the vicinity of the Property. As noted above, mobile phone use continues to increase, therefore, it is anticipated that the Site will remain useful for the foreseeable future.

Unsuitability of Proposed MTA Tower

14. It is my understanding that the Metropolitan Transportation Authority (“MTA”) may be interested in locating a tower in the vicinity of the Facility and the City has inquired if Verizon Wireless would be interested in collocating on that tower, if such tower were to be built, and if so, whether Verizon Wireless would still need the Facility. Please note that Verizon Wireless cannot make an informed decision about same, as Verizon Wireless does not have any details with respect to the height or location of the hypothetical MTA tower. Without that basic information, it is impossible to make a determination if the MTA tower would be suitable for Verizon Wireless’ needs. As the MTA tower is merely speculative and Verizon Wireless must remedy its current critical capacity needs in the area, it is respectfully submitted that Verizon Wireless’ instant application be approved forthwith.

Conclusion

Based on the foregoing, the requested approvals should be granted forthwith.

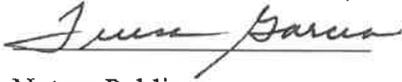
Respectfully submitted,



Ali Aljibori

Signed before me this

23rd day of May, 2019 ,



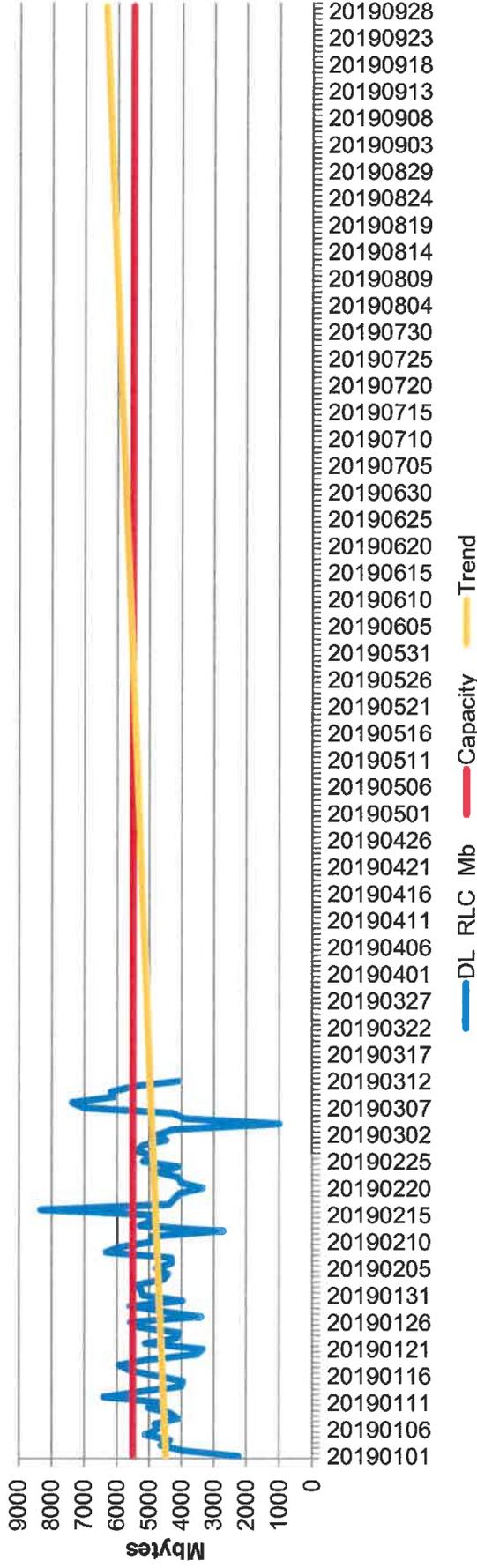
Notary Public

TERESA GARCIA
Notary Public, State of New York
Registration #01GA6350390
Qualified in Rockland County
Commission Expires Nov. 7, 2020

Exhibit A

Westchester Country Club Projected Demand

Westchester Country Club (FDV)



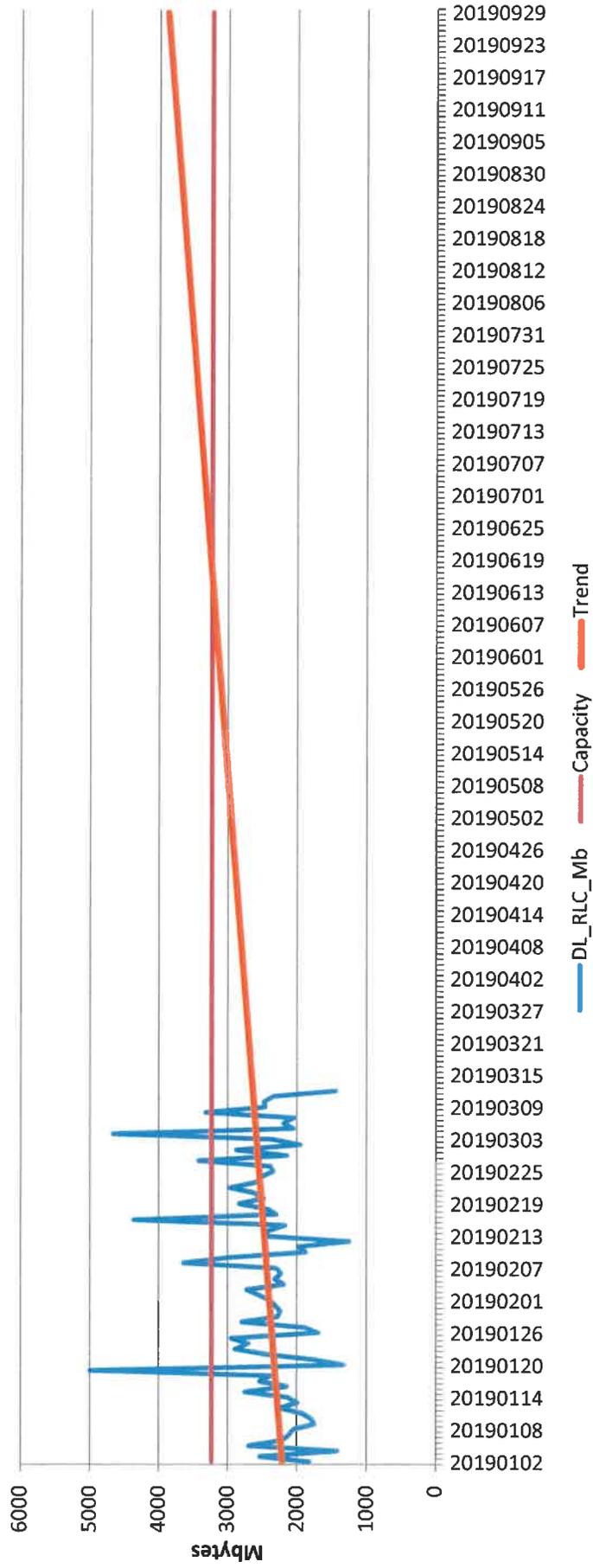
Reached Maximum Capacity in Q1 2019



Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Fox Island Rd, Portchester, NY 10573 Projected Demand

PORTCHESTER_2 - 78293_3 (FDV)



Reached Maximum Capacity in Q1 2019



Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Exhibit B

EXHIBIT B - ADJOINING SITES

Westchester Country Club	2500 Westchester Avenue, Town/Village of Harrison, New York
Port Chester 2	82 Fox Island Road, Village of Port Chester, New York
Port Chester 3	330-340 South Regent Street, Village of Port Chester, New York
Rye Playland	66 Milton Road, City of Rye, New York
Harrison 2	275 North Street, Town/Village of Harrison, New York

Exhibit 5
Engineer Letter

Exhibit 6
Alternatives Analysis

CITY COUNCIL
CITY OF RYE

-----X
In the matter of the Application of

NEW YORK SMSA LIMITED PARTNERSHIP
d/b/a VERIZON WIRELESS

Affidavit

Premises: 182 Purchase Street
City of Rye, New York

-----X
State of New York)
)ss.:
County of Rockland)

John Pepe, does depose and say:

1. I am a site acquisition consultant with more than 10 years of experience and have been retained by New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") in connection with the captioned matter. I specialize in identifying and evaluating properties for wireless telecommunications purposes.

2. I am familiar with Verizon Wireless' existing and proposed wireless telecommunications facility sites in the City of Rye ("City") and I respectfully submit this affidavit in support of the application by Verizon Wireless for a wireless telecommunications facility ("Facility") located on the existing building ("Building") at 182 Purchase Street, Rye, New York ("Property").

3. Pursuant to Section 196-5(I)(1)(a) of the City Code, I researched whether the Facility could be located on existing tall structures or telecommunications towers. Kindly note that Verizon Wireless' Facility is on the highest priority location since it will be located on an existing tall structure.

4. Pursuant to Section 196-5(I)(1)(b) of the City Code, I researched whether the Facility could be collocated on a site with existing telecommunications towers or tall structures in the area surrounding the Property. It is not feasible for the Facility to be collocated on a site with existing telecommunications towers since none exist in the vicinity of the Property. However, as discussed above, Verizon Wireless' Facility is on the highest priority location since it will be located on an existing tall structure.

5. Pursuant to Section 196-5(I)(1)(c) of the City Code, I researched whether the Facility could be located in commercially zoned areas along Interstate 95, Interstate 287 or railroad tracks. It is respectfully submitted that there are no properties within commercially zoned areas along Interstate 95, Interstate 287 or railroad tracks that would be suitable to meet Verizon Wireless' needs. However, as discussed above, Verizon Wireless' Facility is on the highest priority location since it will be located on an existing tall structure.

6. Pursuant to Section 196-5(I)(1)(d) of the City Code, I researched whether the Facility could be located in a nonresidential area or on a golf course. It is respectfully submitted that there are no properties within nonresidential areas or golf courses that would be suitable to meet Verizon Wireless' needs. However, as discussed above, Verizon Wireless' Facility is on the highest priority location since it will be located on an existing tall structure.

7. Pursuant to Section 196-5(I)(3) of the City Code, I researched whether the Facility could be located on municipal property. It is respectfully submitted that there is no municipal property in the vicinity of the Facility that would be suitable to meet Verizon Wireless' needs. However, as discussed above, Verizon Wireless' Facility is on the highest priority location since it will be located on an existing tall structure.

Based on the foregoing, the requested approvals for the Facility at the Property should be granted forthwith.

Respectfully submitted,



John Pepe

Signed before me this
25th day of June, 2019



Notary Public

Attorney at Law State of NJ ID: 048302011

Z:\SSDATA\WPDATA\ISS4\WP\NEWBANM\Breyer\Small Cell Sites\Rye\Zoning\Alternatives Analysis.finrev.rtf

Exhibit 7
EAF

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Verizon Wireless Public Utility Wireless Telecommunications Facility		
Project Location (describe, and attach a general location map): 182 Purchase Street, Rye, NY		
Brief Description of Proposed Action (include purpose or need): Installation of a Public Utility Wireless Telecommunications Facility consisting of antennas behind stealth screen walls on the roof of the existing building at 182 Purchase Street, Rye, NY, together with related equipment. The project is necessary to provide enhanced wireless services to the public.		
Name of Applicant/Sponsor: New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless")		Telephone: 914714-7235 E-Mail: lsnyder@snyderlaw.net
Address: 4 Centerock Road		
City/PO: West Nyack	State: NY	Zip Code: 10994
Project Contact (if not same as sponsor; give name and title/role): Leslie Snyder		Telephone: 914-333-0700 E-Mail: lsnyder@snyderlaw.net
Address: 94 White Plains Road		
City/PO: Tarrytown	State: NY	Zip Code: 10519
Property Owner (if not same as sponsor): Verizon New York Inc.		Telephone: 212-321-8136 E-Mail:
Address: 140 West Street, 27th Floor		
City/PO: New York	State: NY	Zip Code: 10007

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Special Permit - City Council	
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Building Permit - Building Department	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Rockland County Planning - NYS General Municipal Law 239-M	
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? RA-3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located? Rye City School District	
b. What police or other public protection forces serve the project site? City of Rye Police Department	
c. Which fire protection and emergency medical services serve the project site? City of Rye Fire Department	
d. What parks serve the project site? Gagliardo Park	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? commercial	
b. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) ii. Is a cluster/conservation layout proposed? iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Will the proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ 1 months ii. If Yes: • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____ N/A
 ii. Dimensions (in feet) of largest proposed structure: _____ N/A height; _____ N/A width; and _____ N/A length
 iii. Approximate extent of building space to be heated or cooled: _____ N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? If Yes: <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
200 amp- Minimal increase in electrical power

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Consolidated Edison

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	_____ 7:30am - 6:30pm _____	• Monday - Friday:	_____ N/A _____
• Saturday:	_____ 10:00am-5:00pm _____	• Saturday:	_____ N/A _____
• Sunday:	_____ N/A _____	• Sunday:	_____ N/A _____
• Holidays:	_____ N/A _____	• Holidays:	_____ N/A _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 The proposed lighting will be within the proposed equipment screening enclosure

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

Surrounding area is a mix of residential and commercial

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:
Rye Country Day School

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): 360086, C360086
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ N/A feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ N/A %

c. Predominant soil type(s) present on project site:

_____	N/A	_____	N/A %
_____	N/A	_____	N/A %
_____	N/A	_____	N/A %

d. What is the average depth to the water table on the project site? Average: _____ N/A feet

e. Drainage status of project site soils:

<input type="checkbox"/> Well Drained:	_____	N/A % of site
<input type="checkbox"/> Moderately Well Drained:	_____	N/A % of site
<input type="checkbox"/> Poorly Drained	_____	N/A % of site

f. Approximate proportion of proposed action site with slopes:

<input type="checkbox"/> 0-10%:	_____	N/A % of site
<input type="checkbox"/> 10-15%:	_____	N/A % of site
<input type="checkbox"/> 15% or greater:	_____	N/A % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? * Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? * Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? ** Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ** Yes No
 If Yes:
 i. Name of aquifer: Principal Aquifer _____

* This was a predetermined response. The Facility will be located on the roof of the existing building and will not impact any wetlands or waterbodies.

** This was a predetermined response. The Facility will be located on the roof of the existing building and will not impact any floodplain or aquifer.

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Installation is on the roof of an existing _____
 building and will not have a significant _____
 impact on wildlife species _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? * This was a predetermined response. The Facility will be located on the roof of the existing building and will not impact any archaeological site. Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

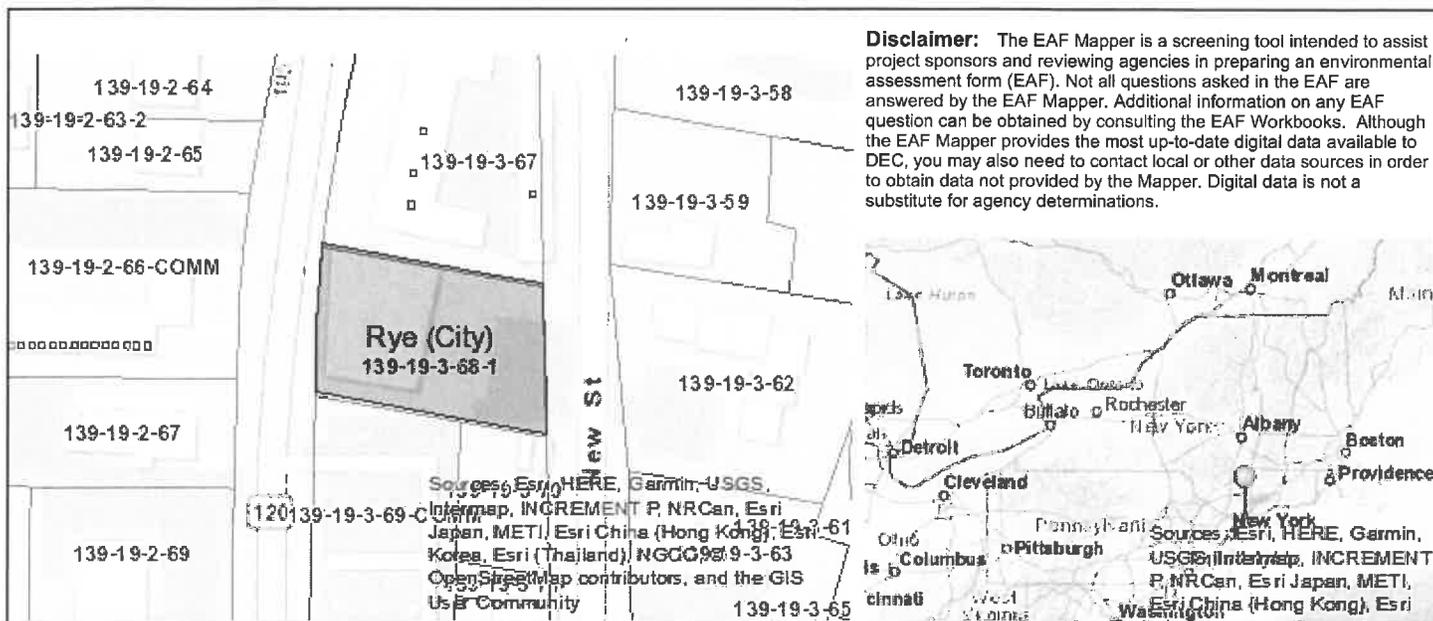
G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name NEIL MACDONALD Date 6/24/19

Signature [Handwritten Signature] Title PARTNER





B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	360086, C360086
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No

E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Exhibit 8
Visual Analysis

Creative Visuals, LLC
308C Wood Run Drive Whitefish, MT 59937
Phone (914) 388-9335 Email: Ruthe.creativevisualsllc@gmail.com

May 3, 2019

William F. Collins Architects
12-1 Technology Drive
Setauket, NY 11733

RE: Proposed Public Utility Wireless Communication Facility

To Whom It May Concern:

The following is a description of the methodology used in preparing the visual analysis study and photo realistic renderings of a post-construction Verizon Wireless public utility wireless communication facility ("Facility") to be located at 182 Purchase Street, Rye, New York. The analysis depicts the proposed rooftop installation consisting of two sectors of panel antennas mounted atop the existing masonry end wall within a screening enclosure to match the existing building façade. In addition, one sector of panel antennas, a gps antenna, and associated equipment will be mounted atop the existing bulkhead within a screening enclosure to match the existing building façade as depicted on the plans drawn by William F. Collins Architects, the Applicant's engineers. Creative Visuals, LLC has prepared photo simulations of the completed Facility utilizing the process described below. An on-site visit was made to obtain familiarity with the building, terrain and its surrounding neighborhoods with six view points selected for analysis of areas of potential visibility and for photo representation of the completed Facility:

<u>Description of View Point</u>	<u>Approximate Distance to Site</u>
View point A – from near 219 – 231 Purchase Street;	537'
View point B – from near 39 New Street;	192'
View point C – from the intersection of Purchase, Highland, and Cedar Streets;	653'
View point D – from near 167 and 175 Purchase Street;	133'
View point E – from near 24 Wappanocca Street;	383'
View point F – from Natoma Street, near 199 Purchase Street.	192'

Photographs of the site were taken from each of the view points under study using a Canon full-frame digital camera with a 50mm lens. The photography and fieldwork was done April 17, 2019 between 9:20 A.M. and 4:15 P.M.; conditions were mostly sunny skies. These photos presented a reference point for the placement of the Facility using the existing building and a telescoping pole with colored materials attached.

In addition to the simulation photos, three photos were taken from Grandview Avenue:

<u>Description of View Point</u>	<u>Approximate Distance to Site</u>
View point G – from Grandview Avenue, references not visible;	567'
View point H – from Grandview Avenue, references not visible;	460'
View point I – from Grandview Avenue, the stealth bulkhead and southern enclosure will likely be partially visible (screened through intervening vegetation), while the northern stealth enclosure will not be visible (blocked by intervening existing building).	351'

The photos were taken as digital high-resolution files. A 3D program was used to create a model of the actual proposed Facility using measurements taken in the field along with dimensions and drawings furnished by the Applicant and William F. Collins, AIA. 3D software photorealistically rendered the proposed Facility as seen from each of the photo simulation view points, maintaining the perspective of the mm lens used during photography. This resulted by exporting the location of the Facility, field references, and view points into the software program. The software utilized this data to maintain their X, Y and Z relationships (the difference in elevation, bearing, and distance to). The Facility was generated with its actual dimensions as a vectorized 3D model. Each view point including the site was elevated to its relative AMSL (Above Mean Sea Level). The 3D program cameras were set at each view point's X, Y, and Z location and photographed the model with the mm lens correlating to view point photos. The X, Y and Z coordinates allowed the 3D camera to render the Facility to its correct scale, rotation, and angle from each view point. The screening enclosures were painted to match and blend in with the existing building façade. 3D software simulated sunlight on the 3D model, taking into account the site latitude, date, and time of day of the view point photographs. The removal and inclusion of intervening vegetation is approximate, however, it provides the viewer with sufficient information to evaluate the potential visibility of the proposed Facility. Finally, the photorealistically-rendered 3D model was integrated into the site photos.

In addition to the aforementioned, a 500' radius drive map to ascertain potential visibility is included. Based upon field observations of the stationary rooftop reference, the visibility map indicates the areas where the proposed Facility would be:

- Not visible, blocked by intervening structures and/or vegetation;
- Partially visible through intervening vegetation; and
- Mostly visible or limited screening by intervening vegetation.

With our over twenty-four years' experience in visual analysis, as well as analyzing over 1,100 public utility structure sites throughout the region, we are confident that the enclosed visual study reasonably reflects the appearance of the proposed Facility, at the captioned site. Except for roads immediately surrounding the site, views of the proposed Facility from most areas in the surrounding neighborhood will be blocked by other structures or obscured by intervening vegetation. The proposed stealth Facility is designed to match and blend in with the existing building façade. Based upon its stealth design and limited visibility, the proposed Facility will not have a significant adverse visual impact on the surrounding area.

Sincerely,



Ruthe Heimel, on behalf of Creative Visuals, LLC as its Member/Manager

View point aerial map



Photo by Creative Visuals LLC

500' radius visibility drive



Red = not visible, blocked by intervening existing structures and/or vegetation
Yellow = partially visible through intervening vegetation
Green = mostly visible or limited screening by intervening vegetation

Existing view
View point A - from near 219 - 231 Purchase Street



Photo by Creative Visuals LLC

View point A - from near 219 - 231 Purchase Street



Computer simulated photo by Creative Visuals LLC

Existing view
View point B - from near 39 New Street



Photo by Creative Visuals LLC

View point B - from near 39 New Street



Computer simulated photo by Creative Visuals LLC

Existing view
View point C - from the intersection of Purchase, Highland, and Cedar Streets



Photo by Creative Visuals LLC

View point C - from the intersection of Purchase, Highland, and Cedar Streets



Computer simulated photo by Creative Visuals LLC

Existing view
View point D - from near 167 and 175 Purchase Street

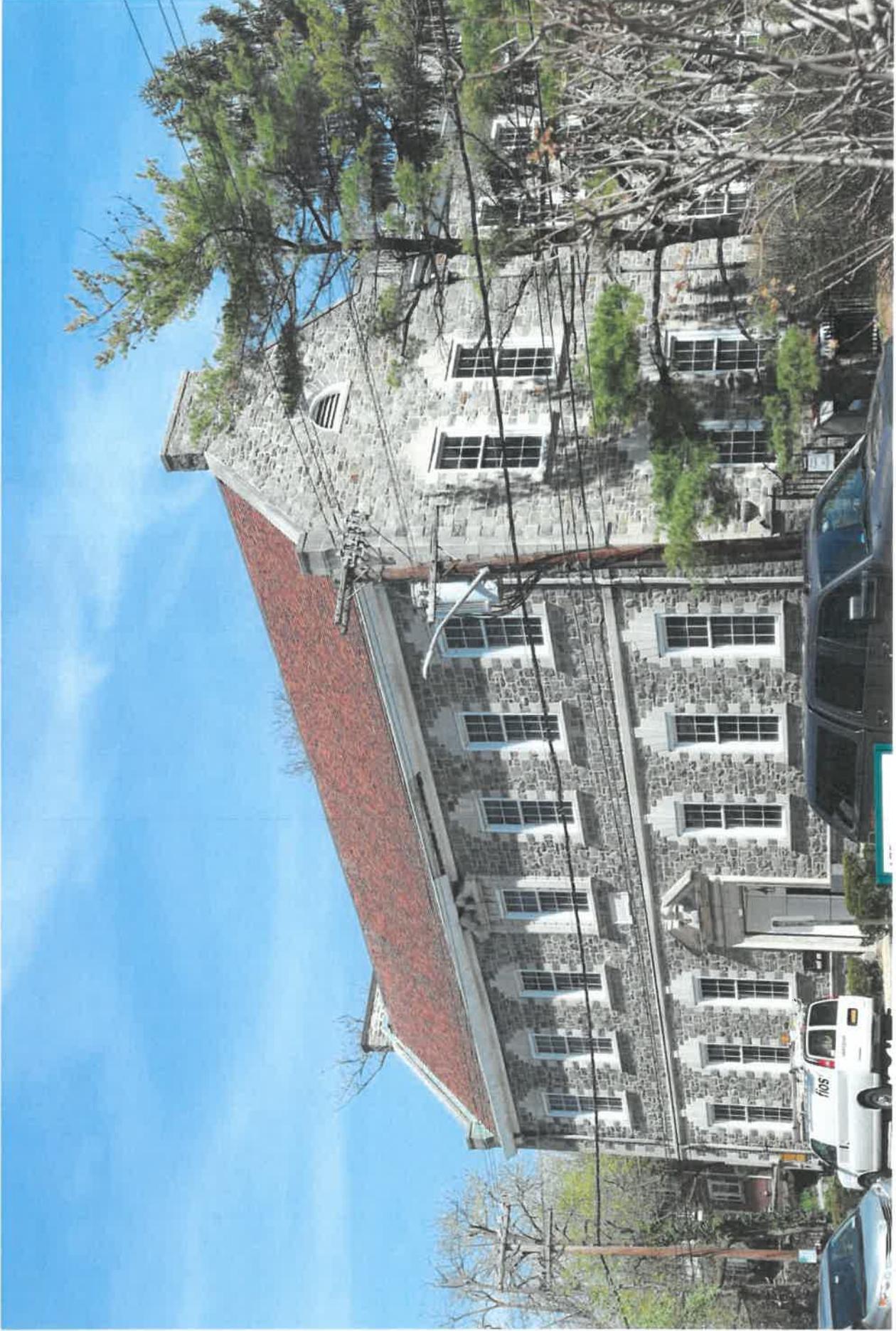
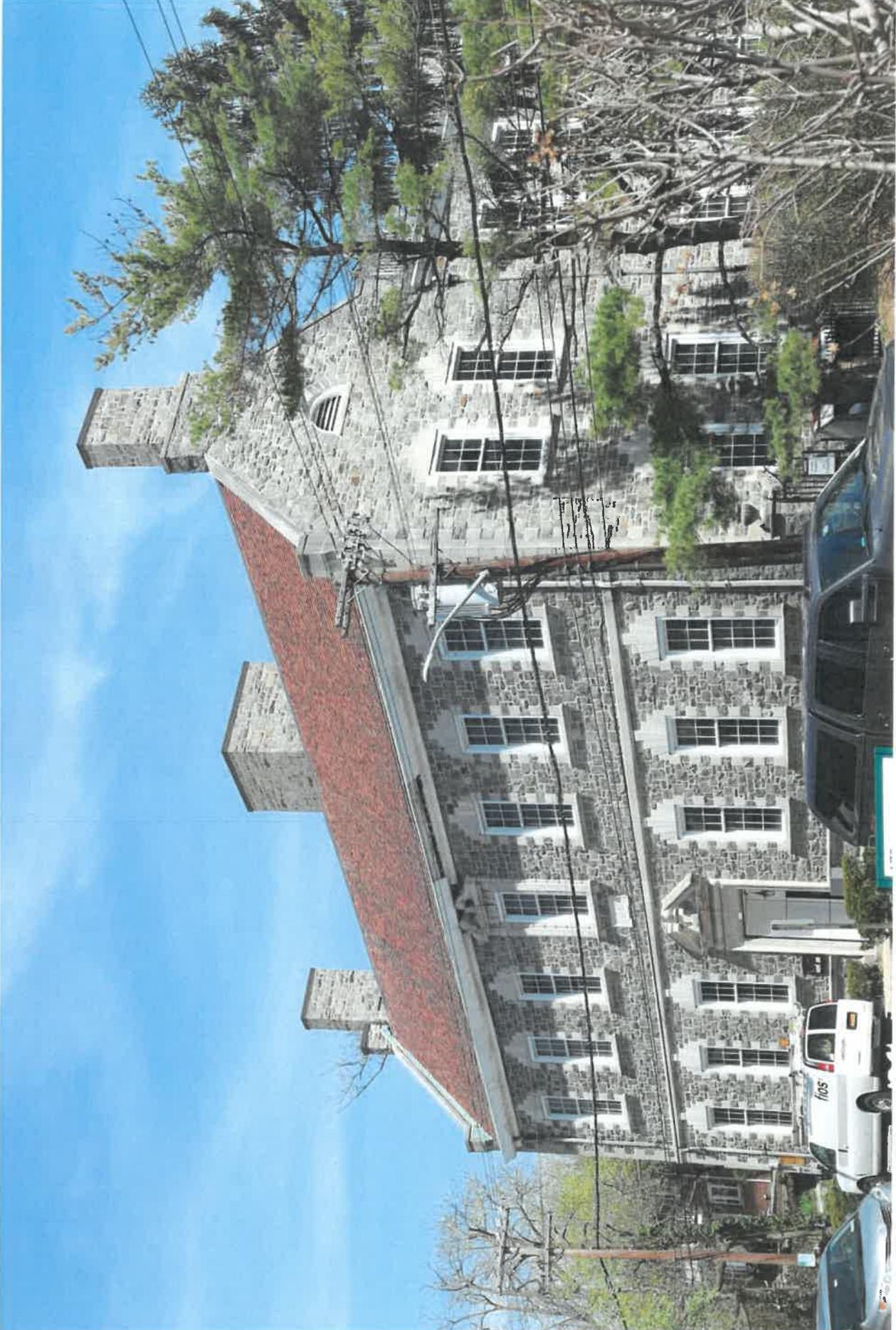


Photo by Creative Visuals LLC

View point D - from near 167 and 175 Purchase Street



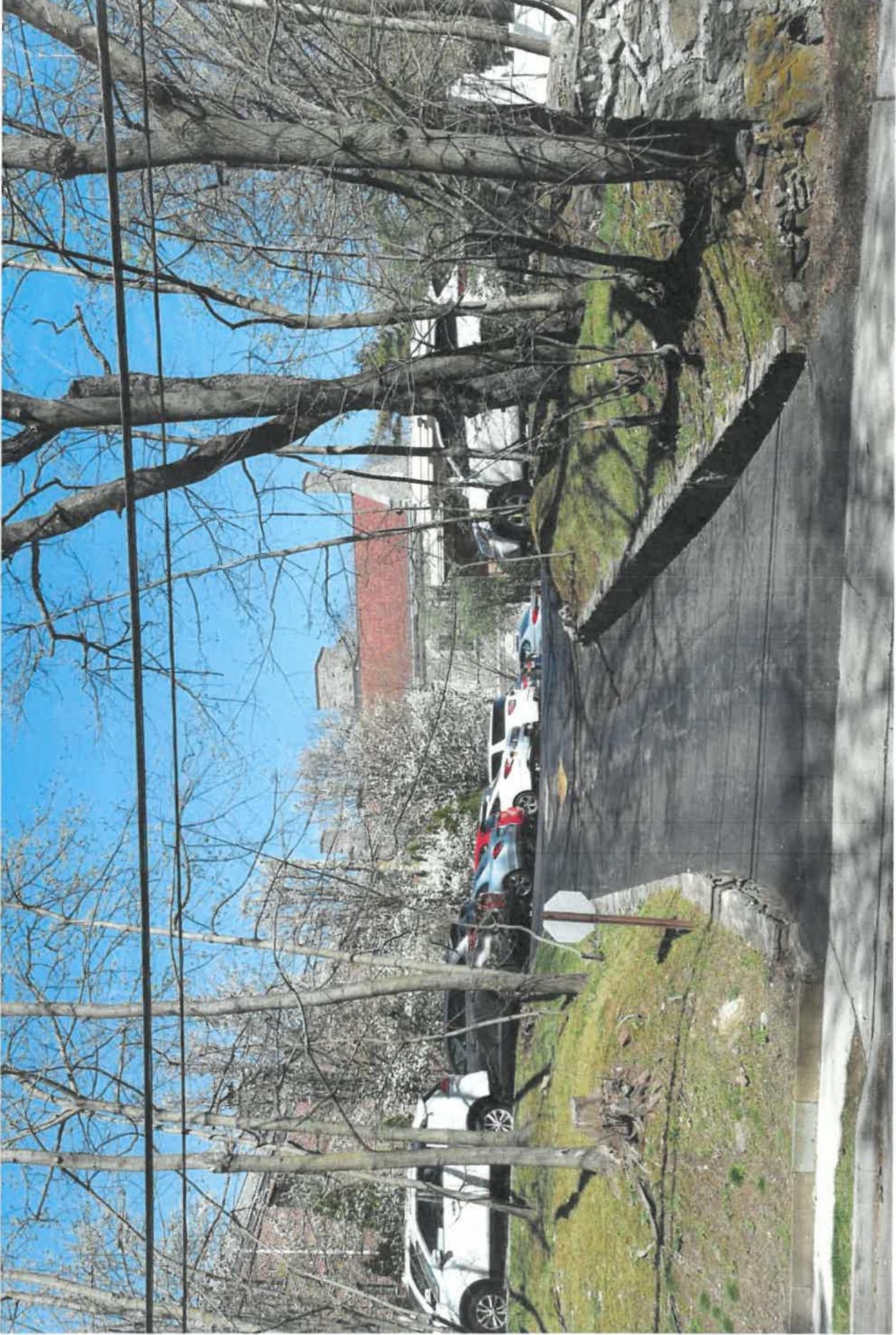
Computer simulated photo by Creative Visuals LLC

Existing view
View point E - from near 24 Wappanocca Street



Photo by Creative Visuals LLC

View point E - from near 24 Wappanocca Street



Computer simulated photo by Creative Visuals LLC

Existing view
View point F - from Natoma Street, near 199 Purchase Street



Photo by Creative Visuals LLC

View point F - from Natoma Street, near 199 Purchase Street



Computer simulated photo by Creative Visuals LLC

View point G - from Grandview Avenue, references not visible



Photo by Creative Visuals LLC

View point H - from Grandview Avenue, references not visible



Photo by Creative Visuals LLC

View point I - from Grandview Avenue, the stealth bulkhead and southern enclosure will likely be partially visible (screened through intervening vegetation), while the northern stealth enclosure will not be visible (blocked by intervening existing building)

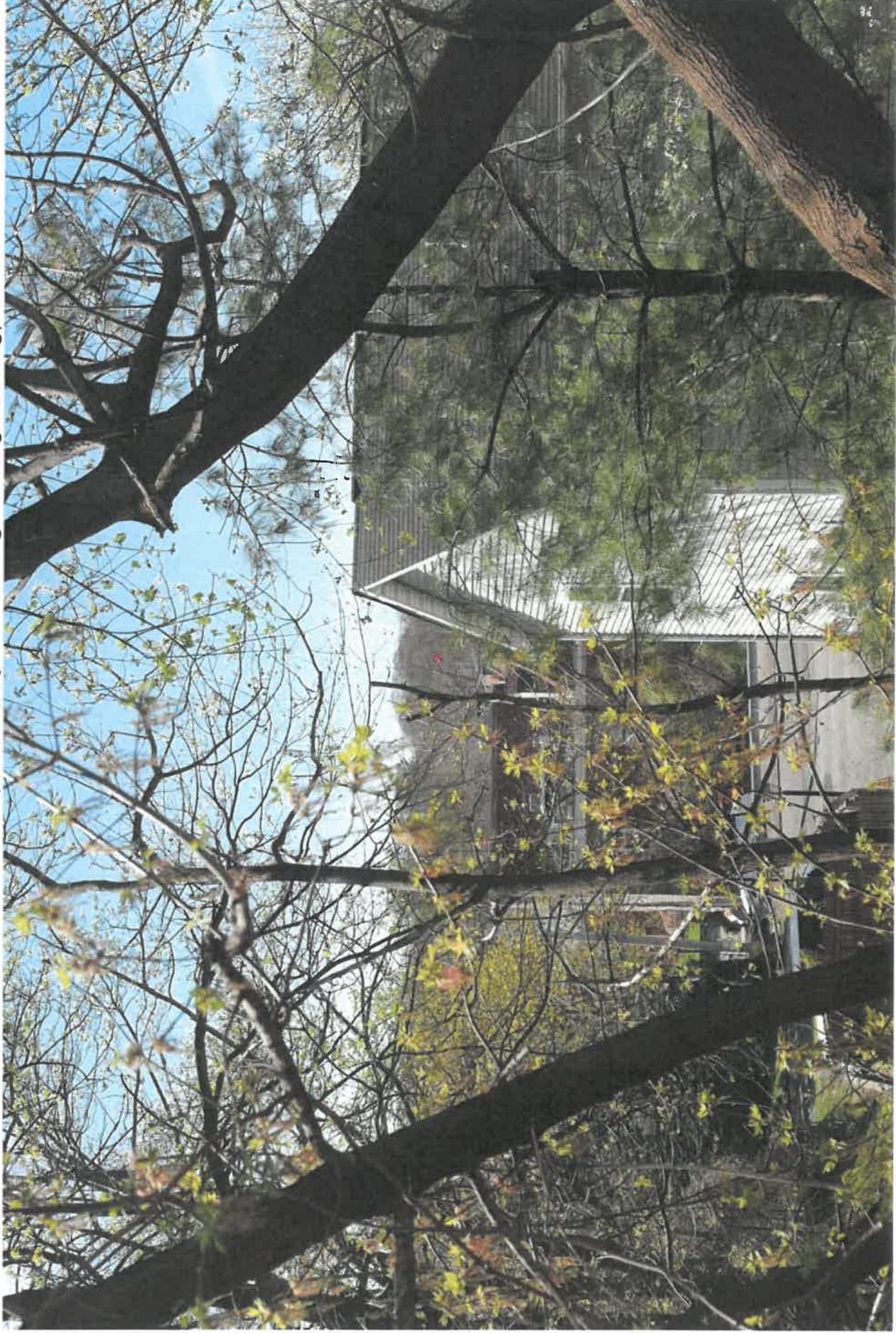


Photo by Creative Visuals LLC

Exhibit 9
Colocation Letter

15505 Sand Canyon Ave
Irvine, CA 92618

Wayne Igawa
Manager – Global Real Estate
Transactions - West

May 30, 2019

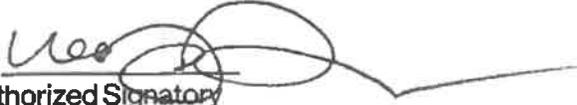
Honorable Mayor Cohn
and Members of the City Council
City of Rye
1051 Boston Post Rd.
Rye, New York 10580

RE: NY-Rye_VZCO_SC
182 Purchase Street, Rye, New York

Hon. Mayor Cohn and
Members of the City Council:

As you are aware, Verizon New York, Inc. ("Verizon") is the owner of the existing building ("Building") at the captioned site and New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") is proposing to place a wireless telecommunications facility thereon. We have been advised that the City of Rye has inquired if Verizon would allow additional carriers to utilize said rooftop. Please be advised that Verizon is not actively seeking additional carriers to locate on the Building. However, once the Verizon Wireless installation is approved, Verizon does not have any issue with allowing additional collocation, provided that such collocation is technically feasible and that such additional carrier agrees to our terms and conditions, including, without limitation, regarding security.

Respectfully Submitted,
Verizon New York, Inc.

By: 
Authorized Signatory

cc: Verizon Wireless

verizon[✓]



ZONING DRAWINGS FOR WIRELESS COMMUNICATIONS FACILITY:

RYE VZCO SC
182 PURCHASE ST, RYE, NY 10580

WFC PROJECT NO: 14-10947



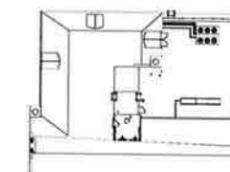
ARCHITECTS

12-1 TECHNOLOGY DRIVE, SETAUKET, NY 11733
P. 631.689.8450 | F. 631.689.8459 | www.wfca.com



NO.	DATE	SUBMISSION
0	02/15/19	ISSUED FOR REVIEW
1	05/10/19	ADDED RADIIUS MAP
2	06/21/19	ISSUED FOR FILING
NO.	DATE	REVISION

KEY PLAN:



PURCHASE STREET

SITE INFORMATION

VERIZON WIRELESS SITE NAME:	RYE VZCO SC
SITE TYPE/DESCRIPTION:	ON ROOF: (6) NEW VERIZON WIRELESS ANTENNAS, (3) NEW B25/66A DUAL BAND RRHs, (3) NEW B5/13 DUAL BAND RRHs AND (1) NEW EQUIPMENT CABINET ATOP NEW DUNNAGE PLATFORM WITHIN NEW RF COMPATIBLE SCREENING. (2) NEW GPS UNITS TO BE INSTALLED AT BETA SECTOR.
PROJECT LOCATION:	182 PURCHASE STREET RYE, NY 10580
VZCW LOCATION CODE:	96101
LATITUDE:	N 40° 59' 17.55" (NAD 83)
LONGITUDE:	W 73° 41' 1.67" (NAD 83)
ELEVATION:	37 +/- AMSL (NGVD 29)
SECTION:	139.19
BLOCK:	3
LOT(S):	68.1
DISTRICT:	RA-3

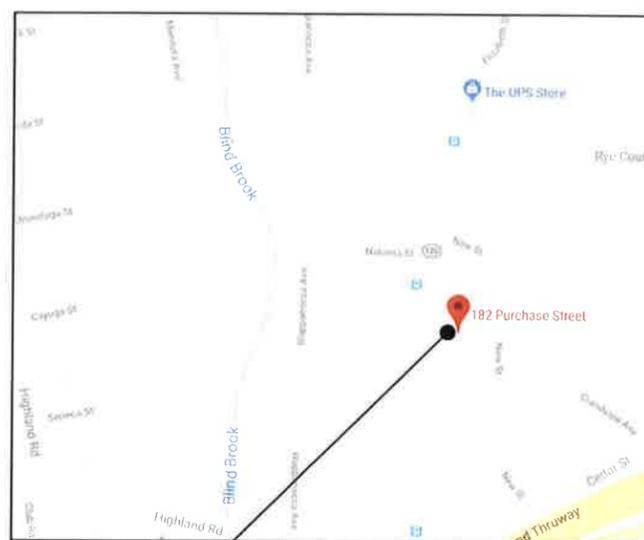
PROJECT CONTACTS

APPLICANT:	NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS 4 CENTEROCK ROAD WEST NYACK, NY 10994	(914) 714-7371
PROPERTY OWNER:	VERIZON NEW YORK INC. NEIL BANACH	
LEASING CONTACT:	JOHN PEPE	(201) 370-2363
CONSTRUCTION CONTACT:	BRETT LIQUORI	(201) 724-5367
A/E (ENGINEER) CONTACT:	NEIL A. MACDONALD, AIA, LEED AP	(631) 689-8450 EXT.115
CON EDISON CONTACT:	N/A	
BUILDING FIRE ALARM VENDOR CONTACT:	N/A	

DRAWING INDEX

DWG. NO.	DRAWING TITLE	INITIAL ISSUANCE	LATEST ISSUANCE REVISION NO. & DATE	
T-100.00	TITLE SHEET			
SP-100.00	ROOF PLAN AND GENERAL NOTES	02/15/19	2	06/21/19
SP-101.00	WEST SIDE ELEVATION AND SOUTH SIDE ELEVATION	02/15/19	2	06/21/19
SP-102.00	NORTH SIDE ELEVATION AND EAST SIDE ELEVATION	02/15/19	2	06/21/19
SP-103.00	ENLARGED EQUIPMENT PLAN AND EQUIPMENT DETAILS	02/15/19	2	06/21/19
SP-104.00	750' RADIUS MAP & PROPERTY OWNERS	02/15/19	2	06/21/19

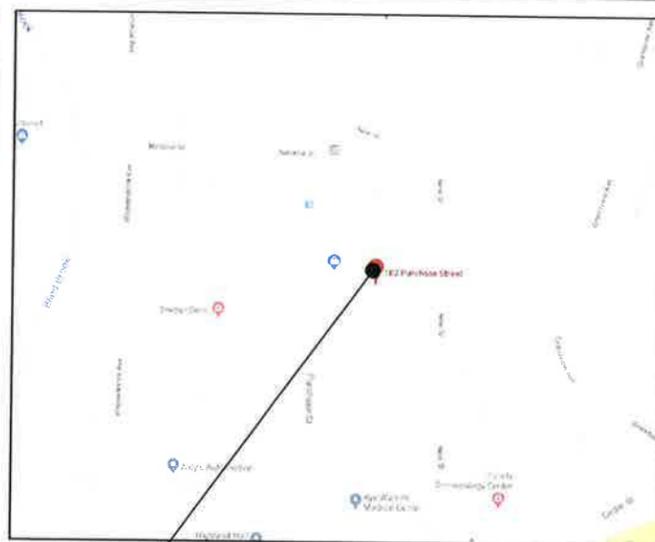
LOCATION MAP



SITE LOCATION



KEY MAP



SITE LOCATION

SCALE: 1" = 200'



RYE VZCO SC
SMALL CELL ARRAY
182 PURCHASE STREET
RYE, NY.

TITLE:

TITLE SHEET

DATE:	09/11/15
PROJECT NO:	14-10947
DRAWN BY:	PF
CHECKED BY:	GO
SCALE:	AS NOTED

DRAWING NO:

T-100.00

SHEET NO: 1 OF 6

NOTE:
THE LOWEST POINT OF PROPOSED ANTENNAS
WILL BE ±50'-6" ABOVE GRADE LEVEL, ±20'
ABOVE (VERTICAL) NEAREST RESIDENTIAL UNIT
AND ±20' AWAY (HORIZONTAL) FROM NEAREST
RESIDENTIAL UNIT (GAMMA SECTOR)

(2) PROPOSED VERIZON WIRELESS GPS ANTENNA MOUNTED TO
PROPOSED ANTENNA MOUNTS

(2) PROPOSED VERIZON WIRELESS BETA SECTOR PANEL ANTENNAS MOUNTED
WITHIN PROPOSED RF SCREENING ENCLOSURE ATOP EXISTING BULKHEAD

(2) PROPOSED VERIZON WIRELESS GAMMA SECTOR PANEL
ANTENNAS MOUNTED WITHIN PROPOSED RF SCREENING
ENCLOSURE ATOP EXISTING END WALL

55'-6"
T.O. PROPOSED VERIZON WIRELESS
RF SCREENING AT BULKHEAD

55'-6"
T.O. PROPOSED VERIZON WIRELESS
RF ENCLOSURE AT END WALLS

54'-6"
T.O. PROPOSED VERIZON WIRELESS
ANTENNAS

52'-6"
RAD C.L. PROPOSED VERIZON WIRELESS
ANTENNAS

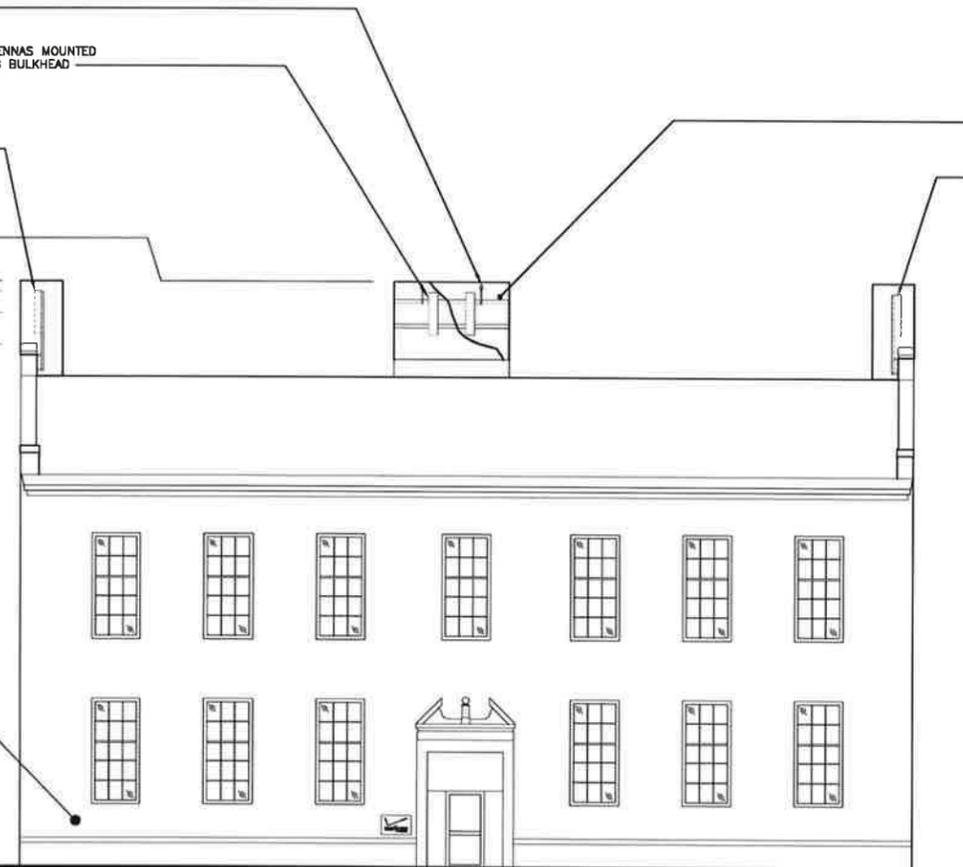
49'-6"
T.O. EXISTING BUILDING PARAPET

EXISTING MASONRY FACADE

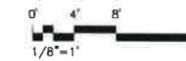
0'-0"
GRADE

PROPOSED VERIZON WIRELESS RF SCREENING ENCLOSURE
ATOP EXISTING BULKHEAD TO MATCH EXISTING BUILDING

(2) PROPOSED VERIZON WIRELESS ALPHA SECTOR PANEL
ANTENNAS MOUNTED WITHIN PROPOSED RF SCREENING
ENCLOSURE ATOP EXISTING END WALL



1 WEST ELEVATION
SCALE = 1/8" = 1'-0"



NOTE:
THE LOWEST POINT OF PROPOSED ANTENNAS
WILL BE ±50'-6" ABOVE GRADE LEVEL, ±20'
ABOVE (VERTICAL) NEAREST RESIDENTIAL UNIT
AND ±20' AWAY (HORIZONTAL) FROM NEAREST
RESIDENTIAL UNIT (GAMMA SECTOR)

PROPOSED VERIZON WIRELESS RF SCREENING ENCLOSURE
ATOP EXISTING BULKHEAD TO MATCH EXISTING BUILDING

(2) PROPOSED VERIZON WIRELESS ALPHA SECTOR PANEL
ANTENNAS MOUNTED WITHIN PROPOSED RF SCREENING
ENCLOSURE ATOP EXISTING END WALL

(2) PROPOSED VERIZON WIRELESS BETA SECTOR PANEL
ANTENNAS MOUNTED WITHIN PROPOSED RF SCREENING
ENCLOSURE ATOP EXISTING BULKHEAD

55'-6"
T.O. PROPOSED VERIZON WIRELESS RF
ENCLOSURE AT ENDWALLS & BULKHEAD

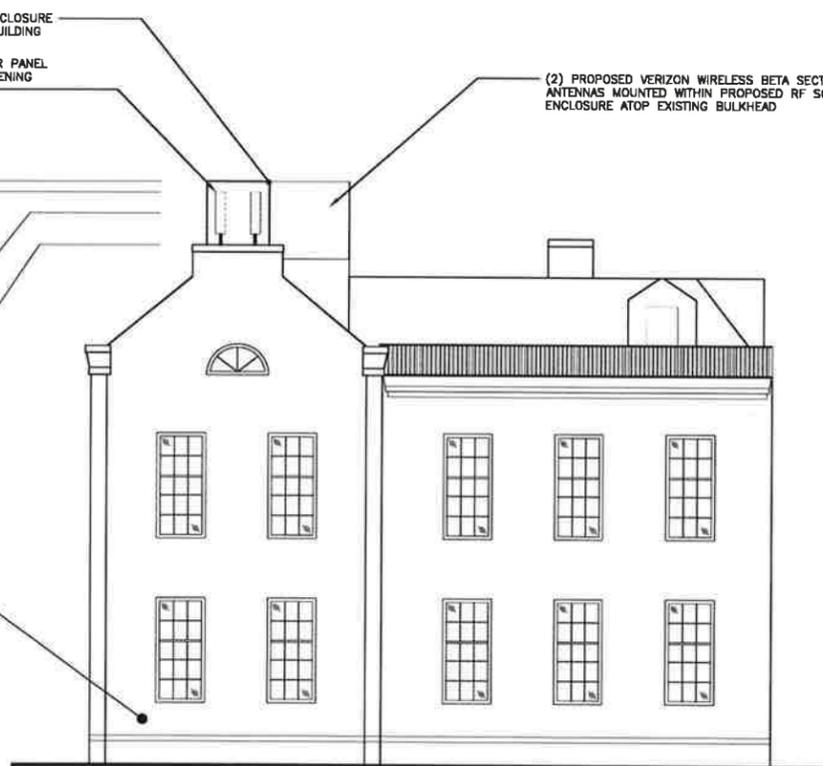
54'-6"
T.O. PROPOSED VERIZON
WIRELESS ANTENNAS

52'-6"
RAD C.L. PROPOSED VERIZON WIRELESS
ANTENNAS

49'-6"
T.O. EXISTING BUILDING PARAPET

EXISTING MASONRY FACADE

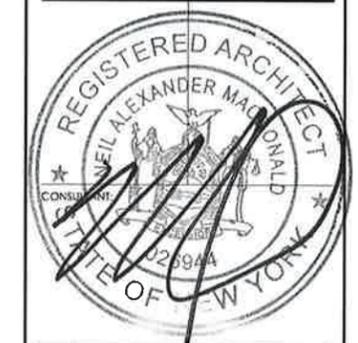
0'-0"
GRADE



2 SOUTH ELEVATION
SCALE = 1/8" = 1'-0"

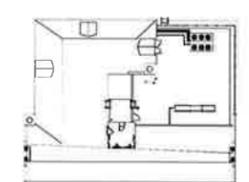


ARCHITECTS
12.1 TECHNOLOGY DRIVE, SETAUKET, NY 11733
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NO.	DATE	SUBMISSION
0	02/15/19	ISSUED FOR REVIEW
1	05/10/19	ADDED RADJUS MAP
2	06/11/19	ISSUED FOR FILING
NO.	DATE	REVISION

KEY PLAN:



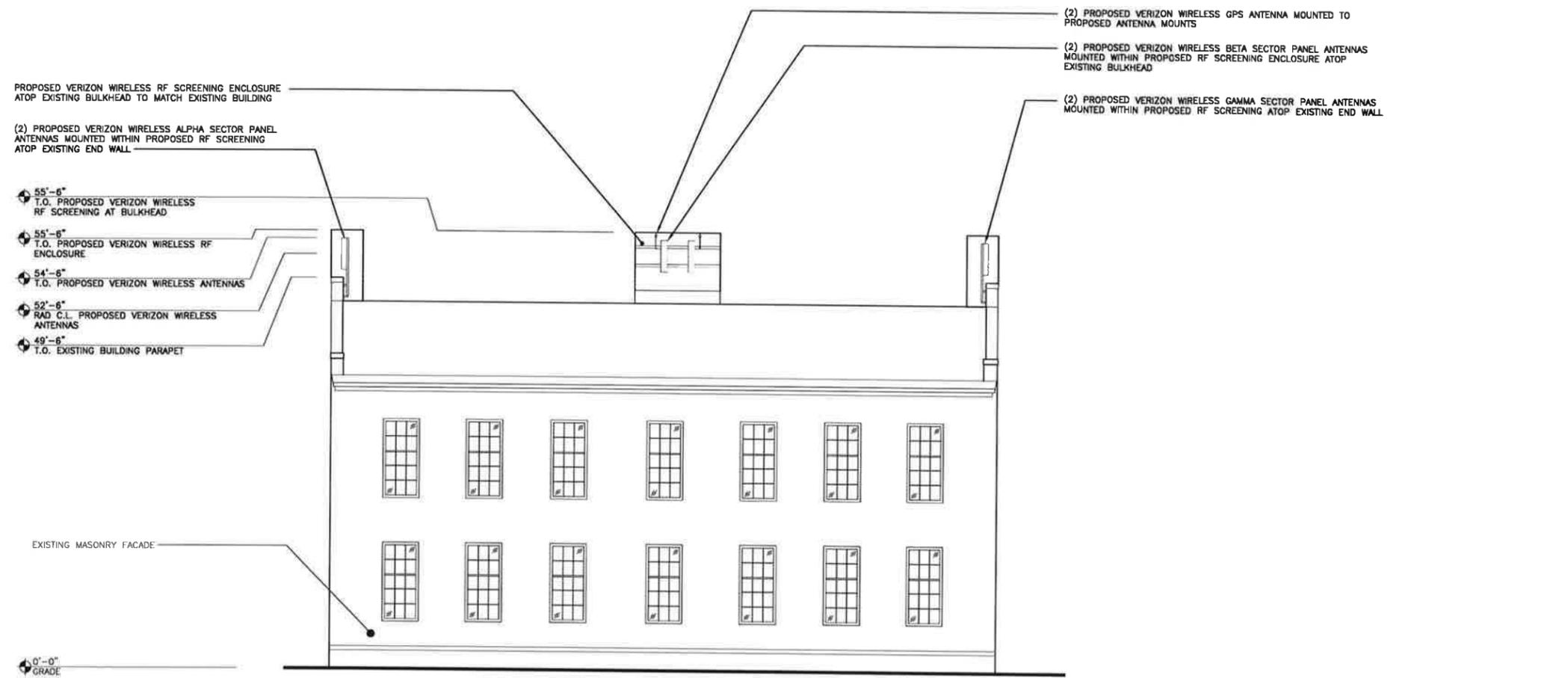
RYE VZCO SC
SMALL CELL ARRAY
182 PURCHASE STREET
RYE, N.Y.

TITLE:
WEST SIDE AND SOUTH SIDE
ELEVATIONS

DATE: 09/14/15
PROJECT NO: 14-10947
DRAWN BY: PF
CHECKED BY: GD
SCALE: AS NOTED
DRAWING NO:

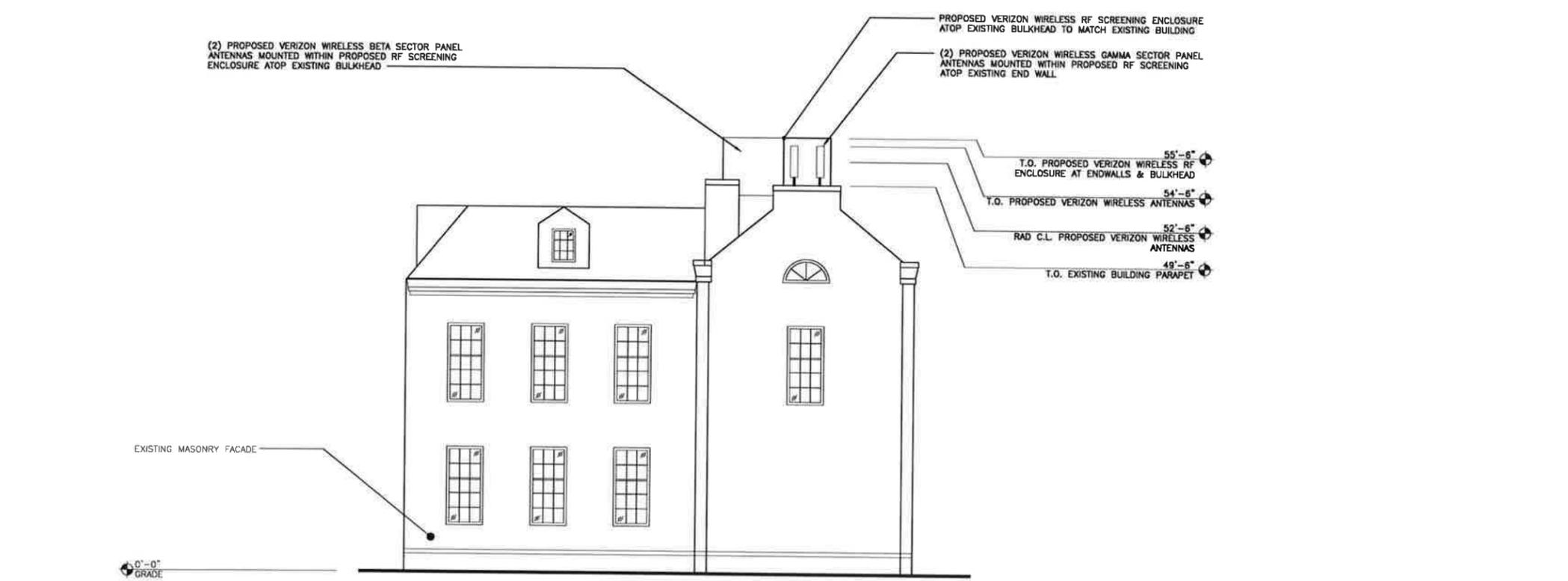
SP-101.00
SHEET NO: 3 OF 6

NOTE:
THE LOWEST POINT OF PROPOSED ANTENNAS
WILL BE ±50'-6" ABOVE GRADE LEVEL, ±20'
ABOVE (VERTICAL) NEAREST RESIDENTIAL UNIT
AND ±20' AWAY (HORIZONTAL) FROM NEAREST
RESIDENTIAL UNIT (GAMMA SECTOR)



1 EAST ELEVATION
SCALE = 1/8" = 1'-0"

NOTE:
THE LOWEST POINT OF PROPOSED ANTENNAS
WILL BE ±50'-6" ABOVE GRADE LEVEL, ±20'
ABOVE (VERTICAL) NEAREST RESIDENTIAL UNIT
AND ±20' AWAY (HORIZONTAL) FROM NEAREST
RESIDENTIAL UNIT (GAMMA SECTOR)



2 NORTH ELEVATION
SCALE = 1/8" = 1'-0"



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NO.	DATE	SUBMISSION
0	02/15/19	ISSUED FOR REVIEW
1	05/10/19	ADDED RADUS MAP
2	06/21/19	ISSUED FOR FLAG
NO.	DATE	REVISION

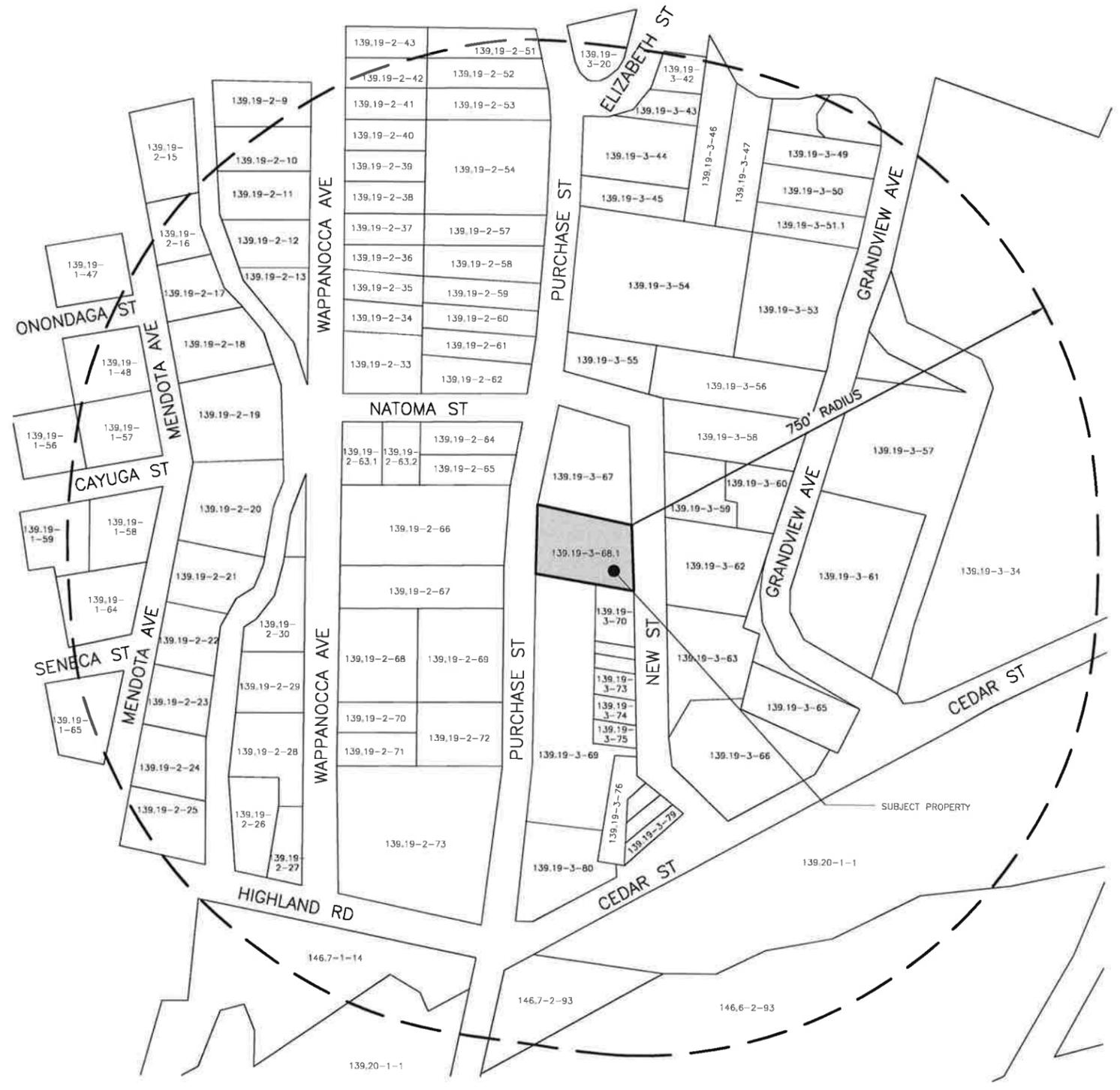


RYE VZCO SC
SMALL CELL ARRAY
182 PURCHASE STREET
RYE, NY.

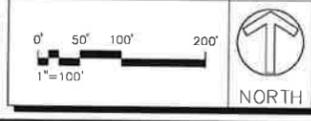
TITLE:
EAST SIDE AND NORTH SIDE ELEVATIONS

DATE: 09/14/15
PROJECT NO: 14-10947
DRAWN BY: PF
CHECKED BY: GD
SCALE: AS NOTED
DRAWING NO:

SP-102.00
SHEET NO: 4 OF 6



LATITUDE: N 40° 59' 17.55" (NAD 83)
 LONGITUDE: W 73° 41' 1.67" (NAD 83)
 37' +/- AMSL (NGVD 29)
 DISTRICT: RA-3
 SECTION: 139.19
 TAX BLOCK: 3
 TAX LOTS: 68.1
 JURISDICTION: CITY OF RYE



NOTE:
 THE INFORMATION SHOWN HEREIN WAS TAKEN FROM THE WESTCHESTER COUNTY GEOGRAPHIC INFORMATION SYSTEMS MUNICIPAL TAX PARCEL VIEWER ON 5/1/2019.

SITE DATA			
	REQUIRED	EXISTING	NEW
1) AREA OF PARCEL		14,944 ± SQ.FT OR 0.35 ± ACRES	EXISTING - NO CHANGE
2) AREA OF BUILDING(S)		5,556 ± SQ.FT.	EXISTING - NO CHANGE
3) PERCENT OF LOT OCCUPANCY		37%	EXISTING - NO CHANGE
4) SIDE YARD SETBACK(S)	8'-0" FOR ONE 20' FOR BOTH	0'-0"* 13'-0"	NO CHANGE (ANTENNA SETBACK ±0'-0")** NO CHANGE (ANTENNA SETBACK ±13'-0")**
REAR YARD SETBACK	30'-0"	68'-0"	NO CHANGE
FRONT YARD SETBACK	25'-0"	8'-0"*	NO CHANGE (ALPHA/GAMMA ANT. SETBACK ±17'-0")** (BETA ANT. SETBACK ±23'-0")**
5) HEIGHT OF WIRELESS TELECOMMUNICATIONS FACILITY	70'	N/A	55'-6"***

*EXISTING NON-CONFORMING.
 **TO THE EXTENT SECTION 196-12(C) IS APPLICABLE, A VARIANCE MAY BE REQUIRED.
 ***THE FACILITY IS IN COMPLIANCE WITH SECTION 196-8(A) AND SECTION 196-6(T)(3), TO THE EXTENT APPLICABLE.

SEC/BLOCK/LOT	PROPERTY OWNER	ADDRESS	SEC/BLOCK/LOT	PROPERTY OWNER	ADDRESS
139.19-1-47	KELLER, DONALD	35 ONONDAGA ST	139.19-2-65	JACOBSON, ARI R	189 PURCHASE ST
139.19-1-48	MURPHY, PAUL	36 ONONDAGA ST	139.19-2-67	175 PURCHASE ST ST CORP	175 PURCHASE ST
139.19-1-56	DORFMAN, ROBERT	29 CAYUGA ST	139.19-2-68	WAPANOCCA MANOR INC	23 WAPANOCCA AVE
139.19-1-57	BRESOLIN, NEIL F	33 CAYUGA ST	139.19-2-69	SRA HOLDINGS INC	167 PURCHASE ST
139.19-1-58	SHINGLER, ALEXANDER	49 MENDOTA AVE	139.19-2-70	131-151 PURCHASE ST	WAPANOCCA AVE
139.19-1-59	BRENNAN, MICHAEL	30 CAYUGA ST	139.19-2-71	131-151 PURCHASE ST	16 WAPANOCCA AVE
139.19-1-64	NORTON, PETER	25 SENECA ST	139.19-2-72	131-151 PURCHASE ST	151 PURCHASE ST
139.19-1-65	BERNARDI, EVAN	39 MENDOTA AVE	139.19-2-73	131-151 PURCHASE ST	147 PURCHASE ST
139.19-2-10	LEISENGANG, ALBERT A	81 WAPANOCCA AVE	139.19-2-9	DANIELS, LOUISA	85 WAPANOCCA AVE
139.19-2-11	ALIMENA, PAUL	79 WAPANOCCA AVE	139.19-3-20	GIANGUZZI, MARIE C	236 PURCHASE ST
139.19-2-12	PINELLI, MICHAEL	77 WAPANOCCA AVE	139.19-3-34	RYE COUNTRY DAY SCHOOL	20 GRANDVIEW AVE
139.19-2-13	MURPHY, JAMES D	75 WAPANOCCA AVE	139.19-3-42	COYNE, JAMES C	12 ELIZABETH ST
139.19-2-15	DAILY, CRAIG	100 MENDOTA AVE	139.19-3-43	EBRATT, DEBBIE	2-4 ELIZABETH ST
139.19-2-16	GAY, ROBERT S	96 MENDOTA AVE	139.19-3-44	220-224 PURCHASE ST LLC	224 PURCHASE ST
139.19-2-17	POZIOS, THOMAS	92 MENDOTA AVE	139.19-3-45	220-224 PURCHASE ST LLC	220 PURCHASE ST
139.19-2-18	ROBERSON, CHARLES H	86 MENDOTA AVE	139.19-3-46	THOMAS, ALESSANDRO D	30 ELIZABETH ST
139.19-2-19	SOBOL, EDWARD	70 MENDOTA AVE	139.19-3-47	GROGLIO, JEANNETTE	34 ELIZABETH ST
139.19-2-20	MORRIS, ANGELA	66 MENDOTA AVE	139.19-3-48.1	NACHSEN, EMILY	39 GRANDVIEW AVE
139.19-2-21	SINNOTT, PETER III J	60 MENDOTA AVE	139.19-3-48.2	NACHSEN, EMILY	36 ELIZABETH ST
139.19-2-22	COONEY, JULIE	50 MENDOTA AVE	139.19-3-49	MULLAHY, GARRY P	35 GRANDVIEW AVE
139.19-2-23	JOHNSON, JAMES	40 MENDOTA AVE	139.19-3-50	NOLLETTI, SHELIA	33 GRANDVIEW AVE
139.19-2-24	ALTHOFF, BERNARD	34 MENDOTA AVE	139.19-3-51	KHATRI, AVINASH	29 GRANDVIEW AVE
139.19-2-25	COLLINS, ALBERT	40 HIGHLAND RD	139.19-3-53	RYE COUNTRY DAY SCHOOL	11 GRANDVIEW AVE
139.19-2-26	BROUN, MARJORIE P	38 HIGHLAND RD	139.19-3-54	PURCHASE ST TENANTS	216 PURCHASE ST
139.19-2-27	WESTCHESTER MODULAR HOMES	36 HIGHLAND RD	139.19-3-55	DEL BELLO, HOLLY	204 PURCHASE ST
139.19-2-28	TRIOLO, KENNETH	15 WAPANOCCA AVE	139.19-3-56	RYE COUNTRY DAY SCHOOL	11 NEW ST
139.19-2-29	BUCKLEY, SEAN B	19 WAPANOCCA AVE	139.19-3-57	RYE COUNTRY DAY SCHOOL	GRANDVIEW AVE
139.19-2-30	SINNOTT, PETER J	WAPANOCCA AVE	139.19-3-58	RYE COUNTRY DAY SCHOOL	17 NEW ST
139.19-2-33	MORAN, WILLIAM	20 NATOMA ST	139.19-3-59	MASTROGIACOMO, MICHAEL	23-25 NEW ST
139.19-2-34	FROLICH, JOHN H	70 WAPANOCCA AVE	139.19-3-60	RYE COUNTRY DAY SCHOOL	25 1/2 NEW ST
139.19-2-35	BYRNE, MARYELLEN	72 WAPANOCCA AVE	139.19-3-61	RYE COUNTRY DAY SCHOOL	GRANDVIEW AVE
139.19-2-36	DRAPER, ROBERT S	76 WAPANOCCA AVE	139.19-3-62	CRECCO RYE DEVELOPMENT CO	29-39 NEW ST
139.19-2-37	BIANCHI, RICHARD L	78 WAPANOCCA AVE	139.19-3-63	TANNEY, MICHAEL S	43-45 NEW ST
139.19-2-38	WALL, TIMOTHY M	80 WAPANOCCA AVE	139.19-3-65	FERGUSON, EARL J	49 CEDAR ST
139.19-2-39	SWEENEY, KATHARINE	86 WAPANOCCA AVE	139.19-3-66	STA PROFESSIONAL BLDG	33 CEDAR ST
139.19-2-40	AZER, RICHARD A	94 WAPANOCCA AVE	139.19-3-68.1	VERIZON NEW YORK INC	182 PURCHASE ST
139.19-2-41	RODRIGUEZ, MARIO	98 WAPANOCCA AVE	139.19-3-70	GUGLIELMO, JOSEPH	34 NEW ST
139.19-2-42	HYNSON, COLIN S	102 WAPANOCCA AVE	139.19-3-71	BELLO, RAUL	36 NEW ST
139.19-2-43	CANNON, JAMES A	106 WAPANOCCA AVE	139.19-3-72	GUGLIELMO, JOSEPH	38 NEW ST
139.19-2-51	PAUL, EDWARD JR. K	239 PURCHASE ST	139.19-3-73	JERACI, ANTONIO	42 NEW ST
139.19-2-52	237 PURCHASE ST ASSOC, LLC	237 PURCHASE ST	139.19-3-74	WOOD, JOHN	40 NEW ST
139.19-2-53	MAJLESSI, HESHMAT	233 PURCHASE ST	139.19-3-75	RODRIGUES, JOHN	50 NEW ST
139.19-2-57	BARBER, RICHARD III	215 PURCHASE ST	139.19-3-76	SZCZERBA, NICHOLAS JR.	54 NEW ST
139.19-2-58	BARBER, RICHARD JR.	211 PURCHASE ST	139.19-3-77	HERNANDEZ, BRICIO	64 NEW ST
139.19-2-59	HAMMER, MICHAEL	209 PURCHASE ST	139.19-3-78	CASALE NOLEGGIARE LLC	66 NEW ST
139.19-2-60	CICCHIELLO, SALVATORE J	203 PURCHASE ST	139.19-3-79	CITY OF RYE	68 NEW ST
139.19-2-61	ENGLISH, ROBERT	201 PURCHASE ST	139.20-1-1	NY THRUWAY & EXPRESSWAY	NE THRUWAY
139.19-2-62	2 NATOMA REALTY, LLC	2 NATOMA ST	146.6-2-93	CONRAIL	MACY RD AT MAM'K LKN
139.19-2-63.1	CORRADI, AMY	19-21 NATOMA ST	146.7-2-93	CITY OF RYE	IROQUOIS ST
139.19-2-64	CIARDULLO, JOHN	15-17 NATOMA ST			

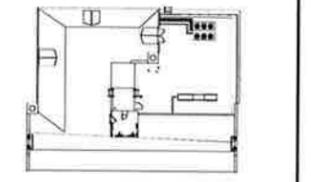


ARCHITECTS
 121 TECHNOLOGY DRIVE, SETAUKET, NY 11733
 P: 631.689.8450 | F: 631.689.8459 | www.wfcia.com



NO.	DATE	SUBMISSION
0	02/15/19	ISSUED FOR REVIEW
1	05/10/19	ADDED RADIUS MAP
2	06/21/19	ISSUED FOR FILING

KEY PLAN:



PURCHASE STREET



RYE VZCO SC
 SMALL CELL ARRAY
 182 PURCHASE STREET
 RYE, NY.

TITLE:
 750' RADIUS MAP & PROPERTY OWNERS

DATE: 09/14/15
 PROJECT NO: 14-10947
 DRAWN BY: PF
 CHECKED BY: GD
 SCALE: AS NOTED

DRAWING NO:
SP-104.00
 SHEET NO: 6 OF 6

1 750' RADIUS MAP W/PROPERTY OWNERS
 SCALE = 1" = 100'



CITY COUNCIL AGENDA

NO. 17

DEPT.: Department of Public Works

DATE: July 17, 2019

CONTACT: Ryan Coyne, Superintendent of Public Works

AGENDA ITEM: Resolution to declare certain City equipment as surplus.

FOR THE MEETING OF:

July 17, 2019

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, the City has been provided with a list of City equipment identified as being obsolete or will become obsolete during 2019, and,

WHEREAS, the DPW Department has recommended that said equipment be declared surplus, now, therefore, be it

RESOLVED, that said equipment is declared surplus, and, be it further

RESOLVED, that authorization is given to the City Comptroller to sell or dispose of said equipment in a manner that will serve in the best interests of the City.

IMPACT: Environmental Fiscal Neighborhood Other

BACKGROUND: The Head of the Department of Public Works has provided a list of equipment that is either currently obsolete or will become obsolete during calendar year 2019. The City Council is asked to approve that this equipment be declared as surplus.

See attached.

CITY OF RYE, NY
Department of Public Works
Memorandum

DATE: June 17, 2019

TO: Marcus Serrano, City Manager

FROM: Ryan Coyne, City Engineer 

RE: Surplus Vehicles and Equipment

As discussed, we have developed a list of vehicles and motorized equipment that are no longer useful to City departments. This list is inclusive of the Departments of Public Works, Police, Recreation, Fire Department and Staff vehicles and equipment. We are requesting that the council deem these items as "surplus" so that we can proceed to auction.

Should you need additional information, please feel free to call me.

- 2008 Ford F550, Vin#1FDAX57R08EC27233, Mileage 70,725 old Tk 13 (DPW)
- 2000 Mack RD688P, Vin# 1M2P295C3YM049810, Mileage 22,560 old Tk 9 (DPW)
- 2004 Toyota Prius, Vin # JTDKB20U44083312, Mileage 173,566 old car 28 (PEO)
- 2003 Ford Crown Vic, Vin # 2FAFP71W63X112587, Mileage 74,484 old car 29 (PEO)
- 2011 Ford Crown Vic, Vin # 1FABP7BV1BX156158, Mileage 88,139 old car 18 (PD)
- 2011 Ford Crown Vic, Vin # 2FABP7BVXBX156157, Mileage 83,130 old car 11 (PD)
- 2001 Ford Crown Vic, Vin # 2FABP7BV8BX156156, Mileage 103,637 old car 16 (PD)
- 2003 Ford Crown Vic, Vin #2FAHP71W33X181245, Mileage 56,523 old car 87 (STAFF)
- 2004 Ford Crown Vic, Vin #2FAHP71W54X172001, Mileage 64,433 old car 85 (STAFF)

Other miscellaneous equipment

- Pumps
- Snow blowers
- Truck bumper jack
- Kubota tractor
- Chain saws
- Pressure washer

Public Works
141 Oakland Beach Avenue
Rye, NY 10580

(914) 967-7464 phone

(914) 967-4107 fax



CITY COUNCIL AGENDA

NO. 18

DEPT.: City Manager's Office

DATE: July 1, 2019

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Consideration of a request from Rye Nature Center to waive parking restrictions at the snow field lot to accommodate summer employees on weekdays from July 1, 2019 – August 9, 2019.

FOR THE MEETING OF:

July 17, 2019

RECOMMENDATION: That the City Council approve the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Rye Nature Center is seeking parking accommodations for their summer staff.

See attached.

Ruttenberg, Noga P.

To: Serrano, Marcus A.
Subject: RE: Parking in Snow Plow Field

From: Alli Rogers [<mailto:allisonrogers@ryenaturecenter.org>]
Sent: Monday, July 01, 2019 12:00 PM
To: Serrano, Marcus A.
Subject: Parking in Snow Plow Field

Hello Marcus,

This is Allison at the Rye Nature Center. With summer camp underway, and many of our summer employees driving, we were hoping to possibly use the snow plow field from 8:30 am-3:30 pm Monday through Friday. The final day of camp is August 9, so we wouldn't need it after that date. Also, I can give you license plates for the staff if you need.

Best,
Allison



CITY COUNCIL AGENDA

NO. 19

DEPT.: Comptroller's Office

DATE: July 5, 2019

CONTACT: Joe Fazzino, Deputy Comptroller

AGENDA ITEM: Consideration to authorize the Comptroller to transfer \$6,000 from the Rye Golf Club Contingency Fund to Legal Claims and Settlements for the Lyon's case.

FOR THE MEETING OF:

July 17, 2019

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council approve the transfer.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

This case was settled in May of 2019.



CITY COUNCIL AGENDA

NO. 20

DEPT.: City Manager's Office

DATE: July 17, 2019

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Consideration of a request from Leigh Steckler to have a food truck on Saturday, July 27, 2019 at Rye Town Park from 7:00 pm – 8:00 pm for a graduation party. The City Council will have to waive § 144-8D and G of the City Code.

FOR THE MEETING OF:

July 17, 2019

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Council approve the request for the food truck.

IMPACT: Environmental Fiscal Neighborhood Other:

Waive § 144-8D and G of the City Code.

BACKGROUND: The City Manager's Office received a request from Leigh Steckler to have a food truck on Saturday, July 27, 2019 at Rye Town Park from 7:00 pm – 8:00 pm for a graduation party. The Council will have to waive § 144-8D and G which states;

§144-8 Restrictions states that licensed hawker, peddler or solicitor shall:

D. Not stand nor permit the vehicle used by him or her to stand in one place in any public place or street for more than 10 minutes or in front of any premises for any time if the owner or lessee of the ground floor thereof objects.

G. Not create or maintain any booth or stand, or place any barrels, boxes, crates or other obstructions, upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.

See attached.

From: Leigh Steckler <leighsteckler@gmail.com>
Date: July 16, 2019 at 2:32:36 PM EDT
To: <mserrano@ryeny.gov>
Subject: Graduation Party Ice Cream Truck Waiver

Hello Marcus,

It was a pleasure speaking with you!

My graduation party is scheduled to take place Saturday, July 27th from 5pm-9pm at Rye Town Park, we are planning for 50-100 people, but it will most likely be closer to 50-75. The ice cream truck that we have made arrangements with is Jimmy's Soft Serve Ice Cream, they offer soft serve, and dairy free options. I would like to have them come from 7:00-8:00. Since we are in the pavillion closest to the street, and it would be for such a short period of time, my plan was to have them park near the circle while my guests get their treats.

I am prepared to attend the meeting tomorrow, and honestly had no idea that all of this was necessary, considering they wouldn't actually be entering the park, but this party marks a huge milestone, ten years on and off in the making, so I am happy to do whatever is necessary to make this a reality!

Please let me know if there is any additional information I can provide.

Thank you!

Leigh Steckler
(703)216-1213