

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, August 10, 2011, at 8:00 p.m. in the Council Room of City Hall.

AMENDED AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Draft unapproved minutes of the regular meeting of the City Council held July 13, 2011.
5. Mayor's Management Report
 - Summary Report from Rye Town Park Supervisor
 - September 11th Ceremony Agenda
 - Legal update
6. Presentation of the 2012-2016 Capital Improvements Program.
7. Public Hearing regarding a request by Avon to amend Local Law Chapter 90, Section 90-10, "Rear or side line fences in business districts" to allow for a fence height of six feet, and Chapter 197, Section 197-86, "Zoning Table B", to clarify the minimum lot size.
8. Resolution authorizing an additional three-month extension of the PILOT Agreement between Avon Capital Corporation and the Westchester County IDA.
9. Public Hearing regarding a change to the zoning district designation of the 1051, 1037, and 1031 Boston Post Road properties from the B-1 Neighborhood Business District to the B-2 Central Business District and Change the parking district designation of 1031 Boston Post Road from the "C" to the "A" Parking District.
10. Discussion on the City of Rye No Distracted Driving Pledge for Traffic and Pedestrian Safety.
11. Residents may be heard who have matters to discuss that do not appear on the agenda.
12. Authorization for City Manager to enter into Intermunicipal Agreement with the County of Westchester Department of Transportation for Provision of Bus Shelters.
13. Authorization for transfer of \$15,600 from RCTV fund balance to RCTV budget for Engineering Consultants.

14. Adoption of the 2011/2012 tax levy and tax rate for the Rye Neck Union Free School District.
Roll Call.
- 14A. Resolution to declare certain equipment and vehicles as surplus.
Roll Call.
15. Two appointments to the Rye Cable and Communications Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.
16. Consideration of request for permission to close a section of Purchase Street for the 59th annual celebration of the Halloween Window Painting Contest.
17. Miscellaneous communications and reports.
18. Old Business.
19. New Business.
20. Adjournment.

The next regular meeting of the City Council will be held on Wednesday, September 14, 2011. The meeting will be preceded by a *Workshop on Streets, Sidewalks, and Parking* beginning at 7:00 p.m. detailing findings and recommendations from the Shared Roadways Committee.

** 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".

* Office Hours of the Mayor on 8/10/11 will be held from 7:00 pm to 7:30 pm in the Mayor's Conference Room.



CITY COUNCIL AGENDA

NO. 4

DEPT.: City Clerk

DATE: August 10, 2011

CONTACT: Dawn F. Nodarse

AGENDA ITEM Draft unapproved minutes of the regular meeting of the City Council held July 13, 2011, as attached.

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Approve the minutes of the regular meeting of the City Council held July 13, 2011, as attached.

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on July 13, 2011 at 8:00 P.M.

PRESENT:

DOUGLAS FRENCH Mayor
RICHARD FILIPPI
PAULA J. GAMACHE
PETER JOVANOVIĆH
SUZANNA KEITH
CATHERINE F. PARKER
Councilmembers

ABSENT: JOSEPH A. SACK, Councilman

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements

- The Tax Cap has been passed by the State legislature without the mandate relief that was hoped for.
- The Commuter Tax is dead in committee.
- The State Assembly has passed Complete Streets legislation.

4. Draft unapproved minutes of the regular meeting of the City Council held June 15, 2011

Councilman Filippi made a motion, seconded by Councilwoman Gamache and unanimously carried, to approve the minutes of the regular meeting of the City Council held on June 15, 2011, as amended.

Agenda Item 5 was taken after Agenda Item 10.

5. Mayor's Management Report

- WJWW update

City Manager Pickup advised that an Agenda item came before the Village of Mamaroneck Board in the end of June to raise the base water rates 3% effective July 1 to reflect a portion of the New York City rate increase. Additionally, he attended a meeting at Westchester Joint Water Works (WJWW) to try to get additional information on the City of Rye portion of the rate. Information in their literature says that the Rye rate is different because it incorporates taxes that WJWW pays for facilities located in the City of Rye. Mr. Pickup says he has asked for a breakdown of the rate. A suggestion was made that the City take a look at exempting the utility from property taxes.

- Legal update

Corporation Counsel Kristen Wilson reported on the following items:

- The Board of Assessment Review (BAR) held a hearing on the taxable status of Wainwright House, Pier Restaurant & Tiki Bar, and Seaside Johnnies Restaurant. The non-taxable status of these entities has been revoked by City Assessor Noreen Whitty. Representatives of the Wainwright House, the County and the Town of Rye appeared and presented their cases in favor of reinstating the exemptions. It is expected that the BAR will come down with a decision by early September.
- *Schubert v. The City of Rye* – A Stipulation of Dismissal of Appeal with Prejudice has been filed with the Second Circuit Court of Appeals. The case is now ended.
- *Carroll v. Assessor* – A seven-day trial in this tax certiorari proceeding has ended. Judge LaCava agreed to make a site visit to the property in August.

6. Presentation by the Government Policy & Research Committee on Revaluation

Mayor French said the Government Policy & Research Committee is not giving this presentation because the Council is looking to do a revaluation, but because it is an important topic that the public should be informed on, especially since the County and other municipalities are looking into it.

Susan Jansen, Chair of the Government Policy and Research Committee, made a presentation on Assessment and Revaluation. New York State law requires that property taxes, which are the most important source of revenue for the City and Schools, are levied on tax assessments that accurately reflect fair market value. The State does not mandate revaluations at any time or require revaluations on any specific basis. The City of Rye conducted its last assessment in 1972. Assessments are based on current market values and are done by the City Assessor. Every parcel is assessed but not every parcel is taxable due to exemptions, such as those for religious and government organizations or STAR, veterans and senior citizens. In 2010 the City tax rate was \$140.87 per \$1,000 of assessed value. Property owners can challenge their assessment through a grievance process. When Revaluations are done, in general about 1/3 of assessments will increase, 1/3 will remain flat and 1/3 will decline. Grievance levels increase initially but drop off in subsequent years. A Coefficient of Dispersion (COD) is a statistical measure that indicates how consistently property is being assessed within a specific area. Rye's COD is 14.12 which is within tolerance levels suggested by the International Association of Assessing Officers and New York State. Costs for Revaluations vary depending on the range of work done. A reason to reassess would be to create an equitable distribution of property taxes. In

determining whether it is time for Rye to perform a Revaluation it should weigh certain criteria such as the fact that the last Revaluation was performed 39 years ago and there has been an increase in the number of grievances being filed which cost the City time, effort and money, against the fact that the City's COD is within tolerable limits and a Revaluation is a complex and expensive process that takes years to complete. Ms. Jansen said that the advice the Committee received was that if the City decides to go forward with a Revaluation citizen education is critical and the City should hire the best consultants possible.

7. Public Hearing on modifications to Special Permit Applications submitted by New Cingular Wireless PCS, LLC ("AT&T"): #TC010 for an existing wireless telecommunications facility on the roof top of 66 Milton Road and #TC013 for an existing wireless telecommunications facility at 350 Theodore Fremd Avenue

Councilwoman Gamache made a motion, seconded by Councilman Filippi and unanimously carried, to open the public hearing.

Daniel Laub, Esq. of Cuddy & Feder appeared on behalf of the applicant. The proposal seeks site modification to two existing sites due to Long Term Evolution (LTE) for the next generation of wireless technology. The applications have been approved by the Board of Architectural Review. The radio frequency emissions are well within federal compliance levels.

The only member of the public who spoke on the application was *Martin Gerson* who inquired about the impact of signal emissions coming from the antennas to people farther away from the antenna site. He was told that the emissions decrease as they get farther away from the antennas.

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to close the public hearing.

Councilman Jovanovich made a motion, seconded by Councilman Filippi, to adopt the following Resolution:

RESOLVED, that the Special Use Permit Applications submitted by New Cingular Wireless PCS, LLC ("AT&T"): #TC010 for modification to an existing wireless telecommunications facility on the rooftop of 66 Milton Road and #TC013 for modification to an existing wireless telecommunications facility at 350 Theodore Fremd Avenue are hereby approved.

ROLL CALL:

| | |
|---------|---|
| AYES: | Mayor French, Councilmembers Filippi, Gamache, Jovanovich, Keith and Parker |
| NAYS: | None |
| ABSENT: | Councilman Sack |

The Resolution was adopted by a 6-0 vote.

8. Authorization for the City Manager to enter into an Intermunicipal Agreement with the Village of Rye Brook for a Flood Mitigation Project at Blind Brook Dam at Bowman Avenue

City Manager Pickup said this was the next step in the Sluice Gate Project. After this agreement is authorized, it will be attached to a proposal that will go before the Rye Brook Planning Commission for final site plan approval. The Agreement includes Department of Environmental Conservation (DEC) requirements for dam inspections as well as requirements for the maintenance and operation of the sluice gate equipment.

Councilwoman Gamache made a motion, seconded by Councilman Filippi, to adopt the following Resolution:

RESOLVED, the City Manager is hereby authorized to enter into an Inter-municipal Agreement with the Village of Rye Brook establishing maintenance protocols and responsibility for the maintenance of a mechanical sluice gate at the Blind Brook Dam at Bowman Avenue.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,
Keith and Parker
NAYS: None
ABSENT: Councilman Sack

The Resolution was adopted by a 6-0 vote.

9. Authorization for the City Manager to enter into an Intermunicipal Agreement with the Village of Mamaroneck to provide garbage and curbside pickup for Mamaroneck residents located in the Greenhaven section of Rye

City Manager Pickup said this was an extension of the original agreement that was set to expire and which has worked well for both municipalities.

Councilwoman Gamache made a motion, seconded by Councilman Jovanovich, to adopt the following Resolution:

RESOLVED, the City Manager is hereby authorized to enter into an Inter-municipal Agreement with the Village of Mamaroneck to provide garbage and curbside pickup for

Mamaroneck residents residing in the Greenhaven section at 1 Shore Road, 2 Shore Road, 3 Shore Road, 4 Shore Road, 12 Shore Road, 14 Shore Road and 15 Shore Road.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,
Keith and Parker
NAYS: None
ABSENT: Councilman Sack

The Resolution was adopted by a 6-0 vote.

10. Continuation of Public Hearing to amend Local Law Chapter 76, "Dogs", Section 76-5, "Running at large prohibited" and Section 76-6, "When Leash Required", to establish regulations for the leashing of dogs at Rye Town Park

Mayor French said that the proposed law that would have allowed dogs to be off leash at certain times was moot because the Rye Town Park Commission had reversed its decision to allow dogs to be off lease in the park.

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to close the public hearing.

Agenda Item 5 was taken out of order.

11. Residents may be heard who have matters to discuss that do not appear on the agenda

Jordan Glass, Esq., representing HealtheHarbor.com, spoke about the solutions proposed by the Kuder Island Board for sewage disposal and mosquito issues on Hen Island. He said he believed the proposed solutions are not solutions at all and will only make things worse and that the City should step in.

12. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department

Councilwoman Keith made a motion, seconded by Councilman Filippi, to adopt the following resolution:

RESOLVED, that the proposed revision of the Rules and Regulations of the City of Rye Police Department: General Order #114.8 "Mutual Aid", is hereby approved.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,
Keith and Parker
NAYS: None
ABSENT: Councilman Sack

The Resolution was adopted by a 6-0 vote.

13. Designation of three members to the Boat Basin Nominating Committee

Councilwoman Gamache made a motion, seconded by Councilman Filippi and unanimously carried, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby designates Ford Winters (Permit Holder elected to the Nominating Committee in August 2010); Greg Gavlik (Commission Member not running for re-election); and Frank Mangiamele (Permit Holder appointed by the Commission) as the Rye Boat Basin Nominating Committee for the 2011 Rye Boat Basin Commission elections.

14. Resolution to transfer \$25,000 from contingency for the City of Rye share for Rye Town Park funding

City Manager Pickup noted there was a \$99,000 year-end deficit for Rye Town Park as a result of 2010 operations. The City is responsible for approximately half of the deficit and had only budgeted \$25,000.

Councilman Jovanovich made a motion, seconded by Councilwoman Gamache, to adopt the following Resolution:

WHEREAS, City staff has determined that the amounts required for the City of Rye's share of Rye Town Park funding exceeded the anticipated amount and were not provided for in the adopted 2011 budget by \$25,000, and,

WHEREAS, the General Fund Contingent Account has a balance of \$200,000, now therefore be it

RESOLVED, that the City Comptroller is authorized to transfer \$25,000 from the General Fund Contingent Account to the Rye Town Park Account.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,
Keith and Parker
NAYS: None
ABSENT: Councilman Sack

The Resolution was adopted by a 6-0 vote.

15. Bid Award for Automotive Parts and Machine Shop Services (Bid # 2011-04)
Roll Call.

Councilwoman Gamache made a motion, seconded by Councilman Jovanovich, to adopt the following Resolution:

RESOLVED, that Bid #4-11 for Automotive Parts and Machine Shop Services is hereby awarded to Tri-City Automotive Parts, Mendel's Truck & Auto Parts, and BWP Distributors as follows:

| | | | |
|---------------------------|--------------------------|-----------------------------------|---------------------------------|
| Tri-City Automotive Parts | <u>Category 1</u> | | |
| | Group 1 | Brake Shoes & Linings | |
| | Group 1A | Brake Parts | |
| | Group 2 | Bearings | |
| | Group 7 | Electric Switches & Wiring | |
| | Group 10 | Headlights (tied w/Midland Truck) | |
| | Group 13 | Ignition Equipment | |
| | Group 15 | Shock Absorbers (tied w/BWP) | |
| | Group 17 | Water Pumps | |
| | Group 19 | Windshield Wiper Products | |
| | Group 21 | Batteries | |
| | Group 22 | Starter & Alternators | |
| | <u>Category 2</u> | | |
| | Group 4 | PTO clutch assemblies | |
| | <u>Category 3</u> | | |
| | | 4-cylinder heads rebuilt | |
| | | Pistons changed over & cleaned | |
| | Midland Truck/Auto Parts | <u>Category 1</u> | |
| | | Group 4 | Carburetors |
| | | Group 6 | Exhaust Parts |
| | | Group 10 | Headlights (tied with Tri-City) |
| | | Group 11 | Hoses & Clamps |
| Group 12 | | Hoses & Belts | |
| Group 14 | | Mirrors & Lamps | |
| Group 16 | | Seals | |
| Group 18 | | Filters | |
| Group 20 | | Chassis Front End Parts | |

Group 23 Bolts, Nuts, Washers, etc.

Category 2

Group 1 Brake Parts

Group 2 Starter & Alternators

Group 3 Exhaust Parts

Category 3

Flywheels Cut to 12"

Flywheels Cut to 12" or Over

Driveshafts Rebuilt

King Pins Fitted

King Pins w/I Beams

Brake Bands Relined

Brake Shoes Relines

V-8 Heads Rebuilt

6 Cylinder Heads Rebuilt

4 OHC Head Rebuilt

Axles Bearing and Related

Press Work (per bearing)

Heavy Duty Break Drums 16" & Up (price cut
per inch)

Passenger Car & Light Duty Truck up to 14" Drums

Rotors

Unltd. Shop Work (per hour)

BWP Distributors

Category 1

Group 3 Brass Fittings

Group 5 All Clutch Assemblies

Group 8 New Fuel Pumps

Group 9 Gaskets & Gasket Sets

Group 15 Shock Absorbers (tied with Tri-City)

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,
Keith and Parker

NAYS: None

ABSENT: Councilman Sack

The Resolution was adopted by a 6-0 vote.

16. Miscellaneous Communications and Reports

Councilwoman Parker said that Lt. Rob Falk and Police Officer David Rivera were presented with awards for their service to the downtown by the Chamber of Commerce at their annual luncheon. She wished Lt. Falk a speedy recovery from his recent illness.

Councilwoman Keith said that presentations by the Sustainability Committee and Shared Roadways Committee, originally scheduled for August, will be postponed until September. Mayor French suggested that the Shared Roadways presentation should be a 7:00 p.m. workshop prior to the regular meeting.

Mayor French said that the County Playland Committee is drafting its final report and it should be ready by August 1st. The Mayor also reported that resident attendance at Rye Town Park is up 50%.

17. Old Business

Councilman Filippi asked the City Manager for an update on the Central Avenue Bridge. City Manager Pickup said that the City submitted the final design to the State Department of Transportation (DOT) on June 17. When final approval is received the project can go out to bid and hopefully bids can be awarded in the Fall. Mr. Pickup added that the Engineering Department has been asked to apply for a New York State Highway work permit in order to allow the City to put up temporary signage and construction fencing to block off the area.

Councilwoman Keith said that options for a “No texting while walking or driving” pledge will be distributed to the Council so it can be placed on the agenda for the August meeting. Ms. Keith also asked for an update on the road diet near Osborn School. City Manager Pickup said that the City is waiting for the recommendations of the engineers who were in the field, which should be coming in September.

Councilman Jovanovich said that the School Board is considering going out for a bond issue for improvements to the high school.

Councilwoman Parker asked for a list of property owners who are in arrears on their property taxes.

Mayor French said that a proposal has come forward to pull the permit of any building contractor who receives three violations.

18. New Business

Mayor French said that there has been a change of a date for one of the November Council meetings.

Councilwoman Keith inquired about the new business that will be going in on the Post Road next to the Post Road Market. City Manager Pickup said the use was appropriate for the Zoning.

City Manager Pickup said that the Finance Department has received the Distinguished Budget Award from GFOA.

19. Adjournment

There being no further business to discuss Councilman Filippi made a motion, seconded by Councilwoman Keith and unanimously carried, to adjourn the meeting at 10:00 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: August 10, 2011

CONTACT: Mayor Douglas French

AGENDA ITEM: Mayor's Management Report

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Manager provide a report on requested topics.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Mayor has requested an update from the City Manager on the following:

- Summary Report from Rye Town Park Supervisor
- September 11th Ceremony Agenda
- Legal Update



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Manager's Office

DATE: August 10, 2011

CONTACT: Scott D. Pickup, City Manager

ACTION: Presentation of the 2012-2016 Capital Improvements Plan.

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

The CIP advises the City Council, other agencies and the public of the City's capital and infrastructure needs. The CIP comprehensively identifies projects so that they can be properly coordinated, staffed and future funding needs can be anticipated.

BACKGROUND:

The City's five-year Capital Improvement Plan (CIP) identifies projects and acquisitions of infrastructure, buildings, land, facilities, vehicles and equipment for the years ending December 31, 2012 through 2016.

The CIP is organized into three sections. Section I includes an overview of the CIP. Section II includes tables that identify each project, its funding requirement for each year and source of funds. Section III includes worksheets that provide detailed information on each project including, a project description, estimated costs, priority considerations, sources of funding by year, need and potential issues and operating cost considerations.

2012-2016 Capital Improvement Plan

City of Rye, New York



*Planning and Funding For City Projects
For Fiscal Years Ending December 31,
2012 through 2016*

August 2011

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SECTION I – OVERVIEW

Introduction

The City's five-year Capital Improvement Plan (CIP) identifies projects and acquisitions of infrastructure, buildings, land, facilities, vehicles and equipment for the years ending December 31, 2012 through 2016.

The CIP is organized into three sections. Section I includes an overview of the CIP. Section II includes tables that identify each project, its funding requirement for each year and source of funds. Section III includes worksheets that provide detailed information on each project including, a project description, estimated costs, priority considerations, sources of funding by year, need and potential issues and operating cost considerations.

Purpose of the Capital Improvements Plan

The CIP is a multi-year *plan*, not a multi-year *budget*. It is not a commitment to fund requested projects, but rather a schedule of public physical improvements and possible funding sources. Reading this CIP, it is important to focus on the funding, priority, importance, and the impact of undertaking or not undertaking the projects included in this report. The existence and condition of infrastructure and major capital assets has a direct bearing on the City's ability to provide services needed or desired by the community, and the perception of the community on its quality of life. These capital assets have a very real impact on property values and the community's ability to attract and retain residents and businesses.

The CIP is an effective tool of advising the City Council, other agencies and the public of the City's capital and infrastructure needs. The CIP comprehensively identifies projects so that they can be properly coordinated, staffed and future funding needs can be anticipated.

Project Selection

The CIP is the culmination of an annual process that seeks the input of City departments to identify what projects are needed to maintain a level of service expected by the community. This process includes establishing priorities, developing estimates, and determining possible funding sources. As with any plan, especially one covering a multi-year period, the projects, their requirements and resources, and even the need for the projects may change substantially over time. These changes are the impetus to update and redevelop the CIP on an annual basis.

Projects included in the CIP typically have a value exceeding \$15,000. Projects considered a reoccurring operating expense are generally not included in the CIP. Projects must also be reasonably anticipated to be needed or occur within the five-year planning period, however in some cases an identified project may occur beyond that time frame. Projects for the City Boat Basin and Rye Golf Club are not included in the CIP. These operations are enterprise funds that

provide for capital improvements in their annual budgets, the costs of which are supported by user fees and enterprise fund reserves.

Project Priorities

Each project in the CIP was assigned one of four priority classifications. Table 1 identifies each priority classification and its description.

**TABLE 1:
CIP Project Priority Classifications and Description**

| Classification | Description |
|-----------------------|--|
| <i>Urgent</i> | High-priority projects that should be done if at all possible; a special effort should be made to find sufficient funding for all of the projects in this group. |
| <i>High</i> | High-priority projects that should be done as funding becomes available. |
| <i>Moderate</i> | Worthwhile projects to be considered if funding is available; may be deferred to a subsequent year. |
| <i>Low</i> | Low-priority projects; desirable but not essential. |

Source: APA PAS Report Number 442, *Capital Improvement Programs: Linking Budgeting and Planning*, Robert A. Browyer, AICP, January 1993.

A number of criteria are considered in assigning a priority classification to a project. The extent to which a project met or exceeded these criteria contributed to its priority classification. Each project worksheet located in Section III of the CIP identifies whether the project:

- Is required replace or repair a *deteriorated facility*;
- Is required to address a *public safety* need or *legal mandate*, such as a Federal or State law or legal liability to the City;
- Is required as part of a *systematic replacement* or would result in an *operational efficiency* or cost savings to the City;
- Would result in *resource conservation* or provide an *environmental quality* benefit;
- Is required to meet a *new or expanded facility or program need*;
- Is *consistent with formal plans or identified policies* of the City; and
- Has an identified and *available funding source*.

Funding Requirements and Sources

Project cost estimates are based on the judgment of professional staff and/or estimates provided by external sources. Resources to fund each project include currently funded amounts (amounts provided in previous budgets), revenues and/or fund balance, debt, and grants and aid. Any anticipated grants or aid are first applied, followed by what is determined to be the appropriate mix of current funds and debt. Consideration is given to the expense of the project, its estimated life, and the short and long-term impact on property taxes. The CIP assumes that City debt levels should be kept to a minimum. Debt is therefore a recommended source of funding for

capital projects that are both very expensive (generally exceeding \$250,000 in value) and have long useful lives (generally in excess of 10 years).

Revenue sources are limited and subject to change. The City's financial policies state that the unreserved, undesignated fund balance should be maintained in the General Fund equal to 5% of operating expenditures. In addition, the amount of retained earnings available in the Building and Vehicle Fund to fund projects is essentially limited to unrestricted net assets. While City records are maintained on a current basis, a more appropriate picture of the fiscal year develops as the City budget is developed in the third and fourth quarters, whereupon actual funding availability for projects in the forthcoming year is projected.

The City's ability to fund projects with general obligation bonds issued by the City is subject to state law and limits set forth in Section C21-9 of the City Charter. That section of the City Charter allows a certain level of bonding that can be authorized by City Council vote alone; an additional amount that can be authorized by City Council vote subject to permissive referendum, and certain purposes that are exempt from Charter limits. A public referendum is required for the authorization of all other bonded debt. The City Finance Department will likely use bond anticipation notes as a strategy to fund short term cash flow needs related to capital projects.

CIP Overview and Highlights

The CIP identifies over 50 capital improvement projects classified into six different project types. The total cost of these projects is approximately \$39.8 million over the five-year planning period. An additional \$4.2 million in vehicle and equipment needs are also identified. Table 2 provides a summary of total required funding by project type by year.

**TABLE 2:
CIP Funding Requirements by Project Type and Year: 2012-2016**

| Project Type | 2012 | 2013 | 2014 | 2015 | 2016+ | Total Required |
|-------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------------|
| Building | \$ 167,000 | \$ 212,000 | \$ 87,000 | \$ 2,127,000 | \$ 185,000 | \$ 2,778,000 |
| Drainage | \$ 210,000 | \$ - | \$ 250,000 | \$ 370,000 | \$ 210,000 | \$ 1,040,000 |
| Flood Mitigation | \$ 2,086,260 | \$ 500,000 | \$10,000,000 | \$ - | \$ - | \$12,586,260 |
| Sewer | \$ 497,273 | \$ 300,000 | \$ 120,000 | \$ 120,000 | \$ - | \$ 1,037,273 |
| Transportation | \$ 4,460,000 | \$ 3,365,000 | \$ 3,315,000 | \$ 2,620,000 | \$ 3,175,000 | \$16,935,000 |
| Recreation | \$ 140,200 | \$ - | \$ 3,000,000 | \$ 1,799,500 | \$ 665,000 | \$ 5,604,700 |
| Total | \$ 7,560,733 | \$ 4,377,000 | \$16,772,000 | \$ 7,036,500 | \$ 4,235,000 | \$39,981,233 |
| Vehicles & Equipment | \$ 293,000 | \$ 962,700 | \$ 715,000 | \$ 595,000 | \$ 1,645,000 | \$ 4,210,700 |

The fiscal outlook does not look promising for capital projects. Funding through the City's annual budget (i.e. undesignated fund balance) has historically been a significant source of funding for capital projects. Those funds have become extremely limited. Federal and state funding for projects continues to decline and is not expected to be a significant or reliable source

of funding. In addition, the recently enacted tax cap legislation may make it more difficult for the City to fund capital through property taxes.

In light of these fiscal realities this CIP defers projects to years 2014-2016 to the maximum extent possible. In 2012 and 2013, proposed use of general revenue is extremely limited (a combined \$2.8 M) and is reserved for projects that have been identified as an “urgent” or “high” priority in the CIP.

**TABLE 3:
CIP Funding Sources by Project Type: 2012-2016**

| Project Type | General Revenues | Debt | Grants & Aid | Total Sources |
|---------------------------------|---------------------|---------------------|----------------------|----------------------|
| Building | \$ 778,000 | \$ 2,000,000 | \$ - | \$ 2,778,000 |
| Drainage | \$ 480,000 | \$ 210,000 | \$ 350,000 | \$ 1,040,000 |
| Flood Mitigation | \$ - | \$ 322,000 | \$ 12,264,260 | \$ 12,586,260 |
| Sewer | \$ 1,037,273 | \$ 78,137 | \$ 341,000 | \$ 1,037,273 |
| Transportation | \$ 6,020,000 | \$ 2,490,000 | \$ 8,425,000 | \$ 16,935,000 |
| Recreation | \$ 374,700 | \$ 180,000 | \$ 5,050,000 | \$ 5,604,700 |
| Total | \$ 8,270,836 | \$ 5,280,137 | \$ 26,430,260 | \$ 39,981,233 |
| Vehicles & Equipment | \$ 4,210,700 | \$ - | \$ - | \$ 4,210,700 |

Other projects over the next two years in this CIP are carry over projects from prior years that have received grant awards, including Bowman Avenue Sluice Gate (\$1.9 M), Theodore Fremd/Blind Brook Retaining Wall (\$1.4 M), Central Avenue Bridge Construction (\$1.8 M) and the Hewlett Avenue Pump Station (\$347,000). All of these projects are either in-design or under construction and are expected to be completed or started in 2012. Of the \$7.5 M 2012 projects, more than \$5.4 M of the funding is expected to come from grants and aid. In 2013, just under \$1 M of funding is expected from non-City sources, while in 2014, \$14.9 M of the total \$16.7 M, more than 89%, required for projects is expected from non-City sources, including a potential grant for the \$10 M Upper Pond Resizing flood mitigation project at Bowman Avenue.

Shared Roadways Initiatives

Over the past year, the City has been active in identifying needs and projects that improve pedestrian and bicyclist safety. In its June 15, 2011 report the ***Rye Shared Roadways Committee*** (RSRC) identified a number of projects to improve traffic and pedestrian circulation including projects at the Fireman’s Circle on Milton Road and the Grace Church Street/Midland Avenue/Manursing Avenue intersection. Both of these projects have been added to this year’s CIP, but due to their “moderate” priority ranking and limited funding, are not proposed for any activity until 2014. Prior CIP projects endorsed by the RSRC report are preserved in this CIP including repairing the Boston Post Road retaining wall adjacent to the Loudon Woods neighborhood, Rye train station improvements and the Theodore Fremd/Purdy/Purchase intersection improvements. Other projects recommended by the RSRC including the re-striping of Forest Avenue and other sidewalk and crosswalk improvements around schools are not specifically identified

as separate projects in the CIP, but rather noted in the City's annual paving and sidewalk program, which is considered their likely source of funding.

Also identified in the RSRC report is the need to continue to evaluate traffic and pedestrian safety conditions after the August 2010 completion of changes in the travel lanes (i.e. "diet") at the Sonn Drive/Boston Post Road intersection. In anticipation of this need the CIP identifies potential design and implementation of additional improvements (including the installation of a traffic signal) if deemed warranted and if funding is available.

Central Business District Improvements

The CIP includes funding for the design of projects in the Central Business District (CBD) including improvements at the Purchase/Smith/Elm intersection, Smith and Purchase Street re-constructions and improvements at the Theodore Fremd/Purdy/Purchase intersection. These improvements would be similar to those currently being implemented at the Locust/Purchase intersection. Design funding is recommended in 2012 ***only if*** construction is expected in 2013 so that detailed costs estimates can be established and the community can participate in a planning/design process to identify specific project needs and requirements. If there is no expectation that these projects will be funded for construction in 2013 from a bond/debt then the design of these improvements can be deferred.

Sewer Improvements

The CIP also includes a "new" project that would abandon the Locust Avenue sewer siphon and replace it with a new and more reliable sewer connection. Previously, this project was included as part of the Locust Avenue Bridge improvement. The condition of the siphon has deteriorated and is requiring increasing maintenance calls by the City's Public Works staff. This is not a project that can wait for failure and is considered one of the highest priority projects in the CIP. The sewer siphon connects sewage from all of the Central Business District to the County sewer trunk line located in Blind Brook. The project will avoid the need to fund temporary pumps and sewer lines if the siphon fails during the year and cannot be repaired.

The CIP proposes matching funds for the EPA grant the City was awarded for the necessary upgrades to the Hewlett Avenue pump station. The project cost has been reduced from previous CIPs, reflecting the elimination of the required force main component, which was completed in the summer of 2010.

Recreation Projects

Like many area communities, Rye's demand for athletic and recreational fields continues to grow. Land for new recreational fields in Rye is very limited and expensive. This year's CIP identifies two new projects to convert the natural grass fields at Recreation Park and Disbrow Park to turf. A third project at Nursery Field would improve drainage

conditions. These projects will allow for greater use of existing facilities and reduce lost playing time due to inclement weather. These improvements will help meet continued growing recreational demand from a variety of public and private recreational and school user groups in the community.

**TABLE 4:
CIP Funding Requirements by Project Type, Year, and Source: 2012-2016**

| Project Type | 2012 | 2013 | 2014 | 2015 | 2016+ | Total Required |
|-------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Building | \$ 167,000 | \$ 212,000 | \$ 87,000 | \$ 2,127,000 | \$ 185,000 | \$ 2,778,000 |
| <i>General Rev.</i> | \$ 167,000 | \$ 212,000 | \$ 87,000 | \$ 127,000 | \$ 185,000 | \$ 778,000 |
| <i>Grants & Aid</i> | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| <i>Debt</i> | \$ - | \$ - | \$ - | \$ 2,000,000 | \$ - | \$ 2,000,000 |
| Drainage | \$ 210,000 | \$ - | \$ 250,000 | \$ 370,000 | \$ 210,000 | \$ 1,040,000 |
| <i>General Rev.</i> | \$ - | \$ - | \$ 250,000 | \$ 20,000 | \$ 210,000 | \$ 480,000 |
| <i>Grants & Aid</i> | \$ - | \$ - | \$ - | \$ 350,000 | \$ - | \$ 350,000 |
| <i>Debt</i> | \$ 210,000 | \$ - | \$ - | \$ - | \$ - | \$ 210,000 |
| Flood Mitigation | \$ 2,086,260 | \$ 500,000 | \$10,000,000 | \$ - | \$ - | \$12,586,260 |
| <i>General Rev.</i> | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| <i>Grants & Aid</i> | \$ 1,764,260 | \$ 500,000 | \$10,000,000 | \$ - | \$ - | \$12,264,260 |
| <i>Debt</i> | \$ 322,000 | \$ - | \$ - | \$ - | \$ - | \$ 322,000 |
| Sewer | \$ 497,273 | \$ 300,000 | \$ 120,000 | \$ 120,000 | \$ - | \$ 1,037,273 |
| <i>General Rev.</i> | \$ 228,136 | \$ 150,000 | \$ 120,000 | \$ 120,000 | \$ - | \$ 618,136 |
| <i>Grants & Aid</i> | \$ 191,000 | \$ 150,000 | \$ - | \$ - | \$ - | \$ 341,000 |
| <i>Debt</i> | \$ 78,137 | \$ - | \$ - | \$ - | \$ - | \$ 78,137 |
| Transportation | \$ 4,460,000 | \$ 3,365,000 | \$ 3,315,000 | \$ 2,620,000 | \$ 3,175,000 | \$16,935,000 |
| <i>General Rev.</i> | \$ 565,000 | \$ 1,430,000 | \$ 1,450,000 | \$ 2,260,000 | \$ 315,000 | \$ 6,020,000 |
| <i>Grants & Aid</i> | \$ 3,535,000 | \$ 285,000 | \$ 1,385,000 | \$ 360,000 | \$ 2,860,000 | \$ 8,425,000 |
| <i>Debt</i> | \$ 360,000 | \$ 1,650,000 | \$ 480,000 | \$ - | \$ - | \$ 2,490,000 |
| Recreation | \$ 140,200 | \$ - | \$ 3,000,000 | \$ 1,799,500 | \$ 665,000 | \$ 5,604,700 |
| <i>General Rev.</i> | \$ 140,200 | \$ - | \$ - | \$ 19,500 | \$ 215,000 | \$ 374,700 |
| <i>Grants & Aid</i> | \$ - | \$ - | \$ 3,000,000 | \$ 1,600,000 | \$ 450,000 | \$ 5,050,000 |
| <i>Debt</i> | \$ - | \$ - | \$ - | \$ 180,000 | \$ - | \$ 180,000 |
| Total | \$ 7,560,733 | \$ 4,377,000 | \$16,772,000 | \$ 7,036,500 | \$ 4,235,000 | \$39,981,233 |
| <i>General Rev.</i> | \$ 1,100,336 | \$ 1,792,000 | \$ 1,907,000 | \$ 2,546,500 | \$ 925,000 | \$ 8,270,836 |
| <i>Grants & Aid</i> | \$ 5,490,260 | \$ 935,000 | \$14,385,000 | \$ 2,310,000 | \$ 3,310,000 | \$26,430,260 |
| <i>Debt</i> | \$ 970,137 | \$ 1,650,000 | \$ 480,000 | \$ 2,180,000 | \$ - | \$ 5,280,137 |

Other Capital Considerations

Historically, the City's CIP has not identified or quantified the capital needs of City enterprise funds and Rye Town Park. As resources become more constrained, it's important that these capital needs be better understood because they have financial, operational and other impacts on the City.

The City enterprise funds, including the City Boat Basin and Rye Golf Club, have capital needs not previously been identified in the CIP because these projects were typically funded by user

fees. It is expected that **Rye Golf** will continue to support its capital needs and its obligation through 2018 to pay off the Whitby Castle renovation bonds without the need for supplemental funding from the City's annual budget.

The **City Boat Basin** will likely need to fund another dredge within the next five to ten years to maintain its current operational levels at an estimated cost of \$3 million. Increasing environmental restrictions on open water disposal of dredge material has significantly increased dredging disposal costs. Federal funding for dredging has not been available for recreational marinas for years, and funding for commercial harbors is increasingly difficult to obtain. Upland disposal of dredge material is cost prohibitive and logistically challenging given the limited land for dewatering.

There are 400 boaters at the boat basin and 150 of those are small boats and kayaks. This small number of boaters cannot raise enough funding to cover the estimated \$3 million dredging costs within the next five to ten years. Fees and charges can't be too high since the Boat Basin has to remain competitive with the prices charged by other area marinas. If grants or other new sources of revenue are not identified, the boat basin will not be able to maintain its current level of operation, or the Basin will require supplemental funding from the City.

Rye Town Park has identified approximately \$14 million in capital needs to its facilities over the next five years. Their capital needs are of particular concern because the City is responsible for approximately 40% of all capital expenditures at Rye Town Park. Capital projects are approved by the Rye Town Park Commission, not the City Council. The City will need to diligently work with the Rye Town Park Commission regarding the need, cost and timing of required capital improvements. If not, the City may not have funds available to cover its capital obligations to the Park while still preserving the City's already limited capital program.

The Rye City School District has an impact on the City's capital program. Their facilities generate demand for off-site improvements such as traffic and pedestrian safety, parking and other infrastructure improvements that are predominately funded by the City. There has been recent discussion of the School District potentially funding additional building improvements. Coordination between the City and School District is essential so that potential capital needs and funding sources can be identified.

Conclusion

The Capital Improvement Plan is a document that provides the City Council, City management, and the entire community with an opportunity to plan for the longer term while budgeting for the short term. The project requirements and resources included in the first year of the plan, designed to provide guidance for the forthcoming year's budget, will most likely differ from the projects that appear in the budget that is adopted in December by the City Council.

This Capital Improvement Plan, presented to the City Council and the public at a public meeting on August 10, 2011, seeks the input and consideration of the City Council and the public. Comments, questions, and suggestions are welcome as the City continues to identify and modify projects so that they best meet the needs of the community.

Section II:
Tables of Project Funding Requirements and Sources

Capital Improvement Plan (CIP): 2012-2016

Project Funding Requirements

| Capital Project Name | Funding Requirements | | | | | Total Required |
|---|----------------------|------------|---------------|--------------|------------|----------------|
| | 2012 | 2013 | 2014 | 2015 | 2016+ | |
| <i>BUILDING PROJECTS</i> | | | | | | |
| Police/Court Renovation Study | \$ 35,000 | \$ - | \$ - | \$ 2,000,000 | \$ - | \$ 2,035,000 |
| City Hall - Carpet & Floor Replacement | \$ - | \$ - | \$ - | \$ 65,000 | \$ - | \$ 65,000 |
| City Hall - Fan Coil Units | \$ 12,000 | \$ 12,000 | \$ 12,000 | \$ 12,000 | \$ - | \$ 48,000 |
| City Hall - Hanging Ceiling Replacement | \$ - | \$ - | \$ 75,000 | \$ - | \$ - | \$ 75,000 |
| City Hall - HVAC Air Handler Replacement | \$ 120,000 | \$ 100,000 | \$ - | \$ - | \$ - | \$ 220,000 |
| DPW - Fuel Tank Replacement | \$ - | \$ - | \$ - | \$ - | \$ 185,000 | \$ 185,000 |
| Nature Center Bathrooms | \$ - | \$ 20,000 | \$ - | \$ - | \$ - | \$ 20,000 |
| Interior Paint - Firehouses | \$ - | \$ - | \$ - | \$ 50,000 | \$ - | \$ 50,000 |
| DPW Roof Replacement | \$ - | \$ 80,000 | \$ - | \$ - | \$ - | \$ 80,000 |
| <i>Sub-Total Building Projects:</i> | \$ 167,000 | \$ 212,000 | \$ 87,000 | \$ 2,127,000 | \$ 185,000 | \$ 2,778,000 |
| <i>General Revenues</i> | \$ 167,000 | \$ 212,000 | \$ 87,000 | \$ 127,000 | \$ 185,000 | \$ 778,000 |
| <i>Grants & Aid</i> | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| <i>Debt</i> | \$ - | \$ - | \$ - | \$ 2,000,000 | \$ - | \$ 2,000,000 |
| <i>DRAINAGE PROJECTS</i> | | | | | | |
| LaSalle Avenue Drain | \$ - | \$ - | \$ 150,000 | \$ - | \$ - | \$ 150,000 |
| Forest to Stonycrest Road Drain | \$ - | \$ - | \$ 35,000 | \$ 350,000 | \$ - | \$ 385,000 |
| Old Milton Road Drainage Improvement | \$ 210,000 | \$ - | \$ - | \$ - | \$ - | \$ 210,000 |
| Red Maple Swamp Drainage Study | \$ - | \$ - | \$ 15,000 | \$ - | \$ - | \$ 15,000 |
| Hix Park Drainage Study | \$ - | \$ - | \$ - | \$ 20,000 | \$ - | \$ 20,000 |
| Colby Avenue Drainage | \$ - | \$ - | \$ - | \$ - | \$ 120,000 | \$ 120,000 |
| Ellsworth Road Drainage | \$ - | \$ - | \$ - | \$ - | \$ 90,000 | \$ 90,000 |
| Martin Road Drainage | \$ - | \$ - | \$ 50,000 | \$ - | \$ - | \$ 50,000 |
| <i>Sub-Total Drainage Projects:</i> | \$ 210,000 | \$ - | \$ 250,000 | \$ 370,000 | \$ 210,000 | \$ 1,040,000 |
| <i>General Revenues</i> | \$ - | \$ - | \$ 250,000 | \$ 20,000 | \$ 210,000 | \$ 480,000 |
| <i>Grants & Aid</i> | \$ - | \$ - | \$ - | \$ 350,000 | \$ - | \$ 350,000 |
| <i>Debt</i> | \$ 210,000 | \$ - | \$ - | \$ - | \$ - | \$ 210,000 |
| <i>FLOOD MITIGATION PROJECTS</i> | | | | | | |
| Bowman Avenue Sluice Gate | \$ 1,986,260 | \$ - | \$ - | \$ - | \$ - | \$ 1,986,260 |
| Bowman Flood Improvements - Upper Pond Resizing | \$ 100,000 | \$ 500,000 | \$ 10,000,000 | \$ - | \$ - | \$ 10,600,000 |

| Capital Project Name | Funding Requirements | | | | | Total Required |
|---|----------------------|--------------|---------------|--------------|--------------|----------------|
| | 2012 | 2013 | 2014 | 2015 | 2016+ | |
| <i>Sub-Total Flood Mitigation Projects:</i> | \$ 2,086,260 | \$ 500,000 | \$ 10,000,000 | \$ - | \$ - | \$ 12,586,260 |
| <i>General Revenues</i> | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| <i>Grants & Aid</i> | \$ 1,764,260 | \$ 500,000 | \$ 10,000,000 | \$ - | \$ - | \$ 12,264,260 |
| <i>Debt</i> | \$ 322,000 | \$ - | \$ - | \$ - | \$ - | \$ 322,000 |
| SEWER PROJECTS | | | | | | |
| Hewlett Avenue Pump Station | \$ 347,273 | \$ - | \$ - | \$ - | \$ - | \$ 347,273 |
| Brevoort Lane Force Main | \$ - | \$ 300,000 | \$ - | \$ - | \$ - | \$ 300,000 |
| Stuyvesant Ave. Pump Station Pump Replacement | \$ - | \$ - | \$ 120,000 | \$ - | \$ - | \$ 120,000 |
| Dearborn Pump Station Pump Replacement | \$ - | \$ - | \$ - | \$ 120,000 | \$ - | \$ 120,000 |
| Locust Avenue Sewer Siphon Replacement | \$ 150,000 | \$ - | \$ - | \$ - | \$ - | \$ 150,000 |
| <i>Sub-Total Sewer Projects:</i> | \$ 497,273 | \$ 300,000 | \$ 120,000 | \$ 120,000 | \$ - | \$ 1,037,273 |
| <i>General Revenues</i> | \$ 228,136 | \$ 150,000 | \$ 120,000 | \$ 120,000 | \$ - | \$ 618,136 |
| <i>Grants & Aid</i> | \$ 191,000 | \$ 150,000 | \$ - | \$ - | \$ - | \$ 341,000 |
| <i>Debt</i> | \$ 78,137 | \$ - | \$ - | \$ - | \$ - | \$ 78,137 |
| TRANSPORTATION PROJECTS | | | | | | |
| Annual Sidewalk/Curbing Program | \$ 60,000 | \$ 60,000 | \$ 65,000 | \$ 65,000 | \$ 70,000 | \$ 320,000 |
| Annual Street Resurfacing | \$ 500,000 | \$ 500,000 | \$ 500,000 | \$ 500,000 | \$ 500,000 | \$ 2,500,000 |
| Boston Post Road Retaining Wall | \$ 35,000 | \$ - | \$ 480,000 | \$ - | \$ - | \$ 515,000 |
| Theodore Fremd/Blind Brook Retaining Wall | \$ 1,400,000 | \$ - | \$ - | \$ - | \$ - | \$ 1,400,000 |
| Purchase Street Roundabout | \$ - | \$ - | \$ 500,000 | \$ - | \$ - | \$ 500,000 |
| BPR Repaving | \$ - | \$ 1,000,000 | \$ - | \$ 1,150,000 | \$ - | \$ 2,150,000 |
| CBD - Purchase Street Reconstruction | \$ 50,000 | \$ 1,000,000 | \$ - | \$ - | \$ - | \$ 1,050,000 |
| CBD - Smith Street Reconstruction | \$ 30,000 | \$ 450,000 | \$ - | \$ - | \$ - | \$ 480,000 |
| CBD - Elm/Smith Intersection improvement | \$ 20,000 | \$ 200,000 | \$ - | \$ - | \$ - | \$ 220,000 |
| CBD Traffic Signal - Fremd/Purdy/Purchase | \$ 275,000 | \$ - | \$ - | \$ - | \$ - | \$ 275,000 |
| Locust Avenue Bridge | \$ - | \$ 80,000 | \$ 1,720,000 | \$ - | \$ - | \$ 1,800,000 |
| Nature Center Bridge Reconstruction | \$ - | \$ - | \$ - | \$ - | \$ 30,000 | \$ 30,000 |
| Orchard Avenue Bridge Rehabilitation | \$ - | \$ - | \$ - | \$ 180,000 | \$ - | \$ 180,000 |
| Central Avenue Bridge Reconstruction | \$ 1,800,000 | \$ - | \$ - | \$ - | \$ - | \$ 1,800,000 |
| MTA Parking Lot Improvements | \$ - | \$ - | \$ - | \$ 75,000 | \$ 2,575,000 | \$ 2,650,000 |
| First/Second St. Parking Lot Improvement | \$ - | \$ 75,000 | \$ - | \$ - | \$ - | \$ 75,000 |
| School/Purdy Parking Lot (Car Park 5) | \$ - | \$ - | \$ - | \$ 650,000 | \$ - | \$ 650,000 |
| Milton Cemetery Bridge | \$ 40,000 | \$ - | \$ - | \$ - | \$ - | \$ 40,000 |

| Capital Project Name | Funding Requirements | | | | | Total Required |
|--|----------------------|---------------------|----------------------|---------------------|---------------------|----------------------|
| | 2012 | 2013 | 2014 | 2015 | 2016+ | |
| Street Light Replacement | \$ 50,000 | \$ - | \$ - | \$ - | \$ - | \$ 50,000 |
| 5 Corners Intersection Study | \$ - | \$ - | \$ 25,000 | \$ - | \$ - | \$ 25,000 |
| Fireman's Memorial Intersection Study | \$ - | \$ - | \$ 25,000 | \$ - | \$ - | \$ 25,000 |
| Osborn School Traffic and Pedestrian Safety Improvements | \$ 200,000 | \$ - | \$ - | \$ - | \$ - | \$ 200,000 |
| <i>Sub-Total Transportation Projects:</i> | <i>\$ 4,460,000</i> | <i>\$ 3,365,000</i> | <i>\$ 3,315,000</i> | <i>\$ 2,620,000</i> | <i>\$ 3,175,000</i> | <i>\$ 16,935,000</i> |
| <i>General Revenues</i> | <i>\$ 565,000</i> | <i>\$ 1,430,000</i> | <i>\$ 1,450,000</i> | <i>\$ 2,260,000</i> | <i>\$ 315,000</i> | <i>\$ 6,020,000</i> |
| <i>Grants & Aid</i> | <i>\$ 3,535,000</i> | <i>\$ 285,000</i> | <i>\$ 1,385,000</i> | <i>\$ 360,000</i> | <i>\$ 2,860,000</i> | <i>\$ 8,425,000</i> |
| <i>Debt</i> | <i>\$ 360,000</i> | <i>\$ 1,650,000</i> | <i>\$ 480,000</i> | <i>\$ -</i> | <i>\$ -</i> | <i>\$ 2,490,000</i> |
| RECREATION PROJECTS | | | | | | |
| Expand Maintenance Garage | \$ - | \$ - | \$ - | \$ - | \$ 145,000 | \$ 145,000 |
| Gagliardo Park Restrooms & Park Improvements | \$ 112,000 | \$ - | \$ - | \$ - | \$ - | \$ 112,000 |
| Replace Upper Picnic Shelter and Pad | \$ - | \$ - | \$ - | \$ - | \$ 70,000 | \$ 70,000 |
| Recreation Park Improvements | \$ - | \$ - | \$ 3,000,000 | \$ - | \$ - | \$ 3,000,000 |
| Nursery Field Rehabilitation | \$ - | \$ - | \$ - | \$ - | \$ 450,000 | \$ 450,000 |
| Disbrow Park Drainage Improvements | \$ - | \$ - | \$ - | \$ 1,600,000 | \$ - | \$ 1,600,000 |
| Damiano Center HVAC | \$ 28,200 | \$ - | \$ - | \$ - | \$ - | \$ 28,200 |
| Disbrow Park Landscape and Signage Improvements | \$ - | \$ - | \$ - | \$ 19,500 | \$ - | \$ 19,500 |
| Upgrade Tennis Lighting | \$ - | \$ - | \$ - | \$ 180,000 | \$ - | \$ 180,000 |
| <i>Sub-Total Recreation Projects:</i> | <i>\$ 140,200</i> | <i>\$ -</i> | <i>\$ 3,000,000</i> | <i>\$ 1,799,500</i> | <i>\$ 665,000</i> | <i>\$ 5,604,700</i> |
| <i>General Revenues</i> | <i>\$ 140,200</i> | <i>\$ -</i> | <i>\$ -</i> | <i>\$ 19,500</i> | <i>\$ 215,000</i> | <i>\$ 374,700</i> |
| <i>Grants & Aid</i> | <i>\$ -</i> | <i>\$ -</i> | <i>\$ 3,000,000</i> | <i>\$ 1,600,000</i> | <i>\$ 450,000</i> | <i>\$ 5,050,000</i> |
| <i>Debt</i> | <i>\$ -</i> | <i>\$ -</i> | <i>\$ -</i> | <i>\$ 180,000</i> | <i>\$ -</i> | <i>\$ 180,000</i> |
| TOTAL ALL PROJECTS: | \$ 7,560,733 | \$ 4,377,000 | \$ 16,772,000 | \$ 7,036,500 | \$ 4,235,000 | \$ 39,981,233 |
| <i>Total General Revenues</i> | <i>\$ 1,100,336</i> | <i>\$ 1,792,000</i> | <i>\$ 1,907,000</i> | <i>\$ 2,546,500</i> | <i>\$ 925,000</i> | <i>\$ 8,270,836</i> |
| <i>Total Grants & Aid</i> | <i>\$ 5,490,260</i> | <i>\$ 935,000</i> | <i>\$ 14,385,000</i> | <i>\$ 2,310,000</i> | <i>\$ 3,310,000</i> | <i>\$ 26,430,260</i> |
| <i>Total Debt</i> | <i>\$ 970,137</i> | <i>\$ 1,650,000</i> | <i>\$ 480,000</i> | <i>\$ 2,180,000</i> | <i>\$ -</i> | <i>\$ 5,280,137</i> |

Capital Improvement Plan (CIP): 2012-2016
Project Funding Sources

| Capital Project Name | Funding Sources | | | Total Sources |
|--|------------------|--------------|--------------|---------------|
| | General Revenues | Debt | Grants & Aid | |
| <i>BUILDING PROJECTS</i> | | | | |
| Police/Court Renovation Study | \$ 35,000 | \$ 2,000,000 | \$ - | \$ 2,035,000 |
| City Hall - Carpet & Floor Replacement | \$ 65,000 | \$ - | \$ - | \$ 65,000 |
| City Hall - Fan Coil Units | \$ 48,000 | \$ - | \$ - | \$ 48,000 |
| City Hall - Hanging Ceiling Replacement | \$ 75,000 | \$ - | \$ - | \$ 75,000 |
| City Hall - HVAC Air Handler Replacement | \$ 220,000 | \$ - | \$ - | \$ 220,000 |
| DPW - Fuel Tank Replacement | \$ 185,000 | \$ - | \$ - | \$ 185,000 |
| Nature Center Bathrooms | \$ 20,000 | \$ - | \$ - | \$ 20,000 |
| Interior Paint - Firehouses | \$ 50,000 | \$ - | \$ - | \$ 50,000 |
| DPW Roof Replacement | \$ 80,000 | \$ - | \$ - | \$ 80,000 |
| <i>Sub-Total Building Projects:</i> | \$ 778,000 | \$ 2,000,000 | \$ - | \$ 2,778,000 |
| | | | | |
| <i>DRAINAGE PROJECTS</i> | | | | |
| LaSalle Avenue Drain | \$ 150,000 | \$ - | \$ - | \$ 150,000 |
| Forest to Stonycrest Road Drain | \$ 35,000 | \$ - | \$ 350,000 | \$ 385,000 |
| Old Milton Road Drainage Improvement | \$ - | \$ 210,000 | \$ - | \$ 210,000 |
| Red Maple Swamp Drainage Study | \$ 15,000 | \$ - | \$ - | \$ 15,000 |
| Hix Park Drainage Study | \$ 20,000 | \$ - | \$ - | \$ 20,000 |
| Colby Avenue Drainage | \$ 120,000 | \$ - | \$ - | \$ 120,000 |
| Ellsworth Road Drainage | \$ 90,000 | \$ - | \$ - | \$ 90,000 |
| Martin Road Drainage | \$ 50,000 | \$ - | \$ - | \$ 50,000 |
| <i>Sub-Total Drainage Projects:</i> | \$ 480,000 | \$ 210,000 | \$ 350,000 | \$ 1,040,000 |
| | | | | |
| <i>FLOOD MITIGATION PROJECTS</i> | | | | |
| Bowman Avenue Sluice Gate | \$ - | \$ 322,000 | \$ 1,664,260 | \$ 1,986,260 |

| Capital Project Name | Funding Sources | | | |
|---|------------------|--------------|---------------|---------------|
| | General Revenues | Debt | Grants & Aid | Total Sources |
| Bowman Flood Improvements - Upper Pond Resizing | \$ - | \$ - | \$ 10,600,000 | \$ 10,600,000 |
| <i>Sub-Total Flood Mitigation Projects:</i> | \$ - | \$ 322,000 | \$ 12,264,260 | \$ 12,586,260 |
| SEWER PROJECTS | | | | |
| Hewlett Avenue Pump Station | \$ 78,136 | \$ 78,137 | \$ 191,000 | \$ 347,273 |
| Brevoort Lane Force Main | \$ 150,000 | \$ - | \$ 150,000 | \$ 300,000 |
| Stuyvesant Ave. Pump Station Pump Replacement | \$ 120,000 | \$ - | \$ - | \$ 120,000 |
| Dearborn Pump Station Pump Replacement | \$ 120,000 | \$ - | \$ - | \$ 120,000 |
| Locust Avenue Sewer Siphon Replacement | \$ 150,000 | \$ - | \$ - | \$ 150,000 |
| <i>Sub-Total Sewer Projects:</i> | \$ 618,136 | \$ 78,137 | \$ 341,000 | \$ 1,037,273 |
| TRANSPORTATION PROJECTS | | | | |
| Annual Sidewalk/Curbing Program | \$ 320,000 | \$ - | \$ - | \$ 320,000 |
| Annual Street Resurfacing | \$ 1,075,000 | \$ - | \$ 1,425,000 | \$ 2,500,000 |
| Boston Post Road Retaining Wall | \$ 35,000 | \$ 480,000 | \$ - | \$ 515,000 |
| Theodore Fremd/Blind Brook Retaining Wall | \$ 100,000 | \$ - | \$ 1,300,000 | \$ 1,400,000 |
| Purchase Street Roundabout | \$ - | \$ - | \$ 500,000 | \$ 500,000 |
| BPR Repaving | \$ 2,150,000 | \$ - | \$ - | \$ 2,150,000 |
| CBD - Purchase Street Reconstruction | \$ 50,000 | \$ 1,000,000 | \$ - | \$ 1,050,000 |
| CBD - Smith Street Reconstruction | \$ 30,000 | \$ 450,000 | \$ - | \$ 480,000 |
| CBD - Elm/Smith Intersection improvement | \$ 20,000 | \$ 200,000 | \$ - | \$ 220,000 |
| CBD Traffic Signal - Fremd/Purdy/Purchase | \$ 55,000 | \$ - | \$ 220,000 | \$ 275,000 |
| Locust Avenue Bridge | \$ 1,200,000 | \$ - | \$ 600,000 | \$ 1,800,000 |
| Nature Center Bridge Reconstruction | \$ 30,000 | \$ - | \$ - | \$ 30,000 |
| Orchard Avenue Bridge Rehabilitation | \$ 180,000 | \$ - | \$ - | \$ 180,000 |
| Central Avenue Bridge Reconstruction | \$ - | \$ 360,000 | \$ 1,440,000 | \$ 1,800,000 |
| MTA Parking Lot Improvements | \$ - | \$ - | \$ 2,650,000 | \$ 2,650,000 |
| First/Second St. Parking Lot Improvement | \$ 75,000 | \$ - | \$ - | \$ 75,000 |

| Capital Project Name | Funding Sources | | | Total Sources |
|--|------------------|--------------|--------------|---------------|
| | General Revenues | Debt | Grants & Aid | |
| School/Purdy Parking Lot (Car Park 5) | \$ 650,000 | \$ - | \$ - | \$ 650,000 |
| Milton Cemetery Bridge | \$ - | \$ - | \$ 40,000 | \$ 40,000 |
| Street Light Replacement | \$ - | \$ - | \$ 50,000 | \$ 50,000 |
| 5 Corners Intersection Study | \$ 25,000 | \$ - | \$ - | \$ 25,000 |
| Fireman's Memorial Intersection Study | \$ 25,000 | \$ - | \$ - | \$ 25,000 |
| Osborn School Traffic and Pedestrian Safety Improvements | \$ - | \$ - | \$ 200,000 | \$ 200,000 |
| <i>Sub-Total Transportation Projects:</i> | \$ 6,020,000 | \$ 2,490,000 | \$ 8,425,000 | \$ 16,935,000 |

RECREATION PROJECTS

| | | | | |
|---|------------|------------|--------------|--------------|
| Expand Maintenance Garage | \$ 145,000 | \$ - | \$ - | \$ 145,000 |
| Gagliardo Park Restrooms & Park Improvements | \$ 112,000 | \$ - | \$ - | \$ 112,000 |
| Replace Upper Picnic Shelter and Pad | \$ 70,000 | \$ - | \$ - | \$ 70,000 |
| Recreation Park Improvements | \$ - | \$ - | \$ 3,000,000 | \$ 3,000,000 |
| Nursery Field Rehabilitation | \$ - | \$ - | \$ 450,000 | \$ 450,000 |
| Disbrow Park Drainage Improvements | \$ - | \$ - | \$ 1,600,000 | \$ 1,600,000 |
| Damiano Center HVAC | \$ 28,200 | \$ - | \$ - | \$ 28,200 |
| Disbrow Park Landscape and Signage Improvements | \$ 19,500 | \$ - | \$ - | \$ 19,500 |
| Upgrade Tennis Lighting | \$ - | \$ 180,000 | \$ - | \$ 180,000 |
| <i>Sub-Total Recreation Projects:</i> | \$ 374,700 | \$ 180,000 | \$ 5,050,000 | \$ 5,604,700 |

| | | | | |
|-------|--------------|--------------|---------------|---------------|
| Total | \$ 8,270,836 | \$ 5,280,137 | \$ 26,430,260 | \$ 39,981,233 |
|-------|--------------|--------------|---------------|---------------|

Capital Improvement Plan (CIP): 2012-2016
Vehicles and Equipment Funding Requirements and Sources

| Requirements | Funding Requirements | | | | | | Funding Sources | | | |
|------------------------------|----------------------|-------------------|-------------------|-------------------|---------------------|---------------------|-----------------------|-------------|--------------|---------------------|
| | 2012 | 2013 | 2014 | 2015 | 2016 | Total Required | Revenues Fund Balance | Debt | Grants & Aid | Total Sources |
| Police Vehicle | \$ 40,000 | \$ - | \$ - | \$ - | \$ - | \$ 40,000 | \$ 40,000 | - | - | \$ 40,000 |
| DPW Sweeper 1 | \$ 20,000 | \$ - | \$ - | \$ - | \$ - | \$ 20,000 | \$ 20,000 | - | - | \$ 20,000 |
| DPW Truck 19 | \$ 170,000 | \$ - | \$ - | \$ - | \$ - | \$ 170,000 | \$ 170,000 | - | - | \$ 170,000 |
| DPW Truck 5 | \$ - | \$ 170,000 | \$ - | \$ - | \$ - | \$ 170,000 | \$ 170,000 | - | - | \$ 170,000 |
| DPW 3/4 Ton Roller & Trailer | \$ - | \$ 60,000 | \$ - | \$ - | \$ - | \$ 60,000 | \$ 60,000 | - | - | \$ 60,000 |
| DPW Truck 23 | \$ - | \$ 65,000 | \$ - | \$ - | \$ - | \$ 65,000 | \$ 65,000 | - | - | \$ 65,000 |
| DPW Truck 2 | \$ - | \$ 60,000 | \$ - | \$ - | \$ - | \$ 60,000 | \$ 60,000 | - | - | \$ 60,000 |
| DPW Truck 6 | \$ - | \$ 40,000 | \$ - | \$ - | \$ - | \$ 40,000 | \$ 40,000 | - | - | \$ 40,000 |
| DPW Truck 16 | \$ - | \$ 35,000 | \$ - | \$ - | \$ - | \$ 35,000 | \$ 35,000 | - | - | \$ 35,000 |
| DPW Truck 22 | \$ - | \$ 30,000 | \$ - | \$ - | \$ - | \$ 30,000 | \$ 30,000 | - | - | \$ 30,000 |
| DPW Truck 9 | \$ - | \$ 170,000 | \$ - | \$ - | \$ - | \$ 170,000 | \$ 170,000 | - | - | \$ 170,000 |
| DPW Trailer for CAT 902 | \$ - | \$ 50,000 | \$ - | \$ - | \$ - | \$ 50,000 | \$ 50,000 | - | - | \$ 50,000 |
| DPW Car 82 | \$ - | \$ 35,000 | \$ - | \$ - | \$ - | \$ 35,000 | \$ 35,000 | - | - | \$ 35,000 |
| DPW Stump Grinder | \$ - | \$ 55,000 | \$ - | \$ - | \$ - | \$ 55,000 | \$ 55,000 | - | - | \$ 55,000 |
| DPW Truck 32 | \$ - | \$ - | \$ 150,000 | \$ - | \$ - | \$ 150,000 | \$ 150,000 | - | - | \$ 150,000 |
| DPW Chipper | \$ - | \$ - | \$ 50,000 | \$ - | \$ - | \$ 50,000 | \$ 50,000 | - | - | \$ 50,000 |
| DPW Truck 26 | \$ - | \$ - | \$ 180,000 | \$ - | \$ - | \$ 180,000 | \$ 180,000 | - | - | \$ 180,000 |
| DPW Truck 24 | \$ - | \$ - | \$ 35,000 | \$ - | \$ - | \$ 35,000 | \$ 35,000 | - | - | \$ 35,000 |
| DPW Loader | \$ - | \$ - | \$ 150,000 | \$ - | \$ - | \$ 150,000 | \$ 150,000 | - | - | \$ 150,000 |
| DPW Truck 18 | \$ - | \$ - | \$ 150,000 | \$ - | \$ - | \$ 150,000 | \$ 150,000 | - | - | \$ 150,000 |
| DPW Truck 17 | \$ - | \$ - | \$ - | \$ 90,000 | \$ - | \$ 90,000 | \$ 90,000 | - | - | \$ 90,000 |
| DPW Truck 1 | \$ - | \$ - | \$ - | \$ 75,000 | \$ - | \$ 75,000 | \$ 75,000 | - | - | \$ 75,000 |
| DPW Truck 7 | \$ - | \$ - | \$ - | \$ 75,000 | \$ - | \$ 75,000 | \$ 75,000 | - | - | \$ 75,000 |
| DPW Truck 21 | \$ - | \$ - | \$ - | \$ 150,000 | \$ - | \$ 150,000 | \$ 150,000 | - | - | \$ 150,000 |
| DPW Sweeper 2 | \$ - | \$ - | \$ - | \$ 160,000 | \$ - | \$ 160,000 | \$ 160,000 | - | - | \$ 160,000 |
| DPW Truck 14 | \$ - | \$ - | \$ - | \$ 30,000 | \$ - | \$ 30,000 | \$ 30,000 | - | - | \$ 30,000 |
| DPW Super P Salter | \$ - | \$ - | \$ - | \$ 15,000 | \$ 15,000 | \$ 30,000 | \$ 30,000 | - | - | \$ 30,000 |
| DPW Loader | \$ - | \$ - | \$ - | \$ - | \$ 150,000 | \$ 150,000 | \$ 150,000 | - | - | \$ 150,000 |
| DPW Truck 15 | \$ - | \$ - | \$ - | \$ - | \$ 65,000 | \$ 65,000 | \$ 65,000 | - | - | \$ 65,000 |
| DPW Loader | \$ - | \$ - | \$ - | \$ - | \$ 180,000 | \$ 180,000 | \$ 180,000 | - | - | \$ 180,000 |
| DPW Loader | \$ - | \$ - | \$ - | \$ - | \$ 125,000 | \$ 125,000 | \$ 125,000 | - | - | \$ 125,000 |
| DPW Garbage Trucks | \$ - | \$ - | \$ - | \$ - | \$ 980,000 | \$ 980,000 | \$ 980,000 | - | - | \$ 980,000 |
| DPW Truck 28 | \$ - | \$ - | \$ - | \$ - | \$ 30,000 | \$ 30,000 | \$ 30,000 | - | - | \$ 30,000 |
| DPW Truck 20 | \$ - | \$ - | \$ - | \$ - | \$ 40,000 | \$ 40,000 | \$ 40,000 | - | - | \$ 40,000 |
| DPW Truck 27 | \$ - | \$ - | \$ - | \$ - | \$ 35,000 | \$ 35,000 | \$ 35,000 | - | - | \$ 35,000 |
| DPW Truck 90 | \$ - | \$ - | \$ - | \$ - | \$ 25,000 | \$ 25,000 | \$ 25,000 | - | - | \$ 25,000 |
| Buildings Staff Vehicle | \$ 22,000 | \$ - | \$ - | \$ - | \$ - | \$ 22,000 | \$ 22,000 | - | - | \$ 22,000 |
| REC Staff | \$ 25,000 | \$ - | \$ - | \$ - | \$ - | \$ 25,000 | \$ 25,000 | - | - | \$ 25,000 |
| REC Field Conditioner | \$ 16,000 | \$ - | \$ - | \$ - | \$ - | \$ 16,000 | \$ 16,000 | - | - | \$ 16,000 |
| REC 12-Passenger Bus | \$ - | \$ 65,000 | \$ - | \$ - | \$ - | \$ 65,000 | \$ 65,000 | - | - | \$ 65,000 |
| REC 10' Riding Mower | \$ - | \$ 56,000 | \$ - | \$ - | \$ - | \$ 56,000 | \$ 56,000 | - | - | \$ 56,000 |
| REC Gator | \$ - | \$ 13,000 | \$ - | \$ - | \$ - | \$ 13,000 | \$ 13,000 | - | - | \$ 13,000 |
| REC Staff | \$ - | \$ 32,000 | \$ - | \$ - | \$ - | \$ 32,000 | \$ 32,000 | - | - | \$ 32,000 |
| REC Leaf Vac | \$ - | \$ 4,200 | \$ - | \$ - | \$ - | \$ 4,200 | \$ 4,200 | - | - | \$ 4,200 |
| REC Wood Chipper | \$ - | \$ 2,500 | \$ - | \$ - | \$ - | \$ 2,500 | \$ 2,500 | - | - | \$ 2,500 |
| REC Turf Sweeper | \$ - | \$ 15,000 | \$ - | \$ - | \$ - | \$ 15,000 | \$ 15,000 | - | - | \$ 15,000 |
| REC 20' Trailer | \$ - | \$ 5,000 | \$ - | \$ - | \$ - | \$ 5,000 | \$ 5,000 | - | - | \$ 5,000 |
| Total Requirements | \$ 293,000 | \$ 962,700 | \$ 715,000 | \$ 595,000 | \$ 1,645,000 | \$ 4,210,700 | \$ 4,210,700 | \$ - | \$ - | \$ 4,210,700 |

Section III:

Project Worksheets

Building Projects

| | |
|---------------------|--------------------------------------|
| Project Name: | Police/Court Renovation Study |
| Project Type: | Building |
| Department: | Police |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2015 |

Project Description:

The Office of Court Administration (OCA) has mandated an upgrade of the Rye City Court. The existing Police Department lacks operational and security needs and will require mechanical upgrades in the future. This architectural study would evaluate the cost and service impact of renovating/expanding the existing 13,000 square foot building on McCullough Place.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$35,000 |
| Construction | \$2,500,000 |
| Construction Inspect./Other | \$0 |
| Total | \$2,035,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|----------|------|------|-------------|------|-------------|
| General Revenues | \$35,000 | \$0 | \$0 | \$0 | \$0 | \$35,000 |
| Debt | \$0 | \$0 | \$0 | \$2,000,000 | \$0 | \$2,000,000 |

Project Need/Issues:

Finding suitable sites to accommodate a 25,000 to 30,000 square foot police/court facility is difficult and very expensive with some estimates ranging between \$17M and \$25M, *excluding* property acquisition. With the anticipated sale of 1037 BPR (which was deemed to not be a suitable site for a police/court facility in the JCJ study) the only viable remaining option is to improve the existing building. The purpose of this study would be to have an architect prepare preliminary drawings, floor plans and cost estimates of expanding/modifying the existing building to address deficiencies identified by the Office of Court Administration and Police Department. Bond funding would likely be required for this project.



| | |
|---------------------|---|
| Project Name: | City Hall – Carpet & Floor Replacement |
| Project Type: | Building |
| Department: | Public Works |
| Project Priority: | Moderate |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

Replace existing cork flooring in Council Chambers originally installed in 1964 and replace carpeting.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$65,000 |
| Construction Inspect./Other | \$0 |
| Total | \$65,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|------|----------|------|----------|
| General Revenues | \$0 | \$0 | \$0 | \$65,000 | \$0 | \$65,000 |

Project Need/Issues:

The cork flooring in the City Hall Council Chambers is original to the building and has stains and burn marks. This project encompasses floor replacement, as well as carpet replacement in selected offices. This project has been deferred since 2009 and is proposed to occur following the replacement of City Hall’s hanging ceiling tiles, a project proposed for 2013.

Operating Cost Considerations:

No significant operational costs are anticipated.



| | |
|---------------------|---------------------------------|
| Project Name: | City Hall Fan Coil Units |
| Project Type: | Building |
| Department: | Public Works |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2015 |

Project Description:

Replace the individual fan coil window units in City Hall

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$48,000 |
| Construction Inspect./Other | \$0 |
| Total | \$48,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|----------|----------|----------|----------|------|----------|
| General Revenues | \$12,000 | \$12,000 | \$12,000 | \$12,000 | \$0 | \$48,000 |

Project Need/Issues:

Each room in City Hall contains a separate fan unit that provides hot and coil air. Most units are running on their original 1964 motors and piping. Several units on the 3rd floor no longer are operational, and their parts have been used for failing units throughout the building. In the proposed project, units will be gradually replaced. The units, in conjunction with the air handling system, are necessary to maintaining the livability of the building.

Operating Cost Considerations:

When the units fail, not only is heating and air conditioning lost, but the broken units leak, staining carpets, ceilings, and walls. This project is in keeping with the suggestions made by energy audits of the facility since new motors are more energy efficient.



| | |
|---------------------|--|
| Project Name: | City Hall – Hanging Ceiling Replacement |
| Project Type: | Building |
| Department: | Public Works |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

The project calls for the replacement of hanging ceiling tiles throughout City Hall. The ceiling was originally installed in 1964 and, over time, has shifted. Tiles are cracked or have fallen.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$75,000 |
| Construction Inspect./Other | \$0 |
| Total | \$75,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|----------|------|------|----------|
| General Revenues | \$0 | \$0 | \$75,000 | \$0 | \$0 | \$75,000 |

Project Need/Issues:

The existing 45 year-old ceiling is in a deteriorated condition and is difficult to maintain. The project has been deferred since 2009. The Ceiling would be replaced before the floor is replaced (2015).

Operating Cost Considerations:

No significant operational costs are anticipated.



| | |
|---------------------|---|
| Project Name: | City Hall – HVAC Air Handler Replacement |
| Project Type: | Building |
| Department: | Public Works |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2013 |

Project Description:

This project calls for the replacement of the air handlers in City Hall, located on the fourth floor and in the Boiler Room.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$20,000 |
| Construction | \$200,000 |
| Construction Inspect./Other | \$0 |
| Total | \$220,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|-----------|-----------|------|------|------|-----------|
| General Revenues | \$120,000 | \$100,000 | \$0 | \$0 | \$0 | \$220,000 |

Project Need/Issues:

Although portions of the City Hall HVAC system have been replaced, the air handling system is original, 47 years old with equipment located on the fourth floor (2 units) and in the Boiler Room (3 units.) Phase I would involve the replacement of the 4th floor units piece by piece, increasing the cost, for the building was constructed around the units originally. Phase II involves replacement of the Boiler Room units, piece by piece. The cost is based on an estimate provided by Atlantic Westchester, the HVAC contractors. As the air handlers provide air movement for City Hall, the facility can not be heated or cooled without their replacement. NYSERDA grant is a potential funding source.

Operating Cost Considerations:

The 4th floor units have been repaired numerous times since 2005 and problems still persist. Replacement parts are difficult to find and expensive because of the advanced age of the units. In addition, the system is not operating efficiently. Repair and energy costs are expected to be reduced with a new system.



| | |
|---------------------|------------------------------------|
| Project Name: | DPW – Fuel Tank Replacement |
| Project Type: | Building |
| Department: | Public Works |
| Project Priority: | Moderate |
| Project Start Date: | 2016 |
| Project End Date: | 2016 |

Project Description:

The project calls for the removal of the underground fuel tanks at the DPW fueling depot and their replacement with above-ground tanks.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$20,000 |
| Construction | \$165,000 |
| Construction Inspect./Other | \$0 |
| Total | \$185,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|------|------|-----------|-----------|
| General Revenues | \$0 | \$0 | \$0 | \$0 | \$185,000 | \$185,000 |

Project Need/Issues:

Remove the underground gas and diesel tanks and replace them with above-ground tanks. The present fuel depot at Disbrow Park has two 4,000-gallon underground tanks. These tanks must be tested annually for leaks and, if leaks are detected, repairs are difficult and expensive.

Operating Cost Considerations:

If the tanks develop leaks, the City could incur considerable expense in cleanup costs and potential fines. The tanks were last repaired in 2004 and are manually inspected and tested.

| | |
|---------------------|--------------------------------|
| Project Name: | Nature Center Bathrooms |
| Project Type: | Building |
| Department: | City Manager |
| Project Priority: | High |
| Project Start Date: | 2013 |
| Project End Date: | 2013 |

Project Description:

This project involves construction of ADA-compliant bathrooms at the Nature Center.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$20,000 |
| Construction Inspect./Other | \$0 |
| Total | \$20,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|----------|------|------|------|----------|
| General Revenues | \$0 | \$20,000 | \$0 | \$0 | \$0 | \$20,000 |

Project Need/Issues:

Existing bathrooms have deteriorated and require renovation. Like all public buildings new facilities must be accessible to comply with ADA requirements.

Operating Cost Considerations:

No change in operating costs is anticipated.



| | |
|---------------------|------------------------------------|
| Project Name: | Interior Paint – Firehouses |
| Project Type: | Building |
| Department: | Public Works |
| Project Priority: | Low |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

This project calls for the repainting of public areas of both Rye firehouses.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$50,000 |
| Construction Inspect./Other | \$0 |
| Total | \$50,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|------|----------|------|----------|
| General Revenues | \$0 | \$0 | \$0 | \$50,000 | \$0 | \$50,000 |

Project Need/Issues:

By the year 2015, both firehouses will show deterioration to the paint in public areas of the facilities. If the use of Zolotone-brand paint is required, the price will increase by at least \$20,000 for each building.

Operating Cost Considerations:

No change in operating costs is anticipated.



| | |
|---------------------|-----------------------------|
| Project Name: | DPW Roof Replacement |
| Project Type: | Building |
| Department: | Public Works |
| Project Priority: | High |
| Project Start Date: | 2013 |
| Project End Date: | 2013 |

Project Description:

Replacement of the roofs above the “old” garage and the compactor building in Disbrow Park.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$80,000 |
| Construction Inspect./Other | \$0 |
| Total | \$80,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|----------|------|------|------|----------|
| General Revenues | \$0 | \$80,000 | \$0 | \$0 | \$0 | \$80,000 |

Project Need/Issues:

Both roofs are in need of replacement and presently have several leaks. The roof leaks deteriorate the exterior brickwork and interior wiring. The compactor roof is beyond patching. The City is exploring the feasibility of solar arrays on the completed roof to help offset the energy consumption at the facility. Potential grant funding might also help subsidize the necessary roof repairs.

Operating Cost Considerations:

These buildings are used primarily for storage of the City’s heavy duty trucks and large pieces of equipment – all of which are extremely expensive and must be housed indoors to prevent deterioration and vandalism.



Drainage Projects

| | |
|---------------------|--------------------------------|
| Project Name: | LaSalle Avenue Drainage |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

The project involves installing catch basins and drain lines to address flooding concerns on LaSalle Avenue. Existing drainage facilities are inadequately sized to handle stormwater runoff from major rain events.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$150,000 |
| Construction Inspect./Other | \$0 |
| Total | \$150,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|-----------|------|------|-----------|
| General Revenues | \$0 | \$0 | \$150,000 | \$0 | \$0 | \$150,000 |

Project Need/Issues:

\$10,000 was funded to conduct a drainage analysis and design for stormwater improvements on LaSalle south of Glen Oaks. Final cost depends on design and scope but could range between \$35,000 to \$150,000. Preliminarily lower cost alternative appears more cost effective, but only provides improvements in small storm events.

Operating Cost Considerations:

No significant operational cost increases are anticipated.



| | |
|---------------------|--|
| Project Name: | Forest to Stonycrest Road Drain |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2015 |

Project Description:

Replacement/relocation/modification of drain extending from Forest Avenue to outfall on Stonycrest Road. Project includes \$35,000 to fund engineering design/alternatives analysis (2014). Preliminary construction cost of \$350,000 will vary depending on final design (2015). Project must coordinate with Forest Avenue paving project.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$35,000 |
| Construction | \$350,000 |
| Construction Inspect./Other | \$0 |
| Total | \$385,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|----------|-----------|------|-----------|
| General Revenues | \$0 | \$0 | \$35,000 | \$0 | \$0 | \$35,000 |
| Grants and Aid | \$0 | \$0 | \$0 | \$350,000 | \$0 | \$350,000 |

Project Need/Issues:

Project would eliminate or reduce ponding on Forest Avenue, which has resulted in damage to adjacent properties and claims against the City. Existing drain line extends from catch basins at the Forest Ave./Boulder Rd. intersection through private properties to an outfall on Stonycrest. An alternative route for this pipe is being considered since there is no drainage easement through these private properties. There is considerable bedrock in the area which contributes to high construction costs.

Operating Cost Considerations:

New drain line will increase maintenance costs and responsibilities, but reduce flooding damage to area properties during seasonal rain events.



| | |
|---------------------|---|
| Project Name: | Old Milton Road Drainage Improvement |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2011 (Currently in-design) |
| Project End Date: | 2012 |

Project Description:

This project would install new City drain lines to divert stormwater and reduce flooding impacts at Milton Harbor House. Attorneys for the Harbor House have requested the improvement to preemptively avoid potential stormwater damage claims against the City. The project was funded in the 2010 budget and debt was issued.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$15,000 |
| Construction | \$180,000 |
| Construction Inspect./Other | \$15,000 |
| Total | \$210,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|-----------|------|------|------|------|-----------|
| Debt | \$210,000 | \$0 | \$0 | \$0 | \$0 | \$210,000 |

Project Need/Issues:

Project may require easement for new drain line on Milton Harbor House property. Existing easements/drainage lines would be abandoned.

Operating Cost Considerations:

Project would reduce/eliminate stormwater damage claims against the City. Existing drainage operational and maintenance responsibilities would remain unchanged.



| | |
|---------------------|---------------------------------------|
| Project Name: | Red Maple Swamp Drainage Study |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

This project will fund consulting engineering services to consider improvements to the Red Maple Swamp area that could address flooding/drainage concerns of area residents.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$15,000 |
| Construction | \$0 |
| Construction Inspect./Other | \$0 |
| Total | \$15,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|----------|------|------|----------|
| General Revenues | \$0 | \$0 | \$15,000 | \$0 | \$0 | \$15,000 |

Project Need/Issues:

Preliminary analysis by City Engineering Department suggests that the Red Maple Swamp, located between Intervale Place and Playland Parkway, may be a challenging location to provide cost-effective flood mitigation improvements, however there may be some potential modest drainage enhancements. Existing undeveloped private properties in the area should be acquired.

Operating Cost Considerations:

No change in operating costs is anticipated.



| | |
|---------------------|--------------------------------|
| Project Name: | Hix Park Drainage Study |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

This project would fund an engineering study to examine the feasibility of redirecting drainage from a portion of the Hix Park neighborhood towards Rye Golf and Milton Harbor. Preliminary in-house studies suggest that a new drain line would alleviate localized flooding concerns.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$20,000 |
| Construction | \$0 |
| Construction Inspect./Other | \$0 |
| Total | \$20,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|------|----------|------|----------|
| General Revenues | \$0 | \$0 | \$0 | \$20,000 | \$0 | \$20,000 |

Project Need/Issues:

Portions of the Hix Park neighborhood are subject to flooding (Chamberlain, Hickory, White Birch, Mildred, Bennett) because of undersized drainage lines. The existing drainage system extends north towards Blind Brook at Disbrow Park at a flat level which contributes to flooding. The study would examine the feasibility and cost of an alternative drainage route through Rye Golf towards Milton Harbor, which has a steep pitch and potential for improved drainage conditions.

Operating Cost Considerations:

None.



| | |
|---------------------|------------------------------|
| Project Name: | Colby Avenue Drainage |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | Low |
| Project Start Date: | 2016 |
| Project End Date: | 2016 |

Project Description:

This project was first proposed in 2008-2012 CIP and includes replacement of existing undersized and improperly pitched pipe extending through yards on Colby Avenue. Replacement pipe will address flooding conditions in resident yards.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$120,000 |
| Construction Inspect./Other | \$0 |
| Total | \$120,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|------|------|-----------|-----------|
| General Revenues | \$0 | \$0 | \$0 | \$0 | \$120,000 | \$120,000 |

Project Need/Issues:

Area residents desire a reduction in flooding, however improvements will require disturbance to private properties to replace an existing undersized pipe.

Operating Cost Considerations:

No significant operational cost increases are anticipated.



| | |
|---------------------|----------------------------------|
| Project Name: | Ellsworth Street Drainage |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | Low |
| Project Start Date: | 2016 |
| Project End Date: | 2016 |

Project Description:

This project involves the installation of a drain line and catch basins on Ellsworth Street.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$8,000 |
| Construction | \$78,000 |
| Construction Inspect./Other | \$4,000 |
| Total | \$90,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|------|------|----------|----------|
| General Revenues | \$0 | \$0 | \$0 | \$0 | \$90,000 | \$90,000 |

Project Need/Issues:

Currently, Ellsworth Street lacks any drainage system. Property owners discharge sump pumps and roof leaders to the street, creating an icing condition in winter months, in addition to complaints from other street residents. Project effectiveness requires further review, as the area is very flat and any discharge point in Blind Brook would be impacted by tidal conditions.

Operating Cost Considerations:

Increased maintenance costs associated with new drainage line and catch basins.



| | |
|---------------------|-----------------------------|
| Project Name: | Martin Road Drainage |
| Project Type: | Drainage |
| Department: | Engineering |
| Project Priority: | Low |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

Replace a portion of existing City drain line extending from the end of Martin Road to pipe terminus.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$50,000 |
| Construction Inspect./Other | \$0 |
| Total | \$50,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|----------|------|------|----------|
| General Revenues | \$0 | \$0 | \$50,000 | \$0 | \$0 | \$50,000 |

Project Need/Issues:

Existing pipe is damaged and requires replacement. Project would require the removal of a significant mature tree at the end of Martin Road, but would improve the conveyance of stormwater runoff from the area and reduce flooding conditions on area roads and properties.

Operating Cost Considerations:

None.



Flood Mitigation Projects

| | |
|---------------------|----------------------------------|
| Project Name: | Bowman Avenue Sluice Gate |
| Project Type: | Flooding |
| Department: | Engineering |
| Project Priority: | Urgent |
| Project Start Date: | 2010 (currently in-design) |
| Project End Date: | 2012 |

Project Description:

Project would retrofit the existing Bowman Avenue spillway with an automated sluice. A new maintenance access road is also proposed. Most of the project is funded from previously spent funds and grants and aid from a variety of State and County sources. This \$2.22 M project requires additional funding of \$321,840 to meet the local match and begin construction in 2012.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$322,000 |
| Construction | \$0 |
| Construction Inspect./Other | \$1,664,260 |
| Total | \$1,986,260 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|--------------------|------|------|------|------|--------------------|
| General Revenues | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Debt | \$322,000 | \$0 | \$0 | \$0 | \$0 | \$322,000 |
| Grants & Aid | \$1,664,260 | \$0 | \$0 | \$0 | \$0 | \$1,664,260 |
| Total | \$1,986,260 | \$0 | \$0 | \$0 | \$0 | \$1,986,260 |

Project Need/Issues:

The project would reduce flood elevations on Blind Brook for major storm events. Properties between the Bowman Avenue Spillway and I-95 would benefit from the project. Numerous City studies and plans have recommended flood mitigation improvements at the City-owned Bowman Avenue property. The Village of Rye Brook is also contributing approximately \$136,000 to the project. A \$400,000 Grant has been obtained from the State. The City has already spent \$225,000 in design studies and engineering (which costs are not reflected above). Approximately \$1.128 M in funding is anticipated from Westchester County.

Operating Cost Considerations:

Operational and maintenance of the sluice costs have not been quantified.



| | |
|---------------------|--|
| Project Name: | Bowman Flood Improvements - Upper Pond Resizing |
| Project Type: | Flooding |
| Department: | Engineering |
| Project Priority: | Low |
| Project Start Date: | 2012 |
| Project End Date: | 2014 |

Project Description:

Resizing of upper pond to increase flood storage capacity of City-owned property upstream of the Bowman Avenue Dam. Costs include conceptual design/site investigation (2012), detailed engineering and permitting (2013) and construction (2014 or later).

Estimated Project Costs:

| | |
|-----------------------------|---------------------|
| Legal/Survey/Due Diligence | \$100,000 |
| Site Acquisition | \$0 |
| Engineering/Design | \$500,000 |
| Construction | \$10,000,000 |
| Construction Inspect./Other | \$0 |
| Total | \$10,600,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

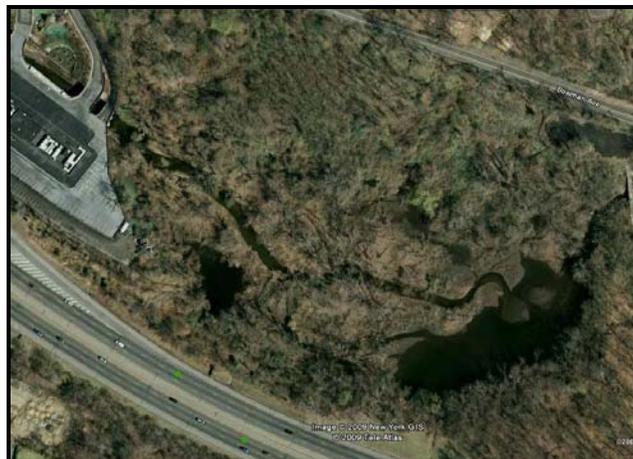
| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|-----------|-----------|--------------|------|------|--------------|
| Grants & Aid | \$100,000 | \$500,000 | \$10,000,000 | \$0 | \$0 | \$10,600,000 |

Project Need/Issues:

Engineering studies show that the resizing of upper pond could reduce flood elevations for major storm events between the Bowman Avenue Spillway and I-95. Source of funding is not known, but would likely be a federal grant.

Operating Cost Considerations:

Operating and maintenance costs are considered minimal.



Sewer Projects

| | |
|---------------------|------------------------------------|
| Project Name: | Hewlett Avenue Pump Station |
| Project Type: | Sewer |
| Department: | Engineering |
| Project Priority: | Urgent |
| Project Start Date: | 2011 |
| Project End Date: | 2012 |

Project Description:

This high-priority project would replace existing pump and force main associated with Hewlett Avenue pump station. Construction of the force main was completed last summer, which was funded from general revenues. In 2012, the pump station improvements will be made. Approximately \$454,000 is currently funded for this project, including \$191,000 from EPA Grant.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$24,025 |
| Construction | \$323,248 |
| Construction Inspect./Other | \$0 |
| Total | \$347,273 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|--------------------|------------------|------------|------------|------------|------------|------------------|
| General Revenues | \$78,136 | \$0 | \$0 | \$0 | \$0 | \$78,136 |
| Grants & Aid (EPA) | \$191,000 | \$0 | \$0 | \$0 | \$0 | \$191,000 |
| Debt | \$78,137 | \$0 | \$0 | \$0 | \$0 | \$78,137 |
| Total | \$347,273 | \$0 | \$0 | \$0 | \$0 | \$347,273 |

Project Need/Issues:

Pumps and force main require replacement due to age and operational inefficiencies. Consulting engineers recommended that the existing force main extending along Hewlett Avenue from Forest Avenue to Milton Road. The force mains were replaced last summer. The 2012 project would replace the existing pumps and provide additional confined space and improve worker safety.

Operating Cost Considerations:

Operating costs would remain unchanged or be slightly lower with newer more reliable pumps and force main. Improved pump station capacity and reliability during high-demand events reduces potential release of sewage into LI Sound thereby reducing potential fines to the City.



| | |
|---------------------|--------------------------------|
| Project Name: | Brevoot Lane Force Main |
| Project Type: | Sewer |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2013 |
| Project End Date: | 2013 |

Project Description:

This project would replace existing force main associated with Brevoort Lane pump station. Design is expected to be completed in 2011. Construction is anticipated in 2013.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$300,000 |
| Construction Inspect./Other | \$0 |
| Total | \$300,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|-----------|------|------|------|-----------|
| General Revenues | \$0 | \$150,000 | \$0 | \$0 | \$0 | \$150,000 |
| Grants & Aid | \$0 | \$150,000 | \$0 | \$0 | \$0 | \$150,000 |

Project Need/Issues:

Force main requires replacement. Existing force main material is deteriorating and is approaching its design life. Consulting engineers are considering a variety of replacement options.

Operating Cost Considerations:

Operating costs would remain unchanged or be slightly lower with newer more reliable force main.



| | |
|---------------------|--|
| Project Name: | Stuyvesant Avenue Pump Station Pump Replacement |
| Project Type: | Sewer |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

The project would replace pumps at Stuyvesant Avenue, as they are close to the end of their useful life and, upon failure, will require immediate contingency funding.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$120,000 |
| Construction Inspect./Other | \$0 |
| Total | \$120,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|-----------|------|------|-----------|
| General Revenues | \$0 | \$0 | \$120,000 | \$0 | \$0 | \$120,000 |

Project Need/Issues:

Pumps are nearing the end of their useful life.

Operating Cost Considerations:

Operating costs would remain unchanged or be slightly lower with newer more reliable pumps.



| | |
|---------------------|---|
| Project Name: | Dearborn Pump Station Pump Replacement |
| Project Type: | Sewer |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

The project would replace pumps at Dearborn Avenue, as they are close to the end of their useful life and, upon failure, will require immediate contingency funding.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$120,000 |
| Construction Inspect./Other | \$0 |
| Total | \$120,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------|------|------|-----------|------|-----------|
| General Revenues | \$0 | \$0 | \$0 | \$120,000 | \$0 | \$120,000 |

Project Need/Issues:

Pumps are nearing the end of their useful life.

Operating Cost Considerations:

Operating costs would remain unchanged or be slightly lower with newer more reliable pumps.



| | |
|---------------------|---|
| Project Name: | Locust Avenue Sewer Siphon Replacement |
| Project Type: | Sewer |
| Department: | Engineering |
| Project Priority: | Urgent |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

Abandon the “siphon” under the Locust Avenue bridge and construct a new sewer line with a more reliable, straight, gravity flow sewer line to the County trunk in Blind Brook.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$25,000 |
| Construction | \$125,000 |
| Construction Inspect./Other | \$0 |
| Total | \$150,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-----------------------|-----------|------|------|------|------|-----------|
| General Revenues/Debt | \$150,000 | \$0 | \$0 | \$0 | \$0 | \$150,000 |

Project Need/Issues:

Presently the sanitary sewer serving the CBD must exit through a “siphon” located at the Locust Avenue bridge. At this location, the 8” pipe divides into two 4” pipes to cross under the brook to a City manhole. From there, it connects to a 36” County trunk line. The construction of the smaller pipes frequently causes problems and must be cleaned of grease and debris to keep the sewer operational. The pipes are approximately 100 years old, and one of the 4” pipes is partially compromised with an unknown obstruction. The proposed project involves the installation of a new manhole and one, large pipe slightly upstream of the brook to connect directly to the trunk line on the other side.

Operating Cost Considerations:

At this time, one of the 4” pipes is already blocked, and the other pipe requires weekly cleaning and maintenance. If the second pipe becomes blocked, the entire CBD would suffer the loss of sanitary sewer service and there would be significant expense to implement emergency sewer provisions.



Transportation Projects

| | |
|---------------------|--|
| Project Name: | Annual Sidewalk/Curbing Program |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2016 |

Project Description:

Funds the replacement and repair of sidewalks that are City responsibility (i.e. not funded by abutting private property owner). Program also includes funding for curbs to address erosion, roadway protection or drainage conditions.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$320,000 |
| Construction Inspect./Other | \$0 |
| Total | \$320,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|----------|----------|----------|----------|----------|-----------|
| General Revenues | \$60,000 | \$60,000 | \$65,000 | \$65,000 | \$70,000 | \$320,000 |

Project Need/Issues:

The program supports the maintenance of the City’s 38.68 miles of sidewalk. There has been increasing public demand to improve sidewalk conditions in the City, particularly around schools. The City will potentially fund sidewalk and crosswalk improvements as recommended by the Shared Roadways Committee June 2011 Report.

Operating Cost Considerations:

No additional costs are anticipated.



| | |
|---------------------|----------------------------------|
| Project Name: | Annual Street Resurfacing |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2016 |

Project Description:

Resurfacing of City Streets and roads as determined by the City Engineer and the City's Pavement Management System (PMS). Approximately half of annual funds are from NYS CHIPS state aid program.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$2,500,000 |
| Construction Inspect./Other | \$0 |
| Total | \$2,500,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|----------------------|------------------|------------------|------------------|------------------|------------------|--------------------|
| General Revenues | \$215,000 | \$215,000 | \$215,000 | \$215,000 | \$215,000 | \$1,075,000 |
| Grants & Aid (CHIPS) | \$285,000 | \$285,000 | \$285,000 | \$285,000 | \$285,000 | \$1,425,000 |
| Total | \$500,000 | \$500,000 | \$500,000 | \$500,000 | \$500,000 | \$2,500,000 |

Project Need/Issues:

The program supports the maintenance of the City's 51.63 miles of roadway. New York State may reduce its CHIPS contribution due to budget cuts. This CIP assumes continued CHIPS funding levels in 2012-2016. Forest Avenue paving and re-striping, as recommended in the Shared Roadways Committee report of June, 2011 will be considered when the pavement condition index reaches a recommended paving level. That level is expected in 2014 or 2015.

Operating Cost Considerations:

No additional costs are anticipated.



| | |
|---------------------|--|
| Project Name: | Boston Post Road Retaining Wall |
| Project Type: | Transportation – Right-Of-Way Management |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2014 |

Project Description:

The rock wall/embankment on Boston Post Road opposite Purdy Avenue has been shedding rocks, compromising slope and wall stability. The wall straddles private and City right-of-way property lines. At this time, project cost estimates range from \$350,000 to \$515,000. Assuming the higher range, this project anticipates \$35,000 in 2012 for engineering and \$500,000 in 2013 for construction.

Estimated Project Costs:

| | |
|----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$35,000 |
| Construction | \$450,000 |
| Construction Inspection | \$30,000 |
| Total | \$515,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-------------------|-----------------|------------|------------------|------------|------------|------------------|
| General Revenues: | \$35,000 | \$0 | \$0 | \$0 | \$0 | \$35,000 |
| Debt: | \$0 | \$0 | \$480,000 | \$0 | \$0 | \$480,000 |
| Total: | \$35,000 | \$0 | \$480,000 | \$0 | \$0 | \$515,000 |

Project Need/Issues:

Wall/slope failure appears imminent in some locations and has already required approximately \$60,000 in expenses associated with the implementation of the concrete barriers to prevent damage to the City right-of-way. The project requires a detailed survey of property lines. If the wall is determined to be on private property then slope/construction easements from abutting properties would be required to reconstruct the wall. A unified wall approach similar to that completed on BPR would likely provide the greatest functional and aesthetic benefit, however more detailed engineering is required to determine whether the existing wall can be salvaged or a complete reconstruction is required.

Operating Cost Considerations:

Minimal annual operating costs are anticipated; however the City would assume capital expenses associated future repairs or reconstruction of the wall after the end of its useful life.



| | |
|---------------------|--|
| Project Name: | Theodore Fremd/Blind Brook Retaining Wall |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Urgent |
| Project Start Date: | 2010 (Currently in-design) |
| Project End Date: | 2012 |

Project Description:

Project would replace retaining wall on Blind Brook adjacent to Theodore Fremd Avenue. The wall was significantly damaged in 2007 flooding and requires replacement to protect adjacent roadway and City parking area.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$300,000 |
| Construction | \$0 |
| Construction Inspect./Other | \$1,100,000 |
| Total | \$1,400,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|-------------|------|------|------|------|-------------|
| General Revenues | \$100,000 | \$0 | \$0 | \$0 | \$0 | \$100,000 |
| Grants and Aid | \$1,300,000 | \$0 | \$0 | \$0 | \$0 | \$1,300,000 |

Project Need/Issues:

The project design is completed and under review by NYSDOT. The project requires a slight relocation of the wall and has numerous utility conflicts that must be coordinated including a major County sewer line and a ConEd gas transmission line. The project is not eligible for FEMA reconstruction funds due to the classification of the roadway, but is being funded by a more rigorous and time-consuming NYSDOT grant, which requires a 20% local match.

Operating Cost Considerations:

No significant increases in operational costs are anticipated.



| | |
|---------------------|-----------------------------------|
| Project Name: | Purchase Street Roundabout |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2011 (currently in-design) |
| Project End Date: | 2014 |

Project Description:

The project would eliminate existing blinking traffic signals at the Purchase/High/Ridge/Wappanocca intersection with roundabout. The roundabout would provide safety and environmental benefits over existing condition and would provide for an aesthetic amenity to one of Rye’s “gateways”.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$500,000 |
| Construction Inspect./Other | \$0 |
| Total | \$500,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|------|------|-----------|------|------|-----------|
| Grants & Aid | \$0 | \$0 | \$500,000 | \$0 | \$0 | \$500,000 |

Project Need/Issues:

July 2007 BFJ feasibility report recommends a roundabout in lieu of a traffic signal at the intersection. Survey of area is completed and design is underway. Westchester County is anticipated to fund the project in exchange for City acceptance of County roads.

Operating Cost Considerations:

Energy costs would be eliminated. Some costs for landscape and roundabout maintenance are anticipated.



| | |
|---------------------|----------------------------------|
| Project Name: | Boston Post Road Repaving |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2013 |
| Project End Date: | 2015 |

Project Description:

Project includes repaving Boston Post Road from the Port Chester line to Parsons Street. The project was previously targeted for Federal Stimulus, but was not funded. Boston Post Road has already been repaved from then Mamaroneck line to Rye Golf, and 2011 repaving will include the Playland Parkway entry ramp through Parsons. Sections of Boston Post Road range in PCI index rating from 66 to 100.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$2,150,000 |
| Construction Inspect./Other | \$0 |
| Total | \$2,150,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|------|-------------|------|-------------|------|-------------|
| General Revenue | \$0 | \$1,000,000 | \$0 | \$1,150,000 | \$0 | \$2,150,000 |

Project Need/Issues:

Roadway requires paving in sections. Alternative funding may be available to subsidize project costs. Sections of this road require significant amount of curb replacement and sub-base work.

Operating Cost Considerations:

No significant increases in operational costs are anticipated.



| | |
|---------------------|---|
| Project Name: | CBD - Purchase Street Reconstruction |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2012 |
| Project End Date: | 2013 |

Project Description:

Project involves the reconstruction (including paved surface and base) and curb replacement, where necessary. Other improvements as noted in the 2009 CBD Planning and Streetscape Study should also be considered.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$50,000 |
| Construction | \$1,000,000 |
| Construction Inspect./Other | \$0 |
| Total | \$1,050,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

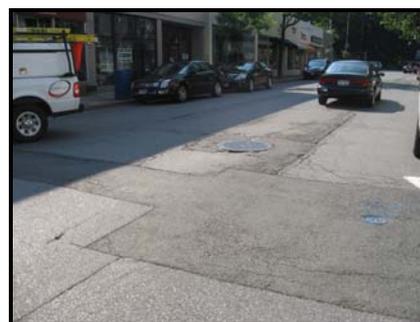
| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|----------|-------------|------|------|------|-------------|
| General Revenues | \$50,000 | \$0 | \$0 | \$0 | \$0 | \$50,000 |
| Debt | \$0 | \$1,000,000 | \$0 | \$0 | \$0 | \$1,000,000 |

Project Need/Issues:

Purchase Street has a below average score (PCI=64) in the City's Pavement Management System and requires reconstruction. Project is consistent with 2009 CBD Capital Planning and Streetscape Study, which recommends a variety of pedestrian safety and other improvements. Project must coordinate with all other CBD traffic projects. A bond referendum for this and all CBD projects could be an alternative funding source.

Operating Cost Considerations:

No major increases in operating costs are anticipated with this project.



| | |
|---------------------|--|
| Project Name: | CBD – Smith Street Reconstruction |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2013 |

Project Description:

Project involves the reconstruction (including paved surface and base) and curb replacement, where necessary. Other improvements as noted in the 2009 CBD Planning and Streetscape Study should also be considered.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$30,000 |
| Construction | \$450,000 |
| Construction Inspect./Other | \$0 |
| Total | \$480,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|----------|-----------|------|------|------|-----------|
| General Revenues | \$30,000 | \$0 | \$0 | \$0 | \$0 | \$30,000 |
| Debt | \$0 | \$450,000 | \$0 | \$0 | \$0 | \$450,000 |

Project Need/Issues:

Smith Street is the second lowest scoring street in the City's Pavement Management System. Street reconstruction is required and has been proposed for many years. Project must coordinate with other CBD transportation projects, particularly *Elm/Smith Intersection Improvement*. Proposing preparation of design/bid specifications in 2012. A bond referendum for this and all CBD projects could be an alternative funding source.

Operating Cost Considerations:

Current maintenance and repair costs would be reduced.



| | |
|---------------------|---|
| Project Name: | CBD – Elm/Smith Intersection Improvement |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2013 |

Project Description:

The 2009 CBD Capital Planning and Streetscape Study recommends replacing existing signal with stop signs and other traffic calming measures including changes in intersection paving material and new crosswalks.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$20,000 |
| Construction | \$200,000 |
| Construction Inspect./Other | \$0 |
| Total | \$220,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|----------|-----------|------|------|------|-----------|
| General Revenues | \$20,000 | \$0 | \$0 | \$0 | \$0 | \$20,000 |
| Debt | \$0 | \$200,000 | \$0 | \$0 | \$0 | \$200,000 |

Project Need/Issues:

Design and installation of signals at this intersection was funded as part of 2007 Budget, but deferred/suspended after April 2007 floods. In August 2010 the City installed stop sign control at this intersection to test its effectiveness as an alternative to a traffic signal. The trial has been successful and now requires a permanent improvement similar to that implemented at the Locust/Purchase intersection. Project must coordinate with *Smith Street Reconstruction* project. A bond referendum for this and all CBD projects could be an alternative funding source.

Operating Cost Considerations:

Project would eliminate existing traffic signal maintenance and operation costs.



| | |
|---------------------|--|
| Project Name: | Purchase/Fremd & Purdy Signal Replacement |
| Project Type: | Transportation – Traffic Control |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

The 2009 CBD Capital Planning and Streetscape Study recommends replacing traffic signals at this intersection to meet NYSDOT requirements and adding a turning lane on Theodore Fremd Avenue to reduce intersection delays.

Estimated Project Costs:

| | |
|----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$15,000 |
| Construction | \$410,000 |
| Construction Inspection | \$0 |
| Total | \$425,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------------|------------------|------------|------------|------------|------------|------------------|
| General Revenues/Debt: | \$55,000 | \$0 | \$0 | \$0 | \$0 | \$55,000 |
| Grants & Aid: | \$220,000 | \$0 | \$0 | \$0 | \$0 | \$220,000 |
| Total: | \$275,000 | \$0 | \$0 | \$0 | \$0 | \$275,000 |

Project Need/Issues:

Project was originally funded as part of 2007 Budget, but deferred/suspended after April 2007 floods. Signal design is approximately 50% complete. The existing traffic signals do not meet NYSDOT requirements and increasingly replacement parts are difficult to find. Project would require coordination with Westchester County, which controls Theodore Fremd. A bond referendum for this and all CBD projects could be an alternative funding source. The City has applied for grant funding for this project. The \$55,000 in general revenues is the City’s required match for the grant.

Operating Cost Considerations:

Minimal annual operating costs are anticipated. New traffic signals will use LED technology, which will reduce energy consumption and improve reliability.



| | |
|---------------------|-----------------------------|
| Project Name: | Locust Avenue Bridge |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2013 |
| Project End Date: | 2014 |

Project Description:

The project would fund \$80,000 to study the condition, identify improvement and complete construction plans for Locust Avenue Bridge. Depending on findings of study and prior experience with bridges in this area rehabilitation may be required (\$300,000) or a complete reconstruction (\$1.8M). The City was recently advised of a possible \$600,000 grant towards the completion of this project.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$80,000 |
| Construction | \$1,720,000 |
| Construction Inspect./Other | \$0 |
| Total | \$1,800,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

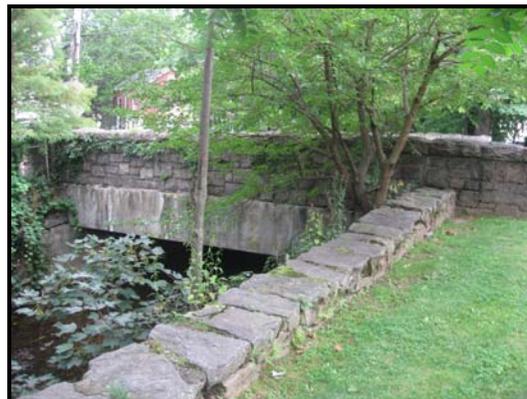
| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|------------------|------------|-----------------|--------------------|------------|------------|--------------------|
| General Revenues | \$0 | \$80,000 | \$1,120,000 | \$0 | \$0 | \$1,200,000 |
| Grants and Aid | \$0 | \$0 | \$600,000 | \$0 | \$0 | \$600,000 |
| Total | \$0 | \$80,000 | \$1,720,000 | \$0 | \$0 | \$1,800,000 |

Project Need/Issues:

Locust Avenue Bridge is over 100 years old and requires repair. Bridge is also historic and may require coordination with NYS Historic Agencies. Existing sewer line/siphon under the bridge abutment is planned to be abandoned, and a new sewer line installed. See **Locust Avenue Sewer Siphon Replacement** project.

Operating Cost Considerations:

No increased operational costs are anticipated.



| | |
|---------------------|---|
| Project Name: | Nature Center Bridge Pressure Grouting |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2016 |
| Project End Date: | 2016 |

Project Description:

Project would renovate the existing Nature Center access bridge over Blind Brook through a 5-year maintenance program. In lieu of full bridge reconstruction, a pressure-grouting program will be applied to the bridge and base to maintain required strength and usability. This action is weather-dependent, with flooding and heavy rain requiring more frequent grouting. The grout is scheduled for application first in Summer 2011, with the next anticipated grouting in 2016.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$30,000 |
| Construction Inspect./Other | \$0 |
| Total | \$30,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-------------------|------|------|------|------|----------|----------|
| General Revenues: | \$0 | \$0 | \$0 | \$0 | \$30,000 | \$30,000 |

Project Need/Issues:

The existing bridge over Blind Brook was constructed in the 1900's for carriage traffic. In 2008 the bridge received a yellow flag from NYS inspectors, which was corrected with emergency repairs to the bridge abutment. A second yellow flag was issued in April 2009. The historic bridge is the sole source of access to the Nature Center, however other entry methods have been studied and can be engaged in the case of structural failure by the existing bridge. While full bridge reconstruction (as reported in the 2011 CIP) would cost upwards of \$1,100,000, pressure grouting will occur every 5 years (potentially more frequently depending on weather patterns) and will permit the continued, safe access to the Nature Center.

Operating Cost Considerations:

No increased operational costs are anticipated.



| | |
|---------------------|---|
| Project Name: | Orchard Avenue Bridge Rehabilitation |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

Rehabilitation of Orchard Avenue Bridge over Blind Brook.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$180,000 |
| Construction Inspect./Other | \$0 |
| Total | \$180,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|------|------|------|-----------|------|-----------|
| General Revenue | \$0 | \$0 | \$0 | \$180,000 | \$0 | \$180,000 |

Project Need/Issues:

The bridge over Blind Brook was built in 1926 and has a deficiency rating by the NYS of 4.636. Recently completed reports indicate that the bridge is structural sound, but requires improvements.

Operating Cost Considerations:

No increases in operational costs are anticipated.



| | |
|---------------------|---|
| Project Name: | Central Avenue Bridge Reconstruction |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Urgent |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

Project involves the construction of a new Central Avenue Bridge over Blind Brook, which was damaged in the spring 2007 floods and required removal.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$400,000 |
| Construction | \$1,400,000 |
| Construction Inspect./Other | \$0 |
| Total | \$1,800,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|--------------|--------------------|------------|------------|------------|------------|--------------------|
| Debt | \$360,000 | \$0 | \$0 | \$0 | \$0 | \$360,000 |
| Grants & Aid | \$1,440,000 | \$0 | \$0 | \$0 | \$0 | \$1,440,000 |
| Total | \$1,800,000 | \$0 | \$0 | \$0 | \$0 | \$1,800,000 |

Project Need/Issues:

The Bridge over Blind Brook was severely damaged in 2007 flood and had to be removed. Design is completed and pending NYSDOT review. The project is not eligible for FEMA reconstruction funds, but is being funded by a more rigorous and time-consuming NYSDOT grant, which requires a 20% local match.

Operating Cost Considerations:

No increases in operational costs are anticipated.



| | |
|---------------------|-------------------------------------|
| Project Name: | MTA Parking Lot Improvements |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2015 |
| Project End Date: | 2016 |

Project Description:

The proposed project would repave the parking lot, add sidewalks, lighting, drainage, landscaping and other vehicle and pedestrian safety measures. Project is dependant on Federal funding. If grants are obtained \$75,000 in engineering is proposed for 2012 with construction proposed for 2014.

Estimated Project Costs:

| | |
|-----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$75,000 |
| Construction | \$2,575,000 |
| Construction Inspect./Other | \$0 |
| Total | \$2,650,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|------|------|------|----------|-------------|-------------|
| Grants & Aid | \$0 | \$0 | \$0 | \$75,000 | \$2,575,000 | \$2,650,000 |

Project Need/Issues:

The City (which does not own the lot, but shares in the parking revenue with the MTA) previously discussed with the MTA possible cost/revenue sharing strategies to implement necessary repairs to the deteriorated lot. The proposed improvements would rehabilitate the lot, which has not been repaved in over 20 years, and implement pedestrian and vehicles safety improvements consistent with a preliminary concept plan prepared by MTA consultants in 2006.

Operating Cost Considerations:

Some increases in operational costs are anticipated, but could be offset with increases in parking fees, which have remained unchanged for eight years.



| | |
|---------------------|--|
| Project Name: | First/Second Street Parking Lot |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2013 |
| Project End Date: | 2013 |

Project Description:

Project includes the removal of the existing single-head meters in City-owned parking lot in front of Rye Bar/former Bank of New York Property and installation of new Luke pay station. Repaving and striping of parking lot is also required.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$75,000 |
| Construction Inspect./Other | \$0 |
| Total | \$75,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-----------------------|------|----------|------|------|------|----------|
| General Revenues/Debt | \$0 | \$75,000 | \$0 | \$0 | \$0 | \$75,000 |

Project Need/Issues:

Asphalt in the existing parking lot has deteriorated and requires replacement. Improvement of this parking area was shown as part of the Planning Commission’s approval of the Rye Bar and Grill. That plan shows that changes in the pavement striping would potentially add up to three additional parking spaces.

Operating Cost Considerations:

Replacing the existing single-head meters with a central payment system will reduce maintenance and collection costs and make snow plowing easier.



| | |
|---------------------|--|
| Project Name: | CBD – School/Purdy Parking Lot (Car Park 5) |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

The existing wall surrounding Car Park 5 (corner of School St.& Purdy Ave.) needs to be replaced. In 2008, fencing was secured to the wall exterior to prevent damage from continuing deterioration.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$650,000 |
| Construction Inspect./Other | \$0 |
| Total | \$650,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------------|------|------|------|-----------|------|-----------|
| Grant/Private Partnership | \$0 | \$0 | \$0 | \$650,000 | \$0 | \$650,000 |

Project Need/Issues:

Replacing this nearly 100-year old wall is expensive, requiring \$650,000. The City should consider alternative use to a replacement in-kind that advances some additional public need, such as a deck that creates additional parking. Identifying a use for this site, possibly involving a public/private partnership, is the critical first step before committing additional funds to this project.

Operating Cost Considerations:

Varies depending on final design and use.



| | |
|---------------------|-------------------------------|
| Project Name: | Milton Cemetery Bridge |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

Replace existing pedestrian bridge in Milton Cemetery. Project has been deferred due to budgetary constraints.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$40,000 |
| Construction Inspect./Other | \$0 |
| Total | \$40,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|----------------|----------|------|------|------|------|----------|
| Grants and Aid | \$40,000 | \$0 | \$0 | \$0 | \$0 | \$40,000 |

Project Need/Issues:

Existing bridge is deteriorated and unusable. Eliminating the bridge and installing an alternative lower cost bridge is not feasible from an historic preservation perspective. The City is seeking donations or some other source to fund this project.

Operating Cost Considerations:

Continued bridge repair and maintenance responsibilities.



| | |
|---------------------|---------------------------------|
| Project Name: | Street Light Replacement |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

The project would fund replacement of existing street lights would energy efficient LED bulbs. Project is dependant on NYSERDA grant funding.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$50,000 |
| Construction Inspect./Other | \$0 |
| Total | \$50,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|----------|------|------|------|------|----------|
| Grants and Aid | \$50,000 | \$0 | \$0 | \$0 | \$0 | \$50,000 |

Project Need/Issues:

Project would reduce operating expenses and advance resource conservation goals.

Operating Cost Considerations:

Project would reduce operating costs associated with street lights, which approach \$200,000 annually.

| | |
|---------------------|-------------------------------------|
| Project Name: | 5 Corners Intersection Study |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

As recommended by the Shared Roadways Committee June 2011 study, the project would encompass a conceptual study for the 5-way intersection at the conjunction of Grace Church Street, and Midland and Manursing Avenues.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$25,000 |
| Construction | \$0 |
| Construction Inspect./Other | \$0 |
| Total | \$25,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-------------------|------|------|----------|------|------|----------|
| General Revenues: | \$0 | \$0 | \$25,000 | \$0 | \$0 | \$25,000 |

Project Need/Issues:

The 5-way intersection at Kelley's is a hazardous location for pedestrian and drivers. It is unclear who has the right of way, and the crosswalks, as mentioned by the Shared Roadways Committee report, have poor signage. This project would fund the study of future improvements for the site.

Operating Cost Considerations:

No increases in operational costs are anticipated depending on final design.



| | |
|---------------------|--|
| Project Name: | Fireman’s Memorial Intersection Study |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

As recommended by the Shared Roadways Committee June 2011 study, the project would encompass a conceptual study for the Fireman’s Memorial roundabout located at the intersection of Milton Road and Grace Church and Cross Streets, just south of Cross Street’s intersection with Boston Post Road.

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$25,000 |
| Construction | \$0 |
| Construction Inspect./Other | \$0 |
| Total | \$25,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|------|------|----------|------|------|----------|
| General Revenues: | \$0 | \$0 | \$25,000 | \$0 | \$0 | \$25,000 |

Project Need/Issues:

The roundabout at the Fireman’s Memorial is unique, as it does not function like most roundabouts, with yields that vary by street. This project would fund a study, as proposed by the Shared Roadways Committee in the June 2011 report, to see how best the Memorial could be redesigned “as a proper traffic circle, with improved crosswalks, markings, signage, and signal timing.” Such changes would benefit pedestrians who walk in the area, as well as drivers who are unfamiliar with the roundabout’s current design.

Operating Cost Considerations:

No increases in operational costs are anticipated.



| | |
|---------------------|---|
| Project Name: | Osborn School Traffic and Pedestrian Safety Improvements |
| Project Type: | Transportation |
| Department: | Engineering |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

The project would provide funding to design and implement additional traffic and pedestrian safety improvement at Osborn School. The school is located at one of the City’s busiest intersections. In August 2010 the City implemented a lane reduction program on BPR (i.e. “diet”), however some are seeking additional improvements. There is no perfect “fix”. Improvements are complicated and involve challenging trade-offs between driver and pedestrian demands for both convenience and safety. Project cost includes the potential installation of a traffic signal and pedestrian crossing at the Sonn Drive/BPR intersection.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$25,000 |
| Construction | \$175,000 |
| Construction Inspect./Other | \$0 |
| Total | \$200,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-----------------|-----------|------|------|------|------|-----------|
| Grants and Aid: | \$200,000 | \$0 | \$0 | \$0 | \$0 | \$200,000 |

Project Need/Issues:

The project would provide additional measures to improve traffic and pedestrian safety at Osborn School and specifically the Sonn/BPR intersection and potential improvements on Osborn Road to address off-site vehicle queuing. The School District is considered a potential source of funds or a grant.

Operating Cost Considerations:

There would be an increase in signal maintenance costs to the City. An additional crossing at Sonn Drive may also require the expense of an additional crossing guard.

Recreation Projects

| | |
|---------------------|----------------------------------|
| Project Name: | Expand Maintenance Garage |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Moderate |
| Project Start Date: | 2016 |
| Project End Date: | 2016 |

Project Description:

The project involves the construction of a two bay addition with extra tall bay doors. Estimates are based on price per square foot of current construction costs.

Cost Estimates

| | |
|--|-----------------|
| 30' X 40' Block Building (\$100/sq ft) | \$125,000 |
| Electric fixtures/services | 3,500 |
| Design cost (7%) | 8,000 |
| Contingency (7%) | <u>\$ 8,500</u> |
| | \$145,000 |

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$8,000 |
| Construction | \$137,000 |
| Construction Inspect./Other | \$0 |
| Total | \$145,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016+ | Total |
|------------------|------|------|------|------|-----------|-----------|
| General Revenue: | \$0 | \$0 | \$0 | \$0 | \$145,000 | \$145,000 |

Project Need/Issues:

The department has motorized equipment that has a current replacement value of approximately \$500,000. A number of items can not be housed indoors due to lack of space and is subject to weather and potential vandalism.

Operating Cost Considerations:

It is anticipated that any increase due to utilities will be met with an equal or greater savings due to benefits of secured, covered equipment and material.

| | |
|---------------------|---|
| Project Name: | Gagliardo Park Restrooms & Park Improvements |
| Project Type: | Building/Facilities – Recreation |
| Department: | Recreation |
| Project Priority: | High |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

Gagliardo Park has seen some upgrade over the past years due to CDBG Grants which replaced the playground and picnic shelter. The restroom facility/storage is in need of a facelift, requiring handicap accessibility, as the park is not staffed. A slightly larger block building (12 X 20) would replace the current facility. Cost would be for a pre-fab building (CXT Concrete Buildings : \$62,000 on GSA Contract.)

The basketball and volleyball courts need to see similar upgrades, as the pavement is showing age with large cracks. The basketball backboards are old and need replacement. In addition to the volleyball court being divided for other uses, the basketball court would need to be patched and repave approximately 171' of walkway.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$112,000 |
| Construction Inspect./Other | \$0 |
| Total | \$112,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|-----------|------|------|------|------|-----------|
| General Revenues: | \$112,000 | \$0 | \$0 | \$0 | \$0 | \$112,000 |

Project Need/Issues:

Project is required to improve user safety and level of play. Project would also reduce maintenance costs and ease of facility maintenance.

Operating Cost Considerations:

More efficient systems would help keep costs down; easier maintenance



| | |
|---------------------|---|
| Project Name: | Upper Picnic Shelter Replacement |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Moderate |
| Project Start Date: | 2016 |
| Project End Date: | 2016 |

Project Description:

This project calls for the replacement of the upper picnic shelter at Recreation Park, with the shelter and installation costing \$45,000 and its concrete pad costing \$25,000 (as per quote from Litchfield Landscape).

Estimated Project Costs:

| | |
|-----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$25,000 |
| Engineering/Design | \$0 |
| Construction | \$45,000 |
| Construction Inspect./Other | \$0 |
| Total | \$70,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-------------------|------|------|------|------|----------|----------|
| General Revenues: | \$0 | \$0 | \$0 | \$0 | \$70,000 | \$70,000 |

Project Need/Issues:

The Upper Picnic Shelter is showing signs of age and deterioration. Recent improvements allow this project to be deferred to 2016. Since picnics are the one of the main revenue source for the department, a new, larger and efficient design could increase the number of rentals annually. Improved drainage around the site would also benefit this facility. One of the main revenue sources is from Picnic rental fees. As the shelter deteriorates, it makes it more difficult to attract renters to the facility.

Operating Cost Considerations:

Initially, decrease cost in maintenance costs for upkeep and repairs



| | |
|---------------------|-------------------------------------|
| Project Name: | Recreation Park Improvements |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Moderate |
| Project Start Date: | 2014 |
| Project End Date: | 2014 |

Project Description:

Install turf and lights at Recreation Park.

Estimated Project Costs:

| | |
|----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$100,000 |
| Construction | \$2,900,000 |
| Construction Inspection | \$0 |
| Total | \$3,000,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-----------------|------|------|-------------|------|------|-------------|
| Grants and Aid: | \$0 | \$0 | \$3,000,000 | \$0 | \$0 | \$3,000,000 |

Project Need/Issues:

A 2011 study prepared by Woodard and Curran Engineers identified the feasibility and cost of installing turf fields, drainage and lights at Recreation Park. The project would extend playing times and meet growing field demands of user groups.

Operating Cost Considerations:

Turf Fields and lighting will require maintenance (including the cost of a turf field groomer), but would reduce maintenance costs associate with the existing natural turf.

| | |
|---------------------|-------------------------------------|
| Project Name: | Nursery Field Rehabilitation |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Moderate |
| Project Start Date: | 2016 |
| Project End Date: | 2016 |

Project Description:

The project proposes to improve drainage conditions at Nursery Field by stripping the existing topsoil and amending it with sand and compost. The field would be crowned and additional drainage measures would be installed.

Estimated Project Costs:

| | |
|----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$50,000 |
| Construction | \$0 |
| Construction Inspection | \$400,000 |
| Total | \$450,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-----------------|------|------|------|------|-----------|-----------|
| Grants and Aid: | \$0 | \$0 | \$0 | \$0 | \$450,000 | \$450,000 |

Project Need/Issues:

A 2011 study prepared by Woodard and Curran Engineers identified the feasibility and cost of improving drainage conditions at Nursery Field. These improvements would increase field use, which is currently restricted after rain events.

Operating Cost Considerations:

Operating costs would remain unchanged from current conditions.

| | |
|---------------------|---------------------------------|
| Project Name: | Disbrow Park Improvement |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Moderate |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

The project proposes correcting drainage issues by installing a synthetic turf field in the existing footprint of the athletic facilities.

Estimated Project Costs:

| | |
|----------------------------|--------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$1,600,000 |
| Construction Inspection | \$0 |
| Total | \$1,600,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

Sources of Funding:

| | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|-----------------|------|------|------|-------------|------|-------------|
| Grants and Aid: | \$0 | \$0 | \$0 | \$1,600,000 | \$0 | \$1,600,000 |

Project Need/Issues:

A 2011 study prepared by Woodard and Curran Engineers identified the ability to solve drainage issues at Disbrow Park by installing a synthetic turf field. The field would include one baseball field, one softball field, and one soccer field (overlapping the baseball and softball fields.)

Operating Cost Considerations:

Operating costs would remain unchanged from current conditions.

| | |
|---------------------|----------------------------|
| Project Name: | Damiano Center HVAC |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Urgent |
| Project Start Date: | 2012 |
| Project End Date: | 2012 |

Project Description:

The project proposes to replace the existing HVAC system at Damiano Center.

Estimated Project Costs:

| | |
|----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$28,200 |
| Construction Inspection | \$0 |
| Total | \$28,200 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|----------------------------|-------------|-------------|-------------|-------------|-------------|--------------|
| General Revenues: | \$28,200 | \$0 | \$0 | \$0 | \$0 | \$28,200 |

Project Need/Issues:

The existing system is failing and requires replacement.

Operating Cost Considerations:

Operating costs would reduce with more energy efficient system that require less maintenance.

| | |
|---------------------|--|
| Project Name: | Disbrow Park Landscape and Signage Improvements |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Low |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

The project involves providing additional landscaping at City recreation facilities. The area of Recreation Park where the parking lot was expanded needs to be screened and beautified with numerous plantings to create a visual barrier and offer a more attractive surrounding when using the lower end of the park. Trees were removed for the parking lot and should be replaced. Other fields need additional screening to provide neighbors with increased buffer areas. Additional signage is necessary as well.

Estimated Project Costs:

| | |
|----------------------------|-----------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$19,500 |
| Construction Inspection | \$0 |
| Total | \$19,500 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|------|------|------|----------|------|----------|
| General Revenues: | \$0 | \$0 | \$0 | \$19,500 | \$0 | \$19,500 |

Project Need/Issues:

Project would provide aesthetic enhancements to park facilities and improved screening.

Operating Cost Considerations:

Additional landscape maintenance would be required by park staff after initial planting. The City will pursue a low maintenance planting program.



| | |
|---------------------|--------------------------------|
| Project Name: | Upgrade Tennis Lighting |
| Project Type: | Recreation |
| Department: | Recreation |
| Project Priority: | Moderate |
| Project Start Date: | 2015 |
| Project End Date: | 2015 |

Project Description:

Replacement of lighting units at recreation park tennis courts and multi-purpose area.

Estimated Project Costs:

| | |
|-----------------------------|------------------|
| Legal/Survey/Due Diligence | \$0 |
| Site Acquisition | \$0 |
| Engineering/Design | \$0 |
| Construction | \$180,000 |
| Construction Inspect./Other | \$0 |
| Total | \$180,000 |

Project Priority Considerations:

- Deteriorated Facility
- Public Safety/Legal Mandate
- Systematic Replacement/Operational Efficiency
- Resource Conservation/Environmental Quality
- New/Expanded Facility or Program
- Consistency with Formal Plans or Policy
- Funding Availability

| Sources of Funding: | 2012 | 2013 | 2014 | 2015 | 2016 | Total |
|---------------------|------|------|------|-----------|------|-----------|
| Debt: | \$0 | \$0 | \$0 | \$180,000 | \$0 | \$180,000 |

Project Need/Issues:

Replacement for efficiency and cost saving measures. Existing tennis lighting is over 25 years old.

Operating Cost Considerations:

Systems that allow for multiple light and energy levels can provide considerable energy savings. These systems allow activities with different lighting needs to share a facility, without wasting energy by providing excessive lighting for activities that don't require it.





CITY COUNCIL AGENDA

NO. 7

DEPT.: Planning

DATE: August 10, 2011

CONTACT: Christian K. Miller, AICP, City Planner

AGENDA ITEM: Public Hearing regarding a request by Avon to amend Local Law Chapter 90, Section 90-10, "Rear or side line fences in business districts" to allow for a fence height of six feet, and Chapter 197, Section 197-86, "Zoning Table B", to clarify the minimum lot size.

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: Hold a public hearing on the proposed local law. The matter has been reviewed by the City Planning Commission and Westchester County Planning Board. City Council should also declare their intent to be Lead Agency pursuant to SEQRA.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The petition (Avon, Inc.) seeks an amendment to Chapter 90, *Fences*, and Chapter 197, *Zoning*, of the City Code to allow six-foot high fences in the front yard setback for properties in the B-5 Interchange Office Building District. The current restriction is limited to four feet in the front yard setback. The proposed local law would also amend the City Zoning Code to reduce the minimum lot size in the B-5 District from four to three acres. One of the two properties owned by Avon has never met this zoning requirement and requires a change in the code to clarify this regulatory discrepancy.

Please see attached memo from the Rye City Planning Commission.

Please see attached County Planning Board response letter for the above referenced action.

Please see attached submission from the petitioner.

Nick Everett, Chairman
Martha Monserrate, Vice Chair
Barbara Cummings
Carolyn Cunningham
Hugh Greechan
Peter Jovanovich
Peter Larr



Planning Department
1051 Boston Post Road
Rye, New York 10580
Tel: (914) 967-7167
Fax: (914) 967-7185
www.ryeny.gov

CITY OF RYE Planning Commission

Memorandum

To: Rye City Council

From: Rye City Planning Commission

cc: Scott Pickup, City Manager
Kristen K. Wilson, Esq., Corporation Counsel

Date: June 29, 2011

Subject: **Amendment to Chapter 90, *Fences and Walls*, and the
B-5 Zoning District**

The Planning Commission has reviewed the petition of Avon Products, Inc. and Avon Capital Corporation to amend the Rye City Code regarding the height of fences and the minimum lot size in the B-5, *Interchange Office Building*, District.

The Commission does not object to amending the City's fence law to allow a six foot fence in the front yard setback for properties located in the B-5 District. The proposed change would provide for a two-foot increase in permitted fence height in the 35-foot front yard setback. The Commission agrees that this change would not be detrimental to the character of the City. A six-foot fence height would better support the needs of existing and future office users in the District.

The Commission also supports the requested amendment to the B-5 District to change the minimum lot area from 4.0 acres to 3.0 acres. The existing property owned by Avon located between I-95 and I-287 on Midland Avenue is below the current minimum lot area. This non-conformity should be corrected and appears to be an oversight when the initial B-5 District standards were created.

Robert P. Astorino
County Executive

County Planning Board

August 4, 2011

Christian K. Miller, City Planner
Rye City Planning Department
City of Rye
1051 Boston Post Road
Rye, NY 10580-2996

Subject: **Referral File No. RYC 11-003– Zoning Text Amendments: B-5 District**

Dear Mr. Miller:

The Westchester County Planning Board has received a copy of a petition to amend the text of the City Zoning Ordinance with respect to the B-5 District. The petition, submitted by Avon in relation to a previously submitted application for renovation and expansion of the existing Avon office/distribution facility located at 601 Midland Avenue, seeks to reduce the minimum lot size requirement for the B-5 District from four to three acres. The petition also seeks to amend fence requirements to allow six-foot high fences anywhere on a lot in the B-5 District.

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 that there are no County or intermunicipal planning issues of concern to the County Planning Board. This action is a matter for local determination in accordance with your community's planning and zoning policies.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:

By:



Edward Burroughs, AICP
Commissioner

EEB/LH

McCULLOUGH, GOLDBERGER & STAUDT, LLP

ATTORNEYS AT LAW

1311 MAMARONECK AVENUE, SUITE 340

WHITE PLAINS, NEW YORK

10605

(914) 949-6400

FAX (914) 949-2510

WWW.MCULLOUGHGOLDBERGER.COM

FRANK S. McCULLOUGH (1905-1998)
EVANS V. BREWSTER (1920-2005)

FRANK S. McCULLOUGH, JR.
CHARLES A. GOLDBERGER
JAMES STAUDT
LINDA B. WHITEHEAD
SETH M. MANDELBAUM
EVAN M. EISLAND

MICHAEL V. CARUSO
JOANNA C. FELDMAN
DEBORAH A. GOLDBERGER
EDMUND C. GRAINGER, III
PATRICIA W. GURAHIAN
ALICE D. KORNFELD
RUTH F.L. POST

May 17, 2011

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

Re: Avon Products, Inc. & Avon Capital Corporation
Petition for Amendments to the City of Rye Code
601 Midland Avenue
Rye, New York

Dear Mayor French & Members of the Council:

This firm represents ACC/Avon Products, Inc. (hereinafter "Avon") in connection with the above referenced Petition for Amendments to the City of Rye Code (the "Petition"), regarding the premises located at 601 Midland Avenue, Rye, New York (the "Property"). The Property is located in the B-5 Zoning District, in which "office buildings to accommodate, as principal users, executive, administrative, clerical, professional or scientific staffs of business or professional organizations, together with accessory uses incident thereto" are permitted subject to additional standards and requirements and site plan approval from the Planning Commission.

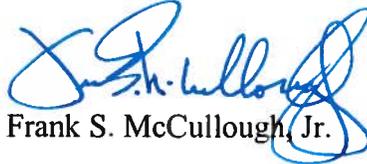
As you may be aware, Avon is prepared to make a substantial capital investment in the overall renovation of the office/distribution facility (the "Facility") that Avon has operated at the Property since the late 1950s, including upgrades to the Property, which will result in the retention of 650 jobs in the City of Rye. While it was originally thought that the Facility only requires amended site plan approval from the Planning Commission, it has now become apparent that an amendment to the Rye Code with respect to the height of fences on properties in the B-5 Zoning District in order to provide adequate security for office buildings in the B-5 zone (as well as a minor amendment to the minimum lot size for office buildings in the B-5 Zoning District) is

also required in connection with the Facility. You should also be aware that only three (3) properties in Rye (the Avon office building site, the adjoining Avon vacant parcel and the Marriott hotel site) are zoned B-5.

Based on the foregoing, we have enclosed the Petition, together with a completed Full Environmental Assessment Form, for the Council's consideration. We respectfully request on behalf of Avon that this matter be placed on the May 25, 2011 City Council agenda for consideration of a resolution referring the Petition to the Planning Commission and Westchester County Planning Department for their recommendation and comments, and scheduling a public hearing on the Petition for the August 10, 2011 Council meeting (in order to allow for sufficient time for all recommendations and comments to be received).

If you have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Frank S. McCullough, Jr.", written over a printed name.

Frank S. McCullough, Jr.

FSM:smm

cc: Avon Capital Corporation
Scott Pickup--City Manager
Christian Miller--City Planner

CITY OF RYE CITY COUNCIL
COUNTY OF WESTCHESTER: STATE OF NEW YORK

-----X
Matter of the Petition of:

AVON PRODUCTS, INC.
& AVON CAPITAL CORPORATION,
Petitioners.

**PETITION FOR
AMENDMENTS
TO CITY OF RYE
CODE**

PROPERTY LOCATION:
601 Midland Avenue, Rye, NY
Sheet 139.20, Block 1, Lot 3
-----X

TO THE MAYOR AND MEMBERS OF THE CITY COUNCIL OF THE CITY OF RYE:

PETITIONERS, AVON PRODUCTS, INC. and AVON CAPITAL CORPORATION (hereinafter collectively referred to as "Petitioners"), with an address at 1345 Ave. of Americas New York, NY 10105-0196, hereby petition the City Council of the City of Rye for amendments to the Code of the City of Rye as follows:

INTRODUCTION

1. Avon Products, Inc. is a Corporation duly formed and existing under and by virtue of the laws of the State of New York, and Avon Capital Corporation duly formed and existing under and by virtue of the laws of the State of Delaware and authorized to do business in the State of New York.

2. Petitioners are the lessee¹ of the property located at 601 Midland Avenue, Rye, New York (the "Property"). The approximately 14.84 acre Property is located at the intersection of Midland Avenue and Peck Avenue, in the B-5 (Interchange Office Building) Zoning District.

3. The Property is currently improved with an approximately 173,000 square foot office building which has been occupied by Avon since the late 1950s, together with related

¹ The Property was conveyed by Avon Capital Corporation to the Westchester County Industrial Development Agency ("IDA") in 1996, and immediately leased back to Avon by the IDA, in a typical IDA arrangement. Avon maintains full control over the Property and its operations thereon.

parking lots and infrastructure. The campus is gated for security with the main entrance located on Midland Avenue, with a secondary secure access point off of Peck Avenue. Although the building has been renovated over the years, the overall building and Property are now in serious need of renovations and upgrades to continue to serve Avon's needs.

4. An application for amended site plan review in connection with the proposed renovations and upgrades is currently pending before the Rye Planning Commission. While it was originally thought that the Facility only requires amended site plan approval from the Planning Commission, it has now become apparent that an amendment to the Rye Code with respect to the height of fences on properties in the B-5 Zoning District (as well as a minor amendment to the minimum lot size in the B-5 Zoning District) is also required in connection with the Facility.

5. Therefore, Petitioners are hereby requesting that the City Council of the City of Rye amend Chapter 90 of the Rye Code "Fences and Walls" and Chapter 197 "Zoning" as set forth below.

6. A copy of the proposed Zoning Text Amendment is attached hereto as Exhibit 1. No changes whatsoever to the existing zoning designation of the Property, or any other properties, is requested.

PROPOSED TEXT AMENDMENTS

7. The proposed text amendment to Chapter 90 would permit fences and freestanding walls, not to exceed six feet in height, to be located within 35 feet of the line abutting a street in the B-5 Zoning District.

8. The proposed text amendment to Chapter 197 would clarify the minimum lot size requirement in the B-5 Zoning District, such that the minimum lot size would be 3 acres for a freestanding parcel that is not being aggregated with another lot pursuant to Footnote (l) to Table B to Chapter 197.

9. The proposed text amendments would not have any adverse impact on the City of Rye for several reasons. First, the only other properties zoned B-5 are the parcel on the other side of Interstate 95 from the subject Property (also owned by Avon), and the hotel property on the Rye/Port Chester border.

10. In addition, the proposed text amendments would allow six foot tall fences on parcels in the B-5 Zoning District within 35 feet of lot lines or a street, but would not otherwise change the fact that six foot tall fences are currently permitted elsewhere on all lots in all business districts.

11. Finally, the proposed text amendments will facilitate a significantly better site plan for the Avon Property, by allowing for better security on a limited number of appropriately located parcels of land, with no adverse impact to the surrounding areas.

12. For all of the foregoing reasons, it is respectfully submitted that the proposed text amendments should be granted.

WHEREFORE, Petitioners respectfully request that the City Council of the City of Rye amend the Code of the City of Rye as set forth above.

Dated: Rye, New York
May 17, 2011

Respectfully submitted,
MCCULLOUGH, GOLDBERGER & STAUDT, LLP
on behalf of:

AVON CAPITAL CORPORATION and
AVON PRODUCTS, INC.

EXHIBIT 1

PROPOSED TEXT AMENDMENTS

**CITY OF RYE
LOCAL LAW NO. 2011**

**A LOCAL LAW AMENDING
CHAPTER 90 “FENCES AND WALLS” OF THE CITY OF RYE CODE**

Be it enacted by the Rye City Council as follows:

Chapter 90-10 “Rear or side line fences in business districts”

Section 1.

§ 90-10. “~~Rear or side line~~ Fences in business districts”

In all business districts, no fence or freestanding wall which exceeds six feet in height may be erected along a rear or side division line or anywhere on the lot within 35 feet of such line (measured by the shortest distance to such line); except that, if the lot abuts a street, the height of a fence or wall located within 35 feet of the line abutting a street may not exceed four feet; and, if the lot adjoins a lot within a residence district, the height may not exceed the height that would be allowed on the adjoining lot. **The foregoing notwithstanding, in the B-5 Interchange Office Building Districts only, a fence or freestanding wall not to exceed six feet in height may be erected within 35 feet of the line abutting a street.**

Section 2. Severability

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

Section 3.

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

**CITY OF RYE
LOCAL LAW NO. 2011**

**A LOCAL LAW AMENDING
CHAPTER 197 “ZONING” OF THE CITY OF RYE CODE**

Be it enacted by the Rye City Council as follows:

Table B: Business Districts Area, Yard, Height and Miscellaneous Regulations of Chapter 197

Section 1.

Table B: Business Districts Area, Yard, Height and Miscellaneous Regulations of Chapter 197 of the City of Rye Code is hereby amended by replacing the 4 acre minimum lot area in Column 5 for office buildings in the B-5 District with a 3 acre minimum lot area requirement. All other provisions of Colum 5 of Table B, including note references shall remain the same.

Section 2. Severability

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

Section 3.

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

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

Part 1

Part 2

Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Proposed Amendments to the City of Rye Code

Name of Action

City of Rye City Council

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Proposed Amendments to the City of Rye Code

Location of Action (include Street Address, Municipality and County)

B-5 Zoning District on the City of Rye Zoning Map

Name of Applicant/Sponsor Avon Products, Inc and Avon Capital Corporation

Address 1345 Avenue of the Americas

City / PO New York State NY Zip Code 10105-0169

Business Telephone 212-282-5103

Name of Owner (if different) Westchester County Industrial Development Agency

Address Michaelian Office Building, Room 903

City / PO White Plains State NY Zip Code 10601

Business Telephone 914-995-2916

Description of Action:

Text Amendments to Chapter 90 "Fences and Walls" and Chapter 197 "Zoning" of the City of Rye Code, to allow six (6) foot high fences anywhere on a lot in the B-5 Zoning District, and to reduce the minimum lot size for office buildings in the B-5 Zoning District to 3 acres, in connection with proposed renovations to the existing 173,000 SF Avon office building at 601 Midland Avenue.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Office Use
-
-

2. Total acreage of project area: 14.84 acres.

| APPROXIMATE ACREAGE | PRESENTLY | AFTER COMPLETION |
|--|-------------------|-------------------|
| Meadow or Brushland (Non-agricultural) | _____ acres | _____ acres |
| Forested | <u>3.10</u> acres | <u>2.08</u> acres |
| Agricultural (Includes orchards, cropland, pasture, etc.) | _____ acres | _____ acres |
| Wetland (Freshwater or tidal as per Articles 24,25 of ECL) | _____ acres | _____ acres |
| Water Surface Area | _____ acres | _____ acres |
| Unvegetated (Rock, earth or fill) | _____ acres | _____ acres |
| Roads, buildings and other paved surfaces | <u>7.29</u> acres | <u>7.60</u> acres |
| Other (Indicate type) <u>landscaping and lawns</u> | <u>4.45</u> acres | <u>5.16</u> acres |

3. What is predominant soil type(s) on project site? Uf - Urban Land

- a. Soil drainage: Well drained _____% of site Moderately well drained 100% of site.
 Poorly drained _____% of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? 0 acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock 0 to 10 (in feet)

5. Approximate percentage of proposed project site with slopes:

0-10% 83% 10- 15% 4% 15% or greater 13%

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? 1.5-7 (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

NYSDEC Environmental Mapper database

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

14. Does the present site include scenic views known to be important to the community? Yes No

15. Streams within or contiguous to project area:

None

a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area:

None per site inspection by Stephen W. Colman of Environmental Consulting , LLC.

b. Size (in acres):

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No
- b. If YES, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

- a. Total contiguous acreage owned or controlled by project sponsor: 14.84 acres.
- b. Project acreage to be developed: 14.84 acres initially; 14.84 acres ultimately.
- c. Project acreage to remain undeveloped: 0 acres.
- d. Length of project, in miles: 0.4 (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. 2.3 %
- f. Number of off-street parking spaces existing 507; proposed 585
- g. Maximum vehicular trips generated per hour: 47 (upon completion of project)?
- h. If residential: Number and type of housing units:

| | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |

- i. Dimensions (in feet) of largest proposed structure: (fence) 6 ft height; _____ width; _____ length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 820 ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? TBD tons/cubic yards.

3. Will disturbed areas be reclaimed Yes No N/A

a. If yes, for what intended purpose is the site being reclaimed?

Proposed site development and landscaping

b. Will topsoil be stockpiled for reclamation? Yes No

c. Will upper subsoil be stockpiled for reclamation? Yes No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.29 acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: 13 months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated _____ (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction 25 ; after project is complete 181

10. Number of jobs eliminated by this project 0 .

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? 2.8 tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name Private Carter ; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day 2,200 gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

2. What is the zoning classification(s) of the site?

B-5 Interchange Office Building

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

FAR = 0.5 - Maximum Building Area 323,274 sf
Building Coverage 30% -Maximum Footprint 226,292 sf

4. What is the proposed zoning of the site?

No change

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

Not applicable

6. Is the proposed action consistent with the recommended uses in adopted local land use plans?

Yes

No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

B-1 - Neighborhood Business District
B-4 - Office Building District
B-5 - Interchange Office District
B-6 - General business District
RA-1 - General Apartment District (5,000 SF/family minimum)
RA-4 - Apartment District (2,500 SF/family minimum)
R-1- One-Family District (1 acre minimum)
R-2 - One-Family District (1/2 acre minimum)
R-3 - One-Family District (1/3 acre minimum)

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile?

Yes

No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

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

Applicant/Sponsor Name Avon Products, Inc. and Avon Capital Corporation Date May, 2011

Signature 

Title Partner, McCullough, Goldberg & Staudt - Attorney for Applicant

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

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

| 1 | 2 | 3 |
|--------------------------------|------------------------------|---|
| Small to Moderate Impact | Potential Large Impact | Can Impact Be Mitigated by Project Change |

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|-------------------------------------|--------------------------|------------------------------|-----------------------------|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|--|-------------------------------------|-----------------------------------|--|
|--|-------------------------------------|-----------------------------------|--|

- Construction or expansion of a sanitary landfill. Yes No
- Construction in a designated floodway. Yes No
- Other impacts: Yes No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

NO YES

- Specific land forms: Yes No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- Developable area of site contains a protected water body. Yes No
- Dredging more than 100 cubic yards of material from channel of a protected stream. Yes No
- Extension of utility distribution facilities through a protected water body. Yes No
- Construction in a designated freshwater or tidal wetland. Yes No
- Other impacts: Yes No

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. Yes No
- Construction of a body of water that exceeds 10 acres of surface area. Yes No
- Other impacts: Yes No

| | | |
|--------------------------------|------------------------------|---|
| 1 | 2 | 3 |
| Small to Moderate Impact | Potential Large Impact | Can Impact Be Mitigated by Project Change |

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON AIR

7. Will Proposed Action affect air quality?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|---|-------------------------------------|-----------------------------------|--|
| • Removal of any portion of a critical or significant wildlife habitat. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Application of pesticide or herbicide more than twice a year, other than for agricultural purposes. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | |

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

NO YES

Examples that would apply to column 2

| | | | |
|--|--------------------------|--------------------------|--|
| • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

NO YES

Examples that would apply to column 2

| | | | |
|--|--------------------------|--------------------------|--|
| • The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction activity would excavate or compact the soil profile of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|---|-------------------------------------|-----------------------------------|--|
| <ul style="list-style-type: none"> The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | |

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

NO YES

Examples that would apply to column 2

| | | | |
|---|--------------------------|--------------------------|--|
| <ul style="list-style-type: none"> Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Project components that will result in the elimination or significant screening of scenic views known to be important to the area. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?

NO YES

Examples that would apply to column 2

| | | | |
|---|--------------------------|--------------------------|--|
| <ul style="list-style-type: none"> Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Any impact to an archaeological site or fossil bed located within the project site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | | | |
|--|--------------------------------|------------------------------|--|
| | 1 | 2 | 3 |
| | Small to Moderate Impact | Potential Large Impact | Can Impact Be Mitigated by Project Change |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

• Other impacts:

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • The permanent foreclosure of a future recreational opportunity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • A major reduction of an open space important to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

NO YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action to locate within the CEA? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quantity of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quality of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will impact the use, function or enjoyment of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

| | | |
|--------------------------------|------------------------------|---|
| 1 | 2 | 3 |
| Small to Moderate Impact | Potential Large Impact | Can Impact Be Mitigated by Project Change |

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in major traffic problems. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • 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 major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Blasting within 1,500 feet of a hospital, school or other sensitive facility. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Odors will occur routinely (more than one hour per day). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will remove natural barriers that would act as a noise screen. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

| | 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated by Project Change |
|--|-------------------------------------|-----------------------------------|--|
| • Proposed Action will set an important precedent for future projects. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will create or eliminate employment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | |

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?

NO YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- ! The probability of the impact occurring
- ! The duration of the impact
- ! Its irreversibility, including permanently lost resources of value
- ! Whether the impact can or will be controlled
- ! The regional consequence of the impact
- ! Its potential divergence from local needs and goals
- ! Whether known objections to the project relate to this impact.



CITY COUNCIL AGENDA

NO. 8

DEPT.: City Manager's Office

DATE: August 10, 2011

CONTACT: Scott Pickup, City Manager

ACTION: Resolution authorizing an additional three-month extension of the PILOT Agreement between Avon Capital Corporation and the Westchester County IDA.

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Mayor and Council approve the extension.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The current Payment in Lieu of Tax Agreement (PILOT) was extended by the City Council and will expire on September 30, 2011. Avon is requesting an additional three-month extension of the agreement through December 31, 2011 to finalize zoning and land use issues for their proposed renovation and upgrade of the facility at 601 Midland Avenue.

See attached.

McCULLOUGH, GOLDBERGER & STAUDT, LLP

ATTORNEYS AT LAW

1311 MAMARONECK AVENUE, SUITE 340

WHITE PLAINS, NEW YORK

10605

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EVANS V. BREWSTER (1920-2005)

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JAMES STAUDT
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SETH M. MANDELBAUM
EVAN M. EISLAND

MICHAEL V. CARUSO
JOANNA C. FELDMAN
DEBORAH A. GOLDBERGER
EDMUND C. GRAINGER, III
PATRICIA W. GURAHIAN
ALICE D. KORNFELD
RUTH F.-L. POST

August 2, 2011

VIA HAND DELIVERY

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

Re: Additional Three (3) Month Extension
of PILOT Agreement
between Avon Capital Corporation ("ACC")
and the Westchester County IDA ("IDA"),
dated as of January 24, 1996

Dear Mayor French & Members of the Council:

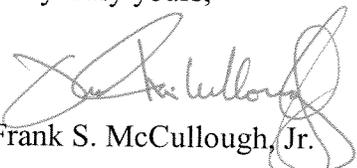
This firm represents ACC/Avon Products, Inc. (hereinafter "Avon") in connection with the above referenced Payment in Lieu of Tax Agreement (the "PILOT") regarding the premises located at 601 Midland Avenue, Rye, New York (the "Property"). As you know, the City Council has granted an extension of the PILOT through September 30, 2011. We are writing to request an additional three month extension of the PILOT, through December 31, 2011, in order to afford Avon the time necessary to complete the application process with the Westchester IDA regarding this Property.

It must be noted that the sole purpose of the PILOT (and any extension thereto) is to ensure that no real estate property tax revenues are lost by the City as a result of the IDA's ownership of the Property (which is leased back to Avon), as was the case in 1995 when this issue first came before the Council.

Based on the foregoing, we respectfully request on behalf of Avon that this matter be placed on the August 10, 2011 City Council agenda for consideration of a resolution confirming that the City has no objection to the requested additional three month extension of the PILOT, and authorizing the Mayor or City Manager to execute the necessary documentation to confirm the City's agreement to the additional three month extension of the PILOT.

If you have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,



Frank S. McCullough, Jr.

FSM:smm

cc: Avon Capital Corporation
Ms. Eileen Mildenerger—IDA Executive Director
Alan D. Fox, Esq.—IDA Counsel
Scott Pickup--City Manager
Kristen Wilson, Esq.—Corporation Counsel
Christian Miller—City Planner



CITY COUNCIL AGENDA

NO. 9 DEPT.: Planning DATE: August 5, 2011
CONTACT: Christian K. Miller, AICP, City Planner

AGENDA ITEM: Public Hearing regarding a change to the zoning district designation of the 1051, 1037, and 1031 Boston Post Road properties from the B-1 Neighborhood Business District to the B-2 Central Business District and Change the parking district designation of 1031 Boston Post Road from the "C" to the "A" Parking District.

FOR THE MEETING OF:
August 10, 2011
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION:

Conduct the required public hearing and consider adoption of the proposed local law.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

At its June 15, 2011 meeting the City Council referred the proposed zoning amendment to the Rye City Planning Commission and Westchester County Department of Planning as required by law and declared the City Council's intent to be Lead Agency under SEQRA. Attached are the Comments of the Planning Commission and Westchester County Department of Planning, both of whom are supportive of the proposed zoning amendment.

The draft local law changes the zoning district designation of three contiguous properties at 1051 (i.e. City Hall), 1037 and 1031 Boston Post Road from the B-1 District to the B-2 District. The draft local law also changes the parking district designation of 1031 Boston Post Road to the "A" parking district and amends the B-2 District to allow multi-family units on the first floor for properties in the B-2 District having frontage on Boston Post Road. The attached full Environmental Assessment Form (EAF) provides a more complete description of the action and the planning rationale for the proposed change in zoning.

Nick Everett, Chairman
Martha Monserrate, Vice Chair
Barbara Cummings
Carolyn Cunningham
Hugh Greechan
Peter Jovanovich
Peter Larr



Planning Department
1051 Boston Post Road
Rye, New York 10580
Tel: (914) 967-7167
Fax: (914) 967-7185
www.ryeny.gov

CITY OF RYE Planning Commission

Memorandum

To: Rye City Council

From: Rye City Planning Commission

cc: Scott Pickup, City Manager
Kristen K. Wilson, Esq., Corporation Counsel

Date: July 26, 2011

Subject: **Advisory Recommendation Regarding a Local Law to amend the “Parking Districts Map” and the “Zoning Map” of the City of Rye, New York for the Purpose of Expanding the “A” Parking District and the “B-2” Central Business District and to Amend the Table of Permitted Main Uses in the B-2 Central Business District to Allow Dwelling Units of the First Floor for Properties Located on Boston Post Road.**

At its June 21 and July 26 meetings, the Planning Commission reviewed the proposed local law and supporting Full Environmental Assessment Form (EAF) prepared in connection with the above-referenced matter.

The Commission supports the proposed changes in land use to increase development potential in the City’s Central Business District. The proposed change in zoning is consistent with surrounding zoning and land uses and prior planning studies. The proposed local law will afford new opportunities for multi-family housing, retail and commercial development that will be supportive of existing businesses in the City’s Central Business District.

Future Development Considerations

The 1037 BPR property is approximately 30,000 square feet and is improved with an existing one-story 9,800 square-foot building and 45 parking spaces. The adjacent 1031 BPR property is approximately 6,100 square feet and is improved with an existing two-story 2,400 square-foot building and eight parking spaces.

Planning Commission Advisory Recommendation B-2 District

July 26, 2011

Page 2 of 3

The combined development potential of these two properties would quadruple from approximately 18,000 square feet under current B-1 District zoning to 72,000 square feet under the proposed B-2 District. It is likely that future development would consist of retail, multi-family housing, office or some combination thereof. It is reasonable to assume that future development at the full 72,000 square foot development potential would consist of three stories with each floor having 24,000 square feet of floor area, which is roughly double the combined building footprint that exists today on the combined properties. Based on these assumptions future development might consist of one of the following scenarios:

Housing

The proposed local law would allow for multi-family development on all floors. It is estimated that 72,000 square feet in a three-story building could yield approximately 60 units (i.e. 24,000 square feet and 20 units per floor), though the number of units could vary depending on unit size. Under the requirements of the "A" Parking District 68 parking spaces would be required¹. Parking would be provided on the lowest level, which would be located under the building but at the same level of the existing grade at the rear of the building². It is estimated that the maximum number of parking spaces that could be constructed on the site with a building located above is between 65 and 75 spaces.

Retail/Housing

As permitted by current zoning, the proposed local law would allow for mixed-used development consisting of retail on the first floor and residential above. Another possible full development scenario for the use of the site would consist of 24,000 square feet of retail on the first floor with 40 units on the second and third floors (i.e. 24,000 square feet and 20 units per floor). Under the requirements of the "A" Parking District 28 parking spaces would be required, though more would likely be provided given the needs of the future users³. Just as with the first development scenario, parking would likely be provided under the building.

Retail/Office

A third possible development scenario under the proposed local law would include retail on the first floor with office on the second and third floors. Office is not permitted on the first floor in the "A" Parking District. A total of 72 parking

¹ "A" Parking District requires 2 spaces/unit on the first floor and 0.7 spaces/unit on the floors above.

² The rear portion of the site is located in a FEMA-designated flood zone, which requires the first floor of the building to be elevated. Parking is permitted under the building.

³ "A" Parking District requires 0 spaces for retail and 0.7 spaces/unit on the second and third floors.

Planning Commission Advisory Recommendation B-2 District

July 26, 2011

Page 3 of 3

spaces would be required⁴. Parking would need to be located under the building to meet City parking requirements.

Retail/Office/Housing

Another development scenario under the proposed local law would include retail on the first floor, office on one floor and housing on another floor. Assuming a 72,000 square foot building (i.e. 24,000 square per floor) it is estimated that 50 parking spaces would be required and could be accommodated on the site⁵.

Summary

The Planning Commission supports the proposed local law, but would be more supportive of future development that would include a greater residential rather than office use. Parking and traffic demands for office use can be high, which may be problematic at this site. In-town housing is desired from a planning perspective since it would support CBD businesses. The proximity of these units to the Rye Train Station and the parking characteristics of multi-family housing typically result in lower day-time parking demands. This creates day-time shared parking opportunities for City Hall and Rye Free Reading Room users or first floor retail users.

⁴ "A" Parking District requires 0 spaces for retail and 0.7 spaces/200 square feet of gross floor area of office space on the second and third floors.

⁵ "A" Parking District requires 0 spaces for retail, 0.7 spaces/200 square feet of gross floor area of office space on the second floor and 0.7 spaces/unit on the third floor.

Robert P. Astorino
County Executive

County Planning Board

August 4, 2011

Christian K. Miller, City Planner
Rye City Planning Department
City of Rye
1051 Boston Post Road
Rye, NY 10580-2996

Subject: **Referral File No. RYC 11-002– B-2 Zoning and “A” Parking District Amendments**

Dear Mr. Miller:

The Westchester County Planning Board has received a copy of a proposed local law to change the zoning district designation of three contiguous properties at 1051 (City Hall), 1037 and 1031 Boston Post Road from the B-1 Neighborhood Business District to the B-2 Central Business District and change the parking district designation of 1031 Boston Post Road from the “C” to the “A” Parking District, to be consistent with the other two properties. The draft law also amends the regulations of the B-2 District to allow multi-family units on the first floor (in addition to upper floors) for properties in the B-2 District having frontage on Boston Post Road.

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 offer the following comments:

1. Consistency with County Planning Board and City policies. The proposed zoning amendments are consistent with the County Planning Board’s long-range planning policies and strategies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the County Planning Board on May 6, 2008, and amended January 5, 2010, as well as the strategies of *Patterns for Westchester*, adopted by the Board December 4, 1995, as it will help to expand development and housing opportunities in the existing downtown center of Rye. This action also appears to be consistent with the City’s Central Business District Plan (CDB), which recommends expanding housing and office space in the downtown, with a housing as the first preference.

2. Affordable affirmatively furthering fair housing. The proposed zoning changes will also provide for additional potential to develop affordable affirmatively furthering fair housing (AFFH) units in this location. The subject area is suitable for affordable AFFH housing due to its access to transportation and commercial areas.

As you are aware, Westchester County has prepared Model Ordinance Provisions that promote development of affordable affirmatively furthering fair housing (AFFH) units. These Provisions are included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010). A key recommendation of the Model Ordinance Provisions is that developments of five or more units be required to include no less than 10% of the total number of units as affordable units, consistent with County definitions. We recommend that the City review the full text of the Model Ordinance Provisions as included in the *Implementation Plan* to identify changes or additions to the Zoning Ordinance that will further help create affordable AFFH units. County Planning Department staff is available to assist in this review.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:



Edward Burroughs, AICP
Commissioner

EEB/KE

**A LOCAL LAW TO AMEND THE “PARKING DISTRICTS MAP”
AND THE “ZONING MAP OF THE CITY OF RYE, NEW YORK”
FOR THE PURPOSE OF EXPANDING THE “A” PARKING DISTRICT
AND “B-2” CENTRAL BUSINESS DISTRICT**

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

Section 1. The “Zoning Map of the City of Rye, New York” is hereby amended to change the classification to the B-2, *Central Business*, District three (3) contiguous properties known on the Rye City Tax Map as Section 146.07, Block 2, Lot 31; Section 146.11, Block 1, Lot 4; Section 146.11, Block 1, Lot 5 and to the centerline of the portion of Boston Post Road where such lots have frontage on said road.

Section 2. The “Parking Districts Map” of the City of Rye is hereby amended to change the classification to the “A” Parking District one (1) property known on the Rye City Tax Map as Section 146.11, Block 1, Lot 5 and to the centerline of the portion of Boston Post Road where such lots have frontage on said road.

Section 3. Section 197-86, Table of Regulations: Table B, Business Districts-Use Regulations, Column 1, Permitted Main Uses, B-2 Central Business Districts, of the Code of the City of Rye, New York is hereby amended to amend subsection (3) to read as follows¹:

(3) Dwelling units. Any number of dwelling units. Dwelling units are not permitted, except on the first floor, except as follows:

(a) -Properties having frontage on Boston Post Road.

(b) unless the Planning Commission finds that ~~the first-floor~~ The first-floor units are in an existing building currently with first-floor dwelling units; located on Purchase Street; in the A Parking District; and at least 55 feet from Purchase Street; and provided that a structure with six or more dwelling units shall be subject to the requirements of §197-7.

¹ Additions are shown in underline and deletions are shown in ~~strikethrough~~.

Section 4. 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 5. Effective Date.

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

Rev. 6/10/2011

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE – Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1, 2 and 3, if appropriate), and any other supporting information, and considering both the magnitude and important of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not have a significant impact on the environment, therefore a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

A local law to Amend the “Parking Districts Map” and the “Zoning Map of the City of Rye, New York” for the Purpose of Expanding the “A” Parking District and B-2 Central Business District

Name of Action

Rye City Council
Name of Lead Agency

Douglas H. French
Print or Type Name of Responsible Officer in Lead Agency

Mayor
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency


Signature of Preparer (If different from responsible officer)
Christian K. Miller, AICP, Rye City Planner

June 8, 2011
Date

PART 1 – PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

| | | |
|---|-------------------|--------------------------------------|
| NAME OF ACTION A local law to Amend the "Parking Districts Map" and the "Zoning Map of the City of Rye, New York" for the Purpose of Expanding the "A" Parking District and B-2 Central Business District | | |
| LOCATION OF ACTION (Include Street Address, Municipality and County) 1051, 1037 and 1031 Boston Post Road | | |
| NAME OF APPLICANT/SPONSOR Rye City Council | | BUSINESS TELEPHONE (914) 967-7167 |
| ADDRESS 1051 Boston Post Road | | |
| CITY/PO Rye | STATE New York | ZIP CODE 10580 |
| NAME OF OWNER (if different) N/A | | BUSINESS TELEPHONE () |
| ADDRESS | | |
| CITY/PO | STATE | ZIP CODE |
| DESCRIPTION OF ACTION The proposed action involves adopting a local law to amend the City Zoning Code to amend the City of Rye Parking and Zoning Maps to expand the "A" Parking District and "B-2" Central Business District. The proposed local law would impact approximately 2.3-acres of contiguous land, which consists of one privately held property and two City-owned properties at 1031, 1037 and 1051 Boston Post Road. There is no specific development proposal in connection with the proposed action. Please see attachment to this EAF. | | |

Please Complete Each Question – Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (Suburban)
 Forest Agriculture Rural (Non-Farm) Other _____

2. Total Acreage of Project Area: 2.3 acres.

| APPROXIMATE ACREAGE | PRESENTLY | AFTER COMPLETION |
|---|-------------------|-------------------|
| Meadow or Brushland (Non-Agricultural) | <u>0</u> acres | <u>N.A.</u> acres |
| Forested | <u>0</u> acres | <u>N.A.</u> acres |
| Agricultural (Includes orchards, cropland, pasture, etc) | <u>0</u> acres | <u>N.A.</u> acres |
| Wetland (Freshwater or tidal as per Article 24,25 of ECL) | <u>0.1</u> acres | <u>N.A.</u> acres |
| Water Surface Area | <u>0</u> acres | <u>N.A.</u> acres |
| Unvegetated (Rock, earth or fill) | <u>0</u> acres | <u>N.A.</u> acres |
| Roads, buildings & other paved surfaces | <u>1.60</u> acres | <u>N.A.</u> acres |
| Other (Indicate type): <u>Lawn/Landscape</u> | <u>0.6</u> acres | <u>N.A.</u> acres |

3. What is predominant soil type(s) on project site? Uf - Udorthents - loamy (per West. Co. GIS data)

- a. Soil Drainage:
 Well drained 50% of site Moderately drained 50% of site Poorly drained _____% of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370)

4. Are there bedrock outcroppings on project site? Yes No
 a. What is depth to bedrock? greater than 3 feet (in feet)

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? _____ tons/cubic yards.
3. Will disturbed areas be reclaimed? Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed? _____
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? _____ acres.
5. Will any mature forest (over 100 years old) or other locally important vegetation be removed by this project? Yes No
6. If single phase project: Anticipated period of construction _____ months, (including demolition)
7. If multi-phased:
- a. Total number of phases anticipated _____ (number)
- b. Anticipated date of commencement Phase 1 _____ month _____ year. (Including demolition)
- c. Approximate completion date of final phase _____ month _____ year.
- d. Is Phase 1 functionally dependent on subsequent phase? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction _____ after project is complete _____
10. Number of jobs eliminated by this project _____
11. Will project require relocation of any projects or facilities? Yes No
If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
- b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
- a. If yes, what is the amount per month _____ tons.
- b. If yes, will an existing solid waste facility be used? Yes No
- c. If yes, give name _____; location _____
- d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
- e. If yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
- a. If yes, what is the anticipated rate of disposal? _____ tons/month.
- b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) _____
22. If water supply is from wells, indicate pumping capacity _____ gallons/minute.
23. Total anticipated water usage per day _____ gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If yes, explain _____

25. Approvals Required:

| | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Type | Submittal Date |
|-------------------------------------|---|-----------------------------|---------------------------------------|----------------|
| City Council | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Local Law Adoption | Pending |
| City Planning Commission | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Advisory Comment on Local Law | Pending |
| City Health Department | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Other Local Agencies | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Other Regional Agencies | <input type="checkbox"/> | <input type="checkbox"/> | | |
| State Agencies | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Federal Agencies | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Other: <u>West. County Planning</u> | <input type="checkbox"/> | <input type="checkbox"/> | Advisory Review per GML/WCAC Referral | Pending |

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
 If yes, indicate decision required:
 Resource Management Plan Zoning Variance Special Use Permit Subdivision
 New/Revision of Master Plan Zoning Amendment Site Plan Other _____
- What is the zoning classification(s) of the site? B-1, Neighborhood Business, District
- What is the maximum potential development of the site if developed as permitted by the present zoning?
Approximately 50,000 square feet (including 1.47-acre City Hall property at 1051 BPR, see attachment)
- What is the proposed zoning of the site? B-2, Central Business, District
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
Approximately 200,000 square feet (including 1.47-acre City Hall property at 1051 BPR, see attachment)
- Is the proposed action consistent with the recommended uses in adopted local land use plan? Yes No
- What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?
B-2 and B-1 Business Districts, RA-3 Multi-Family Districts, R-5, R-3 and R-2 Residence Districts
- Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? N.A.
 a. What is the minimum lot size proposed? _____
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?
 Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels?
 Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

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

Applicant/Sponsor Name _____

Date _____

Signature 

Title City Planner

Christian K. Miller, AICP

If the action is in the Coastal Area, and you are a State Agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 – PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- The **examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in Column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site, other examples and/or lower thresholds may be appropriate for a Potential Large Impact Response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in Part 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur, but threshold is lower than example, check column 1.
- d. Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in Part 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact, then consider the impact as potentially large and proceed to Part 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. No response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
 Yes No

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) Yes No

- Specific land forms: _____

| 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change |
|-------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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- Construction activity would excavate or compact the soil profile of agricultural land.
- The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The proposed action would disrupt or prevent installation of agricultural land management systems, (e.g. subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)
- Other impacts _____

IMPACT ON AESTHETIC RESOURCES

11. Will proposed action affect aesthetic resources? Yes No
(if necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts _____

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? Yes No

Examples that would apply to column 2

- Proposed action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts _____

IMPACT ON OPEN SPACE AND RECREATION

13.. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? Yes No

Examples that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts _____

| 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will proposed action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision NYCRR 617.14(g)? Yes No

List the environmental characteristics that caused the designation of the CEA:

Examples that would apply to column 2

- Proposed action to locate within the CEA?
- Proposed action will result in a reduction in the quantity of the resource?
- Proposed action will result in a reduction in the quality of the resource?
- Proposed action will impact the use, function or enjoyment of the resource?
- Other impacts _____

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems? Yes No

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts _____

IMPACT ON ENERGY

16. Will proposed action affect the community's sources of fuel or energy supply? Yes No

Examples that would apply to column 2

- Proposed action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- 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 major commercial or industrial use.
- Other impacts _____

| 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change |
|-------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

NOISE AND ODOR IMPACTS

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? Yes No

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed action will remove natural barriers that would act as a noise screen.
- Other impacts _____

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety? Yes No

Examples that would apply to column 2

- Proposed action may cause a risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed action may result in the burial of "hazardous wastes" in any form (i.e., toxic, poisonous, highly reactive, radioactive, irritating infectious, etc.)
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts _____

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will proposed action affect the character of the existing community?

Yes No

Examples that would apply to column 2

The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.

- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g., schools, police and fire, etc.)
- Proposed action will set an important precedent for future projects
- Proposed action will create or eliminate employment.
- Other impacts _____

| 1 Small to Moderate Impact | 2 Potential Large Impact | 3 Can Impact Be Mitigated By Project Change |
|-------------------------------|-----------------------------|--|
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
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20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? Yes No

If any action in Part 2 is identified as a potential large impact or if you cannot determine the magnitude of impact, proceed to Part 3.

PART 3 – EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions:

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- It's irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- It's potential divergence from local needs and goals
- Whether known objections to the project relate to this impact

(Continue on attachments)

ATTACHMENT TO FULL EAF

A local law to Amend the “Parking Districts Map” and the “Zoning Map of the City of Rye, New York” for the Purpose of Expanding the “A” Parking District and B-2 Central Business District

Description of the Proposed Action

The proposed action involves the adoption of a local law by the Rye City Council that would amend the City’s Parking Districts Map and Zoning Map for the purpose of expanding the “A” Parking District and B-2 Central Business District (CBD). The proposed action would change the zoning district designation of three contiguous properties located at 1051, 1037 and 1031 Boston Post Road (BPR). These properties have a combined area of approximately 2.3 acres and are currently located in the B-1 Neighborhood Business District. The proposed change would extend the immediately adjacent 27-acre B-2 CBD zoning district further south on the west side of Boston Post Road. The proposed action would also change the parking district designation of the 1031 BPR property from the “C” to “A” District (see Table 1 and map attached hereto).

TABLE 1
Summary of Zoning and Parking District Changes by Property

| Property | Size (acres) | Zoning District | | Parking District | |
|----------|--------------|-----------------|----------|------------------|-----------|
| | | Existing | Proposed | Existing | Proposed |
| 1051 BPR | 1.47 | B-1 | B-2 | “A” | No Change |
| 1037 BPR | 0.69 | B-1 | B-2 | “A” | No Change |
| 1031 BPR | 0.14 | B-1 | B-2 | “C” | “C” |

The proposed action would not change any of the permitted uses in B-2 District, except that properties having frontage on BPR would be permitted to have dwelling units on the first floor. Only the properties included as part of the proposed zoning district change would be impacted by this proposed amendment. Under the current B-2 District and “A” Parking District restrictions, dwelling units, banks, offices and agencies are not permitted on the first floor.

The proposed action does not include any specific development proposal. The proposed action would increase the range of uses and development potential of the three impacted properties. These changes are being made prior to the City Council’s anticipated listing-for-sale of the 1037 BPR property, which was acquired by the City in 2006. No sale or building changes are proposed for the City-owned 1051 BPR property. This property is currently used as the Rye City Hall, which property and building were gifted to the City approximately 50 years ago.

The City Council proposes this zoning change to increase re-development opportunities in the CBD consistent with City plans and planning policies and enhance the value of the 1037 BPR property prior to the City Council's contemplated sale.

Development Potential

The proposed action would expand the range of permitted uses and development potential of the properties subject to the proposed zoning district change. Table 2 provides a list of permitted uses and bulk standards of the existing B-1 and proposed B-2 Districts.

TABLE 2
Use and Bulk Restrictions in the B-1 and B-2 Districts

| | Existing B-1 District | Proposed B-2 District |
|-----------------------|--|---|
| Permitted Uses | One-Family Residence Two-Family Residence Second Floor Dwellings Retail Office Agency Lodging House Nursery School Religious Uses Service/Contractor Business Social Clubs Garage/Parking Lot | One-Family Residence Two-Family Residence Multi-Family (all floors) Retail Office* Agency* Lodging House Nursery School Religious Uses Service/Contractor Business Social Clubs Garage/Parking Lot Hotel (excluding motels) Bank* Restaurant Transportation Terminal |
| Max. Floor Area Ratio | 0.5 | 2.0 |
| Max. Building Height | 2.5 stories - 35 feet | 3.0 stories – 40 feet |

* Use is not permitted on the first floor of a building in the "A" Parking District.

Based on the gross land area of the 2.3 acres of property subject to the zoning district change total development would theoretically increase from 50,000 square feet permitted under the B-1 District to approximately 200,000 square feet under the B-2 District. Currently there is approximately 30,000 square feet of building floor area on the three properties including approximately 18,000 square feet at City Hall, 9,800 square feet of floor area at 1037 BPR and 2,400 square feet of floor area at 1031 BPR.

Achieving a full 200,000 square foot development potential, however is very remote. Most significantly, the sale, expansion or conversion of the 1.47-acre City Hall property is considered highly unlikely. If 1037 and 1031 BPR were redeveloped to their

theoretical maximum, their development potential would increase from approximately 18,100 square feet under existing zoning to approximately 72,000 square feet under proposed zoning. Actual development intensities would likely be less and would vary depending on the type or mix of uses.

Required parking also impacts maximum development potential. The City Hall and 1037 BPR properties are located in the "A" Parking District. Under the proposed action 1031 BPR would also be included in the "A" Parking District. Generally, the "A" District has a lower parking requirement for most uses. The existing "A" Parking District generally applies to properties having frontage on Purchase Street between 1037 BPR and the I-95 overpass. The City Council last amended the parking district map in 2006 to include the City Hall and 1037 BPR properties.

Consistency with Adopted Plans

The proposed expansion of the B-2 District would provide for increased development opportunities in the City's Central Business District. It would encourage the redevelopment of properties at development densities consistent with the mix of surrounding business, commercial, institutional and residential uses. The proposed action is consistent with the widely-accepted planning practice of encouraging redevelopment within a community's higher density commercial core¹. Future development would take advantage of access to existing pedestrian, vehicular and mass transit opportunities. The property is less than a half mile from the Metro-North Train Station and is within close walking distance to commercial uses and services thereby reducing the need for on-site parking. As discussed more fully below, the proposed action is also consistent with the local zoning and plans.

City Zoning Code

The proposed action is consistent with area uses, development patterns and zoning district designations. The proposed B-2 District is an extension of the immediately abutting B-2 District. The B-1 Neighborhood Business District is located south of the proposed rezoning area and is currently improved with a gas station to the south and a bank and funeral home to the southeast. RA-3 Apartment District zoning exists opposite the proposed rezoning area on the east side of BPR and to the southwest on the opposite side of Blind Brook. These areas permit multi-family residences at a density of up to 17.4 units per acre and are currently improved with a mix of garden style apartments, one-family, two-family and multi-family residences. West of the rezoning area is the R-5 Single-Family Residence District, which is currently improved with the YMCA and a single-family neighborhood on Mead Place with existing lots having an average lot size of 6,500 square feet (or 6.7 dwelling units to the acre). R-3 (14,520 square-foot minimum lot area) and R-2 (21,780 square-foot minimum lot area) One-Family Residence Districts are located on the east side of BPR.

¹ *Patterns for Westchester, the Land and the People, Policies and Strategies to Guide Land Use*, prepared by the Westchester County Planning Board (1996) recommends channeling development within existing centers (see p. 5).

City Development Plan (1985)

The City's *Development Plan* (hereinafter "Development Plan") was published in 1985, which includes a chapter and specific recommendations for the Central Business District. The goals and policies in the CBD Chapter of the plan seek to "maintain the present quality and character of the CBD...", "encourage street level retail uses...", "permit residential uses on the upper stories of the CBD buildings", "improve the parking facilities in the CBD..." and "...improve the general appearance of the CBD through the establishment of design standards..." (Development Plan, p. 19).

The Development Plan also includes specific recommendations including "...maintaining the present boundaries of the CBD...", "...reduce the permitted floor area in the CBD...", "...promoting non-retail commercial uses on the CBD's side streets, in order to most effectively reinforce the retail continuity of Purchase Street...", "prohibit ground floor office uses in the Purchase Street/Purdy Avenue core area..." (Development Plan, p. 24). In short, the Development Plan recommends preserving the character and business vitality of the CBD by restricting retail uses to the Purchase Street/Purdy core area and, to a lesser degree, limiting development opportunities and the boundaries of the CBD. The Development Plan recommends "...encouraging a tightly knit retail center and preserving the present scale of the area..."

Central Business District Plan (2007)

In 2007, the City completed the *Central Business District Plan* (hereinafter "CDB Plan"). The CBD Plan and Development Plan share similar visions of "... preserve[ing] and enhance[ing] the CBD's aesthetic quality and community character..." (CBD Plan, p. 5). As with the Development Plan, most of the recommendations of the CBD Plan focus on strategies to improve the economic vitality, urban design and parking management of the CBD. The CBD Plan does not specifically recommend expanding the B-2 District on the subject properties, but the proposed action, is clearly consistent with many of the planning concepts and development strategies recommended in the plan.

The CBD Plan, recommends slightly different strategies to advance similar goals considered in the Development Plan. The CBD Plan is considered more relevant since it is more reflective of current economic and business conditions, as well as the most recent consensus of community members who participated in the completion of the CBD Plan. Unlike the Development Plan, the CBD Plan recommends increasing development opportunities and expanding the CBD beyond the "Purchase Street/Purdy Avenue core area" as a means of preserving the economic vitality of the CBD and increasing convenience retail opportunities.

The CBD Plan recommends that the City could attract convenience retail to the CBD by expanding retail opportunities on side streets. Existing rents are high on Purchase Street making it difficult for convenience retailers to compete with other uses (such as restaurants and until recently banks) that can afford higher rents. Parking requirements are high and development opportunities are limited on side streets (i.e. outside the "A"

Parking District) making these locations less viable for retail uses. Limiting retail to Purchase Street through zoning regulation as recommended in the Development Plan may actually be counter-productive given the current economic and rent characteristics of Purchase Street. As noted in the CBD Plan “[a]s rents are the product of supply and demand, they are not likely to change or reflect greater diversity in range without a significant increase in inventory (i.e., growing downtown).” (CBD Plan, p.9). Expanding the B-2 District and “A” Parking District will expand retail and business opportunities consistent with the findings of the CBD Plan.

The CBD Plan also discusses creating additional development opportunities by expanding the CBD as a potential strategy to attract a new retail opportunities. The CBD Plan differs from the containment policies identified in the Development Plan as follows:

Although Rye has traditionally been anti-commercial/retail sprawl beyond the bounds of the Purchase Street core, increasing the inventory of retail space in downtown is one way to support the attraction of a major convenience retailer. (CBD Plan, p. 10).

The CBD Plan also suggests allowing higher density mixed-use zoning on suitably sized properties as a strategy to induce the type and scale of development that could attract convenience retail. The plan notes that “[a] convenience retailer will come to Rye provided there is a viable space with low enough rent being offered (i.e. mid-\$20 per square foot). But, such space is not currently available in the CBD. In order to ensure these rents, the City would need to incentivize a developer to offer lower rents by providing a cross-subsidy through luxury upstairs housing...”. The proposed change in zoning to the B-2 District on the 1037 and 1031 BPR properties would advance this recommendation of the CBD Plan. This type of mixed-use, higher density zoning is not possible under the existing B-1 District.

The CBD Plan also recommends expanding housing and office space in the CBD. Office space brings “[d]owntown workers [that] contribute to downtown spending, particularly lunch hour traffic at restaurants and stores.” (CBD Plan, p.13). The plan acknowledges however that “[c]onsidering the anticipated parking and retail impact of such development, downtown housing would be the preferred strategy over office.” The proposed zoning district change advances these recommendations. Current B-1 District zoning does not permit multi-family housing, though it does permit second floor apartments over stores, office and other principally permitted uses. The proposed B-2 District would enhance development potential of the site for office, multi-family and mixed-use development. The proposed action would amend the City Zoning Code to allow for residential uses on the first floor, which would increase potential for future residential development. The CBD plan encourages expanding downtown housing opportunities since “[d]owntown residents help to define and shape the street-life of a downtown.”

Police and Court Feasibility Study (2009)

At the time of the City's acquisition of 1037 BPR in 2006, the City contemplated potentially using the site for the construction of a police/court facility. The four-year lease/purchase agreement to acquire the property offered the City flexibility and time to evaluate the site and potential municipal use. The adjacency of the site to City Hall gave the City some potential synergies that other potential buyers did not have.

Since the acquisition of the property, the City has not identified any specific municipal use that is needed or any municipal use that can be cost-effectively implemented. Most significantly, the City commissioned the *Police and Court Feasibility Study* in 2009 prepared by JCJ Architecture. That study evaluated the feasibility of using 1037 and 1031 BPR properties and other alternative locations including redevelopment of the existing police/court property. The JCJ study noted concerns with the 1037 and 1031 BPR properties. The flood zone located on the rear of the site would create operational and construction complications for an emergency service use. In addition, the site would not have adequate parking to service the new police/court building and the adjacent Rye City Hall and Rye Free Reading Room.

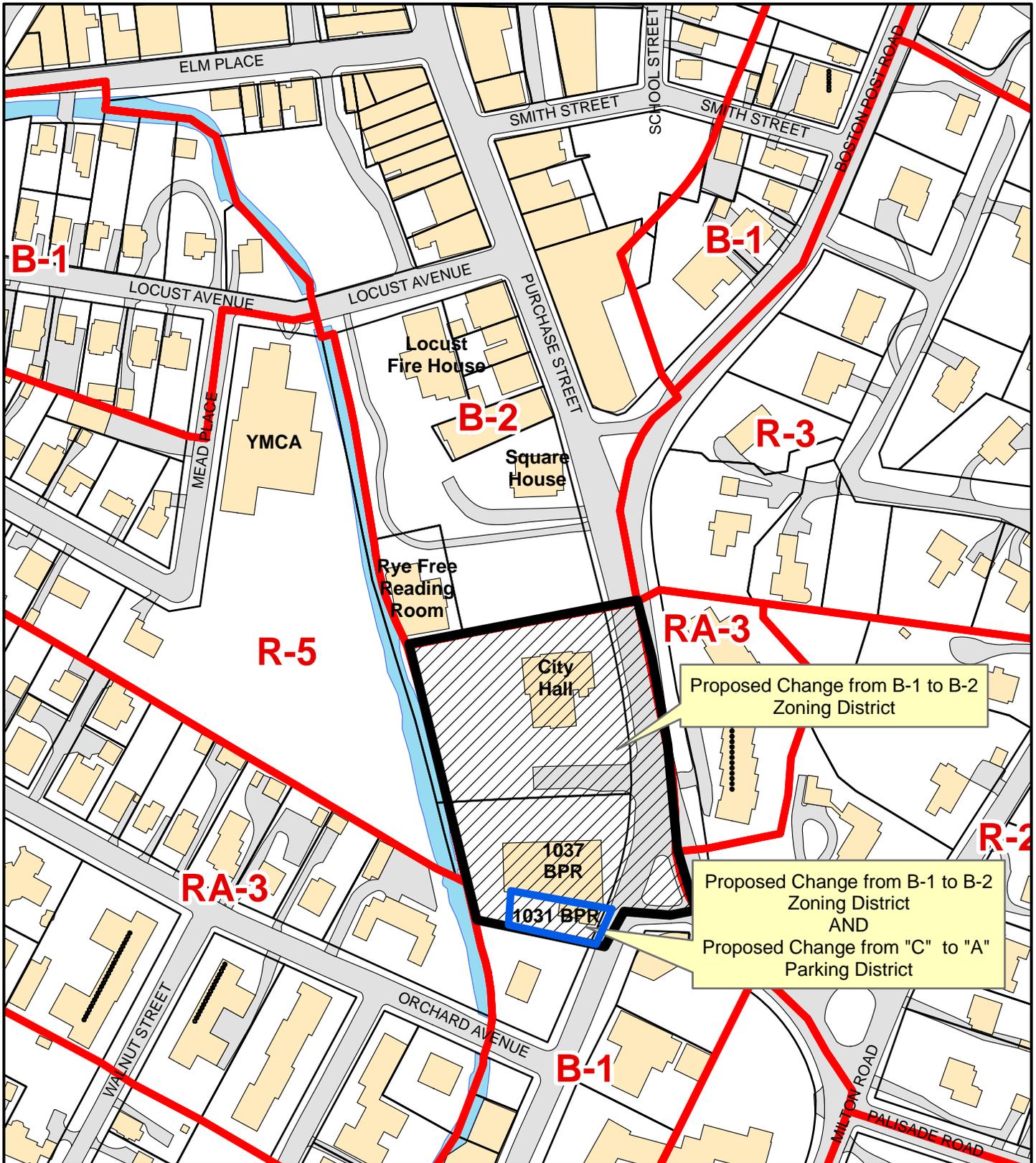
The JCJ study noted that there was greater feasibility of constructing a new police/court facility at the existing police/court location. All alternatives identified a project cost of approximately \$20 Million, which is significantly greater than the City is prepared to spend for the foreseeable future. Since 1037 BPR is not considered a feasible or cost-effective site for a police/court facility or other municipal use the sale of the property will not jeopardize the City's long term needs.

Evaluation of Impacts

The proposed action is a legislative change in the City Zoning Code and does not involve any specific development proposal. The proposed action would increase the range of uses and development potential of the three impacted properties. These changes are being made prior to the City Council's anticipated listing-for-sale of the 1037 BPR property, which was acquired by the City in 2006. No sale or building changes are proposed for the City-owned 1051 BPR City Hall property. This property is currently used as the Rye City Hall, which property and building were gifted to the City approximately 50 years ago. Redevelopment of the City Hall property for private use is considered highly unlikely.

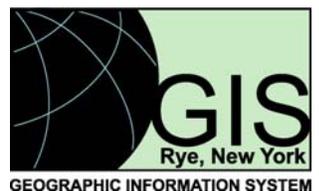
At such time that a specific development proposal is presented a separate environmental review will be required. Potential environmental impacts will vary depending on the specifically proposed use and development intensity.

City of Rye, New York



Proposed Changes in the CBD Zoning and Parking Districts

-  Zoning District Boundary
-  Property Boundary (Approx.)



Last Revised: 5/10/11



CITY COUNCIL AGENDA

NO. 10

DEPT.: City Council

DATE: August 10, 2011

CONTACT: Councilwoman Suzanna Keith

AGENDA ITEM: Discussion on the City of Rye *No Distracted Driving Pledge* for Traffic and Pedestrian Safety.

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council discuss the approval of the Distracted Driving Pledge.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND

Goal: our goal is to have the City Council, City Staff, and If possible the Rye Board of Education sign a Rye Community Safety Pledge as part of the Safe Routes Community outreach program. This idea was discussed during the Rye Y's Distracted Driving Seminar in late spring. Our pledge is based upon the Oprah No Phone Zone pledge which has been signed by over 423,000 people nationwide.

Background: distracted driving is thought to be the cause of 80% of all car crashes. A recent survey found that 71% of people between the ages of 18 and 49 admit they text or talk on the phone while they drive. The goal of the *No Distracted Driving Pledge* is to raise awareness of the issue and prevent unsafe driving.

See attached.

DRAFT

Rye Recommended Community Safety Pledge

I pledge to make my car a No Phone Zone. Beginning right now, I will do my part to help put an end to distracted driving by pledging the safest driving behavior. I commit to (choose one):

___ I will not text while I am driving

___ I will not text while driving and will use only hands free calling if I need to speak on the phone while I am driving.

___ I will not text or use my phone while I am driving. If I need to use my phone, I will pull over to the side of the road.

I will ask other drivers I know to do their part to end distracted driving. I pledge to make a difference.

Also I pledge not to walk distracted around City streets especially when walking in a cross walk (no texting — be alert) so I can be aware of other pedestrians and traffic.

Signature: _____

Name: _____

Date: _____



CITY COUNCIL AGENDA

NO. 12

DEPT.: City Manager

DATE: August 10, 2011

CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Authorization for the City Manager to enter into an Intermunicipal Agreement with the County of Westchester Department of Transportation for Provision of Bus Shelters.

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Mayor and Council authorize the City Manager to enter into the agreement.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Westchester County provides and maintains bus passenger shelters at various locations within the County pursuant to a License Agreement between the County and Clear Channel Outdoor Inc. The County requires the City enter into an IMA with the County for the bus passenger shelter located at the Rye Train Station. The Agreement is for a five-year period commencing April 1, 2011 through March 31, 2016.



Robert P. Astorino
County Executive

Department of Public Works and Transportation

John J. Hsu, P.E.
Commissioner

July 11, 2011

The City of Rye
Hon. Douglas H. French
1051 Boston Post Rd.
Rye, NY 10580

Re: Intermunicipal Agreement for County Bus Shelters

Dear Mayor French,

Westchester County's Department of Public Works and Transportation is in the process of entering into a license agreement with Clear Channel Outdoor, Inc. to continue to operate and maintain the County's 315 bus shelters. This new license represents an increase in revenue for the County and your municipality, as well as, improvements for our Bee-Line ridership by replacing fifty (50) old shelters with new ones and adding twenty-five (25) shelters at new locations over the next five years. These shelters will include benches and waste receptacles for the comfort of the County's Bee-Line riders.

We are sending you the Intermunicipal Agreement for your review and signature to continue successful relationship in serving your municipality's transit passengers. If you have any questions regarding the County's Bus Shelter program or the Intermunicipal Agreement, please contact me at:

Westchester County Department of Public Works and Transportation
100 East First Street
Mount Vernon, New York 10550
(914) 813-7746
Rge1@westchestergov.com

Sincerely,

Robert G Essick
Program Administrator
Westchester County Department of Public Works and Transportation



The Bee-Line System
County Airport (HPN)
100 East First Street
Mount Vernon, New York 10550

Telephone: (914) 813-7700 Fax: (914) 813-7712 Website: transportation.westchestergov.com

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT entered into this ___ day of _____, 20__ by and between

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine-Avenue, White Plains, New York 10601 (the "County")

and

THE CITY OF RYE, a municipal corporation of the State of New York, having an office and place of business at 1051 Boston Post Rd. Rye NY 10580 (the "Cooperating Municipality")

W I T N E S S E T H:

WHEREAS, the County has entered into a License Agreement with a private franchisee to construct, operate and maintain bus passenger shelters at various locations within the County as well as provide advertising on bus shelters; and

WHEREAS, the Cooperating Municipality is desirous of having the County provide bus passenger shelters within the Cooperating Municipality pursuant to said License Agreement for the comfort and benefit of its citizens.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

FIRST: The County is hereby authorized to provide and maintain shelters pursuant to a License Agreement between the County and Clear Channel Outdoor, Inc., or its successors at locations within the Cooperating Municipality, all as shown on Attachment "A" attached hereto and made a part hereof. The Cooperating Municipality warrants and guarantees to the County and its Licensee that all sites shown on Attachment "A" have been reviewed by the Cooperating Municipality and that each and every site conforms with traffic and safety standards, with all local, state and federal laws, rules and regulations, and

that it is either wholly contained on a public right-of-way or the appropriate easement has been requested and granted, and a private property release is on file with the Westchester County Department of Transportation. The Cooperating Municipality further certifies and guarantees that the sites designated on Attachment "A" are legally designated bus stop locations or that the sites will be so designated prior to installation of new bus passenger shelters. If such designation is the responsibility of a governmental agency other than the Cooperating Municipality, the Cooperating Municipality will use its best efforts to obtain such designation.

Attachment "A" shall consist of:

1. A list of all bus shelters built under the County Bus Shelter Program located in the Cooperating Municipality.
2. A list of all necessary permits and the name of the municipal official who should be contacted. As the bus shelters are going to be provided as a municipal service, all permit fees shall be waived.

The Cooperating Municipality shall have the opportunity to request additional bus passenger shelters other than those in Attachment A. Requests shall be made to the Westchester County Department of Public Works and Transportation. The County will provide shelters to cooperating municipalities, as they are available based upon the terms of License Agreement. They will be installed according to site suitability and passenger usage.

SECOND: The term of this Agreement shall be for five (5) years commencing on April 1, 2011 and expiring on March 31, 2016, which term coincides with the expiration of the License Agreement with Clear Channel Outdoor, Inc.. A copy of the License Agreement is on file with the Westchester County Department of Public Works and Transportation ("WCDPWT") and may be examined by an authorized representative of the Cooperating Municipality upon reasonable notice to the County. This Agreement shall

encompass presently existing bus passenger shelters and those constructed pursuant to the License Agreement.

THIRD: The design and installation of any bus passenger, shelters to be erected within the Cooperating Municipality shall be similar to, but may vary in details from the design drawings entitled "Westchester County Bus Shelter Detail" and dated August 5, 2010, copies of which are on file with the Cooperating Municipality and the County (hereinafter the "Design Drawings"). In no event, however, shall the size and illumination of the advertising signs vary from those shown in the Design Drawings without prior approval of the Cooperating Municipality.

FOURTH: After the County has deducted \$95,000 annually, for administrative expenses, the remaining revenue received by the County from the Licensee shall be divided between the County and the Cooperating Municipalities on a 50/50 ratio. The share of the revenue due the Cooperating Municipality will be determined by the ratio of that number of shelters operated by the Licensee and producing revenue in the Cooperating Municipality to the total County-wide number of shelters operated under the License Agreement during one annual payment period. Payment will be made by the County to the Cooperating Municipality in June 15th of each year of this Agreement, beginning on June 15th, 2012.

FIFTH: The Licensee of the County shall be required to hold harmless and defend the Cooperating Municipality and its employees, officers and agents from all claims, suits and actions arising from the construction and maintenance of the shelters.

SIXTH: All advertising to be displayed on the bus passenger shelters will be submitted to the County Commissioner of Department of Public Works and Transportation for approval. The Cooperating Municipality agrees that this approval shall be sufficient approval for the display of such advertising within the Cooperating Municipality. The County agrees that no political or religious advertising shall be allowed. The County

further agrees that no advertising for tobacco products will be allowed, nor shall the County accept any advertising which does not meet reasonable standards of good taste.

SEVENTH: The Licensee of the County shall be required to maintain all shelters in good condition. They shall clean each shelter on a regular basis, and shall be required to repair any damaged shelter.

EIGHTH: The Cooperating Municipality shall not enter into bus shelter advertising programs on its own. The Cooperating Municipality shall waive all municipal fees for the bus shelters.

NINTH: If during the term of this Agreement any bus passenger shelter is required to be removed or relocated for any reason at the request of the Cooperating Municipality, said removal or relocation shall be done only by the County's Licensee, at the sole cost and expense of the Cooperating Municipality.

TENTH: This Agreement and its attachments constitute the entire Agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

ELEVENTH: This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

TWELFTH: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

THIRTEENTH: In the event of any conflict between the terms of this Agreement and those of its attachments, the terms of the Agreement shall control.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in triplicate.

THE COUNTY OF WESTCHESTER

By: _____
John J. Hsu
Commissioner of Public Works And
Transportation

COOPERATING MUNICIPALITY

By: _____
(Name & Title)

Authorized by the Board of Legislators of the County of Westchester pursuant to Act No. 62 - 2011 adopted on the 9th day of May, 2011.

Authorized by the Board of Acquisition and Contract of the County of Westchester on the 30th day of June, 2011.

Authorized by the governing board of the Cooperating Municipality on the ___ day of _____, 20__.

Approved as to form
and manner of execution:

Assistant County Attorney
County of Westchester
S/I/DTR/83534/Bus Shelter IMA

Attachment "A"
BUS SHELTERS

| <u>COMMUNITY</u> | <u>#</u> | <u>LOCATION</u> | <u>DESCRIPTION</u> |
|-------------------------|-----------------|------------------------|---------------------------|
| Rye | 01 | Rye Railroad Station | |

List of all permits required:

Name of contact and title for permit applications:



CITY COUNCIL AGENDA

NO. 13

DEPT.: Rye Cable Television

DATE: August 10, 2011

CONTACT: Nicole Levitsky, Access Coordinator

AGENDA ITEM: Authorization for transfer of \$15,600 from RCTV fund balance to RCTV budget for Engineering Consultants.

FOR THE MEETING OF:
August 10, 2011

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That Council allow the transfer of funds from RCTV Fund balance for studio design engineering consultants.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The video engineers from HB Communications, Inc. will work with RTV staff and the architect to design a proposed TV studio in City Hall. HB Communications, Inc. previously collaborated on the RTV studio located in the Rye City School District High School.



CITY COUNCIL AGENDA

NO. 14

DEPT.: FINANCE

DATE: August 10, 2011

CONTACT: JOSEPH S. FAZZINO, Deputy Comptroller

ACTION: To adopt 2011/2012 tax levy and tax rate for the Rye Neck Union Free School District.

FOR THE MEETING OF:

August 10, 2011

RYE CITY CODE:

§C22-9(A)

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, the Rye Neck Union Free School District (District) will certify to the City of Rye Comptroller taxes to be raised on property within the District located in the City of Rye, with established tax rates on homestead property and non-homestead property, for the fiscal year beginning July 1, 2011 and ending June 30, 2012, now, therefore, be it

RESOLVED, that in accordance with the provisions of the City Charter, the City Comptroller is commanded to levy and collect said taxes, subject to any further amendments or approvals required by the Rye Neck Union Free School District.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

At the present time The Rye Neck Union Free School District has not yet provided the City with the allocation of the tax levy and tax rates for the Town of Rye and City of Rye. A portion of the City's share of the tax levy is attributable to STAR exemptions, which will be paid by the State to the district. The levy and rates are subject to adoption by the District at their next Board of Education meeting.



CITY COUNCIL AGENDA

NO. 14A

DEPT.: City Manager

DATE: August 10, 2011

CONTACT: Scott D. Pickup, City Manager

AGENDA ITEM: Resolution declaring certain City of Rye equipment and vehicles as surplus.

FOR THE MEETING OF:

August 10, 2011

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 and vehicles identified as being obsolete or will become obsolete during 2011, and,

Whereas, these Departments have recommended that said equipment and vehicles be declared surplus, now, therefore, be it

Resolved that said equipment and vehicles are declared surplus, and, be it further

Resolved, that authorization is given to the City Comptroller to sell or dispose of said equipment and vehicles in a manner that will serve in the best interests of the City.

IMPACT: Environmental Fiscal Neighborhood Other

BACKGROUND: The following Departments have provided a list of equipment and vehicles that are either currently obsolete or will become obsolete during calendar year 2011.

Police Department: vehicles

Fire Department: equipment

Rye Golf Club: vehicles

Department of Public Works: sweeper

See attached.

CITY OF RYE, NY
Department of Public Works
Memorandum

DATE: August 8, 2011
TO: Scott Pickup, City Manager
FROM: William Micalizzi, Garage Foreman
RE: Surplus Vehicles

Here is a list of surplus vehicles:

- 1996 Ford Pickup F150, Vin # 1FTEF14N4TLB18619, Mileage 74,383 (RGC)
- 1995 Tynco 4700, Vin # 1HTSCABN1SH634178, Mileage 50,868 (sweeper)
- 1999 Ford Crown Vic, Vin # 2FAFP71W9XX185748, Mileage 60,105 (old car 29 PEO)
- 2007 Ford Crown Vic, Vin # 2FAHP71W77X114301, Mileage 74,617 (old PD car 16)
- 2008 Ford Crown Vic, Vin # 2FAHP71V38X131105, Mileage 68,963 (old PD car 10)
- 2009 Ford Crown Vic, Vin # 2FAFP71VX9X103870, Mileage 71,356 (old PD car 11)
- 1999 Cadillac Deville, Vin # 1G6KF5493XU795211, Mileage 133,466 (undercover car)
- 2002 GEM (electric), Vin # 5ASAJ27462F021226 (police dept.)
- Miscellaneous: radio equipment, Gas Detectors, pagers & chargers (Fire Department)

Any questions please do not hesitate to contact me.

William Micalizzi
Garage Foreman



Public Works
141 Oakland Beach Avenue
Rye, NY 10580

(914) 967-7464 phone

(914) 967-4107 fax



CITY COUNCIL AGENDA

NO. 15 DEPT.: City Council DATE: August 10, 2011
CONTACT: Mayor French

| | |
|---|--|
| AGENDA ITEM: Two appointments to the Rye Cable and Communications Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval. | FOR THE MEETING OF: August 10, 2011 RYE CITY CODE, CHAPTER SECTION |
|---|--|

RECOMMENDATION: That the Council approve the appointment of Suzy Allman and Paula Fung.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Committee may have 9 members. Current Committee Members include:

| <u>Committee Member</u> | <u>Term Expiration Date</u> |
|-----------------------------------|-----------------------------|
| Kate Conn | 1-1-14 |
| Mark DelliColli | 1-1-14 |
| Mary Ellen Doran | 1-1-13 |
| Stephen Fairchild, Chair | 1-1-13 |
| Ken Knowles | 1-1-13 |
| Susan Olson | 1-1-14 |
| Lisa Tidball (*non-voting member) | 1-1-14 |



CITY COUNCIL AGENDA

NO. 16

DEPT.: City Manager's Office

DATE: August 10, 2011

CONTACT: Scott D. Pickup, City Manager

AGENDA ITEM: Consideration of request to close a section of Purchase Street on Sunday, October 23, 2011 (rain date October 30), for events to be held in conjunction with the 59th Annual Halloween Window Painting Contest.

FOR THE MEETING OF:

August 10, 2011

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the City Council approve the request.

IMPACT: Environmental Fiscal Neighborhood Other:

Closing a section of Purchase Street for activities related to the Halloween Window Painting Contest will have minimal effect on the area.

BACKGROUND: The City Manager's Office received a request from the Recreation Department asking that Purchase Street, from Locust to Chase Manhattan Bank, be closed from 8:00 am to 3:00 pm for the Annual Halloween Window Painting Contest. Special activities, including street entertainment from 10:00 am to 2:30 pm have been planned on Purchase Street during the day.

INTEROFFICE MEMORANDUM

TO: SCOTT PICKUP, CITY MANAGER
FROM: ERIN RIEDEL, SR. RECREATION LEADER
SUBJECT: HALLOWEEN WINDOW PAINTING 2011
DATE: AUGUST 5, 2011
CC: SALLY ROGOL, SUPERINTENDENT

Rye Recreation would like to request closing of Purchase Street for the 59th Annual Celebration of the Halloween Window Painting Event. This year's event will take place on Sunday, October 23, 2011 with a rain date of Sunday, October 30, 2011.

- Closing of Purchase Street from the Square House (Boston Post Road) to Chase Manhattan Bank (Purdy Ave) from 8:00 – 3:00 p.m. This will provide a safe place for the more than 1,200 youngsters and their families who participate in this event throughout the day.
- The closing of the street will be coordinated with the Rye Police Department so that all safety issues are taken into account. Rye/Port Chester EMS will be on stand-by during the day as well.
- On street entertainment will be performed between 10:00 – 2:30 p.m.

If you have any questions or concerns, please let me know.

Erin Riedel
Sr. Recreation Leader
967-2482
eriedel@ryeny.gov