CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, May 21, 2014, at 7:30 p.m. in Council Chambers at City Hall. *The Council will convene at 7:00 p.m. and it is expected they will adjourn into Executive Session at 7:01 p.m. to discuss litigation and attorney client matters.*

AMENDED AGENDA

1. Pledge of Allegiance.

2. Roll Call.

3. General Announcements.

3A. Approval of the election of one new member to the Rye Fire Department.

4. Draft unapproved informal minutes of the Joint Meeting of the City Council and Board of Education held April 5, 2014 and the minutes of the regular meeting of the City Council held May 7, 2014.

5. Issues Update/Old Business.

6. Consideration of a Memorandum of Agreement between the City of Rye and the Rye Police Association of the City of Rye, Inc. for 2011-2015.
   Roll Call.

7. Consideration of Stipulation of Settlement between the City of Rye and the Rye Police Association of the City of Rye, Inc.
   Roll Call.

8. Continuation of the Public Hearing to change the zoning designation of County-owned property located on Theodore Avenue and North Street to the RA-5 District to provide for the construction of affordable senior housing.

9. Consideration to set a Public Hearing to amend local law Chapter 191, Vehicles and Traffic, of the Rye City Code by amending Section §191-19, "No parking any time" to prohibit parking on the north side of Mead Place; and Section §191-19-1, "Parking prohibited certain hours" to remove the restriction of no parking on Mead Place Monday through Saturday from 7:00 a.m. to 6:00 p.m.

10. Residents may be heard on matters for Council consideration that do not appear on the agenda.

11. Resolution to transfer $100,000 from the Contingency account to fund legal services.

~~12. Discussion of the recommendation by the Traffic and Pedestrian Safety Committee that a Pilot Study be conducted to test the effect of reducing the speed limit to 25 miles per hour on Stuyvesant Avenue.~~ **Deferred to June 11, 2014 meeting**

13. Consideration of a request by the Rye Chamber of Commerce for the use of City streets for the Annual Sidewalk Sale to be held on Thursday, July 24, 2014 through Saturday, July 26, 2014 from 9:00 a.m. to 5:00 p.m.

14. Miscellaneous communications and reports.

15. New Business.

16. Adjournment.

* *

The next regular meeting of the City Council will be held on Wednesday, June 11, 2014 at 7:30 p.m.

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

* Office Hours of the Mayor by appointment by emailing jsack@ryeny.gov or contacting the City Manager’s Office at (914) 967-7404.

CITY COUNCIL AGENDA

NO. 3A DEPT.: Fire Department DATE: May 21, 2014

CONTACT: Chief Peter Cotter

AGENDA ITEM: Approval of the election of one new member to the Rye Fire Department.

FOR THE MEETING OF:
May 21, 2014

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council approve the election of John Lawlor to the Fire Police Patrol Company.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: The Board of Fire Wardens has advised that John Lawlor was elected into membership to the Fire Police Patrol Company of the Rye Fire Department and was approved by the Fire Wardens at their May 6, 2014 meeting.

See attached.

Dear City of Rye City Council Members,

On May 06, 2014 John Lawlor was voted into the Fire Police Patrol Company of the Rye Fire Department. He was sponsored by Captain Robert Martin. His application, physical, arson report, and background check were all completed and have been approved by the Board of Wardens. John currently lives at 6 Adelaide Street, with a positive attitude and a desire to give back to the community. The City of Rye Fire Department believes he would be a great addition to the membership. If there are any questions, please feel free to contact me. Thank you.

Very Respectfully,
Captain Dan Bochicchio
Department Secretary Rye Fire Dept.

CITY COUNCIL AGENDA

NO. 4 DEPT.: City Clerk DATE: May 21, 2014

CONTACT: Dawn Nodarse

AGENDA ITEM Draft unapproved informal minutes of the Joint Meeting of the City Council and Board of Education held April 5, 2014 and the minutes of the regular meeting of the City Council held May 7, 2014, as attached.

FOR THE MEETING OF:
May 21, 2014

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND: Approve the minutes of the Joint Meeting of the City Council and Board of Education held April 5, 2014, and the regular meeting of the City Council held May 7, 2014, as attached.

DRAFT UNAPPROVED MINUTES of the Joint Meeting of the City Council of the City of Rye and the Rye City School Board held in City Hall on April 5, 2014 at 9:00 A.M.

PRESENT:

JOSEPH A. SACK Mayor
LAURA BRETT
KIRSTIN BUCCI
TERRENCE McCARTNEY
RICHARD MECCA
RICHARD SLACK
Councilmembers

LAURA SLACK, President
KAREN BELANGER
KATY KEOHANE GLASSBERG
NANCY PASQUALE
CHRIS REPETTO
NICOLE WEBER
School Board Members

SCOTT PICKUP, City Manager
GABRIELLA O'CONNOR, Assistant Superintendent for Business
BETTY ANN WYKS, Assistant Superintendent for Curriculum

ABSENT: JULIE KILLIAN, Councilmember
EDWARD FOX, Board Member

The meeting convened at 9:00 a.m. Councilman Mecca made a motion, seconded by Councilwoman Brett and unanimously carried, to immediately adjourn into executive session to discuss attorney/client matters. Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn the executive session at 9:55 a.m. The joint meeting convened at 10:00 a.m.

1. Pledge of Allegiance

Mayor Sack called the meeting to order and invited everyone to join in the Pledge of Allegiance.

2. Roll Call

Mayor Sack asked the City Clerk to call the roll; a quorum of both boards was present to conduct business.

3. Progress of 2013 Joint Meeting

Board President Slack said the School Board was grateful to the City for the additional crossing guards and Mayor Sack said there has been a suggestion to have bi-annual meetings of the two boards.

4. State of the City of Rye Report

Mayor Sack said there are many issues that demand the attention of the City but noted several that are currently top priorities:

- Playland – The SPI Plan has been presented to the County Board of Legislators for approval. The City believes that the project should come before the City's Land Use Boards for approval in order to make sure that all issues of concern to Rye residents are vetted and dealt with.
- Police Commissioner Search – The Council must determine if they want a Police Commissioner or a Public Safety Commissioner prior to going forward with the search.
- Labor Contracts – The Police Arbitration Award only covered through 2010. The Council is formulating a bargaining strategy for the current open contracts and hopes to have positive discussions within the next few weeks.
- Affordable Housing – The City wants to make sure the parcel in question is an environmentally safe place for people to live and they also want to consider the points of view of the neighbors. In order to go forward there must be both a zoning change and site plan approval.
- Whitby Castle - A committee made up of members of the Golf Commission, City Council and other interested citizens has been reviewing RFP submissions and is getting closer to making a decision on what will be done with Whitby Castle. In the interim an agreement has been entered into for operation of the snack bar. A new General Manager has been hired.

5. State of the School's Report

Assistant Superintendent for Curriculum Betty Ann Wyks spoke about the strategic priorities the School District is dealing with including:

- Student Achievement – The District is: implementing the Common Core (the current fourth grade class will be the first class held to the Common Core college and career readiness standards at high school graduation); implementing curriculum revisions; implementing their approach to remediation intervention; offering 23 different AP exams to students; and, expanding elective offerings at the high school and middle school. Information was provided regarding standardized test results; students receiving special recognition; and, students taking multiple AP examinations.
- Teacher Training – The District has been focusing on teacher effectiveness and training. Information was provided on various programs that are being offered for teachers.

- Quality of Care – The District has policies and practices in place that support positive behavior among students, and character education programs are in place in the schools.
- Fiscal responsibility – The District: has implemented programs to track staff attendance; is looking for staffing efficiencies in order to obtain the most effective use of staff time; proposed a budget with a 1.64% increase; is trying to maintain technology initiatives; and, has created a Tax Cap Task Force, to help with advocacy efforts.
- Facility needs - The District is: allocating money for building needs; looking to hire additional staff when the construction is completed; and, providing for custodial services. The construction project is on track to be completed by the opening of school in September.
- Community Engagement – The District is concerned with student data privacy; and, is implementing additional technology to improve communication with the community.
- Staffing – Several upcoming retirements have or will be announced.

6. Security Discussion with regard to the Rye City School District

Board President Slack said that the School District has been implementing recommendations suggested by a Security Consultant that was hired last year. Additional security was hired for the high school/middle school and elementary schools and another person will be hired for the high school/middle school after the construction is completed. She said the additional crossing guards hired by the City are making a big difference and reiterated a previous request for an additional police presence to drive by the schools at arrival and dismissal time. A request was also made that when a new Police Commissioner is appointed, a meeting should be set up with representatives of the schools.

7. Discussion of Pedestrian Safety initiatives: Safe Routes to School projects

City Manager Pickup provided the boards with two renditions of the high school/middle school property, one showing the current entrance/exits on Milton Road and the second showing a proposed change. He said there are opportunities with the current construction to address issues at the busy intersections near the high school/middle school that could free up some of the traffic congestion. Meetings have been held with representatives of the City, the School Administration and the Traffic and Pedestrian Safety Committee. There is money in the City budget for these improvements and final plans are being worked on so the project could go out to bid and the improvements be completed in time for the opening of school in September.

8. Discussion of Revaluation and the scheduling of a September meeting between the City Council and the Board of Education

Mayor Sack said that the City Council is ready to reconsider the subject of revaluation and presented pros and cons of the issue. A positive is that a revaluation could bring more equality and might reduce tax certs. The negatives are: the cost of a revaluation would be about

$1 million; and it would not generate additional revenue but would just redistribute the revenue with 1/3 of properties decreasing, 1/3 remaining flat, and 1/3 increasing in valuation.

The boards will look at finding a date early in October for a second meeting.

9. Discussion of the Civility Initiative

Kristin Jaust and Shari Belaish, representing The Rye Youth Council, provided an overview of what led up to the creation of the Civility Statement, which has now been endorsed by 68 organizations in the City of Rye. They then explained that the Rye Civility Initiative has been created as the next step in the movement to empower people to live by principles of civility and create a public forum for them. The co-leaders of this initiative are the Rye Youth Council, the Rye YMCA and the Rye Arts Center. The website is www.civilityinitiative.org.

10. Adjournment

There being no further business to discuss Councilman Mecca made a motion, seconded by Councilwoman Brett and unanimously carried, to adjourn the joint meeting and for the City Council to adjourn into executive session to discuss personnel and not return at 10:55 a.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk

DRAFT UNAPPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on May 7, 2014 at 7:30 P.M.

PRESENT:

JOSEPH A. SACK Mayor
LAURA BRETT
KIRSTIN BUCCI (not at Square House portion of meeting)
JULIE KILLIAN
TERRENCE McCARTNEY
RICHARD MECCA
RICHARD SLACK
Councilmembers

ABSENT: None

Sheri Jordan, Director of the Rye Historical Society, welcomed everyone and said it was wonderful to have the ceremonial meeting in the old Council Room. She noted that former Mayor Granger, who is present this evening, was Mayor when the Council meetings were still held in this building.

Mayor Sack noted that the City Hall was in the Square House from 1904 until 1964 when the current City Hall was opened. He said he has heard that there is a requirement in the deed for the Square House that public meetings must be conducted there, which is a possible reason for this annual event. He called the event a "reunion" for all those who have served the City of Rye.

City Manager Culross acknowledged department heads, many of whom were in attendance, as a way of acknowledging the work of all City employees:

James Buonaiuto	Golf Club General Manager
Ryan Coyne	City Engineer
Kerry Donahue	IT Coordinator
Maureen Eckman	Building Inspector
Robert Falk	Acting Police Commissioner
Joseph Fazzino	Deputy Comptroller
Scott Fontecchio	General Foreman DPW
Peter Fox	Boat Basin Supervisor
Nicole Levitsky	Cable Access Coordinator
Eleanor Militana	Assistant to City Manager
Christian Miller	City Planner
Dawn Nodarse	City Clerk
Sally Rogol	Superintendent of Recreation
Kurt Tietjen	Fire Lieutenant
Noreen Whitty	City Assessor
Kristin Wilson	Corporation Counsel

Mr. Culross also acknowledged the Volunteer Fire Chiefs, Peter Cotter, Michael Billington and Richard Barber.

Mayor Sack said that serving requires sacrifice, but it is an honor and privilege. Councilwoman Brett said she draws inspiration and fortitude from this meeting and the many people in the room who have served the City. Councilwoman Killian said she was honored to be on the Council and in the room with others who have served and offered her appreciation to the volunteers and City staff. Councilman McCartney said that being on the Council is a learning process and thanked the former members for their service and mentoring and added that people serve because they love Rye. Councilman Slack said it was a privilege to serve on the City Council and that he was influenced to serve by seeing the generosity of service of people in the community. Councilman Mecca said and that he has served with many of the people in the room on various Boards and Commissions and that Rye is lucky to have people who volunteer to serve.

Mayor Sack then called upon current and former Judges; former Mayors and Councilmembers and current members of Boards and Commissions to speak:

Former Judge Richard Runes said that being a judge was a fabulous experience and that he was thankful for the opportunity. Former Judge and Councilman John Alfano said he was pleased to be at the meeting and see old friends. Current City Court Judge Part-Time and former Councilman Robert Cypher said he was thankful for the opportunity to serve as a Judge and will not let the City down. Current City Court Judge and former Councilman Joseph Latwin offered thanks to the Judges who have preceded him or served with him.

Former Mayor Ed Grainger wished the new Council well and said he hoped they would be able to change what they don't like. Former Mayor John Carey said it was a pleasure to be there, wished the Council luck and said he would say a prayer for them. Former Mayor Ted Dunn offered good wishes to the Council and said he hoped they had as much fun as he did. Former Mayor and current State Assemblyman Steve Otis said that this meeting connects everyone to their history and said that Rye is a unique town.

Former Councilman and current State Senator George Latimer said that he had four great years on the Council and said he has confidence that the City is in good hands. Former Councilwoman and current County Legislator Catherine Parker thanked the Council for what they do and said she brought her children tonight so they could see those who have done so much for their community. Former Councilman Jim Burke said the current Council came into office facing big challenges and has accomplished a lot in four months. Former Councilman Jim Flick said it was humbling to be here and said a common thread was the dedication of all who had served to make the community the way it is. Former Councilman Arthur Stampleman wished the present Council luck in carrying out their duties. Former Councilman Pat LoRusso congratulated the Mayor and Council on their election and said they are ready to deal with the challenges facing them.

Several members of Board and Commissions also spoke. Jack Zahringer of the Landmarks Advisory Committee said he had seen Councilman Mecca working for the City at the Rye Chamber of Commerce meeting. Vickie Farrington who also serves on the Landmarks

Committee said she was happy to give back to the community. Joe Murphy of the Rye Senior Advocacy Committee said his committee was looking forward to doing better things for Rye. Bernie Althoff of the Flood Advisory Committee thanked the Council for being aware of the flooding problem and trying to do something about it. Greg Gavlick of the Boat Basin Commission said he hopes his Commission can aspire to what the Council does. Steve Fairchild of the Rye Cable and Communications Committee said his committee has the most fun because they get to tell stories.

Mayor Sack said that this year is the 50th anniversary of the current City Hall and there will be a celebration at some point. The ceremonial portion of the meeting was adjourned at 8:20 p.m. The Council reconvened in Council Chamber at 8:35 p.m. for the regular meeting.

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements

Councilman Mecca reported on the recent Chamber of Commerce meeting he attended. Councilwoman Brett announced an upcoming event at Rye Town Park and Councilman McCartney made announcements regarding the Golf Club.

4. Draft unapproved informal minutes of the Joint Meeting of the City Council and Board of Education held April 5, 2014 and the minutes of the regular meeting of the City Council held April 23, 2014

The approval of the informal minutes of the Joint Meeting of the City Council and Board of Education held on April 5, 2014 was deferred.

Councilman Mecca made a motion, seconded by Councilwoman Killian and unanimously carried, to approve the minutes of the April 23, 2014 City Council meeting.

5. Issues Update/Old Business

Accident at Boston Post Road and Sonn Drive – Mayor Sack reported there was an accident at this intersection on May 2nd and an Osborn School student was struck in traffic. The

student is recovering at home. The Mayor said that Councils in the past have looked at this intersection and determined that it is not a safe location for people to cross and urged people to go to the corner and cross at the light. He said that if the current Council wants to revisit the issue after reviewing the work that was done previously that is a possibility. The City Manager was asked to put together the material that has been complied in the past and provide it to the Council for their review and a suggestion was also made to refer it to City staff and the Traffic and Pedestrian Safety Committee for their analysis as well. *Jim Amico* agreed that the issue should be revisited and *Elizabeth Zahm* said that when emergency evacuation of Osborn were done, the children are crossed at that location, which sends a mixed message to children.

Flooding – Mayor Sack said there was a flood type situation in Rye the previous week that caused the banks of Blind Brook to rise and crest in low lying areas. This was the first storm where the Sluice Gate at the Bowman Dam was used. The City Manager and City Engineer will do an evaluation to determine how the gate worked. City Manager Culross said the City is learning because using the Sluice Gate changes the trigger points the City normally responded to. City Engineer Coyne said the gate operated twice and the City is working with its engineering consultants on the data to see if any refinements need to be made. Mayor Sack said that Code Red communications should have gone out to residents regarding the storm and possible flooding in order to keep people informed on a timely basis. Councilwoman Brett suggested that the City and Flood Committee work to create a protocol for what information should be provided in alerts to residents and when they should go out. It was noted that the Police Department tried to reach out to people whose cars were parked on Wappanocca Avenue. *Sis D'Angelo* said that construction debris should be controlled so it does not go into the brook during a storm. *Jim Amico* said that notice should focus on Highland Hall residents who do not know about flooding.

Tree on Village Green - Mayor Sack noted that a tree has recently been planted on the Village Green to replace a tree that came down in a storm. The Mayor said he received a complaint from someone about the planting of the tree but noted that City staff had given thought to replacing the tree and the best location for it and he is comfortable with their decision. *Jack Zahringer* noted that the Village Green is landmarked and said the Landmarks Committee has a landscape architect on the Committee who could be consulted in these situations.

Sustainable Playland, Inc (SPI) – Mayor Sack said he read that SPI has come back to the Board of Legislators process. He added that the City has made its position clear and will continue to monitor the situation and take any action it deems appropriate.

Golf Club – The operator of the Snack Bar at the Golf Club has not yet obtained his liquor license and it could take up to a couple more weeks.

6. Continuation of the Public Hearing to change the zoning designation of County-owned property located on Theodore Avenue and North Street to the RA-5 District to provide for the construction of affordable senior housing

Mayor Sack said the public hearing had been put over in order for the County to provide requested information to the City. Lou Larizza, the proposed developer, said that all of the

information requested by the Council will be submitted to the City by early next week. He suggested that the Council review the information and discuss it at the next meeting.

The only member of the public commenting was *John Shoemaker* who discussed information on the property that he had received as a result of Freedom of Information Law (FOIL) requests submittted to the State Department of Environmental Conservation and the County of Westchester. Mayor Sack asked Mr. Shoemaker if he could submit a summary of his findings and the supporting documentation to the City.

Councilwoman Brett made a motion, seconded by Councilwoman Killian and unanimously carried to continue the public hearing until the May 21st City Council meeting.

7. Residents may be heard on matters for Council consideration that do not appear on the agenda

Elizabeth Zahm, 7 Ridgewood Drive, thanked the crossing guard at Boston Post Road and Central Avenue for doing a wonderful job. She noted that the woman had quit her job recently because cars were ignoring her when she was in the crosswalk. Ms. Zahm suggested that more enforcement was needed.

Jim Amico, 350 Midland Avenue, spoke about the proposed speed PILOT for Stuyvesant Avenue. He said he thought the proposal was a waste of time. He said enforcement was needed and a better solution should be found that commands drivers to change their habits.

8. Appeal of denial of FOIL request by Liz Button for "Any and all documents related to work performance reviews for Scott Pickup in his position as City Manager starting in 2010"

Mayor Sack made a motion, seconded by Councilwoman Killian and unanimously carried, to adjourn into executive session to seek legal advice from counsel at 9:50 p.m. Councilman Mecca made a motion, seconded by Councilwoman Killian and unanimously carried, to adjourn the executive session at 10:01 p.m. The regular meeting reconvened at 10:05 p.m.

Mayor Sack said that the requestor was informed that the record that exists was exempt under Public Officers Law §87(2)(b). He noted that the requestor, as part of their appeal, submitted an opinion from the Committee on Open Government which suggests that certain portions of employment reviews can be disclosed as long as they are redacted.

Mayor Sack made a motion, seconded by Councilwoman Brett, to adopt the following Resolution:

> **RESOLVED**, that the appeal of the response to the FOIL request submitted by Liz Button for "Any and all documents related to work

performance reviews for Scott Pickup in his position as City Manager starting in 2010" is granted, but limits the documents produced to those with necessary redactions to be made by the Corporation Counsel.

ROLL CALL:
AYES: Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney, Mecca and Slack
NAYS: None
ABSENT: None

The Resolution was adopted by a 7-0 vote.

9. Miscellaneous Communications and Reports

Councilwoman Brett reported that the Landmarks Committee has voted that the land at the corner of Boston Post Road and Central Avenue that has been referred to as a "parkette" should be continued to be maintained by the City as parkland. Councilman McCartney noted that there is a dispute as to whether the land is actually parkland.

10. New Business

There was nothing discussed under this Agenda item.

11. The Council will convene into Executive Session to discuss personnel

See Agenda item 12 below.

12. Adjournment

There being no further business to discuss Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn into executive session to discuss personnel, labor negotiations and litigation and not return to the regular session at 10:15 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk

CITY COUNCIL AGENDA

NO. 5 DEPT.: City Council DATE: May 21, 2014

CONTACT: Mayor Joseph Sack

AGENDA ITEM: Issues Update/Old Business

FOR THE MEETING OF:
May 21, 2014

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That an update be provided on outstanding issues or Old Business.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

CITY COUNCIL AGENDA

NO. 6 DEPT.: City Manager DATE: May 21, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Consideration of a Memorandum of Agreement between the City of Rye and the Rye Police Association of the City of Rye, Inc. for 2011-2015.

FOR THE MEETING OF:
May 21, 2014
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council approve the Memorandum of Agreement and enter in an agreement for the contract period of 01/01/2011 – 12/31/2015.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: The City of Rye and the Rye Police Association have reached a Memorandum of Agreement. The Union ratified the proposed MOA, and the City is requesting the Council to act as follows:

WHEREAS, The City of Rye and the Rye Police Association of the City of Rye, Inc. have negotiated a new Memorandum of Agreement which will replace the agreement which expired on December 31, 2008, and:

WHEREAS, The Police Association of the City of Rye, Inc. ratified the proposed terms of the MOA, now therefore be it;

RESOLVED, that the City Council approve the contract MOA between the Police Association of the City of Rye, Inc. for the contract period of 01/01/2011 to 12/31/2015.

MEMORANDUM OF AGREEMENT

Memorandum of Agreement by and between the City of Rye (the "City") and the Rye Police Association of the City of Rye, Inc. (the "Association") dated this 9th day of May, 2014.

WHEREAS, the City and the Association are parties to a collective bargaining agreement which expired December 31, 2008; and

WHEREAS, that agreement was modified and/or supplemented by an interest arbitration award covering January 1, 2009 through December 31, 2010; and

WHEREAS, the City and the Association have entered into negotiations for a successor agreement in accordance with the Taylor Law; and

WHEREAS, the City and the Association have reached a tentative agreement subject to ratification by the City Council and membership of the Association, it is stipulated and agreed as follows:

1. All proposals not addressed by this memorandum of agreement are dropped.
2. The term of the agreement shall be January 1, 2011 through December 31, 2015.

3. **Wages**

   Modify Article 5, Section 1 to provide that the pay plan shall be increased as follows:

   a. 2.25% effective January 1, 2011
   b. 2.25% effective January 1, 2012
   c. 2.25% effective January 1, 2013

d. 2.25% effective January 1, 2014

e. 2.25% effective January 1, 2015

4. **Longevity**

Amend Article 5, Section 2, Longevity, to provide as follows:

A. Effective July 1, 2014, Article 5, Section 2, B-H shall be deleted and replaced with the following:

1) At the completion of seven years of service, longevity pay shall be $900.

2) At the completion of twelve years of service longevity pay shall be $1,800.

3) At the completion of seventeen years of service, longevity pay shall be $2,700.

B. These payments shall be noncumulative.

5. **Retroactivity**

The wage and longevity increases shall be payable to all eligible employees who were in the City's employ any time during the period commencing January 1, 2011.

6. **Health Plan**

A. Amend Article 13, Section A as follows: the contribution for employees hired on or after the date of execution of this agreement will not exceed 9.5% of the employee's base salary.

B. Modify Article 13, Section C to provide that, in addition to those rights the City currently has with respect to proving health insurance coverage, upon full ratification of this Memorandum of Agreement, the City shall also have the right to provide coverage under the Aetna Open Access Managed Choice POS Plan so long as it provides substantially equivalent benefits. A summary of the benefits available under the Aetna plan is attached hereto as Exhibit A.

FOR THE CITY

FOR THE ASSOCIATION

CITY COUNCIL AGENDA

NO. 7 DEPT.: City Manager DATE: May 21, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Consideration of Stipulation of Settlement between the City of Rye and the Rye Police Association of the City of Rye, Inc.

FOR THE MEETING OF:
May 21, 2014
RYE CITY CODE,
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SECTION

RECOMMENDATION: That the Council approve the Stipulation of Settlement between the City of Rye and the Rye Police Association of the City of Rye, Inc.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: The City of Rye and the Rye Police Association of the City of Rye, Inc. have reached an agreement regarding a Stipulation of Settlement. The Union ratified the Stipulation of Settlement and the City is requesting the Council to act as follows:

WHEREAS, The City of Rye and the Rye Police Association of the City of Rye, Inc. have negotiated a Stipulation of Settlement regarding the new Memorandum of Agreement which will replace the agreement which expired on December 31, 2008, and:

WHEREAS, The Police Association of the City of Rye, Inc. ratified the proposed terms of the MOA, now therefore be it;

RESOLVED, that the City Council approve the Stipulation of Settlement between the City of Rye and the Rye Police Association of the City of Rye, Inc.

STIPULATION OF SETTLEMENT

This Stipulation of Settlement is hereby entered into by and between the CITY OF RYE (the "City") and the RYE POLICE ASSOCIATION (the "Association") this ___ day of May, 2014.

WHEREAS, the Association is the exclusive bargaining representative for all full-time, permanent sworn police officers, except the Commissioner of Police, employed by the City of Rye in the Rye Police Department; and

WHEREAS, following an impasse in collective bargaining negotiations with the City for the term commencing on January 1, 2009, the Association filed a demand for compulsory interest arbitration; and

WHEREAS, on or about October 23, 2013, following a full hearing, the Chair of the Public Interest Arbitration Panel issued the Public Arbitration Panel Award, covering the period January 1, 2009 through December 31, 2010 in the matter of the compulsory interest arbitration proceeding between the Association and the City (the "2009-2010 Interest Arbitration Award" or "Award"), with which the Public Employer member of the tripartite Panel concurred and the Employee Organization member of the Panel dissented; and

WHEREAS, on or about January 29, 2014, the Association filed a Verified Petition in the Supreme Court of the State of New York, Westchester County, against the City pursuant to CPLR Article 75 seeking vacatur of the 2009-2010 Interest Arbitration Award, based upon a provision of the Award which provided that no salary increases shall be provided to any individual who was not a current member of the bargaining unit represented by the Association on the effective date of the Award. The special proceeding commenced by the Association has been docketed as Rye Police Association v. City of Rye, Supreme Court, Westchester County, Index No. 51357/14 (Hon. Orazio R. Bellantoni, J.S.C.); and

WHEREAS, on or about April 2, 2014, the City filed a Verified Answer and Counterclaim, and supporting documents, opposing the Association's Verified Petition seeking vacatur of the Award and in support of the City's Counterclaim seeking confirmation of the Award; and

WHEREAS, Louis Olivier was employed by the City as a Police Sergeant in the City of Rye Police Department until his retirement on or about March 29, 2012. Retired Sergeant Olivier is the only individual who was a member of the bargaining unit represented by the Association during the entire period of the 2009 through 2010 Interest Arbitration Award who retired before the date on which the Award was issued; and

WHEREAS, the Association and the Village wish to resolve this matter without the time, expenses and uncertainty of litigation;

NOW, THEREFORE, for valuable consideration, the sufficiency of which is hereby acknowledged by all parties, it is hereby stipulated and agreed as follows:

1. The City and the Association stipulate and agree that the terms of the 2009-2010 Interest Arbitration Award shall apply to retired Sergeant Louis Olivier, and that Sergeant Olivier shall receive retroactive pay increases pursuant to the Award applicable to his pay for the period from January 1, 2009 through and ending on the effective date of his retirement on or about March 29, 2012. Except as expressly provided in the preceding sentence, the Rye Police Association and the City hereby acknowledge, stipulate and agree that the 2009-2010 Interest Arbitration Award and all of its terms shall be binding on the parties, and, therefore, further acknowledge, stipulate and agree that no other former employee of the City who was not a member of the bargaining unit represented by the Association on the effective date of the Award is entitled to receive additional or increased compensation or benefits pursuant to the Award.
2. Based upon and subject to the foregoing stipulation, the Association shall withdraw its CPLR Article 75 proceeding, and any and all related proceedings, with prejudice. The Association specifically acknowledges, stipulates and agrees that it is waiving any and all challenges or claims, on behalf of itself, and the current and former members of the bargaining unit represented by the Association, regarding the 2009-2010 Interest Arbitration Award and/or the enforceability thereof or of any of its provisions, subject to the terms of Paragraph 1, above, of this Stipulation. The Association further stipulates and agrees that the Association and its present and past members shall bring no further claims challenging and/or seeking benefits pursuant to the 2009-2010 interest arbitration award., and that to the extent that any present or past member or members of the PBA brings any such challenge or claims the Association will hold the City harmless and will defend and indemnify the City for any and all such claims, including but not limited to damages, costs and attorneys fees. Nothing herein shall preclude the Association from enforcing the terms of this Stipulation.
3. The City shall cooperate with the Association to the extent necessary to effectuate the withdrawal of the Association's petition seeking vacatur of the 2009-2010 Award with prejudice. Insofar as the City has included a counterclaim seeking confirmation of the award, the City's counterclaim shall also be withdrawn, provided, however, that nothing herein shall prevent the City from seeking and obtaining confirmation of the Award should the Association fail to withdraw its special proceeding seeking to vacate the Award, and/or should the Association or any of the current or former members of the bargaining unit represented by the Association seek to vacate or challenge the Award or any of its terms notwithstanding the provisions of this Stipulation, provided further, however, that the City and the Association acknowledge, stipulate and agree that the 2009-2010 Award is binding on the parties and that the City shall not be required to seek or obtain judicial confirmation of the Award for it to be binding on the parties.

4. The execution of this Stipulation shall not constitute an admission of the violation of any State, Federal or local statutes, laws, rules or regulations by either the City or the Association.
5. This Stipulation shall be binding upon the City and the Association, and may not be released, discharged, abandoned, supplemented, amended, changed or modified in any manner, orally or otherwise, except by an instrument in writing of concurrent or subsequent date signed by a duly authorized representative of each of the parties hereto.
6. This Stipulation contains and constitutes the entire understanding and agreement between the City and the Association with respect to the matters that are the subject of this Stipulation, and it supersedes and cancels all prior negotiations, agreements, commitments, communications and understandings, written or oral, between the City and the Association.
7. This Stipulation shall be binding upon the affiliates, successors, heirs and assigns of the parties.
8. This Stipulation may be executed in separate counterparts, each of which shall constitute an original.
9. This agreement is subject to the approval of the City Council of the City of Rye.

FOR THE CITY

_____

FOR THE ASSOCIATION

_____

CITY COUNCIL AGENDA

NO. 8 DEPT.: Planning DATE: May 21, 2014

CONTACT: Christian K. Miller, AICP, City Planner

AGENDA ITEM: Continuation of the Public Hearing to change the zoning designation of County-owned property located on Theodore Fremd Avenue and North street to the RA-5 District to provide for the construction of affordable senior housing.

FOR THE MEETING OF:
May 21, 2014

RYE CITY CODE,
CHAPTER 197
SECTION 3

RECOMMENDATION: That the City Council continue the Public Hearing to amend the zoning designation of the County-owned property on Theodore Fremd Avenue.

IMPACT: ☒ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: The petitioner, Lazz Development/Pawling Holdings, seeks an amendment to the City Zoning Map to change the zoning district designation of an approximately 2.0-acre property located on Theodore Fremd Avenue and North Street. The request would change the zoning of the Westchester County-owned property from the B-6, *General Business*, District and the B-1, *Neighborhood Business*, District to the RA-5, *Senior Citizen's Apartment*, District. The petitioner is seeking to construct fifty-four (54) units of age-restricted housing located in two buildings. The proposal would be limited to those over age 55 and consist of 44 one-bedroom units and 10 two-bedroom units. The proposed units would also be affordable and 27 of these units would count towards Rye's contribution to the 750 units of fair and affordable housing Westchester County is obligated to provide as part of a stipulation of settlement with the U.S. Department of Housing and Urban Development (HUD). It is noted that the proposed zoning change is the same district as adopted by the City Council in the mid-1980s to accommodate the nearly 100 units of affordable senior housing at 300 Theall Road. The matter was referred to the City Planning Commission and a recommendation memo was provided to the City Council. Westchester County has provided its advisory comments on the matter.

(continued)

Additional information has been provided by the petitioner; these documents are available on the City website* and include the following:

1 – Proposed Conceptual Site Plan
2 – Letter from Westchester County Department of Planning / Department of Health
3 – Aerial photos of site: 1925 through 2013
4 – Soil testing results: Ralph G. Mastromonaco, P.E., P.C.
5 – Soil test Technical Report: York Analytical Laboratories, Inc.
6 – Full Environmental Assessment Form
7 – Traffic Analysis and Commentary: Ralph G. Mastromonaco, P.E., P.C.
8 – City of Rye Police Department Incident Reports
9 – Team Environmental Consultants, Inc.: Phase 1 Environmental Site Assessment Report
Theodore Fremd Property Taxes
Documents obtained from Westchester County through a FOIL request

** Documents available at www.ryeny.gov under Digital Documents in folder “Theodore Fremd Senior Housing Zoning District Change”

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CITY OF RYE
Department of Planning

Memorandum

To: Scott Pickup, City Manager

From: Christian K. Miller, AICP, City Planner

cc: Kristen K. Wilson, Esq., Corporation Counsel

Date: March 7, 2014

Subject: **Additional Analysis Related to the Request of Lazz Development/Pawling Holdings to Change the Zoning Designation of County-Owned Property Located on Theodore Fremd Avenue and North Street to the RA-5, *Senior Citizens Apartment*, District to Provide for the Construction of Affordable Senior Housing.**

The Rye City Council as Lead Agency is responsible for the assessment and evaluation of potentially significant adverse impacts pursuant to the requirements of the State Environmental Quality Review (SEQR). During the public hearing there were questions and concerns raised by the public and City Council. To assist the City Council in assessing potential impacts it is recommended that the petitioner provide the following additional information and analysis:

- **Full Environmental Assessment Form**. The petitioner has provided a short Environmental Assessment Form (EAF) with its zoning petition, which is the minimum required by SEQR. Given the nature of the public comment it is recommended that a full EAF be submitted for the Council's review. This will provide a more complete environmental assessment of the proposed zoning change and future senior housing development proposal.

- **Sub-Surface Conditions**. Concerns remain with the status of the sub-surface environmental conditions on the site. It is recommended that the petitioner prepare a Phase II environmental study that includes current testing for potential sub-surface contaminants on the site. Recent clean-up activities in the area and adjacent to the site should also be addressed and their potential impact on the site. The status of the sub-surface environmental conditions is a threshold

question for the City Council as it considers a change in zoning to allow for senior housing on a property that is currently restricted to light-industrial, commercial and other non-residential uses. The City has allowed the redevelopment of properties with prior sub-surface contamination for housing including many former gas station properties. It is anticipated that such redevelopment could be allowed in this case, provided that petitioner gives the Council current and complete information and clearance from the appropriate State and County agencies as to the specific redevelopment proposed by the petitioner.

- **Fiscal Impact Analysis**. Currently, since the County-owned property generates no property tax revenue, but also requires few municipal services. The petitioner should provide a fiscal impact analysis quantifying the anticipated total tax revenue (based on the total rent revenue of the project) and the anticipated municipal service demands. Using the existing senior housing development at 300 Theall Road will provide good comparables for potential service demands. The analysis should also try to quantify anticipated cost/revenue if the site were developed based on the uses permitted by existing zoning.

- **Traffic**. The petitioner should prepare a traffic study quantifying the anticipated trip generation of the full development of the site under the proposed RA-5 District standards and the impact on level of service at area intersections. This analysis should be compared to the anticipated traffic impact associated with development permitted by existing zoning on the property.

Upon receipt of this information the City Council will be in a better position to assess potential impacts and determine the appropriateness of the petitioner's request and whether additional mitigation measures may be necessary.

Nick Everett, Chairman
Martha Monserrate, Vice Chair
Laura Brett
Barbara Cummings
Hugh Greechan
Peter Olsen
Alfred Vitiello

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CITY OF RYE
Planning Commission

Memorandum

To: Rye City Council

From: Rye City Planning Commission
Christian K. Miller, City Planner

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

Date: February 5, 2014

Subject: **Recommendation to the Rye City Council Regarding the Petition of Lazz Development/Pawling Holdings to Change the Zoning Designation of County-Owned Property Located on Theodore Fremd Avenue and North Street to the RA-5, *Senior Citizens Apartment*, District to Provide for the Construction of Affordable Senior Housing.**

As requested, this memorandum provides the Planning Commission's recommendation to the Rye City Council regarding the petition of Lazz Development/Pawling Holdings to change the zoning designation of Westchester County-owned property located on Theodore Fremd Avenue and North Street to the RA-5, *Senior Citizens Apartment*, District to provide for the construction of affordable senior housing. This memorandum was prepared by the City Planner and reviewed and unanimously approved by the Planning Commission at its February 4, 2014 meeting.

Background

On or about December 10, 2013, the City Council received a petition from Lazz Development/Pawling Holdings to change the zoning of a property located at 150 North Street. The approximately 2.080-acre property has frontage on North Street, but is commonly referred to by its accessible frontage on Theodore Fremd Avenue rather than its legal address of 150 North Street. The request would change the zoning of the Westchester County-owned property from the B-6, *General Business*, District and the B-1, *Neighborhood Business*, District to the RA-5, *Senior Citizen's Apartment*, District (see Exhibit 1).

The existing zoning districts applicable to the property do not permit multi-family housing. The proposed zoning change to the RA-5 District would permit (and limit) future construction on the property to affordable senior housing. The petitioner has represented that if the zoning change is granted, he would seek subsequent approvals from the Rye City Planning Commission to construct approximately fifty-four (54) units of affordable age-restricted housing located in two buildings. The proposal would be limited to those over age 55 and consist of approximately 44 one-bedroom units and 10 two-bedroom units.

The proposed RA-5 District for the property is the same district adopted by the City Council in the mid-1980s to accommodate the nearly 100 units of affordable senior housing on an approximately 2-acre site at 300 Theall Road, also known as Rye Manor. The proposed units would be affordable and a minimum of 27 of the units would count towards the 750 units of fair and affordable housing that Westchester County is obligated to provide within 31 eligible municipalities as part of a stipulation of settlement with the U.S. Department of Housing and Urban Development (HUD). Rye has been identified in the housing settlement as one of the 31 eligible Westchester County communities.

The subject property has long been considered for affordable housing by the City of Rye. In the early 1990s a local not-for-profit in partnership with the City of Rye sought to change the zoning of the property to construct 12 two-family units (i.e. 24 total units). That proposal and the required zoning change were never advanced due to the identification of sub-surface contamination on the property in 1993. Since that time the property has been subject to an environmental clean-up, but the City continued to periodically advocate for its use as an affordable housing site (see Exhibit 2).

Unlike the affordable housing proposal twenty years ago the City of Rye is not a partner in the construction, property ownership or administration of the affordable housing units. Westchester County is the property owner and the petitioner is the County's preferred developer for the property. The City of Rye's role is typical of any other land use application, which is to review and consider the land use policy implications of the request.

Westchester County's interest is to advance its obligation under the housing settlement. The property in Rye is unique because there are few (if any) undeveloped County-owned properties within one of the 31 eligible housing settlement communities. It's also unique because the City has a 20-year history of advocating for the development of affordable housing. Rye's historic advocacy for affordable housing does not constitute a commitment or obligation to approve the petitioner's request, but is relevant in terms of the planning context and the City's affordable housing policy.

The petitioner's interest is to develop affordable housing. The petitioner has constructed a number of affordable housing communities in the Sound Shore area,

including 27 units in two separate projects on Cottage Street in Rye. Both of those projects required the City's Council's legislative authority to either amend the City Zoning Code or de-map an unused road right-of-way. In an August 9, 2013 letter the Petitioner received authorization from Westchester County "to seek all necessary approvals from the City of Rye…" (see Exhibit 3). This letter was provided to the City and forwarded to the City Council on August 16, 2013. This letter was expected based on a meeting City Council members and staff attended at Westchester County in June 2013. A summary of that meeting was provided to the City Council (see Exhibit 4).

The City's interest is to potentially advance identified affordable housing needs in the area consistent with its land use planning and other policies. The County has only a limited allocation of housing that it can designate as age-restricted towards the 750-unit obligation under the settlement. If that age-restricted allocation is lost to another community, there will continue to be pressure to develop the County-owned property in Rye for affordable housing without the age restriction. Age-restricted housing eliminates the potential for the generation of school-age children and the potential for a land use outcome in which potential municipal and school district service costs from the proposed development exceed anticipated property tax revenue.

Zoning Petition Review Process

Any change to the City Zoning Code or Map is a discretionary action of the City Council. As is typical in most communities, legislative actions involving land use matters are referred to the City Planning Commission for its review and comment. The specific action under consideration is a local law to amend the City Zoning Map to change the zoning district designation of the subject property to the RA-5 District. The minimum legal requirements to implement the local law are as follows:

1. *Local Law and Petition Referral*. The draft local law and petition must be referred to the Westchester County Planning Board pursuant to Section 239-m of the GML and Section 451 of the Westchester County Administrative Code. This information was forwarded to the County on December 24, 2013. The City Council cannot take an action on the petition until it receives a response from the County or until 30 calendar days has passed from the date of such referral. That response was provided on January 30, 2014 (see Exhibit 5).

2. *Public Hearing.* As with any law change a public hearing is required and notification of such hearing must be published in the City's official newspaper. Unlike New York State Town or Village Law, Section 83 of the General City Law does not require any additional notification (e.g. signage on the property, mailing of hearing notice, etc.) to property owners affected by or within the vicinity of the proposed zoning change.

3. *SEQR.* Before making a decision on the local law, the City Council must comply with the requirements of State Environmental Quality Review (SEQR) and conduct an environmental assessment of the proposed action. The City Council has already taken the first step in this process by declaring at its December 18, 2013 meeting its intent to be Lead Agency for the environmental review. On December 24, 2013, staff circulated the Council's intent to be Lead Agency to other involved agencies. There has been no objection to the City Council being Lead Agency within the minimum required 30-day objection period. The City Council is therefore the Lead Agency at this time. As Lead Agency, the City Council must review the environmental assessment form (EAF) submitted by the applicant and conduct its own assessment of potentially adverse environmental impacts. If the Council finds that the proposed action does not have any significant adverse environmental impacts and issues a "Negative Declaration" a decision on the local law can be made. If the Council finds that there are potentially significant adverse impacts associated with the proposed action a "Positive Declaration" must be issued requiring a more involved environmental review. This review involves a number of procedural requirements and typically takes a least a year to complete.

4. *Decision.* After conducting and closing the public hearing and completing the SEQR process the City Council can make a decision. A simple majority vote is required for the adoption of the local law. A super majority vote of the Council (i.e. a minimum of three-fours of the members) is required if twenty percent or more of property owners subject to the zoning change or within 100 feet therefrom submit a written protest to the request. Based on a preliminary review it appears that a written objection by just three property owners within 100 feet of the site would trigger a super majority vote (or 6 of the 7 City Council members) to approve the zoning request.

Westchester County HUD Settlement and Its Implications for Rye

In 2009 Westchester County entered into an agreement with the U.S. Department of Housing and Urban Development (HUD) to settle a lawsuit. The civil lawsuit was initiated by the Anti-Discrimination Center of Metro New York, Inc. The lawsuit alleged that the County failed to affirmatively further fair housing (AFFH) in its administration of federal funds including the Community Development Block Grant (CDBG) program and other federal programs. Specially, the lawsuit alleged that the County did not conduct a meaningful Analysis of Impediments (AI) to fair housing choice and did not take appropriate actions to overcome the effects of any impediments identified through that analysis. The County's failure to comply with that obligation as a recipient of federal funds was alleged to be a violation of the False Claims Act.

There are many requirements of the stipulation of settlement. One requirement is that the County fund 750 affordable housing units within five years within eligible U.S Census Tracts of 31 municipalities in Westchester County. Eligible census tracts were identified as those having low percentages of minority populations. To date, the County has funded the construction of 27 affordable housing units in the City of Rye that count towards the 750-unit requirement. The City is not bound by the terms of the Settlement and is not required to approve any fair and affordable housing units, but has advanced affordable housing proposals when they were consistent with the land use, planning and housing objectives of the City.

A second significant requirement of the settlement is that the County is responsible for promoting and advancing a model affordable housing ordinance in each of the 31 eligible municipalities. The model ordinance, which was approved by the Monitor in October 2010, includes provisions to promote affordable housing including inclusionary zoning requirements, recommendations to increase multi-family housing zoning and other provisions. Westchester County is aggressively promoting the model ordinance, but no community is required to adopt it. In fact, most communities have not adopted it in full and many communities (including Rye) continue to review the model ordinance for its appropriateness given the existing land use planning and legal context.

A final significant requirement of the settlement relevant to Rye is that the City cannot receive CDBG and other federal funds administered by the County unless it advances fair and affordable housing. The City currently receives no such funding and therefore has no obligation.

The County and the monitor retained by HUD to oversee the implementation of the settlement have identified the County-owned property at 150 North Street as an opportunity to provide additional affordable housing in Rye. There have been conversations with the County and the City over the years both before and after the Settlement to discuss the potential for affordable housing at this location, but there has been no commitment by either party as to a specific development program. It has always been understood that any final action would require City Council approval because the property is not currently zoned for multi-family use.

In March 2013, Rye along with the other the 31 eligible communities identified in the Settlement were surprised to receive a “report card” directly from the Federal Monitor. Westchester County was not aware that report cards were being sent to communities, none of which are not party to the Settlement. The report card included an assessment of each community’s existing zoning code.

In many, if not all, cases the report cards were critical of the lack of multi-family zoning in each community and repeatedly stated that more land use changes would be needed to accommodate affordable housing needs. The need was not for the implementation of the 750 units under the Stipulation, but rather the need identified in the 2005 Affordable

Housing Allocation Plan prepared by the Westchester County Housing Opportunities Commission. This allocation plan was not adopted by the Westchester County Board of Legislators and is considered an advisory document. That document recommends the need for over 10,000 affordable housing units in Westchester County, which is significantly higher than the 750 units under the stipulation.

In the case of Rye the unadopted report allocates 167 affordable housing units in the City. The monitor's report card uses that number as the basis for his analysis of affordable housing deficiency. He notes that of the 167 units the City has already provided 27 under the Settlement leaving 140 affordable units of "required" allocation for the City. Accommodating this number of units in the City, particularly under the preferred 90/10 inclusionary development scenario recommended by the monitor will require very aggressive land use changes by the City Council.

As the City Council considers the petitioner's request it should be mindful of these non-binding affordable housing allocations. Development of additional affordable housing at this location could significantly advance the City's contribution to meeting affordable housing needs both under the settlement and the advisory housing allocation plan. At this time Westchester County has stated that a minimum of 27 of the proposed affordable housing units at the petitioner's site could be "counted" towards the housing settlement. Providing affordable housing units may help address some of the criticism of the City's land use and affordable housing policies.

Planning Analysis

The City Planning Commission supports the zoning petition and finds that the proposed use is consistent with the City's historic and future planning policies and housing objectives. In reaching this finding the Planning Commission considered the full development potential of the property under existing, planned and proposed zoning, the precedent established by the application of the RA-5 District and the compatibility of the requested change with surrounding land uses.

The petitioner has proposed a specific use and site plan for the property. As with all zone changes, however, the proper planning analysis requires an assessment not of the petitioner's specific proposal, but rather of the full development potential of the site after the zoning request is granted. Plans can and likely will change.

The petitioner's site plan accompanying his request proposes two four-story buildings, where the lowest story is unenclosed parking. The plan submitted shows approximately 75,600 square feet of total development, 90 parking spaces for an estimated 54 units and compliant with all other bulk and dimensional restrictions of the RA-5 District. This plan represents about 83% of the maximum development potential permitted under the proposed zoning. The proposed FAR of 1.0 is slightly higher than the 0.75 FAR permitted in the B-6 District located on the rear portion of the site and the 0.50 FAR

permitted in the B-1 District located on the front of the site. The RA-5 District allows four stories within a maximum building height of 40 feet. The B-6 District allows just two stories, but the same building height of 40 feet. The B-1 District limits maximum building height to 2½ stories and 35 feet. The front yard setback for the proposed RA-5 District is 25 feet, which is greater than the 10-foot requirement for the B-1 and B-6 District. Side yard setback dimensions are also greater for the RA-5 District than the existing districts applicable to the site and the rear yard requirement is generally the same.

The RA-5 District is limited to just one use, which reads as follows:

> *Apartments for Senior Citizens and Handicapped. A detached residence for three or more families or housekeeping units or a group of buildings housing three or more families on one lot, undertaken by private nonprofit sponsors with public financial assistance, subject to the requirements of § 197-7.*

In the event the conditions were to change after the zoning were established for the property the future use would continue to be limited to senior multi-family housing including an element of "public financial assistance" (i.e. affordable housing). On the other hand, the existing B-6 District allows a boarder range of uses including automotive uses, storage establishments, public transportation and utilities, service/contractor businesses, bus storage and repair, kennels and veterinary hospitals and limited manufacturing. The B-1 District allows offices, retail and personal service businesses, garages, apartments over stores, lodging houses, service/contractor businesses and social clubs and lodges.

The City Development Plan (1986) does not cite a specific written recommendation for the property or area, but generally encourages creating additional affordable housing opportunities in the City (see Plan, Chapter 1, *Residential Development*). The future land use plan designates this area for office (see Plan, p. 8-9). Since that time only the property at 350 Theodore Fremd Avenue has been developed as an office building under the B-1 District designation. Since the early 1990s the plan for the subject property has been for the development of the site for affordable housing. The Planning Commission believes that office as recommended in the Development Plan is not an economically viable use as evidenced by the long-standing high vacancy rate of office in the City and County and that a change in use is required. In the last few years the City has seen the conversion of a large office building to medical office and a request to amend the B-4 Office Building District to allow a hotel at 120 Old Post Road.

Residential at this location would be more compatible with the residential properties located opposite the site on Theodore Fremd Avenue than many of the uses permitted under the existing B-6 and B-1 District. The site is in close proximity to other non-residential uses including gas stations, a contractor's yard for a landscape business, the ConEdison property and the Metro-North Railroad and Interstate 95. The Commission

notes other multi-family communities (both affordable and market-rate) and other residential neighborhoods located adjacent to transportation corridors that bisect the City.

The use of an existing zoning district classification in the City also is in keeping with the City's land use planning objectives. The RA-5 District specifically provides for the affordable housing needs for seniors. Expanding that district to other appropriate locations in the City is considered a desirable planning objective.

SEQRA Considerations

The Planning Commission has reviewed the environmental assessment form submitted with the zoning petition. As Lead Agency the City Council should consider the following potential impacts and mitigation measures associated with the project prior to making a determination of environmental significance.

- *Sub-surface Conditions*. As the City Council considers the petitioner's request it is recommended that it secure written confirmation from Westchester County Health Department regarding the status of the sub-surface contamination on the site and the status of the environmental clean-up. The Planning Commission understands based on the petitioner's representations that the County Health Department will require that future development at the site require elevating the first habitable story above grade. The Health Department should conduct a review of the proposed plan including all proposed surface and sub-surface improvements such as utilities, stormwater drainage measures and sewer connections.

- *Sanitary Sewer Service*. There is an existing sanitary sewer line that extends from Nursery Lane under I-95 and MNRR tracks through the site to an existing connection in Theodore Fremd Avenue. The existing line is compromised and is difficult to service and maintain due to the high volume, high speed vehicular and rail traffic on a major regional transportation corridor. The City does not want to continue to maintain this existing sewer line through the site and accommodate the additional sewage flow from the petitioner's development. The Commission recommends that the existing public sewer line be abandoned and that the future development on the property be required to provide a new sewer connection from Nursery Lane to an existing sewer connection in North Street. This project has been identified in the City's Capital Improvement Program (CIP) for some time at a preliminary project cost of $150,000. This is a substantial off-site improvement and may challenge the fiscal feasibility of the project depending on the availability of funding to the petitioner. The sewer modification and extension may also require securing easements from Nursery Lane property owners and Westchester County approval of the sewer design.

- *Drainage/Wetland Impacts*. On its site inspection of the property, the Planning Commission noted a drainage pipe that extends from Theodore Fremd Avenue and discharges stormwater runoff from this roadway onto the site. It appears that this runoff has created what may be considered a wetland under the City's Wetlands and Watercourses Law[1]. The proposed development appears that it will result in the wetland loss of a relatively low-functioning wetland and require a drainage plan to replace the stormwater quantity and quality functions of this on-site wetland. If the area is considered a wetland a wetland permit from the Planning Commission will be required as part of a future site plan review process.

- *Municipal Services*. The existing property is County-owned and therefore generates no property tax revenue. The proposed zoning change to allow senior development will generate tax revenue based on the income approach (as opposed to the value of construction approach used for single-family residences). The income approach would be based on the total value of the below market rents after project completion. Since the project is age-restricted there will be no school-age children costs. There would be City expenditures for some municipal services including for sanitation, emergency medical, police, fire and recreation services.

- *Community Character and Aesthetics*. The proposed RA-5 District with a floor area ratio (FAR) of 1.0 would result in development at a greater intensity than the existing B-6 (FAR 0.75) District and B-1 (FAR 0.5) District currently on the property. Existing zoning permits buildings at or close to the same overall 40-foot building height as the proposed RA-5 District. Existing zoning is limited to commercial/general business, which is consistent with existing commercial and transportation uses abutting the site, but potentially inconsistent with the single-family residential character across the street. Overall, the bulk and scale of development under the proposed RA-5 District would likely be greater than development under existing zoning for the site, but not necessarily inconsistent with the character of the surrounding area. Reducing the scale of the building is complicated by the restriction that there can be no units located on the ground level due to the sub-surface contamination on the site. The lowest floor will be used for parking, which counts as a story under the City's Zoning Code but not towards the maximum permitted floor area since the parking is not enclosed.

- *Traffic*. The proposed RA-5 District would generate additional traffic associated with a future senior housing project. The relatively low anticipated trip generation would not adversely impact the relatively high intersection levels of service (LOS). The ITE Trip Generation Manual (ninth edition) provides trip generation

[1] Question 13 of the petitioner's EAF indicates that there are no wetlands on the property. This petitioner should provide additional information supporting this conclusion.

rates for two different types of senior housing units. The following was calculated by Brian Dempsey (Traffic and Pedestrian Safety Chair and NYS licensed traffic engineer) assuming a 60-unit senior housing development:

Senior Adult Housing Detached: Land Use 251

- Peak AM Hour of Adjacent Street: ranges from 5 in and 8 out to 14 in and 26 out
- Peak PM Hour of Adjacent Street: ranges from 10 in and 6 out to 19 in and 12 out
- Peak AM Hour of Generator: ranges from 7 in and 10 out to 15 in and 20 out
- Peak PM Hour of Generator: ranges from 11 in and 9 out to 31 in and 24 out
- Saturday Peak Hour of Generator: 7 in and 7 out (limited studies)

Senior Adult Housing Attached: Land Use 252

- Peak AM Hour of Adjacent Street: ranges from 4 in and 8 out to 4 in and 8 out
- Peak PM Hour of Adjacent Street: ranges from 8 in and 7 out to 9 in and 7 out
- Peak AM Hour of Generator: ranges from 11 in and 12 out to 11 in and 13 out
- Peak PM Hour of Generator: ranges from 10 in and 9 out to 12 in and 9 out
- Saturday Peak Hour of Generator: 11 in and 8 out (limited studies)

A recent traffic study conducted in connection with the sustainable Playland proposal shows that the Theodore Fremd Avenue/North Street intersection operates at the highest levels of service (i.e. “A” or “B”). This level of service is maintained in a 2016 future “build” scenario in the event the sustainable Playland project moves forward. It is also noted that the property is located along an existing bus route, which could potentially reduce trip generation. Given the relatively low trip generation rates associated with senior housing and existing intersection level of service adverse traffic impacts are not anticipated with the proposed change to the RA-5 District.

- *Reduction in Impacts*. As with any project potential impacts can be reduced or minimized by either the implementation of mitigation measures or the reduction in project scope. In considering impacts, the City Council should be mindful of the fact that the proposed RA-5 District requires that future development be affordable senior housing so project and off-site improvement costs and density are a significant consideration to make such projects economically viable, particularly given the incomes proposed to be served. The RA-5 District provides for a reasonable future development intensity that can create the opportunity to advance the City’s affordable housing objectives.

City of Rye, New York

Zoning Districts - Theodore Fremd Area

At a regular meeting of the City Council held March 30, 2005, Councilwoman Larr made a motion, seconded by Mayor Otis and Councilman Chu, to adopt the following resolution:

WHEREAS, The Rye Commission on Human Rights commissioned a survey in 2003 to ascertain existing and projected affordable housing needs for residents and those who serve the community; and

WHEREAS, the survey was conducted during the summer of 2004 and the results presented to the Council at it's regular meeting held March 9, 2005; and

WHEREAS, the Chairman of the Rye Commission on Human Rights made a request to the Council that it take action on several specific recommendations; now, therefore, be it

RESOLVED, that the Council strongly and unequivocally restates its interest in using the Theodore Fremd and North Street site, currently owned by the County, but in a state of contamination, to create 24 affordable housing units; and be it further

RESOLVED, that the Council urges the County to develop a complete and quick remediation plan for the Theodore Fremd and North Street site, and be it further

RESOLVED, that the City Manager urge the State Department of Environmental Conservation (DEC) to move meaningfully and expediently to develop a plan to decontaminate the Theodore Fremd and North Street site, and be it further

RESOLVED, that the Planning Commission specifically address the need for affordable housing among City employees, volunteer fire fighters and public and private school employees, as made clear from the response to the survey.

ROLL CALL:
AYES: Mayor Otis, Councilmen Chu, Cypher, Fahey, Larr and Seitz
NAYS: None
ABSENT: Councilman Hennes

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)
CITY OF RYE)

THIS IS TO CERTIFY that I have compared the foregoing resolution with the original thereof, duly passed and adopted at a regular meeting of the Council of the City of Rye held on the 30th of March, 2005 by the affirmative vote of at least a majority of all members of said Council then in office, present and voting thereon, the vote upon passage thereof having been taken by recording the ayes and nays and duly entered in the minutes of said meeting of said Council and on file in this office, and **I DO HEREBY CERTIFY** said resolution to be a correct transcript thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of Rye this 16th day of January 2016.

Dawn F. Nodarse

SEAL

DAWN F. NODARSE
CITY CLERK

Westchester gov.com

Robert P. Astorino
County Executive

August 9, 2013

Mr. Louis Larizza
211 South Ridge Street
Rye Brook, New York 10573

Subject: **Proposed Theodore Fremd Senior Housing Development**
150 North Street, Rye New York

Dear Mr. Larizza:

Please allow this correspondence to serve as formal authorization from the County of Westchester (the "County") for you to seek all necessary approvals from the City of Rye, New York (the "City") for the development of approximately twenty-five (25) to fifty (50) affordable affirmatively furthering fair housing units (the "AFFH Units") on the County-owned property located at 150 North Street in Rye, New York (the "Proposed Development").

At this time, it is anticipated that the AFFH Units will be available for seniors earning at or below 50% and 60% of the Westchester County Area Median Income for fifty (50) years. These AFFH Units are expected to further the County's efforts to create new fair and affordable housing units under the 2009 lawsuit titled *United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York.*

Please note, that upon receipt of all approvals from the City, the Development and any related County funding shall be subject to all necessary County approvals, including but not limited to, approvals from the County Board of Legislators, and from the County's Board of Acquisition and Contract. Further be advised that the County makes no commitment for funding at this time, and all costs incurred in connection with the Proposed Development and any required local approvals shall be your sole responsibility, whether or not said approvals are ultimately granted by the City, whether or not the County grants or denies any necessary or related approvals, or if the County, in its sole discretion, determines not to proceed with or fund the Proposed Development. This letter shall not bind the County in any respect.

Please also be aware that, although formal plans have not yet been reviewed by the County that the Proposed Development must be consistent with Westchester County affordable housing policies and guiding principles:

REDUCE REUSE RECYCLE

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601 Telephone: (914) 995-2900 Website: www.westchestergov.com

- It will be compliant with the Westchester County Consolidated Plan submitted to HUD for the Westchester Urban County Consortium, of which the City of Rye is a member.

- It will be consistent with and reinforce *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" affordable to all income levels and by channeling development to centers where infrastructure can support growth and where public transportation can be provided.

- As noted above, it will consistent with the housing settlement reached in the case of *United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York* and will contribute toward the County's requirement to ensure the development of seven hundred fifty (750) new affordable affirmatively furthering fair housing units in communities that meet certain demographic criteria.

We are available to discuss any questions you may have regarding this authorization and look forward to reviewing your proposal.

Sincerely,

Kevin J. Plunkett
Deputy County Executive

cc: Mary Mahon, Esq., Special Assistant to the County Executive
Robert F. Meehan, Esq., County Attorney
Edward Buroughs, AICP, Commissioner of Planning

Christian K. Miller, AICP
City Planner
1051 Boston Post Road
Rye, New York 10580

Tel: (914) 967-7167
Fax: (914) 967-7185
E-mail: cmiller@ryeny.gov
http://www ryeny.gov

CITY OF RYE
Department of Planning

CONFIDENTIAL – Memorandum

To: Scott Pickup, City Manager

From: Christian K. Miller, AICP, City Planner

cc: Kristen K. Wilson, Esq., Corporation Counsel

Date: June 14, 2013

Subject: **Summary of Meeting with Westchester County to discuss the Potential Development of Affordable Housing at County-owned Property located on Theodore Fremd Avenue near the Intersection of North Street.**

As requested, this memorandum provides a summary of our meeting today with Westchester County officials regarding the potential development of affordable housing at the approximately 2.07-acre County-owned property located on Theodore Fremd Avenue near the intersection of North Street. The meeting was requested by Westchester County and was held at the County Executive's Office. For approximately 20 years the City has advocated for the development of affordable housing at this location and has periodically had meetings with the County to discuss development possibilities.

Today's meeting was attended by the Mayor, Laura Brett, you and I as representatives from the City. From the County were representatives from the County Executive's office (Kevin Plunkett and Mary Mahon), Planning Department (Commissioner Ed Burroughs and Norma Drummond) and a representative from the County Attorneys office. Also in attendance was Lou Larriza who may be the County's preferred developer for the potential development of the site.

Summary

- *Sub-surface Environmental Conditions*. NYSDEC continues to monitor the site for the status of the environmental contaminants on the site. The last test was conducted in 2011 showed elevated levels from previous tests, but that additional tests are at the discretion of NYSDEC. The City requested that additional tests

be conducted and that it preferred that the site be clean before development occurs. Ms. Drummond stated that the County Health Department is not concerned with potential future housing development on the property provided that there is no enclosed habitable space below grade or on the first floor. The City was advised that there is currently no on-going remediation on the property.

- *Development and Land Use Review Process.* The County stated that it would select a preferred developer for the development of housing on the property. The County stated that the City would not need to be in the chain of title for the property and would not need to select a developer or eligible not-for-profit to develop the property. The City would act as it does for all land use applications, including former affordable housing applications on Cottage Street, by requiring approvals from all relevant City land use boards. As with the applications on Cottage Street, the City noted that the property is not currently zoned for the proposed development and that changes in the zoning code or variances would be required. The County understands that the City has local land use authority.

- *Development Scenario.* Mr. Larriza discussed his development concept for the site. He stated that he is seeking 48 units of senior (i.e. age 55 and over) housing on the property. The number of units is dictated by the desire to use tax credit financing for the property, which limits household income to 50% and 60% of Area Median Income (AMI). He stated that the unit mix would be one- and two-bedroom units. The project would total approximately 50,000 square feet within two 4- or 5-story buildings on the rear half of the 2.07-acre property. Parking would be located at grade level under the building to comply with the Health Department requirement that there be no habitable space below grade or on the first floor.

  The County stated that County infrastructure bond money would also be used to assist with the project funding. The County confirmed that the proposed senior tax credit units would count towards the 750-unit obligation under the Housing Settlement. The County stated that only 187 out of the 750 units can be senior and that Rye would be using the last of that limited allocation.

- *Next Steps.* The County will complete its process to select a preferred developer and the City can expect an application for affordable housing development potentially in the fall. At that point, or sooner if it desires, the City will need to under take a zoning analysis and determine what, if any, land use modifications it would like to implement to accommodate affordable development on this or potentially other properties in the City.

Westchestergov.com

Robert P. Astorino
County Executive

County Planning Board

Referral Review
Pursuant to Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code

January 30, 2014

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

Subject: **Referral File No. RYC 14 - 001 – The Courtyard at Theodore Fremd**
Zoning Map Amendment and Site Plan
Lead Agency

Dear Mr. Miller:

The Westchester County Planning Board has received a notice of intent to serve as Lead Agency pursuant to the NYS Environmental Quality Review Act (SEQR), as well as a one-sheet preliminary site plan (dated December 9, 2013) and related materials for the above referenced application. The applicants are petitioning the City to rezone a 2.08-acre site, currently owned by Westchester County with frontage on Theodore Fremd Avenue (County Road 54) and North Street (County Road 73), from B-6 General Business and B-1 Neighborhood Business to RA-5 Senior Citizens Apartment District. The zone change would permit the development of up to 58 units of housing on the site. If successfully rezoned, the applicant intends to apply for a site plan approval to construct a 54-unit apartment building with 95 parking spaces. All of the proposed units would be age-restricted to seniors over the age of 55 and would be affordable affirmatively furthering fair housing (AFFH) units. The unit mix would consist of 44 one-bedroom units and 10 two-bedroom units.

We have no objection to the Rye City Council assuming Lead Agency status for this review. Since this proposal involves the disposition of County-owned land as well as potential funding administered by Westchester County, we recommend that the County Board of Legislators be included as an Involved Agency with respect to SEQR.

Because we have not received full site plans, we will reserve full comment on 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 for a later date. At this time we offer the following preliminary comment:

Fair and affordable housing – development of affordable AFFH units. We support the concept of this proposal as it will add to the supply of affordable AFFH units in Westchester County. We look forward to working with both the City and the applicant as this application moves forward. We recommend that the applicant consider adding an apartment within the proposed building for a building superintendant, which is typical for a development of this size.

432 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601 Telephone: (914) 995-4400 Fax: (914) 995-9098 Website: westchestergov.com

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

FOR: By:

Edward Buroughs, AICP
Commissioner

EEB/LH

622 STILES AVENUE MAMARONECK, NEW YORK 10543 TEL 914-698-8207 FAX 914-698-8208
chnarch@yahoo.com

Clark Neuringer Architect

CONNECTICUT
DELAWARE
FLORIDA
MARYLAND
NEW YORK

December 10, 2013

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

Re: Proposed Zoning Amendment;
The Courtyard at Theodore Fremd

Dear Mayor French and Members of the City Council,

On behalf of our client, Lazz Development / Pawling Holdings, we are pleased to submit this request for an amendment to the Zoning Code of the City of Rye with respect to a proposed fifty four (54) unit rental development located at the corner of Theodore Fremd Avenue and North Street, adjacent to the existing Con Edison operations and equipment facility. The proposed development will advance a long-term planning objective of the City to provide affordable housing on this Westchester County-owned property. The proposed development would consist of 44 one-bedroom units and 10 two-bedroom units all of which will be restricted to those over age 55.

The approximately 2.1-acre property is currently within both the B-6 General Business District and B-1 Neighborhood Business District. Our proposal is to re-zone the entire property to the RA-5 Senior Citizen's Apartment District, which is the same district adopted by the City Council in the 1980s to provide for the construction of the approximately 100 units of senior affordable housing at 300 Theall Road. Current uses permitted within the B-6 District are limited to light manufacturing; garages, parking lots, and filling stations; small boat facilities; and kennels and veterinary hospitals. The portion of the property located in the B-1 District allows for business, professional office, retail, single-family dwellings and two-family residences.

Multi-family is not currently permitted in either district. We respectfully request that the City Council amend the Zoning Map to change the zoning district classification of this property to the RA-5 Senior Citizens Apartment District.

Our proposed senior citizen residential development meets or exceeds the requirements of the RA-5 District and would be a beneficial addition to the City in general and to the particular neighborhood. Our proposal represents a lower intensity of use of the property compared to what could be developed under the current limited zoning. Even under the RA-5 District requirements, our proposed residential development has several distinct positive attributes as follows:

Area of the lot is more than double the size of minimum required.
Total amount of buildable floor area proposed to be constructed is 17% less than permitted.
Total amount of parking proposed is almost seven times more than minimum required.
Total amount of open space proposed is more than double amount required.

As a result, the requested amendment would allow a residential development that would act as a transition between existing residential uses to the south and commercial uses otherwise surrounding the property. The design of our proposed site development results in a separation between the closest existing neighborhood residential building and one of our apartment buildings of a distance in excess of approximately 250 feet. As such, there would be no adverse impact on any of the existing residential areas to the south of the site. Compared to other uses that would be permitted on the site, we believe the proposed residential community would be a more attractive and beneficial use to the neighborhood.

We look forward to further reviews and discussions with you regarding the requested zoning amendment.

Sincerely,

Clark Neuringer, R.A.; NCARB

Cc: Louis Larizza, Lazz Development / Pawling Holdings

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D R A F T

LOCAL LAW
CITY OF RYE NO. _____ -2014

A Local Law to Amend the "Zoning Map of the City for Rye, New York" to Change the Zoning Designation of a Property Known on the City of Rye Tax Map as Section 146.10, Block 1, Lot 66 from B-6, *General Business*, District and B-1, *Neighborhood Business*, District to RA-5, *Senior Citizens Apartment*, 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 zoning district designation of a property known on the City of Rye Tax Map as Section 146.10, Block 1, Lot 66 from B-6, *General Business*, District and B-1, *Neighborhood Business*, District to RA-5, *Senior Citizens Apartment*, District.**

Section 2. **Severability**

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

Section 3. **Effective Date**

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

DRAFT

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information
City of Rye Affordable Senior Housing

Name of Action or Project:
The Courtyard at Theodore Fremd

Project Location (describe, and attach a location map):
Theodore Fremd Avenue and North Street, Rye, NY

Brief Description of Proposed Action:

1. Construct 54 units of senior affordable housing units with parking areas for 95 cars on 2.08 acres in the City of Rye, NY.
2. Approval of a City of Rye zoning text amendment to permit certain residential types in the B6 (Business) zone.

Name of Applicant or Sponsor:	Telephone:
Pawling Holdings, LLC	E-Mail:

Address:
211 South Ridge Street, Suite 3R

City/PO:	State:	Zip Code:
Rye Brook	NY	10573

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Rye Planning Commission, City of Rye Coucil, the Home Fund, HIF, AHC agencies, County of Westchester DPW	☐	☑

3.a. Total acreage of the site of the proposed action? 2.08 acres
b. Total acreage to be physically disturbed? 2.08 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.08 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): Railroad, Interstate Highway 95
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	✓		
b. Consistent with the adopted comprehensive plan?			✓

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		✓
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	✓	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✓	
b. Are public transportation service(s) available at or near the site of the proposed action?		✓
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		✓
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		✓
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		✓
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	✓	
b. Is the proposed action located in an archeological sensitive area?	✓	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	✓	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	✓	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☑ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	✓	
16. Is the project site located in the 100 year flood plain?	✓	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☑ YES	✓	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☑ YES Existing Culvert beneath Metro North Rail Lines		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: Three suburface detention vaults to be constructed beneath the parking areas. Size is generally 1000 square feet per system. The purpose is to limit flows to current levels.	☐	☑
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: NYS DEC database has no record of remediation 1978 to present.	☐	☑

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Lou Larizza Date: 11/6/2013

Signature:

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☑
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☑
b. public / private wastewater treatment utilities?	☐	☑
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

2. The project will increase the intensity of use since the development of 54 apartments for seniors will occur on vacant land. Mitigation is proposed by providing sufficient stormwater controls to prevent floding, and water quality treament to reduce impacts to water courses. Traffic mitigation is considered to be mitigated by limiting occupancy to an over-55 years age group. Excess on-site parking is provided to eliminate off-street parking impacts. The site is on the County Bus route which affords opportunity to mitigate traffic. New local street sidewalks to be constructed will also help to mitigate traffic. The proposed landscaping, consisting of landscaled buffers, new trees, shrubs and decorative fencing throughout, will mitigate visual impacts. An erosion control plan in conformance with the NYS Stormwater Design Manual will be used to offset temporary impacts of erosion.

7a. Water supply: The water demand for the project of 54 units with average of a two-person occupancy is about 10,800 gallons per day. United Water Westchester provides 7.6 million gallons per day and the increase is nominal due to this project and should not impact the facilities. Mitigation of water use is provided in limiting the occupancy to an over-55 age group.

7b. Wastewater Treament: The project is in the County's Blind Brook Sewer District and sewage flow will be treated at the Blind Brook Treatment Plant which has a capacity of 5 mgd and is currently operating at 3.3 mgd. City-owned sewers at the site are adequately sized to handle the increased flow from this project. Therefore, given the reduced water use and in turn sewage generation, the project should not adversely impact these facilities.

Long term impacts are the same as short term impacts described above.

Cumulative impacts of the development are limited due to the lack of other new projects of this type in the area.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
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)

PRINT

CITY COUNCIL AGENDA

NO. 9 DEPT.: City Manager's Office DATE: May 21, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Consideration to set a Public Hearing to amend local law Chapter 191, Vehicles and Traffic, of the Rye City Code by amending Section §191-19, "No parking any time" to prohibit parking on the north side of Mead Place; and Section §191-19-1, "Parking prohibited certain hours" to remove the restriction of no parking on Mead Place Monday through Saturday from 7:00 a.m. to 6:00 p.m.

FOR THE MEETING OF:
May 21, 2014

RYE CITY CODE,

CHAPTER	191
SECTION	19, 19-1

RECOMMENDATION: That the City Council set a Public Hearing to approve the changes on Mead Place as outlined by the Traffic and Pedestrian Safety Committee.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: Residents of Mead Place met with the Traffic and Pedestrian Safety Committee and requested eliminating parking on the north side of Mead Place. Currently there is no parking on this portion of the road, Monday through Saturday from 7:00 a.m. to 6:00 p.m. The residents wish to extend that restriction to "no parking anytime." There is unanimous support from the residents of Mead Place for this request; the YMCA was contacted and has no objection to the proposal. The change would be enacted by amending Section §191-19, "No parking any time" to prohibit parking on the north side of Mead Place; and Section §191-19-1, "Parking prohibited certain hours" to remove the partial restriction currently in place. The Council is asked to set a Public Hearing to change the local law.

See attached documentation and Draft Local Law.

CITY OF RYE
Engineering Department

Interoffice Memorandum

To: Frank Culross, City Manager

From: Ryan Coyne, PE, City Engineer

Date: May 9, 2014

Subject: Proposal to eliminate parking on the north side of Mead Place

Residents of Mead Place have approached the Traffic and Pedestrian Safety Committee with a request to eliminate parking on the northern side of Mead Place. Currently, there is no parking on this portion of the road between 7am and 6pm. They wish to extend that restriction to "no parking anytime".

This issue has been discussed for some time with the Committee. At their meeting last night, a resident of Mead Place, Mr. John Rock, returned and expressed that there is unanimous support from his neighbors to eliminate parking in this location. I have attached emails that he has sent me from his neighbors supporting the topic.

I have contacted a representative of the YMCA and it was conveyed to me that they do not have any objection to this proposal.

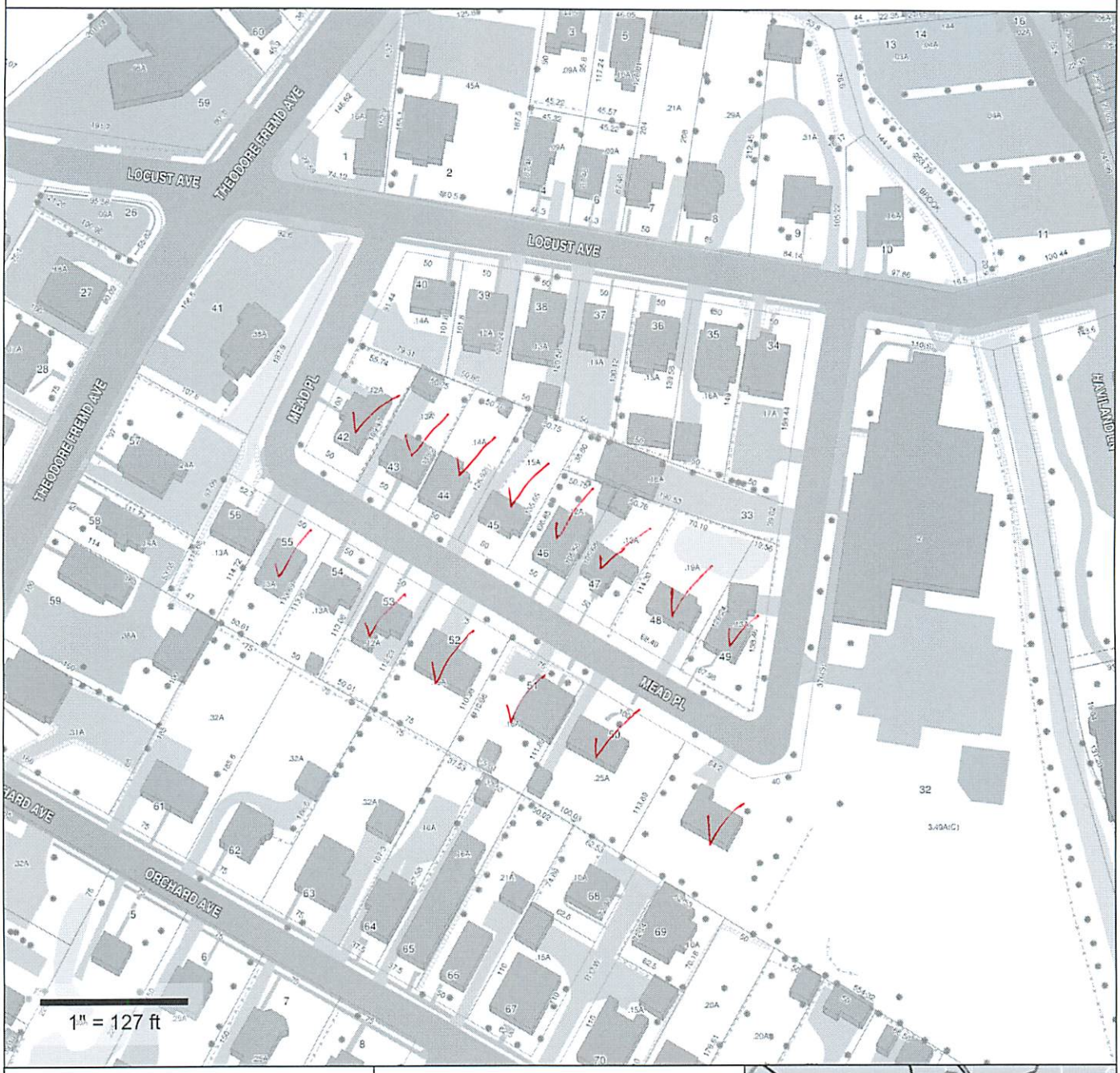
The TPS Committee has supported the request in the past; however, no recommendation was made because there was not a consensus from the neighborhood. It appears that a consensus has been met.

I can state confidently that Mr. Rock is anxious to see this restriction in place. I am therefore referring the attached for your review and action.

Please let me know if you need additional information.

City of Rye

May 9, 2014

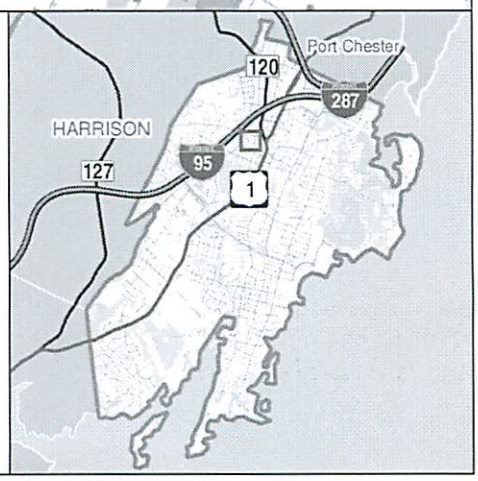


CITY OF RYE NY 1942

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

The City makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated December 31, 2012



From: John Rock [mailto:john.rockx29@gmail.com]
Sent: Monday, May 12, 2014 3:33 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#39 Tsui

Sent from my iPhone

Begin forwarded message:

From: "John Tsui" <jftsui@verizon.net>
Date: May 12, 2014 at 3:18:36 PM EDT
To: "'John Rock'" <john.rockx29@gmail.com>
Subject: RE: Mead Place Parking

John.....I vote with the majority as to what's best for the block.....regards, JOhn
From: John Rock [mailto:john.rockx29@gmail.com]
Sent: Monday, May 12, 2014 3:05 PM
To: john F. Tsui
Subject: Re: Mead Place Parking
Hi John... Just checking to see if you got this?
Rgds,
John

Sent from my iPhone

On May 9, 2014, at 9:25 AM, John Rock <john.rockx29@gmail.com> wrote:

Hi John,
Hope you are well. For the record can you respond back if you are still ok. as before, with 'No Parking Anytime' on the north side. Everybody is on board now finally!! which is great, and the TPC have agreed to take it to the council to get it done.
If you can respond back that would be great,
Thx
John

Sent from my iPhone

Begin forwarded message:

From: John Rock <john.rockx29@gmail.com>
Date: May 8, 2014 at 4:44:59 PM EDT
To: "andrea.tighe@yahoo.com" <andrea.tighe@yahoo.com>, "bbh1107@yahoo.com" <bbh1107@yahoo.com>, Ellen Saya <ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, "kcbellotti@aol.com" <kcbellotti@aol.com>, "ktsmead@verizon.net" <ktsmead@verizon.net>, MARY ROMANELLO <maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, "alacombe@optonline.net" <alacombe@optonline.net>, "glacombe@syntax.net" <glacombe@syntax.net>, "kirawales@gmail.com" <kirawales@gmail.com>, "peter@peterarcher.com" <peter@peterarcher.com>, Katie Thomas <katiekemplethomas@gmail.com>, "speach@optonline.net" <speach@optonline.net>, "davidw@bibglaw.com" <davidw@bibglaw.com>, "rockx43@aol.com" <rockx43@aol.com>
Subject: Re: Mead Place Parking

Hi All,
Many thanks for all your responses and support, including support this time from the Lacombe's and the Wales' - glad we finally got you guys on board!!
Together with prior signed petitions from everyone etc. I think we can safely say that we now have our 100% consensus, which I can take to the TPC tonight to propose i.e. 'No Parking Anytime' on the north side. Will request also, assuming we get approval, new larger signs and removal of the current stripes on the north side.
Hopefully the TPC will accept our proposal and we can get this tabled at the next meeting of the council for sign-off.
I think this will go a long way to restoring a sense of pride on our street, and yes - more than happy to step down after 2nd term as unelected mayor ☺.
Thx. again. Will let you know how it goes.
John

Sent from my iPhone

On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:
Hi All.
As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.

Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.
Do you think we can get you on board this time?
Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.
If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.
From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
rgds,
John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:42 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#27 Howells

Sent from my iPhone

Begin forwarded message:

> **From:** John Rock <john.rockx29@gmail.com>
> **Date:** May 9, 2014 at 9:39:58 AM EDT
> **To:** Gregg Howells <GreggHowells@ryeymca.org>
> **Subject: Re: Mead Place Parking**
>
> Thx.
>
> Sent from my iPhone
>
> On May 9, 2014, at 9:33 AM, Gregg Howells <GreggHowells@ryeymca.org> wrote:
>
> > John – we are still fine w/ making North side – no parking anytime.
> > Thanks!
> >
> > Gregg Howells
> > Executive Director
> > Rye YMCA
> > 21 Locust Avenue
> > Rye, NY 10580
> > 914-967-6363 Ext 200
> > 914-967-0644 Fax
> > gregghowells@ryeymca.org
> >
> > The Y: We're for Youth Development, Healthy Living and Social Responsibility
>
> ---
>
> **From:** John Rock [mailto:john.rockx29@gmail.com]
> **Sent:** Friday, May 09, 2014 9:28 AM
> **To:** Gregg Howells; Lisa Howells
> **Subject:** Fwd: Mead Place Parking
>
> Hi Gregg / Lisa,
> Hope you guys are well. For the record can you respond back if you are still ok. as before, with 'No Parking Anytime' on the north side. Everybody is on board now finally!! which is great, and the TPC have agreed to take it to the council to get it done.
> If you can respond back that would be great.
> Thx.
> John

Sent from my iPhone

Begin forwarded message:

From: John Rock <john.rockx29@gmail.com>
Date: May 8, 2014 at 4:44:59 PM EDT
To: "andrea.tighe@yahoo.com" <andrea.tighe@yahoo.com>, "bbh1107@yahoo.com" <bbh1107@yahoo.com>, Ellen Saya <ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, "kcbellotti@aol.com" <kcbellotti@aol.com>, "ktsmead@verizon.net" <ktsmead@verizon.net>, MARY ROMANELLO <maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, "alacombe@optonline.net" <alacombe@optonline.net>, "glacombe@syntax.net" <glacombe@syntax.net>, "kirawales@gmail.com" <kirawales@gmail.com>, "peter@peterarcher.com" <peter@peterarcher.com>, Katie Thomas <katiekemplethomas@gmail.com>, "speach@optonline.net" <speach@optonline.net>, "davidw@bibglaw.com" <davidw@bibglaw.com>, "rockx43@aol.com" <rockx43@aol.com>
Subject: Re: Mead Place Parking

Hi All,
Many thanks for all your responses and support, including support this time from the Lacombe's and the Wales' - glad we finally got you guys on board!!
Together with prior signed petitions from everyone etc. I think we can safely say that we now have our 100% consensus, which I can take to the TPC tonight to propose i.e. 'No Parking Anytime' on the north side. Will request also, assuming we get approval, new larger signs and removal of the current stripes on the north side.
Hopefully the TPC will accept our proposal and we can get this tabled at the next meeting of the council for sign-off.
I think this will go a long way to restoring a sense of pride on our street, and yes - more than happy to step down after 2nd term as unelected mayor □.
Thx. again. Will let you know how it goes.
John

Sent from my iPhone

On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:

Hi All.

As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.

The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.

Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.

Do you think we can get you on board this time?

Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?

Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.

If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.

From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.

There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.

rgds,

John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:41 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#31 Erhlich

Sent from my iPhone

Begin forwarded message:

From: "Harry" <hw.eh@verizon.net>
Date: May 5, 2014 at 8:43:02 PM EDT
To: "'John Rock'" <john.rockx29@gmail.com>, <andrea.tighe@yahoo.com>, <bbh1107@yahoo.com>, "'Ellen Saya'" <ellensaya@gmail.com>, "'gregghowells'" <gregghowells@ryeymca.org>, "'john F. Tsui'" <jftsui@verizon.net>, <kcbellotti@aol.com>, <ktsmead@verizon.net>, "'MARY ROMANELLO'" <marvelmr@yahoo.com>, "'John Rock'" <rockx43@aol.com>, <alacombe@optonline.net>, <glacombe@syntax.net>, <kirawales@gmail.com>, <peter@peterarcher.com>, "'Katie Thomas'" <katiekemplethomas@gmail.com>, <speach@optonline.net>
Subject: RE: Mead Place Parking

Hi John
Once again thank you very much for spearheading this effort.
I support a full ban on the North Side of the street.
Thanks much.
Harry

From: John Rock [mailto:john.rockx29@gmail.com]
Sent: Monday, May 05, 2014 12:33 PM
To: andrea.tighe@yahoo.com; bbh1107@yahoo.com; Ellen Saya; gregghowells; Harry; john F. Tsui; kcbellotti@aol.com; ktsmead@verizon.net; MARY ROMANELLO; John Rock; alacombe@optonline.net; glacombe@syntax.net; kirawales@gmail.com; peter@peterarcher.com; Katie Thomas; speach@optonline.net
Subject: Mead Place Parking

Hi All.
As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.
Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.
Do you think we can get you on board this time?
Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside

which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.
If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.
From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
rgds,
John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:40 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#33 Wales

Sent from my iPhone

Begin forwarded message:

From: David Wales <davidw@blbglaw.com>
Date: May 8, 2014 at 9:22:23 AM EDT
To: "glacombe@syntax.com" <glacombe@syntax.com>, "john.rockx29@gmail.com" <john.rockx29@gmail.com>, "alacombe@optonline.net" <alacombe@optonline.net>, "andrea.tighe@yahoo.com" <andrea.tighe@yahoo.com>, "bbh1107@yahoo.com" <bbh1107@yahoo.com>, "ellensaya@gmail.com" <ellensaya@gmail.com>, "gregghowells@ryeymca.org" <gregghowells@ryeymca.org>, "hw.eh@verizon.net" <hw.eh@verizon.net>, "jftsui@verizon.net" <jftsui@verizon.net>, "katiekemplethomas@gmail.com" <katiekemplethomas@gmail.com>, "kcbellotti@aol.com" <kcbellotti@aol.com>, "ktsmead@verizon.net" <ktsmead@verizon.net>, "maryelmr@yahoo.com" <maryelmr@yahoo.com>, "peter@peterarcher.com" <peter@peterarcher.com>, "speach@optonline.net" <speach@optonline.net>
Cc: Kira Wales <kirawales@gmail.com>
Subject: Mead Place Parking

We feel very much like Amy and Gary on the parking issue. While we personally do not agree that is a good idea to change the parking on the North side of the street any further, we will support that change if that is what everyone wants. We are doing this because we also want to support our block and our neighbors, and as such, it is also important to us that this finally resolves all of the parking and traffic pattern issues on the block.

Best, David and Kira

Hi All,

After much deliberation Amy and I have decided to support our neighbors at the top of Mead place with no parking on the north side of the street.

Just so you understand our hesitation... Amy and I lived at 22 Mead for many years before we moved to 41 Mead place. The parking at the top of the block was always an issue which was one of the reasons we moved down to 41. We've been through one round of parking changes which clearly was the right decision for safety, and the overall feel of the block, but degraded the parking situation in front of our house. Now we're faced with another change and we fear this change will now have cars parked in front of our house after six; which currently is clear of cars by midafternoon. With that said, it's important to us to support the block and our neighbors... with the Caveat that we put the traffic pattern /

parking on Mead place to bed.

(Johnny, I prefer single malt☺)

We are looking forward to seeing you all out on the block now that the warm weather is here ...finally!

Amy & Gary

David L. Wales
Bernstein Litowitz Berger & Grossmann LLP
1285 Avenue of the Americas, 38th Floor
New York, NY 10019
(212) 554-1409
dwales@blbglaw.com

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:37 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#37 Thomas

Sent from my iPhone

Begin forwarded message:

> **From:** Katie Thomas <katiekemplethomas@gmail.com>
> **Date:** May 5, 2014 at 9:40:44 PM EDT
> **To:** Harry <hw.eh@verizon.net>
> **Cc:** John Rock <john.rockx29@gmail.com>, "<andrea.tighe@yahoo.com>" <andrea.tighe@yahoo.com>, "<bbh1107@yahoo.com>" <bbh1107@yahoo.com>, Ellen Saya <ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, "john F. Tsui" <jftsui@verizon.net>, "<kcbellotti@aol.com>" <kcbellotti@aol.com>, "<ktsmead@verizon.net>" <ktsmead@verizon.net>, MARY ROMANELLO <maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, "<alacombe@optonline.net>" <alacombe@optonline.net>, "<glacombe@syntax.net>" <glacombe@syntax.net>, "<kirawales@gmail.com>" <kirawales@gmail.com>, "<peter@peterarcher.com>" <peter@peterarcher.com>, "<speach@optonline.net>" <speach@optonline.net>
> **Subject: Re: Mead Place Parking**
>
> We reiterate Harry's sentiments-- thank you so much for spearheading!!
>
> Katie & Steve Thomas
>
> Sent from my iPhone
>
> On May 5, 2014, at 8:43 PM, "Harry" <hw.eh@verizon.net> wrote:
>
>> Hi John
>> Once again thank you very much for spearheading this effort.
>> I support a full ban on the North Side of the street.
>> Thanks much.
>> Harry
>>
>> **From:** John Rock [mailto:john.rockx29@gmail.com]
>> **Sent:** Monday, May 05, 2014 12:33 PM
>> **To:** andrea.tighe@yahoo.com; bbh1107@yahoo.com; Ellen Saya; gregghowells; Harry; john F. Tsui; kcbellotti@aol.com; ktsmead@verizon.net; MARY ROMANELLO; John Rock; alacombe@optonline.net; glacombe@syntax.net; kirawales@gmail.com; peter@peterarcher.com; Katie Thomas; speach@optonline.net
>> **Subject:** Mead Place Parking
>>
>> Hi All.
>> As promised, and in response to continued frustration and congestion on the

North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.
Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.
Do you think we can get you on board this time?
Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.
If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.
From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
rgds,
John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:36 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#41 Lacombe

Sent from my iPhone

Begin forwarded message:

From: glacombe@syntax.com
Date: May 8, 2014 at 8:27:52 AM EDT
To: John Rock <john.rockx29@gmail.com>
Cc: "Home Home" <alacombe@optonline.net>, andrea.tighe@yahoo.com, bbh1107@yahoo.com, Ellen Saya <ellensaya@gmail.com>, glacombe@syntax.net, gregghowells <gregghowells@ryeymca.org>, "Harry Erlick" <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, Katie Thomas <katiekemplethomas@gmail.com>, kcbellotti@aol.com, kirawales@gmail.com, ktsmead@verizon.net, MARY ROMANELLO <marvelmr@yahoo.com>, peter@peterarcher.com, John Rock <rockx43@aol.com>, speach@optonline.net
Subject: Re: Mead Place Parking

Hi All,

After much deliberation Amy and I have decided to support our neighbors at the top of Mead place with no parking on the north side of the street.

Just so you understand our hesitation... Amy and I lived at 22 Mead for many years before we moved to 41 Mead place. The parking at the top of the block was always an issue which was one of the reasons we moved down to 41. We've been through one round of parking changes which clearly was the right decision for safety, and the overall feel of the block, but degraded the parking situation in front of our house. Now we're faced with another change and we fear this change will now have cars parked in front of our house after six; which currently is clear of cars by midafternoon. With that said, it's important to us to support the block and our neighbors... with the Caveat that we put the traffic pattern / parking on Mead place to bed.

(Johnny, I prefer single malt☺)

We are looking forward to seeing you all out on the block now that the warm weather is here ...finally!

Amy & Gary

-----John Rock <john.rockx29@gmail.com> wrote: -----
| To: andrea.tighe@yahoo.com, bbh1107@yahoo.com, Ellen Saya

<ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, kcbellotti@aol.com, ktsmead@verizon.net, MARY ROMANELLO <maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, alacombe@optonline.net, glacombe@syntax.net, kirawales@gmail.com, peter@peterarcher.com, Katie Thomas <katiekemplethomas@gmail.com>, speach@optonline.net
From: John Rock <john.rockx29@gmail.com>
Date: 05/05/2014 12:33PM
Subject: Mead Place Parking

Hi All.
As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.
Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round. Do you think we can get you on board this time?
Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
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From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
rgds,
John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:28 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#22 Archer

Sent from my iPhone

Begin forwarded message:

> **From:** Peter <peter@peterarcher.com>
> **Date:** May 6, 2014 at 9:24:33 PM EDT
> **To:** John Rock <john.rockx29@gmail.com>
> **Subject: Re: Mead Place Parking**
>
> John,
>
> Thank you for all your hard work.
>
> Louise and I feel like the parking situation on the block is really unacceptable.
>
> We would agree with you and would like to eliminate parking on the north side of the street. Additionally, if there are any other measures you can think of to restrict parking, we will vote for them too!
>
> Thanks again, and if you need any help with ANYTHING, just ask.
>
> Pete & Louise
> 22 Mead Place
>
> -------- Original message --------
> From: John Rock
> Date:05/06/2014 8:35 AM (GMT-05:00)
> To: Ellen
> Cc: andrea.tighe@yahoo.com,bbh1107@yahoo.com,gregghowells ,Harry ,"john F. Tsui" ,kcbellotti@aol.com,ktsmead@verizon.net,MARY ROMANELLO ,John Rock ,alacombe@optonline.net,glacombe@syntax.net,kirawales@gmail.com,peter@peterarcher.c Thomas ,speach@optonline.net
> Subject: Re: Mead Place Parking
>
> Hi Ellen / Bill,
> Many thx. for your response.
> Yes, the issue of speeding has come up several times but the city will not install speed humps / traffic calming measures due to the slope on the street, for safety reasons.
> I never understood it either??
> Thx
> John

Sent from my iPhone

On May 6, 2014, at 8:19 AM, Ellen <ellensaya@gmail.com> wrote:

> Reply to John:
> John
> We don't have much of an opinion either way regarding no parking anytime on the north side and would be in favor of whatever the majority of the block thought was best. Aside from the parking issue, we are concerned with the speeding that occurs on the block. Has that been a topic brought up with the committee or has this strictly been about the parking?
> The Saya's
>
> Sent from my iPhone
>
> On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:
>
>> Hi All.
>> As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y-end of the street.
>> The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.
>> Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.
>> Do you think we can get you on board this time?
>> Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
>> Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.
>> If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.
>> From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
>> There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
>> rgds,

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:30 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#26 Sweeney

Sent from my iPhone

Begin forwarded message:

From: ktsmead@verizon.net
Date: May 6, 2014 at 9:17:43 PM EDT
To: john.rockx29@gmail.com
Subject: Re: Mead Place Parking

John, Thanks for your continued involvement in the Mead Place parking issues. I'm in favor of "no parking anytime" on the North side of the street.
Krys Sweeney

On 05/05/14, John Rock<john.rockx29@gmail.com> wrote:

Hi All.
As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.
Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.
Do you think we can get you on board this time?
Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.
If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.
From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
rgds,
John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:32 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#32 Elmore

Sent from my iPhone

Begin forwarded message:

> **From:** Mary <maryelmr@yahoo.com>
> **Date:** May 6, 2014 at 6:31:26 PM EDT
> **To:** John Rock <john.rockx29@gmail.com>
> **Cc:** "andrea.tighe@yahoo.com" <andrea.tighe@yahoo.com>, "bbh1107@yahoo.com" <bbh1107@yahoo.com>, Ellen Saya <ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, "kcbellotti@aol.com" <kcbellotti@aol.com>, "ktsmead@verizon.net" <ktsmead@verizon.net>, John Rock <rockx43@aol.com>, "alacombe@optonline.net" <alacombe@optonline.net>, "glacombe@syntax.net" <glacombe@syntax.net>, "kirawales@gmail.com" <kirawales@gmail.com>, "peter@peterarcher.com" <peter@peterarcher.com>, Katie Thomas <katiekemplethomas@gmail.com>, "speach@optonline.net" <speach@optonline.net>
> **Subject: Re: Mead Place Parking**
>
> Dear john.....thank you for doing this for the neighborhood. I certainly support no parking anytime on my side of the street (north side). I believe it will certainly make the whole street safer for everyone.
>
> Sent from my iPhone
>
> > On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:
> >
> > Hi All.
> >
> > As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
> >
> > The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.
> >
> > Last time, we had mostly everyone on board and not to call anyone out or

anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.

Do you think we can get you on board this time?

Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?

Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.

If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.

From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.

There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.

rgds,

John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:32 PM
To: Coyne, Ryan X.
Subject: Fwd: Laura and Darryl's Response to Mead Place Parking

#34 Speach

Sent from my iPhone

Begin forwarded message:

From: Darryl Speach <speach@optonline.net>
Date: May 6, 2014 at 8:23:05 PM EDT
To: John Rock <john.rockx29@gmail.com>
Cc: andrea.tighe@yahoo.com, bbh1107@yahoo.com, Ellen Saya <ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, kcbellotti@aol.com, ktsmead@verizon.net, MARY ROMANELLO <maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, alacombe@optonline.net, glacombe@syntax.net, kirawales@gmail.com, peter@peterarcher.com, Katie Thomas <katiekemplethomas@gmail.com>
Subject: Laura and Darryl's Response to Mead Place Parking

John,

We vote for "No Parking Anytime on the North side of Mead Place". I think it would make the street much safer (kids and pets are easier for a driver to see when they enter the street not near a parked car) and it would eliminate the issue of two cars coming from opposite directions and not able to pass to each other.

Hope that helps!

Thanks for all your effort on this.

Darryl & Laura

On Mon, May 05, 2014 at 12:32 PM, John Rock wrote:

> Hi All.
> As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
> The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking -

south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.
Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.
Do you think we can get you on board this time?
Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.
If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.
From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
rgds,
John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:33 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#38 Saya

Sent from my iPhone

Begin forwarded message:

> **From:** Ellen <ellensaya@gmail.com>
> **Date:** May 6, 2014 at 8:19:52 AM EDT
> **To:** John Rock <john.rockx29@gmail.com>
> **Cc:** "andrea.tighe@yahoo.com" <andrea.tighe@yahoo.com>, "bbh1107@yahoo.com" <bbh1107@yahoo.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, "kcbellotti@aol.com" <kcbellotti@aol.com>, "ktsmead@verizon.net" <ktsmead@verizon.net>, MARY ROMANELLO <maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, "alacombe@optonline.net" <alacombe@optonline.net>, "glacombe@syntax.net" <glacombe@syntax.net>, "kirawales@gmail.com" <kirawales@gmail.com>, "peter@peterarcher.com" <peter@peterarcher.com>, Katie Thomas <katiekemplethomas@gmail.com>, "speach@optonline.net" <speach@optonline.net>
> **Subject: Re: Mead Place Parking**
>
> Reply to John:
> John
> We don't have much of an opinion either way regarding no parking anytime on the north side and would be in favor of whatever the majority of the block thought was best. Aside from the parking issue, we are concerned with the speeding that occurs on the block. Has that been a topic brought up with the committee or has this strictly been about the parking?
> The Saya's
>
> Sent from my iPhone
>
> On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:
>
> > Hi All.
> > As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
> > The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc.

from the street.
Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.
Do you think we can get you on board this time?
Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?
Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.
If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.
From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.
There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.
rgds,
John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:34 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#40 Bellotti

Sent from my iPhone

Begin forwarded message:

> **From:** John Rock <john.rockx29@gmail.com>
> **Date:** May 9, 2014 at 9:40:51 AM EDT
> **To:** Kathy Bellotti <kcbellotti@aol.com>
> **Subject: Re: Mead Place Parking**
>
> Thx. again.
>
> Sent from my iPhone
>
> On May 9, 2014, at 9:38 AM, Kathy Bellotti <kcbellotti@aol.com> wrote:
>
>> Hi John
>> Thanks for all you have been doing.
>> Yes we are on board with the no parking on the north side as before.
>> We have had a few showings and are hoping it sells soon.
>> Hope you are all well
>> Kathy
>> Sent from my iPhone
>>
>> On May 9, 2014, at 9:22 AM, John Rock <john.rockx29@gmail.com> wrote:
>>
>>> Hi Chris / Kathy... Hope you guys are well. For the record can you respond back if you are still ok. as before, with 'No Parking Anytime' on the north side. Everybody is on board now finally!! which is great, and the TPC have agreed to take it to the council to get it done.
>>> Saw the house on the market, hope that goes well.
>>> Rgds,
>>> Johnny
>>>
>>> Sent from my iPhone
>>>
>>> Begin forwarded message:
>>>
>>>> **From:** John Rock <john.rockx29@gmail.com>
>>>> **Date:** May 8, 2014 at 4:44:59 PM EDT
>>>> **To:** "andrea.tighe@yahoo.com" <andrea.tighe@yahoo.com>, "bbh1107@yahoo.com"

<bbh1107@yahoo.com>, Ellen Saya
<ellensaya@gmail.com>, gregghowells
<gregghowells@ryeymca.org>, Harry
<hw.eh@verizon.net>, "john F. Tsui"
<jftsui@verizon.net>, "kcbellotti@aol.com"
<kcbellotti@aol.com>, "ktsmead@verizon.net"
<ktsmead@verizon.net>, MARY ROMANELLO
<maryelmr@yahoo.com>, John Rock
<rockx43@aol.com>, "alacombe@optonline.net"
<alacombe@optonline.net>, "glacombe@syntax.net"
<glacombe@syntax.net>, "kirawales@gmail.com"
<kirawales@gmail.com>, "peter@peterarcher.com"
<peter@peterarcher.com>, Katie Thomas
<katiekemplethomas@gmail.com>,
"speach@optonline.net" <speach@optonline.net>,
"davidw@bibglaw.com" <davidw@bibglaw.com>,
"rockx43@aol.com" <rockx43@aol.com>
Subject: Re: Mead Place Parking

Hi All,
Many thanks for all your responses and support, including support this time from the Lacombe's and the Wales' - glad we finally got you guys on board!! Together with prior signed petitions from everyone etc. I think we can safely say that we now have our 100% consensus, which I can take to the TPC tonight to propose i.e. 'No Parking Anytime' on the north side. Will request also, assuming we get approval, new larger signs and removal of the current stripes on the north side.
Hopefully the TPC will accept our proposal and we can get this tabled at the next meeting of the council for sign-off.
I think this will go a long way to restoring a sense of pride on our street, and yes - more than happy to step down after 2nd term as unelected mayor c .
Thx. again. Will let you know how it goes.
John

Sent from my iPhone

> On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:
>
> Hi All.
>
> As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most

Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.

The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.

Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.

Do you think we can get you on board this time?

Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?

Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.

If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.

From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.

There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:35 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#44 Hudson

Sent from my iPhone

Begin forwarded message:

> **From:** bbh1107@yahoo.com
> **Date:** May 9, 2014 at 9:49:09 AM EDT
> **To:** John Rock <john.rockx29@gmail.com>
> **Subject: Re: Mead Place Parking**
>
> Hi John
> A little preoccupied with sorting out all the stuff that had accumulated in 23 years of living in this house. We agree with no parking on the north side. Thanks for all the work in this!
>
> Betsy
>
> Sent from my iPhone
>
> On May 9, 2014, at 9:45 AM, John Rock <john.rockx29@gmail.com> wrote:
>
>> Hi Betsy / Derek,
>> Hope you guys are well. For the record can you respond back if you are still ok. as before, with 'No Parking Anytime' on the north side. Everybody is on board now finally!! which is great, and the TPC have agreed to take it to the council to get it done.
>> If you can respond back that would be great.
>> Heard you had good offers on your house, well done! Congrats.
>> Thx,
>> John
>>
>> Sent from my iPhone
>>
>> Begin forwarded message:
>>
>>> **From:** John Rock <john.rockx29@gmail.com>
>>> **Date:** May 8, 2014 at 4:44:59 PM EDT
>>> **To:** "andrea.tighe@yahoo.com" <andrea.tighe@yahoo.com>, "bbh1107@yahoo.com" <bbh1107@yahoo.com>, Ellen Saya <ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, "kcbellotti@aol.com" <kcbellotti@aol.com>, "ktsmead@verizon.net" <ktsmead@verizon.net>, MARY ROMANELLO

<maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, "alacombe@optonline.net" <alacombe@optonline.net>, "glacombe@syntax.net" <glacombe@syntax.net>, "kirawales@gmail.com" <kirawales@gmail.com>, "peter@peterarcher.com" <peter@peterarcher.com>, Katie Thomas <katiekemplethomas@gmail.com>, "speach@optonline.net" <speach@optonline.net>, "davidw@bibglaw.com" <davidw@bibglaw.com>, "rockx43@aol.com" <rockx43@aol.com>
Subject: Re: Mead Place Parking

Hi All,
Many thanks for all your responses and support, including support this time from the Lacombe's and the Wales' - glad we finally got you guys on board!!
Together with prior signed petitions from everyone etc. I think we can safely say that we now have our 100% consensus, which I can take to the TPC tonight to propose i.e. 'No Parking Anytime' on the north side. Will request also, assuming we get approval, new larger signs and removal of the current stripes on the north side.
Hopefully the TPC will accept our proposal and we can get this tabled at the next meeting of the council for sign-off.
I think this will go a long way to restoring a sense of pride on our street, and yes - more than happy to step down after 2nd term as unelected mayor g .
Thx. again. Will let you know how it goes.
John

Sent from my iPhone

> On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:
>
> Hi All.
>
> As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
>
> The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the street.

Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.

Do you think we can get you on board this time?

Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?

Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.

If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.

From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.

There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.

rgds,

John

Coyne, Ryan X.

From: John Rock [john.rockx29@gmail.com]
Sent: Friday, May 09, 2014 12:35 PM
To: Coyne, Ryan X.
Subject: Fwd: Mead Place Parking

#42 Tighe

Sent from my iPhone

Begin forwarded message:

> **From:** Andrea Tighe <andrea.tighe@yahoo.com>
> **Date:** May 7, 2014 at 9:16:05 PM EDT
> **To:** John Rock <john.rockx29@gmail.com>
> **Cc:** "bbh1107@yahoo.com" <bbh1107@yahoo.com>, Ellen Saya <ellensaya@gmail.com>, gregghowells <gregghowells@ryeymca.org>, Harry <hw.eh@verizon.net>, "john F. Tsui" <jftsui@verizon.net>, "kcbellotti@aol.com" <kcbellotti@aol.com>, "ktsmead@verizon.net" <ktsmead@verizon.net>, MARY ROMANELLO <maryelmr@yahoo.com>, John Rock <rockx43@aol.com>, "alacombe@optonline.net" <alacombe@optonline.net>, "glacombe@syntax.net" <glacombe@syntax.net>, "kirawales@gmail.com" <kirawales@gmail.com>, "peter@peterarcher.com" <peter@peterarcher.com>, Katie Thomas <katiekemplethomas@gmail.com>, "speach@optonline.net" <speach@optonline.net>
> **Subject: Re: Mead Place Parking**
>
> John,
>
> In regards to "no parking on the North side", we are in favor of whatever the majority of the block feels is best.
>
> Jason and Andrea Tighe
>
> Sent from my iPhone
>
>> On May 5, 2014, at 12:32 PM, John Rock <john.rockx29@gmail.com> wrote:
>>
>> Hi All.
>>
>> As promised, and in response to continued frustration and congestion on the North side of the street from cars parked after 6pm weekdays and most Sat.& Sundays before 6pm, especially for those of us mostly directly impacted who live closer to the 'Y- end of the street.
>>
>> The TPC (Traffic & Parking Committee) have asked for feedback on initiatives from the last round; I think pretty successful i.e. new / larger no parking sign on the north east corner and street marking - south side, which has definitely helped, but have asked that if we still want to press ahead with 'No Parking Anytime' on the North side we present another show of support etc. from the

street.

Last time, we had mostly everyone on board and not to call anyone out or anything, but Gary & Amy (Lacombe) - you guys were not in favor of this on the last go round.

Do you think we can get you on board this time?

Also, David & Kira (Wales); you guys were opposed to the 2 hour parking on the Southside which I'm not proposing we try and push through again time, but would be great to get your full support for 'No Parking Anytime' on the North side?

Welcome also to Peter & Lynn Archer & family, our newest neighbors, who moved into Nick & Anne Jackson's house.

If everyone can let me know either way or at least if for any reason you would be opposed to moving forward with this request to the TPC.

From previous experience, if we can get full consensus, the TPC tend to move much quicker with the council to make it happen.

There is a meeting of the TPC scheduled for this Thursday 8th @ 7.30pm. If you can get back to me before then that would be great.

rgds,

John

Chapter 191. VEHICLES AND TRAFFIC

Part 1. General Regulations

Article III. Parking Regulations

§ 191-19. No parking any time.

[Added 5-15-1963 by Ord. No. 4-1963]
The parking of vehicles is hereby prohibited in all of the following locations:

Name of Street	Side	Location
Promulgated by City Manager with approval of City Council.		
Apawamis Avenue **[Added 1-7-1976 by Ord. No. 3-1976]**	North	From Milton Road to Midland Avenue
Apawamis Avenue **[Added 2-16-1983]**	South	Extending 40 feet east and west of Cowles Avenue
Blind Brook Lane **[Added 1-7-1976 by Ord. No. 3-1976]**	South	
Boston Post Road **[Added 12-2-1981]**	East	From northeast corner of Parsons Street to Mamaro-neck line
Boston Post Road	East	From Rectory Street to Port Chester boundary line
*Boston Post Road **[Added 12-2-1982]**	West	From Port Chester line to Mamoroneck line
Boston Post Road	West	From Rectory Street to Port Chester boundary line
*Cedar Street **[Added 12-2-1981]**	North	From Purchase Street to Post Road
Central Avenue **[Added-7-18-1979]**	Both	From Clinton Avenue to Theodore Fremd Avenue
Central Avenue **[Added 7-18-1979]**	North	From Maple Avenue to Clinton Avenue
Central Avenue **[Added 12-2-1981; repealed 10-20-1982]**		

Name of Street	Side	Location
*Chestnut Street **[Added 12-2-1981]**	West	From Orchard Avenue to Central Avenue
*Clinton Avenue	West	From High Street to Central Avenue
*Cottage Street **[Added 9-21-1983]**	Both	From Midland Avenue to the Port Chester line
Davis Avenue **[Added 2-4-1970 by Ord. No. 1-1970]**	East	From Manursing Avenue to Sylvan Place
Elizabeth Street **[Added 2-4-1970 by Ord. No. 1-1970; amended 4-15-1970 by Ord. No. 4-1970]**	South	
Evergreen Avenue **[Added 12-4-1996]**	All	On all three sides of the triangle abutting Grandview Avenue and Evergreen Avenue
*First Street	Both, except within designated parking area	
*First Street **[Added 12-2-1981]**	Both	From Purdy Avenue to Station Plaza
*First Street **[Added 12-2-1981]**	West	From loading zone from Purdy Avenue to Smith Street
*Forest Avenue **[Added 12-2-1981]**	East	From Cornell Place to Playland Parkway
Gramercy Avenue **[Added 10-4-1989]**	Both	
Grandview Avenue	East	From High Street to Cedar Street
Grandview Avenue **[Amended 5-16-2001]**	West	From the northern property boundary of Rye Country Day School property on the west side of Grandview Avenue to Cedar Street
Grapal Street **[Added 12-18-2002]**	Both	From Grace Church Street to a point 30 feet southwest of its intersection with Grace Church Street
Hammond Road **[Added 6-17-1969 by Ord. No. 3-1969]**	Both	

Name of Street	Side	Location
Harbor Terrace Drive **[Added 5-27-1976 by Ord. No. 6-1976]**	East	To Westbank Road
Harbor Terrace Drive **[Added 5-27-1976 by Ord. No. 6-1976]**	South	From Westbank Road to Hix Avenue
*Haviland Lane **[Added 12-2-1981]**		Parking lot side of main firehouse — "Firemen Only"
Hewlett Avenue	East	From the crosswalk opposite the southerly entrance of the driveway which runs along the easterly side of Milton School for a distance of 50 feet northerly
Hewlett Avenue **[Repealed 6-17-1992]**		
*Highland Road **[Added 12-2-1981]**	South	From Mendota Avenue to Purchase Street
*Highland Road **[Added 12-2-1981]**	West	Harrison line to Club Road
*High Street	North	From Summit Avenue to Clinton Avenue
Hillside Road **[Added 6-21-1989]**	Both	From Purchase Street to Boston Post Road
*LaSalle Avenue **[Added 6-21-2000]**	East	At the terminus for a distance of 50 feet
*LaSalle Avenue **[Added 6-21-2000]**	West	At the terminus for a distance of 35 feet
*Locust Avenue **[Amended 12-2-1981]**	Both	From Purchase Street to the easterly corner of Mead Place
Locust Avenue	Both	From Theodore Fremd Avenue to Harrison boundary line
Locust Avenue **[Added 2-16-1994]**	North	From the easterly end of Mead Place to Theodore Fremd Avenue
*Manursing Avenue **[Added 12-2-1981]**	North	From Davis Avenue to Midland Avenue
*Manursing Avenue **[Added 10-20-1999]**	South	From Davis Avenue east to Forest Avenue
*Maple Avenue	East	From North Street to Locust Avenue

Name of Street	Side	Location
[Added 12-2-1981]		
Maple Avenue	West	From North Street to Locust Avenue
*Mead Place **[Added 12-2-1981]**	West	Across from side of YMCA Locust Avenue to curve in road
Mead Place	North	Entire length of street
*Midland Avenue **[Added 12-2-1981; repealed 8-16-1995]**		
Midland Avenue **[Added 8-16-1995; amended 1-20-2010 by L.L. No. 1-2010]**	East	Ellis Court to Grace Church Street
*Midland Avenue **[Added 3-19-1997]**	East	From a point 20 feet north of northerly entrance to Midland School circle from 8:15 a.m. to 8:45 and from 2:30 p.m. to 3:30 p.m. Monday through Friday
Midland Avenue **[Added 12-2-1981]**	East	From entrance ramp of New England Thruway to Cottage Street
*Midland Avenue **[Added 12-2-1981]**	West	From Cottage Street to Peck Avenue
*Milton Road **[Added 12-2-1981]**	East	Palisade Road to Halstead Lane then from Hewlett Avenue to Stuyvesant Avenue
*Milton Road **[Added 12-2-1981]**	West	Parsons Street to Brookdale Place
Natoma Street **[Added 1-7-1976 by Ord. No. 3-1976]**	South	
*North Street **[Added 12-2-1981]**	Both	From Old Post Road to Harrison line
*Oakland Beach Avenue **[Added 12-2-1981]**	Both	From Post Road to Milton Road
*Orchard Avenue **[Added 2-19-1964]**	South	Entire length
*Palisade Road **[Added 2-19-1964]**	Both	From a point 153 feet east of the intersection with Richard Place to a point 158 feet west of the intersection with

Name of Street	Side	Location
		Midland Avenue
*Palisade Road **[Added 12-2-1981]**	North	From a point 153 feet east of the intersection with Richard Place to a point 158 feet west of the intersection with Midland Avenue
*Palisade Road **[Added 12-2-1981]**	South	From a point 153 feet east of the intersection with Richard Place to Midland Avenue
Parsons Street **[Added 12-2-1981]**	North	Milton Road to Post Road, except Sundays
Pondview Road **[Added 9-22-1977 by Ord. No. 5-1977]**	Both	From northerly driveway to Theodore Fremd Avenue
Purdy Avenue	Both	From Purchase Street to First Street
Purdy Avenue **[Added 2-4-1970 by Ord. No. 1-1970]**	North	From Boston Post Road to east side of post office property
Purdy Avenue **[Added 2-4-1970 by Ord. No. 1-1970]**	North	From Third Street to a point 50 feet west thereof
Purdy Avenue **[Added 2-4-1970 by Ord. No. 1-1970]**	South	From School Street to Boston Post Road
*Rectory Street **[Added 12-2-1981; amended 5-18-1994; 7-20-1994]**	North	Entire length, except Sundays
*Rye Beach Avenue **[Added 12-16-1998; repealed 2-3-1999]**		
Rye Beach Avenue **[Added 4-5-2006]**	South	From Forest Avenue to Old Rye Beach Avenue
School Street **[Amended 11-17-1976 by Ord. No. 13-1976]**	East	
Second Street	Both	
Smith Street	Both	
*Summit Avenue	East	From High Street to Locust Avenue

Name of Street	Side	Location
Theodore Fremd Avenue	Both	From Purchase Street to entrance of Car Park No. 2
*Walnut Street **[Added 12-2-1981]**	West	From Orchard Avenue to Central Avenue
West Purdy Avenue		

Chapter 191. VEHICLES AND TRAFFIC

Part 1. General Regulations

Article III. Parking Regulations

§ 191-19.1. Parking prohibited certain hours.

[Added 8-13-1997]
No person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street	Side	Hours	Location
Fairway Avenue **[Added 2-28-2001]**	West	When school is in session, from 8:00 a.m. to 9:00 a.m. and 2:30 p.m. to 3:30 p.m.	From Hewlett Avenue to Valleyview Avenue
Hewlett Avenue **[Added 2-28-2001]**	West	When school is in session, from 8:00 a.m. to 9:00 a.m. and 2:30 p.m. to 3:30 p.m.	Between the crosswalks extending from Robert Crisfield Place to the fire lane driveway entrance to the driveway exit
~~Mead Place **[Added 7-15-2009 by L.L. No. 7-2009]**~~	~~North~~	~~Monday through Saturday from 7:00 a.m. to 6:00 p.m.~~	~~Entire length of street~~
Parsons Street	South	7:30 a.m. to 8:30 a.m.	Between the Middle School and High School driveways
Parsons Street **[Added 8-5-2013]**	South	2:00 p.m. to 4:00 p.m., for the duration of the Rye City School District construction	Between the Middle School and High School driveways

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CITY COUNCIL AGENDA

NO. 11 DEPT.: Finance DATE: May 21, 2014

CONTACT: Joseph S. Fazzino, Deputy City Comptroller

AGENDA ITEM: Resolution to transfer funds from contingent account to the Legal Department to fund legal services.

FOR THE MEETING OF:
May 21, 2014

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, City staff has determined that the amounts required for the cost of legal services performed and on-going for various legal cases were not anticipated and were not provided for in the adopted 2014 budget, and;

WHEREAS, the General Fund Contingent Account has a balance of $250,000, now therefore be it;

RESOLVED, that the City Comptroller is authorized to transfer $100,000 from the General Fund Contingent Account to the City Legal Services Account.

IMPACT: ☐ Environmental ☑ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: Use and status of the Contingent Account:

01/01/2014 Beginning balance	$300,000
01/29/2014 Transfer to Public Works for Salt	(50,000)
05/21/2014 Transfer to Legal Department for legal services	(100,000)
05/21/2014 Balance	$150,000

CITY COUNCIL AGENDA

NO. 12 DEPT.: City Manager's Office DATE: May 21, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: ~~Discussion of the recommendation by the Traffic and Pedestrian Safety Committee that a Pilot Study be conducted to test the effect of reducing the speed limit to 25 miles per hour on Stuyvesant Avenue.~~
Deferred to June 11, 2014 meeting

FOR THE MEETING OF:
May 21, 2014
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council consider the Speed Limit Modification Pilot Study for Stuyvesant Avenue proposed by the Traffic and Pedestrian Safety Committee.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: The Traffic and Pedestrian Safety Committee has been reviewing the speed limits on Stuyvesant Avenue at the request of residents. The recommendation is to conduct a Speed Limit Modification Pilot Study whereby the speed limit would be reduced to 25 mph for the length of Stuyvesant Avenue. The Pilot Period would be for a one year period with speed measurements performed during the club season and during the off-season. The Council is asked to authorize the Speed Limit Modification Pilot Study.

See attached from the Traffic and Pedestrian Safety Committee.

CITY OF RYE
MEMORANDUM

TO: Mayor Sack and City Council

ALSO TO: S. Pickup, C. Miller, R. Coyne, RPD

FROM: Traffic and Pedestrian Safety Committee

SUBJECT: Speed Limit Modification Pilot Study – Stuyvesant Avenue

DATE: February 10, 2014

The Traffic and Pedestrian Safety Committee (TPS) has been reviewing the speed limits on Stuyvesant Avenue at the request of some residents who live on or near Stuyvesant Avenue.

Background

Over the years, the TPS has received requests from various residents to adjust speed limits on certain streets from the City's speed limit of 30 mph to 25 mph. In 2003, the TPS along with the City Council reviewed the lowering of speed limits and were not in favor of it due to the opinion that it would be difficult to enforce and would have limited impact.

The change was also reviewed at times by the TPS and the Assistant City Manager as well as the City Attorney and based upon an interpretation of State Law from the City Attorney at those times, it did not appear that the roadways in the City could be reduced to 25 mph. The latest version of the State Law is provided below. The requests have come for various locations such as the entire Greenhaven area, Kirby Lane, and others, with the latest coming from initially one resident who live on a side street of Stuyvesant Avenue. There is a safety benefit if vehicles actually drive slower.

As Rye is a City, the New York State Vehicle and Traffic Law (V&T) states that the City-wide Speed Limit has to be 30 mph. If Rye was a Town, then the Town-wide Speed Limit could be 25 mph. The (V&T) states,

Effective: August 17, 2012

McKinney's Consolidated Laws of New York Annotated Currentness
Vehicle and Traffic Law (Refs & Annos)
Chapter Seventy-One. Of the Consolidated Laws (Refs & Annos)
Title VIII. Respective Powers of State and Local Authorities
Article 39. Regulation of Traffic by Cities and Villages (Refs & Annos)
➡➡ **§ 1643. Speed limits on highways in cities and villages**

The legislative body of any city or village with respect to highways (which term for the purposes of this section shall include private roads open to public motor vehicle traffic) in such city or village, other than state highways maintained by the state on which the department of transportation shall have established higher or lower speed limits than the statutory fifty-five miles per hour speed limit as provided in section sixteen hundred twenty of this title, or on which the department of transportation shall have designated that such city or village shall not establish any maximum speed limit as provided in section sixteen hundred twenty-four of this title, subject to the limitations imposed by section sixteen hundred eighty-four of this title may by local law, ordinance, order, rule or regulation

establish maximum speed limits at which vehicles may proceed within such city or village, within designated areas of such city or village or on or along designated highways within such city or village higher or lower than the fifty-five miles per hour maximum statutory limit. No such speed limit applicable throughout such city or village or within designated areas of such city or village shall be established at less than thirty miles per hour; except that in the city of Long Beach, in the county of Nassau, speed limits may be established at not less than fifteen miles per hour on any portion of the following highways in such city: Cleveland avenue, Harding avenue, Mitchell avenue, Belmont avenue, Atlantic avenue, Coolidge avenue, Wilson avenue and Taft avenue. No such speed limit applicable on or along designated highways within such city or village shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour, for a distance not to exceed one thousand three hundred twenty feet, on a highway passing a school building, entrance or exit of a school abutting on the highway and except that within the cities of Buffalo and Rochester speed limits may be established at not less than fifteen miles per hour for any portion of a highway within a city park.

Over the years, TPS has obtained various interpretations on the full meaning of the above (or earlier versions of the law as the wording was confusing) as the request to change speed limits to 25 mph has been brought up before. The latest interpretation indicates that selective roadways can be changed to a 25 mph.

While some TPS members are strongly in favor of this change in speed limit, there are also those on the TPS who feel that changing the speed limit on Stuyvesant Avenue will not have any significant effect as people drive at the speed that they are comfortable at and thus will not have the desired impact. Another concern is if one street is made 25 mph, then others may request the same, such as Forest Avenue. Logically, why would a collector street like Stuyvesant Avenue have a lower speed limit than a smaller purely residential street like Halls Lane?

The United States Department of Transportation – Federal Highway Administration in its Study entitled “Effects of Rising and Lowering Speed Limits on Selected Roadway Sections” states that “neither raising nor lowering the speed limit had much effect on vehicle speeds. The mean speeds and the 85th percentile speeds did not change more than 1 or 2 mph”. It further states that the percent compliance decreased when the speed limits were lower.

Thus, the TPS has decided that Stuyvesant Avenue be utilized as a Pilot Study to see if changing the speed limit has any true impact.

Aside from the requests from residents, Stuyvesant Avenue was determined to be an appropriate road for the test due to its unique nature of different factors including:

- No sidewalks (sidewalks would be difficult to install)
- Narrow lanes
- Horizontal and vertical curvature
- Side streets and residential driveways
- Old growth trees
- Significant number of pedestrians and joggers
- Significant number of bicyclists
- Number of children in area
- Limited areas for enforcement
- Sight distance around curves and vegetation
- Proximity to Milton School and ability to walk to
- Mix of uses – residential and the clubs
- Seasonal fluctuation in traffic

- Serves as an emergency and evacuation route
- General support of residents in area based upon informal poll

Speed Studies

The City Engineering Department has performed speed studies on Stuyvesant Avenue during the past year to measure the existing speeds. The speeds were measured both when the clubs were fully operating and during the off-season for the clubs. The speed measurements taken during the summer actually showed lower speeds than during the off-season measurements. This could be the result of two factors, (1) the speed measurements were taken at two different locations and (2), during the summer, there are more people walking and bicycling which slows up the traffic somewhat. During this time (August), the 85th percentile speed, the speed that speed limits are generally to be set at, was approximately 31 mph (Average speed 25-26 mph) and thus the speed limit of 30 mph appears appropriate. The speed studies taken during the off-season (November) indicated an 85th percentile speed of 34-35 mph (Average speed 27 mph). Thus, a higher percentage of vehicles were exceeding the 30 mph speed limit. It should also be noted that during the summer, the speed counts showed that there is about twice the amount of traffic than during the other parts of the year (approximately 3,000 vehicles per day versus 1,500).

Other Measures

The TPS and City Engineer have reviewed other measures in regards to speeds along Stuyvesant Avenue and received input from some of the residents. Preliminary discussions were held with the City's Emergency Service Departments. The City has installed measures at the intersection of Stuyvesant Avenue and Milton Road/Old Milton Road including a median. This was previously attempted with bollards but they did not last. Consideration was also given to stop signs (not desired), raised crosswalks/speed humps (these would violate the City Speed Hump Policy as Stuyvesant is classified as an Emergency Road), standard crosswalks (not recommended due to no sidewalks).

Before the Pilot Study is enacted, this policy should be reviewed by the City Council as well as the Police Department.

Pilot Study Methodology

The first portion of the Pilot Study would consist of, upon approval of City Council, Corporate Council and the Police Department, to lower the speed limit on Stuyvesant Avenue to 25 mph for a one year period. Speed Measurements would be performed at the two previous locations during the club season and during the off-season.

After the one year period, speed radar signs would then be installed in each direction alerting drivers of their speed. Speed measurements would again be taken and compared to the previous measurements to study the changes and whether this should be pursued further.

This Pilot Study could be used as the basis for other locations in the future.

CITY COUNCIL AGENDA

NO. 13 DEPT.: City Manager DATE: May 21, 2014

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Consideration of a request by the Rye Chamber of Commerce for the use of City streets for the Annual Sidewalk Sale to be held on Thursday, July 24, 2014 through Saturday, July 26, 2014 from 9:00 a.m. to 5:00 p.m.

FOR THE MEETING OF:
May 21, 2014

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council consider granting the request.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

The Rye Chamber of Commerce is requesting the Council authorize the use of City streets for the Annual Sidewalk Sale to be held on Thursday, July 24, 2014 through Saturday, July 26, 2014 from 9:00 a.m. to 5:00 p.m.

See attached request.

May 1, 2014

Ms. Dawn Nodarse
City Clerk
City of Rye
1051 Boston Post Road
Rye, New York 10580

Re: Rye Chamber of Commerce Sidewalk Sale

Dear Ms. Nodarse:

On behalf of the Rye Chamber of Commerce, I am writing to request permission from the City for use of city streets on **July 24, 25 and 26th** for our annual Sidewalk Sales.

Our members will be setting out their own tables and tents with the mindful eye to keep an area clear for pedestrian right of way.

I will contact Interim Commissioner Falk of the Rye City Police Department to make sure the village officer has extra help to cover the extra traffic and shoppers. An insurance certificate will be provided upon approval.

Thank you in advance for your consideration.

Very truly yours,

Margaret Ann Ricketts

President,
Rye Chamber of Commerce