

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Frank J. Culross, City Manager

SUBJECT: Enclosures - Council Packet

DATE: June 6, 2014

Enclosed with this memorandum are the following items:

- 6-1 Notice of Public Hearing regarding the development of the former United Hospital site for mixed multi-family residential and commercial use.
- 6-2 Notice regarding a Rye City School District Board of Education meeting to be held on Tuesday, June 10, 2014 beginning at 8:00 p.m. in the Rye Middle School Multipurpose Room.
- 6-3 Legal Department Update from the Corporation Counsel dated June 6, 2014.
- 6-4 Meeting notice for the week of June 9, 2014 is available on the City website [www.ryeny.gov](http://www.ryeny.gov) under Calendar.



**PUBLIC NOTICE  
VILLAGE OF PORT CHESTER**

**PUBLIC HEARING TO CONSIDER SCOPING DOCUMENT SUBMITTED ON  
BEHALF OF PC406 BPR LLC AND PC 999 HIGH STREET CORP TO CONSIDER  
ZONING TEXT AND MAP AMENDMENTS RELATED TO A PROPOSED  
SOUTHERN GATEWAY MIXED USE OVERLAY DISTRICT OR A  
MODIFICATION TO THE EXISTING PMU PLANNED MIXED USE DISTRICT  
TO PERMIT THE DEVELOPMENT OF THE FORMER UNITED HOSPITAL  
SITE AND 999 HIGH STREET FOR MIXED MULTI-FAMILY RESIDENTIAL  
AND COMMERCIAL DEVELOPMENT**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester, New York, will hold a public hearing on June 23, 2014 at 7:00PM or as soon thereafter in the Village Justice Court Courtroom, 350 North Main Street, Port Chester, New York, to consider the draft scoping document submitted by PC406 BPR LLC and PC 999 High Street Corp. (together the "Applicant") for the preparation of a draft environmental impact statement (DEIS) pursuant to the State Environmental Quality Review Act (SEQRA) regulations regarding proposed zoning map and text amendments to the Village Code, Chapter 345, relating to a proposed Southern Gateway Mixed Use Overlay District, or in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62. The proposed Southern Gateway Mixed Use Overlay District would include the PMU Planned Mixed Use District and the CD Design Shopping Center District on the Boston Post Road corridor.

The Applicant seeks to develop the former United Hospital site at 406-408 Boston Post Road and 999 High Street ("Subject Property") to facilitate the following proposed development scheme: a mixed, multi-family residential and commercial development, consisting of 500 dwelling units designed to appeal to "Millennial" or young, childless working professionals; 230 age-restricted dwelling units; 90,000 square feet of retail space; an approximate 138-room hotel; and between 100,00 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. A copy of the submitted zoning petition and draft scoping document are available at the Village Clerk's office or online at the Village website: [http://www.portchesterny.com/Pages/PortChesterNY\\_Starwoodsites/starwood](http://www.portchesterny.com/Pages/PortChesterNY_Starwoodsites/starwood).

Date: June 6, 2014

/s/ JANUSZ R. RICHARDS  
**JANUSZ R. RICHARDS**  
Village Clerk  
Village of Port Chester, New York

**ASSUME LEAD AGENCY STATUS, ISSUE POSITIVE DECLARATION AND SET  
PUBLIC T SCOPING HEARING UNDER STATE ENVIRONMENTAL QUALITY  
REVIEW ACT (SEQRA) WITH REGARD TO THE PETITION OF PC406 BPR, LLC  
and PC 999 HIGH STREET CORP.**

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

WHEREAS, on April 21, 2014, the Board of Trustees (herein referred to as  
"Board") adopted a resolution accepting the petition of PC406 BPR, LLC and PC 999 High  
Street Corp. (together the "Applicant") for consideration of proposed zoning text and map  
amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway  
Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article  
XI of the existing Zoning Regulation, Section 345-62, with respect to 406-408 Boston Post  
Road and 999 High Street (the "Subject Property"); and

WHEREAS, the Applicant seeks to develop the Subject Property for a mixed multi-  
family residential and commercial use development, consisting of 500 dwelling units  
designed to appeal to "Millennial" or young, childless working professionals, together with  
230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an  
approximately 138-room hotel and between 100,000 and 200,000 square feet of market-  
based office space geared towards accommodating wellness and out-patient medical uses  
(the proposed zoning amendments and development are, collectively, the "Proposed  
Action"); and

WHEREAS, the Board has found that the Proposed Action is a Type I Action  
pursuant to the State Environmental Quality Review Act and the regulations at 6 NYCRR  
Part 617 and has noticed its intent to serve as Lead Agency for the purposes of a  
coordinated review; and

WHEREAS, the Village Clerk forwarded a copy of such notice of intent, petition  
and supporting materials to all designated involved and interested agencies; and

WHEREAS, all involved agencies have advised that they do not object to the  
Board's designation as lead agency or more than 30 days have elapsed since notification  
of the Board's notice of intent; and

WHEREFORE, the Applicant has provided a draft scoping document for an  
Environmental Impact Statement ("EIS"), and thereby requested to prepare an EIS. Now,  
therefore, be it

RESOLVED, the Board of Trustees hereby accepts and assumes the responsibility to act as lead agency for the environmental review of the Proposed Action under SEQRA; and be it further

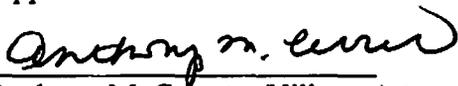
RESOLVED, that based upon the Board's review, the Board hereby determines that the Proposed Action may result in one or more significant adverse environmental impacts and, consistent with the request by the Applicant, issues a Positive Declaration in the form annexed hereto; and be it further

RESOLVED, that the Applicant shall prepare an EIS for review and that will aid in the decision-making process requiring the Board to weigh and balance relevant environmental impacts (including cumulative impacts) with social, economic and other essential considerations among the reasonable alternatives available; and be it further;

RESOLVED, that the Village Clerk is directed to notify all involved and interested agencies of the Board's Lead Agency Status, provide the Positive Declaration to all involved agencies and the Applicant, file the Positive Declaration with the Offices of the Clerk and Mayor of the Village of Port Chester, publish the Positive Declaration in the State Environmental Notice Bulletin ("ENB") in accordance with SEQRA regulations and take any other necessary actions in accordance with same; and be it further

RESOLVED, the Board schedules a public scoping hearing on the draft scoping document filed by the Applicant for June 23, 2014, at 7:00 p.m. at the Police Justice Court Courtroom, 350 North Main Street, 2<sup>nd</sup> Floor, Port Chester and directs the Village Clerk to cause the requisite public notice to be made.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

#### **ROLL CALL**

**AYES:** Trustees Adams, Brakewood, Terenzi, Kenner, Ceccarelli and Mayor Pagano.

**NOES:** None

**ABSENT:** Trustee Marino.

**DATE:** June 2, 2014

#### **CERTIFICATION OF RECORDS**

STATE OF NEW YORK)

SS:

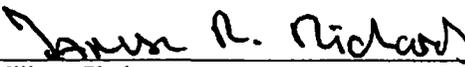
COUNTY OF WESTCHESTER)

I, Janusz R. Richards, the undersigned Village Clerk of the Village of Port Chester, New York,  
DO HEREBY CERTIFY.

That I have compared the annexed copy of a resolution adopted by the Board of Trustees of the  
Village of Port Chester, New York on June 2, 2014, and that the same is a true and correct copy therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
corporate seal of the Village of Port Chester, New York this 3th day of  
June, 2014.

(Seal)



Janusz R. Richards

Village Clerk,  
Village of Port Chester, New York

**State Environmental Quality Review  
POSITIVE DECLARATION  
Notice of Intent to Prepare a Draft EIS  
Determination of Significance**

**Project Number****Date** June 2, 2014

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

The Village of Port Chester Board of Trustees as lead agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement will be prepared.

**Name of Action:**

Redevelopment/rezoning of former United Hospital site, PC406 BPR, LLC and PC 999 High Street

**SEQR Status:**    Type 1      
                           Unlisted   

**Scoping:**    No        Yes     If yes, indicate how scoping will be conducted:

Public Scoping session for Draft Environmental Impact Statement (DEIS) anticipated to be set for June 23, 2014 (see attached draft scoping document)

**Description of Action:**

Applicant seeks to develop 406-408 Boston Post Road and 999 High Street (the "Subject Property") for a mixed multi-family residential and commercial use development, consisting of 500 dwelling units designed to appeal to "Millennial" or young childless working professionals, together with 230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an approximately 138-room hotel and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses.

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

406-408 Boston Post Road and 999 High Street  
 Village of Port Chester  
 Westchester County

**Reasons Supporting This Determination:**

Based upon review of the Full Environmental Assessment Form submitted by the applicant, dated May 14, 2014, the proposed action may result in potential moderate to large adverse environmental impacts in the following areas of study as defined in Part 2 - Identification of Potential Project Impacts of the Full Environmental Assessment Form:

- Impact on Land
- Impact on Surface Water
- Impact on Aesthetic Resources
- Impact on Transportation
- Impact on Energy
- Consistency with Community Plans

Therefore a Positive Declaration has been made by the Lead Agency requiring preparation of an Environmental Impact Statement (EIS) to further study potential environmental impacts and/or mitigation. A draft scope of study for the EIS has been provided and will be subject to a public hearing.

**For Further Information:**

Contact Person: Christopher Steers, Village Manager

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

Telephone Number: (914) 939-2200

**A copy of this notice must be sent to:**

Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Port Chester

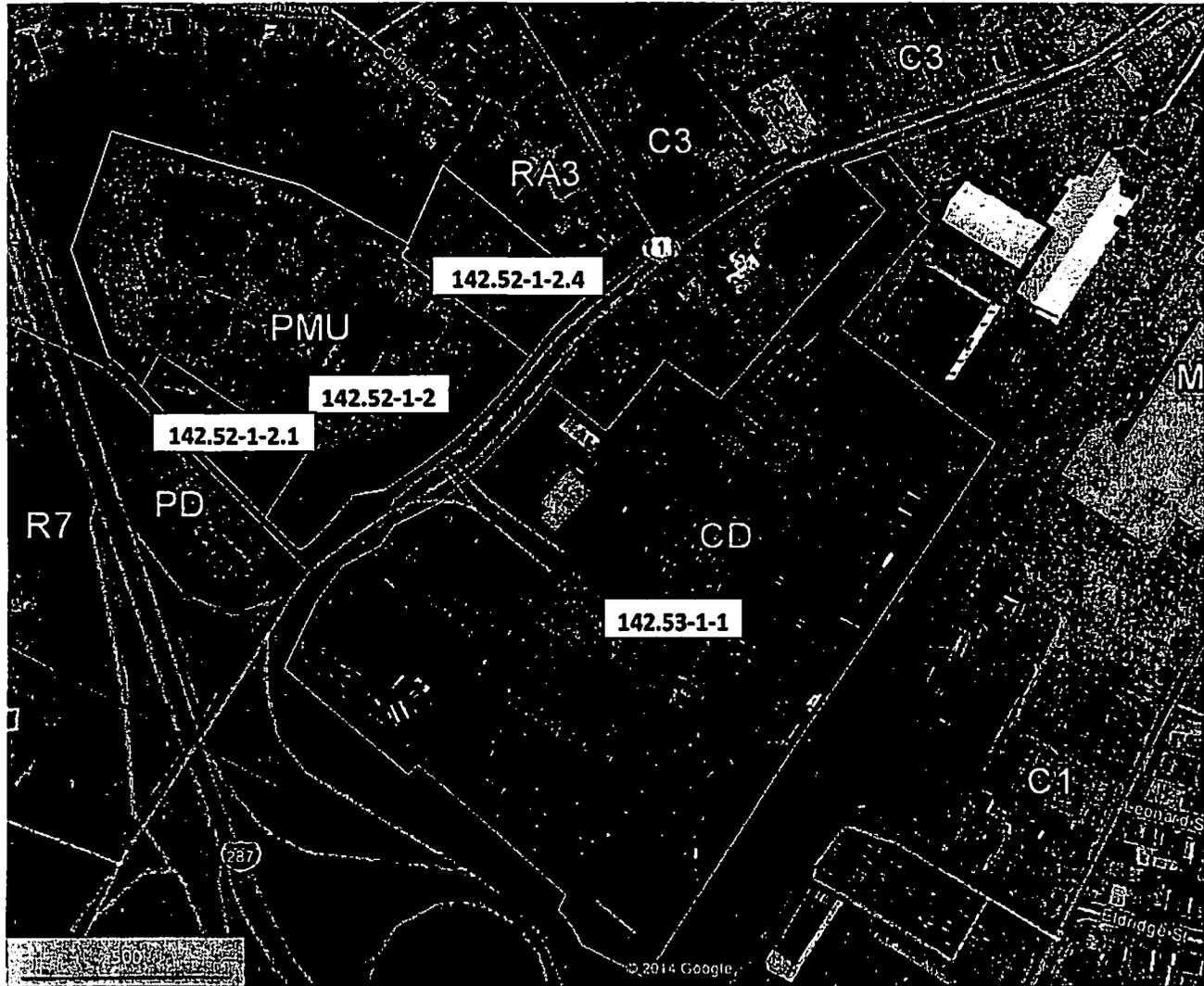
Any person requesting a copy

All Involved agencies

Applicant (If any)

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, NY 12233-1750

LOCATION MAP – PROPOSED SITE FOR UNITED HOSPITAL SITE REDEVELOPMENT, PORT CHESTER NY 10573



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6 NYCRR 617.8**

**DEIS Scoping Outline  
United Hospital Redevelopment  
May 27, 2014**

This document identifies the issues to be addressed in a Draft Environmental Impact Statement ("DEIS") for the proposed Port Chester Gateway Mixed Use Development. Accordingly, this Scoping Document addresses the items identified in paragraphs (f)(1) through (7) of Section 617.8 of the State Environmental Quality Review Act ("SEQRA") Regulations.

**DESCRIPTION OF THE PROPOSED ACTION:**

The Proposed Action is a Zoning Text Amendment/Map Change to accommodate the redevelopment of the former United Hospital site (the "Site") in the Village of Port Chester, NY replacing a complex of approximately 600,000± square feet of abandoned hospital and ancillary buildings with a new mixed use project, including a combination of multi-family residential, age restricted residential, hotel, retail and office uses, as well as onsite parking facilities and open space. The Site's location, near the intersection of the 1-287 and 1-95 corridors, with frontage on Boston Post Road (US Route 1) and proximate to mass transportation, is well-positioned to serve as a gateway to the Village of Port Chester. The Proposed Action is sometimes referred to in this Scope as the "Project."

The Site consists of three tax parcels totaling approximately 15.4 acres, identified on the Village Tax Maps as Section 141.052, Block 1, Lots 2, 2.4 and 2.1, with street addresses of 406 Boston Post Road and 999 High Street, respectively. The existing Site currently consists of multiple abandoned buildings with related parking areas connected by an interior roadway system, totaling approximately ten acres of impervious surface area. The hospital has been inoperative since 2005. The current zoning is Planned Mixed Use ("PMU").

In addition to including mixed-use buildings throughout the Site, encompassing multi-family residential, age-restricted residential, hotel, office space with retail at street level below the other uses, the Project will provide parking via a combination of structured parking facilities located under the buildings as well as at grade, surface parking areas. This mixed use project will be anchored by significant public spaces and will provide pedestrian access throughout the site and from Boston Post Road to Abendroth Park.

**GENERAL GUIDELINES:**

The analyses of the Project shall be performed for the expected first year of full occupancy and operation and, if necessary, for an earlier time frame if significant adverse impacts would be expected to occur at such earlier time.

The DEIS shall cover all items in this Scoping Document. Each impact area shall be analyzed in a separate subsection that includes a discussion of existing conditions, future conditions without the Proposed Action, future conditions with the Proposed Action, and mitigation measures designed to minimize any identified and potential adverse environmental impacts. There shall be a separate chapter to analyze alternatives that would achieve the basic objectives of the Proposed Action, as well as the No Action Alternative.

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Narrative discussions should be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the Site should include adjacent properties (if appropriate), neighboring uses and structures, roads, and water bodies, as appropriate.

Information should be presented in a manner which can be readily understood by the public. Efforts should be made to avoid the use of technical jargon. Discussions of mitigation measures should include an explanation of how those measures would be implemented, any potential environmental impacts of such implementation, the costs and the time frame associated with such implementation, and the entity that would be responsible for implementing and paying for the mitigation. The discussion should indicate any proposed improvements that have been incorporated into the Proposed Action. The document and any appendices or technical reports should be written in the third person (i.e., the terms "we" and "our" should not be used). The Applicant's conclusions and opinions, if given, should be identified as those of "the Applicant." All methods used by the Applicant to arrive at conclusions should be stated. Any assumptions incorporated into assessments of impact should be clearly identified.

**ENVIRONMENTAL IMPACT STATEMENT CONTENT**

Introductory Material - Cover Sheet that includes:

- A. Title (i.e., Draft Environmental Impact Statement)
- B. Identification of the Proposed Action, including name and Location
- C. Identification of the Village Board of the Village of Port Chester as the Lead Agency for the Project
- D. The following contact information:
- E. Janusz Richards  
Village Clerk  
222 Grace Church St.  
Port Chester, NY 10573  
[Jrichards@portchesterny.com](mailto:Jrichards@portchesterny.com)
- F. (914) 939-2200
- G. Date submitted and any revision dates
- H. Date of acceptance of the DEIS
- I. Deadline by which comments on the DEIS are due
- J. Name and address of Sponsor of Proposed Action, and the name, address and email address for a contact person representing the Sponsor
- K. The name and address of the primary preparer(s) of the DEIS and a list of consultants involved with the Project for the Applicant
- L. List of Consultant involved with the Project for the Village
- M. Table of Contents
- N. List of Exhibits
- O. List of Tables
- P. List of Appendices

**I. Executive Summary**

The summary should provide the reader with a clear and cogent understanding of the

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information found elsewhere in the main body of the DEIS and should be organized as follows:

- A. Brief but complete description of the Proposed Action, including Site history and background leading to the proposed development and anticipated build year.
- B. Potentially Significant Adverse Impacts identified in the Positive Declaration.
- C. Reasons for Modifying Project/Proposed Action.
- D. Listing of required approvals and permits.
- E. List of Involved and Interested Agencies (including neighboring municipalities).
- F. Brief Description of Anticipated Impacts and Proposed Mitigation Measures.
- G. Brief Description of Alternatives to the Proposed Action.
- H. Table comparing impacts of the Proposed Action with the various alternatives.

**II. Description of Proposed Action**

- A. Project Location (including appropriate descriptive graphics).
- B. Project Sponsor (including experience and objectives).
- C. Description of Site's existing character.
- D. Inventory of existing structures on the Site, including identification of buildings to be removed.
- E. Description of surrounding land use, in narrative and graphic form, including hospital operations and use and operation of 999 High Street
- F. Project description, including building locations, square footages, arrangements, dimensions, height, general character, architecture, number and type of dwelling units, compliance with affordable housing requirements, commercial/retail areas, common areas, recreational spaces and amenities (including public access and ownership and maintenance, if applicable), access, off-street parking and traffic circulation, site infrastructure, internal traffic circulation, internal pedestrian circulation, streetscape enhancements and associated site improvements, lighting, description of views from and to Site, connection to surrounding neighborhoods and relationship to public transit, including Metro North train stations.
- G. General description of utilities and stormwater management.
- H. Description of the proposed Southern Gateway Mixed Use Overlay Zone and alternative PMU (Planned Mixed Use) zoning amendment.
- I. Construction scheduling, including any phasing and description of project construction, including site preparation (demolition, erosion and sedimentation controls and earthwork).
- J. Purpose, need and benefits of the Proposed Action.

**III. Required Permits and Approvals, Involved and Interested Agencies**

- A. Listing of all Village, County, State and federal permits and approvals that may be required to implement the Project.
- B. Listing of all Involved Agencies.
- C. Listing of all Interested Agencies (including neighboring municipalities).

**IV. Existing Environmental Conditions, Anticipated Impacts and Proposed Mitigation**

For the specific issues identified in this Scope, the DEIS should provide a topic-

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by-topic analysis of existing environmental conditions, future conditions without the Project, potential impacts of the Project, and potential measures to mitigate adverse environmental impacts. Where applicable, a description of the conditions associated with the former United Hospital should also be included. Where relevant, cumulative impacts should be discussed, including both on-Site and off-Site impacts. The identification of potential mitigation measures in this Scope is illustrative only and not intended to be all-inclusive or specifically required. Where mitigation is identified, the DEIS should discuss any adverse impacts associated with and approvals required for any such measures and identify the entity responsible for implementing any such improvements and the funding therefor.

**A. Land Use and Zoning**

**1. Existing Conditions**

- a. Include maps and narrative describing generalized land use patterns and neighborhood character in the Village of Port Chester, City of Rye and Village of Rye Brook and more specifically for a primary land use study area within a quarter mile of the Project site.
- b. Describe the existing zoning districts generally, and within a quarter mile of the Project site.
- c. Identify any existing use of the Site by the Sponsor and/or neighboring properties and/or residents (e.g., for parking).
- d. Describe development trends and approval activity in the area.
- e. Discuss consistency with Land Use Plans and Policies; including:
  - i. Village of Port Chester existing Comprehensive Plan;
  - ii. Patterns for Westchester;
  - iii. Westchester 2025; and
  - iv. Third Regional Plan for New York-New Jersey-Connecticut Metropolitan Area.

**2. Anticipated Impacts**

- a. Identify the relationship of the proposed development to overall land use patterns within the study area, and to adjacent properties, including impacts on neighborhood character (e.g., from visual perspective, traffic), and discuss the proposed Project's compliance or non-compliance with local land use regulations and its relationship to local, County and regional Plans.
- b. Describe how the proposed Southern Gateway Mixed Use Overlay Zone and alternative PMU (Planned Mixed Use) zoning amendment integrates with the existing Village zoning hierarchy and the Project's compliance with existing zoning and the Village's PMU SEQRA Findings Statement.
- c. Address elimination of any use of the Site by neighboring properties and/or residents (e.g., parking).
- d. Address potential for commercial and retail components of the proposed Project to affect key retail stores/anchors stores in the vicinity of the site and to cause a change in community character.

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- e. Evaluate proposed site plan and/or special permit application for the redevelopment of the Site as part of the rezoning application SEQRA review.
- 3. Proposed Mitigation Measures (as applicable)

**B. Visual Resources**

1. Existing Conditions

- a. Document the visual character of the Site and the immediately surrounding area through photographs, cross sections and narrative.

2. Anticipated Impacts

- a. Identify views to and from the proposed development from surrounding roads and properties, including Abendroth Park and the residential areas to the north, approaching the site from both Rye and Port Chester on Boston Post Road, from the Kohl's Shopping Center, from the west along High Street and from 1-287. Specific views to the proposed development should include the following locations:
  - i. Abendroth Park;
  - ii. Grandview Avenue and Grant Street as part of the residential neighborhood to the north
  - iii. US Route 1/Olivia Street looking back towards the site;
  - iv. Kohl's Shopping Center;
  - v. US Route 1 in the City of Rye looking back towards the site on the south side of US 1 in the vicinity of the Rye Country Day School field entrance;
  - vi. Grandview and High Street.
- b. Describe impacts on the overall aesthetic quality and character of the surrounding area.
- c. Describe the relationship of the proposed Gateway development to the surrounding community, including the Project height, general character, bulk and scale in relation to the surrounding area.
- d. Utilize photographs, cross sections and elevations of the proposed development and/or photo simulations will be utilized as appropriate to describe the resulting visual impact (i.e., before and after conditions), including a comparison of views of the existing buildings to views of the proposed Project and images of typical proposed project buildings. This assessment should include consideration of rooftop facilities, such as antennae, etc.

3. Proposed Mitigation Measures (as applicable)

**C. Stormwater Management**

1. Existing Conditions

- a. Including a description of local drainage patterns and their relationship to the Site. Stormwater flow peak rates of runoff would be provided for 1-, 2-, 10-, 25-, 50- and 100-year storm events as required by Village and NYSDEC Phase II regulations.

2. Anticipated Impacts

- a. Describe proposed drainage and stormwater management facilities.
- b. Discuss compliance with Village of Port Chester MS4 stormwater

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- requirements.
  - c. Compare projected impervious surface coverage with existing coverage conditions and any anticipated changes in runoff conditions.
3. Proposed Mitigation Measures (as applicable)
- a. Describe proposed stormwater management system and implementation of Best Management Practices based on NYSDEC Phase H regulation, including methods to maintain and enhance water quality standards and peak runoff rates.
- D. Utilities
1. Water Supply
- a. Existing Conditions
    - i. Include a description of existing water lines within study area and water system capacities.
    - ii. Include usage under previous hospital use.
    - iii. Include flow tests.
  - b. Anticipated Impacts
    - i. Describe proposed water mains, including pipe-sizing, location, and routing.
    - ii. Identify proposed connection points to the existing systems.
    - iii. Identify potential impacts of construction on infrastructure, including during peak usage periods.
    - iv. Compare projected water use with previous hospital use to demand during anticipated peak usage periods.
    - v. Discuss sufficiency of water resources for domestic and commercial use, as well as fire fighting purposes as well.
  - c. Proposed Mitigation Measures (as applicable)
    - i. Use of water saving devices and other water conservation techniques.
    - ii. Evaluate storage and system looping.
2. Sanitary Sewage
- a. Existing Conditions
    - i. Include a description of existing sanitary sewer lines servicing the development, including capacity and pipe location.
    - ii. Include estimated sewage flows under previous hospital use.
    - iii. Discussion of capacities of Port Chester Sewage Treatment Plant.
  - b. Anticipated Impacts
    - i. Analysis of proposed development's sewage generation and compare with sewage generated by previous hospital use.
    - ii. Description of proposed sewage system.
    - iii. Identify proposed connection points to existing systems.
    - iv. Discuss sufficiency of treatment capacity.
    - v. Discuss any effects on sanitary sewer line capacity.

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- c. Proposed Mitigation Measures (as applicable)
  - i. Provide details of improvements and projections for proposed future demand in the area in addition to the Project.

- 3. Gas, Electrical, Cable, Telephone & Telecom
  - a. Existing Conditions
  - b. Anticipated Impacts
  - c. Proposed Mitigation Measures (as applicable)

**E. Traffic and Transportation**

- 1. Existing Conditions
  - a. Inventory existing road conditions in the site vicinity, including access, street and lane width, number of lanes, posted speed limits, types of roadways, parking and traffic controls.
  - b. Describe the study area.
  - c. Determine existing traffic volumes in the weekday AM, PM and Saturday peak hours by conducting manual traffic movement surveys at three locations and using the previous traffic counts or using other comparable available data and determine existing levels of service for each of the study intersections following procedures from the 2000 Highway Capacity Manual (latest edition of computer program). The study intersections are as follows:
    - i. Site Access and High Street;
    - ii. US Route 1 (Boston Post Road) and Slater Street;
    - iii. US Route 1 (Boston Post Road) and Pearl Street;
    - iv. US Route 1 (Boston Post Road) and South Regent Street;
    - v. US Route 1 (Boston Post Road) and Kohl's Shopping Center Driveway/Proposed Site Driveway;
    - vi. US Route 1 (Boston Post Road) and High Street;
    - vii. US Route 1 (Boston Post Road) and 1287 Westbound On-ramp/I-95 Northbound Off-ramp;
    - viii. US Route 1 (Boston Post Road) and 1-287 Eastbound Off-ramp/I-95 Southbound On-ramp;
    - ix. US Route 1 (Boston Post Road) and Hillside Road;
    - x. Ridge Street and High Street;
    - xi. High Street and Grandview Avenue;

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- xii. High Street and Evergreen Avenue;
  - xiii. U.S. Route I (Boston Post Road) and Cedar Street;
  - xiv. U.S. Route I (Boston Post Road) and Peck Avenue;
  - xv. Peck Avenue and Midland Avenue;
  - xvi. Hillside Avenue and Purchase Street;
  - xvii. Hillside Avenue and Grandview Avenue; and
  - xviii. US Route 1 (Boston Post Road) and Grace Church/South Main Street.
- d. Explain the basis for the selection of peak hours (including an explanation of the need, if any, for including a Sunday peak hour analysis).
  - e. Describe existing off-street and on-street parking resources.
  - f. Compare traffic generated by the proposed Project to traffic generated by previous hospital use.
    - i. Explain the basis of the previous hospital use.
  - g. Explain the basis of the previous hospital use.
  - h. Describe existing public and private transit options in the site vicinity.
  - i. Provide accident data from NYSDOT and Port Chester Police Department.
  - j. Document school bus traffic.
  - k. Document truck traffic, particularly 1-95 by-pass traffic.
  - l. Document pedestrian patterns
2. No-Build Analysis
- a. Compare, balance and increase traffic counts to reflect normal growth in the Project study area, and any proposed/approved material developments in the vicinity of the Project that would generate traffic at the intersections identified in E.1.c above, to constitute the No-Build traffic volume.
  - b. Include future truck traffic as applicable.
3. Anticipated Impacts
- a. Estimate traffic generation from the residential and commercial portion of Project as well as proposed parking demand. The combination of new traffic coupled with the No-Build traffic will result in the design year Build traffic volumes.
  - b. Provide distribution of Project-generated traffic and explanation therefor.
  - c. Perform detailed capacity analysis to establish levels of service under Existing, No-Build and Build conditions for the AM, PM and Saturday peak hour periods (and a Sunday peak hour analysis if needed) at each study intersection, using the same Highway Capacity Manual methodology.
  - d. Conduct a parking demand analysis.
  - e. Assess adequacy of future sight distance conditions at proposed Site driveways and discuss type of traffic controls to be employed at each driveway location.
  - f. Analyze anticipated truck activity, including loading and staging activities.
  - g. Discuss pedestrian conditions.
4. Proposed Mitigation Measures (as applicable)
- a. Recommend traffic improvements if mitigation is required. These would include but not be limited to standard engineering measures, such as signalization changes, striping, etc.
  - b. Describe any changes to Post Road/Site Access/Kohl's Shopping Center intersection.

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- c. Consider a shuttle bus services to a nearby train station.
- d. Consider shared parking to reduce parking demand.
- e. Consider need for traffic control measures.

**F. Socio-Economic, Community Facilities and Services**

**1. Demographics**

- a. Existing and No-Build Conditions
  - i. Discuss existing Village population and housing trends and other demographic characteristics (including as relevant neighboring areas), including income and ethnicity. Supplement 2000 census data with additional source materials where available.

- b. Anticipated Impacts
  - i. Describe projected population at the proposed Project, including potential number of schoolchildren, public and private.

- c. Proposed Mitigation Measures (as applicable)

**1. Schools**

- a. Existing and No-Build Conditions
  - i. Provide overall description of schools and enrollment in the Port Chester School District and expected increase or decrease in enrollment.
- b. Analyze anticipated impacts related to projected increase in enrollment utilizing standard and accepted schoolchildren generation formulas, as well as actual data from comparable projects in the region.
  - ii. Consider applicability of different schoolchildren generation rates for different types of housing
- c. Proposed Mitigation Measures (as applicable)

**3. Police, Fire, Ambulance and Other Emergency Services**

- a. Existing and No-Build Conditions
  - i. Describe police department location, staffing and operations.
  - ii. Describe fire department location, staffing and operations.
  - iii. Describe ambulance service location, staffing and operations.
  - iv. Describe hospitals and similar health service facilities, locations, staffing and operations.
  - v. Describe other emergency services
  - vi. Describe relevant mutual aid agreements

- b. Anticipated Impacts
  - i. Describe impact on calls to service and ability of each provider to handle.
  - ii. Demonstrate adequate water supply/pressure for fire protection purposes.
  - iii. Describe any impacts on mutual aid agreements

- c. Proposed Mitigation Measures (as applicable)

**4. Solid Waste**

- a. Existing and No-Build Conditions

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- i. Describe current garbage collection and recycling disposal services.
  - b. Anticipated Impacts
    - i. Explain responsibilities for garbage collection and recycling following redevelopment.
  - c. Proposed Mitigation Measures (as applicable)
- 5. Energy
  - a. Existing and No-Build Conditions
    - i. Describe of energy use of existing site.
  - b. Anticipated Impacts
    - i. Project energy demand for proposed action.
    - ii. Analyze direct and indirect greenhouse gas emissions from both stationary and mobile sources.
  - c. Proposed Mitigation Measures (as applicable)
- 6. Fiscal Impacts
  - a. Existing and No-Build Conditions
    - i. Describe existing tax generation from the site for all affected tax districts.
  - b. Anticipated Impacts
    - i. Provide anticipated tax generation by the Project for all affected taxing districts during construction and upon Project completion.
    - ii. Discuss effects of any governmental subsidies associated with the proposed Project.
    - iii. Describe potential impacts of the proposed Project on the nearby commercial areas, stores and businesses, as well as the local economy.
  - c. Proposed Mitigation Measures (as applicable)
- 7. Employment
  - a. Existing and No-Build Conditions
    - i. Describe existing business activity and employment.
  - b. Anticipated Impacts
    - i. Describe Project generated employment, retail, office and residential.
    - ii. Estimate construction period employment and employment upon Project completion.
  - c. Proposed Mitigation Measures (as applicable)
- 8. Workforce (Affordable) Housing
  - a. Existing and No-Build Conditions
    - i. Describe workforce housing issues in central Westchester County and the Village of Port Chester.
    - ii. Describe historical Village-wide efforts to provide workforce housing, including participation in HUD, Mitchell-Lama and Westchester County Urban County Consortium programs.
  - b. Anticipated Impacts
    - i. Describe compliance with Village workforce housing provisions.
    - ii. Analyze the implications of Proposed Action on Westchester County affordable housing policy.

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- c. Proposed Mitigation Measures (as applicable)
  - i. Consider inclusion of affordable units in the proposed Project or
  - ii. units outside of the Project
  - iii. Consider provision of replacement housing
  
- 9. Recreation
  - a. Existing and No-Build Conditions
    - i. Describe recreational opportunities in the Project area.
  - b. Anticipated Impacts
    - i. Discuss impacts from both residential and commercial site uses, including any impacts from Project operations on the adjacent playground area.
  - c. Proposed Mitigation Measures (as applicable)
  
- 10. Libraries
  - a. Existing and No-Build Conditions
    - i. Provide overall description of libraries and usage and expected increase or decrease in usage.
  - b. Anticipated impacts
    - i. Analyze anticipated impacts related to any projected increase in usage.
  - c. Proposed Mitigation Measures (as applicable) i. Consider on-site facilities.
  
- G. Natural Resources**
  - 1. Existing and No-Build Conditions
    - a. Describe topography, soil conditions, surficial geology and ecological communities or significant habitat areas, if any.
    - b. Conduct Phase 1 Environmental Assessment.
  
  - 2. Anticipated Impacts
    - a. Identify and quantify soil and vegetation disturbance and slope impacts.
    - b. Identify amount of impervious surface creation.
    - c. Describe require earthwork.
    - d. Describe construction methods.
    - e. Describe any hazardous materials issues.
  
  - 3. Proposed Mitigation Measures (as applicable)
    - a. Describe proposed soil erosion and sediment control plan.
    - b. Describe landscaping plan.
  
- H. Historic Resources**
  - 1. Existing Conditions
    - a. Conduct and describe results of Stage 1A literature review and archaeology sensitivity assessment. Include any sites in the area that are listed or eligible for listing on the State or National Register of historic Places.
  
  - 2. Anticipated Impacts
    - a. Discuss potential impacts on historic or archaeological resources.
  
  - 3. Proposed Mitigation Measures (as applicable)
  
- I. Air Resources**
  - 1. Existing and No-Build Conditions

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- a. Assess air quality using the latest ambient air quality monitoring data available from the New York State Department of Environmental Conservation-operated monitors closest to the Site and provide a comparison to the applicable National Ambient Air Quality Standards.
2. Anticipated impacts
  - a. Assess short-term impacts during construction, long-term parking, vehicle traffic, Project stationary sources, etc., by conducting an air quality analysis for the traffic conditions as required under the criteria set forth in the New York State Department of Transportation Environmental Procedures Manual, Chapter 1.1, Air Quality (January 2001, as updated).
3. Proposed Mitigation Measures (as applicable)

**J. Noise**

1. Existing and No-Build Conditions
  - a. Measure existing ambient noise levels at key receptors in the vicinity of the Site, including the closest residential areas outside the Site. The receptors at which ambient levels will be monitored are:
    - i. Inwood Avenue;
    - ii. Touraine Avenue (West);
    - iii. Touraine Avenue (East);
    - iv. Abendroth Park (two views);
    - v. South Regent Street;
    - vi. Port Chester Nursing Home and Rehabilitation Centre; and
    - vii. Cope Circle.
  - b. Identify local noise code.
2. Anticipated Impacts
  - a. Describe short-term impacts during construction, long-term from site use, HVAC equipment, etc.
  - b. Compare project- and construction-generated noise levels to local noise code.
  - c. Based on the anticipated traffic to be generated by the Project, perform a screening analysis of the receptor locations and at the intersections studied in the traffic analysis closest to such receptors to determine if additional detailed noise studies are warranted. The analysis will include an evaluation increases in noise due to increases in traffic from No-Build to Build conditions. The potential for noise impacts will be assessed utilizing the NYSDEC "DEC Policy DEP-001: Assessing and Mitigating Noise Impacts." If impacts are considered to be potentially significant, a more detailed assessment shall be conducted.
3. Proposed Mitigation Measures (as applicable)

**K. Building Demolition and Construction**

1. Anticipated Impacts
  - a. Provide construction phasing plan
  - b. Describe building demolition and site clearance activities.
  - c. Describe construction activities including the need, if any, for blasting.
  - d. Identify short-term impacts related to issues such as parking (including construction-related parking and the temporary displacement of on-Site parking), vehicular and truck traffic, air quality, noise, vermin on-site and migration off-site during construction, etc.
  - e. Discuss any impacts to Abendroth Park and other sensitive receptors.
  - f. Describe site security measures.

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- g. Identify any impacts from blasting.
- 2. Proposed Mitigation (as applicable)
  - a Describe construction management plans and best management practices to be employed.
  - b Describe mitigation measures to be employed during demolition, including site clearance protocol.
  - c Describe measures to minimize construction-related impacts to air quality, such as fugitive dust control, controls on diesel emissions, prohibition of idling trucks.
  - d Describe measures to reduce noise during construction.
  - e Provide blasting plan.

**V. Alternatives**

- A. No Action Alternative.
- B. Redevelopment under existing zoning.
- C. Redevelopment of the property as hospital use.
- D. Alternative redevelopment proposals, including different mix of uses (i.e., Conference Center).
- E. Alternative site plan proposals, including different building footprints.
- F. Alternative site access proposals.
- G. Reduced parking alternative.
- H. Redevelopment of United Hospital site without renovations or changes to 999 High Street parcel as part of the proposal.
- I. Evaluation of potential impacts (limited to traffic/transportation, fiscal and school impacts) related to applying the proposed Southern Gateway Mixed Use Overlay Zone to the neighboring Kohl's Shopping Center Site, located off of Boston Post Road and more commonly known as the "Kohl's Parcel." Evaluations of the Kohl's Parcel would be prepared based on conceptual level planning for site redevelopment.

**VI. Significant Adverse Impacts that Cannot be Avoided**

- A. Long-Term
- B. Short-Term

**VII. Growth Inducement**

**VIII. Commitment of Resources; Effects on Energy**

**IX. Sources and Bibliography**

**X. Technical Appendix**

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6 NYCRR 617.8***

- A. SEQRA Documentation**
- B. Correspondence**
- C. Engineering and Environmental Reports**



**The Rye City School District**

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*Elaine Cuglietto*

*District Clerk*

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June 5, 2014

FOR IMMEDIATE RELEASE

**June 10, 2014 Board of Education Meeting**

The Rye City School District Board of Education will meet **Tuesday, June 10, 2014** beginning at 8:00 PM in the Rye Middle School Multipurpose Room.

Prior to the meeting, the Board will meet in Executive Session at Rye Middle School Multipurpose Room for the review of the employment history of current and prospective employees, negotiations pursuant to the Taylor Law, review of current litigation and litigation strategy.

The Board will host a Tenure Reception at 7:30 p.m. recognizing those individuals that have earned tenure this school year.

On the agenda, in addition to business and personnel items that normally come before the Board, the following items will be discussed: Veteran's Tax Exemption, The Facilities Report, The Food Service Management Report and Mandarin V Curriculum.

Members of the public are welcome and encouraged to attend this meeting of the Board and to speak at designated times.

**CITY OF RYE  
MEMORANDUM**

TO: Honorable Mayor and Rye City Council  
FROM: Kristen K. Wilson, Corporation Counsel  
SUBJECT: Litigation Update  
DATE: June 6, 2014

**CLAIMS**

A Notice of Claim has been filed by Laura Tiedge of Mount Vernon. The Notice states that the tire of Ms. Tiedge's automobile was damaged when it hit a pothole on Theodore Fremd Avenue. The claim has been forwarded to our insurance carrier but it is expected it will be denied because the damage did not occur on a City-owned road.

**TAX CERTIORARI  
CARROLL v. CITY OF RYE**

This matter is fully submitted before the Appellate Division, Second Department. We are waiting for an oral argument date.

**THE TOWN OF RYE AND THE RYE TOWN PARK COMMISSION v. THE ASSESSOR and Board of Assessment Review of the CITY OF RYE**

The City's reply brief was served and filed. This matter is now fully submitted to the Appellate Division, Second Department. We are waiting for an oral argument date.

**WESTCHESTER JOINT WATER WORKS v. CITY OF RYE**

This matter is now fully submitted before the Appellate Division, Second Department and we are waiting for an oral argument date.

**LITIGATION**

**BEAVER SWAMP BROOK – (DEC Administrative proceeding)**

A further conference call was held on May 22, 2014 to discuss the status of the City's consultant's review of the pending wetland application.

**BASSETT v. CITY OF RYE**

A notice of appeal has been filed.

**CASPI v. CITY OF RYE**

Motions for summary judgment were denied without prejudice and will be refiled at the completion of briefing as part of the bundling rule. As a result, once the motion is fully briefed, all papers will be submitted to the Court for review at one time.

**DELLI PAOLI V. ZONING BOARD OF APPEALS**

The Board of Appeals reaffirmed the Board of Architectural Review's decision to deny the application at their May meeting.

BUTLER v. PLANNING COMMISSION

Parties have submitted letters to the Court of Appeals responding to the Petitioner/Appellee's Motion for Leave to Appeal.

BOARD OF MANAGERS OF THE IVES AT RYE v. CITY OF RYE

The City has served its Answer with Affirmative Defenses.

OMNI CONTRACTING V. CITY OF RYE

The co-defendant Calgi Construction has filed for bankruptcy. As a result, the trial has been adjourned.

AMERICAN LEISURE ACTIVITIES OF NEW YORK CITY INC. v. CITY OF RYE

Parties attended a preliminary conference and established a discovery schedule.

RVIN REYES, et al v. CITY OF RYE, RYE GOLF CLUB, RM STAFFING & EVENTS, INC., MORRIS YACHT AND BEACH CLUB, INC. and SCOTT YANDRASEVICH, Jointly and Severally

Plaintiffs filed an amended complaint and have requested that the City of Rye consent to class certification.

GORDON and MARIA HARGRAVES v. CITY OF RYE ZONING BOARD OF APPEALS, WALTER & MARGARET NELSON, and Robert TALT

A Notice of Petition and Memorandum of Law have been served on the City commencing an Article 78 proceeding against the Zoning Board of Appeal. The action seeks to rescind, annul and vacate a decision issued by the Zoning Board in connection with a variance application.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson  
Corporation Counsel

KKW/dfn