

# **247 North Avenue Associates LLC Brownfield Cleanup Program Application**

## **247 North Avenue Site**

**247 North Avenue, New Rochelle, New York 10801**



**Legal & Consulting Team:  
Knauf Shaw LLP & SESI Consulting Engineers.  
March 2020**



## BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "BCA" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ Yes

☒ No

If yes, provide existing site number: \_\_\_\_\_

### PART A (note: application is separated into Parts A and B for DEC review purposes) *BCP App Rev 10*

#### Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY  
BCP SITE #:

NAME 247 North Avenue Associates LLC c/o Cappelli Organization

ADDRESS 7 Renaissance Square, 4th Floor

CITY/TOWN White Plains, New York

ZIP CODE 10601

PHONE (914) 769-6500

FAX (914) 769-5030

E-MAIL bruce@icappelli.com

Is the requestor authorized to conduct business in New York State (NYS)?

☒ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the [NYS Department of State's Corporation & Business Entity Database](#). A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? ☒ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of [DER-10: Technical Guidance for Site Investigation and Remediation](#) and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP.**

#### Section II. Project Description

1. What stage is the project starting at?

☒ Investigation

☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

### Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property.

To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF).**

**2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.**

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			
Chlorinated Solvents			X
Other VOCs			X
SVOCs	X		
Metals	X		
Pesticides			
PCBs			
Other*			

\*Please describe: \_\_\_\_\_

**3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:**

- SAMPLE LOCATION
- DATE OF SAMPLING EVENT
- KEY CONTAMINANTS AND CONCENTRATION DETECTED
- FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE
- FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5
- FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?\*

(\*answering No will result in an incomplete application)

☒ Yes ☐ No

**4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):**

- |                                                 |                                        |                                             |                                          |
|-------------------------------------------------|----------------------------------------|---------------------------------------------|------------------------------------------|
| <input type="checkbox"/> Coal Gas Manufacturing | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Agricultural Co-op | <input type="checkbox"/> Dry Cleaner     |
| <input type="checkbox"/> Salvage Yard           | <input type="checkbox"/> Bulk Plant    | <input type="checkbox"/> Pipeline           | <input type="checkbox"/> Service Station |
| <input type="checkbox"/> Landfill               | <input type="checkbox"/> Tannery       | <input type="checkbox"/> Electroplating     | <input type="checkbox"/> Unknown         |

Other: Coal supply yard; lumber yard; flour and feed company

**Section IV. Property Information - See Instructions for Further Guidance**

PROPOSED SITE NAME 247 North Avenue Site

ADDRESS/LOCATION 247 North Avenue

CITY/TOWN New Rochelle, New York ZIP CODE 10801

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): New Rochelle

COUNTY Westchester County

SITE SIZE (ACRES) 0.57 Acres

LATITUDE (degrees/minutes/seconds)

40 ° 54 ' 40.9 "

LONGITUDE (degrees/minutes/seconds)

73 ° 46 ' 52.8 "

**Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed, please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column. ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.**

Parcel Address	Section No.	Block No.	Lot No.	Acreage
247 North Avenue	1	231	19	0.57

1. Do the proposed site boundaries correspond to tax map metes and bounds? ☒ Yes ☐ No  
If no, please attach an accurate map of the proposed site.

2. Is the required property map attached to the application? ☒ Yes ☐ No  
(application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?  
(See [DEC's website](#) for more information) Yes ☐ No ☒

If yes, identify census tract : \_\_\_\_\_

Percentage of property in En-zone (check one): ☒ 0-49% ☐ 50-99% ☐ 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? ☐ Yes ☒ No

If yes, identify name of properties (and site numbers if available) in related BCP applications: \_\_\_\_\_

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? ☐ Yes ☒ No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☒ No  
If yes, attach relevant supporting documentation.

7. Are there any lands under water? ☐ Yes ☒ No  
If yes, these lands should be clearly delineated on the site map.



#### Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas?  
If yes, identify here and attach appropriate information. ☐ Yes ☒ No

Easement/Right-of-way Holder

Description

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type

Issuing Agency

Description

N/A

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**?

☒ Yes ☐ No

**Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City**

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☐ Yes ☐ No

If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☐ No

13. If you have answered Yes to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

**NOTE:** If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: \_\_\_\_\_

**BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)**

<b>Section V. Additional Requestor Information</b> <b>See Instructions for Further Guidance</b>		DEC USE ONLY BCP SITE NAME: _____ BCP SITE #: _____	
NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE Bruce Berg			
ADDRESS 7 Renaissance Square, 4th Floor			
CITY/TOWN White Plains, New York		ZIP CODE 10601	
PHONE (914) 769-6500	FAX (914) 769-5030	E-MAIL bruce@icappelli.com	
NAME OF REQUESTOR'S CONSULTANT Fuad Dahan, PhD, P.E., SESI Consulting Engineers			
ADDRESS 12A Maple Avenue			
CITY/TOWN Pine Brook, New Jersey		ZIP CODE 07058	
PHONE (973) 808-9050	FAX (973) 808-9099	E-MAIL fd@sesi.org	
NAME OF REQUESTOR'S ATTORNEY Linda Shaw, Esq., Knauf Shaw LLP			
ADDRESS 1400 Crossroads Building, 2 State Street			
CITY/TOWN Rochester, New York		ZIP CODE 14614	
PHONE (585) 564-8430	FAX (585) 546-4324	E-MAIL lshaw@nyenvlaw.com	
<b>Section VI. Current Property Owner/Operator Information – if not a Requestor</b>			
CURRENT OWNER'S NAME Same as Requestor		OWNERSHIP START DATE: 2/24/20	
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
CURRENT OPERATOR'S NAME See support document for two current tenants			
ADDRESS			
CITY/TOWN		ZIP CODE	
PHONE	FAX	E-MAIL	
<b>PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".</b>			
<b>IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.</b>			
<b>Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)</b>			
If answering "yes" to any of the following questions, please provide an explanation as an attachment.			
1. Are any enforcement actions pending against the requestor regarding this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

## Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☒ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☒ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☒ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☒ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☒ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☒ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☒ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☒ Yes ☐ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☒ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

**If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.**

## Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):

☐ Previous Owner ☒ Current Owner ☐ Potential /Future Purchaser ☐ Other \_\_\_\_\_

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site. Is this proof attached?

☐ Yes ☐ No

**Note: a purchase contract does not suffice as proof of access.**

## Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?  
If yes, please provide relevant information as an attachment. ☐ Yes ☒ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☒ No  
If yes, please provide: Site # \_\_\_\_\_ Class # \_\_\_\_\_
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☒ No  
If yes, please provide: Permit type: \_\_\_\_\_ EPA ID Number: \_\_\_\_\_  
Date permit issued: \_\_\_\_\_ Permit expiration date: \_\_\_\_\_
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10? ☐ Yes ☒ No  
If yes, please provide: Order # \_\_\_\_\_
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum? ☐ Yes ☒ No  
If yes, please provide explanation as an attachment.

## Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with [DER-23 / Citizen Participation Handbook for Remedial Programs](#). Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository.** In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.



## Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? Downtown Business

What uses are allowed by the current zoning? (Check boxes, below)

☒ Residential ☒ Commercial ☐ Industrial

If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☒ Commercial ☐ Industrial ☐ Vacant ☐ Recreational (check all that apply)

**Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.**

3. Reasonably anticipated use Post Remediation: ☒ Residential ☒ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

If residential, does it qualify as single family housing?

☐ Yes ☒ No

4. Do current historical and/or recent development patterns support the proposed use?

☒ Yes ☐ No

See Support Document

5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See Support Document

6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary.

☒ Yes ☐ No

See Support Document

## **XI. Statement of Certification and Signatures**

(By requestor who is an individual)

If this application is approved, I hererby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

(By a requestor other than an individual)

I hereby affirm that I am Managing Member of 247 North Avenue Associates LLC c/o Cappelli Organization; that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 3/18/20

Signature: *Louis Cappelli*

Print Name: Louis Cappelli

### **SUBMITTAL INFORMATION:**

- Two (2) copies, one paper copy with original signatures and one electronic copy in Portable Document Format (PDF), must be sent to:
  - Chief, Site Control Section
  - New York State Department of Environmental Conservation
  - Division of Environmental Remediation
  - 625 Broadway
  - Albany, NY 12233-7020

**FOR DEC USE ONLY**

**BCP SITE T&A CODE:** \_\_\_\_\_ **LEAD OFFICE:** \_\_\_\_\_

**Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY.** Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

**BCP App Rev 10**

Property is in Bronx, Kings, New York, Queens, or Richmond counties.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Please answer questions below and provide documentation necessary to support answers.</b>	
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see <a href="#">DEC's website</a> for more information.	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the property upside down or underutilized as defined below?	Upside Down? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Underutilized? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>From ECL 27-1405(31):</b>	
<p>"Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated.</p>	
<b>From 6 NYCRR 375-3.2(I) as of August 12, 2016:</b> (Please note: Eligibility determination for the underutilized category can only be made at the time of application)	
375-3.2:	
<p>(I) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and</p> <p>(1) the proposed use is at least 75 percent for industrial uses; or</p> <p>(2) at which:</p> <p>(i) the proposed use is at least 75 percent for commercial or commercial and industrial uses;</p> <p>(ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and</p> <p>(iii) one or more of the following conditions exists, as certified by the applicant:</p> <p>(a) property tax payments have been in arrears for at least five years immediately prior to the application;</p> <p>(b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or</p> <p>(c) there are no structures.</p>	
<p>"Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.</p>	

### Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; the *New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below:**

- ☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;
- ☐ Project is Planned as Affordable Housing, But Agreement is Not Yet Available\*  
(\*Checking this box will result in a “pending” status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);
- ☐ This is Not an Affordable Housing Project.

#### From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) “Affordable housing project” means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants’ households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency’s affordable housing program, or a local government’s regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) “Area median income” means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.



## BCP Application Summary (for DEC use only)

**Site Name:** 247 North Avenue Site  
**City:** New Rochelle, New York

**Site Address:** 247 North Avenue  
**County:** Westchester County **Zip:** 10801

### Tax Block & Lot

**Section (if applicable):** 1 **Block:** 231 **Lot:** 19

**Requestor Name:** 247 North Avenue Associates LLC c/o Cappelli Organization **Requestor Address:** 7 Renaissance Square, 4th Floor  
**City:** White Plains, New York **Zip:** 10601 **Email:** bruce@icappelli.com

### Requestor's Representative (for billing purposes)

**Name:** Bruce Berg **Address:** 7 Renaissance Square, 4th Floor  
**City:** White Plains, New York **Zip:** 10601 **Email:** bruce@icappelli.com

### Requestor's Attorney

**Name:** Linda Shaw, Esq., Knauf Shaw LLP **Address:** 1400 Crossroads Building, 2 State Street  
**City:** Rochester, New York **Zip:** 14614 **Email:** lshaw@nyenvlaw.com

### Requestor's Consultant

**Name:** Fuad Dahan, PhD, P.E., SESI Consulting Engineers **Address:** 12A Maple Avenue  
**City:** Pine Brook, New Jersey **Zip:** 07058 **Email:** fd@sesi.org

**Percentage claimed within an En-Zone:** ☒ 0% ☒ <50% ☐ 50-99% ☐ 100%

**DER Determination:** ☐ Agree ☐ Disagree

**Requestor's Requested Status:** ☒ Volunteer ☐ Participant

**DER/OGC Determination:** ☐ Agree ☐ Disagree  
Notes:

**For NYC Sites, is the Requestor Seeking Tangible Property Credits:** ☐ Yes ☐ No

**Does Requestor Claim Property is Upside Down:** ☐ Yes ☐ No

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**Does Requestor Claim Property is Underutilized:** ☐ Yes ☐ No

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

**Does Requestor Claim Affordable Housing Status:** ☐ Yes ☐ No ☐ Planned, No Contract

**DER/OGC Determination:** ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

# **BCP APPLICATION SUPPORT DOCUMENT**

**BCP APPLICATION SUPPORT DOCUMENT**  
**Exhibit List**

<b>Exhibit A -</b>	DOS Entity Information
<b>Exhibit B-</b>	Corporate Consent
<b>Exhibit C-</b>	Deed
<b>Exhibit D-</b>	Previous Owners and Operators
<b>Exhibit E-</b>	Site Drawing Spider Maps
<b>Exhibit F-</b>	Survey and Tax Map
<b>Exhibit G-</b>	Site Location Map, Base Map, En-Zone Map and Street Map
<b>Exhibit H-</b>	Zoning Map
<b>Exhibit I-</b>	Flood Map
<b>Exhibit J-</b>	Site Contact List
<b>Exhibit K-</b>	Repository Letter
<b>Exhibit L-</b>	Site Plan Approval and DGEIS New Rochelle (DGEIS only on CD)

**ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:**

1. 2019 SESI Phase II ESA
2. 2020 SESI Phase I ESA
3. 2020 February AKRF Indoor Air Quality Report

## **PART A**

### **SECTION I - REQUESTOR INFORMATION**

The Requestor is 247 North Avenue Associates LLC, a New York limited liability company, located at 7 Renaissance Square, 4<sup>th</sup> Floor, White Plains, NY 10601. 247 North Avenue Associates LLC is authorized to do business in the State of New York. *See* Exhibit A, NYSDOS Entity Information. The sole member is Louis Cappelli.

The Sole Written Consent provides Louis Cappelli with authority to sign all Brownfield Cleanup Program (“BCP”) documents on behalf of the Requestor 247 North Avenue Associates LLC. *See* Exhibit B, Corporate Consent.

As further described below in Section IV, the Site is located at 247 North Avenue, New Rochelle, New York 10801, Tax parcel identification no. Section 1, Block 231, Lot 19 (“Site” or “BCP Site.”)

Requestor is the very recent owner of the site as of February 24, 2020. As more fully described below in Section VI, *See* Exhibits C, Deeds, and Exhibit F, Survey.

The Requestor has no prior relationship with any current or past owners or operators of the Site. *See* Sections V and VI below, and Exhibit D, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor’s involvement at the Site.

### **SECTION II - PROJECT DESCRIPTION**

**Please refer to responses to Questions 1-3 on the BCP Application Form.**

#### **4. Short Project Description**

The project is planned as a transit-oriented, mixed-use, apartment building with 244 residences, approximately 3,000 square feet of ground floor retail space and a 210 car structured parking garage beneath the building.

#### **Schedule- Commencement through COC**

A Remedial Investigation Work Plan will be submitted before April 30, 2020. The investigation of the Site is then expected to commence in the summer of 2020. The Remedial Action Work Plan will be prepared and submitted by Fall 2020. The remediation is anticipated to start in the first quarter of 2021 subject to the 45-day public comment period. The remediation will be complete in third quarter of 2021 with the goal of obtaining a Certificate of Completion no later than December of 2021.



## **SECTION III – PROPERTY’S ENVIRONMENTAL HISTORY**

### **1. List of Environmental Reports**

The following is the list of environmental reports for the Site separately attached:

- A. 2019 SESI Phase II ESA
- B. 2020 SESI Phase I ESA
- C. 2020 February AKRF Indoor Air Quality Report

### **2. Sampling Data**

*See Exhibit E, Spider Maps, which include sampling data summaries, and Section IV.10.F.*

### **3. Site Drawing**

*See Exhibit E, Spider Maps.*

### **4. Past Land Uses**

*See Section IV.10.D for full description of past land uses.*

## **SECTION IV – PROPERTY INFORMATION**

### **1. Site Boundary and Tax Parcel Information**

The Site is located at 247 North Avenue, New Rochelle, NY 10801 (Section 1, Block 231, Lot 19) and the Site boundary does correspond to the tax lot boundary. The Tax Boundary Map and a Survey map is provided in Exhibit F. The Site Location Map, Base Property Map, and En-zone Map are in Exhibit G.

### **2. Property Map**

The Site Location and Base Property Map are in Exhibit G. A Survey Map is in Exhibit F.

**Please refer to responses to Questions 3-9 on the BCP Application Form.**

### **10. Property Description Narrative**

#### **A. Site Location**

*See Response to Section IV.1 and IV.2 above. The Site is located at 247 North Avenue, New Rochelle, NY 10801 (Section 1, Block 231, Lot 19). The Site is located in a*

commercial and residential urban area in downtown New Rochelle. The Site is bound by North Avenue to the west and LeCount Place to the east. The Site is within walking distance to the New Rochelle Metro-North train station.

#### B. Site Features

The Subject Property is currently improved with a 1-story commercial building temporarily occupied by a medical clinic (Planned Parenthood) and an employment assistance organization, and also contains an associated asphalt parking lot. The current onsite building was constructed in 1941. The closest surface water body is an inlet of the Long Island Sound, located approximately 0.4 miles east of the Site. The Metro North Train Station is located within walking distance to the site.

#### C. Current Zoning and Land Use

The Site is located in the Downtown Business (DB) District, which contains a Downtown Overlay (DO-2) zone. *See* Exhibit H, Zoning Map. The subject property is currently used as a medical clinic and an employment assistance organization. The surrounding properties to the North include a multi-storied residential building and a one-story commercial building. Properties to the South include a residential building with ground-floor retail and a preschool. The property to the East across Le Count Place is occupied by a Marriott Residence Inn Hotel. Properties to the West include two-story commercial buildings across North Avenue, which are occupied by a bank and retail stores. The closest residential area is the property immediately adjacent on the south side of the site. The Site is also approximately 0.015 acres from the Metro North rail line, which is to the West of the Site.

#### D. Past Use of the Site

SESI was retained by the Requestor to evaluate the past uses of the Site in the 2020 Phase I Investigation report. This report was prepared after the Phase II site investigation, which identified the Site contamination. SESI reviewed historical Sanborn maps, which indicated that by 1887, the Site was developed with a structure appearing to be a coal and wood yard. By 1896, two more structure appeared on the property, one of them labeled “Laundry”. From 1903-1931, various commercial businesses appear until 1942, when the Site appears to be vacant. The potential former on-site presence of a 120-gallon gasoline storage tank was noted on the 1911 Sanborn map, which was noted as a Recognized Environmental Condition (REC) in the Phase I Report. By 1951, a commercial building, resembling the current Site building was present on the Southwest portion of the site. After 1951 and up until present, no significant changes were observed.

SESI initially performed a Phase II ESA in October 2019, which included the collection of soil and soil vapor samples. The sampling results indicated the presence of SVOCs and metals in soil exceeding applicable soil standards, and the presence of VOCs in soil vapor outside of the building footprint exceeding applicable screening levels at the Site, which link to the historic former on-Site Coal and Wood Yard and Laundry uses. Further investigation to delineate the identified contamination was recommended.

#### E. Site Geology and Hydrogeology

There are no predominant geological surface features such as rock outcroppings on the Site. Based on the physical settings information provided by EDR, the surface soil at the Site predominantly consists of gravelly to very gravelly loam. The general topographic gradient is towards the north east. Under natural, undisturbed conditions, shallow groundwater flow generally follows the topography of the land surface and on this basis, the topography suggests that groundwater flow across the Site is in an easterly direction. However, SESI noted in the Phase I that localized conditions can alter flow direction and thus the presumed flow may not coincide with the actual flow in the Site area. The Site is not located within a floodplain, *See Exhibit I Flood Map*.

#### F. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are Metals and SVOCs in soil, and VOCs in soil vapor. *See Ex. E Site Drawing Spider Maps*. Groundwater was not encountered in any of the soil borings, but will be the evaluated during the remedial investigation activities.

##### **Soil:**

The results indicate that this is a highly contaminated Site with SVOCs present in the Site soil exceeding the RRSCOs by multiple orders of magnitude and metals are also present in the soils exceeding the RRSCOs.

Analyte	RSCO	RRSCO	UUSCO	SB-3 (3-4)	SB-4 (3-4)	SB-5 (5-6)	SB-6 (2-3)
<b>SEMIVOLATILES (ppm)</b>							
Benzo(a)anthracene	1	1	1	19	9.5	48	0.15
Benzo(a)pyrene	1	1	1	20	8.8	38	0.15
Benzo(b)fluoranthene	1	1	1	23	11	44	0.21
Benzo(k)fluoranthene	1	3.9	0.8	7.9	3.2	19	0.072
Chrysene	1	3.9	1	20	10	42	0.16
Dibenzo(a,h)anthracene	0.33	0.33	0.33	2.3	1.1	5	0.025
Indeno(1,2,3-cd)pyrene	0.5	0.5	0.5	12	4.6	18	0.11
<b>TOTAL METALS (ppm)</b>							
Lead	400	400	63	189	148	257	222
Mercury	0.81	0.81	0.18	0.196	0.817	0.67	1.04
Selenium	36	180	3.9	0.336	5.28	0.511	0.576

Red Highlight exceed RRSCO

Yellow Highlight exceeds USCO

**Groundwater:** As noted above, groundwater was not encountered during the sampling activities to date.

**Soil Vapor:** The levels of VOCs in soil vapors under the parking lot portion of the Site were found at extremely high concentrations that exceed the applicable USEPA and NYSDOH criteria by as much as 50 times.

Summary of soil gas exceedances of the EPA and NYSDOH levels

Analyte	USEPA VISL	NYSDOH Criteria	SV-1	SV-2	SV-3	SV-4
	ug/m3	ug/m3	ug/m3	ug/m3	ug/m3	ug/m3
Trichloroethene		6	ND	ND	29.5	ND
1,3-Butadiene	3.12		230	212	154	159
1,1-dichloroethene		6	ND	ND	8.68	ND
1,1-dichloroethane	585		ND	ND	903	ND
1,1,1-trichloroethane		100	ND	ND	3730	10.2

Notes:

ug/m3 = micrograms per cubic meter of air

SV = Soil Vapor Sample

Yellow Highlight = Concentration exceeds USEPA VISL or

Red Highlight exceeds NYSDOH Criteria

**Indoor Air:** While the soil vapor under the parking lot was high, the Requestor retained AKRF to perform air sampling inside the building to ensure that indoor air was not being impacted before taking title to the Site. AKRF performed six indoor air samples and one ambient air sample. Based on the results received they concluded that all indoor samples were detected at concentrations below their respective NYSDOH AGVs, and all other VOCs, except isopropanol, ethanol, and chloroform, were detected below the NYSDOH background levels but these were attributed to alcohol-containing sterilizers and antiseptic products in the Site building or, in the case of chloroform, potentially the interaction of bleach with other compounds present in disinfection products and/or in the indoor air unrelated to soil vapor intrusion. Therefore, the Requestor acquired the Site in reliance upon AKRF's findings that the building was safe for occupancy.

**There were no responses to Questions 11-13 on the BCP Application Form since this is not a New York City site.**

## PART B

### SECTION V- ADDITIONAL REQUESTOR INFORMATION

See Section I, Requestor Information and responses in the Application form. As stated in Section I, the Requestor has no prior relationship with any current or past owners or operators of the Site other than the Requestor very recently purchased the Site from Planned Parenthood Hudson Peconic, Inc. See also Exhibit D, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor's involvement at the Site.

### SECTION VI- CURRENT PROPERTY OWNER/OPERATOR INFORMATION

247 North Avenue Associates LLC is the current owner of the Site. 247 North Avenue Associates



LLC has only owned the Site since February 24, 2020. *See* Exhibit C, Deed.

There are still two tenants temporarily on the Site: Planned Parenthood Hudson Peconic, Inc. (Contact: Vincent Russell), with a separate office at 570 Taxter Road, Elmford, New York 10523 (Phone : 914-467-7315; Fax: 914-418-1028; email [vincent.russell@pphp.org](mailto:vincent.russell@pphp.org)); First Source Referral Center (Contact Joanne Dunn), 247 North Avenue (Phone: (914) 365-2454; Email: [joanne.dunn@westhab.org](mailto:joanne.dunn@westhab.org)).

A past owner and operator list is attached as Exhibit D. This Exhibit includes both current and previous property owners and operators by name, last known address, telephone number, and the Requestor's relationship to each owner and operator (all of which are "None"). Exhibit D also includes the prior operators' use of the Site, which generally included industrial and commercial uses.

## **SECTION VII- REQUESTOR ELIGIBILITY INFORMATION**

**Please refer to responses to Questions 1-10 on the BCP Application Form.**

### **11. Unregistered bulk storage tanks**

According to the Phase I, there was a 120-gallon gasoline tank on the Site. Since there was no documentation of closure of this tank, there may be an unregistered storage tank on the site. However, there was no visual evidence this tank was still present during the Phase I or Phase II Site investigations.

### **REQUESTOR CERTIFICATION**

The Requestor certifies it is a Volunteer, since it only just purchased the Site and performed proper due diligence before acquiring the Site and has immediately applied for the BCP to commence further investigation and remediation of the Site. The Requestor does not have nor has ever had a relationship with any of the past owners or operators of the Site, other than acquiring the Site from the past Owner, nor did it have any involvement with the Site at the time of disposal.

## **SECTION VIII- PROPERTY ELIGIBILITY INFORMATION**

Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirms the Site is not ineligible for the BCP.

In addition to the responses on the application form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site's eligibility for the BCP.

The Site meets the definition of an eligible “brownfield site” in Environmental Conservation Law § 27-1405(2) as “any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.” Environmental investigation results show evidence of impact from the Site’s previous commercial and industrial uses, which can be linked to and caused Site contamination above the applicable cleanup standards. See Environmental Reports and the Spider Maps in Exhibit F, providing the data demonstrating exceedances of the cleanup standards for this Site. As a result, the Site meets the definition of a brownfield site pursuant to Environmental Conservation Law §27-1405(2).

## **SECTION IX - CONTACT LIST INFORMATION**

*See Exhibit J for the Site Contact List. See Exhibit K, for the Repository Letter.*

## **SECTION X- LAND USE FACTORS**

### **1. Current Zoning**

The Site is within the Downtown Business (DB) District. *See Exhibit H, Zoning Map.*

### **2. Current Use**

The Site is currently improved with a 1-story commercial building occupied by a medical clinic (Planned Parenthood) and an employment assistance organization, and also contains an associated asphalt parking lot. The current onsite building was constructed in 1941.

### **3. Intended Use Post Remediation**

Post remediation use of the Site will be a multi-story, mixed-use transit-oriented development project. *See Section II, Project Scope for a more detailed description.*

### **4. Do current historical and/or recent development patterns support the proposed use?**

Yes, the City of New Rochelle’s downtown is being transformed into a new downtown neighborhood and this downtown transit-oriented project has already received all local land use approvals. *See Site Plan Approval in Exhibit L.* In September 2015, the City of New Rochelle engaged in a new planning effort, which resulted in a Recommended Action Plan (RAP) and SEQRA Generic Environmental Impact Statement (DGEIS) incorporating some zoning amendments that created their current Central Parking Area and Downtown Overlay Zone District. *See Exhibit L September 2015 DGEIS.* The RAP and GEIS encourage transit-oriented development projects, such as this project, in the DO Zones, which allow for a vertical and horizontal mix of uses including residential, office, retail, commercial, cultural/entertainment, civic/religious, light industrial, and parking/utilities.

**5. Is the proposed use consistent with applicable zoning laws/maps?**

Yes, the proposed project has already received all land use approvals.

**6. Consistent with the Master Plan?**

Yes, as stated above in response to Question 4, the project is consistent with the New Rochelle RAP and GEIS, which intends to promote downtown urban transit-oriented living.

# **EXHIBIT A**

# NYS Department of State

## Division of Corporations

### Entity Information

The information contained in this database is current through February 10, 2020.

---

**Selected Entity Name:** 247 NORTH AVENUE ASSOCIATES LLC

**Selected Entity Status Information**

**Current Entity Name:** 247 NORTH AVENUE ASSOCIATES LLC

**DOS ID #:** 5648421

**Initial DOS Filing Date:** OCTOBER 31, 2019

**County:** WESTCHESTER

**Jurisdiction:** NEW YORK

**Entity Type:** DOMESTIC LIMITED LIABILITY COMPANY

**Current Entity Status:** ACTIVE

**Selected Entity Address Information**

**DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)**

C/O CAPPELLI ORGANIZATION

7 RENAISSANCE SQUARE

4TH FL

WHITE PLAINS, NEW YORK, 10601

**Registered Agent**

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by [viewing the certificate](#).

**\*Stock Information**

# of Shares	Type of Stock	\$ Value per Share
No Information Available		

\*Stock information is applicable to domestic business corporations.

### Name History

Filing Date	Name Type	Entity Name
OCT 31, 2019	Actual	247 NORTH AVENUE ASSOCIATES LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

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[Homepage](#) | [Contact Us](#)

# **EXHIBIT B**



### **SOLE MEMBER WRITTEN CONSENT**

The undersigned, being the Sole Member of 247 North Avenue Associates LLC, does hereby certify as follows:

1. 247 North Avenue Associates LLC is the owner and prospective volunteer for the 247 North Avenue Site located at 247 North Avenue, New Rochelle, New York 10801, tax parcel identification no. Section 1, Block 231, Lot 19 (the "Site").

2. The following person, Louis Cappelli, the sole member of 247 North Avenue Associates LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer 247 North Avenue Associates LLC/

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this \_\_\_\_ day of March, 2020.

  
\_\_\_\_\_  
Louis Cappelli

# **EXHIBIT C**

**BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTOR'S ACTS**

---

**Planned Parenthood Hudson Peconic, Inc.**  
a Delaware limited liability company

TO

**247 North Avenue Associates LLC,**  
a New York limited liability company

ADDRESS: 247 North Avenue

SECTION: 1

BLOCKS: 231

LOTS: 19 and 20

CITY: New Rochelle

COUNTY: Westchester

STATE: New York

**RETURN BY MAIL TO:**

DeBello Donnellan Weingarten  
Wise & Wiederkehr, LLP  
One North Lexington Avenue, Fl. 11  
White Plains, New York 10601  
Attention: Heidi M. Winslow, Esq.

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS**

**THIS INDENTURE**, made as of the 29 day of February, 2020

**BETWEEN** **Planned Parenthood Hudson Peconic, Inc.**, a New York Not-For-Profit Corporation with offices at 570 Taxter Road, Elmsford, New York 10523, party of the first part, and **247 North Avenue Associates LLC**, a New York limited liability company, having offices at 7 Renaissance Square, White Plains, New York 10601, party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by the party of the second part, the receipt and sufficiency of which is hereby acknowledged by the party of the first part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings, fixtures and improvements now or hereafter located or erected thereon, situate, lying and being in the City of New Rochelle, County of Westchester, State of New York, more particularly described on Exhibit A attached hereto and hereby made a part hereof.

**BEING** and intended to be the same premises described in a certain deed made by the Howard S. Allen and Lee M. Allen to Planned Parenthood of Westchester and Rockland, Inc., predecessor in interest to the party of the first part by merger effectuated pursuant to the Certificate of Merger filed with the New York State Department of State on January 26, 1998, dated April 18, 1996 and recorded in the Office of the Clerk of the County of Westchester on May 1, 1996 in Liber 11410, Page 141.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises;


**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises has been encumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

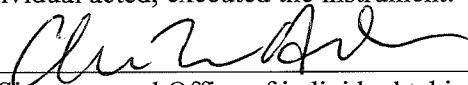
Planned Parenthood Hudson Peconic, Inc.,  
a New York not-for-profit corporation

By:   
Vincent Russell MSM, President and CEO

STATE OF NEW YORK                     )  
                                                      ) ss.:  
COUNTY OF WESTCHESTER         )

On the 24<sup>th</sup> day of February in the year 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared Vincent Russell MSM personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

CHRISTIE TOMM ADDONA  
Notary Public, State of New York  
Reg. No. 02AD6389149  
Qualified in Westchester County  
Commission Expires March 18, 2023

  
Signature and Office of individual taking  
acknowledgement

[BARGAIN AND SALE DEED]

**Exhibit A to Bargain and Sale Deed**

**Legal Description**

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of New Rochelle, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of North Avenue, formerly Rose Street, which point is distant 149.78 feet southerly from the corner formed by the intersection of the said easterly side of North Avenue, formerly Rose Street, with the southerly side of Huguenot Street;

RUNNING THENCE in an easterly direction and along the southerly line of lands now or formerly Westchester Newspapers, Inc., North 65 degrees 22 minutes 40 seconds East 99.96 feet to a point;

THENCE CONTINUING in an easterly direction and along said lands now or formerly of Westchester Newspapers, Inc., North 65 degrees 57 minutes East 156.17 feet to the westerly side of LeCount Place;

THENCE RUNNING along the westerly side of LeCount Place, South 19 degrees 52 minutes 35 seconds East 100.16 feet to a point and corner;

THENCE RUNNING along the southerly line of the herein described premises, South 65 degrees 57 minutes West 244.20 feet (North 67 degrees 10 minutes 00 seconds East 245.79 feet - per filed Map No. 14784), to the easterly side of North Avenue, formerly Rose Street aforesaid;

RUNNING THENCE along the said easterly side of North Avenue, formerly Rose Street, North 26 degrees 44 minutes West 99.00 feet to the point or place of BEGINNING.

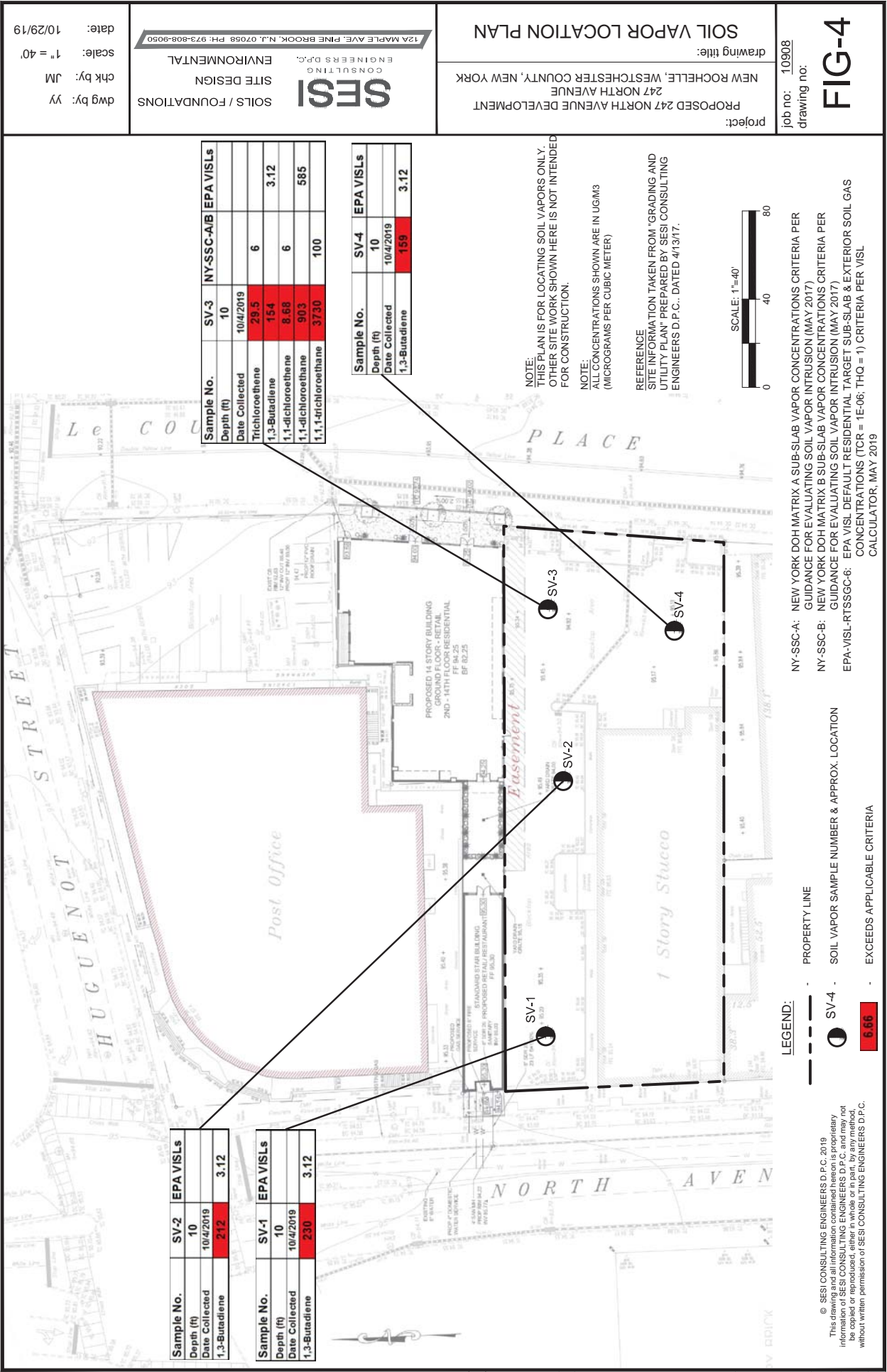
# **EXHIBIT D**



**PREVIOUS OWNERS & OPERATORS LIST**  
**247 North Avenue Site**  
**247 North Avenue, New Rochelle, New York 10801**

<b>Year</b>	<b>Contact Information</b>	<b>Status</b>	<b>Relation to Requestor</b>
<b>Owner</b>			
1864-1911	J.A Mahlstedt (Was owned by the family for a couple generations) <b>Address:</b> Unknown <b>Phone:</b> Unknown	Deceased 1927	None
Unknown - 1972	First National Stores, Inc. (Merged with Tops, Inc. on 1/14/2000) <b>Address:</b> 190 Sylvan Avenue Englewood Cliffs, NJ 07632 <b>Phone:</b> Unknown	Inactive	None
1972 -1996	Howard S. Allen and Lee M. Allen <b>Address:</b> 19598 Bay View Road <b>Phone:</b> Unknown Boca Raton, FL 33434	Deceased	None
1996-Present	Planned Parenthood Hudson Peconic, Inc (Use to be Planned Parenthood of Westchester and Rockland, Inc.) <b>Address:</b> 247 North Avenue <b>Phone:</b> (914) 632-4442 New Rochelle, NY 10801	Active	Seller
<b>Operator</b>			
1887-1896	Miller & Lambden (Used the 1.5 Story Structure to store flour, feed, hay and straw) <b>Address:</b> Unknown <b>Phone:</b> Unknown	Inactive	None
1892	Ingalls and Mahlstedt Coal and Wood Yard (J.A. Mahlstedt) <b>Address:</b> Unknown <b>Phone:</b> Unknown	Inactive	None
1896-1901	A 2.5 Story Laundry Building was present at the LeCount Place end of Lot 19	Inactive	None
1903	Metropolitan Express Inc. <b>Address:</b> 18 Webster Place <b>Phone:</b> Unknown Port Chester, New York 10573	Inactive 1992	None
1911	Site was occupied by a garage and two stores (Names of which are unknown) There is a 120 Gallon capacity gasoline tank located between the garage and the stores. (Depicted on the 1911 Sanborn Map)	None	None
1896-1924	Charles H. Coe Livery (Stables) A livery is a place where horses and/or vehicles are kept for hire	Inactive	None
1931	There is a miniature golf course located on the site.	None	None
1942	The site is vacant	None	None
1951	A one-story commercial building was built on the southwest portion of the site; First National Stores, Inc. was owner and operator of this Site at this time.	None	None
1996-Present	Planned Parenthood Hudson Peconic, Inc (Use to be Planned Parenthood of Westchester and Rockland, Inc.) <b>Address:</b> 247 North Avenue <b>Phone:</b> (914) 632-4442 New Rochelle, NY 10801 (Rear Space of Building)	Active	Seller
Unknown – Present	First Source Referral Center <b>Address:</b> 247 North Avenue <b>Phone:</b> (914) 365-2454 New Rochelle, NY 10801 (Tenant Space Facing North Avenue)	Active	None

# **EXHIBIT E**



12A MAPLE AVE, PINE BROOK, N.J. 07058 PH: 973-808-9050

SESI  
CONSULTING ENGINEERS D.P.C.

SITE DESIGN  
ENVIRONMENTAL

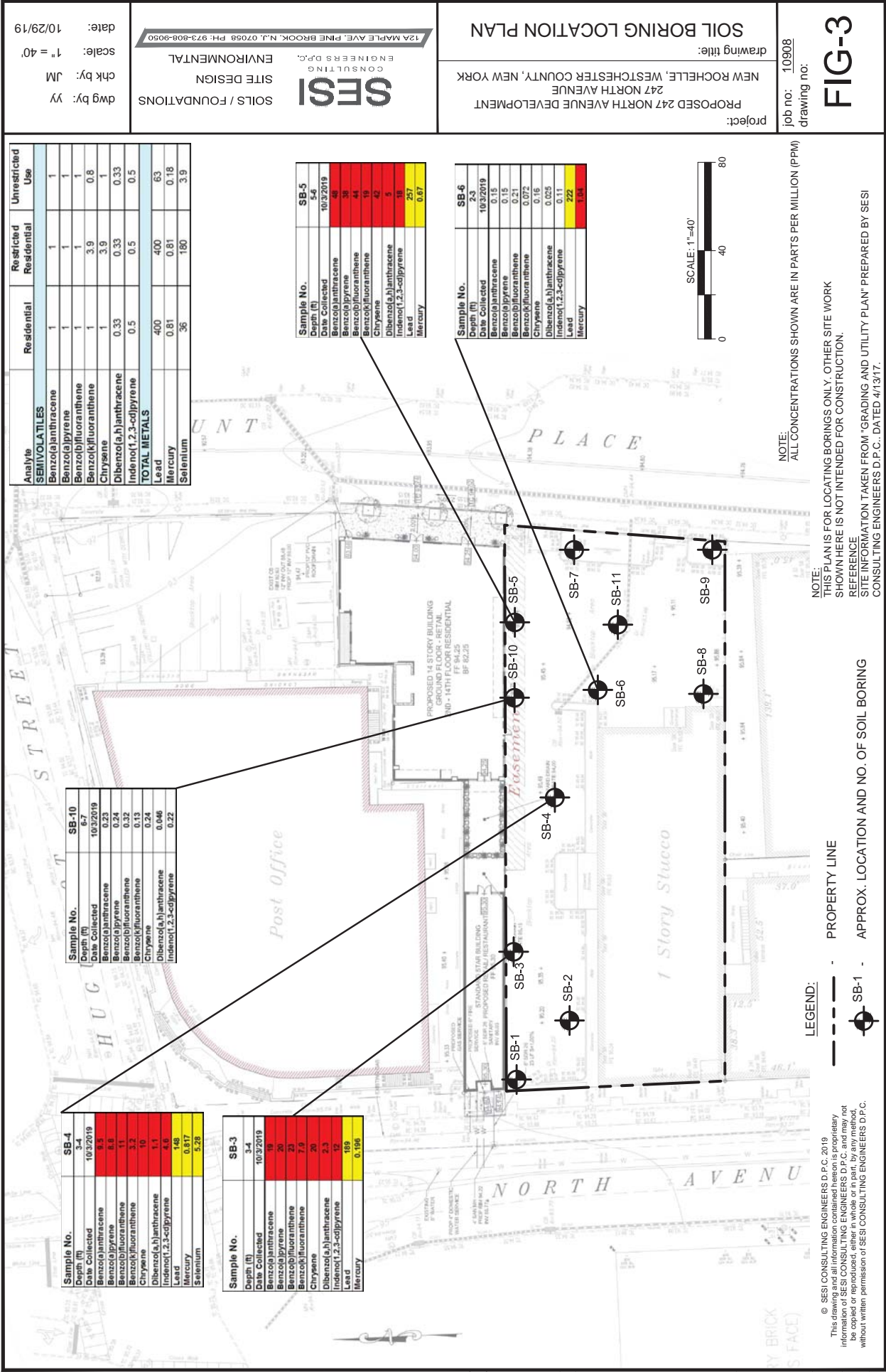
SOILS / FOUNDATIONS

project: PROPOSED 247 NORTH AVENUE DEVELOPMENT  
NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK

drawing title: SOIL VAPOR LOCATION PLAN

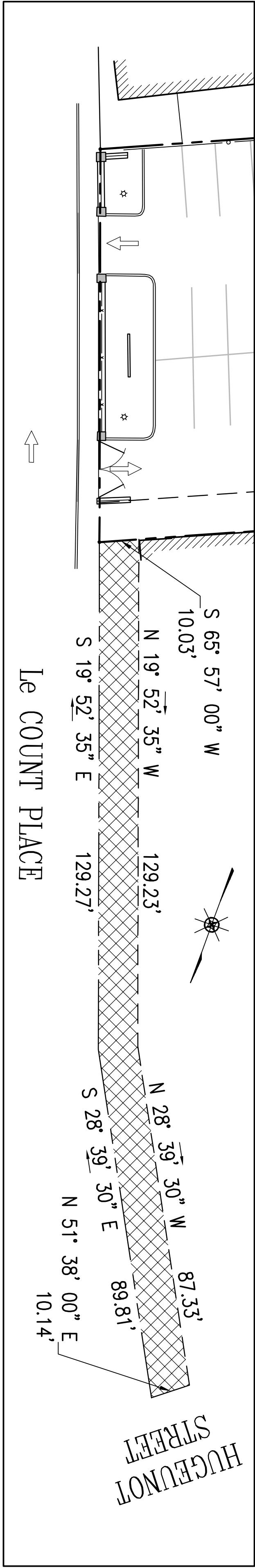
job no: 10908  
drawing no: FIG-4

dwg by: YY  
chk by: JM  
scale: 1" = 40'  
date: 10/29/19



# **EXHIBIT F**





HUGUENOT STREET

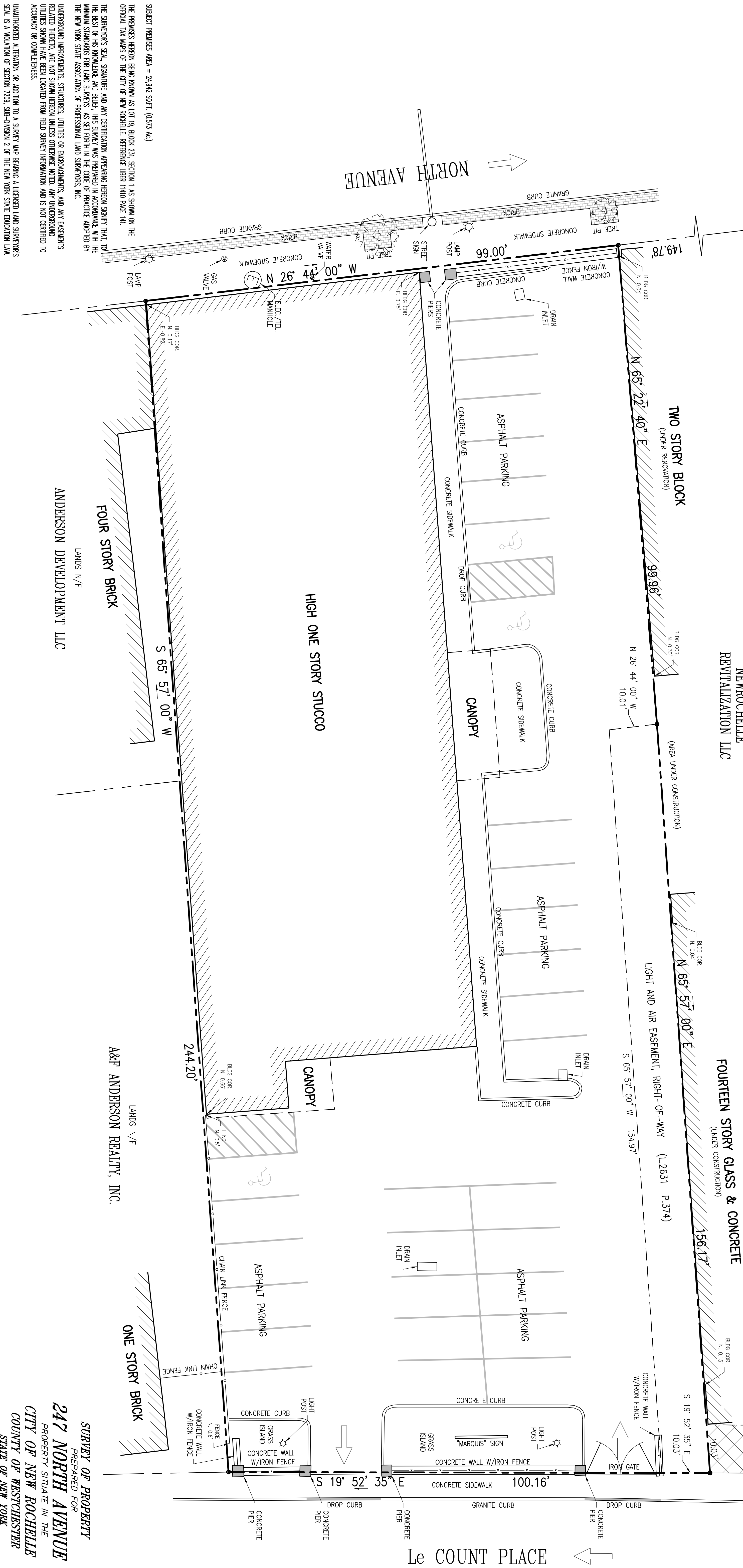
LANDS N/F  
NEW ROCHELLE  
REVITALIZATION LLC

FOURTEEN STORY GLASS & CONCRETE  
(UNDER CONSTRUCTION)

RIGHT-OF-WAY  
(L.3806 P.325)  
(L.7087 P.417)

RIGHT-OF-WAY (L.3806 P.325) (L.7087 P.417)

SCALE 1" = 20'



Le COUNT PLACE

LANDS N/F  
ANDERSON DEVELOPMENT LLC

LANDS N/F  
A&F ANDERSON REALTY, INC.

SURVEY OF PROPERTY  
PREPARED FOR  
247 NORTH AVENUE  
PROPERTY SITUATE IN THE  
CITY OF NEW ROCHELLE  
COUNTY OF WESTCHESTER  
STATE OF NEW YORK

LINE & GRADE SURVEYORS D.P.C.

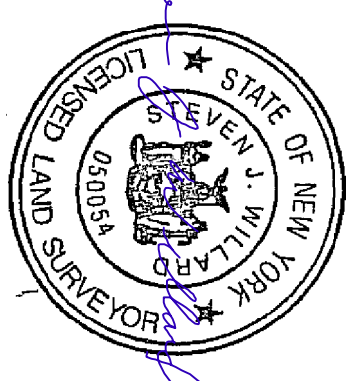
23 Neperhan Avenue

Elmsford, New York 10523

Phone: (914) 347-3141 Fax : (914) 347-3120

email: Office@lineandgrade.net

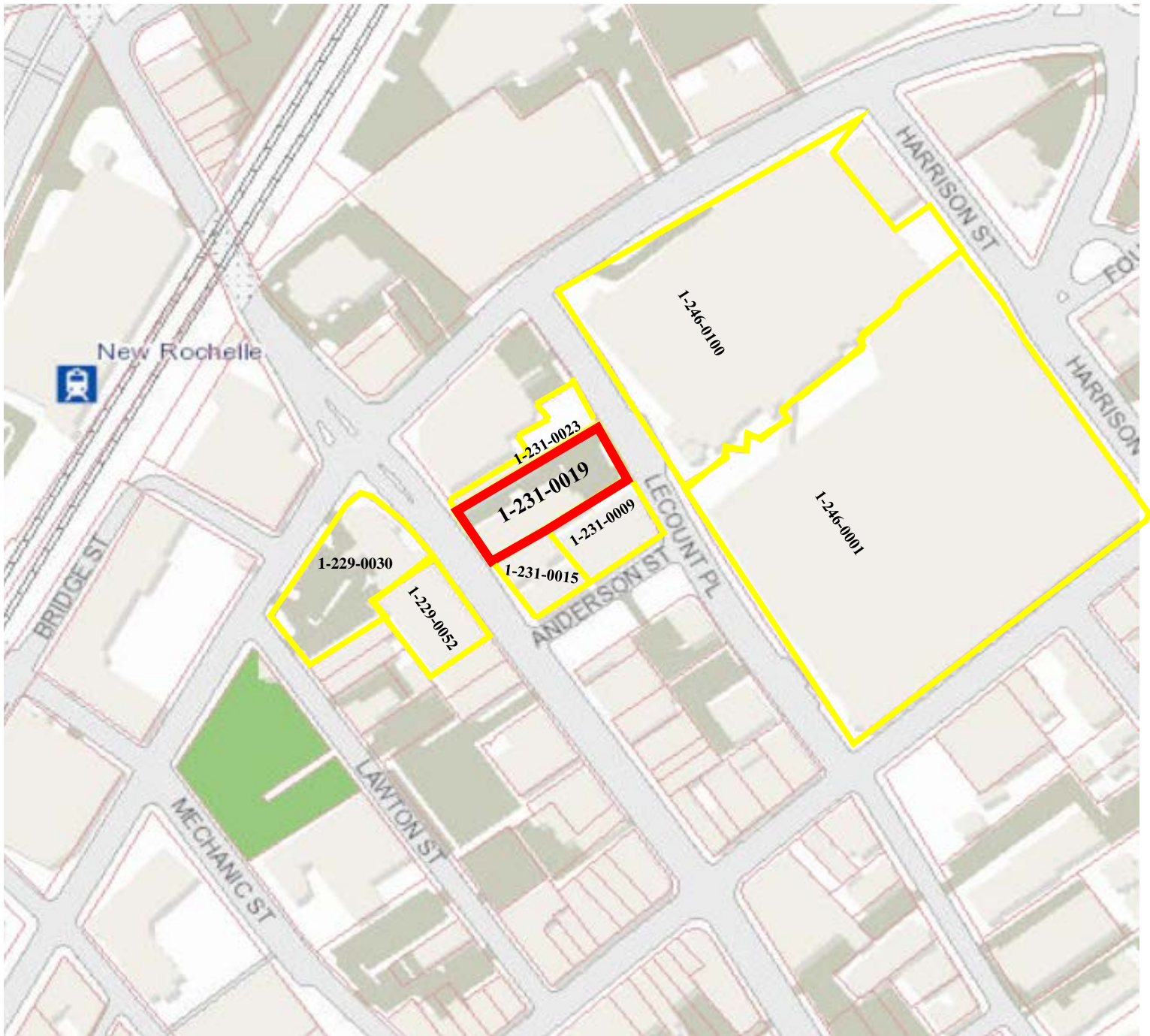
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# **EXHIBIT G**



# 247 North Ave. ID: 1-231-0019 (New Rochelle)



April 21, 2020

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

1:3,000

0 145 290 580  
ft



**Westchester County GIS**

**GIS**  
http://giswww.westchestergov.com  
Michaelian Office Building  
148 Martine Avenue Rm 214  
White Plains, New York 10601



**En-Zone Map**  
**247 North Avenue Site**  
**247 North Avenue**  
**New Rochelle, New York 10801**





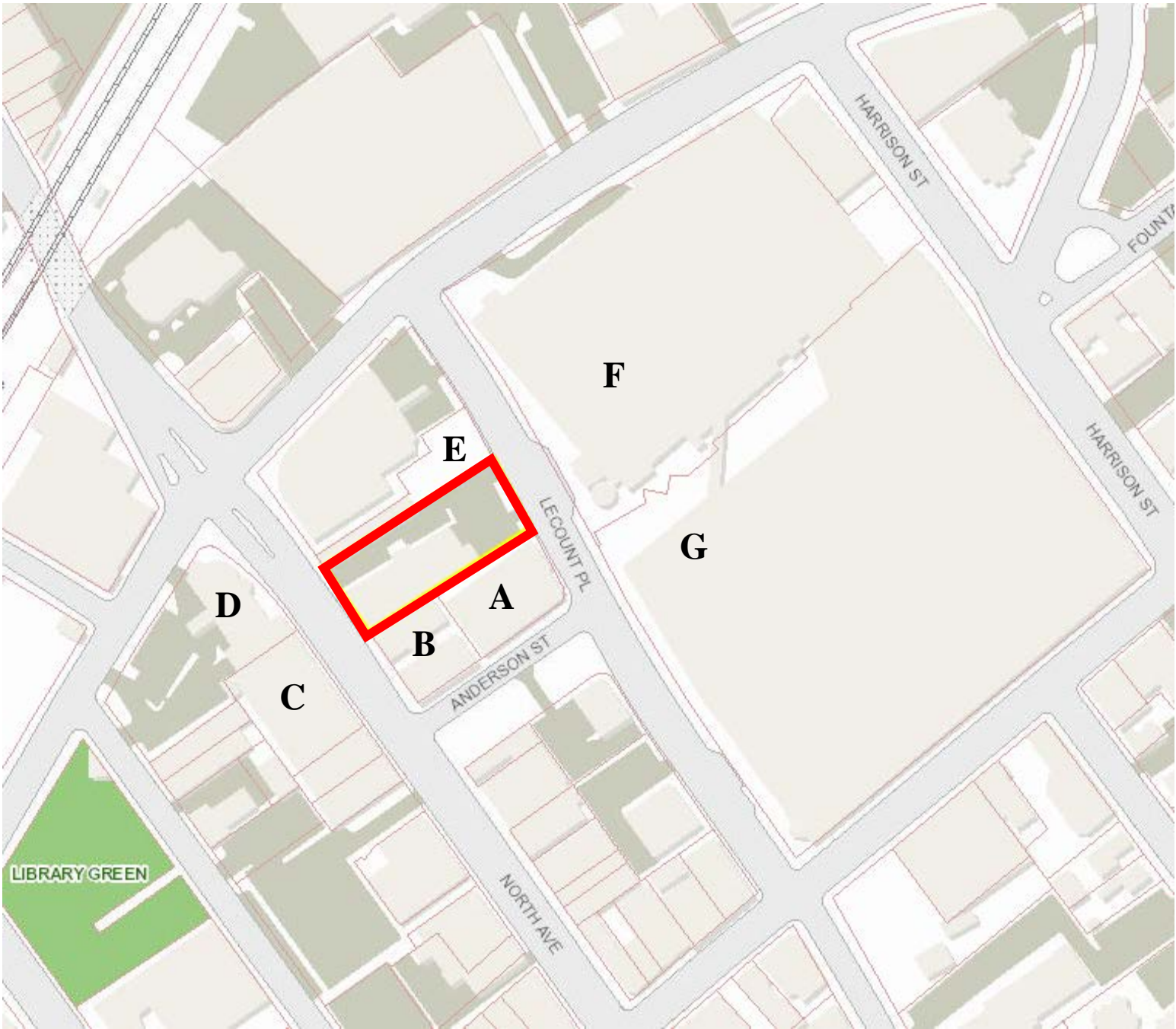
# BASE MAP

247 North Avenue Site  
247 North Avenue  
New Rochelle, New York 10801

**Legend:**  
 Site Property Boundary

Corresponding page  
lists adjacent property owners by  
letter A – G

**February 2020**  
**Source:** Westchester County GIS  
**Scale:** 1” = 100’ approximately

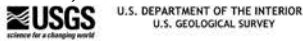


All feature locations are approximate.  
This map is intended as a schematic to  
be used in conjunction with associated  
Application and Support Information  
and should not be relied upon as a  
survey for planning and other  
activities.

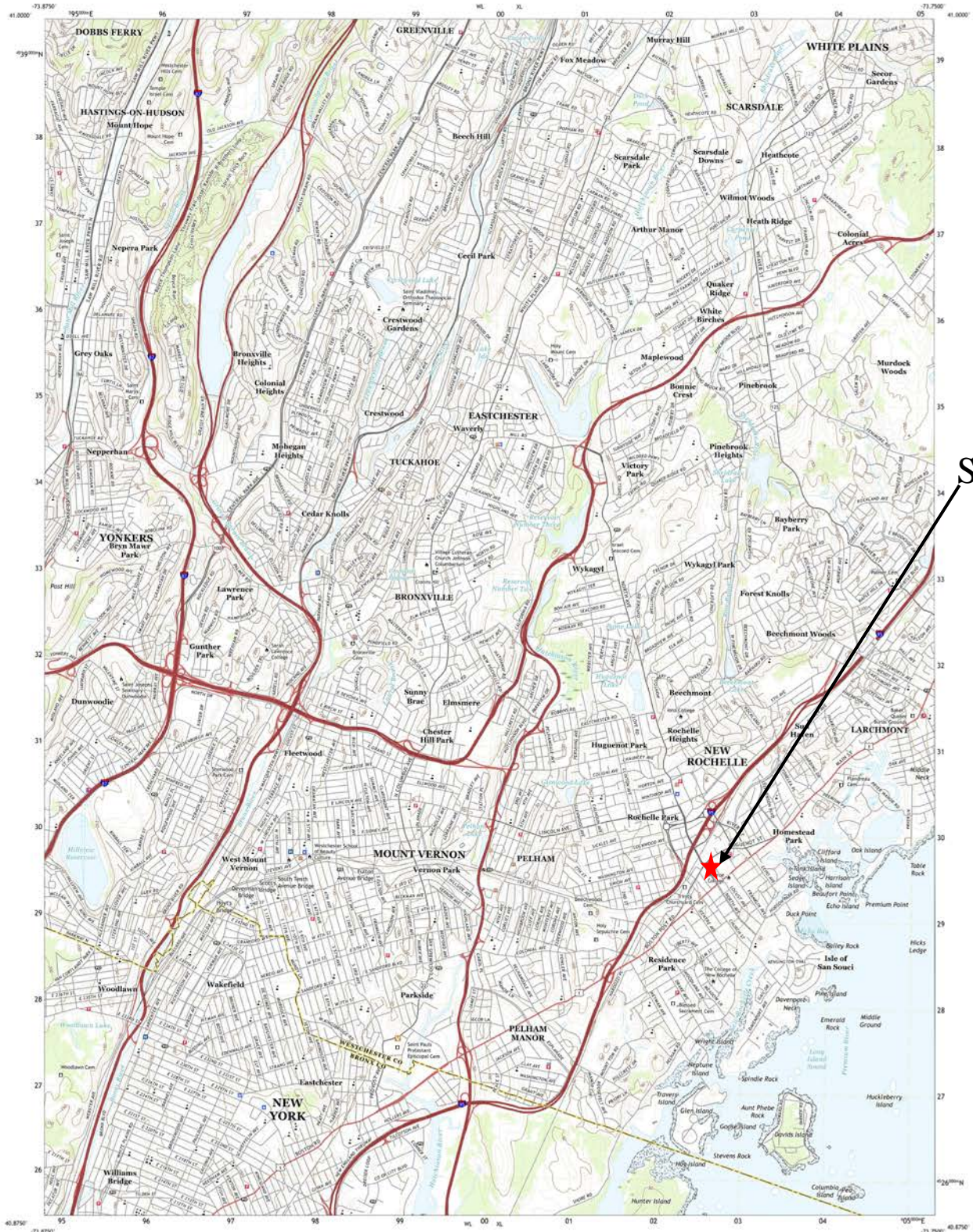
<b>Letter</b>	<b>Adjacent Property Owner(s) Name(s)</b>	<b>Property Address</b>	<b>Section-Block-Lot</b>
<b>A</b>	A&F Anderson Realty, Inc.	15 Anderson Street	1-231-0009
<b>B</b>	Anderson Development LLC	5 Anderson Street	1-231-0015
<b>C</b>	North Realty I, Inc.	240 North Avenue	1-229-0052
<b>D</b>	HSBC Bank USA	238 Huguenot & Lawton Street	1-229--0030
<b>E</b>	New Rochelle Revitalization LLC	251 North Avenue	1-231-0023
<b>F</b>	City of New Rochelle	50 Harrison Street	1-246-0100
<b>G</b>	Ind. Dev. Agcy New Rochelle	33 Le Count Place	1-246-0001



Site Location Map  
247 North Avenue Site  
247 North Avenue  
New Rochelle, New York 10801

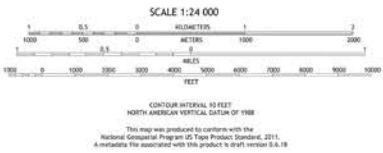
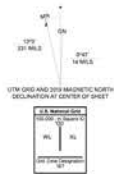


MOUNT VERNON QUADRANGLE  
NEW YORK  
7.5-MINUTE SERIES



Site

Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84) Projection and  
1,000-meter grid Universal Transverse Mercator, Zone 18T  
This map is not a legal document. Boundary lines are  
generalized for this map scale. Private lands within government  
jurisdiction may not be shown. State boundaries before  
entering private lands.  
Images: \_\_\_\_\_ MAP July 2015 - December 2017  
Base: \_\_\_\_\_ U.S. Census Bureau 2010  
Hydrography: \_\_\_\_\_ National Hydrography Dataset, 2010 - 2019  
Contours: \_\_\_\_\_ National Topographic Dataset, 1986 - 2019  
Boundaries: \_\_\_\_\_ Multiple sources, see metadata file 2017 - 2019  
Metadata: \_\_\_\_\_ FWS National Wetlands Inventory 2008 - 2011

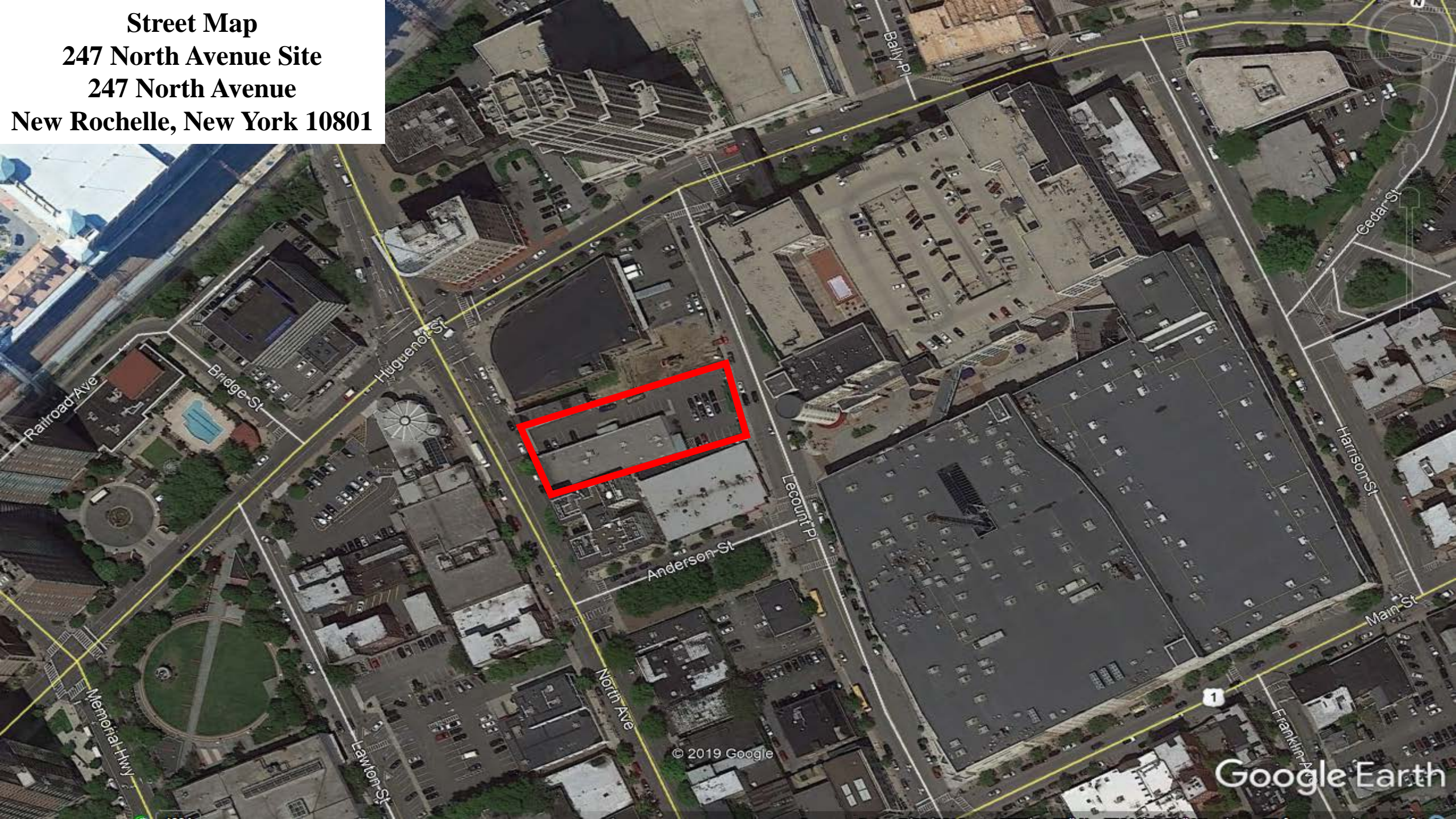


MOUNT VERNON, NY  
2019





**Street Map**  
**247 North Avenue Site**  
**247 North Avenue**  
**New Rochelle, New York 10801**





# **EXHIBIT H**

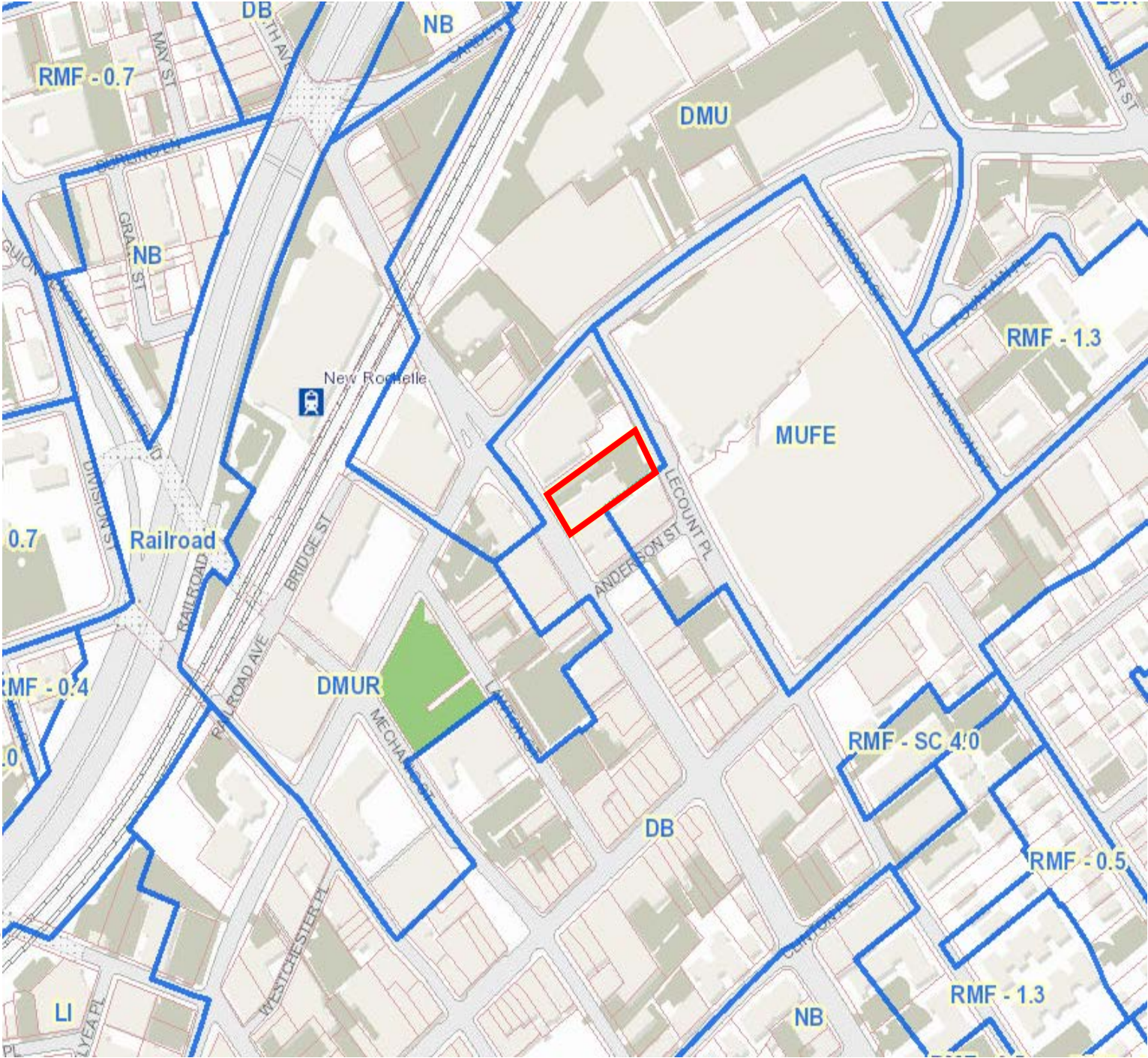


# ZONING MAP

247 North Avenue Site  
247 North Avenue  
New Rochelle, New York 10801

**Legend:**  
— Site property boundary

**February 2020**  
**Source: Westchester County GIS**  
ArcGIS  
Scale: 1" = 100" approximately



**Zoning District: DB  
(Downtown Business)**



All feature locations are approximate. This map is intended as a schematic to be used in conjunction with the associated report, and it should not be relied upon as a survey for planning or other activities.

**Zoning District: Downtown Business (DB)**

Business, Office and Commercial

# **Exhibit I**



247 North Avenue Site  
247 North Avenue  
New Rochelle, New York 10801

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations and Floodway Data for the Flood Insurance Study (FIS) for the community. The FIS report should be used for the purpose of determining the BFEs shown on the FIRM represent **whole-of-flood elevations**. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood-related information. Consequently, the floodway elevations presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only landward of 0.0 North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Flood Elevations and Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Silverwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with respect to the Federal National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 18. The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.nga.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, N/NGS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was derived from digital orthophotography provided by the New York State Office of Cyber Security & Critical Infrastructure Coordination. This information was produced as 20-centimeter resolution natural color orthoimagery from photography dated April 2004.

Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unreviewed streams may differ from what is shown on previous maps.

**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://msc.fema.gov>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov>.

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February 2020

**Source: FEMA Flood Map**

Scale: 1" = 100' approximately

**Scale: 1" = 100' approximate**

**Source: FEMA Flood Map**

**Scale: 1" = 100' approximately**



# **Exhibit J**

# Site Contact List

247 North Avenue Site

247 North Avenue, New Rochelle, New York 10801

Name	Title	Address	City	State	Zip
Chuck E. Schumer	U.S. Senator	780 Third Avenue, Suite 2301	New York	NY	10017
Kirsten Gillibrand	U.S. Senator	780 Third Avenue, Suite 2601	New York	NY	10017
Eliot L. Engel	U.S. House of Representatives- 16th Congressional District	6 Gramatan Avenue, Suite 205	Mt. Vernon	NY	10550
Andrea Stewart-Cousins	New York State Senator- NY Senate District 35th	28 Wells Avenue, Building #3	Yonkers	NY	10701
George Latimer	Westchester County Executive	148 Martine Avenue, Suite 900	White Plains	NY	10601
Richard Hyman	Westchester County Planning Board Chairperson	148 Martine Avenue, Suite 420	White Plains	NY	10601
Noam Bramson	Mayor of New Rochelle	515 North Avenue	New Rochelle	NY	10801
Sarah C. Dobbs-Brown	New Rochelle Planning Board Chairperson	515 North Avenue	New Rochelle	NY	10801
The Journal News	Media Outlet	1133 Westchester Avenue, Suite N110	White Plains	NY	10604
Katie Marino	Mount Kisco Water Bureau, Public Water Supplier	Village Hall (1st Floor) 104 Main Street	Mount Kisco	NY	10549
Tom Geoffino	Director of the New Rochelle Public Library	1 Library Plaza	New Rochelle	NY	10801
Joel Fridovich	Alternative Campus High School (New Rochelle High School), Administrator	50 Washington Avenue	New Rochelle	NY	10801
Amy Gelles	Chief Executive Officer of the Guidance Center of Westchester (Creative Learning Center)	17 Anderson Street	New Rochelle	NY	10801
Jennifer E. Jones	Owner/Director of Growing Minds if New York, Inc.	466 Main Street	New Rochelle	NY	10801
Carol L. Bender	Owner of Little Rascals Daycare	18 Badeau Place	New Rochelle	NY	10801
Richard Weissman	Chairman of The Learning Experinece	1 Bally Place	New Rochelle	NY	10801
Planned Parenthood-New Rochelle Health Center	Operator of the Site-247 North Avenue	247-249 North Avenue	New Rochelle	NY	10801
First Source Referral Center	Operator of the Site-247 North Avenue	247 North Avenue	New Rochelle	NY	10801
A & F Anderson Realty, Inc.	Adjacent Property Owner of 15 Anderson Street	199 Main Street	White Plains	NY	10601
Anderson Development LLC	Adjacent Property Owner of 5 Anderson Street	1955 Central Park Avenue	Yonkers	NY	10701
North Realty I, Inc.	Adjacent Property Owner of 240 North Avenue	199 Main Street, Mezzanine	White Plains	NY	10601
HSBC Bank USA	Adjacent Property Owner of 238 Huguenot & Lawton Street	260 North Avenue	New Rochelle	NY	10801
New Rochelle Revitalization LLC	Adjacent Property Owner of 251 North Avenue	115 Stevens Avenue	Valhalla	NY	10595
City of New Rochelle	Adjacent Property Owner of 50 Harrison Street	City Hall, 475 North Avenue	New Rochelle	NY	10801
New Rochelle Industrial Development Agency	Adjacent Property Owner of 33 Le Count Place	466 Main Street	New Rochelle	NY	10801
Caridad & Louie's Restaurant	Adjacent Property Operator of 241 North Avenue (5 Anderson Street)	241 North Avenue	New Rochelle	NY	10801
Roc-N-Ramen	Adjacent Property Operator of 19 Anderson (15 Anderson Street)	19 Anderson Street	New Rochelle	NY	10801
Burger King	Adjacent Property Operator of 33 Le Count Place	33 Le Count Place	New Rochelle	NY	10801
Applebee's Grill and Bar	Adjacent Property Operator of 33 Le Count Place	25 Le Count Place	New Rochelle	NY	10801
Splendid Diner	Adjacent Property Operator of 25 Anderson Street (15 Anderson Street)	25 Anderson Street	New Rochelle	NY	10801
Residence Inn by Marriott	Adjacent Property Operator of 35 Le Count Place (50 Harrison Street)	35 Le Count Place	New Rochelle	NY	10801
Direct Mattress and Furniture	Adjacent Property Operator of 246 North Avenue (240 North Ave)	246 North Avenue	New Rochelle	NY	10801
Green Girls	Adjacent Property Operator of 260 North Ave (238 Huguenot & Lawton Street)	260 North Avenue	New Rochelle	NY	10801
M.L. Bruenn Co., Inc.	Adjacent Property Operator of 240 North Avenue	240 Noth Avenue	New Rochelle	NY	10801

# **Exhibit K**





February 27, 2020

VIA FEDERAL EXPRESS

Thomas Geoffino  
New Rochelle Public Library  
1 Library Plaza  
New Rochelle, New York 10801

**RE: Brownfield Cleanup Program Application**  
**Applicant: 247 North Avenue Associates LLC**  
**Site Name: 247 North Avenue Site**  
**Site Address: 247 North Avenue, New Rochelle, New York 10801**

Dear Mr. Geoffino:

We represent 247 North Avenue Associates LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site at 247 North Avenue, in the City of New Rochelle, Westchester County, New York. Your branch is currently the repository for this project. It is a requirement of the NYS Department of Environmental Conservation that we supply them with a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. To avoid significant use of your shelf space, all documents will be sent in CD format.

Please sign below and return the original in the enclosed stamped self-addressed FedEx envelope if you are able to certify that your library would be willing and able to act as the temporary public repository for this Brownfield Cleanup Program project.

Thank you.

Sincerely,

KNAUF SHAW LLP

LINDA R. SHAW

Yes, the New Rochelle Public Library is willing and able to act as a public repository for documents related to the cleanup of 247 North Avenue, in the City of New Rochelle, Westchester County, New York under the NYS Brownfield Cleanup Program.

Thomas Geoffino, Director

**DIERDRA GRAY - CLARK**  
**PRESIDENT - BOARD OF TRUSTEES**

Date



# **Exhibit L**



# **DRAFT Generic Environmental Impact Statement City of New Rochelle Downtown Overlay Zone & Zoning Map Amendments**

City of New Rochelle, Westchester County, New York



September 16, 2015



---

# **DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS)**

## **CITY OF NEW ROCHELLE DOWNTOWN OVERLAY ZONE & ZONING MAP AMENDMENTS**

**City of New Rochelle  
Westchester County, New York**

*SEQRA Classification:* Type I Action

*Lead Agency:* City of New Rochelle  
City Council  
515 North Avenue  
New Rochelle, New York 10801

*For Information  
Contact:* Luiz Aragon, Commissioner of  
Development  
City of New Rochelle  
515 North Avenue  
New Rochelle, New York 10801  
(914) 654-2185

*Prepared by:* Nelson, Pope & Voorhis, LLC  
572 Walt Whitman Road  
Melville, New York 11747  
Contact: Charles Voorhis, CEP, AICP  
(631) 427-5665

RDRXR at New Rochelle, LLC  
9 Gerhard Road  
Plainview, NY 11803  
Contact: Sean McLean  
(516) 433-9000

City of New Rochelle  
515 North Avenue  
New Rochelle, NY 10801  
City Manager: Charles Strome, III  
Law Department Contact: Kathleen Gill,  
Corporation Counsel

BFJ Planning  
115 5<sup>th</sup> Avenue  
New York, NY 10003  
Contact: Frank Fish, FAICP  
(212) 353-7476

AKRF, INC.  
440 Park Ave South, 7th Floor  
New York, NY 10016  
Contact: Michael Beattie, P.E., PTOE  
(212) 696-0670

W X Y architecture + urban design  
224 Centre Street, Fifth Floor,  
New York, NY 10013  
Contact: Adam Lubinsky, Ph.D. AICP  
(212) 219-1953

Date the DGEIS was accepted by the Lead Agency: **September 24, 2015**

The DGEIS is available for public review on the City of New Rochelle website:  
**[www.newrochelleny.com/RDRXR](http://www.newrochelleny.com/RDRXR)**

Written comments on the DGEIS are to be submitted to the Lead Agency by: **October 26, 2015**

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**SECTION 1.0**

**EXECUTIVE SUMMARY**

## 1.0 EXECUTIVE SUMMARY

The Proposed Action analyzed in this Draft Generic Environmental Impact Statement (“DGEIS”) is the adoption of amendments to the City of New Rochelle Zoning Code and Zoning Map to create Downtown Overlay Zones by the City of New Rochelle City Council. The potential impacts resulting from the adoption of the Proposed Action are analyzed in this DGEIS. This DGEIS has been prepared in accordance with the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”) at Title 6 of the New York State Code of Rules and Regulations Part 617. The City of New Rochelle City Council (“City Council”) is the Lead Agency for this environmental review.

Under SEQRA, a “Generic” EIS, or GEIS, is prepared when a proposed action represents a comprehensive program having wide application and defining the range of future projects in the affected area. A GEIS, according to the New York State Department of Environmental Conservation (NYSDEC) SEQRA Handbook, is *“a type of EIS that is more general than a site-specific EIS, and typically is used to consider broad-based actions or related groups of actions that agencies are likely to approve, fund, or directly undertake... A Generic EIS differs from a site or project specific EIS by being more general or conceptual in nature...”*

This DGEIS is intended to provide the City Council, the public, and interested and involved agencies with an understanding of the range and type of potential environmental impacts that may result from adoption of the Proposed Action. An important aspect of the environmental review process is that it incorporate public review and comments into the decision-making process.

The DGEIS presents a comprehensive assessment of the potentially significant adverse impacts associated with the Proposed Action, identifies impacts which will likely require mitigation, and considers the No Action Alternative - a condition in which the proposed amendments to the City Zoning Code and Zoning Map to create Downtown Overlay Zones are not adopted.

### 1.1 Proposed Action

This DGEIS analyzes the potential impacts that may occur as a result of the adoption of amendments to the City of New Rochelle Zoning Code and Zoning Map to create Downtown Overlay Zones. The purpose of this document is to analyze the potential environmental impacts of the “Proposed Action,” which is the adoption of amendments to the Zoning Code and Zoning Map, as well as the Theoretical Development Scenario (“TDS”) that may result from said adoption. The zoning amendments are necessary to create the Downtown Overlay Zones (hereafter the “zoning amendments,” “overlay zones,” or “DO Zones”) that have been designed to implement the redevelopment initiatives sought in the Recommended Action Plan (“RAP”, see **Appendix A-1**) and various other City planning policies and initiatives.

The proposed DO Zones are intended to establish a downtown mixed-use environment as envisioned by the RAP. The area subject to the proposed DO Zones is generally within walking distance of the City of New Rochelle Transit Center and is approximately 279 acres in size

(hereafter, the “Study Area”, see **Figure 2-2**). The regulations applicable to the DO Zones would be optional for landowners who could continue to utilize, develop, and/or redevelop properties in accordance with the existing zoning. The Proposed Action sets forth specific Development Standards to encourage property owners to pursue redevelopment options in accordance with the proposed Downtown Overlay Zones rather than the underlying zoning. Six overlay zones are proposed, each with specific use and design options to achieve the desired form of redevelopment (see **Figure 2-3**):

- Downtown Core District (DoCo) - DO-1
- Downtown District - DO-2
- Gateway Transition District - DO-3
- River Street Commercial District - DO-4
- Wellness District - DO-5
- North of Lincoln District (NoLi) - DO-6

The proposed DO Zones would allow a vertical and horizontal mix of uses including residential, office, retail, commercial, cultural/entertainment, civic/religious, light industrial, and parking/utilities. The amendments are a type of form-based code which will regulate form, mass, scale and style of the buildings based on a Zoning Standards Map. The Proposed Action would include adoption of the Zoning Standards Map that would establish the design parameters for future development, including the distance of buildings from the sidewalk, how much window area buildings must have, building form, streetscape, and other design-related features. These form-based parameters are consistent with the intent of the RAP and previously-adopted land use studies (see **Section 2.4** for a detailed description of the proposed DO Zones).

The primary aspects of the proposed zoning, included as **Appendix A-2**, include:

- Optional code with underlying existing zoning remaining in place;
- Density reallocation in six districts centered around Ruby Dee Park;
- More flexible uses that put greater emphasis on the form of the buildings, streets and civic spaces (form-based coding);
- Improved standards for streetwalls and storefronts;
- Base height requirement for all districts of two stories;
- Minimum lot area and street frontage requirements for all sites;
- Ability to achieve Development Standards by aggregating smaller sites to create larger more viable sites; and
- Maximum heights per DO Zone in accordance with Development Standards.

This DGEIS recognizes that supplemental, site-specific SEQRA evaluations may be required for water supply demand, wastewater generation, school capacity, and that further information would be available at a later date when redevelopment projects are pursued and site-specific information related to proposed uses, development densities and project locations are known. The SEQRA review process for adoption of the DO Zones will culminate in the subsequent

preparation of a Final GEIS, which addresses agency and public comments, and the adoption of a Findings Statement, which will present the thresholds and guidelines under which future actions will be reviewed.

## **1.2 Study Area**

The City of New Rochelle is located in the southeastern portion of Westchester County, New York, and adjoins Long Island Sound (see **Figure 2-1**). The City adjoins the Town/Village of Pelham, the Village of Pelham Manor, the City of Mt. Vernon, and the Town of Eastchester to the west; the Village of Scarsdale to the north and east; the Town of Mamaroneck and Village of Larchmont to the east, and Long Island Sound to the east and south. At the waterfront, the City of New Rochelle borders the Borough of Bronx in New York City.

Interstate I-95 (the New England Thruway) is a major national interstate highway which travels through the City in a north-south direction, bifurcating the Study Area. U.S. Route 1, which preceded construction of I-95, parallels the interstate highway and follows Main Street (eastbound) and Huguenot Street (westbound) within the City. The Hutchinson River Parkway is a major regional highway which also travels through the City, providing access to northerly areas of Westchester County and New York City. Lastly, the Study Area is also physically separated by the Metro North New Haven line and Amtrak's Northeast Regional service. I-95 is a major defining feature of the Study Area - two of the DO Zones are located to the north of the highway (DO-5 and DO-6), and four are located south of same (DO-1 through DO-4) (see **Figure 2-2**). The boundaries of the six DO Zones are shown in **Figure 2-3**. The Study Area encompasses approximately 279 acres. **Figure 2-4** presents an aerial view of the Study Area which better illustrates the location of buildings and major transportation corridors.

## **1.3 Theoretical Development Scenario**

The DGEIS examines the potential impacts of a Theoretical Development Scenario ("TDS") which could be developed if the Proposed Action is adopted – it specifies the potential buildout by DO Zone over a 10 year period. The following table summarizes the Theoretical Development Scenario.



### THEORETICAL DEVELOPMENT SCENARIO

<b>District Overlay</b>	<b>Retail (SF)</b>	<b>Restaurant (SF)</b>	<b>Office Nonmedical (SF)</b>	<b>Medical Office (SF)</b>	<b>Hotel (rooms)</b>	<b>Residential Units (DU)</b>	<b>Student Housing (beds)</b>	<b>Adult Care (SF)</b>	<b>Independent Units (DU)</b>	<b>Institutional (SF)</b>
<b>DO-1</b>	350,000	50,000	820,000	100,000	250	1,500	-	-	-	155,000
<b>DO-2</b>	400,000	30,000	350,000	150,000	250	2,900	500	192,000	375	200,000
<b>DO-3</b>	50,000	5,000	220,000	25,000	-	550	500	128,000	-	225,000
<b>DO-4</b>	150,000	20,000	200,000	25,000	-	200	-	-	-	-
<b>DO-5</b>	20,000	5,000	185,000	100,000	-	250	500	192,000	-	140,000
<b>DO-6</b>	20,000	5,000	30,000	20,000	-	100	-	128,000	-	55,000
<b>Totals</b>	<b>990,000</b>	<b>115,000</b>	<b>1,805,000</b>	<b>420,000</b>	<b>500</b>	<b>5,500</b>	<b>1,500</b>	<b>640,000</b>	<b>375</b>	<b>775,000</b>

## 1.4 Summary of Impacts and Mitigation Measures

A matrix is provided in order to summarize the potential impacts of the Proposed Action and Theoretical Development Scenario described and analyzed in this DGEIS, along with the corresponding mitigation measures that would eliminate or alleviate each impact. The summary matrix, entitled **Potential Impacts and Mitigation Measures**, is presented below.

## POTENTIAL IMPACTS AND MITIGATION MEASURES

DGEIS Section		Impact	Mitigation
<b>3.1 Land Use, Zoning and Plans</b>			
3.1.2.1	Land Use	Adoption of the Proposed Action will not impact existing land uses, as the underlying zoning regulations will remain in effect and uses permitted under the proposed DO Zones will be similar in nature as what is currently allowed in the Study Area. If a use presently conforms to the existing use requirements of the applicable underlying zoning district, it will continue to be conforming.	The broader range of land uses that would be allowed in the DO Zones are still subject to future site-specific SEQRA and site plan review and may necessitate additional mitigation measures. However, the Zoning Standards Map and form-based code regulations incorporate design standards which have been formulated to eliminate or minimize potential impacts associated with a mixed use environment.
		A Theoretical Development Scenario has been programmed which would add 5,500 dwelling units, 375 independent units, 1,500 student beds, and to the Study Area, and 4,745,000 square feet of nonresidential and adult care space.	The potential impacts associated with this level of development are the subject of the analyses contained in this DGEIS.
3.1.2.2	Zoning	The proposed DO Zones will allow a vertical and horizontal mix of uses including residential, office, retail, commercial, cultural/entertainment, civic/religious, light industrial, and parking/utilities. The proposed overlay zones would include a Zoning Standards Map that would establish the design parameters for future development, including building form, streetscape, and other design-related features (see draft DO Zone Amendments, <b>Appendix A-2</b> ). These form-based redevelopment parameters are consistent with the intent of the RAP and previously-adopted land use studies.	No mitigation required. The proposed zoning amendments have been designed to locate mixed uses in areas that are appropriate and establish a growth pattern that is consistent with the goals of the City's recent planning efforts, as summarized in the RAP (Section 2). The DO Zone form-based code will provide for coordinated and pedestrian friendly streets and city block development, with specific development standards and requirements for the location and form of buildings, parking areas, landscaping, signage, etc., as governed by the Zoning Standards Map. The additional heights that can be accomplished via the DO Zones is permitted only if parcels meet certain frontage requirements, and provided the development achieves the Community Benefit Bonuses identified by City stakeholders as appropriate.

<b>DGEIS Section</b>		<b>Impact</b>	<b>Mitigation</b>
3.1.2.3	Plans	The Proposed Action is consistent with the numerous land use and public policy plans that have been adopted to date to promote and reactivate the City's downtown area.	No mitigation is proposed.
<b>3.2 Community Character</b>			
3.2.2.1	Visual Character	The adoption of the Proposed Action, with its integral Zoning Standards Map, would improve the visual character of existing underutilized areas as well as ensure that development is constructed in a manner which is consistent with the "historic" building patterns in the downtown which elevate the importance of the pedestrian realm. The Proposed Action emphasizes less the type of uses that are allowed, and instead emphasizes creation of a quality visual environment that will accommodate a mix of land uses all in a manner that adds architectural character and vibrancy to the downtown.	Adoption of the proposed code amendments is not anticipated to result in any significant adverse impacts to visual character, as the code amendments include design guidelines and standards that are intended to improve the form of development and enhance the public realm and pedestrian experience. Such form-based standards include many elements that are intended to improve visual character such as building form standards, public space standards, architectural standards and landscaping standards. Future site-specific applications will be required to adhere to the form-based code design standards, and will continue to be subjected to site-specific Professional Architectural Review Committee ("PARC") design review.

		<p>The Proposed Action, if not properly regulated, could have a negative impact on the existing positive aspects of the visual environment.</p>	<p>Specific revitalization strategies that are incorporated into the Proposed Action include:</p> <ul style="list-style-type: none"> <li>-Incorporate and protect historic buildings. The RAP includes a photomontage of important buildings in the City's history, from the Pioneer Building to the former Masonic Lodge on Main Street. These are special places which also visually create the City's unique sense of place. These buildings are to be protected and incorporated into new developments.</li> <li>- Build upon the existing character. The DO Zones, to some extent, will promulgate standards which promote the existing positive visual pattern of the City's built environment. Large segments of the Study Area are already developed with streets that have attached row style mixed use buildings with buildings fronting to the sidewalk, providing visual interest to the pedestrian. These positive visual attributes are being memorialized in the new zones.</li> <li>- Regulate the percentage of transparency and active entrances for storefronts. Like existing patterns in the Study Area, the Proposed Action will require that certain street segments are developed in accordance with minimum transparency standards so as not to create uninteresting blank facades which deaden downtown environs.</li> <li>- Utilize adaptive reuse when economically viable. The proposed zoning will incorporate standards to require that buildings, especially if they have historic or architectural significance, are adaptively reused rather than demolished.</li> </ul>
3.2.2.2	Shadows	<p>The results of the shadow analyses that evaluate the potential impact of new buildings and structures on sun sensitive sites are depicted in <b>Appendices D-2 to D-7</b>. As building height progressively increases under the various scenarios, the potential impact of shadows increases. The majority of parcels requiring further evaluation are located within the central</p>	<p>The potential for shadows to impact sun sensitive resources will be addressed during individual site plan review of applications. The parcels identified in <b>Appendix D-2, D-3, D-4, D-5, D-6, and D-7</b> will require a shadow analysis to be performed. Mitigation may be necessary based on the results of site specific analysis.</p>



		portion of the Study Area, due to the maximum permitted heights in DO-1 and DO-2. Similarly, analysis for parcels proposing development in DO-1 is always required due to the maximum permitted heights.	
3.2.2.3	Cultural Resources	Much of the Study Area is within a NYSOPRHP archeologically sensitive area which is more likely to yield artifacts. However, subsurface conditions have been significantly disturbed by past land disturbance activities which may have affected the integrity of any such resources.	If future redevelopment or site disturbance is proposed on sites identified as historic landmarks by the National and/or State Registers or the City of New Rochelle, a cultural resource survey may be warranted during site plan review to further investigate the potential presence of historic artifacts. Cultural resource evaluations may include contact with the State Historic Preservation Office (“SHPO”) for review, input and approval. If that entity deems it appropriate, additional analysis may be required, or revisions to the application may be deemed necessary by SHPO to avoid or mitigate such impacts.
		Portions of the Study Area adjoin National and State Register historic districts/properties and/or properties identified as local landmarks, such as the Pioneer Building, New Rochelle Post Office, New Rochelle Railroad Station, and Trinity Episcopal Church. Future development activities within or adjacent to these resources could affect the historic character of the district by introducing new building forms and architectural elements into or adjacent to the district or landmark sites.	Future actions involving historic resources will be reviewed by the City Historical and Landmark Review Board for potential impacts and issuance of a Certificate of Appropriateness (“CA”). Applications will also be reviewed during site plan approval, and SEQRA will be complied with at that time, including as necessary, consultation with the NYS Office of Parks, Recreation and Historic Preservation, State Historic Preservation Office. If future redevelopment or site disturbance is proposed on sites identified as historic landmarks by the National and/or State Registers or the City of New Rochelle, a Phase IA (and possibly a Phase IB) cultural resource survey may be warranted to further investigate the potential presence of historic artifacts.

<b>3.3 Community Facilities and Utilities</b>			
3.3.2.1	Police Protection	A large increase in residential units and/or commercial development in the Study Area could potentially exacerbate the existing deficiency in police manpower due to budget constraints.	<p>Planned mitigation would involve facilitating additional police manpower in a phased manner as growth is realized:</p> <ul style="list-style-type: none"> <li>• The Police Department will have the opportunity to provide input on site-specific plans, thereby requiring any site-specific mitigation measures as necessary.</li> <li>• Establish a means to add 15 man downtown task force to roster</li> <li>• Encourage on-site private security for large projects and work cooperatively with Police Department</li> <li>• Provide price sensitive housing opportunities for potential future Police Department personnel</li> </ul>
		The Police Department expressed concern with regard to converting Huguenot and Main streets to allow two-way traffic due to street parking, double parking, and other practices that hamper police response and require traffic enforcement. Traffic is also diverted through New Rochelle when there are accidents on I-95 at Exits 15/16.	Mitigation to address the Police Department's concern may include elimination of some strategic street parking and providing parking structures to assist in addressing parking needs. Use of CSO's and downtown officers for traffic enforcement will further assist and would reduce the cost to the Police Department as compared with police officers which can be directed to more pressing issues involving crime and security.
		The police department will receive a portion of the \$11.86 million in annual tax dollars projected to be generated and distributed to the City of New Rochelle (see <b>Section 3.4.2</b> ). Such revenues are expected to accrue from the realization of redevelopment, participation in a "Fair Share" mitigation plan and fund may be needed to ensure that personnel issues and needed improvements are implemented as growth occurs.	The details of the "Fair Share" mitigation plan and fund will be developed throughout the SEQRA process and memorialized in the SEQRA Findings Statement. Department needs have been identified and the mitigation strategy is presented in the Mitigation Measures subsection under <b>Section 3.3</b> Community Services.
3.3.2.2	Fire Protection	A large increase in residential units and/or commercial development in the Study Area could	Mitigation measures include:

		potentially exacerbate the existing deficiency in fire manpower and equipment due to budget constraints. Other issues include the need for convenient training facilities.	<ul style="list-style-type: none"> <li>• Conformance to the NYS Building and Fire Safety Codes will partially mitigate potential health and safety impacts from fire response providers.</li> <li>• The Fire Department will have the opportunity to review future site plans to ensure that their needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed</li> <li>• Improve access to professional training</li> <li>• Establish a means to add 6-7 firefighters to roster</li> <li>• Provide price sensitive housing opportunities for potential future Fire Department personnel</li> </ul>
		A high pressure pumper truck is needed to pump above 42 stories. This has been identified by the Department and it is part of the existing plan to procure this equipment. Stations #2 and #3 have been identified as requiring significant attention.	<ul style="list-style-type: none"> <li>• Ensure planned purchase of high pressure pumper</li> <li>• Address physical plant issues at Stations #2 and #3</li> </ul>
		The Fire Department expressed concern due to current traffic patterns due to street parking, double parking, and other practices that hamper fire response and require traffic enforcement. Pre-emption of traffic signals and need for traffic enforcement remain and will need to be addressed.	<ul style="list-style-type: none"> <li>• Remove strategic parking on Main Street and Huguenot Street and provide parking structures to ensure traffic flow when 1-way streets are changed to two-way traffic</li> <li>• Ensure traffic flow in coordination with the Police Department using CSO's and officers</li> <li>• Seek increased coverage using traffic signal pre-emption through grants and fund allocation</li> </ul>
		The fire department will receive a portion of the \$11.86 million in annual tax dollars projected to be generated and distributed to the City of New Rochelle (see <b>Section 3.4.2</b> ). Such revenues are expected to accrue from the realization of redevelopment, participation in a "Fair Share" mitigation plan and fund may be needed to ensure that personnel issues and needed improvements are	<ul style="list-style-type: none"> <li>• A "Fair Share" mitigation plan and fund will be developed during the SEQRA process and memorialized in the SEQRA Findings Statement.</li> </ul>

		implemented as growth occurs.	
3.3.2.3	Wastewater and Stormwater Management	<p>Wastewater conveyance systems will be upgraded as new development occurs – oversight is provided through the Planning/Building Department review/approval process and is supported by Westchester County Planning Board referrals to the City. Current policy requires I&amp;I improvements in excess of project design flow by a factor of three times I&amp;I is reduced thus reducing flow volumes to the Westchester County WWTF. This assists with infrastructure upgrades as new development occurs.</p> <p>The projected sanitary flow for the Theoretical Development Scenario which may occur over a 10 year period is 2.31 MGD. This would indicate that I&amp;I may be reduced by as much as 6.94 MGD (three times the design flow volume) pursuant to the City’s policy on I&amp;I reduction. This would substantially improve the City’s wastewater conveyance infrastructure.</p> <p>Westchester County has indicated that there is sufficient capacity in the New Rochelle WWTF to accommodate increased growth due to redevelopment. Westchester County is under consent to eliminate Overflow Retention Facilities, and continues to monitor treatment at the New Rochelle WWTF in relation to the other plants that are subject to the 1,768 lbs/day nitrogen load limitation under the LISS TMDL.</p>	<ul style="list-style-type: none"> <li>• Prepare update to Sanitary Sewer Evaluation Study in coordination with Westchester County and maintain schedule to implement improvements</li> <li>• Continue Capacity management Operation System Maintenance (“CMOM”) Program for system operation and maintenance and maintain schedule to implement improvements</li> <li>• Continue “fund and fix” program of wastewater infrastructure I&amp;I reduction as a factor of 3x the flow of new developments</li> <li>• Seek grant funding for wastewater and stormwater improvements</li> <li>• Examine potential for use of “living machine” installation(s) for water quality improvements</li> <li>• Participation in a “Fair Share” mitigation plan and funding resources should have the flexibility to be used for wastewater should this become a priority requiring fiscal support</li> </ul> <p>Reduction of flow through I&amp;I upgrades in the City infrastructure and WWTF performance improvements are expected to allow the County to meet the nitrogen limitation.</p>

		<p>New Rochelle is subject to the MS4 program and completes annual reports and demonstrates conformance measurable goals through this program. The City has a policy of requiring 3 ½” of stormwater retention on site plans and continues to identify illicit discharges to the system as well as upgrade stormwater infrastructure.</p>	<ul style="list-style-type: none"> <li>• Continue MS4 program and identify illicit discharges and improve stormwater infrastructure</li> <li>• Encourage 3½” retention of stormwater through site plan and building permit review process</li> <li>• Seek grant funding for wastewater and stormwater improvements</li> <li>• Participation in a “Fair Share” mitigation plan and funding resources should have the flexibility to be used for stormwater should this become a priority requiring fiscal support</li> </ul>
3.3.2.4	Solid Waste Management	<p>The Bureau of Sanitation would be over taxed based on its current level of manpower, if additional refuse collection responsibilities resulted from new development in the downtown area. Should this occur, additional staffing may be required. Tax revenue would be generated as a result of the development that would occur, and this would be available to assist in addressing new demand for services should this occur. Anticipated solid waste generation based on the Theoretical Development Program would be approximately 2,436 tons/month. Westchester County indicated that there is sufficient capacity at the MRF to receive waste material from redevelopment in downtown New Rochelle.</p>	<p>The following mitigation measures have been identified:</p> <ul style="list-style-type: none"> <li>• Explore requiring larger private mixed use development to be served by private carters</li> <li>• Explore requiring more dense projects (in terms of units per acre) to be served by private carters</li> <li>• Zoning provisions should encourage project design that includes recycling and private pickup of solid waste</li> <li>• Zoning provisions should provide incentives for “Robust” recycling programs including such measures as “in-vessel” composters</li> <li>• Participation in a “Fair Share” mitigation plan and funding resources should have the flexibility to be used for solid waste management should this become a priority requiring fiscal support</li> </ul>



3.3.2.5	Water Supply	<p>The TDS water supply demand is in the range of 2.31 MGD, excluding fire flow (evaluated at 2,500 gallons/minute as an estimate). United Water modeled this demand on the existing system and found that there would be an unacceptable drop in pressure should this level of development be realized. As a result, the Proposed Action may have an impact on water supply service such that it may not be possible to provide for the delivery of water using existing infrastructure. United Water has adequate water capacity; a method for improvements to the water delivery system is needed.</p>	<p>In examining options, a concept was discussed which may assist in accumulating funds for use in infrastructure improvements to share mitigation costs throughout the downtown revitalization area. This concept involves an area defined “waiver” or refund program that would then be used to assist in funding needed distribution system improvements. More specifically, each “meter” is “allotted” 75 feet of connection pipe, the cost of which is refunded a year after connection at the dollar/foot cost at that time. A potential program would be to have this refund waived as noted above, to create available capital for water district distribution improvements specific to the defined area. This would be a public-private partnership that would be mandated/legislated at the conclusion of the SEQRA process once Findings are adopted. Other mitigations include those already required by the NYS Building Code, as well as:</p> <ul style="list-style-type: none"> <li>• Promote indoor water use efficiency including low flow appliances, fixtures and fittings</li> <li>• Employ outdoor potable water reduction techniques</li> <li>• Plan native vegetation that demands less water</li> <li>• Require devices that automatically shut down irrigation systems during rain</li> <li>• Implementing Conservation Pricing in which the cost of a gallon of water increases with the quantity consumed</li> <li>• Seek to use secondary water sources for nonpotable use and promote use of captured rainwater</li> </ul>
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3.3.2.6	Electric and Gas	<p>Con Edison supplies electric and gas to a large service area including New York City and most of Westchester County and is expected to be able to continue to provide service to the downtown area as growth and redevelopment occurs. No significant adverse impacts are expected on electric and gas supply as a result of the project. The new development would represent new customers for Con Edison who would supply energy resources under the approved rate schedule.</p>	<p>While there is no impact to energy services from the Proposed Action, the City of New Rochelle is exploring Microgrids that would reduce energy dependence, seek renewable energy resources and provide local source energy. In addition:</p> <ul style="list-style-type: none"> <li>• Increase pedestrian and vehicular connectivity throughout the community to reduce energy expended</li> <li>• Promote multimodal transportation options including bus/shuttle connections</li> <li>• Pursue solar orientation for development that can take advantage of energy use reduction</li> <li>• Encourage passive solar elements for new development</li> <li>• Install energy efficient lighting and appliances</li> <li>• Reduce heat island effect to lower need for cooling in summer</li> <li>• Encourage building and neighborhood energy production</li> </ul>
3.3.2.7	Educational Services	<p>Future public elementary school enrollment can be absorbed at Columbus and Ward Elementary, as well as the Lincoln zone feeder elementary schools. Trinity Elementary will face significant capacity issues, however, compounded by new development. Public middle school enrollment growth can be absorbed at both Albert Leonard and Isaac Young. Albert Leonard will experience capacity constraints in the next decade, but these constraints are due to natural growth. New Rochelle High School will face significant capacity issues in the next decade, compounded by new development.</p>	<p>Mitigation measures for Trinity Elementary include school expansion or new school construction and targeted redistricting to redistribute seats between the Trinity and Jefferson School Zones. Mitigation measures for New Rochelle High School include but are not limited to expansion of the school or construction of a new high school and policy changes to manage student grade repetitions.</p>

		It is estimated that the Theoretical Development Scenario will add significant annual tax revenues (\$41.48 million dollars) to the School District based on current tax rates and assessed values.	“Fair Share” mitigation may be used to assist with revenues to the School District to implement one of the mitigation options discussed in the Capacity Study ( <b>Appendix E-5</b> ). The details of this Fair Share mitigation plan and fund will be developed throughout the SEQRA process and memorialized in the SEQRA Findings Statement.
3.3.2.8	Recreation	Given the existing recreational resources within and outside of the study area, coupled with civic space provisions in the new code, it is expected that recreational resources will continue and expand such that no significant adverse impact will occur.	Active green spaces along with pedestrian and bicycle networks will reduce automobile dependence and attract a class of environmentally conscious residents and employees. The City will continue to support the recreational uses within and outside of the Study Area; Ruby Dee Park at Library Green and Faneuil Park provide green space within the Study Area, and extensive recreation resources are available nearby and throughout New Rochelle.
<b>3.4 Socioeconomic</b>			
3.4.2.1	Municipal Fiscal Impacts	At full build-out, the Proposed Action is projected to generate over \$65.7 million in annual taxes. Of this, over \$10.4 million, or 15.9% of the total taxes projected to be generated by the development, would be distributed to Westchester County, and over \$11.8 million, or 18.0% of the taxes, would be allocated to the City of New Rochelle. Over \$41.4 million, or 63.1% of the total tax revenues, are projected to be distributed to the School District. Approximately 1.5% of the tax revenue is projected to be levied to the Library, and another 1.5%, or \$1.0 million, of the total revenues are anticipated to be generated for the Business Improvement District (BID).	No mitigation is proposed.
3.4.4.2	Sales Tax Revenues	It is estimated that approximately \$20.7 million of the sales tax revenues would be allocated to New York State, over \$7.7 million would be retained by Westchester County, over \$1.9 million would be	No mitigation is proposed.

		allocated to the New York State Metropolitan Commuter Transportation District, and the City of New Rochelle would levy approximately \$12.9 million in annual sales tax revenues.	
3.4.2.3	Impacts of Construction and Annual Operations	<p>It is projected that the construction period will necessitate 3,107.0 full time equivalent (FTE) employees annually over the 10-year construction period. The 3,107.0 FTE jobs will have an indirect impact of 7,283.8 FTE employees per year and an induced impact of 9,319.0 FTE employees per year in other industry sectors, bringing the total impact of construction to 19,710.5 FTE jobs annually during the 10-year construction period.</p> <p>Assuming that the construction period lasts ten years in duration, this represents approximately \$2.1 billion in collective earnings among the 3,107.0 FTE construction employees. This labor income is projected to have an indirect impact of over \$455 million and an induced impact of nearly \$552.0 million, bringing the total economic impact of the construction to over \$3.1 billion in labor income.</p> <p>The \$1.6 billion in direct operational revenues are projected to generate an indirect impact of over \$438.1 million and an induced impact of nearly \$602.8 million per year. The sum of the direct, indirect and induced impacts results in a total economic impact on output of over \$2.4 billion during annual operations. During operations, direct <i>employment</i> refers to the number of persons that are employed by the development of the Proposed Action. It is anticipated that the Proposed Action</p>	No mitigation is proposed.

		would generate approximately 10,693.0 FTE employees during annual operations.	
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<b>3.5 Transportation</b>			
3.5.2	Transportation	Growth associated with the Development Scenario may cause traffic impacts to intersections within and outside of the Study Area (the Study Intersections).	<p>Under the downtown two-way circulation system and for the locations that degraded to LOS F conditions, mitigations measures would likely include adjusting signal timings since there is limited right-of-way in the downtown area to provide additional travel lanes.</p> <p>The northbound approach at the Station Plaza North and North Avenue intersection experienced a notable change in LOS with the Proposed Action. The City of New Rochelle is currently evaluating changing the circulation around the train station and at the North Avenue/Garden Street/Burling Lane interchange. The circulation change would convert Station Plaza North to a one-way eastbound roadway and prohibit the northbound left-turn movement at the Station Plaza North and North Avenue intersection. This would result in improved operations on the northbound approach by better allocating green time at all approaches and allowing only a through movement on this approach.</p>

			The intersection of Lockwood Avenue and Memorial Highway experienced notable changes in LOS during the PM peak hour on the eastbound and southbound approach. In addition to the measures described above, different traffic management plans should be explored, including: unbundled parking where parking spaces can be leased or sold separately (“unbundled”) from the rent or sale price giving a financial incentive to induce individuals to drive less or own fewer cars, or encourage companies to increase transit commute rates from among their employees; employer travel demand management programs, such as incentive programs to use alternative modes of transportation, parking pay-out programs, priority parking for carpools, etc., to reduce employee vehicle trips.
		Future development may involve potential traffic impacts that will need to be considered in the context of the DGEIS analysis, future conditions and site-specific use.	As the Proposed Action program advances, supplemental detailed traffic studies and intersection analyses will be needed to specifically identify potential impacts and required mitigations.
		No significant changes in public transportation conditions are expected under the Proposed Action. While an increase in public transit ridership is anticipated, it is the policy of the mass transit agencies (Metro-North Commuter Railroad and the Bee-Line Bus System) to adjust their operating schedules to reflect demand as needed.	No Mitigation is proposed.
3.6 Parking			
3.6.2	Parking	The proposed action includes zoning code amendments to the off-street parking and loading requirements of the city code (Section 331-125 and 126) (see <b>Appendix A-2</b> ). The zoning amendments include remapping and expanding the central parking area (“CPA”) district to coincide with the proposed	Future site-specific development applications conforming to the Proposed Action will be subject to site-specific review of proposed parking. This may include the following provisions if the redevelopment involves use of existing parking areas.



		Downtown Overlay Zone boundary, with several proposed modifications made to section 331-125 and 126. The proposed amendments to section 331-126 are appropriate for an urban downtown setting, therefore no significant adverse impacts are anticipated.	<p>Temporary displacement of parking capacity to other locations in the downtown area while construction is occurring will be mitigated by implementation of a Parking Management Plan, which will specify locations of alternative parking, establish signage, striping, and provide notification procedures for driver convenience and efficiency of traffic flow.</p> <p>Redevelopment of underutilized City parking lots will require that existing parking utilization be studied and then used as a basis for the replacement/reconstruction of parking spaces by the party sponsoring redevelopment.</p>
<b>3.7 Water Resources</b>			
3.7.2.1	Floodplains	With the exception of improvements that may be pursued in DO-4 in the vicinity of Huntington Place, no other areas of the Study Area are constrained by the 100-year flood plain.	At the time a site-specific development application is advanced, the application will be reviewed by the Building Department, and a determination made as to whether the proposed project requires a floodplain development permit.
		Only a very limited area of DO-4 is within the coastal area which could be inundated by a severe storm – a category 4 hurricane could inundate a portion of the Study Area in the vicinity of Faneuil Park in the vicinity of Main Street.	At the time a site-specific development application is advanced, the application will be reviewed by the Building Department, and a determination made as to whether the proposed project requires additional flood protection measures.
3.7.2.2	Surface Waters and Wetlands	Site-specific development within the Study Area will not impact freshwater or tidal wetlands as none are present. Likewise, natural waterbodies or watercourses are not present in the Study Area and would not be impacted.	No mitigation is proposed.

		<p>Given that the Study Area is covered almost entirely by impervious surfaces, the acreage of impervious surfaces associated with the Development Scenario is anticipated to be similar, if not slightly reduced (the RAP includes the creation of civic space and pedestrian spaces as a community benefit to achieve density bonuses). New development will require that drainage systems be designed to accommodate any and all runoff volume on-site in conformance with City and State requirements.</p>	<p>Conformance to the requirements of the NYSDEC Phase II Stormwater Regulations and prevailing City and County regulations will be required. These requirements include water quality treatment of stormwater runoff prior to discharge to any conveyance system that may ultimately discharge to surface water. New development will be required to retain 3½” of stormwater runoff on site. For those individual projects that involve one or more acres of disturbance, a SWPPP must be prepared pursuant to NYSDEC requirements pursuant to the 2010 NYS Stormwater Management Design Manual.</p> <p>Identification and removal of existing illicit discharges to the City stormwater conveyance system during redevelopment will improve functioning of these systems, as well as reduce pollutant loads to surface water and groundwater.</p> <p>The City of New Rochelle limits impervious surface cover in the City through Chapter 178, Impervious Surfaces, of the City Code.</p> <p>Stormwater systems will be subject to the review and approval of appropriate City and/or County engineering staff, ensuring that significant adverse impacts from stormwater runoff do not occur.</p>
<b>3.8 Geology, Soils, and Topography</b>			
3.8.2.1	Geology	<p>Direct impacts to bedrock may result from development activities on individual properties pursuing redevelopment under the proposed zoning overlay zones in the future, including excavations to construct building foundations and basements, or otherwise to achieve appropriate grade for site development.</p>	<p>At the time a site-specific development application is pursued, the need for rock removal, including potential blasting activities, would be determined based on the results of geotechnical investigations performed at the site. Methods to ensure that said removal is done in accordance with best practices will be reviewed by applicable city agencies.</p>

3.8.2.2	Soils	<p>Any development will impact soil conditions as a result of potential demolitions of existing structures, general grading activities, excavation for footings and building foundations, installation of utilities, roadway beds and parking areas. Soil conditions are highly variable due to previous alterations and development. Given the anticipated limited depth to groundwater within the southeasterly portion of the Study Area as it approaches the waterfront, limited dewatering may be necessary to enable construction of foundations and subsurface infrastructure and parking facilities.</p>	<p>Specific subsurface conditions will be determined in detail as part of the site plan review of a site-specific development application.</p> <p>Site design will rely on site-specific structural soil borings required to ensure soils demonstrate suitable load bearing capacity to support above ground buildings and/or drainage. Native soils, if encountered during evaluations, may be considered suitable for reuse as load-bearing fill material as long as proper compaction is undertaken as specified by the supervising engineer during construction. Techniques including deep compaction or over-excavation and replacement of unsuitable fill materials may be utilized in the event that unsuitable fill materials are found on properties proposed for development. Fill materials may include, but will not limited to: fill soils, concrete, bricks, stone, rebar, pipes, asphalt, ash, construction and demolition debris, scrap metal, and wood. Materials encountered that are unsuitable for reuse as fill would be removed from the site for proper disposal at an appropriate landfill. The development areas would be stabilized, as determined by a geotechnical engineer, prior to construction of structural elements.</p> <p>To reduce the potential for soil erosion during and after construction, site-specific SWPPP will be prepared for the development of each property involving an acre or more of disturbance. The SWPPP must include a detailed erosion and sediment control plan and will utilize the NYSDEC Guidelines for Urban Erosion and Sediment Control.</p>
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			Should dewatering be necessary, all appropriate regulations will be observed and necessary permits obtained. Depending on the point of discharge, a discharge permit may be required. Any discharge will be required to conform to Chapter 215, Illicit Discharges, of the City Code.
3.8.2.3	Topography	The impacts associated with grading activities which result in topographic alterations are associated primarily with the introduction of soil erosion.	A SWPPP will be prepared which will include soil erosion and sediment control measures that utilize the NYSDEC Guidelines for Urban Erosion and Sediment Control.
<b>3.9 Air and Noise</b>			
3.9.2.1	Noise	Site-specific projects that conform to the Proposed Action could generate noise from either short-term construction, vehicular generation, or stationary, e.g., HVAC equipment.	All activity within the Study Area will comply with Chapter 213 of the City Code which defines and regulates “unreasonable noise.”
			If there are site/location specific noise considerations or if proposed uses within the Study Area may approach a guidance value of 65 dBA, site specific noise assessment and mitigation is appropriate in connection with a site specific use.
			Should any proposed noise generating use be located in proximity to a noise sensitive zone, site and use specific noise assessment will be conducted to assess potential noise levels and introduce noise attenuation measures, if required.
3.9.2.2	Air	There could be the potential for localized impacts to ambient air quality resulting from site-specific construction related activities, most typically related to dust generated during earthwork.	Mitigate fugitive dust related to construction activities using proper construction management techniques, erosion control measures, wetting of excessively dry soils, and conformance to City nuisance and construction requirements under the Code.
		While future site developments may require oversight by the NYSDEC for regulated facilities, the Proposed Action is not anticipated to result in a significant adverse impact on air quality.	Comply with NYSDEC Title V air permit requirements if applicable. When necessary, site-specific/use air impact assessments will be conducted for any site plan application that may warrant such analysis.

<b>3.10 Construction</b>			
3.10.2	Construction	Construction which occurs as part of site-specific development activities have the potential to generate traffic, noise, soil erosion, stormwater runoff, rock removal, require remediation of hazardous materials, or require staging of materials, equipment and personnel.	<p>City Code Chapter 111 addresses building construction requirements, including the requirements for building permits for any and all building construction. This permit provides a means to ensure that building activity is managed on a site-by-site basis.</p> <p>A Construction Management Plan may be required for each site-specific development project under the proposed action. Such a plan would be comprised of a number of lower-order plans as necessary, and may include a Construction Traffic Management Plan, an Erosion Control Plan, SWPPP (for disturbances of one acre or more), a Parking Management Plan, Blasting Protocol and/or a Remediation Plan.</p>
		Short-term noise impacts could result from site-specific development activities.	Noise generated by and during construction activities will be regulated by City Code Chapter 213, which limits the period when such noises may be generated.
		Site-specific development activities have the potential to impact the surrounding transportation and circulation network.	If practicable, construction accesses/exits will be located onto major roadways in order to minimize the potential for impacts on pedestrian safety, as well as to mitigate potential impacts on the use and operation of local, neighborhood streets.
			<p>Damage occurring to roads during the construction process will be repaired under a construction phase bond to be established as a condition of the site plan approval for each site-specific proposal.</p> <p>A Parking Management Plan may be required by the Planning Board and/or Bureau of Buildings as part of the site plan or building permit application review for each site-specific project prepared under the proposed action.</p>

3.10.2	Construction (continued)	Site-specific development activities will require proper management and staging of activities so as not to impacts adjoining properties and uses.	Construction equipment loading/unloading areas, materials storage areas, construction staging areas and construction worker parking areas will be located within each construction site to the maximum extent practicable. Implementation of these measures would be the responsibility of the construction manager, subject to the approval of the Bureau of Buildings.
		Site-specific development activities have the potential to generate soil erosion and sedimentation.	Individual projects under the proposed action will be required to prepare an Erosion Control Plan, and if applicable under Chapter 215 and as required by the NYSDEC (for land disturbances of one acre or more), a SWPPP. Such a plan would include specific measures to minimize the potential to raise dust, and erosion and sedimentation control measures including but not limited to, use of groundcovers, drainage diversions, soil traps, water sprays to minimize the time span that bare soil is exposed to erosive elements and prevent sediment from tracking onto adjacent roadways and properties.  Surface and subsurface soil will be disturbed during grading operations on construction sites. Re-use of as much of this material on-site as practicable, as fill, would also reduce the need for (and impacts from) truck trips to remove this material.
		During construction, it may be determined that an individual project requires on-site remediation due to past activities conducted on the site.	A Remediation Plan for RECs may be required, to be based on the presence (if so determined) of underground tanks, asbestos-containing materials, lead-based paint or other appropriate materials. If such materials are discovered, each would be properly evaluated, removed and disposed of according to the protocols, procedures, standards and documentation requirements of the applicable regulatory agency.



## 1.5 Alternatives

For the purpose of this DGEIS, the No Action Alternative assesses the potential rate of growth for the census tracts which include the Study Area as determined using data available from the New York Metropolitan Transportation Council (“NYMTC”), in order to compare same with the Proposed Action. A full discussion of the alternatives analysis is included in Section 5.0, Alternatives, of this DGEIS. The following table, **Comparison of No Action Alternative with the Theoretical Development Scenario**, summarizes the potential impacts.

### THEORETICAL DEVELOPMENT COMPARISON

Use	No Action Theoretical Development <sup>(1)</sup>	Proposed Action Theoretical Development Scenario
<i>Residential Uses (SF)</i>		
Residential Units (DU)	706 Total	5,500 Total
	141 - Studio	1,100 - Studio
	353 - 1 BR	2,750 - 1 BR
	141 - 2 BR	1,100 - 2 BR
	71 - 3 BR	550 - 3 BR
Student Housing (beds)	131	1,500
Independent Units (DU)	41	375
<i>Commercial Uses (SF)</i>		
Retail (SF)	108,415	990,000
Restaurant (SF)	12,600	115,000
Office Nonmedical (SF)	243,660	1,805,000
Medical Office (SF)	46,000	420,000
Hotel (rooms)	33,000 (55 Units)	300,000 (500 Units)
Adult Care (SF)	70,100 (61 Units)	640,000 (375 Units)
Institutional (SF)	84,870	775,000

(1) Assumes 3.82 percent growth rate for population and 7.73 percent employment growth within the Study Area from 2015-2025 NYMTC model.

## COMPARISON OF NO ACTION ALTERNATIVE TO THEORETICAL DEVELOPMENT SCENARIO

Parameter	No Action Alternative	Theoretical Development Scenario
<i>Uses/Yields</i>		
Total Residences (dwelling units)	706 <sup>(1)</sup>	5,500
Total Nonresidential Floor Area (SF)	636,600 <sup>(2)</sup>	5,945,000
<i>Transportation</i>		
Parking	1,330 spaces <sup>(3)</sup>	11,000 spaces
AM Peak Hour Trip Generation	620 vph <sup>(4)</sup>	5,275 vph
PM Peak Hour Trip Generation	763 vph <sup>(4)</sup>	6,586 vph
<i>Wastewater Generation &amp; Water Use</i>		
Total Wastewater Generation/ Water Use	257,000 gpd <sup>(5)</sup>	2,311,875 gpd
<i>Fiscal</i>		
Annual Total Property Tax Revenues <sup>(6)</sup>	\$6,983,817	\$65,759,542
Projected Sales Tax Revenue	\$4,749,685	\$43,360,562
<i>Demography</i>		
Residential Population: persons	1,465 <sup>(7)</sup>	11,414 <sup>(8)</sup>
School-age Children: students	40 <sup>(9)</sup>	312 <sup>(9)</sup>
Employees: persons	1,171 <sup>(7)</sup>	10,693

Notes:

- (1) Total residences were determined using the base NYMTC residential population estimate of 1,465 persons, then assigned the same per unit capita population multiplier and proportional unit mix as the Theoretical Development Scenario.
- (2) Total nonresidential floor area was derived by using the base NYMTC employee estimate of 1,171 persons, and assigning the same employee ratios to nonresidential uses as used for the Proposed Action Theoretical Development Program (see **Table 3.4-25** of the DGEIS).
- (3) Parking calculations were derived from Section 331-85.2 Central Parking Area (CPA) District standards, with shared parking credits by use estimated by RDRXR.
- (4) The No Action alternative trips were determined using the trip rates contained in **Appendix F** of this DGEIS.
- (5) Total water use/wastewater generation is based on 100 gpd/per capita for residential uses, and 0.125 gpd/SF for commercial uses, plus additional demand factor to account for restaurant/wet commercial uses as provided by United Water New Rochelle for the Theoretical Development Program.
- (6) See **Section 3.4.2**
- (7) See **Table 5-1**.
- (8) Population was calculated using New York State per capita multipliers from “Residential Demographic Multipliers, Estimates of Occupants of New Housing”, Rutgers University Center for Urban Policy Research, June 2006.
- (9) Student estimate was calculated using student multipliers set forth in “New Rochelle School Capacity Study, Final Report” (**Appendix E-5**).

### 1.6 Involved and Interested Agencies

For this DGEIS, the New Rochelle City Council is the lead agency. Under SEQRA, the lead agency is responsible for coordinating the SEQRA review process and discretionary decision making regarding the Proposed Action. As lead agency, the City Council is also responsible for

preparing a determination of significance, determining the adequacy of the DGEIS, coordinating the preparation of the Final GEIS, and preparing a SEQRA Findings Statement. As lead agency, the City Council has the authority to fund, approve, or directly undertake some aspect of the Proposed Action.

The City Council is the only agency with the direct authority to approve the Proposed Action.

*City Council (Lead Agency)*  
City of New Rochelle  
515 North Avenue  
New Rochelle, New York 10801  
Contact: Luiz Aragon, Commissioner of Development

Unlike an involved agency, interested agencies do not have the authority to fund, approve, or directly undertake some aspect of the Proposed Action. Instead, interested agencies may submit written comments during the DGEIS comment period and comment on the DGEIS at public hearings. For this DGEIS, interested agencies include the following:

*New York State Department of State*  
Division of Coastal Resources  
123 William Street  
New York, NY 10038-3804  
Contact: Jeff Zappieri

*City of New Rochelle Planning Board*  
515 North Avenue  
New Rochelle, New York 10801  
Contact: Kevin Kain

*Westchester County Planning Board*  
Westchester County Department of Planning  
148 Martine Avenue, Room 432  
White Plains, NY 10601-3311

## **1.7 Required Reviews, Permits and Approvals**

This overall document is a Draft Generic Environmental Impact Statement that analyzes potential impacts of the adoption of amendments to the City Zoning Code and Zoning Map to create Downtown Overlay Zones. The City of New Rochelle (as lead agency under SEQRA), will review the document and determine its completeness for the purpose of public review and comment. Upon adoption of a resolution which deems the DGEIS complete for purposes of public review, the City Council will file and publish a notice of completion of the DGEIS and file copies of the document in accordance with the regulations implementing SEQRA. The City will publish a Notice of Completion of the DGEIS in the NYS Environmental Notice Bulletin

(“ENB”), which is administered by the NYSDEC. Simultaneously, the Lead Agency will arrange for distribution of copies of the document to any involved or interested agencies, and make the document available for public review at the City of New Rochelle Library, as well as provide web access to an electronic copy of the full document. A comment period of not less than 30 days will be provided for public inspection and comment on the document, in compliance with SEQRA requirements.<sup>1</sup>

All substantive comments on the DGEIS received during the mandatory public comment period will be addressed in a Final GEIS (“FGEIS”). The FGEIS will include the Draft GEIS by reference, and these two documents comprise the full GEIS. The FGEIS will be prepared by the Lead Agency and once determined to be complete, the agency will publish a Notice of Completion of the FGEIS in the ENB, with distribution of the document to interested and involved agencies, the library, and electronic posting for web access<sup>1</sup>. The document will be available for public review and consideration in compliance with the regulations implementing SEQRA<sup>2</sup>.

The Lead Agency will consider the information in the GEIS and public and agency comments for not less than a minimum of 10 days before issuing its Findings Statement<sup>3</sup>. As detailed in Part 617.11(d), the Findings Statement must:

- (1) consider the relevant environmental impacts, facts and conclusions listed in the Final SGEIS;
- (2) weigh and balance the relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency’s decision;
- (4) certify that the requirements of this part have been met;
- (5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions those mitigative measures that were identified as practicable.

The SEQRA process concludes with the adoption of the Findings Statement. The City Council will then be free to render a decision on the Proposed Action which takes into consideration the social, economic, and environmental impacts of same. Any other involved agency is responsible for preparing its own Findings Statement, on which to base its decision on the Proposed Action<sup>3</sup>.

This DGEIS provides the City Council (as Lead Agency under SEQRA) with information necessary to render an informed decision on the Proposed Action. Once accepted by the Lead Agency, this document will be subject to public review and written comments, followed by

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<sup>1</sup> As set forth in 6NYCRR Part 617.9(a)(6).

<sup>2</sup> As set forth in 6NYCRR Part 617.11(a).

<sup>3</sup> As set forth in 6NYCRR Part 617.11(c).

preparation of an FGEIS responding to any and all substantive comments. Upon completion of the FGEIS, the City Council will be responsible for the adoption of a Findings Statement. This will complete the SEQRA review process for the Proposed Action (see following table).

### REVIEWS, PERMITS AND APPROVALS REQUIRED

#### Proposed Action

Agency/Entity	Review, Permit/Approval Required
City Council	Zoning Code & Map Amendments approval
	SEQRA Review
City Planning Board	Zoning Referral Report
Corporation Counsel	Zoning Referral Report
Westchester County Planning Department	General Municipal Law Section 239m review

If the Proposed Action is adopted, subsequent reviews (including SEQRA), permits and/or approvals will be required for the site-specific development proposals that will be enabled by the Proposed Action. The following table (**Reviews, Permits and Approvals Required: Future Site-Specific Applications**) presents a list of potential and anticipated reviews, permits and approvals.

### REVIEWS, PERMITS AND APPROVALS REQUIRED

#### Future Site-Specific Applications

Agency/Entity	Review, Permit/Approval Required (Future Site-Specific Applications)
City Planning Board	Site Plan review Subdivision review
City Historical and Landmark Review Board	Certificates of appropriateness
New Rochelle Professional Architectural Review Committee ("PARC")	Review of building architecture and urban design
City Dept. of Public Works ("DPW") and Bureau of Buildings	Sewer access approval SWPPP review Building permit Demolition permit Tree removal permit SWPPP review Floodplain development permit
Westchester County ("WC") Department of Health ("DOH")	Water supply extension/connection approval
	Sewer extension/connection approval
Westchester County Dept. Of Environmental Facilities ("DEF")	Sewer line connections

<b>Agency/Entity</b>	<b>Review, Permit/Approval Required (Future Site-Specific Applications)</b>
Westchester County Department of Public Works (“WCDPW”)	County road opening permit
WC Planning Dept.	General Municipal Law Section 239m review
NYS (“New York State”) Office of Parks, Recreation and Historic Preservation (“OPRHP”)	State Historic Preservation Office review of cultural resources
NYS Department of Environmental Conservation (“NYSDEC”)	General Permit for Stormwater Discharges from Construction Activity (GP 0-15-002)
NYS Department of Transportation (“NYSDOT”)	State road opening permit
United Water New Rochelle	Letter of intent to service



**SECTION 2.0**

**DESCRIPTION OF THE PROPOSED ACTION**

## 2.0 DESCRIPTION OF THE PROPOSED ACTION

### 2.1 Introduction

As required by the regulations implementing the New York State Environmental Quality Review Act (SEQRA), this draft generic environmental impact statement (“DGEIS”) evaluates the potential environmental impacts of the “Proposed Action”, namely, adoption of amendments to the City of New Rochelle Code, Chapter 331, Zoning, in order to implement a series of proposed Downtown Overlay Zoning Districts (hereafter collectively referred to as the “zoning amendments”, “overlay zones”, “DO Zones”, or “DOZ”). The Proposed Action is being advanced in order to implement redevelopment initiatives set forth in the City of New Rochelle Recommended Action Plan (“RAP”). The RAP, completed in 2015, provides a comprehensive planning framework for downtown redevelopment that would create a vibrant downtown supported by a mix of uses (see **Appendix A-1**).

As set forth in Section 617.10 of the regulations implementing SEQRA, a generic EIS may be broader, and more general than site or project specific EISs. They may include an assessment of specific impacts to the extent that such details are available. A GEIS may discuss in general terms the constraints and consequences of any narrowing of future options. As in this instance, a GEIS may evaluate an entire program or plan having wide application, including new or significant changes to zoning regulations.

Subsequent to the preparation of a GEIS, impacts of individual site-specific projects that are carried out in conformance with adopted regulations and the thresholds or conditions identified in the generic EIS may require limited additional SEQR review, provided the GEIS and its findings statement sets forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS. The circumstances under which additional future SEQRA evaluation may be required is set forth in **Section 6.0** of this DGEIS.

In summary, the RAP’s recommendations propose that the City eliminate various existing floating and overlay zoning districts that were intended to encourage revitalization and redevelopment of the City of New Rochelle’s downtown area, but which have had limited success since the time of their adoption. These zones will be replaced by a set of proposed Downtown Overlay Zones which may be pursued entirely at the option of a property owner and/or developer. The draft DO zoning amendments are provided as **Appendix A-2**. DO Zones will incorporate a series of bonuses or incentives to encourage developers to build in accordance with DO Zone parameters. A property owner can continue to pursue development in accordance with regulations associated with the existing underlying base zoning in lieu of the DO zoning. This is described in greater detail in **Section 2.4** below.

The majority of the Study Area, referred to collectively as the “downtown” area of New Rochelle, is located generally within a ¾-mile radius of Ruby Dee Park, located just south of Huguenot Street, between Memorial Highway and Lawton Street. Ruby Dee Park is located within ¼-mile of the New Rochelle train station and the City’s Transit Center, both located adjacent to Interstate I-95, between Memorial Highway and North Avenue. The proposed DO zones are generally oriented east-west along Main and Huguenot streets, and north-south along North Avenue. The DO Zones would apply to a 279-acre Study Area. The train station serves both Metro-North and Amtrak and adjoins the City Transit Center which accommodates bus traffic (Westchester Bee Line), airport limousines and parking.

As set forth in the RAP, the proposed DO Zones are intended to implement mixed-use development at varying levels of nonresidential intensity/residential density, with the highest density located in what is identified as the “downtown core”. The density/intensity of proposed development would decrease with distance from the core. The six districts of the DO Zone (see **Figure 2-3**), are listed below and described in greater detail in **Section 2.4**:

- Downtown Core District (DoCo) - DO-1
- Downtown District - DO-2
- Gateway Transition District - DO-3
- River Street Commercial District - DO-4
- Wellness District - DO-5
- North of Lincoln District (NoLi) - DO-6

The proposed DO Zone would allow a vertical and horizontal mix of uses including residential, office, retail, commercial, cultural/entertainment, civic/religious, light industrial, and parking/utilities. The DO Zone will be a Form Based Code. This means that the code will regulate many aspects of the form, mass, scale and style of the buildings based on a Zoning Standards Map. The Proposed Action would include adoption of a Zoning Standards Map that would establish the design parameters for future development, including things such as building form, how far buildings are from sidewalks, how much window area buildings must have, streetscape, and other design-related features. These form-based redevelopment parameters are consistent with the intent of the RAP and previously-adopted land use studies (see **Section 2.4** for a detailed description of the proposed DO Zones).

The primary aspects of the proposed zoning include:

- Optional code with underlying zoning remaining in place
- Density reallocation in six districts centered around Ruby Dee Park
- More flexible uses that put greater emphasis on the form of the buildings, streets and civic spaces (form-based coding)
- Improved standards for streetwalls and storefronts
- Base height requirement for all districts of two stories
- Minimum lot area and street frontage requirements for all sites

- Ability to achieve density and height bonuses by aggregating smaller sites to create larger more viable sites
- Maximum heights per district with Community Benefit Bonuses

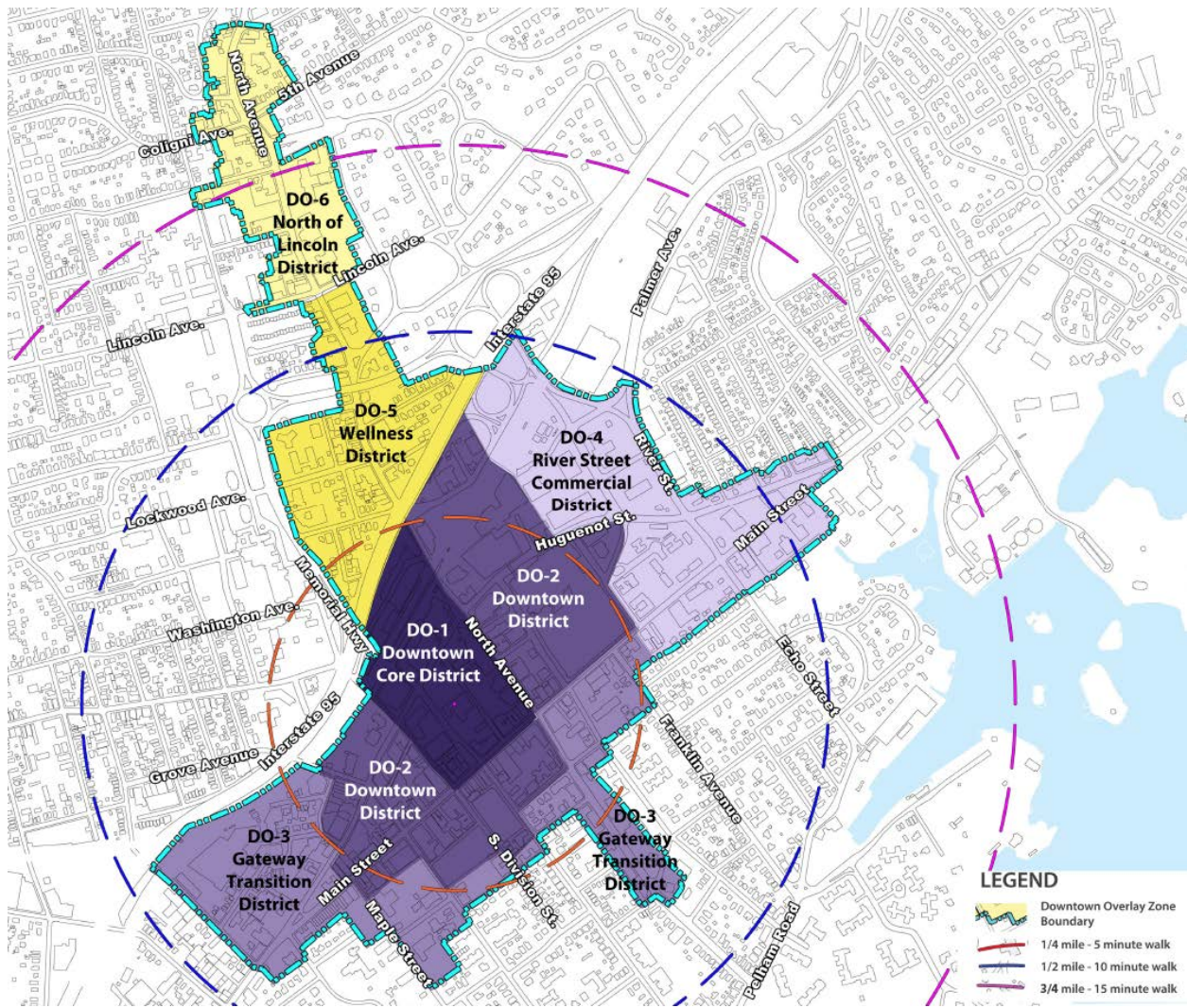
This DGEIS recognizes that supplemental, site-specific SEQRA evaluations may be required for water supply demand, wastewater generation, school capacity, and that further information would be available at a later date when redevelopment projects are pursued and site-specific information proposed uses, development densities and project location is known. The SEQRA review process for adoption of the DO Zones will culminate in the subsequent preparation of a final GEIS, which addresses agency and public comments, and the adoption of a Statement of Findings, which will present the thresholds and guidelines under which future actions will be reviewed.

## 2.2 Study Area Location and Description

The City of New Rochelle is located in the southeastern portion of Westchester County, New York and adjoins Long Island Sound (see **Figure 2-1**). The City adjoins the Town/Village of Pelham, the Village of Pelham Manor, the City of Mt. Vernon, and the Town of Eastchester to the west; the Village of Scarsdale to the north and east; the Town of Mamaroneck and Village of Larchmont to the east, and Long Island Sound to the east and south. At the waterfront, the City of New Rochelle borders the Borough of Bronx in New York City.

Interstate I-95 (the New England Thruway) is a major national interstate highway which travels through the City in a north-south direction, bifurcating the Study Area. U.S. Route 1, which preceded construction of I-95, parallels the interstate highway and follows Main Street (eastbound) and Huguenot Street (westbound) within the City. The Hutchinson River Parkway is a major regional highway which also travels through the City, providing access to northerly areas of Westchester County and New York City. Lastly, the Study Area is also physically separated by the Metro North New Haven line and Amtrak's Northeast Regional service. I-95 is a major defining feature of the Study Area - two of the DO Zones are located to the north of the highway (DO-5 and DO-6), and four are located south of same (DO-1 through DO-4) (see **Figure 2-2**). **Figure 2-4** presents an aerial view of the Study Area which better illustrates the location of buildings and major transportation corridors.

The boundaries of the six DO Zones are shown in the graphic below and in **Figure 2-3**. Along North Street, the northerly boundary of DO-6 is Treno Street. The southerly boundary of DO-3 traveling along North Avenue is in the vicinity of Union Avenue. Traveling along Main Street, the westerly boundary is Webster Avenue, and the easterly boundary is Pratt Street. The Study Area is approximately 279 acres in size. **Table 2-1** provides an estimate of the size of each DO Zone. The DO-2 Zone encompasses the largest area, accounting for about one-quarter of the entire Study Area. The DO-1 Zone is the smallest area, encompassing less than 10 percent of the Study Area.



**Proposed DO Zones**

**Table 2-1**  
**ACREAGE OF DO ZONES – STUDY AREA**

DO Zone	Study Area	
	Acres	Percent
DO-1	27.0	9.7
DO-2	70.6	25.3
DO-3	59.0	21.1
DO-4	55.6	19.9
DO-5	38.5	13.8
DO-6	28.5	10.2
<b>TOTAL</b>	<b>279.2 acres</b>	<b>100%</b>

**Figure 2-5** illustrates the various zoning districts which presently apply to and regulate uses within the Study Area. Land uses and associated dimensional requirements are governed by the Zoning Code via a combination of zoning districts which are either base, overlay, or floating zones. The existing zoning districts are as follows:

<u>Zoning District Designation</u>	<u>Name</u>
C1-M	General Commercial Modified
DB	Downtown Business
DMU	Downtown Mixed Use
DMUR	Downtown Mixed Use Urban Renewal
H	Hospital
LI	Light Industry
LSR	Downtown Large-Scale Retail
MUFE	Mixed Use Family Entertainment
NA	North Avenue
NB	Neighborhood Business
RMF-0.5	Multifamily Residence
RMF-0.7	Multifamily Residence
RMF-1.3	Multifamily Residence
RMF-SC-4.0	Multifamily Senior Citizen
DDB	Downtown Density Bonus
NBTOFZ	NB Transit Oriented
WBD-F	West Downtown Business
CPA	Central Parking Area
COZ	Cabaret Overlay Zone

As described in detail below, the Proposed Action would retain the 14 base zoning districts, but proposes to repeal the DDB, NBTOFZ and WBD-F floating and overlay zones which currently exist. **Section 2.4** provides additional description of the proposed DO Zones.

### **2.3 Project Background, Public Need and Objectives, Project Sponsor Objectives, and Benefits**

As described in detail in the RAP (**Appendix A-1**), the “over-regulation” of allowable uses in downtowns has resulted in a confusing range of land uses that are inconsistent with City land use and development goals of being responsive to changing market conditions. The intended purposes of these regulations may have been forgotten as the land use policies on which they were originally based are no longer relevant. Property owners have indicated that there is difficulty in finding tenants for their buildings based on current and anticipated market conditions. At present there are 87 permitted uses, 22 accessory uses and 104 special permit uses regulating the Study Area. As part of the Proposed Action, the zoning amendments would streamline the way uses are regulated to promote economic development and market flexibility.

Sections 2 and 3 of the RAP summarize the existing challenges to downtown economic development that have been expressed by City officials and the public through past planning efforts and extensive public outreach conducted to develop the RAP. Downtown New Rochelle offers a blend of smaller lots with narrow frontages, a building pattern common in the late 19<sup>th</sup> and early 20<sup>th</sup> century time periods. This pattern is increasingly incompatible with modern needs. Large scale redevelopment projects from the late 20<sup>th</sup> century have created oversized city blocks which detracted from the pedestrian realm. The challenge for Downtown New Rochelle is to repair this urban fabric to make it both welcoming for pedestrian-oriented places and suitable for economically viable development.

The RAP identifies the following challenges to Downtown redevelopment:

1. Excessive zoning regulation of permitted uses
2. Zoning does not address the important role of urban storefront continuity or placemaking
3. Excessive blank walls, discontinuous storefronts and barriers to pedestrian and vehicular connectivity
4. Lack of a coordinated vision for investment and development throughout the downtown
5. Lack of incentives to aggregate smaller parcels to create development sites suitable for economically viable development
6. Economically viable development requires greater flexibility to promote a full spectrum of building types – five story stick frame low-rise construction, six to 12 story mid-rise plank construction and high-rise steel and concrete construction
7. New Rochelle did not have a comprehensive community engagement process to fully understand the community desires for development in the downtown

By addressing the challenges of the existing zoning and creating appropriate incentives for existing property owners to opt-in to the optional Downtown Overlay Zone, Downtown New Rochelle will realize its placemaking and economic development goals. The rezoning will allow the City to leverage all its assets, including but not limited to its natural waterfront, excellent interstate highway access, superior rail access, and market demand. By placing density around the existing centers of commerce and transit infrastructure, it will be promoting a sustainable downtown and community.

The City of New Rochelle has been engaged in downtown redevelopment revitalization efforts for some time. Various planning documents and zoning amendments have been the product of that ongoing effort. Prior studies have included, but are not limited to:

- Comprehensive Plan – 1995
- Ongoing Comprehensive Plan Update Process – 2015
- Transit Oriented Development Smart Growth Study – 2014
- GreeNR New Rochelle Sustainability Plan – 2011
- Traffic Circulation and Gateways to the City's Downtown – 2014
- New Rochelle North Avenue Corridor Study – 2008



- North Avenue Corridor Study Update Report – 2015
- Alternative Futures for New Rochelle – 2014
- Mid-Hudson Region Economic Development Council Strategic Plan - 2011

As a means to advance these various planning efforts towards implementation, the City of New Rochelle City Council issued a Request for Qualifications (“RFQ”) in May 2014 which sought responses by qualified and eligible organizations to develop plans, implement strategies and ultimately develop and redevelop the City’s Downtown, including certain municipal properties located within identified redevelopment clusters. The City sought a Master Developer to work with the Municipality in close partnership early in the planning process to refine development concepts, test market assumptions, obtain regulatory approvals, secure financing and successfully implement a multi-stage development program for these clusters. In October 2014, the City Council of the City of New Rochelle unanimously selected RDRXR as the Master Developer, and authorized the City Manager to negotiate a Master Developer agreement (“MDA”) with RDRXR for presentation to the City Council for its consideration and approval. The MDA was executed on December 15th, 2014, pursuant to one of the requirements of the agreement, and RDRXR worked with the City and the community to co-create the Recommended Action Plan, or RAP (**Appendix A-1**).

The RAP builds on the existing and past planning efforts undertaken by the City relating to the downtown area with the goal of evolving a vibrant, ethnically and culturally diverse community. The RAP includes an analysis of the results of the previous and recently conducted planning studies, a report and analysis of extensive stakeholder input and community input received through the Crowdsourced Placemaking (“CSPM”) process (see Section 3 of the RAP), and recommendations for necessary zoning code amendments. The following Goals and Objectives were established through these efforts, which are guiding the preparation of the proposed zoning amendments:

- Build economic value for the Downtown Core
- Provide net positive tax revenue to the City
- Yield net positive fiscal impact to the City and its residents
- Generate jobs and career opportunities for City residents and to attract additional residents
- Enhance the vibrancy of the Downtown Core and create a diversity of uses
- Leverage the proximity and accessibility of the Transit Center
- Promote a mixed-use downtown setting including residential, commercial, retail, office, educational, hospitality, cultural, civic and recreational uses
- Create and enhance City gateways
- Foster a sense of safety and security
- Improve streetscapes and create a pedestrian friendly "walkable" environment
- Achieve the adaptive reuse of vacant buildings, where appropriate
- Encourage the development of public facilities that are complimentary to the project

- Create a sustainable development by implementing smart growth and green building design elements in an economically viable manner.

The primary objectives of the Development Strategy for Downtown New Rochelle set forth in the RAP is to build upon the many citywide assets to create an economically vibrant and pedestrian-friendly destination for New Rochelle and the region. Key elements of the Development Strategy include:

- An exceptional downtown experience
- A balanced mix of uses
- An improved pedestrian experience
- A place with world-class transit choices and
- Innovative parking solutions

The proposed zoning amendments necessary to implement the Development Strategy and Citywide goals and objectives are described in the following section.

## **2.4 Description of the Proposed Action**

The Proposed Action is the adoption of amendments to Chapter 331, Zoning, of the Code of the City of New Rochelle, and revisions to the adopted Zoning Map. These amendments create a Downtown Overlay Zone consisting of six component parts necessary to implement the goals and objectives set forth in the Recommended Action Plan. The opportunities offered through the DO Zones are optional for property owners and applicants, who may submit land use development applications in accordance with the regulations applicable to the underlying base zoning district requirements. The DO Zones will provide development incentives to property owners in accordance with the DO Zone regulations.

The Downtown Overlay Zone identifies six districts in the Study that would permit the highest densities in the Downtown Core District with decreasing densities for those districts farther away from the Downtown Core. The following description of the six DO zones is taken from Section 6 of the RAP:

- **Downtown Core (DoCo) - DO-1** - The Downtown Core will create a regional destination for New Rochelle. The true urban center with architecturally significant buildings stretching up to 48 stories will create unparalleled vibrancy with shopping, dining, civic events and downtown living in the Downtown Core that will inform the world that New Rochelle is open for business. The heart and a soul of New Rochelle's Downtown, DoCo provides an opportunity to create a true live, work, play downtown. DoCo is the most vibrant downtown neighborhood, located within a few blocks from the New Rochelle Transit Center, Huguenot Street and Main Street. By utilizing best practices for placemaking strategies and leveraging adjacency to the busy Transit Center, this district will support the greatest variety of uses, promoting a range of residential,

retail, hospitality, cultural and entertainment use. As suggested by the NR Future community, this area should become the Downtown cultural, retail and entertainment hub for the City.

- **Downtown District - DO-2** - The New Rochelle skyline will be enhanced by a range of 12 to 28 story mixed-use buildings. The larger footprint sites provide an excellent opportunity for larger national retailers. Anderson, Church, Division and Huguenot streets provide transformative opportunities for office, retail and residential anchors that can add much needed activity to support the growth of downtown business activity. A viable downtown requires a critical mass of population at night and during the day to patronize shops and restaurants. DO-2 provides the greatest opportunity for the most significant mix of uses, enhancing the downtown ecosystem.
- **Gateway Transition Area - DO-3** – This zone is intended to promote artisan workshops, higher education and a live-work community. With high visibility to those arriving from New Rochelle's western entrance from I-95 and US Route 1, the Gateway Transition Area offers excellent opportunities for artisan production, higher education, institutional, employment, commercial and light industrial uses. This area could also offer affordable space for entrepreneurs and small artisan workshops looking to live and work in close proximity to the emerging Downtown West arts district. The buildings in this district will typically be between two and five stories, however with the maximum bonuses, a few large sites could reach as high as 10 to 12 stories.
- **River Street Commercial District - DO-4** - The East End is poised to capture both waterfront living and recreation uses as well as expand the retail anchor uses that are critical to a vibrant and relevant downtown. The East End offers excellent access to I-95 and Westchester County's regional retail customers. With the conversion of River Street and Cedar Street to two way traffic and updated zoning to incentivize multi-story medium and large size office & retail anchors, New Rochelle could capture a much greater portion of the office market and offer more reasons to come to downtown New Rochelle. The buildings in this district will typically be between two and five stories, however with the maximum bonuses, a few large sites could reach as high as 10 to 12 stories.
- **Wellness District - DO-5** - This gateway to “Uptown” at North and Lockwood Avenues would promote connections to nearby Montefiore Hospital. With excellent access to public transportation, this area should become the medical office, mixed-use and wellness services district and serve as an important gateway to New Rochelle's North End neighborhoods. The strategies build upon the North Avenue Corridor Studies and TOD Study by identifying a wide range of placemaking, transportation enhancement, revitalization and neighborhood preservation strategies. The buildings in this district will typically be between two and five stories, however with the maximum bonuses, a few large sites could reach as high as 10 to 12 stories.
- **North of Lincoln District (NoLi) - DO-6** – Also referred to as the “Heart of Uptown” the zone would leverage this area's civic anchors - Court House, City Hall and Police Department - as well as its close proximity to Iona College. It would utilize the large parking lots at City Hall for evening uses such as restaurants and build off of the emerging co-working space and encourage the creative class and freelance professionals

to continue to grow the daytime population. The buildings in this district will typically be between two and four stories, however with the maximum bonuses, a large site could reach as high as six stories.

The geographic area of the DO zones are predicated in part on the nationally recognized planning principle that walkable communities typically occur within ¼-mile and a 5-minute walk to a neighborhood center. Clustering density in walkable neighborhoods enables the creation of distinct districts of varying intensity each offering a unique character. This creates a diversity of experiences that enhances the overall urban fabric. Concentrating development within these neighborhood centers promotes walkability by focusing destinations such as parks, businesses, entertainment venues and civic institutions in close proximity to residents and visitors.

The ¼-mile, ½-mile and ¾-mile radius walking sheds represented by concentric circles, are placed over the Study Area to identify the placement of the densest areas of the downtown and its relationship with the other downtown districts (see **Figure 2-3**). Due to New Rochelle's historic development patterns, the nature of its grid placement, current downtown synergies and location of the transit center, the center of the concentric circles is located at Ruby Dee Park. It has been identified as the heart of the downtown, where the highest densities should be concentrated and its activation prioritized. The DO Zone development standards and guidelines are designed to fulfill the goals of achieving compact transit-oriented development with a greater mix of uses, height, and density radiating out from Ruby Dee Park and the Transit Center within the Study Area.

The Downtown Overlay Zone is designed to promote rapid redevelopment of the downtown according to the best practices of downtown development by introducing a form-based code. A form-based code prioritizes the proper form and placement of buildings to support the creation of vibrant places rather than the conventional overemphasis on the control of uses. This proposed optional overlay zone will reward the aggregation of property by providing three Development Standard levels for each of the six proposed overlay zones.

Where property owners or developers can assemble larger sites by aggregating sites of greater lot area and street frontage, they can qualify for one of three Development Standard levels that permit increasingly higher building heights.

### *Development Standards*

When an applicant opts-in to the Downtown Overlay Zone by demonstrating compliance with the minimum lot area and minimum lot frontage for each district, applicants will become eligible for participation in the applicable overlay district. Applicants can realize one of three Development Standard levels offering greater density, improved parking standards and greater flexibility of uses, in exchange for complying with the urban design standards to improve the civic and economic vitality of the Downtown. The Development Standard levels are:

- Development Standard 1: Applicants or cooperating property owners must assemble sites with a minimum street Frontage of 50 feet and a minimum Site Area of 5,000 SF to participate in the DOZ. All applicants must comply with:
  - Zoning Standards Map regulating street types, frontages and urban design standards
  - Street and Block Standards
  - Site Development Standards
  - A Streamlined Table of Uses
  - Frontage Standards
  - Parking Standards & Shared Parking Incentives
  - Civic Space requirements
- Development Standard 2: To qualify for additional building heights, applicants or cooperating property owners must assemble sites with a minimum street Frontage of 100 feet and a minimum Site Area of 10,000 SF.
- Development Standard 3: To qualify for additional building heights, applicants or cooperating property owners must assemble sites with a minimum Frontage of 150 feet and a minimum Site Area of 30,000 SF, except in DO-1, where 40,000 SF is required.

**Table 2-2** presents the dimensional standards for the DO Zones.

**Table 2-2**  
**DO ZONE DIMENSIONAL REQUIREMENTS**

<b>Downtown Overlay Zone Requirements</b>	<b>Development Standard 1</b>	<b>Development Standard 2</b>	<b>Development Standard 3</b>
	<b>Minimum Site &amp; Building Height Requirements</b>		
	Min. Frontage: 50 FT	Min. Frontage: 100 FT	Min. Frontage: 150 FT
	Min. Site Area: 5,000 SF	Min. Site Area: 10,000 SF	Min. Site Area: 30,000 SF (40,000 SF in DO-1 only)
Downtown Core District DO-1	Height: 2 Stories 8 Stories Max Bonus Height/ 10 Stories Max	Height: 2 Stories Min 24 Stories Max Bonus Height/ 28 Stories Max	Height: 2 Stories Min 40 Stories Max Bonus Height/48 Stories Max (Max Height is 605 feet)

<b>Downtown Overlay Zone Requirements</b>	<b>Development Standard 1</b>	<b>Development Standard 2</b>	<b>Development Standard 3</b>
	<b>Minimum Site &amp; Building Height Requirements</b>		
Downtown District DO-2	Height: 2 Stories 4 Stories Max Bonus Height/ 5 Stories Max	Height: 2 Stories Min 12 Stories Max Bonus Height/ 14 Stories	Height: 2 Stories Min 24 Stories Max Bonus Height/ 28 Stories Max (Max Height is 285 feet)
Gateway Transition DO-3	Height: 2 Stories	Height: 2 Stories Min 5 Stories Max Bonus Height/ 6 stories	Height: 2 Stories Min 10 Stories Max Bonus Height/ 12 Stories Max (Max Height is 125 feet)
River Street Commercial DO-4	Height: 2 Stories	Height: 2 Stories Min 5 Stories Max Bonus Height/ 6 stories	Height: 2 Stories Min 10 Stories Max* Bonus Height 12 Stories Max* (Max Height is 125 feet) *6 Stories, 65 feet Max north of Huguenot St & East of River St.
Wellness District DO-5	Height: 2 Stories	Height: 2 Stories Min 4 Stories Max Bonus Height/ 5 Stories	Height: 2 Stories Min 10 Stories Max Bonus Height 12 Stories Max (Max Height is 125 feet)
North of Lincoln DO-6	Height: 2 Stories	Height: 2 Stories Min 4 Stories Max Bonus Height/ 5 stories	Height: 2 Stories Min 5 Stories Max Bonus Height / 6 Stories Max (Max Height is 65 feet)

\*Bonus Height can be achieved through Community Benefit Bonuses, which require investment in public benefits.

### *Community Benefit Bonuses*

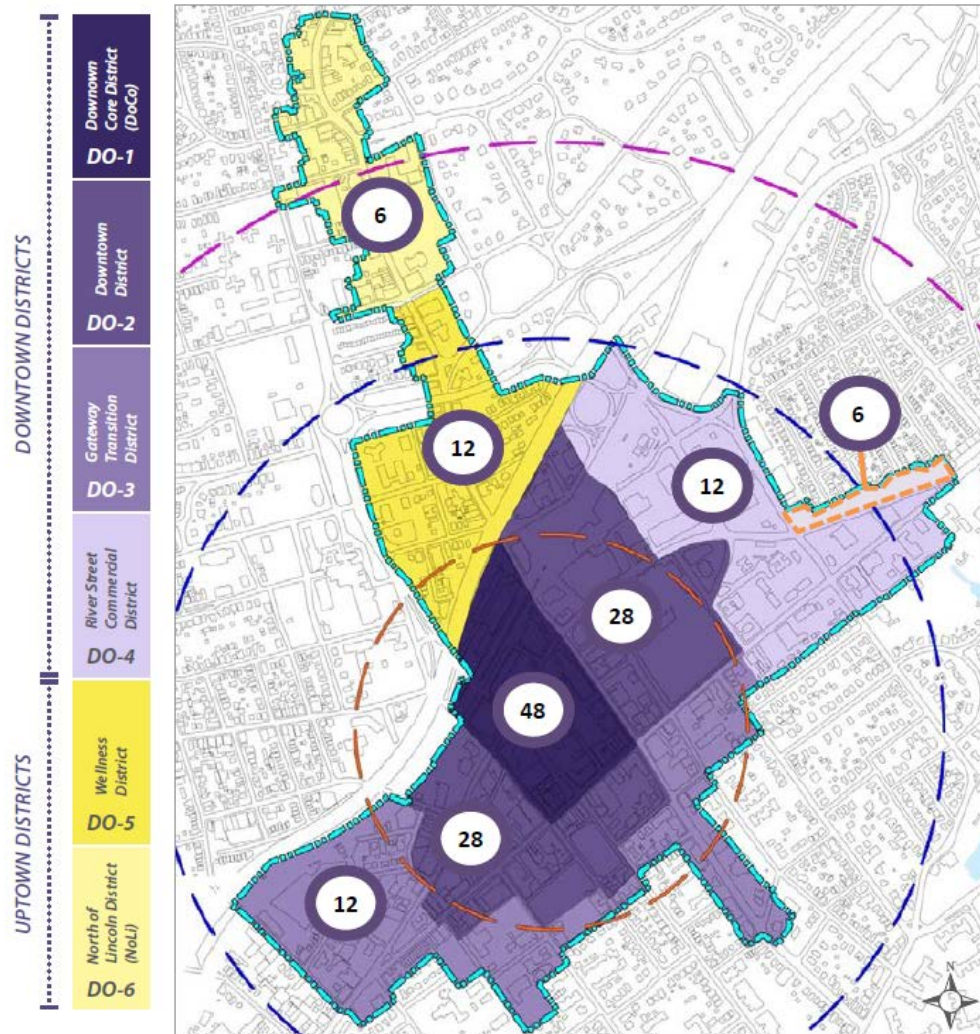
The RAP recommends additional community benefit bonuses to entice developers to exceed the maximum heights allowed by the Development Standards by offering additional height and development rights in exchange for providing community benefits from a prescribed list of

amenities; potential community benefits are described in Section 6 of the RAP and outlined below. The Community Benefits identified to date include, which will be finalized through the public review process of the draft zoning amendments:

- **Community Facilities:** Provide new community serving facilities including schools, libraries, community centers to earn Density Bonus points
- **Cultural Arts Facilities:** Provide new studio, gallery, exhibition or performance spaces
- **Sustainable Design:** Commit to design and construct a project to achieve US Green Building Council Leadership in Energy and Environmental Design (LEED) certification at any of the following levels: Silver, Gold, Platinum
- **Pedestrian Bridge Across I-95 or the rail line**
- **Transit Center or Transit Improvements**
- **Beneficial Commercial Uses:** Provide a minimum of 100,000 SF of office and/or hotel with conference center use guaranteed by a covenant
- **Historic Preservation:** Protection, conservation, or renovation of historic site or building element of historic quality
- **Main Street/ North Avenue Preservation:** Maintain and enhance the overall architectural character of significant Main Street or North Avenue buildings furthering their purpose for pedestrian-scaled retail
- **Pedestrian Way Improvements:** Provision of new public pedestrian ways that comply with the Downtown Pedestrian Plan or provide public pedestrian ways with active frontages linked to public access parking
- **Additional Storefronts:** Provision of additional storefronts at Recommended Storefront streets in compliance with the Required Storefront standards
- **Civic Spaces:** Provide civic spaces with access to the public at least 12 hours per day
- **Excess Public Parking:** Provide Public Parking in Excess of that required for proposed uses and which provides a significant public benefit

The preliminary list of bonuses identified in the RAP could allow developers to gain additional height bonuses above the building height prescribed in the applicable DO Zone. The total bonus amount will be measured by an associated point system awarding higher densities to items demonstrated to have greater public benefit (not to exceed the maximum heights identified in **Table 2-2**). The image below illustrates the maximum building stories for each district with Community Benefit Bonuses. The numbers shown for each district demonstrate the highest number of stories that would be permitted if a property owner or group of cooperating property owners were to meet all of the site and urban design standards, the Development Standard 3 with the maximum Community Benefit Bonuses available.





**Maximum Building Stories with Community Benefits (RAP, Section 6)**

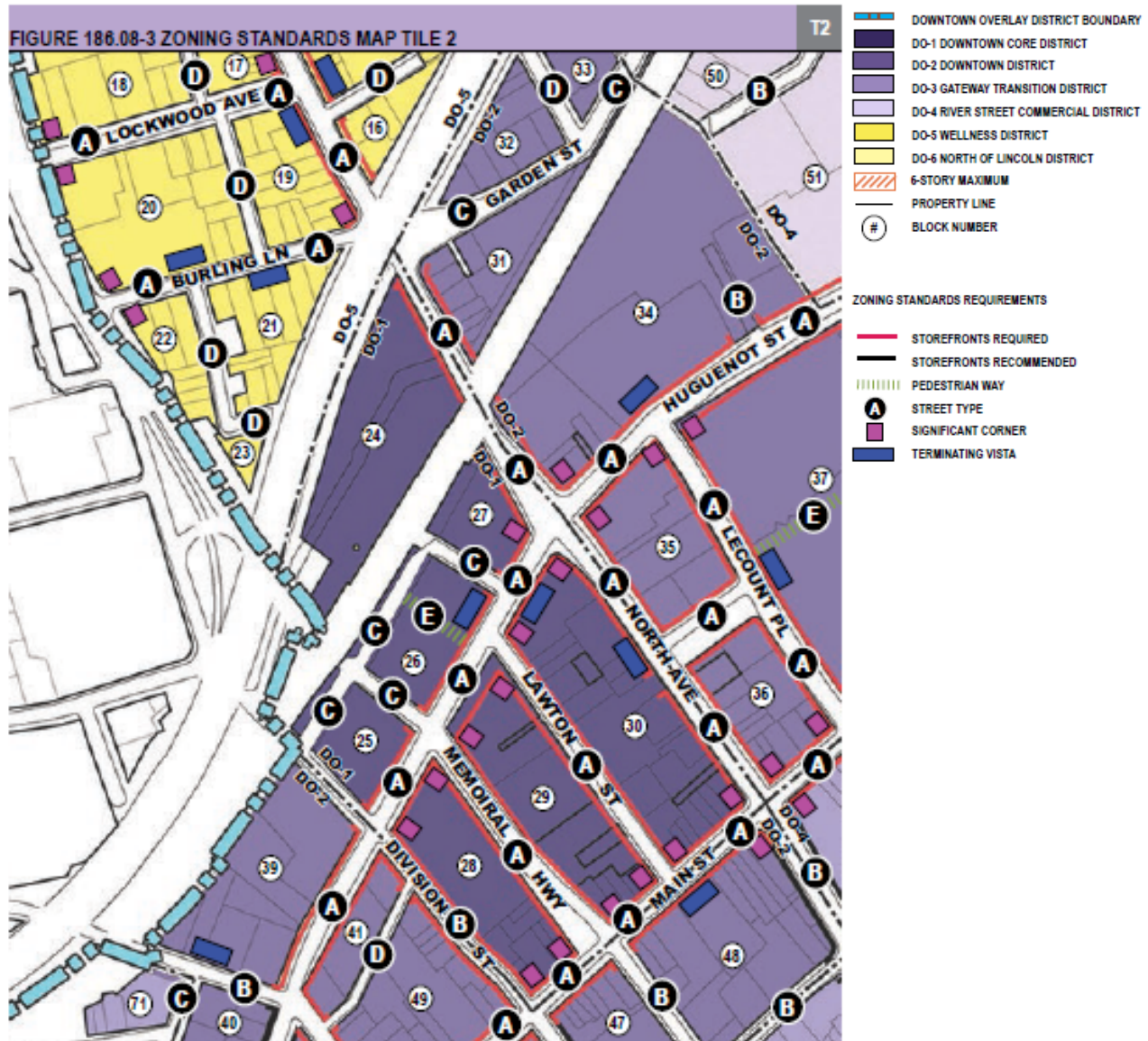
### *Allowable Uses*

It is the intent of the Downtown Overlay Zone to be a more flexible and market responsive framework that will result in higher occupancy and enhanced economic activity for the entire downtown. The Form Based Code approach to downtown places greater importance on the building forms rather than exhaustive regulation of uses, and allows for a broad mix of uses in individual buildings as well as a mix of use throughout each district.

### *Zoning Standards Map*

A Zoning Standards Map will be adopted in conjunction with the formation of the DO Zone which will permit a range of building forms, frontage types and building heights in order to reinforce the transect of built forms and landscape elements appropriate for the overlay district.

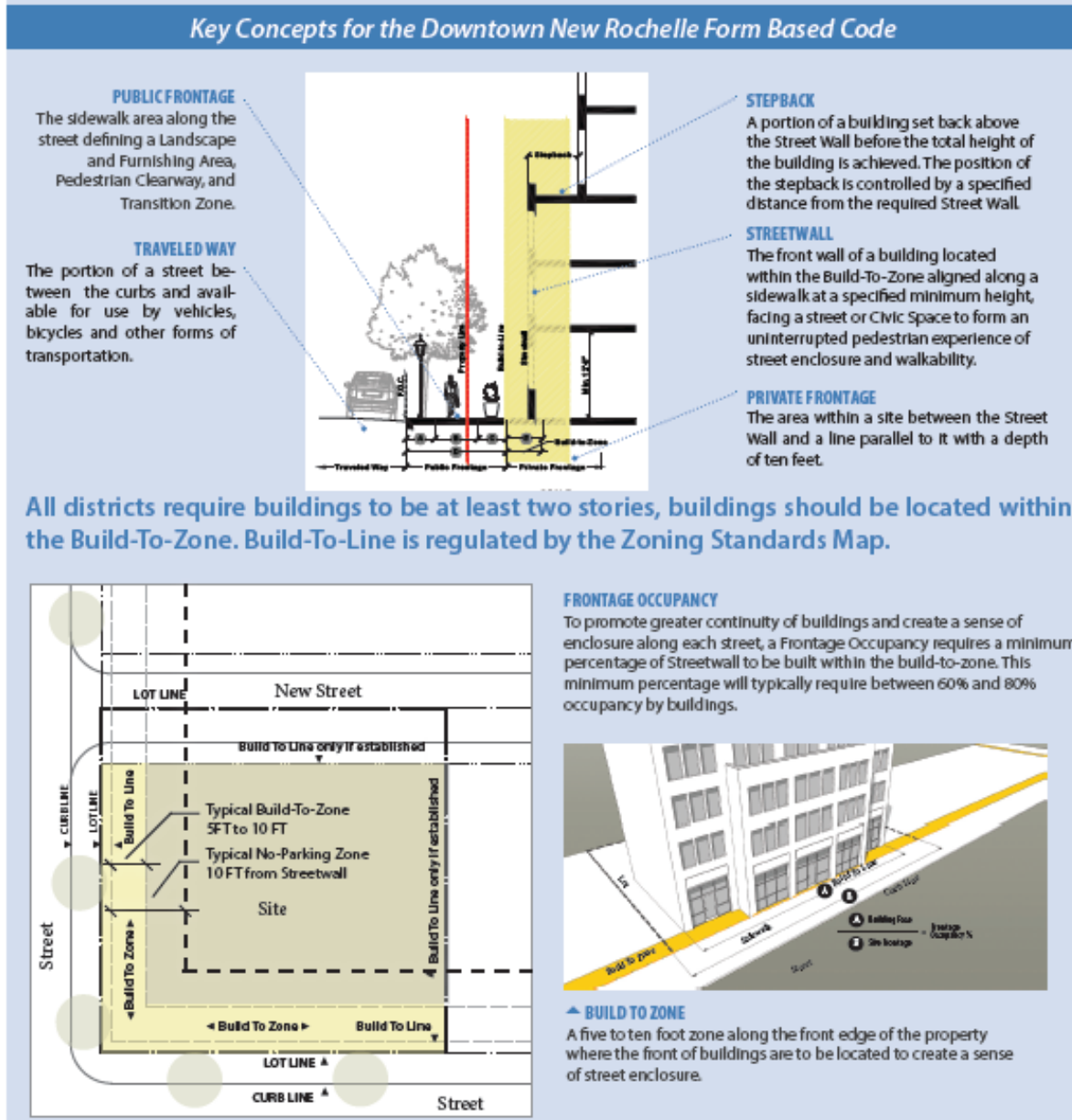
The Zoning Standards Map (see **Appendix A-2**) highlights where special architectural treatments for significant corners and terminating vistas are required, as well as provides requirements for building setbacks, public frontages, required store fronts and pedestrian enhancements.



Tile 2 of the Zoning Standards Map, showing Street Types (A-D), Significant Corners, Terminating Vistas, Storefronts and Frequent Entrance Requirements (red and black lines along frontages), see Appendix A-2 for all tiles of the Zoning Standards Map

The illustrations below demonstrate several of the key form based concepts in the zoning amendments.





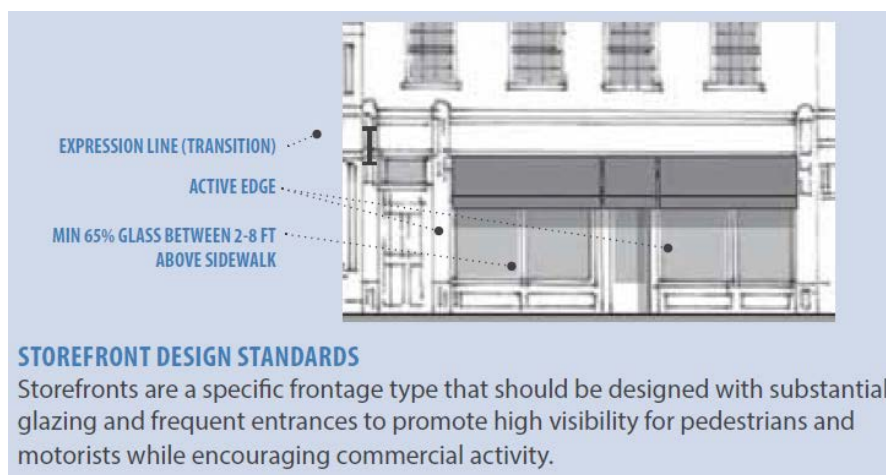
**Key Concepts for the City of New Rochelle Form-Based Code (Appendix A-2)**

In order to promote active pedestrian-friendly streets and storefront, the recommended strategy for improving vitality in the downtown is to require and encourage construction of storefronts and frequent entrances along the most important streets. The Zoning Standards Map provides for specific locations where storefronts are required (see **Appendix A-2**). Red lines indicate street frontages requiring storefronts and frequent entrances, while black lines indicate street frontages encouraging storefronts and frequent entrances (see illustration below). Objectives to achieve the above objectives will include:

- Promote well designed Sidewalks, Lighting, Street Furniture and On-Street Parking.
- Establish a Build-To-Zone along downtown streets to reinforce the existing street wall, much like the strongest blocks of North Avenue and Main Street.
- Establish streets requiring storefronts along the most important commercial streets as well as recommending storefronts on secondary commercial streets.
- Permit a wide array of building Frontage Types most appropriate for the street's commercial character.
- Allow a wide array of edging elements to create pedestrian friendly yards through landscaping, fencing, walls, and courtyards.



**Sample Illustration of a Significant Corner**



**Illustration of Storefront Design Standards**

The proposed form-based code includes definitions and standards designed to promote and require the placement of buildings along streets, facing sidewalks and within a prescribed Build-To-Zone that is typically five to 10 feet in width. It also defines the Private Frontage for all buildings facing major streets. Specifically, major design objectives include:

- Require buildings to occupy 60 to 80 percent of the street and sidewalk frontage
- Require Terminating Vistas and Significant Corners, such that distinctive architectural features are required in certain locations pursuant to the Zoning Standards Map
- Civic Space Design Standards

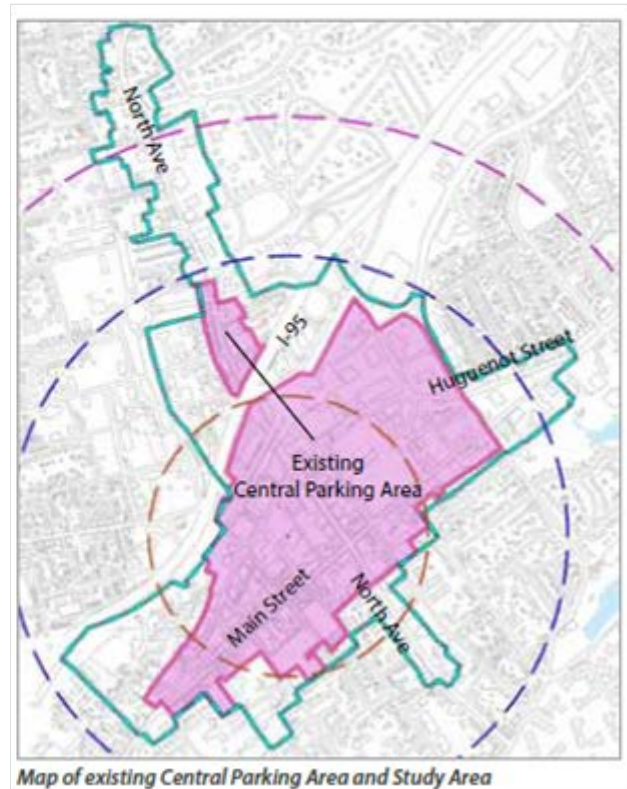
The form of buildings and their interaction with the pedestrian environment is at the core of form based zoning. The frontage, or that portion of the building that occupies the development space fronting on the public realm, i.e., sidewalks, are regulated in the zoning. Conditions such as the percentage of the building which must occupy the space along the public realm, the amount of glazing the building should have and the requirements to have active doorways and storefronts are also included in the Use and Development Standards (see **Appendix A-2**).

The zoning also includes incentives to existing buildings in order to encourage those buildings to renovate and create better and more active frontages. For instance allowing storefronts to occupy the ground floor of the existing parking structures in the downtown thereby continuing the active street wall and enhancing the pedestrian environment. Since retail may have a lower current value in the above described conditions than parking, the City should consider the use of economic incentives to entice building owners to participate.

### *Parking*

The Proposed Action includes Zoning Code amendments to the Off-Street Parking and Loading Requirements of the City Code (Section 331-125 and 126) (see **Appendix A-2**). The zoning amendments include remapping and expanding the Central Parking Area (“CPA”) District to coincide with the proposed Downtown Overlay Zone boundary, with several proposed modifications made to Section 331-125 and 126. The current boundaries of the Central Parking Area are shown below.

The number of required parking spaces for individual developments will be determined by Section 331-126 under the Central Parking Area District requirements, with site specific analysis submitted to determine if credits may be applied for shared parking, attendant parking, and provisions for car share parking, bike rental/storage credits and non-reserved parking are provided. A detailed analysis of the existing and proposed parking standards are contained in **Section 3.6** of this DGEIS. Property owners seeking to develop their property under the existing underlying zoning districts and not availing themselves of the use of the DOZ will be subject to the parking standards of the underlying zoning and not the CPA. As is current practice, the City should continue to coordinate all parking built in the Downtown. Regardless of the zoning, the development is subject to parking standards in order to provide the optimal parking a scenario for the area.



## 2.5 Theoretical Development Scenario

The Proposed Action is the adoption of amendments to the City of New Rochelle Zoning Code and Zoning Map to create the Downtown Overlay Zoning District necessary to implement the redevelopment sought in the Recommended Action Plan. At present, there are no specific development proposals. Thus, this DGEIS considers the potential for redevelopment and the associated environmental implications, in order to identify and mitigate any adverse environmental impacts at the earliest planning stages of a project. This DGEIS includes an assessment of a reasonable worst case development scenario, which relates to the anticipated development that would occur within a period of ten years. This ensures that the review of the Proposed Action and its anticipated impacts is not segmented, and also provides the ability to establish guidelines as to what level of further SEQRA review is appropriate, based on conditions and thresholds to be established in the Statement of Findings.

To best understand the commercial uses that are viable in New Rochelle, RDRXR prepared a preliminary market study. By combining the preferred uses identified by the New Rochelle community and this market study, RDRXR can determine which uses are likely to have sufficient market demand necessary to be viable. The Market Study findings are summarized in the RAP (Section 4). The Theoretical Development Scenario was prepared using the proposed DO Zone dimensional requirements (see **Appendix A-2**) and market analyses as the basis for assessing and quantifying the effects of the maximum allowable development of City-owned and “soft” sites. The analysis estimates maximum gross floor areas for various uses that could be developed based on market conditions. **Table 2-3** summarizes the Theoretical Development Scenario presumed to occur in a 10-year period.



**Table 2-3  
THEORETICAL DEVELOPMENT SCENARIO**

<b>District Overlay</b>	<b>Retail (SF)</b>	<b>Restaurant (SF)</b>	<b>Office Nonmedical (SF)</b>	<b>Medical Office (SF)</b>	<b>Hotel (rooms)</b>	<b>Residential Units (DU)</b>	<b>Student Housing (beds)</b>	<b>Adult Care (SF)</b>	<b>Independent Units (DU)</b>	<b>Institutional (SF)</b>
<b>DO-1</b>	350,000	50,000	820,000	100,000	250	1,500	-	-	-	155,000
<b>DO-2</b>	400,000	30,000	350,000	150,000	250	2,900	500	192,000	375	200,000
<b>DO-3</b>	50,000	5,000	220,000	25,000	-	550	500	128,000	-	225,000
<b>DO-4</b>	150,000	20,000	200,000	25,000	-	200	-	-	-	-
<b>DO-5</b>	20,000	5,000	185,000	100,000	-	250	500	192,000	-	140,000
<b>DO-6</b>	20,000	5,000	30,000	20,000	-	100	-	128,000	-	55,000
<b>Totals</b>	<b>990,000</b>	<b>115,000</b>	<b>1,805,000</b>	<b>420,000</b>	<b>500</b>	<b>5,500</b>	<b>1,500</b>	<b>640,000</b>	<b>375</b>	<b>775,000</b>

It is noted that as the existing zoning will remain in place, redevelopment could continue under the existing conditions. A build-out under existing zoning is included in the RAP (Section 2), which yielded approximately 12 million square feet of development without the bonus density and over 16 million square feet with the DDB and other bonuses. With the proposed zoning in place, a greater development yield could occur than under the existing zoning if every eligible parcel within the Study Area pursued the various density bonuses that will be made available through the DO Zone regulations. However, **Table 2-3** provides a realistic development scenario based on market analyses, anticipated capture rates, and other market realities. The Theoretical Development Scenario is the subject of this DGEIS. As explained in further detail in **Section 6.0**, future site-specific development applications will undergo SEQRA evaluation to determine the appropriate level of environmental review in conformance with 6 NYCRR Part 617.10(d). If potential significant adverse environmental impacts are identified that were not previously or adequately analyzed as part of this SEQRA review, additional site-specific review including technical studies and/or a Supplemental GEIS may be required. The information submitted with the application for each such future project will be used by the entity having jurisdiction as the basis for this determination.

While there are currently no specific development proposals, this DGEIS considers the potential for redevelopment in accordance with the Proposed Action, in order to address potential adverse environmental impacts at the earliest planning stages of this effort. The presumed uses and yields are necessary to establish the potential impacts of the Proposed Action as required by SEQRA. Ultimately, it is anticipated that the uses and nonresidential intensity/residential density of development that will be proposed on specific sites in the Study Area will be determined by a combination of factors, such as market conditions, property owner preferences and objectives, and economic factors. This change in land use character will be directed by the zoning amendments outlined throughout this document. These are considered to be generally beneficial and consistent with that which was envisioned in the various planning documents promulgated by the City in the past 20 years.

## **2.6 Required Reviews, Permits and Approvals**

The SEQRA process will provide the New Rochelle City Council (as Lead Agency in this process) with information necessary to render informed decisions on the Proposed Action. Once this DGEIS is accepted by the Lead Agency, this document will be subject to public review and written comments, followed by preparation of a Final GEIS (“FGEIS”) responding to any and all substantive comments. Upon completion of the FGEIS, the City Council will be responsible for the adoption of a Statement of Findings. This will complete the SEQRA review process for the Proposed Action (see **Table 2-4**), enabling the City Council to render its decision on the Proposed Action.

**Table 2-4**  
**REVIEWS, PERMITS AND APPROVALS REQUIRED**  
Proposed Action

Agency/Entity	Review, Permit/Approval Required
City Council	Zoning Code & Map Amendments approval
	SEQRA Review
City Planning Board	Zoning Referral Report
Corporation Counsel	Zoning Referral Report
Westchester County Planning Department	General Municipal Law Section 239m review

If the zoning amendments are approved, subsequent reviews, permits and/or approvals will be required for the site-specific development proposals that will be enabled by the rezoning. **Table 2-5** presents a list of these agencies and their review, permit and approval authority.

**Table 2-5**  
**REVIEWS, PERMITS AND APPROVALS REQUIRED**  
Future Site-Specific Applications

Agency/Entity	Review, Permit/Approval Required (Future Site-Specific Applications)
City Planning Board	Site Plan review Subdivision review
City Historical and Landmark Review Board	Certificates of appropriateness
New Rochelle Professional Architectural Review Committee (“PARC”)	Review of building architecture and urban design
City Dept. of Public Works (“DPW”) and Bureau of Buildings	Sewer access approval SWPPP review Building permit Demolition permit Tree removal permit SWPPP review Floodplain development permit
Westchester County (“WC”) Department of Health (“DOH”)	Water supply extension/connection approval
	Sewer extension/connection approval
Westchester County Dept. Of Environmental Facilities (“DEF”)	Sewer line connections
Westchester County Department of Public Works (“WCDPW”)	County road opening permit
WC Planning Dept.	General Municipal Law Section 239m review
NYS (“New York State”) Office of Parks, Recreation and	State Historic Preservation Office review of cultural resources

<b>Agency/Entity</b>	<b>Review, Permit/Approval Required (Future Site-Specific Applications)</b>
Historic Preservation ("OPRHP")	
NYS Department of Environmental Conservation ("NYSDEC")	General Permit for Stormwater Discharges from Construction Activity (GP 0-150-002)
NYS Department of Transportation ("NYSDOT")	State Roadwork opening permit
United Water New Rochelle	Letter of intent to service

**SECTION 3.0**

**ENVIRONMENTAL SETTING, POTENTIAL IMPACTS  
AND MITIGATION MEASURES**

### 3.0 ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND MITIGATION MEASURES

#### 3.1 Land Use, Zoning and Public Policy

##### 3.1.1 Existing Conditions

###### 3.1.1.1 Land Use

The City of New Rochelle has a land area of 10.67 square miles<sup>1</sup> and is elongated in its shape, extending from the Village of Scarsdale to the north to Long Island Sound at its southerly border. The City exhibits a diversity of land uses and densities, from suburban to urban. The Study Area is located at the southerly end of the City, is primarily urban in character and encompasses approximately 279 acres. Of this total, approximately 195 acres comprise land within parcels – the remainder is within the various major rights-of-way that bisect the Study Area associated with I-95, the New Haven rail line, and numerous city street rights-of-way. **Table 3.1-1** presents a generalized overview of the distribution of land use within the Study Area. Land uses are comprised mainly of commercial uses (38 percent), residential uses (16 percent), mixed uses (10 percent) and industrial uses (10 percent). “Other” encompasses approximately 11 percent of the area (see **Figure 3-1**, Land Use). Land use surrounding the Study Area is comprised primarily of residential uses with some commercial and community service uses.

**Table 3.1-1**  
**EXISTING LAND USE DISTRIBUTION – PARCELS WITHIN STUDY AREA**

Land Use Category	Study Area	
	Acres	Percent
Vacant	7	4
Institutional/Public Assembly	13	6
Parks and Recreation	1	1
Residential	31	16
Mixed Use	20	10
Commercial	74	38
Transportation	6	3
Industrial	20	10
Utility	2	1
Other Uses	21	11
<b>TOTAL WITHIN PARCELS</b>	<b>195 acres*</b>	<b>100%</b>

\*Remaining 84 acres within the study area is comprised of road rights-of-ways

A figure illustrating the land use pattern within the Study Area and adjoining areas is provided as **Figure 3-1** and an aerial photograph of the Study Area is provided as **Figure 2-4**. A general description of the various existing land uses within the Study Area is provided below. For purposes

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<sup>1</sup> <http://www.newrochelleny.com/index.aspx?NID=123>



of the DGEIS, the land uses are described based on the proposed DO Zone within which they would be located.

#### DO-1 Zone

The proposed DO-1 Zone extends from the I-95 corridor to the north, to the north side of Main Street to the south. It extends from Division Street to the west to North Avenue to the east. The primary land use within this proposed zone is the New Rochelle Transit Center and train station which is located at the north end of the zone. The Transit Center is physically separated from the remainder of the zone by an existing rail right-of-way for the New Haven line.

Station Plaza North runs along the north side of the Transit Center and connects Division Street to North Avenue. La Rochelle apartments (formerly Avalon on the Sound) is situated along Station Plaza South, and is a 412-unit, 25-story apartment building<sup>2</sup>. A multi-level parking garage is connected to the apartment building to the west via a pedestrian bridge. On the east side of Bridge Street is the multi-story “Chase” building consisting of approximately 92,000 square feet of office space<sup>3</sup>.

The Halstead New Rochelle residential high-rise building (formerly Avalon Sound East) dominates the area south of Huguenot Street – the complex includes a 588-unit, 39-story<sup>4</sup> multifamily residential building and a six-level parking garage south of the building also on the west side of Memorial Highway. Commercial space is situated on the ground floor of the building.

Both high-rise apartment buildings flank Ruby Dee Park (also referred to as Library Green), which is on the south side of Huguenot Street and in front of the New Rochelle public library. A municipal parking lot is situated south of the library. Along Memorial Highway is a plaza which offers an attractive landscaped seating area at the corner of Main Street.

Along Lawton Street, on the east side of the park, are two- to four-story mixed use buildings with ground level commercial uses and upper story offices and apartments. A municipal parking lot is located along Lawton Street across from the library. The historic Pioneer Building also fronts onto Lawton Street. The north side of Main Street within the DO-1 Zone consist of older two- to three-story downtown row style buildings with ground floor retail and commercial uses. Upper stories are occupied by offices or apartments.

#### DO-2 Zone

The DO-2 Zones are located on either side of the proposed DO-1 Zone. For purposes of this discussion, they are referred to as DO-2 West and DO-2 East.

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<sup>2</sup> <http://www.larochelleapts.com/>

<sup>3</sup> The source of square footage data for various nonresidential buildings referenced in this section is loopnet.com.

<sup>4</sup> <http://nreionline.com/nreiwire/press-release-hff-closes-210-million-sale-avalon-sound-east-new-rochelle-new-york-dsf-group>

#### *DO-2 West*

This portion of the DO-2 Zone is located west of DO-1 Zone and wraps around it to the south. Its westerly boundary is Maple Street and its easterly boundary is North Avenue. To the north is the I-95 right of way and the southerly boundary is in the vicinity of the Clinton Place and Leroy Place parking lots.

The Trinity St. Paul's Episcopal Church complex is located at the northern end of this zone. An outdoor fruit market with warehouse and florist is located west of the church complex. On the south side of Huguenot Street are two- to four-story mixed use downtown attached row buildings with restaurants, a florist and other retail uses. A one-story paint and hardware store is followed by a 5-story mixed use building with ground level retail uses, located across from a municipal parking lot. A Verizon building dominates the southeast corner of Huguenot Street's intersection with Centre Street.

On the block between Relyea Place and Huguenot Street, buildings and uses are light industrial and heavy commercial in character. A self-storage facility is at the west end of the zone along Huguenot Street. Between Centre Street and the easterly end of the proposed zone, downtown attached row buildings that are one- and two-stories in height dominate, along with older warehouse buildings. There is the appearance of higher storefront vacancies, although several commercial businesses occupy the storefronts.

Traveling from west to east along Main Street starting at Maple Street, the buildings range from one- to six-stories in height and most are downtown attached row buildings. Uses on the ground floor are solidly retail and commercial, with a mix of offices or residential uses in the upper stories. Uses include but are not limited to bars, restaurants, an upholstery shop, furniture sales, hair and nail salons, jewelers, and a grocery store. The building and land use pattern on North Avenue within this zone is comparable to Main Street.

Leroy Place has two buildings that front on it including a five-story apartment building and a one-story religious use. A large municipal parking lot is on the south side of Leroy Place. On Clinton Street, downtown attached row buildings with retail and personal service shops located on the ground floor extend up to the parking lot on Leroy Place and the parking deck located behind the buildings on Main Street. Along Clinton Place are offices and a newly constructed five-story apartment building at 41 Clinton Place. It adjoins a six-story older apartment building, and a single family dwelling.

#### *DO-2 East*

This zone extends to the I-95 corridor to the north, Main Street to the south, North Avenue to the west, and Harrison and Cedar Streets to the east. This area is dominated by two major buildings: New Roc City and the Trump Plaza building.

New Roc City encompasses the entire block from Huguenot to Main Streets, and from LeCount Place to Harrison Street. New Roc City is in the location of the former New Rochelle Mall. New Roc City encompasses approximately 1,200,000-square-feet and features a multiplex movie

theater and IMAX theater, a health club, the Monroe College Athletic Center, restaurants, retailers, a Stop and Shop grocery store, an indoor amusement park and accessory parking garage. A Marriott Residence Inn, and residential lofts are included in the mix of uses.

A small triangular block to the east of New Roc City includes an approximately 64,000 square foot office building and the New Rochelle Fire Department Station No. 1. Monroe College occupies a portion of the office building's space.

Directly on the north side of the intersection of LeCount Place and Huguenot Street is the Trump Plaza at New Rochelle, a 40-story high rise building<sup>5</sup>. The approximately 353,600-square-foot Trump Plaza consists of 138,000 square feet of retail space on two levels at its base, topped with condominium multifamily residences. The retail portion of the project is linked to New Roc City by an enclosed pedestrian bridge that spans Huguenot Street. A New York Sports Club is located in the base of the tower. The United State Postal Service office for New Rochelle is located on Huguenot Street to the west of New Roc City. To the south of the post office are various uses including a child care center, a bank, a funeral home, an entertainment club, and restaurants. Anderson Plaza is located along Anderson Street. Main Street and North Avenue within this area display the same one- to four-story mixed use downtown attached row buildings observed throughout the Study Area, with a comparable mix of commercial and retail uses on the ground floor, and offices or apartments on upper stories. The 13-story Kaufman or "K" Tower is located at the northeast corner of Huguenot Street and North Avenue, and was built in approximately 1931<sup>6</sup> – it includes approximately 70,000 square feet of office space.

The DO-2 Zone incorporates an area which is somewhat isolated due to the separation created by the rail right-of-way and the I-95 corridor. North of the railroad line and on the east side of North Avenue is a mix of five buildings which sequentially range from one-story to five stories traveling northbound. Law offices, a fast food place, and real estate agency are located on the ground floor with residential uses above. To the rear of these buildings and along Garden Street is a large municipal parking lot and vacant land. On the north side of Garden Street is a hot dog store, Plastic Works, a tire repair and sales dealer, appliance retailer, and office space. A single family residential building is located at the end of Cottage Place.

#### DO-3 Zone

The proposed DO-3 Zone covers a swath of the Study Area to the west and south of, and surrounding the DO-2 Zone. It extends to Webster Avenue to the west. The westerly end of this zone includes uses along roads such as Pine Street, Columbus Avenue and Pine Court, which are a combination of warehouses and single family detached dwellings. Pearl Green Corporation, New Roc Foods, and various landscaping and building supply contractors are located in this neighborhood.

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<sup>5</sup> <http://www.trump.com/real-estate-portfolio/new-york/trump-plaza/>.

<sup>6</sup> [https://www.downtowndevelopment.com/pdf/BIDHistWlkTrBro\\_092006.pdf](https://www.downtowndevelopment.com/pdf/BIDHistWlkTrBro_092006.pdf)

One and two-story commercial space is located at the west end of Main Street. The Hagedorn Building (former New Rochelle public library) is located at its intersection with Pintard Avenue. Six (6) story multifamily residential buildings flank either side of Monument Plaza at the split of Main Street and Huguenot Street. A gas station is just beyond and east of the monument. Main Street includes various attached row buildings with retail and commercial uses on the ground floor up to Maple Avenue. Along Maple Avenue and Shea Place is the Blessed Sacrament complex which contains the church and currently vacant elementary school and high school. A funeral home fronts on Shea Place. The DO-3 Zone continues east to capture several older multi-story (4-5) multifamily residential buildings along Prospect Street and Bonnefoy Place – Bonnefoy Place intersects with North Avenue.

Along North Avenue is a place of worship (Church of Latter Day Saints), a Dunkin Donuts, and one-story strip commercial buildings with various retail and commercial uses. This zone also encompasses several large multifamily buildings that front on North Avenue. A municipal parking lot also fronts onto the street. The proposed DO-3 zone encompasses areas east of North Avenue along Main Street, where a large number of the buildings are now in the ownership and control of Monroe College, including Syndicate Hall, Main Hall and Huguenot Hall. A place of worship that was located at the corner of Locust Avenue and Main Street was razed due to a fire, but will be rebuilt in the same location.

#### DO-4 Zone

The proposed DO-4 Zone would encompass a large area at the eastern end of the Study Area. It is primarily served by Main Street, River Street, Cedar Street and Huguenot Street. Its northerly boundary is Interchange 16 of I-95 and its southerly boundary is Huntington Place. At the interchange, the DO-4 Zone includes lands on the west side of Cedar Street. The Consolidated Edison Cedar Street substation is located here, adjoining the rail right-of-way. Cedar Plaza at 20 Cedar Street is a 3-story, approximately 60,000 square foot office building anchoring the intersection, and was built in and around 1986. Farther in along Commerce Place is a two-story office building built in 1982. This area is part of an urban renewal area which was formerly a freight yard. Across the Street from Cedar Plaza is a large Toyota dealership which dominates the entire block. South of the Toyota dealership and sales lot is a Radisson Hotel and a Webster Bank with drive through is located at the corner of Cedar Street and River Street. To the west of Cedar Street and north of Huguenot Street is a large eight-story, 300,000 square foot office building (GHP Office Realty) surrounded by accessory parking.

To the south of the Radisson Hotel block is a large block consisting primarily of apartment buildings. The block is bound by Harrison Street, Cedar Street, Main Street, and Echo Avenue. Fountain Place provides vehicular access to several buildings. Six mid-rise apartment buildings are located on this block; exceptions include a Pizza Hut building fronting on Echo Avenue, and an Enterprise Rental fronting on Huguenot Street. The 4-story buildings that front on Harrison Street and wrap around to Main Street have ground level retail and commercial uses, with apartments above. Hollow Courts, a multi-family residential development, is also located here.

Along the south side of Main Street in the proposed DO-4 Zone, Monroe College has been acquiring and refurbishing buildings and integrating them into its campus. Most of the buildings are one- and two-story buildings, with the exception of the newer six-story Allison Hall building across from Hollow Courts.

On the southeast corner of Main Street and Echo Avenue is the pre-world war Beacon Hall apartment building. A gas station adjoins the property to the south, and another gas station is located across the street. Other uses along Main Street east of Echo Avenue are auto-oriented and include a Taco Bell, a CVS pharmacy, a Chevrolet dealership, various fitness retail uses, McDonald's and Faneuil Park. A large masonry depot complex is located behind Main Street along Huntington Place. Along Huguenot Street, a gas station, automotive shop, and one-story strip of retail/commercial uses are located in the proposed DO-4 Zone. Two multifamily buildings are also along Huguenot, and a single-family dwelling which fronts on Lincoln Street is included in the zone.

#### DO-5 Zone

Like the previous areas, the proposed DO-5 Zone encompasses a diverse mix of land uses. The Zone extends from Lincoln Avenue to the north to the I-95 right-of-way to the south. To the west, Memorial Highway forms its border, and to the east, the interchange connection from Memorial Highway to I-95 forms the limits of the zone.

Between Sickles Avenue and Lockwood Avenue are mid-rise multifamily buildings, including a senior housing complex at 50 Sickles Avenue, Sutton Park Senior Nursing and Rehabilitation and another mid-rise residential building operated by the New Rochelle Housing Authority. A community center adjoins the complex. The north side of Sickles Avenue is used for on-street parking.

The New Rochelle Medical Building with medical offices dominates the corner of Burling Lane with Memorial Highway and is situated across the highway from Montefiore New Rochelle Hospital. Adjacent and north of the medical building are two places of worship – Holy Trinity Lutheran Church and Zion Baptist Church. May Street, running parallel and between Memorial Highway and North Avenue, has a combination of 5-story multifamily apartment buildings and 2.5-story single family dwellings, some of which may have been converted to multiple residence occupancy.

South of this block, along Burling Lane and Grand Street, are a combination of single family and converted multifamily dwellings. A heating, ventilation and air conditioning contractor is located at the end of Grand Street. The Guidance Center, the Hammel Building (constructed in 2012), an office building and single family dwellings are all located along Burling Lane.

Along North Avenue, the DO-5 Zone encompasses a Mavis Auto Center, a gas station/convenience mart, and miscellaneous take out restaurants, personal service commercial and retail uses. One-story buildings dominate up to North Avenue's intersection with Boulevard. A Dollar General Store has been constructed recently here and is located on the northeast corner of the intersection.

A pedestrian plaza is located on either side of the Boulevard at the entry to the Rochelle Park residential neighborhood. At the southeast corner is a two- to five-story Spanish revival building with offices and retail uses in the two-story wing, and apartments in the larger structure. Across the street at 420 North Avenue is a modern three-story building which contains Westchester County Family Court.

Following North Avenue south, the road travels under the Memorial Highway overpass (the New Rochelle Reads mural is located beneath the overpass).

Traveling south and approaching the I-95 right-of-way, the west side of North Avenue consists of two- and three-story downtown row buildings with a mix of retail, commercial and office uses. On the east side, the building pattern is broken up with the presence of a gas station which occupies the corner of North Avenue with Park Place. Buildings on the east side also are predominately one story in building height, and occupied with the same mix of uses as on the east side.

Park Place intersects with North Avenue on the east side of the DO-5 Zone. Here, the neighborhood is primarily single-family dwellings, converted single family dwellings now in multifamily tenancy, and two larger, five-story multifamily residential buildings at the end of and on the north side of Park Place. Parallel and south of Park Place is Lawn Avenue – a large municipal parking lot dominates the north side of Lawn Avenue. Lawn Avenue terminates at a newer residential townhouse complex. A municipal parking lot is located at the south end of North Avenue adjacent to the I-95 right-of-way. I-95 travels under North Avenue and enters the proposed DO-1 and DO-2 Zones to the south.

#### DO-6 Zone

The proposed “North of Lincoln Street” (NoLi) zone is located north of North Avenue’s intersection with Lincoln Avenue. The district extends to Treno Street and encompasses properties that maintain frontage primarily along North Avenue. A large portion of this proposed zoning overlay is dedicated to City services, as City Hall, Police headquarters, and City Courts are located here on the east side of North Avenue. A church, Refugio de Esperanza, is south of the court building. A one-story commercial building is under renovation to the south of the church. A vacant lot is situated on the west side of North Avenue opposite the renovated building. On the west side of North Avenue, buildings are generally one and two stories in height, and have a mix of personal service and miscellaneous commercial uses, including take out restaurants, insurance agencies, hair salons and barber shop, convenience marts, places of worship, auto repair, and a social club. Three-story multifamily buildings also front on North Avenue. A Kentucky Fried Chicken restaurant has a drive through which exits to North Avenue. Several buildings have dwelling units above commercial uses. The building for Steiner Foods, a food wholesaler, and a flower and event planner is also located in this proposed zone. Public parking dominates the intersection of Hamilton Avenue and North Avenue. Commercial and retail uses continue to dominate the frontage of North Avenue within one- and two-story buildings. A Salvation Army Family Store is located at Coligni Avenue, and a gas station is situated on the north side of Fifth Avenue. Traveling farther north, the land use mix subtly changes as North Avenue approaches the Iona College campus. Restaurants and cafes, laundromats, and fitness-related establishments



appear with more frequency. A car wash is located on the east side of North Avenue, and a CVS dominates the intersection of Treno Street (although located just outside Study Area). Along Coligni Avenue, an automotive repair establishment and large underutilized parking lot are included. Along Horton Avenue, building supply warehouses, multifamily residences, and automotive repair uses dominate. Along the north side of Lincoln Avenue, a marble and granite fabricator and contractor is located here, as well as the St. Catherine AME Zion Church. Along Winthrop Avenue, two single family dwellings and a vacant lot are included in this zone.

### 3.1.1.2 Zoning

Land use patterns in the City of New Rochelle are regulated primarily in accordance with Chapter 331, Zoning, of the Code of the City of New Rochelle, also referred to as the “Zoning Code”. The City is separated into various zoning districts within which different land uses are allowed, subject to various conditions. Uses are either permitted or require a special use permit from the City Council or the Planning Board. The zoning districts also establish dimensional requirements for each property which must be met in order to allow a use. The dimensional requirements for the districts can regulate: maximum floor area ratio, maximum building height (stories and feet); maximum building length; maximum building and impervious surface coverages; minimum lot area; lot area and floor area per dwelling unit; minimum lot width and frontage, as well as minimum front, side and rear yards. Minimum usable open space area is also required within certain districts.

Based on a review of Chapter 331, there are 43 zoning districts that regulate uses within the various areas that comprise the City. **Figure 3-3** presents the existing zoning districts that specifically apply to the Study Area. The Zoning Code categorizes the districts into the following classes: Residence, Mixed Use, Commercial/Industrial, Overlay, and Floating. The zoning districts within the Study Area are as follows:

**Table 3.1-2**  
**EXISTING ZONING DISTRICTS - STUDY AREA**

	<b>Zoning District Designation</b>	<b>Name</b>	<b>Type of District</b>
1	RMF-0.5	Multifamily Residence	Residence Base zoning district
2	RMF-0.7	Multifamily Residence	Residence Base zoning district
3	RMF-1.3	Multifamily Residence	Residence Base zoning district
4	RMF-SC – 4.0	Multifamily Senior Citizen	Residence Base zoning district
5	C1-M	General Commercial Modified	Commercial/Industrial Base zoning district
6	DB	Downtown Business	Commercial/Industrial Base zoning district

	<b>Zoning District Designation</b>	<b>Name</b>	<b>Type of District</b>
7	NB	Neighborhood Business	Commercial/Industrial Base zoning district
8	LI	Light Industry	Commercial/Industrial Base zoning district
9	LSR	Downtown Large Scale Retail	Commercial/Industrial Base zoning district
10	DMU	Downtown Mixed Use	Mixed Use Base zoning district
11	DMUR	Downtown Mixed Use Urban Renewal	Mixed Use Base zoning district
12	H	Hospital	Mixed Use Base zoning district
13	MUFE	Mixed Use Family Entertainment	Mixed Use Base zoning district
14	NA	North Avenue	Mixed Use Base zoning district
15	DDB	Downtown Density Bonus	Overlay zoning district
16	NBTOFZ	NB Transit Oriented	Overlay zoning district
17	WBD-F	West Downtown Business	Floating zoning district
18	CPA	Central Parking Area	Overlay zoning district
19	COZ	Cabaret Overlay Zone	Overlay zoning district

Fourteen of the zoning districts are “base” zoning districts, and five districts are either overlay or floating zone districts.

The Zoning Code states the purposes for the zoning districts in Section 331-28 – the purposes applicable to the districts within the Study Area are as follows:

**Residence Districts:**

- To promote and encourage a suitable environment for family life where safe streets, wide yards and quiet neighborhoods are of paramount importance.
- To avoid, as far as possible, commercial traffic and through traffic of all kinds in residential areas.
- To encourage a balanced variety of housing types, sizes and densities, consistent with the character of existing neighborhoods and the provision of adequate open space, sunlight and air.
- To provide for a low-density housing environment allowing for both single- and two-family dwellings in single- and two-family districts.
- For all RMF Multifamily Residence Districts, to encourage the development of dwelling units suitable for a variety of household sizes at higher densities which will allow for the construction of such housing at a relatively more moderate cost. Such districts are generally intended to be located in convenient proximity to employment, shopping,

transportation, and community facilities. Adequate on-site parking and usable open space are required.

- For the RMF-SC-4.0 Multifamily Senior Citizen Residence District, to provide low-cost housing opportunities for senior citizens in locations convenient to shopping, transportation and community facilities.

**Mixed Use Districts:**

- For the H Hospital District, to ensure the development and continuation of hospital and medical related facilities needed to serve the City's health care needs and encourage the development of housing for health care workers and families.
- For the DMU Downtown Mixed Use District, to encourage the development of a regional office center in combination with high-density residential uses so as to vitalize the City's center, provide a strengthened tax base, and create new jobs and housing.
- For the DMUR Downtown Mixed Use Urban Renewal District, to encourage mixed-use residential and commercial development located in downtown New Rochelle, within an area officially designated by the City Council for urban renewal.
- For the MUFE Mixed Use Family Entertainment District, to encourage the development of a major family entertainment and commercial retail center on the site of the former New Rochelle Mall, which center is designed to create the focal point for commercial redevelopment throughout downtown New Rochelle.
- For the NA North Avenue Zone, to encourage mixed-use redevelopment and private investment to revitalize the North Avenue Corridor, recognizing its function as a gateway into the downtown and a neighborhood business corridor serving adjacent residential neighborhoods and the Iona College Campus.

**Commercial/Industrial Districts:**

- For the C-1M General Commercial Modified District, to provide a general commercial area with adequate buffers and screening for any nearby or adjacent residentially zoned property.
- For the NB Neighborhood Business District, to serve the retail, personal service and office uses located in residential neighborhoods throughout the City, including the provision of adequate on-site parking.
- For the DB Downtown Business District, to allow the future growth and orderly development of the primary downtown area in the City with a wide variety of retail, office, service business and residential uses.
- For the LSR Large Scale Retail District, to encourage the redevelopment and revitalization of the area as a viable commercial district through the development of key parcels for retail outlet and light industrial use.
- For the LI Light Industry District, to promote a combination of manufacturing, warehousing, wholesale storage, and other industrial type uses in areas with good highway access and which have already developed an industrial character.

Floating Zones:

- For the West Downtown Business Floating Zone WDB-F to bring a critical mass of street level activity into New Rochelle's West Downtown Area in a compact core to help strengthen retail and commercial uses and promote the downtown's continued renewal.

Overlay Zones:

- For the RMF-SC 4.0 Senior Citizen Zone, to provide for proper multifamily housing of the City's senior citizens.
- For the CPA Central Parking Area Zone, to provide less restrictive parking standards than in other areas in the City, because of the availability of public transportation, the proximity to the Intermodal Transportation Center, the availability of on-street and off-street public parking facilities, and the possibility of multiple trips by foot to various locations within the Central Parking Area.
- For the Downtown Density Bonus (DDB) Overlay Zone, to encourage large-scale redevelopment of larger properties and appropriate in-fill development of smaller properties in accordance with existing public policy documents and to provide public benefits and amenities in the downtown area.
- For the Cabaret Overlay Zone to improve the function, aesthetics and manageability of this particular land use and to provide the City of New Rochelle with a better method of control and enforcement. The Cabaret Overlay Zone encourages accessory cabaret uses in specific designated areas of the City that are more urban and commercialized and are more appropriate locations for this use while limiting the expansions of such uses to more residential neighborhoods. It limits cabarets to the major commercialized areas and the arterial routes through the City including almost the entire length of Main Street, commencing at the City's border with Pelham and ending at the intersection of Main Street and Stephenson Boulevard, and Huguenot Street and the portion of North Avenue zoned DB.

*Residence Zoning Districts*

Within the Study Area, there are four zoning districts that are classified as “Residence” zoning districts. They are:

<u>Designation</u>	<u>Zoning District</u>
RMF-0.5	Multifamily Residence
RMF-0.7	Multifamily Residence
RMF-1.3	Multifamily Residence
RMF-SC – 4.0	Multifamily Senior Citizen

The RMF-0.5 zoning district covers the Blessed Sacrament complex within the proposed DO-3 Zone. Within the Study Area, RMF-0.7 zoning districts are located in the proposed DO-5 Zone, on either side of the DB zone that encompasses North Avenue properties. A RMF-1.3 zoning

district encompasses the multifamily buildings to the east of New Roc City and along Main Street; another RMD-1.3 zoning district fronts to the west side of Franklin Avenue within the proposed DO-3 Zone. Lastly, the RMF-SC-4.0 zones are both located in the proposed DO-3 Zone – one site is to the north of the RMF-1.3 site along Franklin Avenue; the other district includes properties that are located on the north side of Prospect Street.

The four districts allow the following as permitted uses:

- One-family dwellings
- Two-family dwellings
- Multifamily dwellings
- Public private schools
- Houses of worship

In addition, the RMF-0.5, RMF-0.7 and RMF-1.3 allow existing universities, colleges and private schools subject to conditions. The RMF-1.3 zoning district only permits *“office space for physicians, surgeons and dentists, located within the lobby or the lowest residential story of a multifamily dwelling”* and subject to conditions.

The RMF-SC-4.0 does not allow existing universities and colleges by right, but does permit *“federal or state subsidized housing for senior citizens by profit or nonprofit institutions or foundations, no part of the net earnings of which insures to the benefit of any private stockholder, contributor or individual pursuant to the provision of Section 202 of the Federal Housing Act of 1959 or any amendment thereof.”*

The RMF-0.5, RMF-0.7 and RMF-1.3 allow the following uses by special use permit approval:

- The establishment of new or the expansion of existing universities, colleges and private school campuses subject to conditions
- Amateur radio subject to conditions
- Cellular transmission antenna radio station operators subject to conditions
- Off-street parking adjacent to non-residence districts subject to conditions
- Accessory uses for all uses permitted by special permit.
- Playgrounds, sports courts, swimming pools, tennis courts and recreation buildings owned by a neighborhood association for the exclusive use of members of such association, provided that no entertainment, live or mechanical, or the use of outdoor public address systems or excessive exterior public lighting shall be permitted.
- Public utility uses subject to conditions
- Attached dwelling units, not to exceed two attached dwelling units in a building, subject to conditions

In addition, the RMF-1.3 district allows *“federal or state subsidized housing for senior citizens by nonprofit institutions pursuant to Section 202 of the Federal Housing Act of 1959 or any amendment, and “medical, dental or professional person office”* by special use permit.

The RMF-SC-4.0 district allows a more limited range of special uses, including: cellular transmission antennas and other public utility use and structures; off-street parking adjacent to nonresidential districts; playgrounds, sports courts, swimming pools, tennis courts and recreation buildings owned by a neighborhood association for the exclusive use of members of such association; public utility uses and attached dwelling units, not to exceed two attached dwelling units in a building.

Note that although the Zoning Code indicates that the “Hospital” zoning district is a mixed use district, the dimensional requirements are provided on the residence district dimensional requirements table (331 Attachment 1 of the Zoning Code).

**Table 3.1-3** lists several of the dimensional requirements that apply to the residence districts in the Study Area, intended to highlight the primary differences in how properties in the districts are regulated.

**Table 3.1-3  
SELECT RESIDENCE DISTRICT DIMENSIONAL REQUIREMENTS – STUDY AREA**

Zoning District	Max Floor Area Ratio	Max Building Height, Stories	Max Building Height, Feet	Max Building Coverage (%)	Max Impervious Surface Coverage (%)	Min Lot Area (square feet)	Min Lot Area per Dwelling Unit (square feet)
RMF-0.5	0.50	3	35	30	60	7000	3,500 per unit for first two units; 3,500 for each additional unit
RMF-0.7	0.70	3	40	35	60	7000	3,500 per unit for first two units; 3,500 for each additional unit
RMF-1.3	1.3	---	70	40	65	7000	3,500 per unit for first two units; 2,500 for each additional unit
RMF SC 4.0	4.0	---	120	50	80	20,000	250
H	3	14	180	70	95	12,000	-----
Notes: Min = Minimum; Max = Maximum							

The minimum lot width and frontage is 70 feet, except for the RMF-SC-4.0 district, which is 100 feet. As is evident from a review of **Table 3.1-3**, the building scale and intensity of residential development increases from the RMF-0.5 to the RMF-SC-4.0 district. The allowable maximum building height also increases, from 35 feet upwards to 120 feet. Given the increasing scale and density of the RMF districts, the maximum building coverage and maximum impervious coverages



also increase. The RMF-SC-4.0 zoning district requires a larger minimum lot area, 20,000 square feet, but also allows the highest residential density, at 250 square feet lot area per dwelling.

### *Commercial/Industrial Zoning Districts*

Five (5) zoning districts are classified as “Commercial/Industrial” zoning districts as per Section 331-5 of the Zoning Code. They are:

<u>Designation</u>	<u>Zoning District</u>
C1-M	General Commercial Modified
DB	Downtown Business
NB	Neighborhood Business
LSR	Downtown Large Scale Retail
LI	Light Industry

The C-1M district encompasses much of the area within the proposed DO-4 Zone, on the east side of Cedar Street. The DB district includes much of the area that fronts on North Avenue in the proposed DO-5 Zone, and along Main Street as it travels through multiple DO Zones. The NB districts are found in proposed DO-2 Zone between Garden Street and I-95, and along North Avenue in the proposed DO-3 Zone. A small NB zone is situated at the westerly end of the Study Area where Main Street and Huguenot Street “split”. Only a very small portion of the Study Area is zoned LSR – it encompasses a triangular landscaped area formed by River, Spring and Cedar streets in the proposed DO-4 Zone. Lastly, the LI zoning district includes much of the neighborhood in and around Pine Street to the north of Huguenot Street within the westerly portion of the DO-3 Zone. A small LI district is found in the proposed DO-2 Zone on the north side of Garden Street.

The uses that are allowed in the commercial/industrial zoning districts are extensive, and sometimes vary in small degrees. **Table 3.1-4** provides a generalized list of uses allowed in these districts. Uses may be additionally subject to specific conditions set forth in the Zoning Code, particularly the special permit uses listed below.

**Table 3.1-4  
COMMERCIAL/INDUSTRIAL DISTRICT USE REQUIREMENTS – STUDY AREA**

	<b>C1-M</b>	<b>DB</b>	<b>NB</b>	<b>LSR</b>	<b>LI</b>
<b>Allowable Uses</b>					
Business, professional, or governmental offices, excluding medical and dental offices	P				
Business, professional, or governmental offices			P	P	P
Business, professional, or governmental offices, to be located above first floor		P			

	<b>C1-M</b>	<b>DB</b>	<b>NB</b>	<b>LSR</b>	<b>LI</b>
Medical care facilities above first floor		P			
Medical laboratories					P
Stores and shops exclusively for sales at retail or the performance of customary personal services	P		P	P	
Stores and shops for sales at retail or the performance of customary personal services, excluding the sale of building materials, stone, lumber, coal, other fuels or other materials or products		P			
Stores and shops for sales at retail, provided that such products are manufactured or assembled on the premises and that not more than 30% of the gross floor area of the structure on the premises shall be devoted to such retail use					P
National brand retail establishment, including accessory fully enclosed storage, repair, servicing, and customizing of merchandise sold by the national brand retailer and other complementary accessory uses, which accessory uses shall not constitute more than 40% of the total gross floor area of the establishment				P	
Large scale major retail outlets	P			P	
Retail laundries and dry cleaners			P		
Tattoo studio	SP	SP			
Theaters up to a capacity of 200 persons.	P	P (no capacity limit)			
Bowling alleys	P	P			
Skating rinks	P	P			
Banks	P	P	P	P	
Billiard hall	SP	SP	SP		
Indoor tennis courts and indoor racquetball and squash courts	P	P(tennis only)		P	
Indoor wall or rock climbing facility				X	
Health club (LI district also allows "...and recreational club)		P	P		P
Martial arts studios, dance studios and aerobic exercise studios (in DB district above first floor only)	P	P	P		
Restaurants	P	P	P	P	
Restaurants, carry-out		P	P	P	
Microbrewery with sit down restaurant		SP			
Cabaret accessory to restaurant	SP	SP	SP	SP	
Outdoor dining area	A	SP	SP		

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	<b>C1-M</b>	<b>DB</b>	<b>NB</b>	<b>LSR</b>	<b>LI</b>
Catering hall		P	SP		
Clubs		SP			
Membership club			SP		
Hotels		P			
Funeral parlor		P			
Manufacture of products for retail sale on the premises only, provided that not more than five persons shall be so employed at any one time, and provided further that not more than 30% of the gross floor area of any establishment be so used	P		P		
Manufacture, fabrication, finishing or assembling of products, in fully enclosed buildings					P
Printing plant					P
Businesses which store, package and ship products to wholesale or catalog retail establishments which utilize the internet		P			
Wholesale businesses, including storage, warehousing and distribution, in fully enclosed buildings					P
Self-storage facilities			SP	SP	P
Animal hospital			P		P
Dwelling units located on the second floor and above only, including living/loft or office arrangements		P	P		
Municipal uses	P				
Community purpose buildings			P		
Greenhouses, nurseries, arboretums				SP	SP
Off-street parking facility	P	P	P		
House of worship	P	P	P	P	P
Daycare center		SP	SP	SP	SP
Nursery school				A	
Schools			SP		
College-related uses		P			
College-related uses within 1,500 feet of the college and/or university's main administrative building	P				
Business or trade schools, to be located above first floor		P			
Boatyard	P				
Car wash	SP		SP		SP
Motor vehicle dealership	SP			SP	SP
Motor vehicle rental agency	SP				P
Motor vehicle filling and service station	SP		SP		SP
Motor vehicle service or repair facility					SP
Outdoor storage of motor vehicles				SP	SP

	<b>C1-M</b>	<b>DB</b>	<b>NB</b>	<b>LSR</b>	<b>LI</b>
Enclosed storage of passenger vehicles					P
Open or enclosed storage of passenger and commercial vehicles					P
Storage of commercial or industrial vehicles or construction equipment in fully enclosed buildings.					P
Public utilities	SP	SP	SP	SP	SP
Any other nonresidential use permitted by special permit under Article XII					SP
Amusement devices	A	A	A		
Satellite earth station or dish antennas	A	A	A		A
Radio stations and transmission towers.					P
Cellular antennas	SP	SP	SP	SP	SP
P = Permitted Use; SP – Special Permit Use; A – Accessory Use					

Note that the DB and NB districts allow residential uses within the upper floors of buildings only.

**Table 3.1-5** provides select dimensional requirements for the applicable zoning districts.

**Table 3.1-5  
COMMERCIAL/INDUSTRIAL DISTRICT DIMENSIONAL REQUIREMENTS –  
STUDY AREA**

<b>Zoning District</b>	<b>Max Floor Area Ratio</b>	<b>Max Building Height, Stories</b>	<b>Max Building Height, Feet</b>	<b>Max Building Coverage (%)</b>	<b>Max Impervious Surface Coverage (%)</b>
C1-M	1.0	2	30	100	100
DB	2.0	6	70	90	100
NB	0.5	2	30	50	95 (50%)
LSR	1.0	---	50	70	100
LI	1.0	2	40	60	90
Standards for these districts are in both the zoning text and dimensional table. For the NB district, 331 Attachment 3 indicates the maximum impervious surface coverage is 95%, and Section 331-71 indicates maximum lot coverage (all impervious surfaces) is 50%.					

Of the commercial/industrial zoning districts, the DB district allows the largest buildings (FAR 2.0) and the tallest buildings, at 70 feet and six (6) stories. The LSR zoning district does not regulate stories, but does allow a maximum height of 50 feet.

#### *Mixed Use Districts*

Five (5) zoning districts are classified as “Mixed Use” zoning districts. They are:

<u>Designation</u>	<u>Zoning District</u>
DMU	Downtown Mixed Use
DMUR	Downtown Mixed Use Urban Renewal
H	Hospital
MUFE	Mixed Use Family Entertainment
NA	North Avenue

The DMU and DMUR zoning districts are located centrally in the downtown area, and straddle the DO-1, DO-2 and DO- 4 Zones. These two zones encompass the New Rochelle Transit Center, Trump Plaza, and the two high-rise multifamily residential complexes downtown. The H district is limited to a block formed by Memorial Highway, Lockwood Avenue, Sickles Avenue, and May Street in the DO-5 Zone. The MUFE zoning district coincides with the New Roc City development and several properties on the west side of Lecount Place within the proposed DO-2 Zone. The NA zoning district encompasses the entirety of the Study Area to the north of Memorial Highway's intersection with North Avenue – it is included in both the proposed DO-5 and DO-6 Zones. A generalized use table for the mixed use zoning districts is provided below. Uses may be subject to specific conditions, particularly the special permit uses listed below.

**Table 3.1-6**  
**MIXED USE DISTRICT USE REQUIREMENTS – STUDY AREA**

	<b>DMU</b>	<b>DMUR</b>	<b>H</b>	<b>MUFE</b>	<b>NA</b>
<b>Allowable Uses</b>					
One-family dwellings and attached dwelling units, two-family dwellings, and multifamily dwellings as permitted and regulated in the RMF-0.4 Residence District			P		
Multifamily apartment buildings (Multifamily dwellings in DMUR)	P	P			
State or federally-aided nonprofit senior housing or turnkey senior housing			P		
Mixed use commercial/residential with dwelling units located on the second floor and above only	P				
Dwelling units located on the second floor and above only, including living/loft or office arrangements					P
Conversion of buildings used for hospital-related housing			SP		
Business, professional, or governmental offices	P	P		P	P

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	<b>DMU</b>	<b>DMUR</b>	<b>H</b>	<b>MUFE</b>	<b>NA</b>
Stores and shops for sales at retail, or the performance of customary personal services	P	P		P	P
Banks	P	P		P	P
Hotels	P	P		P	
Bars	SP			SP	
Restaurants	P	P		P	P
Restaurants, carryout					P
Outdoor dining	SP	SP		SP	SP
Cabarets accessory to a restaurant use	SP	SP		SP	SP
Lounge as accessory to a restaurant use					SP
Catering facilities					SP
Retail laundries or retail dry cleaners					P
Health clubs (and social or recreational clubs in DMU)	P	P		P	
Indoor skating rinks				P	
Dance studios, martial arts studios, aerobic exercise studios				P	P
Tattoo studios	SP	SP			
Theaters				P	
Fully enclosed amusement establishments				P	
Family entertainment center				SP	
Billiard halls	SP				SP
Libraries and museums		P			
Houses of worship	P	p	P	P	P
Funeral parlor	SP				
Public schools			P		
Schools					SP
Schools located on the second floor only	SP	SP			
Daycare centers	SP	SP			SP
Business or trade school, to be located above the first floor					P
Community purpose buildings			P		P
The establishment of new or the expansion of existing universities, colleges and private school campuses			SP		
College-related uses within 1,500 feet of the college and/or university's main administrative building.	P				SP
Hospital and related facilities, including nursing schools, and housing for staff members, nurses and interns, resident physicians, researchers, employees, faculty			P		

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	<b>DMU</b>	<b>DMUR</b>	<b>H</b>	<b>MUFE</b>	<b>NA</b>
members, students and their immediate families; sanitarium for noncontagious diseases; private propriety nursing homes; and private propriety convalescent homes					
Medical and dental offices			P		
Medical care facilities			P		SP
Medical laboratories including biotechnology facilities			P		
Clinical laboratory	SP				
Businesses which store, package and ship products to wholesale or catalog retail establishments which use the internet	SP				
Motor vehicle rental agency	SP	SP		SP	
Railroad stations		P			
Off-street parking facilities	P	p		P	SP
Public utilities	SP	SP	SP	SP	
Cellular antenna	SP	SP	SP	SP	SP
Amateur radio towers			SP		
Uses and structures which are clearly incidental and customarily accessory to the permitted principal use on the lot on which they are located.	A	A	A	A	A
Accessory uses for all uses permitted by special permit.			SP		
For owner-occupied dwellings only, the renting out of not more than one non-housekeeping room to not more than two persons.			A		
Family care and group family care as regulated and licensed by a federal or state agency.			A		
Home occupations and office of professional persons			A		
Amusement devices				A	A
The parking of up to four licensed motor vehicles for a one-family dwelling and three per dwelling unit for a two-family or multifamily dwelling, but not less than the minimum parking			A		
The storage of boats, camper trailers, motor homes, pickup coaches, and travel trailers			A		
Satellite earth station or dish antennas	A	A	A	A	A
Swimming pools	A	SP (outdoor)	A (private)		



	<b>DMU</b>	<b>DMUR</b>	<b>H</b>	<b>MUFE</b>	<b>NA</b>
Sports courts	A	A			
Sports courts, play structures, sheds, doghouses, fences, walls, other structures			A		
The keeping of household pets	A	A	A		
Light Industry	A				
Light manufacturing of products for retail sale on the premises only, provided that not more than five persons shall be so employed at any one time, and provided further that not more than 30% of the gross floor area of any establishment be so used.		A			P
P = Permitted Use; SP – Special Permit Use; A – Accessory Use					

The North Avenue (“NA”) zoning district dimensional requirements are set forth in Section 331-73.1 of the Zoning Code and presented in **Table 3.1-7** below. Commercial buildings in the NA District must front on North Avenue and provide appropriate screening to any residential uses that abut commercial properties.

**Table 3.1-7**  
**MIXED USE DISTRICT DIMENSIONAL REQUIREMENTS – STUDY AREA**

<b>Zoning District</b>	<b>Max Floor Area Ratio</b>	<b>Max Building Height, Stories</b>	<b>Max Building Height, Feet</b>	<b>Max Building Coverage (%)</b>	<b>Max Impervious Surface Coverage (%)</b>
DMU	4	20	240	100	100
DMUR	5.5	24	280	100	100
H	See Table 3.1-3 above.				
MUFE	3.0	12	250	100	100
NA	2.0	3	40	70	90

The DMU and DMUR zoning districts allow the highest intensity of uses, in terms of maximum allowable FAR, and also allow the tallest buildings, at 20 and 24 stories. Building heights can be increased through application of density bonuses described below.

#### *Floating and Overlay Districts*

The following additional overlay or floating districts apply to properties within the Study Area:

<u>Designation</u>	<u>Zoning District</u>
DDB	Downtown Density Bonus
NBTOFZ	NB Transit Oriented
WBD-F	West Downtown Business
CPA	Central Parking Area
COZ	Cabaret Overlay Zone

Downtown Density Bonus (DDB): The DDB Floating Overlay zone regulations are set forth in Section 331-154 of the Zoning Code. A floating overlay zone is an unmapped district that, at the discretion of the City Council, may be superimposed on one or more underlying “base” zoning districts which may be used to impose supplemental restrictions on uses in these districts, permit uses otherwise disallowed, or implement some form of density bonus or incentive bonus program. The primary distinction with a floating overlay zone is that it is not mapped until legally adopted.

The purpose of the DDB zone is to encourage redevelopment that has significant public benefits and enhances the character of the Downtown area and the area on North Avenue between Burling Lane and Memorial Highway. Density bonuses are intended to give property owners incentives to provide public benefits, such as improved parks and open space, new public parking, improved pedestrian areas, and preservation of the Downtown's historic character, in conjunction with the development of mixed-use projects. The intent is to either redevelop certain large underutilized areas with mixed-use projects to create a vibrant mix of residential, office, hotel, retail, and entertainment uses to serve both resident and nonresident (e.g., office and visitor) populations or to encourage re-occupancy or adaptive reuse of smaller properties along Main Street in a manner consistent with the smaller-scale Main Street character.

To be eligible, a site must be located within the DB, DMU, or DMUR zoning district, in the Central Parking Area as shown on the City Zoning Map. A development site in the DB zone shall also be eligible for the density bonus if it is located on North Avenue between Burling Lane and Memorial Highway. The site, in the DMU or DMUR zoning district, must consist of a parcel or assemblage of parcels with an area of at least 60,000 square feet – it must also be located within 500 feet of the New Rochelle Transit Center, or a public parking facility with greater than 300 parking spaces. In the DB zoning district, the site must consist of a parcel or assemblage of parcels with an area of not greater than 60,000 square feet – it must also be located within 500 feet of any public parking facility, although the City Council may, in its discretion, waive the distancing requirement for a development site in the DB zoning district. The permitted uses are the same as those allowed in the underlying districts.

The bonuses under existing zoning can consist of additional floor area ratio (FAR) or building height. However, in no event can the total FAR for a development site exceed 4.0 in the DB, 5.5 in the DMU, or 11.5 in the DMUR. Height bonuses not exceeding a maximum of 500 feet may be provided to a development in the DMU or DMUR Zoning Districts, and a total maximum height not exceeding 165 feet may be provided to any development site in the DB Zoning District, subject to density incentives and various criteria. The Zoning Code provides a list of public benefits which shall be pursued in order for the density bonuses to be approved. These include:

- Provision of new public parking in excess of that required for proposed uses and which provides a significant public benefit, or significant improvement or replacement of an existing parking facility.
- Provision of new publicly accessible open space on-site or anywhere within the DB, DMU, or DMUR Zoning Districts in the Central Parking Area, and/or improvements to existing open space or streetscape in excess of any improvements otherwise required by the Zoning Code.
- Provision of publicly accessible or publicly dedicated, open or enclosed program space on-site or anywhere within the DB, DMU, or DMUR Zoning Districts in the Central Parking Area
- Commitment to design and construct a project to achieve United States Green Building Council Leadership in Energy and Environmental Design (LEED) certification at any of the following levels: Silver, Gold, Platinum
- Provision of a minimum of 100,000 square feet of office and/or hotel with conference center use
- Protection, conservation, or renovation of historic site or building element of historic quality
- Maintain and enhance the overall architectural character, massing, and urban design of Main Street, furthering its critical role as a pedestrian-scaled retail destination
- Provision of public access between Main Street and public or private parking facilities
- New construction with high-quality design that is in context with adjacent buildings or that serves to enhance the downtown visual environment

NB Transit Oriented (NB-TOFZ): This zone applies to properties in the triangular Neighborhood Business (NB) district immediately north of the Transit Center for purposes of allowing appropriate parcels to be developed with a moderately higher density and building height than currently allowed under the existing NB regulations. The NB-TOFZ zone creates specific site criteria and development guidelines to identify parcels that can be appropriately developed to a moderately higher density without a significant negative impact on the downtown's existing assets. To be eligible, a parcel must meet the following criteria:

- The entire development parcel is located within the Triangular NB Zoning District immediately north of the New Rochelle Transit Center generally delineated by Burling Lane on the first side of the triangular area, the I-95 right of way on the second side, and Memorial Highway on the third side.
- It is located within 1,320 feet walking distance to the New Rochelle Transit Center site.
- The site is at least 15,000 Square Feet in aggregate lot area.

The City Council must approve the petition to apply the zone to an eligible parcel. Permitted principal uses include but are not limited to: residential condominium or cooperative apartment multifamily dwelling units, for sale or rental, only above the ground floor; professional or medical offices; medical laboratories including biotechnology facilities, medical research uses, medical care facilities, and similar medical-related nonresident commercial uses; stores and shops

exclusively for sale at retail or the performance of customary personal services; banks; restaurants; health clubs. Cell towers, public utilities, and clinical labs would be allowed by special use permit approval.

A building can have a maximum FAR of 2.0, and a maximum building height of 6 stories or 70 feet. Any development is also subject to design principals and guidelines, and is subject to Professional Architectural Review Committee (“PARC”) review prior to Planning Board site plan approval.

West Downtown Business (WDB-F): This floating zone may be applied to the triangular-shaped area (target area) located west of Centre Avenue, north of Main Street and south of Huguenot Street within the DB zone. According to the Code, in the target area, there is less pedestrian activity and more vacant, deteriorated and underutilized conditions that this area is appropriate for improvements to promote potential future redevelopment. The WDB-F creates specific site criteria and development guidelines to identify parcels and projects that can be appropriately developed at a higher density without a significant negative impact on the downtown's existing assets. Not all parcels within the target area are appropriate for higher density and the City Council must approve any zone petition to apply the floating zone to this area.

Eligibility requirements include:

- The entire development parcel is located in the triangular area west of Centre Avenue, north of Main Street and south of Huguenot Street within the Downtown Business District.
- The development parcel is either vacant or contains buildings in deteriorated condition that adversely impacts downtown revitalization.
- The current or permitted uses on the development parcel are not compatible with the downtown revitalization effort or may adversely impact the quality of life in the downtown.
- The development parcel is at least 35,000 square feet in size at the time of this enactment.
- Parking that meets the requirements for residential use can be provided on site.
- The development parcel must allow the major facades, entrances and internal activities to be oriented toward Main Street and provide strong pedestrian connections to Main Street.
- New construction over two stories in height shall be set back at least 55 feet from Main Street.

The permitted uses, accessory uses, and uses allowed by special permit are the same as those permitted under the DB district, except that pre-existing and new cabarets and bars are prohibited on any property rezoned to and developed pursuant to the WDB-F Zoning. The maximum building height is 250 feet and 20 stories. The maximum permitted FAR is 5.0 for all residential and nonresidential uses combined.

Like the NB-TOFZ district, the WDB-F zone is also subject to design principles and guidelines, including but not limited to:

- All buildings, facilities and public areas shall reflect a high-quality level of architectural expression and design;

- Building facade and public area design shall be compatible with existing community character, improve the streetscape and promote pedestrian circulation onto Main Street;
- Building design shall incorporate existing buildings or facades wherever reasonably appropriate;
- Major facades and entrances shall be oriented toward Main Street or the other arterial streets where they are located wherever reasonably appropriate;
- Street level facades shall add interest to the pedestrian environment and should not detract from the pedestrian experience by interposing blank walls or parking facilities that directly front Main Street;
- Ground floor store fronts and retail activity shall be used to integrate the building functionally with Main Street wherever reasonably appropriate;
- Structured on-site parking shall be provided for residential uses.

Central Parking Area (“CPA”): The purpose of the Central Parking Area zone is to provide less restrictive parking standards than in other areas of the City, because of the availability of public transportation, the proximity to the Intermodal Transit Center, the availability of on-street and off-street public parking facilities, and the possibility of multiple trips by foot to various locations within the Central Parking Area. The applicability of CPA requirements are found in Section 331-126 of the Zoning Code. In the standards related to parking requirements, the CPA require fewer parking spaces for certain uses than required outside the zone (see **Section 3.6**).

Cabaret Overlay Zone was established to improve the function, aesthetics and manageability of this particular land use and to provide the City of New Rochelle with a better method of control and enforcement. The Cabaret Overlay Zone encourages accessory cabaret uses in specific designated areas of the City that are more urban and commercialized and are more appropriate locations for this use while limiting the expansions of such uses to more residential neighborhoods. It limits cabarets to the major commercialized areas and the arterial routes through the City including almost the entire length of Main Street, commencing at the City's border with Pelham and ending at the intersection of Main Street and Stephenson Boulevard, and Huguenot Street and the portion of North Avenue zoned DB.

### *Parking*

The existing parking standards in the Downtown Study Area includes the Off-Street Parking and Loading standards defined in Article XIV of the Zoning Code as well as the Central Parking Area defined as an Overlay Zone in Section 331-126. The boundaries of the existing Central Parking Area are shown on the City’s existing zoning map (also shown in an illustration in **Section 2.4**) and discussed in **Section 3.6**.

#### 3.1.1.3 Plans

The City of New Rochelle has proactively initiated various planning efforts throughout its history, including planning which focuses specifically on the downtown and Study Area. This section

summarizes more recent efforts relative to the Study Area. These studies include but are not limited to:

- The 1995 Comprehensive Plan
- Comprehensive Plan Update
- Transit Oriented Smart Growth Study
- North Avenue Corridor Study 2008 and 2015 Update
- Traffic Circulation and Gateways to the City's Downtown
- Westchester 2025
- Patterns for Westchester: The Land and the People

### *1995 Comprehensive Plan*

A Comprehensive Plan is the primary document which sets forth a community's aspirations, and sets the framework for land use and zoning recommendations. The 1995 Comprehensive Plan goals provide an essential foundation for the revitalization recommendations of the Recommended Action Plan for Downtown. Key recommendations relative to the Study Area include:

1. Design and improve a comprehensive transportation and mobility plan that is safe, efficient, and accessible and which can more fully connect the urban core of the City to the outlying neighborhoods thereby spurring economic development, fostering sustainable growth, attracting public and private investment and creating new jobs.
2. Create and design an infrastructure plan that enhances the City.
3. Preserve the City's historic and cultural resources and establish a cohesive visual image of the City therefore enhancing and creating a vibrant public space for its citizens.
4. Enhance, preserve, and maintain existing open space and recreational facilities.
5. Preserve and strengthen the economic viability of the City's existing businesses and determine how to capitalize upon its economic assets to provide expanded opportunities for job creation and income growth to attract new businesses and provide employment in existing and growing economic areas all to create an expanded and strengthened tax base.
6. Provide for the enhancement and preservation of various City neighborhoods and include a wide range of housing options which are safe and affordable for current and future residents; including seniors, young professionals, families, and a growing regional population. Such plans should improve access to housing, address inequality, promote integration and positive growth, be sensitive to the range of needs that exist in the City, and recognize and celebrate the diversity of New Rochelle's population.

### *Comprehensive Plan Update (initiated in 2012)*

The 1995 Plan is now 20 years old, and best planning practices calls for revisiting plans to determine whether the goals, objectives and policies are still relevant, and whether revisions to same are required. Given the national economic recession that occurred, and changes in market and other conditions within the City, it was prudent to initiate a planning process to reassess this important planning document.

The Update states as follows, relative to the Study Area: *“To best realize the dual goals of preserving the existing character of the residential neighborhoods, while promoting economic development and growth in the downtown, the City proposed to have planning for the Downtown and entire City occur concurrently. An extensive public engagement process is being conducted to invite community input throughout the entire planning process. By promoting redevelopment of catalytic municipally-owned and privately owned sites in the Downtown, the City seeks to promote economic development, reduce tax burdens on residents, promote job creation, revitalize the downtown, improve transportation access and realize many of sustainability goals.”*

#### *Transit Oriented Development Smart Growth Study*

This Study was prepared by Crosby Schlessinger Smallridge for the City of New Rochelle and the New York-Connecticut Sustainable Communities Consortium. The stated goal of the study was *“to promote sustainable mixed-use development, including the integration of mixed-income and energy efficient developments, with existing uses.”* The study further highlights three major goals: *“to identify areas where significant development opportunities exist and where new development can enhance Downtown and existing neighborhoods; to identify streets and pathways to serve as the primary corridors to the Transportation Center for both existing neighborhoods and the new development districts; and to improve the environment in and around the Transportation Center and create the opportunity for streetscape and open space that enhance Downtown and the transit rider's experience.”*

Key recommendations of the study include:

1. Existing zoning in some areas, with height restrictions of two or three floors and allowable auto-oriented uses, does not accommodate or encourage the uses and densities desired in a TOD district.
2. Pedestrian and bicycle connections between the existing train station and other subdistricts within the 1/2 mile radius need improvement.
3. Regional transportation improvements providing better connections to NYC will strengthen market for housing and commercial space
4. The commercial real estate market in Westchester County is showing strong growth.
5. There are opportunities for significant redevelopment in several locations throughout the project area, but most of these opportunities require parcel consolidation to create parcels of sufficient size.
6. Redevelopment potential around the existing train station provides the opportunity for a new/expanded station to better serve transit patrons.

#### *North Avenue Corridor Study 2008 and 2015 Update*

Prepared by AKRF for the City of New Rochelle, the purpose was to revitalize the North Avenue corridor from Burling Lane to Eastchester Road – this is the segment of North Avenue north of the I-95 corridor. The study analyzes existing conditions along the North Avenue corridor regarding land use patterns, building densities, traffic and parking, infrastructure and zoning regulations, identifies opportunities for development and improvement, and provides



recommendations for changes to the Zoning Code designed to “*build upon the corridor’s opportunities and facilitate redevelopment on vacant and underutilized parcels.*” An Update Report was produced in January 2015 to provide revised planning and zoning recommendations for the corridor, and create a “design based framework” to supplement the initial study’s regulatory focus. Key recommendations of this study include:

1. Create a Master Plan and Design Guidelines for the sub-districts within the project area.
2. Amend the Zoning Code to increase flexibility and responsiveness to market conditions and incentivize consolidation of building lots.
3. Employ a form-based strategy to shape the form of the North Avenue corridor.
4. Revise parking requirements for new development based on current and future transportation trends for sites within 1/2 mile of the transit hub
5. Revise parking requirements for small parcels - Lots <20,000SF
6. Shared parking should be allowed, encouraged and facilitated
7. Enhance and expand pedestrian space within the North Avenue corridor
8. Make North Avenue a ‘Complete Street’

#### *Traffic Circulation and Gateways to the City’s Downtown*

This study, prepared by Nelson\Nygaard Associates, recommends changes to the downtown transportation system designed to improve traffic flow, connectivity, multimodal accessibility, transit access and pedestrian and bicycle friendliness. In total, the report identifies eleven target locations in need of improvement and suggests eighteen key projects to be implemented over various timeframes. Key recommendations include:

1. Improve pedestrian, bicycle, vehicular and transit access to the train station
2. Enhance sidewalks, crosswalks, bicycle facilities and signage throughout downtown
3. Make North Avenue a “complete street” with a “road diet”
4. Convert Main and Huguenot to two way streets
5. Create a circulator shuttle loop connecting downtown to major institutions
6. Create pedestrian “laneways” linking destinations throughout the downtown
7. Connect downtown to the waterfront through improved connectivity and wayfinding
8. Address safety issues at “problematic junctions”
9. Upgrade signage, wayfinding and street naming

#### *Alternative Futures for New Rochelle: The Next Generation Live/Work City, 2013*

This architecture and urban design study was prepared by the Graduate School of Architecture, Planning and Preservation and the Urban Design Lab. It recommends:

1. Harbor and incentivize cluster economies such as biomedical, research and development, media, pharmaceutical, education and the arts.
2. Adopt regulations that incentivize potential developers to adopt green infrastructure strategies.

3. Provide more spaces of interaction in order to bridge the social divide and create spaces of exchange between different socioeconomic groups.
4. Locate activities of recreation and relaxation in civic spaces and along New Rochelle's waterfront.
5. Improve existing infrastructure by utilizing regional resources and capitalizing on the economic opportunities embedded in the City.

### *GreenNR Sustainability Plan*

The City's sustainability plan offers ten (10) goals and corresponding plans of action to provide the community with a practical, realistic starting point for attaining a more sustainable community. The ten goals for the 20-year period ending in 2030 are as follows:

1. Reduce energy use and CO2 emissions by at least 20%.
2. Cut non-recycled solid waste generation by 15% and increase recycling rate to 50%.
3. Preserve natural spaces and restore water bodies.
4. Reduce run-off from a 1-inch rain event by 25 million gallons.
5. Decrease sewage flow by at least 2 million gallons in peak hours.
6. Build at least 95% of new housing near mass transit.
7. Open at least one additional mile of the Sound shore to the public.
8. Plant at least 10,000 new trees on public property.
9. Create a comprehensive walking and bicycling system.
10. Subscribe at least half of all households to the City website.

To achieve these goals, New Rochelle's sustainability plan establishes an action plan comprising six planning areas, each with specific goals and implementation strategies. The six planning areas are: Energy & Climate; Resource Conservation & Water Reduction; Ecology, Biodiversity, & Public Health; Smart Growth & Economic Prosperity; Transportation & Mobility; and Public Participation & Awareness. Key recommendations include:

1. Transit-Oriented Smart Growth: Implement a comprehensive strategy to promote commercial and residential development in proximity to the New Rochelle Transit Center, while restricting undesirable growth in lower-density areas.
2. Waterfront Access & Enjoyment: Improve and expand access to Long Island Sound by reclaiming contaminated land for public use including at least one additional mile of shoreline, establishing better links among waterfront parks, and enhancing recreation and tourism opportunities.
3. Peripheral Node Planning Standards: Update New Rochelle's Comprehensive Plan to better define optimum scale, land use patterns, density and architectural design for peripheral commercial and mixed-use hubs and corridors, with an emphasis on contextual design.
4. Green Business & Job Creation: Foster green job growth and attract additional green businesses to New Rochelle, while also enhancing access to training, particularly for under-skilled or under-employed residents.

5. Workforce Housing: Promote appropriate workforce housing development, especially through the integration of workforce housing units into market-rate projects, while discouraging the excessive concentration of subsidized housing.
6. Creative Capital: Employ various land use, marketing, and incentive methods to attract a larger “creative class” to New Rochelle, stimulate demand for underutilized built space, and realize the economic benefits associated with arts and culture.

*Mid-Hudson Economic Development Strategy, 2011*

Prepared by the Mid-Hudson Region Economic Development Council, this study is intended outline measures to foster economic growth and encourage job creation in the seven county Mid-Hudson region. Recommendations include:

1. Target job-creation investments in the region’s developing technology-based industries such as biotechnology, high-tech manufacturing, and information technology with a “clustering” strategy.
2. Undertake initiatives to retain and stimulate more mature industries such as distribution, financial and professional services, food and beverage, and health care.
3. Leverage the region’s outstanding natural resources, its tourism industry, and agriculture in a “natural infrastructure” strategy that protects agriculture and the environment and recognizes these as important to tourism and as quality of life attributes that are critical to attracting and retaining high-quality jobs for all key industry sectors.
4. Improve key regional infrastructure to make the region more business-ready.
5. Foster housing investment to attract jobs to the region, create construction jobs, and support the overall health of the regional economy through a vibrant housing market.
6. Support the revitalization of our urban centers as engines of regional prosperity.
7. Enhance the region’s talent pipeline through its colleges and universities, One-Stop Career Centers, BOCES, school systems, public libraries and library systems, and child care system.
8. Promote entrepreneurship, start-ups, and small businesses through a variety of measures that will make it easier to access public- and private-sector resources for access to capital, workforce training, and business and technical consulting.
9. Make the Mid-Hudson region more attractive to young educated professionals in order to stop “youth flight” and “brain drain” in the region.
10. Align public-private support to ensure implementation of the regional Plan and consideration of new opportunities.

*Patterns for Westchester: The Land and Its People in 1996*

The Westchester County Planning Board published. Patterns for Westchester is the adopted master plan of the Westchester County Planning Board, with updates from the Westchester 2025 adopted in 2010. The Patterns Plan provided policies for development and provides guidance to the forty five municipal governments in the county for land use related decision-making.

New Rochelle is identified as one of the four major urban centers in Westchester (along with Mount Vernon, White Plains and Yonkers) and the Plan recognizes that these are the areas with the highest density of development and have the most extensive infrastructure (which may be old and in need of repair). The Plan recognizes that New Rochelle, as an urban center, provides an employment and mercantile center and supporting services and facilities. Though urban centers, including New Rochelle, contain little vacant land, the Plan recognized the potential for residential and commercial redevelopment opportunities. Finally, the Plan proclaims that downtown revitalization is essential to each individual city's economic viability and also stresses that the redevelopment and revitalization of each of these centers is critical to Westchester's well-being.

*Westchester 2025 / plan together, "Context for County and Municipal Planning and Policies to Guide County Planning", 2010*

Westchester County is in the process of preparing a new master plan, building upon the 1996 "Patterns for Westchester" adopted plan. The 1996 Plan sections ("Assumptions" and "Policies") have been replaced by the Westchester 2025 section "Context for County and Municipal Planning and Policies to Guide County Planning" which was adopted by the county's Planning Board on May 6, 2008 and amended January 5, 2010. This section describes the context and policies which relate to the vision for Westchester County and involve collective action on the part of the forty-five municipalities within the county to achieve the vision. The context addresses the desire to protect character, plan for growth, protect the natural environment, address aging infrastructure needs and transit, adapt for diversifying population and mix of incomes, address housing needs, and other long range planning initiatives. The Proposed Action is consistent with the relevant policies of this section of the Plan which are summarized in part below:

- Channels development to centers whenever possible where infrastructure can support growth, where public transportation can be provided efficiently and where redevelopment can enhance economic vitality and in a fashion that is consistent with defined community character and designed to facilitate or enhance a smart growth urban fabric.
- Enhances transportation corridors, including increasing mobility options and ensuring public safety.
- Nurtures economic climate of the county with use of municipal, county, state and federal resources to improve infrastructure, housing and programs that attract and support business enterprise, with consideration of intermunicipal impacts.
- Supports development and preservation of permanently affordable housing by encouraging a range of housing types that are permanently affordable to renters and home buyers.
- Supports transportation alternatives that improve the mobility choices of workers, consumers and residents and that improve air quality by enhancing the efficiency and effectiveness of public transportation and reducing solo-driving.
- Provides recreational opportunities to serve residents including new recreational opportunities to account for the recreational needs of higher density population areas and the needs and interests of the county's changing population.
- Protects historical and cultural resources, integrating their consideration into land use decisions.

- Maintains and enhances utility infrastructure. Includes initiatives to reduce and recycle, reducing the volume of refuse in the waste stream, protects water quality, controls and treat stormwater.
- Supports vital facilities. Supports capital improvements for physical facilities that enable municipalities to deliver social services, public safety services and emergency services in an efficient, economic and humane manner.
- Defines and protects community character with respect to location, setting, aesthetic design and scale of development as well as the public context of street life, tree canopy and utility placement.
- Promotes sustainable technology. Promotes reliable, sustainable energy and conservation practices while fostering green technology in all areas of land use and building to create a sustainable Westchester County which reduces the carbon footprint and is adaptable to globalization and technological change.

There is also a Land Use report which was generated as part of the Westchester 2025 dated 2010 which identifies New Rochelle's past role as a regional retail hub which was lost in the 1970s and 1980s and recognizes the changes that had occurred in the downtown which could help the city to regain its prominence including development on the former Macy's site, new housing units including the Trump Plaza and Avalon on the Sound project. The report recognizes the importance of the city's proximity to New York City and transit access for success in establishing new housing and commercial activity in the downtown in moving it "closer to its resurgence as a vibrant, attractive downtown with increased levels of social and economic activity".

### 3.1.2 Potential Impacts

#### 3.1.2.1 Land Use

The Proposed Action involves the adoption of amendments to the Zoning Code and Zoning Map in order to create a series of overlay zoning districts collectively referred to as the Downtown Overlay Zone that are necessary to encourage the improvement and redevelopment of the Study Area consistent with the previously described planning studies. Adoption of the Proposed Action will not in and of itself impact existing land uses to a greater extent than exists at present – the use regulations applicable to the existing underlying Zoning Code will still apply to properties in the Study Area.

Six areas comprise the Downtown Overlay Zone which have been created to provide a regulatory framework to encourage commercial, retail, hospitality, civic, recreational, educational, institutional and residential land uses in proximity to the New Rochelle Transit Center. The locations of the proposed Downtown Overlay Zones are presented as **Figure 2-3**. Because the DO Zones will be overlay districts, **Figure 3-3** presents these proposed zones overlaid on the existing underlying base zoning districts. Note that the existing DDB, NBTOFZ and WBD-F overlay and floating zones shown in this figure are proposed to be repealed, but are shown on **Figure 3-3** for informational purposes.

The primary effect of the new overlay zones will be to incentivize development so that it occurs within a shorter timeframe, providing needed economic and social benefits. Based on the input received from the City and public and the market study analyses, a Theoretical Development Scenario which could occur within the next ten year period was developed. The purpose of the DGEIS is, in part, to evaluate the effects of the Theoretical Development Scenario.

As is evident from the use tables provided above, the City presently regulates a long list of land uses in detail – the DO Zones would regulate uses in accordance with broader land use categories. The Proposed Action ultimately intends to focus on building massing and quality of streetscape environment created by development, rather than specific uses, through implementation of a form-based code. As per the draft DO Zoning Amendments (**Appendix A-2**), **Table 3.1-8** lists the range of uses that would be permitted by the proposed DO Zones:

**Table 3.1-8  
PROPOSED DO ZONE USES**

	DO-1	DO-2	DO-3	DO-4	DO-5	DO-6
<b>MIXED USE<sup>(1)</sup></b>						
Mixed Use	P	P	P	P	P	P
<b>RETAIL</b>						
Retail	P	P	P	P	P	P
Restaurant	P	P	P	P	P	P
<b>OFFICE</b>						
Office	P	P	P	P	P	P
Medical Office	P	P	P	P	P	P
Business Incubators	P	P	P	P	P	P
Research & Development Facility	P	P	P	P	P	P
<b>RESIDENTIAL<sup>(1)</sup></b>						
Multifamily Dwelling	P	P	P	P	P	P
Townhomes	P	P	P	P	P	P
Live-Work	P	P	P	P	P	P
<b>CULTURAL/ ENTERTAINMENT</b>						
Entertainment/Cultural/Arts <sup>(2)</sup>	P	P	P	P	P	P
Cabaret	*	*	*	*	*	*
Lounge and micro-brewery <sup>(3)</sup>	A	A	A	A	A	A

	DO-1	DO-2	DO-3	DO-4	DO-5	DO-6
<b>HOSPITALITY<sup>(1)</sup></b>						
Hotel	P	P	X	X	X	X
Inn and Bed & Breakfast	P	P	P	P	P	P
Residential Care Facility	P	P	P	X	P	X
<b>INSTITUTIONAL / CIVIC</b>						
Institutional	P	P	P	P	P	P
Municipal	P	P	P	P	P	P
Library	P	P	P	P	P	P
Community Facility	P	P	P	P	P	P
Indoor Recreation	P	P	P	P	P	P
Educational Use	P	P	P	P	P	P
<b>LIGHT INDUSTRIAL</b>						
Artisan Production Facilities	P	P	P	P	P	P
Data Information Center	P	P	P	P	P	P
Document/Misc. Storage	P	P	P	P	P	P
Urban Agriculture	P	P	P	P	P	P
Renewable Energy Facilities	SP	SP	SP	SP	SP	SP
<b>PARKING FACILITIES</b>						
Parking Structure	P	P	P	P	P	P
Parking Lot	A	A	P	P	P	P
<b>UTILITIES</b>						
Utilities	P	P	P	P	P	P
P	Permitted					
SP	Allowed by Special Permit					
A	Accessory to a Permitted Principal Use					
X	Prohibited					
*	Allowed if and to the extent permitted by the underlying district					
(1)	Residential dwellings and private dwelling units associated with Hospitality Uses are prohibited within the Private Frontage area on the first floor of Store front Frontages and Arcade Frontages. Common areas of residential and hospitality building such as lobbies, gyms and similar spaces servicing the primary use may occupy the ground floor of a storefront as long as it complies with the active edge requirements.					
(2)	Entertainment/ Cultural/ Arts includes theater, museum, cabaret, gallery, cinema, indoor amusement establishments)					
(3)	When accessory to a restaurant					

Adoption of the Proposed Action will not impact existing land uses, as the underlying zoning regulations will remain in effect and uses permitted under the proposed DO Zones will be similar in nature as what is currently allowed in the Study Area. If a use presently conforms to the existing use requirements of the applicable underlying zoning district, it will continue to be conforming. The intent of the Proposed DO Zone Uses is to provide the ability to mix uses currently allowed in the underlying zoning in a way that may not be allowed today. This flexibility in providing efficient mix of uses will provide more flexibility for property owner to react to changing market conditions helping to ensure that the DOZ remains commercially viable and a useful zoning tool for the City of New Rochelle. Additionally, the bulk area allowances for new construction are



similar in scale and nature to that of the underlying zoning districts in total. The DOZ reallocates height and bulk allowances through a distribution across six districts described below.

### 3.1.2.2 Zoning

The Proposed Action is the adoption of amendments to the Chapter 331, Zoning, of the Code of the City of New Rochelle, and revisions to the adopted Zoning Map. These amendments create a Downtown Overlay Zone consisting of six component parts necessary to implement the goals and objectives set forth in the Recommended Action Plan (RAP, **Appendix A-1**). The opportunities offered through the DO Zones are optional for property owners and applicants, who may submit land use development applications in accordance with the regulations applicable to the underlying base zoning district requirements. The DO Zones will provide development incentives to property owners in accordance with the DO Zone regulations. The zones are as follows (see **Figure 2-3**):

- Downtown Core District (DoCo)- DO-1
- Downtown District - DO-2
- Gateway Transition District - DO-3
- River Street Commercial District - DO-4
- Wellness District - DO-5
- North of Lincoln District (NoLi)- DO-6

The proposed DO Zones would allow a vertical and horizontal mix of uses including residential, office, retail, commercial, cultural/entertainment, civic/religious, light industrial, and parking/utilities. The proposed overlay zones would include a Zoning Standards Map that would establish the design parameters for future development, including building form, streetscape, and other design-related features (see draft DO Zone Amendments, **Appendix A-2**). These form-based redevelopment parameters are consistent with the intent of the RAP and previously-adopted land use studies.

At present, Downtown New Rochelle offers a blend of small lots established in the 18<sup>th</sup> and 19<sup>th</sup> century that are often incompatible with modern needs. Mixed among these smaller lots are large scale redevelopments from the late 20<sup>th</sup> century that have created, in some cases, very large city blocks with poor attention to the pedestrian realm. The existing zoning in the Downtown Study Area is comprised of 14 different base zoning districts and four overlay/floating zones. Each district has different use regulations, bulk area standards and access to use different overlay zones each with its own set of approval guidelines. Over decades, the zoning has resulted in the accumulation of an extensive list of regulated uses within the Study Area. Additional densities and height can be applied for with the use of overlay and floating zones but a developer must make an application to the City Council in order to benefit from the incentives. The development approval process for density bonuses has become a subjective process that, according to the RAP (**Appendix A-1**), is not necessarily guided by best-practices for successful downtown commerce and walkability.

The zoning amendments anticipate that the underlying base zoning districts applicable to the Study Area will remain in effect and mostly unchanged to preserve existing property owner rights. However, in furtherance of the recommendations contained set forth in the RAP, several overlay and floating zones listed above and applicable to the Study Area are proposed to be removed. The existing DDB, NBTOFZ and WBD-F overlay and floating zones shown in this figure are proposed to be repealed, and replaced by the six optional overlay zoning districts, collectively referred to as the Downtown Overlay Zone, that coincide with the Study Area. Each new overlay district will regulate the character and development scenarios formerly regulated by pre-existing overlays. There is no identifiable adverse environmental impacts from the removal of the existing overlay and floating zones. These zones are meant to provide investment and development opportunities in order to allow the City to continue to grow and develop. There has been little development associated with these overlays therefore they are being replaced with the DOZ in order to achieve the basic intent of the overlays as originally intended. In this regard, the adoption of the DOZ would be a beneficial impact to the downtown because it is anticipated to increase development and economic activity.

The Downtown Overlay Zone encompasses six form districts that would permit the highest densities in the Downtown Core (DO-1) Zoning Overlay with decreasing densities for those districts farther away from the Downtown Core. **Table 3.1-8** presents the land use categories that would be allowed within each DO Zone. Six DO Zones (see **Figures 2-3**) are proposed to be implemented, as set forth in the draft Zoning Amendments (**Appendix A-2**) and described in the RAP (**Appendix A-1**):

- Downtown Core (DoCo) - DO-1 - The Downtown Core will create a regional destination for New Rochelle. The true urban center with architecturally significant buildings stretching up to 48 stories will create vibrancy with shopping, dining, civic events and downtown living in the Downtown. DoCo provides an opportunity to create a live, work, and play downtown. DoCo will be the most vibrant downtown neighborhood, located within a few blocks from the New Rochelle Transit Center and Main Street. By utilizing best practices for placemaking strategies and leveraging adjacency to the busy Transit Center, this district should support the greatest variety of uses, promoting a range of residential, retail, hospitality, cultural and entertainment use. The community has expressed a preference that this area become the cultural, retail and entertainment hub for the City of New Rochelle.
- Downtown District - DO-2 - The New Rochelle skyline will be enhanced by a range of 12 to 28 story mixed-use buildings. The larger footprint sites provide an excellent opportunity for larger national retailers. Anderson, Church, Division & Huguenot Streets provide transformative opportunities for office, retail and residential anchors that can add much needed activity to support the growth of downtown business activity. A viable downtown requires a critical mass of population at night and during the day to patronize shops and restaurants. DO-2 provides the greatest opportunity for the most significant mix of uses, enhancing the downtown ecosystem.
- Gateway Transition Area - DO-3 - With high visibility to those arriving from New Rochelle's western entrance from I-95 and US1, the Gateway Transition Area offers excellent opportunities for artisan production, higher education, institutional, employment,

commercial and light industrial uses. This area could also offer affordable space for entrepreneurs and small artisan workshops looking to live and work in close proximity to the emerging Downtown West arts district. The buildings in this district will typically be between two and five stories, however with the maximum bonuses, a few large sites could reach as high as 10 to 12 stories.

- River Street Commercial District - DO-4 - The East End is poised to capture both waterfront living and recreation uses as well as expand the retail anchor uses that are so critical to a vibrant and relevant downtown. The East End offers excellent access to I-95 and Westchester County's regional retail customers. With the conversion of River Street and Cedar Street to two way traffic and updated zoning to incentivize multi-story medium and large size office & retail anchors, New Rochelle could capture a much greater portion of the office market and offer more reasons to come to downtown New Rochelle. The buildings in this district will typically be between two and five stories, however with the maximum bonuses, a few large sites could reach as high as 10 to 12 stories.
- Wellness District - DO-5 – This is the gateway to Uptown at North and Lockwood Avenues. By promoting connections to nearby Montefiore Hospital and excellent access to public transportation, this area should become the medical office, mixed-use and wellness services district and serve as an important gateway to New Rochelle's North End neighborhoods. These strategies build upon the North Avenue Corridor Studies and TOD Study by identifying a wide range of placemaking, transportation enhancement, revitalization and neighborhood preservation strategies. The buildings in this district will typically be between two and five stories, however with the maximum bonuses, a few large sites could reach as high as 10 to 12 stories.
- North of Lincoln District (NoLi) - DO-6 - By leveraging this area's civic anchors - Court House, City Hall and Police Department - as well as its close proximity to Iona College, this district should utilize its large parking lots at City Hall for evening uses such as restaurants. Build off of the emerging co-working space and encourage the creative class and freelance professionals to continue to grow the daytime population. The buildings in this district will typically be between two and four stories, however with the maximum bonuses, a large site could reach as high as six stories.

The geographic area of the DO Zones are predicated in part on the nationally recognized planning principle that walkable communities typically occur within ¼-mile and a 5-minute walk to a neighborhood center. Within downtown areas with welcoming architecture, storefronts and pedestrian amenities, this distance can increase to ½-mile and a 10-minute walk. Clustering density in walkable neighborhoods enables the creation of distinct districts of varying intensity each offering a unique character. This creates a diversity of experiences that enhances the overall urban fabric. Concentrating development within these neighborhood centers promotes walkability by focusing destinations such as parks, businesses, entertainment venues and civic institutions in close proximity to residents and visitors.

The ¼-mile, ½-mile and ¾-mile radius walking sheds represented by concentric circles, are placed over the Study Area to identify the placement of the densest areas of the downtown and its relationship with the other downtown districts (see **Figure 2-3**). Due to New Rochelle's historic development patterns, the nature of its grid placement, current downtown synergies and location

of the transit center, the center of the concentric circles is located at Ruby Dee Park. It has been identified as the heart of the downtown, where the highest densities should be concentrated and its activation prioritized. The DO Zone development standards and guidelines are designed to fulfill the goals of achieving compact transit-oriented development with a greater mix of uses, height, and density radiating out from Ruby Dee Park and the Transit Center within the Study Area.

The Downtown Overlay Zone is designed to promote rapid redevelopment of the downtown according to the best practices of downtown development by introducing a form-based code. A form-based code prioritizes the proper form and placement of buildings to support the creation of vibrant places rather than the conventional overemphasis on the control of uses. This proposed optional overlay zone will reward the aggregation of property by providing three Development Standards for each of the six proposed overlay zones.

Where property owners or developers can assemble larger sites by aggregating sites of greater lot area and street frontage, they can qualify for one of three Development Standard levels that permit increasingly higher building heights.

#### *Development Standards*

When an applicant opts-in to the Downtown Overlay Zone by demonstrating compliance with the minimum lot area and minimum lot frontage for each district, applicants will become eligible for participation in the applicable overlay district. Applicants can realize one of three Development Standard levels offering greater density, improved parking standards and greater flexibility of uses, in exchange for complying with the urban design standards to improve the civic and economic vitality of the Downtown. The Development Standard levels are:

- Development Standard 1: Applicants or cooperating property owners must assemble sites with a minimum street Frontage of 50 feet and a minimum Site Area of 5,000 SF to participate in the DOZ. All applicants must comply with:
  - Zoning Standards Map regulating street types, frontages and urban design standards
  - Street and Block Standards
  - Site Development Standards
  - A Streamlined Table of Uses
  - Frontage Standards
  - Parking Standards & Shared Parking Incentives
  - Civic Space requirements
- Development Standard 2: To qualify for additional building heights, applicants or cooperating property owners must assemble sites with a minimum street Frontage of 100 feet and a minimum Site Area of 10,000 SF.
- Development Standard 3: To qualify for additional building heights, applicants or cooperating property owners must assemble sites with a minimum Frontage of 150 feet and a minimum Site Area of 30,000 SF, except in DO-1, where 40,000 SF is required.

**Table 3.1-9** presents the dimensional standards for the DO Zones.

**Table 3.1-9**  
**DO ZONE DIMENSIONAL REQUIREMENTS**

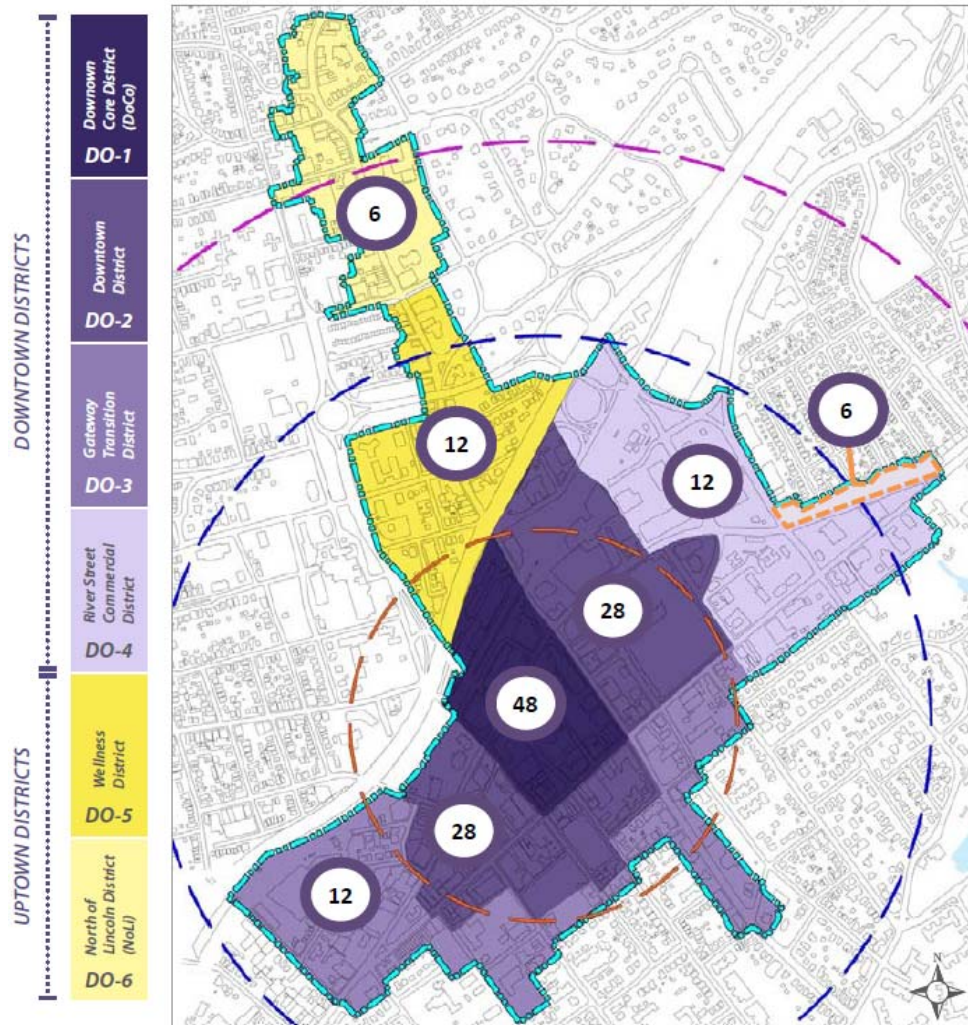
<b>Downtown Overlay Zone Requirements</b>	<b>Development Standard 1</b>	<b>Development Standard 2</b>	<b>Development Standard 3</b>
	<b>Minimum Site &amp; Building Height Requirements</b>		
	Min. Frontage: 50 FT	Min. Frontage: 100 FT	Min. Frontage: 150 FT
	Min. Site Area: 5,000 SF	Min. Site Area: 10,000 SF	Min. Site Area: 30,000 SF (40,000 SF in DO-1 only)
Downtown Core District DO-1	Height: 2 Stories 8 Stories Max Bonus Height/ 10 Stories Max	Height: 2 Stories Min 24 Stories Max Bonus Height/ 28 Stories Max	Height: 2 Stories Min 40 Stories Max Bonus Height/48 Stories Max (Max Height is 605 feet)
Downtown District DO-2	Height: 2 Stories 4 Stories Max Bonus Height/ 5 Stories Max	Height: 2 Stories Min 12 Stories Max Bonus Height/ 14 Stories	Height: 2 Stories Min 24 Stories Max Bonus Height/ 28 Stories Max (Max Height is 285 feet)
Gateway Transition DO-3	Height: 2 Stories	Height: 2 Stories Min 5 Stories Max Bonus Height/ 6 stories	Height: 2 Stories Min 10 Stories Max Bonus Height/ 12 Stories Max (Max Height is 125 feet)
River Street Commercial DO-4	Height: 2 Stories	Height: 2 Stories Min 5 Stories Max Bonus Height/ 6 stories	Height: 2 Stories Min 10 Stories Max* Bonus Height 12 Stories Max* (Max Height is 125 feet) *6 Stories, 65 feet Max north of Huguenot St & East of River St.
Wellness District DO-5	Height: 2 Stories	Height: 2 Stories Min 4 Stories Max	Height: 2 Stories Min 10 Stories Max Bonus Height

<b>Downtown Overlay Zone Requirements</b>	<b>Development Standard 1</b>	<b>Development Standard 2</b>	<b>Development Standard 3</b>
	<b>Minimum Site &amp; Building Height Requirements</b>		
	Min. Frontage: 50 FT	Min. Frontage: 100 FT	Min. Frontage: 150 FT
	Min. Site Area: 5,000 SF	Min. Site Area: 10,000 SF	Min. Site Area: 30,000 SF (40,000 SF in DO-1 only)
Wellness District DO-5 (continued)		Bonus Height/ 5 Stories	12 Stories Max (Max Height is 125 feet)
North of Lincoln DO-6	Height: 2 Stories	Height: 2 Stories Min 4 Stories Max Bonus Height/ 5 stories	Height: 2 Stories Min 5 Stories Max Bonus Height / 6 Stories Max (Max Height is 65 feet)

\*Bonus Height can be achieved through Community Benefit Bonuses, which require investment in public benefits.

The maximum heights listed above can only be achieved through Community Benefit Bonuses, which require investment in public benefits, described below. The primary difference in the DO Zone and the underlying existing zone occurs within DO-1, where additional height of up to 48 stories (maximum of 605 feet) can be achieved with the maximum bonuses, where under the current zoning, height bonuses not exceeding 500 feet may be provided to a development in the DMU or DMUR Zoning Districts. Twelve story buildings could be achieved in DO-3 and DO-4 zones; this would vary from underlying CM-1 and LI zones which allow a maximum building height of 30 feet and 40 feet, respectively, as per the dimensional requirements of those two zones. Additionally in DO-6, located along North Avenue, the existing NA zoning allows buildings up to three stories or 40 feet. With maximum incentives, a developer could achieve a maximum height of six stories or 65 feet.

The below image illustrates the maximum building stories for each district with Development Standards and Community Benefit Bonuses. The numbers shown for each district demonstrate the highest number of stories that would be permitted if a property owner or group of property owners were to meet all of the site and urban design standards, the maximum Development Standard requirements as well as achieve the maximum Community Benefit Bonuses available.



**Maximum building heights achievable with all Community Benefit Bonuses.**

The effects of these regulatory changes are described throughout this DGEIS, in terms of traffic (**Section 3.5**), visual resources (**Section 3.2**), and other effects.

### *Community Benefit Bonuses*

The amendments set forth the Community Benefit Bonuses that would be required to incent developers to achieve the maximum building heights allowed by the Development Standards. The Community Benefits identified to date are listed below, which will be finalized through the public review process of the draft zoning amendments:

- Community Facilities: Provide new community serving facilities including schools, libraries, community centers to earn Density Bonus points
- Cultural Arts Facilities: Provide new studio, gallery, exhibition or performance spaces



- Sustainable Design: Commit to design and construct a project to achieve US Green Building Council Leadership in Energy and Environmental Design (LEED) certification at any of the following levels: Silver, Gold, Platinum
- Pedestrian Bridge Across I-95 or the rail line
- Transit Center or Transit Improvements
- Beneficial Commercial Uses: Provide a minimum of 100,000 SF of office and/or hotel with conference center use guaranteed by a covenant
- Historic Preservation: Protection, conservation, or renovation of historic site or building element of historic quality
- Main Street/ North Avenue Preservation: Maintain and enhance the overall architectural character of significant Main Street or North Avenue buildings furthering their purpose for pedestrian-scaled retail
- Pedestrian Way Improvements: Provision of new public pedestrian ways that comply with the Downtown Pedestrian Plan or provide public pedestrian ways with active frontages linked to public access parking
- Additional Storefronts: Provision of additional storefronts at Recommended Storefront streets in compliance with the Required Storefront standards
- Civic Spaces: Provide civic spaces with access to the public at least 12 hours per day
- Excess Public Parking: Provide Public Parking in Excess of that required for proposed uses and which provides a significant public benefit

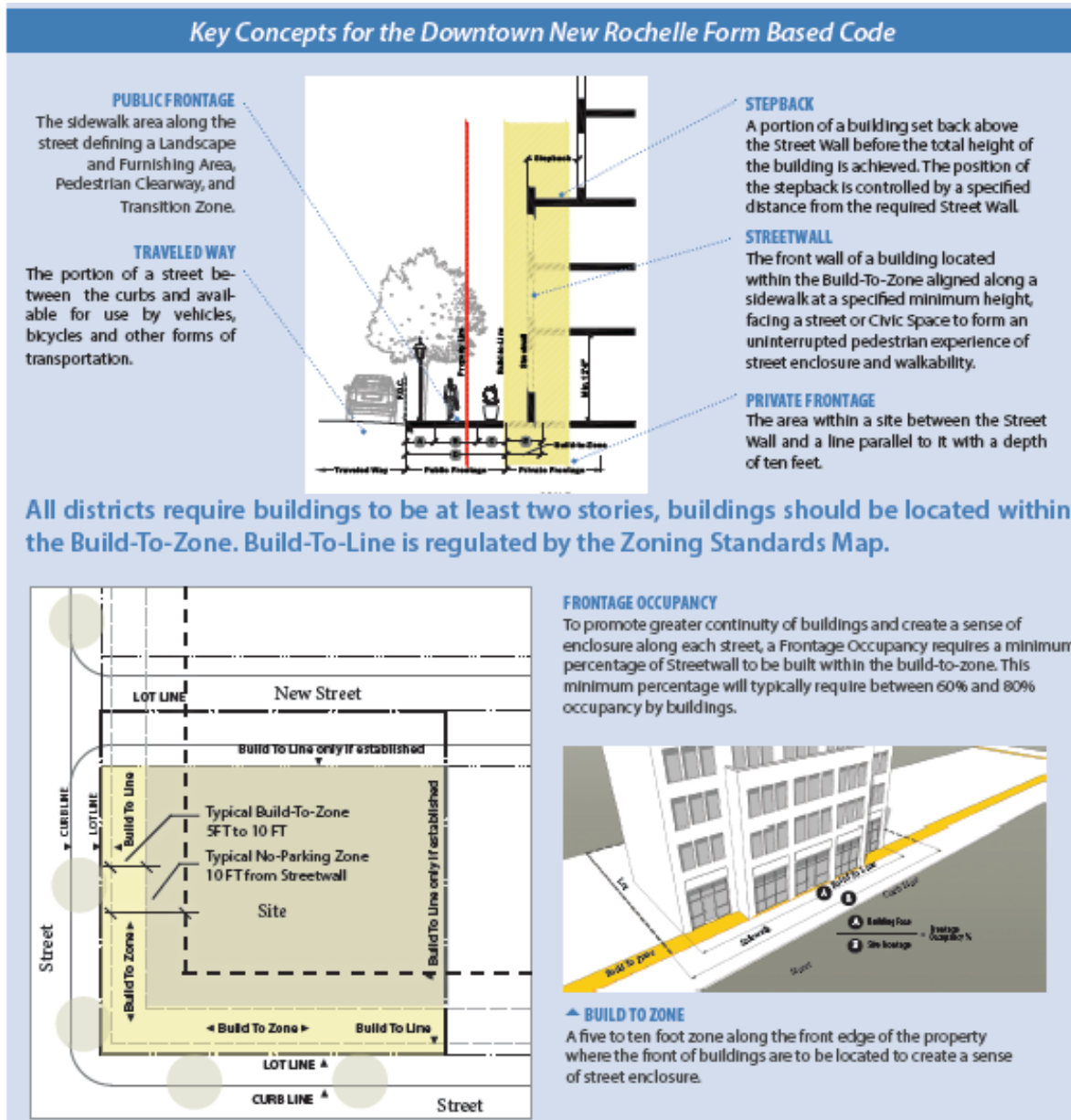
The preliminary list of bonuses identified in the RAP could allow developers to gain additional height bonuses above the building height prescribed in the applicable DO Zone. The total bonus amount will be measured by an associated point system awarding higher densities to items demonstrated to have greater public benefit (not to exceed the maximum heights identified in **Table 3.1-9**).

#### *Allowable Uses*

The proposed table of principal uses is shown in **Table 3.1-8**. It indicates how the DO Zone will be a more flexible and market responsive approach that will result in a much higher occupancy and enhanced economic activity for the entire downtown. The form based code approach to downtown recognizes that the building forms are more important than “over-regulating” land uses. Healthy downtowns thrive on a broad mix of uses in individual buildings as well as a mix of use throughout each district. To that end, the use table which will be implemented will be consistent with the City’s goals of creating a more streamlined regulatory framework to encourage development and redevelopment.

## Zoning Standards Map

A Zoning Standards Map will be adopted in conjunction with the formation of the DO Zone which will permit a range of building forms, frontage types and building heights in order to reinforce the transect of built forms and landscape elements appropriate for the overlay district. The Zoning Standards Map (see **Appendix A-2**) highlights where special architectural treatments for significant corners and terminating vistas are required, as well as provides requirements for building setbacks, public frontages, required store fronts and pedestrian enhancements. The illustrations below demonstrate several of the key form based concepts in the zoning amendments.



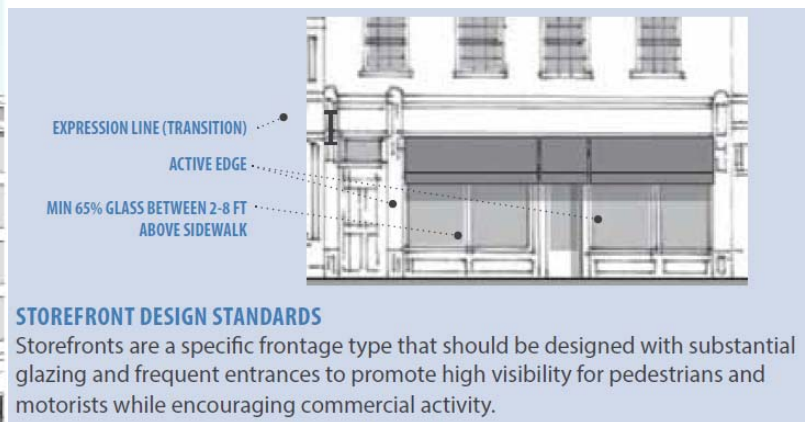
**Key Concepts for the City of New Rochelle Form-Based Code (Appendix A-2)**

In order to promote active pedestrian-friendly streets and storefront, the recommended strategy for improving vitality in the downtown is to require and encourage construction of storefronts and frequent entrances along the most important streets. The Zoning Standards Map provides for specific locations where storefronts are required (see **Appendix A-2**). Red lines indicate street frontages requiring storefronts and frequent entrances, while black lines indicate street frontages encouraging storefronts and frequent entrances (see illustration below). Objectives to achieve the above objectives will include:

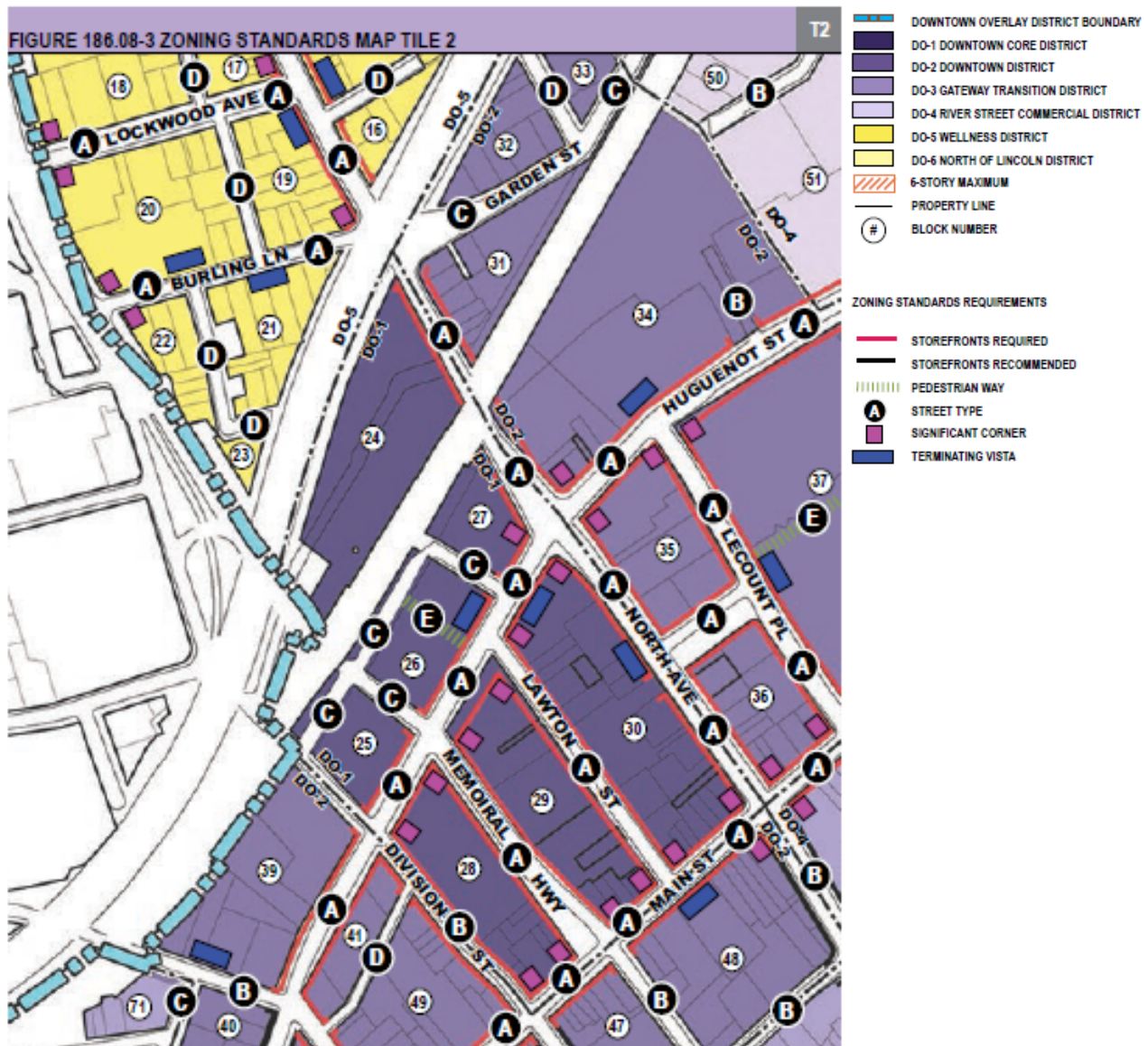
- Promote well designed Sidewalks, Lighting, Street Furniture and On-Street Parking.
- Establish a Build-To-Zone along downtown streets to reinforce the existing street wall, much like the strongest blocks of North Avenue and Main Street.
- Establish streets requiring storefronts along the most important commercial streets as well as recommending storefronts on secondary commercial streets.
- Permit a wide array of building Frontage Types most appropriate for the street's commercial character.
- Allow a wide array of edging elements to create pedestrian friendly yards through landscaping, fencing, walls, and courtyards.



**Sample Illustration of a Significant Corner**



**Illustration of Storefront Design Standards**



**Title 2 of the Zoning Standards Map, showing Street Types (A-D), Significant Corners, Terminating Vistas, Storefronts and Frequent Entrance Requirements (red and black lines along frontages), see Appendix A-2 for all tiles of the Zoning Standards Map.**

The proposed form-based code includes definitions and standards designed to promote and require the placement of buildings along streets, facing sidewalks and within a prescribed Build-To-Zone that is typically five to 10 feet in width. It also defines the Private Frontage for all buildings facing major streets. Specifically, major design objectives include:

- Require buildings to occupy 60 to 80 percent of the street and sidewalk frontage
- Require Terminating Vistas and Significant Corners, such that distinctive architectural features are required in certain locations pursuant to the Zoning Standards Map
- Civic Space Design Standards



The form of buildings and their interaction with the pedestrian environment is at the core of form based zoning. The frontage, or that portion of the building that occupies the development space fronting on the public realm, i.e., sidewalks, are regulated in the zoning. Conditions such as the percentage of the building which must occupy the space along the public realm, the amount of glazing the building should have and the requirements to have active doorways and storefronts are also included in the Use and Development Standards (see **Appendix A-2**).

The zoning also includes incentives to existing buildings in order to encourage those buildings to renovate and create better and more active frontages. For instance allowing storefronts to occupy the ground floor of the existing parking structures in the downtown thereby continuing the active street wall and enhancing the pedestrian environment. Since retail may have a lower current value in the above described conditions than parking, the City should consider the use of economic incentives to entice building owners to participate.

### *Parking*

The Proposed Action includes Zoning Code amendments to the Off-Street Parking and Loading Requirements of the City Code (Section 331-125 and 126) (see **Appendix A-2**). The zoning amendments include remapping and expanding the Central Parking Area (“CPA”) District to coincide with the proposed Downtown Overlay Zone boundary, with several proposed modifications made to Section 331-125 and 126. The number of required parking spaces for individual developments will be determined by Section 331-126 under the Central Parking Area District requirements, with site specific analysis submitted to determine if credits may be applied for shared parking, attendant parking, and provisions for car share parking, bike rental/storage credits and non-reserved parking are provided. A detailed analysis of the existing and proposed parking standards are contained in **Section 3.6** of this DGEIS. Property owners seeking to develop their property under the existing underlying zoning districts and not availing themselves of the use of the DOZ will be subject to the parking standards of the underlying zoning and not the CPA. As is current practice, the City should continue to coordinate all parking built in the Downtown regardless to the zoning the development is subject to in order to provide the optimal parking a scenario for the area

### 3.1.2.3 Plans

The Proposed Action is consistent with the numerous plans that have been adopted to date to promote and reactivate the City’s downtown area. The guiding principles of the Proposed Action, as expressed in the Recommended Action Plan and the intent of the draft DO Zone Amendments, are as follows:

- Build economic value for the Downtown Core
- Provide net positive tax revenue to the City
- Yield net positive fiscal impact to the City and its residents
- Generate jobs and career opportunities for City residents and to attract additional residents

- Enhance the vibrancy of the Downtown Core and create a diversity of uses
- Leverage the proximity and accessibility of the Transit Center
- Promote a mixed-use downtown setting including residential, commercial, retail, office, educational, hospitality, cultural, civic and recreational uses
- Create and enhance City gateways
- Foster a sense of safety and security
- Improve streetscapes and create a pedestrian friendly "walkable" environment
- Achieve the adaptive reuse of vacant buildings, where appropriate
- Encourage the development of public facilities that are complimentary to the project
- Create a sustainable development by implementing smart growth and green building design elements in an economically viable manner

### 3.1.3 Mitigation Measures

The proposed zoning amendments have been designed to locate mixed uses in areas that are appropriate and establish a growth pattern that is consistent with the goals of the City's recent planning efforts, as summarized in the RAP (Section 2). The DO Zone form-based code will provide for coordinated and pedestrian friendly streets and city block development, with specific development standards and requirements for the location and form of buildings, parking areas, landscaping, signage, etc. as governed by the Zoning Standards Map. The additional heights that can be accomplished via the DO Zones is permitted only if parcels meet certain frontage requirements, and provided the development achieves the Community Benefit Bonuses identified by City stakeholders as appropriate.

Therefore, the Proposed Action is not anticipated to result in any significant adverse impacts to land use, zoning, or public planning policy and no mitigation measures are required. Future site-specific actions must comply with SEQRA (6 NYCRR Part 617). **Section 6.0** identifies future actions which will be followed as site-specific development applications are submitted.

## 3.2 Community Character

### 3.2.1 Existing Conditions

#### 3.2.1.1 Visual Character

The visual character of the Study Area is diverse and has evolved due to a unique combination of geographic, historic, environmental, transportation, regulatory and other factors. These factors include but are not limited to: New Rochelle's proximity to Long Island Sound which gave impetus to its early establishment and settlement; its location on Boston Post Road (where Huguenot Street now runs), a major stagecoach route running between New York City and Boston; introduction of the New York and New Haven Railroad line in the 1800s, with the train station ultimately becoming the station for both Metro-North and Amtrak's New Haven line; trolley lines which provided easy access to the City's downtown; the construction of the New England Thruway (I-95) in the 1950s and 1960s; the introduction of zoning regulations to control land use and development; economic policies and strategies to modernize areas of the City, including building clearance and redevelopment via urban renewal programs; and, proximity to major markets, especially New York City. The City's history and evolution is visually embodied in its particular mix of land use, the location of its downtown and surrounding residential neighborhoods; transportation and pedestrian environments; and the age, pattern, scale and form of its buildings. Existing conditions within the Study Area are presented based on a photographic portfolio (**Appendix C**) with key elements of the visual character of the Study Area described and referenced to photographic examples. Existing conditions and features that relate to visual character include: land uses and their placement within the Study Area, transportation corridors and parking, sidewalk environment, building height and views of interest.

The City of New Rochelle's downtown has been an established commercial center for its own residents and outlying communities since its existence. It grew around the New Rochelle train station which has been an activity hub since its inception. As described in **Section 3.1.1.1**, the Study Area includes a mix of land uses characteristic primarily of an urban community setting and is nearly completely developed with commercial, office and community service uses with residential development interspersed. The Study Area includes key buildings and uses of architectural and social interest, all of which contribute to the City's unique history and sense of place.

The visual character is widely varied in terms of uses, building height, age of structures, condition, form and function. For purposes of the visual character analysis, the discussion of existing conditions is organized according to the proposed DO Zone areas. **Appendix C** provides photos of various locations throughout the Study Area.

#### *DO-1*

The DO-1 Zone is compact and hosts a number of visually prominent buildings. Between the New Haven Line right-of-way and I-95 is the New Rochelle Transit Center and the train station; the train station is listed on the National Register of Historic Places. Because it is situated lower



than the surrounding landscape, it is visible primarily from the immediately adjoining streets, including Memorial Highway, which is elevated above it and to the south. The multi-deck transit center garage has brick face at the street level, and concrete above – a sculpture incorporated into the garage’s façade and a tower-style corner stairwell which is elevated above the highest parking deck provides visual interest along North Avenue, as well as a landscaped and sitting plaza that fronts to North Avenue at Station Plaza North. The streetscape includes a generous concrete sidewalk, a brick patterned verge, utilities are undergrounded, and metal tree wells protect street trees. Street lamps are more modern and vary from the acorn-style lamps found elsewhere in the downtown area. A decorative mural is present along North Avenue on the bridge crossing the rail right-of-way. Southbound on North Avenue, the parking garage and off-street parking area for the Chase Bank is set back by a small landscaped yard. Street trees and decorative planters also have been installed approaching the intersection with Huguenot Street. The multistory Chase Bank building (built in 1969) is modern in appearance with ribbon glass. Along North Avenue, attached downtown row style buildings front to the sidewalk. The HSBC building is a horizontally oriented two-story building with extensive glass panes along its facades, although it incorporates an older building along Huguenot Street. North Avenue is a two-way four-lane street with on-street parking. Street trees are present, and a decorative brick-patterned verge begins south of the HSBC building – box style street lamps are present and utilities are undergrounded. At 226 North Avenue, across from Anderson Street, is an older three-story brick mixed use building, but most buildings on the west side of North Avenue are primarily one and two stories in building height. As a result, all three high-rise buildings – Trump Plaza (40 stories), La Rochelle (25 stories), and Halstead New Rochelle (39 stories), are visually dominant along this segment of North Avenue. South of Anderson Street, decorative paver verge, acorn street lamps, and street trees are present along the sidewalk.

Attached row style buildings front to the sidewalk along Main Street. Buildings are primarily one to three stories in height. Acorn style lamps, decorative brick-patterned verge and street trees (along segments) are present. A large number of buildings are older, and still maintain their original architectural decorative elements at the upper levels of the buildings. At ground level, facades have been altered. Because of the orientation of the street and generally two- and three-story height of buildings, the larger high-rise buildings are not visible except at intersections which provide views north and south of Main Street, or at plazas, such as at the corner of Memorial Highway and Main Street. Along Lawton Street, views of a parking lot dominate the easterly side of the street, while views of Ruby Dee Park and the library dominate the west side of the street. The Halstead New Rochelle building is fully visible across the park, looking west. Older two- to four-story brick row style buildings front to the sidewalk on Lawton Street, but several are now isolated, i.e., no longer attached, due to the presence of parking lots adjoining the buildings. The blank walls allow for the installation of wall murals, as is the case on one building on this street. Lawton Street is a two-lane two-way street with on-street parallel parking, street trees, and acorn style lamps. However, perpendicular parking is available opposite the library building. Views are primarily of the two-high rise apartment buildings, as well the parking garage for Halstead New Rochelle. The Ruby Dee Park and City library are also visible. Buildings are modern in character, except approaching the intersection of Main Street.

Memorial Highway is a one-way three-lane street with parallel parking on both sides of the street. Buildings are primarily set back from the sidewalk, and small landscaped front or side yards are present. Decorative acorn style lamps and street trees are also present. A large concrete plaza is located in front of the Halstead building, and commercial uses are at ground level although the building is set back from Huguenot Street and Memorial Highway. The Halstead building has a patterned brick façade in two colors for visual interest, and ribbon glass and individual windows. The Halstead building is L-shaped and steps back with increases in building height to add visual interest. Likewise, La Rochelle is also L-shaped and has setbacks at the upper floors. The parking garage for La Rochelle is visually prominent at the northwest corner of Huguenot Street and Division Street.

#### *DO-2*

The DO-2 Zone surrounds the proposed DO-1 to the west, south and east. Its northern boundary is the I-95 corridor. On the west side of DO-2, the buildings are largely attached mixed use row style buildings. On the east side, the dominant buildings are Trump Plaza and New Rock City.

Along Huguenot Street, the DO-2 Zone includes the National Register of Historic Places-listed gothic revival styled Trinity St. Paul's Episcopal Church, made of granite and brownstone that dates to 1863<sup>1</sup>. This building is set back from the sidewalk via a small landscaped yard. Huguenot Street is one-way with three lanes and parking on both sides of the street. Decorative acorn lamps are installed and several street trees have been planted in front of the church. Older two- and four story brick attached row buildings are located across from the church property and front on to the sidewalk. The remaining grounds around the church are the site of historic burial grounds. Farther west on Huguenot Street, a municipal parking lot fronts on Huguenot and a one-story retail building has parking in the front yard. To the rear of the municipal lot, the sidewall of a brick building fronting on Centre Avenue is visible and is a fruit and vegetable market where outdoor sales are conducted within the parking lot west of the building. Decorative street lamps end at the Centre Street intersection. Traveling west of Centre Avenue, the environment presents much more hardscape – sidewalks are present, but there are no street trees, and views include the windowless rear façade of the former Lowes Theater whose entry fronts to Main Street. The Verizon building has closed the windows on the ground floor. A mid-rise storage building is at the corner of Columbus Avenue and Huguenot Street. On Relyea Place, blank windowless walls front to the sidewalk except for roll top metal garage doors for loading and unloading. These buildings are unadorned. Utility poles are within the sidewalk at street edge.

Along Main Street is a continuation of older brick attached row buildings that are one to four stories in height. Most of the buildings are adorned with decorative architectural features, especially at the upper stories of buildings. Main Street is one-way with two travel lanes and parking on either side of the street. Decorative acorn lamps, street trees along some segments of the road, and a brick-patterned verge are present. To the rear of the Main Street buildings between Centre Avenue and Church Street are two large municipal lots, one with a structured parking deck. Because of the low rise nature of buildings and the expansiveness of the parking

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<sup>1</sup> <http://hlrb.newrochelleny.com/Archive/ViewFile/Item/58>

lots, high-rise buildings can be viewed from these areas, particularly the Halstead New Rochelle building.

The DO-2 Zone includes more modern construction to the north of the DO-1 Zone. Included in this DO-2 area is New Roc City which dominates much of this area. Trump Plaza dominates the west side of Huguenot Street. New Roc City's "front" faces on LeCount Place. Although this is a large single building, its façade has been broken up to provide the appearance of attached row buildings with different facades. A pedestrian plaza is provided internal to the New Roc City development about mid-block along LeCount Place, but offset from Anderson Plaza. The commercial portion of New Roc City is three stories, but approaching Huguenot Street, the residential lofts and apartments approaches ten stories as the parking garage is located beneath the dwelling units. Street trees, decorative acorn lamps, and brick-patterned verge are present and the garage is set back to allow a narrow landscaped area to screen views of it at the ground level. On the other side of LeCount Place, the former Masonic Lodge building dominates the street corner with Main Street. A two-story brick building is adjacent to this building, but the streetscape changes and is dominated by views of surface parking lots and one-story commercial buildings which front to the sidewalk. Anderson Plaza is accessible from this side of LeCount Place. The rear delivery area of the U.S. Post Office dominates the corner of LeCount Place at Huguenot Street. Huguenot Street is very wide in front of New Roc City, and street trees and sidewalks with decorative brick-patterned verge are present. However, the presence of the parking garage, surface parking, limited storefront space and lack of transparent windows is apparent. Between the K Building and Trump Plaza is additional surface parking. The one-story brick Post Office does not activate the streetscape. The view from LeCount Place terminates at Trump Plaza. The Trump Plaza building is a modern high-rise building with a larger base which steps back at the higher stories.

The segment of North Avenue within DO-2 exhibits one to four story commercial and mixed use buildings, many which are attached row style buildings

This portion of the DO-2 also includes the Garden Street area which is dominated by surface parking and a limited number of commercial buildings with sidewalks and aboveground utility poles. Street trees are not present. There is a triangular "plaza" located at Garden Street and North Avenue, with a flag pole and landscaping and a directional sign for various locations in the City.

### *DO-3*

The DO-3 Zone visually is diverse, ranging from heavy commercial, light industrial and storage warehouses in the Pine Street area, to the more customary multistory attached row style buildings along Main Street. To the north of Huguenot Street in the Pine Street area, the environment consists of a mix of storage type and heavy commercial one-story buildings mixed with single-family detached residences. Yards are present, and the building pattern is lower scale and lower intensity than other locations in the Study Area. Utility poles are present, and sidewalks tend to be narrower than along the primary street corridors in the Study Area. Street lamps and decorative verges are not present although street trees are present, especially in front of the existing residences. Older dwellings have driveways with parking and accessory garages

to the rear of the dwellings. The streetscape includes garage door openings right at the sidewalk for many of the nonresidential uses, with blank facades fronting onto the street.

To the south of Huguenot and Main Streets, the pattern of development is different, and more consistent with other portions of the Study Area, where attached row style buildings front onto the sidewalk. Main Street has street trees, decorative verge, acorn street lamps, and two to six story buildings primarily brick that have primarily ground floor commercial uses, except for the multifamily buildings. To the rear of Main Street are several very large municipal lots and a parking deck, which dominates views of the streetscape. Between Maple Avenue and Centre Avenue, the Blessed Sacrament complex dominates this area, and buildings are set back with landscaped yards fronting onto the street. Narrower sidewalks are present, with above ground utility poles, and what was a grassy verge has been paved. Shrubs, decorative fences, and chain link fences provide the street wall at the sidewalk. There is a visual sense of openness in this area, given the expanses of parking lot, and other open spaces, including ballfields associated with the Blessed Sacrament complex. Several large multistory multifamily buildings dot the DO-3 Zone surrounding the municipal parking lots. Clinton and Bonnefoy Places are residential in character, and include a mix of single-family detached dwellings and multifamily apartment buildings. Several of the older multifamily buildings have a landscaped edge (of up to five feet) before meeting the sidewalk and newer construction places the buildings at the edge of the sidewalk. Street trees are sporadically planted (some have been removed and not replaced) and the grassy verge has been paved in most places.

North Avenue south of Main Street exhibits less intensity with many commercial buildings that are one-story in height. A few large apartment complexes front to the street, but are set back from it. Municipal parking has been screened from North Avenue with a landscaped strip adjacent to the sidewalk. Acorn street lamps, street trees, and decorative verge with on-street parking make the street “hospitable.” At the corner of North Avenue and Union Street, a newer take out fast food establishment has on-site surface parking fronting onto the sidewalk and street edge. Southside Plaza also has on-site parking incorporated into the front of its buildings.

#### *DO-4*

The proposed DO-4 Zone displays a mix of newer, more conventional patterns of nonresidential building development with large setbacks in a more corporate campus style setting with extensive off-street parking areas and strip commercial retail patterns, mixed with older buildings that front to the sidewalk along Main Street. This is due in part to a portion of the proposed zoned being situated within an urban renewal area. The overall sense and visual character are of buildings set on larger lots with accessory parking provided on-site and surrounding the buildings. The primary entrance to the buildings are often landscaped given the fact that the buildings are set back from the road. There are exceptions including the block with pre-war low-rise apartment buildings on Harrison Street which front to the sidewalk.

The primary gateway into the City and its downtown is from I-95 Interchange 16 along Cedar Street. Here, a wide landscaped median with ornamental trees line the median. A sidewalk is present along Cedar Street with street trees planted along the curb. The Consolidated Edison substation is well landscaped and screened mostly from view. The west side of Cedar Street

includes views of Cedar Plaza, a modern mirrored office building with parking below the building. The building is set back from the street edge by a front yard and an entrance plaza has a sculpture to add visual interest. A large modern Toyota dealership is present on the opposite side of the street with a small landscaped yard setback. Large trees are present along the sidewalk, and a decorative paver-like verge is located between the sidewalk and the street. On the Cedar Plaza side, the verge is asphalt. On-street parking is not permitted and the road is wide with four one-way lanes. Cobra head lighting is present, but utility poles are not present.

Street trees, sidewalks, and the decorative verge are present again in front of the Radisson and GHP properties. Views toward the GHP property are dominated by off-street parking which is not screened by landscaping. Buildings are modern with little ornamentation. Cedar Street flows into Huguenot Street where it continues as one-way with four lanes. Street trees, sidewalks, and a landscaped front yard setback are attractive “fronts” to the GHP and 140 Huguenot Street buildings. Cobra head lighting is present, but utility poles are not present.

Continuing along Cedar Street, the same streetscape is present, i.e., undergrounded utilities, cobra head lighting, four lanes of one-way traffic, and buildings setback from the road with small landscaped front yards. An attractive landscaped roundabout is present at Fountain Place. Buildings on Fountain Place are different, as this is a pre-war multifamily brick building complex that is set among newer buildings (1925 Harrison Garden Apartments buildings<sup>2</sup>). The four-story, tudor style brick buildings are juxtaposed against the faux façade of New Roc City, intended to break up the parking garage massing along Harrison Street. Harrison Street has been improved with decorative acorn street lamps, street trees, and concrete sidewalks which are wider adjoining New Roc City. Awnings, faux windows, and segmented brick clad wall openings are intended to break up views into the garage at the ground level.

River Street is a wide, four lane, two-way street with a brick patterned verge, sidewalk and street tree and shrub screen on the west side of the road. On the east side, the Radisson Hotel and Webster Bank are surrounded by off-street surface parking. A modern one-story Enterprise Car Rental building fronts to the sidewalk on Huguenot Street opposite Webster Bank.

Conventional commercial development dominates Main and Huguenot Streets east of River Street and Echo Avenue. A Taco Bell, McDonald’s, and CVS, all with drive through windows, are in this location. Sidewalks are present, but street trees are absent from Huguenot Street in this area, and utility poles are above ground. The verge has been paved. Large portions of these uses are dedicated to surface parking. Wooden rail and metal fences control access into the CVS and Chevrolet dealership. Street trees are present along Main Street along with a decorative brick patterned verge although utility poles are present. On-street parking is allowed in this area.

Faneuil Park anchors the northerly gateway into the City along Boston Post Road. One and two-story row style brick buildings front to the sidewalk on Huguenot Street. Street trees are present and on-street parking is allowed.

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<sup>2</sup> <http://hlrb.newrochelleny.com/DocumentCenter/Home/View/22>. Intensive Level Cultural Resource Survey – Central Business District Area. Taylor & Taylor Associates, Inc. 2000.

The attractive five-story pre-war 1907 Beacon Hall building<sup>3</sup> is present on the corner of Main Street and Echo Avenue and maintains its decorative lintels and columned entry. The sidewalk is very wide on this side of Echo Avenue, while the other side has a narrow sidewalk, although a grassy verge is present and granite curbs are installed on both sides of the road. Echo Hall, a building that is part of the Monroe College campus, and a residential building are elevated above the street level with stairs leading to the buildings, and an existing stone retaining wall adding visual interest. Cobra style lights and utility poles are visible. Street trees are not visible. Commercial establishments on the ground floor exhibit the traditional large window pane storefront display windows. This street wall is broken up on the east side, with the presence of parking in front of buildings at either corner of Park Place.

The viewshed looking north on North Avenue from Park Place is dominated by the Memorial Highway overpass.

#### *DO-5*

The proposed DO-5 Zone or Wellness Zone does not have a cohesive visual setting – it is a collection of neighborhoods with a diverse assortment of building types. This area encompasses row style downtown buildings on North Avenue, mid-rise apartment buildings, scattered single family residential buildings and commercial buildings interspersed. The Transit Center is visible from the southern end of North Avenue in this DO Zone.

North Avenue has sidewalks on both sides of the street, and decorative street lamps and brick patterned verge are present, which continues into DO-6. Utilities have been placed underground. With the exception of the municipal parking lot on the east side of North Avenue, the street wall is solid with one to three story downtown row buildings set to the sidewalks. Many of the buildings have been reclad and do not exhibit their original siding. Exceptions include the two-story brick building at 349 North Avenue. North Avenue maintains two-way traffic with a total of four lanes, and on-street parking. North of Lockwood Avenue, the west side of North Avenue exhibits two- and three-story brick downtown row style buildings, the facades of which have not been substantially altered.

The westerly boundary of this zone is Memorial Highway, a four lane highway with two lanes in either direction. Acorn street lamps begin along the northbound side on the overpass under which I-95 runs; Memorial Highway southbound is below the grade as it connects to I-95. Memorial Highway becomes Division Street as it travels south into downtown. Just south of Burling Lane, Memorial Highway are aligned together at grade, divided by a concrete median. The streetscape in this area of Memorial Highway contains concrete sidewalks – utility poles are present within grassy verge, until Memorial Highway reaches Burling Lane, where utilities have been undergrounded. Buildings are setback from the highway with small landscaped front yards. An attractive three-story colonial building (with one below grade story) dominates the northeast corner of Memorial Highway and Burling Lane. The building is brick in the neoclassical style.

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<sup>3</sup> <http://hlrb.newrochelleny.com/DocumentCenter/Home/View/22>. Intensive Level Cultural Resource Survey – Central Business District Area. Taylor & Taylor Associates, Inc. 2000.

Looking south along Memorial Highway, Halstead New Rochelle, La Rochelle, and Trump Plaza buildings punctuate the skyline. Although outside the DO-5 Zone, the Montefiore Hospital New Rochelle campus dominates views to the west, including the residence halls affiliated with this teaching hospital. The Zion Baptist Church (former Woman's Club of New Rochelle), a tudor revival style building, anchors the southeast corner of Memorial Highway and Lockwood Avenue. Mature trees near the sidewalk soften the visual appearance of the highway. Memorial Highway is elevated above North Avenue in the DO-5 Zone, and at this location provides uninterrupted views of downtown New Rochelle.

Park Place has sidewalks and curbs with no verge, street trees, or street lamps. Utility poles are present and within the sidewalk. Dwellings are set back from the street with a small front yard and many properties have shrubs or fences demarcating the front lot line. Single family dwellings some of which may have been converted to multifamily occupancy, maintain accessory garages and off-street parking to the rear of the dwelling. However, at least one instance of the front yard being paved for parking was observed, which detracts from the street views. The two five-story multifamily buildings at the end of Park Place have brick facades with decorative stone and brick accents– the buildings front to the sidewalk with narrow interior courtyards providing access into the buildings; their residential density and scale is in sharp contrast to the otherwise single-family residential character of this street.

#### *DO-6*

The DO-6 Zone encompasses the area located north of Lincoln Avenue primarily along North Avenue. Photos 16, 19, and 20 (refer to **Appendix C**) provide representative views of this area. Unlike other areas of the Study Area, the scale of commercial and mixed use buildings along North Avenue is smaller and less intense than in other areas. The City's northerly lower-density single-family neighborhoods are adjacent to the DO-6 Zone.

Entering from the south, buildings front onto the sidewalk with no front yard present. Buildings are generally attached one and two-story buildings. Older attached row buildings are situated on lots with 20-foot lot widths. Concrete sidewalks are present on both sides of North Avenue, with a brick or paver block edging and granite curbs. Decorative single and double-acorn street lamps are present on North Avenue, and trees have been planted in tree wells. Concrete sidewalks extend over driveway entrances. Many of the two-story mixed use buildings still maintain their original ornamentation above second story windows and have decorative parapets. Many shops have original large pane glass on the first floor, although some original storefront openings have been closed in. A Kentucky Fried Chicken restaurant has been added in more recent years, and the building maintains the relationship to the sidewalk, although the building wall along the street is punctuated by the drive through. Two three-story multifamily buildings front onto the street, with three story bays and one building having its original cornices and name – Cummings.

This section of the Study Area is dominated by the large city government campus. The City Court and Police Complex is a newer building constructed in brick and completed toward the end of 1990s – North Avenue has textured brick style pavement in front of both entrances to the Police Complex and City Hall. City Hall was originally located on Main Street, but moved into



the former Albert Leonard Junior High School reportedly in the 1960s<sup>4</sup>. Because City Hall is a former school, it is set back from North Avenue with a landscaped formal lawn facing the street.

Some buildings have new cladding and replacement windows installed and do not reflect their original architectural style. Others still reflect some of their original ornamentation, such as the art deco features on the building at 545 North Avenue.

Like in other districts, gas stations tend to be at primary visual viewing points, e.g., corners of intersections, and their large pads and islands and multiple curb cuts that front to the street break up the street wall pattern. An existing car wash and several infill sites have been constructed with on-site parking which breaks up the pattern of attached row buildings along North Avenue.

The streetscape pattern changes along the side streets. On 5<sup>th</sup> Avenue, 2.5-story single-family gable dwellings are set back from the street with small front yards and side yards between buildings. Sidewalks appear to be slate, with a grassy verge existing between the sidewalk and curb – in several instances, the grassy verge has been paved over. Asphalt driveways extend over the sidewalks. Street trees and decorative street lamps are absent.

Along Coligni Avenue, there are a mix of architectural styles and ages of buildings. At 17 Coligni Avenue is a pre-war five-story masonry and brick multifamily dwelling identified as Canterbury Hall. Flanking this attractive building are more utilitarian one and two story commercial buildings. Sidewalks are present, and trees have been planted in front of several buildings – a small landscaped setback is present on several properties. On Horton Avenue, the automotive uses have resulted in paving over concrete sidewalks in places. There are no street trees or street lamps present. With the exception of the building at the corner of Horton Avenue and North Avenue (Holy Lighthouse Church), buildings are functional and lack ornamentation.

Lincoln Avenue displays street trees and newer sidewalks with curbs present. Where buildings have been removed, decorative fences and lawn have been added.

### 3.2.1.2 Cultural Resources

The following section is an examination of the specific archeological and historic resources located within and adjacent to the City of New Rochelle Downtown Overlay Zone. These various resources are shown in **Figure 3-5**. Additionally, this section includes the potential impacts that could affect these archeological and historic resources, as well as any necessary measures needed to mitigate potential impacts.

#### Archeological Resources

The analysis of the archeologically significant areas was conducted by utilizing the Cultural Resource Information System (“CRIS”) provided by the New York State Historic Preservation

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<sup>4</sup> <http://hlrb.newrochelleny.com/DocumentCenter/Home/View/40>

Office (“SHPO”). By utilizing CRIS, Archaeological Sensitive Areas and Archaeology Survey Areas present within and adjacent to the Downtown Overlay Zone were identified.

The City of New Rochelle primarily consists of land that has been previously developed and therefore it is unlikely that any significant archeological artifacts remain within the previously disturbed portion of the downtown. However, due to the long history of New Rochelle, almost the entire area for the Downtown Overlay Zone has been identified as an Archeologically Sensitive Area by SHPO. The only portion of the Study Area not included in the Archeologically Sensitive Areas is a small segment in the southwestern corner of the Overlay Zone. Survey Archaeology Areas exist within and adjacent to the Study Area including along Lincoln Avenue west of the Study Area. Within the Study Area, there are four Survey Archaeology Areas including three south of Main Street and one on the corner of North Avenue and Huguenot Street.

### *Historic Overview*

The historic overview of the City of New Rochelle is based on the information provided in the RAP (Section 2) prepared by the Master Developer RDRXR for the Downtown Overlay Zone and Zoning Map Amendments (**Appendix A-1**).

In the 17<sup>th</sup> Century, French Huguenots fleeing religious persecution settled in New Rochelle, which they named after their home city La Rochelle. In 1689, Jacob Leisler purchased 6,100 acres of land in order to establish a Huguenot farming community. The population of New Rochelle grew from 231 residents in 1698 to approximately 400 residents over the next 30 years. New Rochelle remained predominantly rural until the late 1700s.

New technological advances in the 19<sup>th</sup> Century, including the steamboat and railroads, ushered in a new era for New Rochelle. The waterfront helped New Rochelle become a vacation destination for wealthy tourists, while the railroad led to the growth of a business district. Throughout the late 1800s, Starin’s Glen Island, a large resort and theme park, increased tourism in New Rochelle and attracted thousands of daily visitors. In 1860, the population of New Rochelle grew to approximately 4,000 residents and in 1900 the Town and encapsulated Village were formally incorporated into the City of New Rochelle. During this period of growth, Rochelle Park and Rochelle Heights were developed. Rochelle Park was one of the first planned suburban communities in the country and both Rochelle Park and Rochelle Heights are considered part of the historic district that exists today.

In the early 20<sup>th</sup> Century, New Rochelle became one of the wealthiest and most significant cities in the region due to resort developments on the Long Island Sound, burgeoning suburban neighborhoods, and a bustling downtown. The site of the former Starin’s Glen Island became the Glen Island Casino, which was an extremely popular location for music, entertainment, and nightlife. During the 20<sup>th</sup> Century, the population increased significantly from 14,720 residents in 1900 to 54,000 residents in 1930.

Throughout the 1940s and 1960s, there was another population boom as the number of residents grew to nearly 77,000 by 1960. This increase in population was related to postwar suburbanization, advances in transportation and construction, policies including the GI Bill and Federal-Aid Highway Act, and the mass return of World War II veterans. With the increase in population, there was a boom in residential construction and suburbanization.

The time period from the 1960s to the 1990s suffered a drastic downtown decline and population loss of nearly 10,000 people. The construction of the New England Thruway, the New Rochelle Mall, and urban renewal projects led to disinvestment and decline, which was exacerbated by a downturn in resort and tourism industry. During this time entire blocks of the downtown were cleared out and many businesses and residents were displaced.

Since the 1990s, there has been a resurging interest in the central city of New Rochelle. New Roc City was built in 1999 and many large scale apartments and condominium developments were constructed in the 2000s. Revitalization efforts are ongoing and are paving the way for redevelopment of the downtown New Rochelle area.

### *Historic Registers*

The CRIS database was additionally utilized to identify National and State Register buildings and historic districts and locations where Cultural Resources Surveys had been conducted. Within and adjacent to the Study Area, there is one designated National Register Building District. The Rochelle Park-Rochelle Heights (“RP-RH”) Historic District is a National and State Register Building District slightly overlapping and adjacent to the Study Area near Rochelle Park and north of the New England Thruway. This District includes 349 contributing properties and 23 noncontributing properties containing 301 contributing buildings, 212 contributing outbuildings, 4 contributing structures, 48 contributing sites, and 25 nonconforming features. Within this Historic District is Rochelle Park, one of the first residential parks, which was developed in the 1880s. According to the National/State Register Listing, the houses in Rochelle Park are notable examples of suburban housing design during this development period featuring styles such as Queen Anne, Late Victorian Shingle Style, and Colonial Revival architecture. The landscaping on the narrow lots with deep setbacks contributes to the identification of Rochelle Park as a significant representation of the 19<sup>th</sup> Century suburban movement. Rochelle Heights is also included in this historic district and was intended to be a continuation of the development started in Rochelle Park; however Rochelle Heights does not contain the uniformity of design as Rochelle Park. It features the styles found in Rochelle Park with some modern updates in addition to numerous Tudor Revival, English Cottage, and Craftsman-style homes. The Rochelle Park-Rochelle Heights Historic District meets National Register Criterion A for its historical associations with the origins and growth of the suburban movement and its significance in the history of residential community planning. The District also meets Criterion C for the significance of its landscape and house architecture. Additionally, the district is nominated at a state level of significance since it is associated with the broader

patterns of New York State history. This RP-RH is also a Local Historic District regulated under Chapter 170, “Historic Districts and Landmarks” of the City Code and overseen by the City of New Rochelle Historical & Landmarks Review Board.

A Cultural Resources Survey of downtown New Rochelle was completed in 2000 as a follow-up to a Reconnaissance-Level Survey from 1998 in order to create a database of cultural resources. The goal of the Survey was to assist with the historic preservation and cultural resource management of the many historic sites of New Rochelle. The survey area consists of a nearly 40-acre area in downtown New Rochelle between Faneuil Park and Roosevelt Park. Out of the 82 properties surveyed, there were 64 commercial, one single-family residence, 13 apartment buildings, and four objects. In addition to the survey, several recommendations were made with regards to historic and cultural preservation. A critical recommendation was that the downtown area of New Rochelle should seek a National Register of Historic Places designation of “Downtown New Rochelle Historic District.” Additional recommendations include developing a Preservation Plan for the City of New Rochelle, conducting intensive-level surveys in other areas of New Rochelle, developing a priority system for local designation, creating a school-age preservation education program, advocating for legislation favorable to historic preservation, and continuing to produce *The Preserver*, the City of New Rochelle Historical & Landmarks Review Board newsletter.

The project area for the Cultural Resources Survey included part of the New Rochelle Business Improvement District in the downtown area, which created a guide to Historic Downtown New Rochelle. The Guide contains 23 Historic Landmarks located primarily along Main Street, Lawton Street, and the intersection of North Avenue and Huguenot Street with additional landmarks scattered throughout the downtown. The Historic Landmarks listed in the Guide include numerous churches, retail stores, banks, library buildings, Post Office, and former Fire Headquarters. Several of these buildings are included on the National and State Register, discussed below. Others were deemed eligible for listing, but have not yet been listed.

#### *National and State Register Sites*

The analysis of the CRIS resources identified four sites within the Study Area and five sites outside the Study Area but within the vicinity that are on the National and State Register (see **Figure 3-5**). Following are brief descriptions of the characters of these resources.

#### *Historic Sites within Study Area*

- *Pioneer Building, 14 Lawton Street* – This is a two-story brick building with rounded arches and an elaborate roof cornice located on the south side of Lawton Street between Main and Huguenot Streets. Although currently vacant, the site originally was used as the offices of “The New Rochelle Pioneer,” the first newspaper in New Rochelle.
- *New Rochelle U.S. Post Office, 255 North Avenue* – This one-story post office is located at the corner of Huguenot Avenue and North Street. The building was designed by a New

Rochelle resident and architect as one of the few Art Moderne-style post offices in New York State.

- *New Rochelle Railroad Station, Railroad Place* – The brick and stone train station is located north of the railroad tracks on Railroad Place and it is one of five remaining stations on the New Haven line. The exterior is still in the original configuration and the interior has been slightly modified to accommodate commercial uses at the train station.
- *Trinity Episcopal Church, 311 Huguenot Street* – This Gothic-Revival church featuring numerous stained-glass windows is located at the corner of Huguenot Street and Division Street. The church was built in the 1860s, however the congregation was found during the Huguenot settlement.

#### *Historic Sites Surrounding the Overlay Zone*

- *Knickerbocker Press, 50 and 52 Webster Avenue* – These two brick buildings are located on Webster Avenue adjacent to the western boundary of the study area. Both of these buildings were constructed in the late 1800s and were originally used for publishing, printing, and book manufacturing. Many of the unique architectural details remain including decorative brickwork, masonry retaining walls, and the words “Knickerbocker Press” are still visible on the roof.
- *First Presbyterian Church and Lewis Pintard House, 50 and 34 Pintard Avenue* – The Lewis Pintard House is a wood clapboard residence constructed in the 1760’s and is owned by the First Presbyterian Church. The First Presbyterian Church is a stone and brick church constructed in 1925. Both properties contain wood moldings that enhance the architectural details.
- *Leland Castle, College of New Rochelle* - This Gothic-Revival stone building located on Castle Place south of the overlay zone was constructed in 1850 as a residence but is currently used as an educational facility. Architectural details include wood molding and an asymmetrical façade with square and round towers.
- *Wildcliff, Hudson Park* – Wildcliff is located outside of the New Rochelle Overlay Zone near Hudson Park. The building was constructed in the 1850’s and was used as a private residence until it was donated to the City of New Rochelle in 1940. The building has been vacant for many years but there are plans to create an educational center at Wildcliff.
- *Rochelle Park – Rochelle Heights Historic District* – This historic district is located northeast and slightly overlapping of the New Rochelle Overlay Zone. The historic district includes numerous Late Victorian, Colonial Revival, and Tudor Revival residential buildings.

### 3.2.1.3 Shadows

Existing large structures in the Study Area cast shadows based on the time of year and angle of the sun. As the Proposed Action may result in a potential for increased height through Development Standards and Community Benefit Bonuses, the community character relating to the potential for shadows is evaluated in this DGEIS. Maximum heights allowed under current zoning are discussed in **Section 3.1**. Height restrictions vary within the existing districts, and the existing floating zones allow for significant additional height. The Proposed Action is the adoption of zoning amendments that will provide a variety of options to landowners to pursue development pursuant to three Development Standards, plus the ability to gain additional height through Community Benefit Bonuses. Since the proposed DO Zones and the associated bonus incentives are optional, it is not possible to predict if and where the buildings of taller height will be constructed. As a result, a full shadow analysis of proposed buildings cannot be performed; however, sun-sensitive resources can be identified and surrounding parcels that could impact these resources can be identified based on shadow analysis methods. The methodology utilized to identify said parcels is provided below. The results of this analysis as related to potential impacts are provided in **Section 3.2.2.3**.

The methodology utilized to determine potential impacts from increased shadows was taken from the *New York City Environmental Quality Review Technical Manual*, Chapter 8 (last revised March 2014, “Technical Manual”). The Technical Manual recommends a three-step process in order to determine the impact of a shadow from a proposed structure on a sun sensitive resource. Step 1 is relevant to this analysis as it provides a means to identify the location of parcels that if developed with large buildings that could potentially impact sun-sensitive resources.

A sun-sensitive resource is defined by the *Technical Manual* as follows: “... *those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource’s usability or architectural integrity.*”

Sunlight sensitive resources include public open space (e.g., parks, beaches, playgrounds, plazas, schoolyards, greenways, landscaped medians with seating), architectural resources that depend on direct sunlight for enjoyment (e.g., buildings with stained glass windows, buildings or properties with historic landscapes), natural resources (e.g., wetlands, surface water bodies) and green streets.

In order to determine the overall potential impact area, a radius of varying distances directly related to each of the proposed overlay districts was created surrounding the Study Area boundary. This radius was determined using referenced methodologies that define the height to shadow relationship as 4.3 times the height of a given structure to determine the potential area of maximum impact. In this case, the maximum height possible in each Downtown Overlay Zone and associated maximum potential shadow is summarized in **Table 3.2-1**.

**Table 3.2-1  
MAXIMUM POTENTIAL SHADOW LENGTH**

Proposed Overlay Zone	Maximum Building Height*	Maximum Potential Shadow Length (feet)
DO-1	605	2,601.5
DO-2	285	1,225.5
DO-3	125	537.5
DO-4	125	537.5
DO-5	125	537.5
DO-6	65	279.5

\*Maximum height estimated based on typical floor to ceiling heights for Class A commercial space in DO-1, standard floor to ceiling heights in remaining districts.

The Study Area and surrounding area radius were then inventoried for sun-sensitive resources as defined above. As illustrated in **Appendix D-1**, 34 sun-sensitive resources were identified within the Study Area or within the potential shadow impact area boundary. **Table 3.2-2** provides a list of each resource, the type of resource, and the sun-sensitive feature that the resource contains.

**Table 3.2-2  
SUN-SENSITIVE RESOURCES**

Site Identification	Name	Site Address	Site Type	Sun-Sensitive Resource
1	Hamilton Avenue Monument and Plaza	North Avenue and Hamilton Avenue	Plaza	Seating Area
2	Holy Lighthouse Church	528 North Avenue	Church	Stained Glass
3	Bethesda Baptist Church	71 Lincoln Avenue	Church	Stained Glass
4	St. Catherine AME Zion Church	21 Lincoln Avenue	Church	Stained Glass
5	Refugio de Esperanza Church	475 North Avenue	Church	Stained Glass
6	Lincoln Park	Lincoln Avenue and Guion Place	Open Space	Play Area, Grass, Water Park
7	Rochelle Park Entrance Plaza	North Avenue and The Blvd	Plaza	Grass
8	Rochelle Park	Manor Place and Manhattan Avenue	Open Space	Grass
9	Housing Authority Property	41 Lockwood Avenue	Plaza	Seating Area
10	Sutton Park Nursing and Rehabilitation	31 Lockwood Avenue	Plaza	Seating Area
11	Zion Baptist Church	50 Lockwood Avenue	Church	Stained Glass
12	Holy Trinity Lutheran Church	30 Lockwood Avenue	Church	Stained Glass, Architecture
13	Church of Street. Gabriel Building	Washington Avenue and Division Street	Church	Architecture



<b>Site Identification</b>	<b>Name</b>	<b>Site Address</b>	<b>Site Type</b>	<b>Sun-Sensitive Resource</b>
14	St. Gabriel's Church	40 Washington Avenue	Church	Stained Glass, Architecture
15	Station Plaza Seating Area	North Avenue and Railroad Place	Plaza	Seating Area
16	Fire Station	45 Harrison Street	Plaza	Seating Area
17	Faneuil Park	Main Street & Huguenot Street	Open Space	Grass, Seating Area
18	Trinity Church Burial Grounds	Huguenot Street	Church	Cemetery
19	Trinity Church	311 Huguenot Street	Church	Stained Glass, Architecture
20	Public Library Green	264 Huguenot Street	Open Space	Grass, Seating Area
21	Pioneer Building	14 Lawton Street	Historic	Architecture
22	Memorial and Main Pedestrian Plaza	Memorial Hwy and Main Street	Plaza	Seating Area
23	Church of God	19 Locust Avenue	Church	Stained Glass
24	Soldier's Monument	635 Main Street	Plaza	Historic Monument, Plantings
25	Blessed Sacrament Church Field	Centre Avenue	Open Space	Grass, Ballfield
26	Blessed Sacrament Church	Centre Avenue and Shea Place	Church	Stained Glass, Architecture
27	Presbyterian Church of New Rochelle	50 Pintard Avenue	Church	Stained Glass, Architecture
28	American Legion Post 8	112 North Avenue	Plaza	Seating Area
29	Leif Eiricsson Park	Pelham and Hudson Park Road	Open Space	Grass, Seating Area
30	Hugh A Doyle Senior Citizens Center	94 Davis Avenue	Open Space	Grass, Gardens
31	Trinity Place Ballfield	Trinity Place	Open Space	Grass, Ballfield
32	New Rochelle College Main Campus	53 Castle Place	College	Architecture, Open Space
33	Isaac E. Young Middle School	270 Centre Avenue	Schoolyard	School Ballfield
34	Trinity Elementary School	180 Pelham Road	Schoolyard	Playground

A description of each site and the sun-sensitive features is provided below.

*Site 1 – Hamilton Avenue Monument and Plaza:* The monument and plaza is located on the east side of North Avenue, between the one-way travel lanes associated with Hamilton Avenue. The plaza features a monument and a seating area.

*Site 2 – Holy Lighthouse Church:* This church is located on the southwest corner of Horton Avenue and North Avenue. Stained glass windows are located on the north, west and east sides of the building.

*Site 3 – Bethesda Baptist Church:* The playground is located on the north side of Lincoln Avenue, across from Lincoln Park. Stained glass windows are located on the south and east sides of the church.

*Site 4 – St. Catherine AME Zion Church:* The church is located on the north side of Lincoln Avenue, between Brook Street and North Avenue. Stained glass windows are located on the south facing portion of the church building.

*Site 5 – Refugio de Esperanza Church:* This church is located on the east side of North Avenue, north of Manor Place. Stained glass windows are located on the west side of the church building.

*Site 6 – Lincoln Park:* The public park is located on the south side of Lincoln Avenue, between Prince Street and Memorial Highway. The park features several sun-sensitive elements, including a ballfield, a splash park, a playground, community gardens and open space areas for general public use.

*Site 7 – Rochelle Park Entrance Plaza:* The plaza is located on the north side of the intersection of North Avenue and The Boulevard. The plaza features a planted area and a stone entrance gate to the community and park to the east.

*Site 8 – Rochelle Park:* This park is located in the center of The Circle. The park consists of an open lawn area with some trees located near the perimeter of the park.

*Site 9 – Housing Authority Property:* This property is located on the north side of Lockwood Avenue, west of May Street. The sun sensitive feature here (a plaza) is jointly owned and utilized by Site 12. The plaza area is an open raised area that features tables and outdoor seating.

*Site 10 – Sutton Park Nursing and Rehabilitation:* This property is located on the north side of Lockwood Avenue, west of May Street. The sun sensitive feature here (a plaza) is jointly owned and utilized by Site 11. The plaza area is an open raised area that features tables and outdoor seating.

*Site 11 – Zion Baptist Church:* This church is located on the southeast corner of Lockwood Avenue and Memorial Highway. The church entrance faces north towards Lockwood Avenue and features stained glass windows.

Site 12 – Holy Trinity Lutheran Church: This church is located on the south side of Lockwood Avenue, between Memorial Highway and May Street. The church entrance faces north towards Lockwood Avenue, and features stained glass windows, planting areas, and an elevated architectural feature reminiscent of a castle tower, with crenellations located at the top of the tower. Stained glass is also present on the east and west sides of the church.

Site 13 – Church of St. Gabriel Building: This building, owned by the Church of St. Gabriel, is located on the northwest corner of Washington Avenue and Division Street. This building features architectural recesses that are enhanced by sunlight.

Site 14 – St. Gabriel’s Church: This church is located on the southwest corner of Washington Avenue and Division Street. The building entrance faces east and contains a clock tower reminiscent of a castle with crenellations at the apex of the tower.

Site 15 – Station Plaza Seating Area: The plaza is associated with the train station, and is located on the south side of the intersection of Station Plaza North and North Avenue. A small seating area with grass and benches is present.

Site 16 – Fire Station: The fire station is located on the north side of the intersection of Harrison Street and Cedar Street. The fire station features a small plaza and monument with a seating area fronting Harrison Street.

Site 17 – Faneuil Park: This park is located on the west side of the intersection of Huguenot Street and Main Street. The park features a grass area surrounded by trees and a seating area located around a monument on the western portion of the park.

Site 18 – Trinity Church Burial Grounds: The cemetery is located on the western portion of the church property, which is located on the west side of the intersection of Division Street and Huguenot Street. Open grass areas associated with the cemetery are present in this portion of the property.

Site 19 – Trinity Church: This church is located on the west side of the intersection of Division Street and Huguenot Street. The church entrance faces southeast towards Huguenot Street and features stained glass windows, a brick façade, and a clock set in a large steeple.

Site 20 – Library Green (Ruby Dee Park): This park is located on the southeast corner of Huguenot Street and Memorial Highway. The park features an open grassy area surrounded by minimal trees.

Site 21 – Pioneer Building: This historic building is located on the west side of Lawton Street, north of Main Street. The building features intricate architectural detail in the roof, including recesses accentuated by sunlight.

Site 22 – Memorial and Main Pedestrian Plaza: The plaza is located on the northwest corner of Memorial Highway and Main Street. The plaza features a brick pedestrian area with seating and decorative plantings near the roadway.

Site 23 – Church of God: The church is located on the west side of Locust Avenue, north of Clinton Place. The church building features a large entrance awning with columns that faces east towards Locust Avenue. Stained glass windows are also located on the front of the building.

Site 24 – Soldier’s Monument: This plaza and monument are located on the east side of the intersection of Main Street and Huguenot Street. The monument is historic in nature and features low level plantings around the base of the monument.

Site 25 – Blessed Sacrament Church Field: This is an open grassy field associated with the church, located on the northwest corner of Center Avenue and Shea Place.

Site 26 – Blessed Sacrament Church: The church is located on the northwest corner of Center Avenue and Shea Place. The building features an intricate brick façade and a large steeple.

Site 27 – Presbyterian Church of New Rochelle: The church is located on the southeast corner of Pintard Avenue and Marvin Place. The church entrance faces Pintard Avenue, with features a large awning with columns and a large steeple.

Site 28 – American Legion Post 8: The building is located on the west side of North Avenue, north of Union Street. The property features an outdoor seating area with benches.

Site 29 – Leif Ericsson Park: The park is located on the northeast corner of Pelham Road and Hudson Park Road. The park features an open lawn area with seating, some large trees, and a monument.

Site 30 – Hugh A. Doyle Senior Citizens Center: This building is located on the northwest corner of Bancker Place and Poplar Place. The property features outdoor seating areas and gardens.

Site 31 – Trinity Place Ballfield: The ballfield is located on the south side of Trinity Place, west of Church Street. A single baseball field is located at the property.

Site 32 – New Rochelle College Main Campus: The college is located on the northeast corner of Leland Avenue and Elm Street. The college features several buildings with intricate architectural design reminiscent of that of a castle. An open lawn area is located in the center of the campus and is known as Maura Lawn.

Site 33 – Isaac E. Young Middle School: The school is located on the east side of Centre Avenue, south of Trinity Place. The school contains two ballfields located on the south side of the building.

Site 34 – Trinity Elementary School: The school is located on the southeast corner of Pelham Road and Church Street. The school features a playground on the south side of the building.

An analysis of impacts resulting from development of parcels within the Study Area that may impact the above listed sun-sensitive resources is provided in **Section 3.2.2.3**.

### 3.2.2 Potential Impacts

#### 3.2.2.1 Visual Character

The Study Area represents a diverse area with a range of buildings and uses, and varying building patterns. The Proposed Action is the adoption of amendments to the Zoning Code and Zoning Map in order to create Downtown Overlay Zones necessary to implement the redevelopment policies and objectives expressed in various City planning documents and the RAP. The adoption of the Proposed Action, with its integral Zoning Standards Map, would improve the visual character of existing underutilized areas as well as ensure that development is constructed in a manner which is consistent with the “historic” building patterns in the downtown which elevate the importance of the pedestrian realm. The Proposed Action emphasizes less the type of uses that are allowed, and instead emphasizes creation of a quality visual environment that will accommodate a mix of land uses that includes the potential for new residential development, retail, office, hospitality and other uses and complementary related service businesses, all in a manner that adds architectural character and vibrancy to the downtown.

It is noted that any development that is pursued in accordance with the DO Zone regulations is voluntary, i.e., it provides an opportunity for property owners to redevelop in a manner that is consistent with the intent of the zoning amendments and RAP, which is a summary expression of the various planning documents that have preceded them. However, if a property owner desires to benefit from the additional intensity/density allowed by the DO Zones, development would be required to comply with a form-based regulations and other design requirements that emphasize the importance of the interface between the building (private) and pedestrian (public) realm. The benefits associated with pursuing development in accordance with DO Zone regulations is the introduction of new mixed-use development in a more consolidated pattern than the current form of development.

The RAP (Section 3) carefully documents the public’s preferences for each DO Zone, and incorporates specific recommendations for improving the built environment specific to the unique characteristics of each proposed zone. The residential density and nonresidential intensity of uses, expressed ultimately in building scale and form, is highest within the DO-1 Zone, or the downtown core, and steps down with distance from the Transit Center and Ruby Dee Park. While the same principles are espoused for the DO-1 and DO-6 Zones to achieve a particular objective, e.g., creating a livable, walkable environment, the scale at which the objective is achieved is different as the proposed Zones have considered the Proposed Action’s compatibility with surrounding and adjacent uses.

With regard specifically to visual resources, the regulations of each DO Zone contain specific standards that will ensure that the quality of the visual environment is either preserved or enhanced. At a minimum, the base requirements for an application to be considered in accordance with the DO Zone regulations will require adherence to the following:

- Zoning Standards Map and district height standards;
- A streamlined table of uses;
- Frontage standards designed to promote activity
- Pedestrian-friendly streets and storefronts
- Parking standards and shared parking incentives
- Urban design standards

Each of these elements ensures that the visual character of the Study Area will be improved and protected. Promoting “walkability” via frontage standards and creation of pedestrian friendly streets and storefronts, is a particular objective which will result in a positive visual environment. As set forth in the RAP (Section 5), creating a walkable environment has the following benefits, some of which translate to a positive visual environment:

- Create a "the useful walk" that relies on people making a choice to walk, supported by the mix of uses, regulating where the cars belong, curbing the parking ratios, and making transit and biking work. The end result is that motor vehicles, with their demand for parking, will be regulated to a secondary position in the landscape.
- Creating "the safe walk" by calming the traffic, regulating the block size and block permeability, increasing the transparency and activity of the first floors, providing "eyes on the street" present at all times, providing appropriate lighting. This objective not only provides a safe environment for the pedestrian, but also creates a visual interesting environment to capture the attention of the user.
- Creating "the comfortable walk" by providing a sense of enclosure and incorporating biophilic properties on all levels. “Biophilia” is a term used by conservationist E.O. Wilson to describe the extent to which humans are hard-wired to connect with nature. Integral to the downtown environment will be the addition of natural landscapes and places for human social interaction, including plazas, greens, cafes, and other positive visual attributes.
- Creating "the interesting walk" by creating friendly and interesting facades that add to the character of downtown. This objective is particularly important, as it will allow for the retrofit of certain existing spaces which are not visually activated, e.g., parking garages that front to the sidewalk.

Another important goal of the Proposed Action is the protection of historic buildings – historic buildings are a particular visual asset to the Study Area. Specific revitalization strategies include:

- Incorporate and protect historic buildings. The RAP (Section 2) includes a photomontage of important buildings in the City’s history, from the Pioneer Building to the former Masonic Lodge on Main Street. These are special places which also visually create the

City's unique sense of place. These buildings are to be protected and incorporated into new developments.

- Build upon the existing character. The DO Zones, to some extent, will promulgate standards which promote the existing positive visual pattern of the City's built environment. Large segments of the Study Area are already developed with streets that have attached row style mixed use buildings with buildings fronting to the sidewalk, providing visual interest to the pedestrian. These positive visual attributes are being memorialized in the new zones.
- Regulate the percentage of transparency and active entrances for storefronts. Like existing patterns in the Study Area, the Proposed Action will require that certain street segments are developed in accordance with minimum transparency standards so as not to create uninteresting blank facades which deaden downtown environs.
- Utilize adaptive reuse when economically viable. The proposed zoning will incorporate standards to require that buildings, especially if they have historic or architectural significance, are adaptively reused rather than demolished.

The potential impacts to the Study Area's visual environment are shown in a series of before and after images set forth below which illustrate the current visual environment, and an image of how the environment could be improved through adherence to the new zoning.





**View 1 – Memorial Highway, Before at top and After at bottom. An activated streetscape that masks the parking garage behind the liner ground floor commercial storefronts.**



**View 2 - Division Street looking north from Leroy Place Before at top and After at bottom. The existing surface parking lots and parking deck which prioritizes motor vehicles is made secondary in the landscape through redevelopment into mixed use buildings with activated streetscapes.**





**View 3 - Huguenot Street across from Trinity St. Paul's Episcopal Church. The one-story building supply commercial building has been infilled with mixed use buildings that match the historic and architectural character of the adjoining existing buildings. It not only activates the downtown, but creates a visually attractive viewshed for the National Register property across the street.**

As evaluated in this section, existing important visual and historic features and properties in the Study Area as identified in **Section 3.2.1.1** will not be affected. This would include religious uses (e.g., Trinity St Paul's Episcopal Church), green space (e.g., Ruby Dee Park), institutional and government buildings and many of the attributes that were identified as contributing to the positive visual character of the Study Area. The potential shadow impacts of tall buildings are assessed in **Section 3.2.2.2**. It is further noted that high-rise buildings are present already within the Study Area, and the current zoning allows buildings with heights of up to 500 feet, as described in **Section 3.1**.

The maximum allowable height of buildings would increase 105 feet; from 500 feet (maximum permitted by the existing Downtown Density Bonus) to a maximum of 605 feet within the DO-1 Zone (maximum permitted height under Development Standard 3 with Community Benefit Bonus). This proposed zoning would concentrate population and employment in proximity to the New Rochelle Transit Center, where such development has been deemed appropriate by City planning policies. This is not deemed significantly different from what is allowed in accordance with existing zoning, which enacted the Downtown Density Bonus provisions to accomplish the same objectives. A primary and significant difference between the existing zoning and Proposed Action is that the Proposed Action incorporates specific urban design guidelines, expressed in the proposed zoning amendments and associated Zoning Standards Map, to protect the important positive attributes of those downtown building patterns which make it vibrant and livable.

A component of the existing visual character of the Study Area involves existing expanses of pavement for surface parking. The visual character of these areas would be greatly improved as a result of the redevelopment of these parking areas into mixed use buildings, improved streetscapes, screened parking and strategic placement of structured parking. The Proposed Action envisions that where structured parking is necessary, liner commercial space would inhabit the ground floor, rather than blank walls or views of vehicles within a parking deck.

Specific design and development control elements of the proposed DO Zone are described in detail in **Section 3.1.2** and include design standards for any newly constructed streets based on street type; requirements for providing public space within the build-to-zone to achieve the intended form/design; lot width, area and minimum and maximum height requirements for each DO Zone; and associated Development Standards that will provide a higher density and height on lots that are able to assemble parcels that increase street frontage presence and lot area which provides for more coordinated design and re-use of properties; standards and guidelines for storefronts and which will encourage design that promotes appropriate architectural features for these areas; civic space requirements; and, an improved pedestrian environment to be provided within the proposed development area as outlined in **Section 3.1.2**.

In summary, the Proposed Action is intended to improve visual character by providing the flexibility to allow for various density, use and design options that would achieve coordinated redevelopment by encouraging and incentivizing a mix of land uses on assembled or appropriate individual parcels (e.g., commercial/retail and office uses with upper-level office, hospitality or residential uses). These zones are designed to provide for appropriate densities, and density incentives within target portions of the Study Area, with the greatest density and height achieved in proximity to the New Rochelle Transit Center (i.e., bus and rail) and decreased densities with distance from the downtown core. The proposed design guidelines and standards are intended to improve the form of development and enhance the pedestrian experience. Such form-based standards include many elements that are intended to improve visual character such as building form standards, public space standards, architectural standards and landscaping standards. The Proposed Action is consistent with the City's planning policies in fostering redevelopment of downtown New Rochelle.

### 3.2.2.2 Cultural Resources

#### *Archeological Resources*

The DOZ, with the exception of a small area located between Route 1, Route 95, Webster Avenue and a line parallel with Pine Court, is within a New York State Office of Parks, Recreation and Historic Preservation designated Archeologically Sensitivity Area (**Figure 3-4**). This area, however, including its soil profile, as indicated on the Aerial Photograph (**Figure 2-4**), Soils Map (**Figure 3-10**) and Land Use Map (**Figure 3-1**), has been significantly disturbed by past clearing, grading, cutting, filling, mixing, paving, demolition, land development and redevelopment. This disturbance would have significantly affected the integrity of any such resources within a few feet of the surface, including destroying and/or displacing any prehistoric archeological resources that may have once existed in this area prior to development and redevelopment as a City center. Future redevelopment in the downtown, therefore, would involve the disturbance of areas that have already been significantly affected. If future redevelopment or site disturbance is proposed on sites identified as historic landmarks by the National and/or State Registers or the City of New Rochelle, a Phase IA (and possibly a Phase IB) Archaeological Survey may be warranted during site plan review to further investigate the potential presence of historic artifacts.

#### *Historic Resources*

A very small portion of the DO Zone north of Cross Avenue and east of North Avenue is within the Rochelle Park-Rochelle Heights Historic District or is adjacent to this district. The RP-RH Historic District is a National and State Register Building District due to its historical and architectural significance as a residential park developed around the turn of the Twentieth Century. Historic landmarks were also identified in the area, including the Pioneer Building, New Rochelle Post Office, New Rochelle Railroad Station, and Trinity Episcopal Church and consideration has been made of seeking National Register “eligible” status for the possible “Downtown New Rochelle Historic District.” Future development and redevelopment within or adjacent to the RP-RH Historic District (or any other future districts) could affect the historic character of the district by introducing new building forms and architectural elements into or adjacent to the district or landmark sites. It is important therefore, that future actions taken within an existing or future district or at a designated landmark site be reviewed by the City’s Historical and Landmark Review Board (“HLRB”) for potential impacts and issuance of a Certificate of Appropriateness (“CA”). CAs must be obtained by the developer, where required, before final permits and approvals are issued. Conformance to State and/or Federal agency standards and procedures is also required.

Developments and redevelopments that are proposed outside but adjacent to the RP-RH Historic District or any other future district (e.g., the Downtown New Rochelle Historic District should it be registered in the future) or designated landmark should also be reviewed by the agency having site plan approval authority and a referral sent to the HLRB to ensure that such development is integrated into the visual context of the area and does not significantly detract from the historical character of the district or any listed State and National Register landmarks. While the visual compatibility of future actions is of paramount importance, care should also be exercised to

ensure that proper construction methods and precautions are taken when construction is within the vicinity of historic landmarks.

The proposed zoning amendments (**Appendix A-2**) include a provision for Community Benefits Bonuses that provide developers with additional floor area at development sites as an incentive for them to create public goods, including, among others, providing art and cultural space and preserving historic structures in the downtown. These incentives have a key role in promoting the protection of the City's valued historic resources.

### 3.2.2.3 Shadows

Under existing zoning maximum building heights allow for between 35 and 180 feet in residential districts, between 30 and 70 feet in the commercial/industrial districts and between 40 and 280 feet in the mixed use districts (see **Section 3.1**). If a landowner chooses to opt into the proposed DO Zone, the base zoning (Development Standard 1) would permit a maximum building height of two stories in DO-3, DO-4, DO-5 and DO-6, which is less than that of the existing zoning. In DO-1 and DO-2, the base zoning (Development Standard 1) would permit a maximum height of eight stories and four stories respectively, which may be greater or lesser than what current zoning permits, depending on the specific site location and the base zoning (see **Figure 3-3**). As the Development Standards and bonuses require a minimum lot area greater than that of the majority of the lots within the Study Area, individual parcels would have to be assembled in order to receive the bonus height, and therefore it is more difficult to achieve the heights permitted under the Development Standards (the greatest being in DO-1, which would permit 48 stories in Development Standard 3 with the maximum Community Benefits Bonus and 28 stories in Development Standard 2 with the maximum Community Benefits Bonus, respectively). As such, in some cases the impacts from shadows under the existing zoning would be greater than that of the proposed DO Zone, as maximum heights under the existing zoning exceed the maximum height under the proposed base zoning. However, DO-1 and DO-2 will permit heights greater than that which is currently permitted, and therefore the potential impacts from shadows in these districts will require future evaluation. Further analysis of potential shadow impacts has been prepared to determine impact of larger buildings if permitted by the Code amendments.

Shadow impacts are assessed by determining the potential for new buildings to cast shadows on sun-sensitive resources. In order to determine the potential impact on these resources, the maximum potential building height of a proposed structure is multiplied by 4.3 (as the maximum shadow of a structure will be 4.3 times the height of the structure) that is utilized as a potential impact radius surrounding the structure.

As exact locations and dimensions of proposed buildings are unknown, a "reverse" analysis was performed in which the sun-sensitive resources were analyzed individually to determine the radius of influence that surrounding parcels could have on the resource. This was accomplished by projecting the radii listed in **Table 3.2-3** based on the base zoning, and each Development Standard or Bonus scenario around each sun sensitive resource. This provides a spatial means to

determine if these radii intersect with any of the proposed overlay zones that would permit a building height that could potentially impact the resource.<sup>5</sup>

**Table 3.2-3**  
**MAXIMUM SHADOW RADIUS PER DEVELOPMENT SCENARIO**

Overlay Zone	Shadow Radius					
	Development Standard 1	Development Standard 1 + Bonus	Development Standard 2	Development Standard 2 + Bonus	Development Standard 3	Development Standard 3 + Bonus
DO-1	537.5	666.5	1,569.5	1,827.5	2,601.5	2,601.5
DO-2	193.5	236.5	537.5	623.5	1,053.5	1,225.5
DO-3	107.5	107.5	236.5	279.5	451.5	537.5
DO-4	107.5	107.5	236.5	279.5	451.5	537.5
DO-5	107.5	107.5	193.5	236.5	451.5	537.5
DO-6	107.5	107.5	193.5	236.5	236.5	279.5

When determining if a proposed structure will cast a shadow on a sun-sensitive resource, the maximum shadow the structure will cast (due to sun angles in Westchester County) ranges 108° in either direction from true north. If this angle is mirrored (i.e., 108° in either direction from due south) and the angle of measure begins at the northernmost point of a sun-sensitive resource, then an exclusion area can be generated for the resource as any structure located north of the angle limit cannot cast a shadow on the sun-sensitive resource.

Using these methods, parcels that could potentially cast a shadow on sun-sensitive resource can be identified. It is expected that future development of these parcels would be subject to a site-specific analysis for shadow impacts if and when a project is proposed on one of these parcels. Parcels outside of the areas identified as having the potential to impact a sun-sensitive resource, can then be assumed to have no impact with respect to shadows.

The shadow analysis was conducted for each potential Development Scenario (Development Standard 1, 2, and 3, each with the potential for additional height through Community Benefit Bonuses). The results of this analysis for each scenario are depicted in **Appendix D-2 to D-7**. Utilizing the base zoning, 183 parcels (approximately 27 percent of the Study Area) will require shadow impact analysis to further determine potential impacts on the identified sun-sensitive resources. A list of these parcels is provided in **Appendix D-2**. As the base zoning allows for a maximum height of eight stories in DO-1, four stories in DO-2, and two stories in DO-3, DO-4, DO-5 and DO-6, this zoning option minimizes the need for shadow analysis within the Study Area. As building height progressively increases under the various scenarios, the potential impact of shadows increases. **Table 3.2-4** below provides the number of parcels that would require site specific impact analysis under each scenario, the approximate percentage of the

<sup>5</sup> Note: If the radius did not intersect with the DO Zone that matched the building height the radius was based on, then the potential impact area boundary was reduced to the appropriate radius for the zone.

Study Area that would require said analysis, and the appendix that provides the list of parcels that would require shadow impact analysis under a given scenario.

**Table 3.2-4**  
**SHADOW IMPACT ANALYSIS PER DEVELOPMENT SCENARIO**

<b>Development Scenario</b>	<b>Number of Parcels Requiring Further Analysis</b>	<b>Percentage of Study Area</b>	<b>Appendix Containing List of Parcels Requiring Analysis</b>
<b>Development Standard 1</b>	183	27	D-2
<b>Development Standard 1 + Bonus</b>	128	23	D-3
<b>Development Standard 2</b>	349	49	D-4
<b>Development Standard 2 + Bonus</b>	376	53	D-5
<b>Development Standard 3</b>	486	65	D-6
<b>Development Standard 3 + Bonus</b>	533	69	D-7

The analysis further indicates that development within the Study Area under any development scenario would not require a shadow impact analysis for select parcels along the perimeter of the Study Area in DO-3, DO-4, DO-5 and DO-6. The analysis also indicates that development within the Study Area under any development scenario would never result in a shadow impact on five of the identified sun-sensitive resources: Trinity Place Ballfield, New Rochelle College Main Campus, Isaac E. Young Middle School, and Trinity Elementary School. Generally, it is noted that the majority of the parcels requiring further evaluation are located within the central portion of the Study Area, due to the maximum permitted heights in DO-1 and DO-2. Similarly, analysis for parcels proposing development in DO-1 is always required due to the maximum permitted heights. This analysis provides a basis to screen parcels for potential shadow impacts, and allows for consideration of these potential impacts in the planning of development within the Study Area. Parcels identified in **Appendices D-2 to D-7** would warrant further analysis of potential shadow impacts on a site-specific basis, if buildings of increased height are proposed.

### 3.2.3 Mitigation Measures

Adoption of the proposed code amendments is not anticipated to result in any significant adverse impacts to visual character, as the code amendments include design guidelines and standards that are intended to improve the form of development and enhance the public realm and pedestrian experience. Such form-based standards include many elements that are intended to improve visual character such as building form standards, public space standards, architectural standards and landscaping standards. Therefore no mitigation is required.



With regard to cultural resources, potential impacts associated with the Proposed Action are either beneficial or similar to that which could occur under the existing zoning. Therefore, adoption of the proposed zoning amendments is not anticipated to result in any significant adverse impacts to community character and no mitigation measures are required. Future site-specific development applications (conforming to the Proposed Action) submitted to the City will be subject to site-specific review of visual, shadow and/or cultural resource impacts as summarized below:

- Future projects that may potentially affect the integrity of a City designated historic district or landmark, including buildings of historic or architectural interest, must comply with standards and procedures set forth under Chapter 170, “Historic Districts and Landmarks,” of the City of New Rochelle Code. This would include, as applicable, securing Certificates of Appropriateness from the City’s HLRB and performing future actions in accordance with specified conditions and standards. Applicants for Certificates of Appropriateness should also consult the City’s publications entitled “Owning a Home in a Local Historic District” and “Design Guidelines” which are available from the City.
- Compliance to State and Federal standards may also be applicable for projects that may adversely affect State and/or Federally Registered Landmarks or Historic Districts, necessitating outreach and coordination with applicable agencies. Cultural resource evaluations may include contact with the State Historic Preservation Office (“SHPO”) for review, input and approval. If that entity deems it appropriate, additional analysis may be required, or revisions to the application may be deemed necessary by SHPO to avoid or mitigate such impacts.
- If future redevelopment or site disturbance is proposed on sites identified as historic landmarks by the National and/or State Registers or the City of New Rochelle, a Phase IA (and possibly a Phase IB) Archaeological Survey may be warranted to further investigate the potential presence of historic artifacts.

Adoption of the proposed code amendments is not anticipated to result in any significant adverse impacts to sun sensitive features. While additional height may be permitted under the proposed zoning amendments in certain districts, the potential for shadow impacts to sun sensitive resources will be addressed during individual site plan review of applications. The parcels identified in **Appendix D-2, D-3, D-4, D-5, D-6, and D-7** will require a shadow analysis to be performed at the time of Site Plan Application if those parcels opt into the Downtown Overlay Zone. Mitigation may be necessary based on the results of site specific analysis.

### 3.3 Community Services and Utilities

Community services are publicly funded entities that provide a governmental function, activity or service for public benefit. Provision of adequate public facilities and services plays an important role in maintaining a cohesive community. The various community facilities and services relevant to the Study Area include those services provided by the City of New Rochelle, specifically: police protection, fire protection, stormwater management, sanitary waste handling and solid waste management. With respect to sanitary waste and solid waste, Westchester County Department of Environmental Facilities (“DEF”) is a critical component in the treatment and disposal of wastewater at the New Rochelle Wastewater Treatment Facility (“WWTF”), and solid waste disposal at the Yonkers Material Recovery Facility. As a result, the role and capacity of Westchester County to provide these services is addressed in this section.

Emergency ambulance response is provided by a private company under contract to the City, and water supply is provided by an independent utility, United Water, regulated by the Public Service Commission (“PSC”). Electricity and Natural Gas are provided by an independent utility, Con Edison, also regulated by the PSC. Educational services are provided by the City School District of New Rochelle, which operates under New York State Education Department oversight.

This Draft GEIS pertains to the Downtown Overlay Zone initiative of the City of New Rochelle, and not a specific development project. The adoption of form-based zoning as an optional overlay district that provides incentives for beneficial redevelopment is unique. As a result, the City, Master Developer and consultant conducted a transactional planning process through direct meetings and interviews with service providers to obtain the maximum input in a form that would facilitate a comprehensive approach to identification of issues and solutions to provide service capacity to accommodate the growth and redevelopment sought to revitalize New Rochelle as identified in the RAP (Section 5, see **Appendix A-1**). This approach goes beyond the typical cataloguing of services, nearest fire or police station to a project site and other measures typically employed for site specific development. Meaningful dialogue of global issues facing each service provider was held, and the key points and solutions were assembled for review and follow-up with service providers to ensure that the essence of these discussions were captured. In all cases, current infrastructure and capacity challenges exist in providing these services to the residents of New Rochelle. The opportunity to comprehensively and collectively identify these issues and plan strategies for service improvements will benefit existing conditions and create opportunities for growth, which will in turn provide tax revenue to generate funds to address existing and future needs. The concept of “Fair Share Mitigation” to address infrastructure improvements is also considered as an important mitigation tool to share improvement costs for the greater good of the overlay zone area (“Study Area”). It should be noted that many of the improvements discussed in this section will not only improve services for the area influenced by the proposed Downtown Overlay Zones but will also enhance the quality of services to residents throughout the City. This zoning initiative provides a unique opportunity for the City to address ongoing and at times degrading levels of service through comprehensive redevelopment efforts.

Interactive dialogue with United Water also proved meaningful in developing strategies to address system deficiencies as growth occurs. Con Edison is the local electricity and natural gas

provider and typical of these utilities, they will provide energy service based on their rates and tariffs. Information is provided with respect to these energy resources in the appropriate sections herein.

Finally, educational services is an important issue in New Rochelle. Recognizing this, the City Council retained WXY Studio (New York, NY), an architecture, urban design and planning firm to conduct a separate analysis of school resources, generation of school children, and to examine options to address the needs of targeted schools that may experience capacity issues as growth under the DOZ provisions occurs (see **Sections 3.3.1.7** and **3.3.2.7**).

It is also noted that tax revenue will be provided to all taxing jurisdictions as the growth is realized under the DOZ provisions. For the purpose of SEQRA analysis, a Theoretical Development Scenario has been identified, which is hypothesized to occur over a 10 year period. This Theoretical Development Scenario is used as a basis for fiscal and economic analyses that are presented in the next major section of this document, **Section 3.4 Socioeconomic**. The fiscal analysis identifies the tax revenues and distribution that would occur as a result of this planned growth. The City School District of New Rochelle and the City of New Rochelle itself would receive substantial tax revenue that would assist in offsetting some of the demand for services. Further information is provided herein with respect to needs and challenges facing service providers both with and without the project, and solutions that can be employed in connection with downtown revitalization that will be to the benefit of these providers.

This section provides a description of existing conditions, potential impacts and mitigation measures with respect to each service provider and utility noted above. Information gathered from meetings with the various community service providers is included in the following subsections as well as other researched information and supporting reports.

### 3.3.1 Existing Conditions

#### 3.3.1.1 Police Protection

The Police Department is a City of New Rochelle governmental function and operates out of its headquarters near City Hall at 475 North Ave. New Rochelle, NY. The New Rochelle Police Department seeks to stay current with the latest developments in law enforcement services including community oriented policing, according to the Department website. The Department responds to close to 50,000 calls for service depending on yearly statistics, and has investigated over 2,000 Part 1 crimes, and processed 3,000 arrests annually in past years. Trends in the most recent available annual report (2009) noted decreases in calls/responses from prior years; however, the Department's history has included a wide range of police functions and response situations.<sup>1</sup> The Department has four (4) divisions, a P.A.C.T. (Police and Community Together) Unit, a K-9 Unit, a Traffic Unit and a Harbor Unit.<sup>2</sup> The City of New Rochelle, NY, Adopted Budget and Work Plan 2015 indicates that the revised Police Department Budget for

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<sup>1</sup> <http://www.nrpdc.com/aboutus.htm>

<sup>2</sup> <http://www.nrpdc.com/divisions.htm>

2015 is \$30,942,881 and the adopted budget for 2015 is \$30,297,519.<sup>3</sup> This appropriates funds for Police and Fire Department activities.

City Planning Department representatives met with the City Police Department along with representatives of the Master Developer and the DGEIS consultant on August 12, 2015 to discuss community services related to police protection.<sup>4</sup> An additional meeting was held with police union representatives on September 2, 2015.<sup>5</sup> The purpose of each meeting was outlined and background with respect to the Downtown Overlay Zone initiative was provided. The intent of the meetings was to provide a pro-active forum to discuss current issues facing the Department, potential issues which may arise as a result of growth stimulated by the DOZ and to explore measures to mitigate any identified concerns.

The Department indicated that the ability to provide officers on the street is critical. Prior developments in the downtown area (Trump, Capelli, New Roc) envisioned a 15 man downtown task force; however, in 2008, the Department decreased in size from 187 to 157 police officers through attrition. This has resulted in less downtown coverage, fewer programs, and increased concerns over addressing a homeless population in the downtown area. Representatives indicated that the “perception” of safety and actual ability to respond to calls for police protection improves when there is a police presence; when residents and visitors feel safe in the downtown, this promotes economic activity (i.e., shopping, restaurant visits, etc.). A police officer salary is in the range of \$100,000 with benefits after a few years. A Civilian Summons Officers (“CSO”) salary with benefits is in the range of \$60,000 per year.

The Department has used programs such as “pay for police” to fill gaps and this has some merit to leverage forces and particularly police officers to cover more critical areas where specialized training is necessary. The Department uses CSOs for traffic enforcement, and this has also been successful in leveraging resources to address community needs. The Business Improvement District (BID) assisted with funding for camera security along streets in the business district. The City also uses a camera system at entrance/exits to/from the City to read license plates, which assists with investigating hit/run incidents, thefts, carjacking and other crime incidents.

The Department proudly notes that other communities in the area have a higher crime rate than New Rochelle; the City has received awards and recognition as follows: in 2014, New Rochelle was found to be one of the top 10 cities in New York State to live<sup>6</sup>; in 2011, the City was the winner of the International Association of Chiefs of Police/Cisco Community Policing Award; and, New Rochelle was the 5<sup>th</sup> safest city nationwide out of 60 cities with comparable population in 2010, that marked the 11<sup>th</sup> consecutive year that the City was one of the five safest (source – USDOJ “Crime in the United States”).<sup>7</sup> The Police Department indicated that it has aggressively

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<sup>3</sup> <http://www.newrochelleny.com/DocumentCenter/View/3873>

<sup>4</sup> Police Department representatives included: Patrick Carroll, Commissioner; Joseph Schaller, Detective Captain; Rob Gazzola, Captain and Bill Schulman, Lt.

<sup>5</sup> Police Union representatives included: Sergeant Myron Joseph and Detective Christopher Greco.

<sup>6</sup> <http://www.movoto.com/blog/top-ten/best-places-in-new-york/>

<sup>7</sup> <http://newrochelleny.com/DocumentCenter/Home/View/1185>

confronted issues such as bars/grilles, housing, quality of life, landlords, graffiti and abandoned cars to improve the quality of life for City residents; however, storefront churches in downtown shopping areas were noted to require more need for police enforcement.

Overall, under existing conditions, the Police Department indicated it is somewhat undermanned, but has been leveraging its resources to provide the best protection possible for the residents and visitors in New Rochelle. This is evident in effective management and awards that the Department has achieved.

### 3.3.1.2 Fire Protection

The Fire Department is run by the City of New Rochelle and operates out of its headquarters at 90 Beaufort Place, New Rochelle, NY. The Department commissioned a report that provides useful background information regarding the Fire Department and operations (*The Efficiency and Effectiveness of Fire and Emergency Medical Services, City of New Rochelle, NY; Public Safety Solutions, Inc.*; November 2013).<sup>8</sup> The New Rochelle Fire Department began in 1861 and has grown with the City since that time. Currently, the Department has 14 functional areas, specifically noted as follows:

1. Office of the Fire Chief/Commissioner
2. Fire and Emergency Operations
3. Support Services
4. Planning and Research
5. Training
6. Safety
7. Fleet Services
8. Communications
9. Facilities
10. Fire Investigations
11. Code Enforcement
12. Fire Prevention
13. Public Safety Education
14. Housing Code Enforcement

The Mission of the Fire Department is stated as follows:

“The Fire Department has the primary tasks of:

- Providing adequate fire protection and extinguishment capability
- Initiating life rescue
- Rendering emergency medical assistance
- Controlling hazardous material situations including weapons of mass destruction incidents and providing related emergency services.”

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<sup>8</sup> <http://www.newrochelleny.com/DocumentCenter/View/3393>

Based on the 2013 report which references the approved budget of that year, the Department consisted of: one Fire Chief/Commissioner; five Deputy Chiefs; eight Fire Captains; 32 Fire Lieutenants; 109 Firefighters for a total of 155 uniformed personnel. Non-uniformed personnel included one administrative assistant, one data control clerk and an automotive mechanic, for a total of 158 employees.

The revised budget for 2015 is \$29,141,620 and the adopted budget for 2016 is \$28,116,852.<sup>9</sup>

**Table 3.3-1** below identifies the existing stations, their locations, response equipment, ambulance/rescue services and the year built for each station within New Rochelle.

**Table 3.3-1**  
**FIRE STATIONS OF NEW ROCHELLE FIRE DEPARTMENT**

Station	Address	Engine	Truck/Ladder	Ambulance*	Rescue	Year Built
1	45 Harrison St	Engine 21	Ladder 11	Transcare	Rescue 4	1966
2	170 Webster Ave	Engine 22	Ladder 12			1926
3	756 North Ave	Engine 23	Ladder 13	Transcare		1902
4	155 Drake Ave	Engine 24				1911
5	456 Stratton Rd	Engine 25		Transcare		1960
HQ	90 Beaufort Pl					1962

Notes: \* The Ambulance service is provided by Transcare, Inc.

\*\* This is a "half-unit" or "Day Unit" due to multiple calls, the unit is assigned not housed in Station 5 but is to roam the north end area near Quaker Ridge Road.

**Table 3.3-1** identifies five engines, three ladder trucks and one rescue truck as comprising the engine/ladder equipment available for fire response in New Rochelle. This is consistent with interview information obtained from Fire Department and Union representatives during coordination meetings. Emergency medical services in New Rochelle are provided under a contract with Transcare, Inc. A current list of all equipment at each station was provided by the New Rochelle Fire Department and appears below; and a map of station locations in the Study Area is provided in **Figure 3-6** and a map of stations throughout the City is provided as **Appendix E-1**:

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<sup>9</sup> <http://www.newrochelleny.com/DocumentCenter/View/3873>

Station #1 - 45 Harrison St

Car 2302  
Engine 21  
Tower Ladder 11  
Rescue 4  
Rescue 54  
Engine 17  
Car 2300  
Car 2304  
Ladder 14  
30a1 (ambulance)  
30a3 (ambulance)  
Spare ambulance

Utility 91  
Utility 92  
Boat Trailer

Station #3 – 756 North Avenue

Engine 23  
Ladder 13  
Mask Service Unit #3  
30a2 (ambulance)

Station #4 – 155 Drake Avenue

Engine 24  
Engine 18  
30u1 (Mass Causality Unit)  
Gator Trailer

Station #5 – 456 Stratton Road

Engine 25  
Utility 96  
Fire Safety house  
Vehicle Trailer

City Planning Department representatives met with the Fire Department along with representatives of the Master Developer and the DGEIS consultant on August 12, 2015 to discuss community services related to fire protection.<sup>10</sup> An additional meeting was held with fire union representatives on September 2, 2015.<sup>11</sup> The purpose of each meeting was outlined and background with respect to the Downtown Overlay Zone initiative was provided. The intent of the meetings was to provide a pro-active forum to discuss current issues facing the Department, potential issues which may arise as a result of growth stimulated by the DOZ and to explore measures to mitigate any identified concerns.

Department representatives noted the interactive process of reaching out to the Fire Department during the planning and zoning approval stage is a more efficient process than they have been involved with on specific projects and representatives appreciated the opportunity to address fire protection issues in the downtown area early in the process. The Chief confirmed that New Rochelle has five stations with EMS response provided out of two of the stations. Ambulance response is private, under contract; there is one company that has three available ambulances during the day and two at night; ambulance service is paid for through tax revenues. Fire/ambulance response is dispatched through 911 calls by an effective service. Fire and ambulance are typically dispatched to a call with fire usually first to arrive on the scene to stabilize conditions until EMS personnel are available. Approximately 60 percent of the calls, out of a total of approximately 8,000 calls per year, involve medical response needs. Other non-fire calls include car accidents which may involve use of extrication tools. Fire personnel are all trained in CPR and use of extrication tools. The New Rochelle Fire Department responds to

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<sup>10</sup> Fire Department representatives included: Louis Dimeglio, Chief of Department; Barry, Nechis, MPA, EMT-P, Captain; and, Ted Ferrara, Captain

<sup>11</sup> Fire Union representatives included: John Reed; Peter Miley and Byron Gray.



accident calls on I-95, and has mutual call agreements in place with neighboring districts to respond to these calls.

The Chief indicated that the Fire Department has approximately 155 employees, with 27 firefighters on-duty at one time; 140 total personnel are used to man the fire houses. Additionally, the Chief noted that continued training is important to maintain quality service capabilities. The Department lost access to a nearby training facility that was previously used and now have to go to Valhalla for training which is less convenient.

Department representatives indicated that the Department currently has more calls and less available personnel and requires additional personnel to handle existing needs. Representatives indicated that New Rochelle visited Norwalk, CT due to size, population, response needs and other similarities between these two cities; Norwalk is running 33 firefighters on a shift, compared to New Rochelle's 27. The Department representatives recognize that development is expected to help the economy and as a result may assist the Fire Department with their needs.

Department representatives also discussed ISO ratings and value to the public. ISO ratings are used by insurance companies to establish rates: a #1 is best and #10 is worst (essentially no fire district). There is a presumption that less fire damage will occur when there is a fire in a #1 rated district, and this helps with rates. Yonkers and White Plains both have a #1 rating. New Rochelle now has a #2 rating. Insurance rates for insurers within the district would be expected to decrease if New Rochelle's rating were improved. Manpower is part of the rating, and representatives indicated that New Rochelle is approximately 5-6 firefighters short per shift. ISO ratings also consider water supply for fire flow, specifically hydrant and firefighting infrastructure accounts for 40 percent of the rating. United Water is a private water company (regulated by PSC) that supplies potable and fire flow water in New Rochelle; it was noted that improvements could be made for pressure and water availability for fire response.

The estimated cost associated with a firefighter is in the range of \$130,000 annually for salary and benefits after about five years; new firefighters are in the range of \$55,000 annually with benefits. Attrition/retirement will remove Tier 2 employees with high pay/benefit packages; newer Tier 6 employees have a lower benefit package.

Several high rise building exist in the Study Area, and may be built under the proposed zoning. Captain Ferrarra indicated that high rise buildings have three issues: 1) New Rochelle needs resources to respond to fire incidents in these buildings; 2) other neighboring districts don't have training or equipment to assist in a response to a high rise; and, 3) New Rochelle needs a high pressure pumper to pump over 42 stories. The Fire Department will be purchasing a new rig, and expects to be able to acquire a high pressure pumper through normal equipment purchase; the cost of an engine is approximately \$610,000 with an additional \$30,000-\$40,000 for a high pressure capability pumper. It was noted that new building/fire code requirement for sprinkler systems and standpipes assist with fire control in high rise buildings. It was also noted that fires in recent years' burn hotter and faster due to interior furniture composition.

The Fire Department representatives also brought a list of comments/issues to facilitate their input into the DEIS process. The following items were noted, with discussion provided in italics below:

1. Past EIS project reviews - Fire Department issues were never identified in the FEIS. *(The meetings scheduled with the Fire Department that are summarized herein were seen as a positive step to comprehensively address issues early in the planning stages of zoning and redevelopment.)*
2. Past EIS project reviews identified increased call volume as being a citywide issue, not a specific project issue. *(It was discussed that a call downtown requires resources and decreases ability of the Fire Department to provide coverage in other areas in the event of additional calls.)*
3. Past DEIS always stated that each new building would affect our total call volume in an insignificant manner. Each of those projects has turned into a significant burden. (New Roc and the three other downtown high rises average 250 calls/year) *(It was discussed that this is 250 calls/year out of about 8,000 calls/year; approximately five calls/week are dispatched to those properties.)*
4. Past EIS project reviews always looked at closest station and the effect on that station, not the department and the fact that 2 to 3 stations (minimum) need to respond to fire calls. *(It was discussed that there are minimum standards for response; e.g., 16 men minimum for a single family, 2,000 SF house; the Department has eight rigs and 27 on-duty for roughly three staff/rig.)*
5. Station #1 is maxed out call volume wise. The ability for training and inspections is affected. *(There was discussion regarding need for convenient access to training and/or more local training facilities.)*
6. Stations #1 & #2 have serious building issues and need major renovation and replacement. *(Webster #2 station is 90 years old; the Department is looking to relocate/replace.)*
7. Traffic in downtown is very problematic. The Department desperately needs a pre-emption system<sup>12</sup>. *(Discussed that pre-emption costs about \$25,000 per signal/intersection plus \$3,000 per truck; a grant application which included a request for four intersections is pending.)*
8. Changing traffic patterns in the downtown from one way to two way could make responses worse. *(Issues discussed include; double parking, difficulty in the ability to “push” traffic that is two-way.)*
9. Call volume is at maximum for ambulances. *(Discussed that senior housing requires more fire/EMS responses.)*
10. Staffing per rig and per response is substandard. *(Less staff doing more work increases potential for injury, which further burdens the Department.)*
11. Rescue 4 is not staffed. *(Manned for specific response to incidents; significant investment in rig and training; need staffing to fully realize benefit of the investment.)*
12. Coastal Evacuation Zone issues. *(Consider hurricane conditions and storm surge in project design.)*

In summary, the Fire Department indicated the following as primary needs:

- Additional personnel to meet current needs;
- High pressure pumper;

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<sup>12</sup> A “pre-emption system” is a traffic signal override system to provide emergency vehicles with green signals to shorten response time, increase safety and improve road conditions for emergency vehicle movements.

- Station #2 is in need of upgrade and/or could eventually need replacement/relocation;
- Upgrades to allow for an improved ISO rating from #2 to #1, and residents in the district could expect lower insurance premiums;
- Pre-emption system;
- Greater traffic/parking enforcement needed if two-way traffic is proposed on Main and Huguenot;
- Additional staffing for rigs and staffing for Rescue 4; and
- Convenient access to training and/or more local training facilities.

### 3.3.1.3 Wastewater and Stormwater Management

#### City of New Rochelle

The Department of Public Works (“DPW”) maintains the physical facilities of the City of New Rochelle. This includes wastewater and stormwater facilities; these facilities are inter-related and therefore are described together herein. The New Rochelle DPW operates out of City Hall at 515 North Ave. New Rochelle, NY. As noted on DPW’s website,<sup>13</sup> the Department provides the following services through its various operations bureaus:

- municipal engineering
- traffic engineering
- maintenance, repair and construction of sewers and drains
- cleaning of streets and highways
- collection and disposal of refuse and recyclable materials
- maintenance, repair, construction, reconstruction and resurfacing of streets
- maintenance of traffic control devices
- installation of street lights
- maintenance of City-owned trees
- removal of ice and snow from public thoroughfares
- leaf and yard waste removal and recycling
- maintenance of City-owned buildings and structures
- maintenance of City vehicles.

In addition to the Police and Fire Departments, DPW is the third element of the City’s Emergency Management Response Effort.

The City of New Rochelle DPW website describes wastewater and stormwater management duties as follows: “The Bureau of Sewers & Drains has responsibility, for maintenance, cleaning, and repair of sewer and drain lines, pump stations, catch basins, brooks and related wastewater and stormwater facilities. The Bureau is also responsible for receiving and taking action on complaints relative to drainage problems, flood conditions, sewer and drain stoppages and related problems. During fall and winter months, Bureau personnel may also be assigned to assist with leaf removal and snow and ice control operations.”<sup>14</sup>

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<sup>13</sup> <http://newrochelleny.com/index.aspx?nid=71>

<sup>14</sup> <http://www.newrochelleny.com/index.aspx?nid=605>

Maintenance responsibilities of the Bureau of Sewers & Drains include:

- 192 miles of sewer pipe
- 87 miles of drainage pipe
- Over 5,500 catch basins
- Over 5,700 sewer and drainage manholes

It is noted that annually, the City cleans approximately 2,000-2,500 catch basins out of more than 5,500.<sup>15</sup>

With respect to stormwater, the City routinely takes measures to improve the performance of the stormwater system and also monitors privately-owned facilities including parking lots. Conditions of some 30 outflows discharging runoff waters to the Long Island Sound are checked, sporadically controlled, and some debris is intercepted to prevent pollution of receiving waters. The City is subject to the United States Environmental protection Agency's ("EPA") MS4 municipal stormwater permitting and requirements and files an annual report to demonstrate and track compliance with this program; the current Annual Report can be accessed through the link footnoted below.<sup>16</sup> **Figure 3-7** provides a map depicting Sanitary Sewer Infrastructure, including sewer mains and manhole locations in New Rochelle. **Figure 3-8** identifies the sewer districts, indicating that the Study Area is completely within the New Rochelle district. Stormwater Infrastructure is identified in **Figure 3-9**, with storm drains and stormwater pipes illustrated both within and outside of the Study Area.

City Planning Department representatives met with the City Manager and also with DPW personnel along with representatives of the Master Developer and the DGEIS consultant on August 12, 2015 to discuss community services related to wastewater and stormwater management.<sup>17</sup> The purpose of the meeting was outlined and background with respect to the Downtown Overlay Zone initiative was provided. The intent of the meeting was to provide a pro-active forum to discuss current issues facing the Department, potential issues which may arise as a result of growth stimulated by the DOZ and to explore measures to mitigate any identified concerns.

The City Manager recognized that sewer and stormwater infrastructure will need continuing repair and that funding for such repair is covered under the "tax cap."<sup>18</sup> Wastewater handling in New Rochelle is such that the homeowner owns the sewer laterals, the City owns the collection main, which then discharges to a Westchester County conveyance line leading to the County of New Rochelle WWTF. It was noted that infiltration and inflow ("I&I"), or flow emanating from

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<sup>15</sup> <http://newrochelleny.com/index.aspx?nid=71>

<sup>16</sup> <http://newrochelleny.com/index.aspx?nid=609>

<sup>17</sup> DPW representatives included: Chuck Strome, City Manager; Jim Moran, P.E., Deputy Commissioner; and Scott Pickup, Deputy Commissioner

<sup>18</sup> "New Rochelle is subject to the New York State "tax cap" legislation enacted in 2012, whose formula restricts the increase in the property tax levy to no more than two percent or the rate of inflation, whichever is less." City of New Rochelle, Adopted Budget and Work Plan, 2015; (<http://www.newrochelleny.com/DocumentCenter/View/3873>).

intrusion of groundwater (high water table and cracks/leaks in subsurface pipes) and cross-connections from stormwater sources, exceeds allowable limits. Additionally, illicit connections and stormwater co-mingling need to be addressed. The County wastewater system has Overflow Retention Facilities (“ORF”) that fill and release to Long Island Sound during high flow periods; these are under a Consent Order between Westchester County and the New York State Department of Environmental Conservation (“NYSDEC”) to be corrected (see **Appendix E-2**).

It was noted that there is a Sanitary Sewer Evaluation Study (“SSES”) currently planned for New Rochelle and Mamaroneck; New Rochelle will pay for the study and issue a request for proposals (“RFP”). The study will update and replace the 1996 SSES. There are specific time frames and goals to make repairs to reduce I&I to acceptable levels and eliminate the ORF’s; the schedule is: RFP issued in fall 2015; contract issued in 2016; study complete by June 30, 2017. In addition, New Rochelle is moving forward with a Capacity Management Operation Maintenance (“CMOM”) Program for system operation and maintenance that will start on or before December 31, 2015. City resolutions addressing the SSES and CMOM program are included in **Appendix E-3**.

Through these programs, wastewater infrastructure improvements are being identified and will be needed for both existing conditions and future growth. It was noted that the sewer district is subject to the “tax cap;” however, alternative funding mechanisms may be possible. The City has a local law to prohibit and correct illicit discharge connection to sewer/stormwater improvements as well as a policy to reduce existing I&I by more than the flow generated by the new development for each project.

Discussions with DPW representatives provided additional insight into wastewater/stormwater management in the City. It was noted that the SSES involves participation with Mamaroneck and Westchester County, and further that the CMOM program will assist in addressing system operation and maintenance. Based on preliminary assessment, it appears that “inflow” is more of any issue than “infiltration.” In addition, a Consolidated Funding Application (“CFA”) grant application was submitted by the City to New York State on July 30, 2015; the grant requested \$5 million to fund a two phase project including inspections, monitoring, cleaning, training and oversight during an initial phase, followed by design and permitting of repair, replacement, pump station improvements and wastewater infrastructure upgrades in a subsequent phase.

The following key considerations were noted:

- The City Planning Board review process for wastewater handling includes: identification of flow, I&I improvement contribution, site plan approval, implementation of I&I improvements, building permits and construction.
- Current planning/building requirements include a provision for 3½ inches of stormwater storage for new site plans.
- Sewer/stormwater infrastructure require an ongoing “fund & fix” program to ensure no net increase in discharge;
- Grant sources would fund “as-built” and “visual model” to assist with system management; TV camera work would identify flat or back pitched pipe that would potentially be repairable with less effort once identified.

- There are six outfalls identified in an US EPA administrative order; five were found to exist; two had high fecal/total coliform bacteria levels.
- DPW has been working on illicit detection/testing on Church Street, Stephenson Boulevard; and is addressing grease accumulation and illicit connections.

#### Westchester County

A meeting was held with the Westchester County Department of Environmental Facilities (“DEF”) on August 26, 2015 to proactively discuss wastewater management at the County level and determine capacity considerations and potential impacts as well as mitigation.<sup>19</sup> Many of the challenges which face the City in terms of conveyance systems were noted. Westchester County operates the New Rochelle WWTF and the conveyance line that receives City wastewater and conveys it to the WWTF.

It was noted that the City of New Rochelle is wholly within the County New Rochelle sewer district. Westchester County is a participant in the SSES and was directly involved with the 1996 SSES. Through the original SSES, DEF identified a list of items to remediate; much has been done by the County and through development projects to date. Typical per capita wastewater flow generation is 75-100 gpd/capita; the flow to the New Rochelle WWTF is as much as 200-250 gpd/capita, indicating inflow issues. Remediation of inflow conditions may include “slip-lining” sewer mains. The new SSES will identify locations for future repair.

There is an ongoing effort to reduce I&I as this reduces the volume of flow to the WWTF, and therefore provides additional capacity for treatment and incrementally improves the sewer conveyance infrastructure. Out of a large volume of previously identified I&I locations, those that could be readily identified and repaired were addressed. More intensive effort is necessary to address remaining I&I; DEF indicated that house laterals are not routinely checked and inflow is suspected to be the largest contributor of additional volume to the system. Westchester County is working with four municipalities on these efforts, including New Rochelle (Pelham Manor, Town of Mamaroneck and Village of Larchmont). The County DEF is also working on an updated list of target locations to check and fix additional sources of I&I, as well as a program to check house laterals which would involve a fee of \$10 per month for all homes in the district. This fee would be used to TV camera the house laterals; all homes would be “in,” but would have the option to “opt out.”

DEF has been completing WWTF upgrades needed to County plants. There are current consent orders issued by the NYSDEC for the Mamaroneck WWTF and by the EPA for the Port Chester WWTF. ORF’s are under a consent order with the NYSDEC to be eliminated on a time schedule (see **Appendix E-2**). Mamaroneck WWTF upgrades were completed and have been operational since the winter of 2013-14. The New Rochelle WWTF upgrades have been completed and operational since winter 2014-15. New Rochelle has been undergoing performance tests during this summer of 2015, which are about 95 percent complete.

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<sup>19</sup> Westchester County DEF representatives included: Tom Lauro, P.E., Commissioner; Louise J. Vetrone, Deputy Commissioner of Solid Waste; and, Mario Parise, Director of Operations, Solid Waste Division

The New Rochelle WWTF had a design flow of 13.6 million gallons per day (“MGD”) prior to upgrade. A \$250 million upgrade was recently completed and the design flow is now 20.6 MGD. The plant is currently operating at a flow in the range of 14-14.5 MGD and therefore has additional capacity to accommodate treatment of wastewater generated by redevelopment in New Rochelle. There has been a moratorium on new sewer extensions in New Rochelle; however, this does not apply to existing properties that are currently served by the district.

Westchester County is Zone 7 of the Long Island Sound Study (“LISS”) and includes the four Westchester County WWTF’s plus a plant at North Castle. Westchester County has a limit of 1,768 pounds (“lbs.”)/day of Nitrogen (“N”) under the LISS total maximum daily load (“TMDL”); based on recent performance, N load is 1,760 lbs/day; therefore, New Rochelle is operating at close to its limit for N load to Long Island Sound. It is noted that this is based on less than 1 year of data for the New Rochelle WWTF, and performance is expected to improve. The update of the SSES (study to be complete by 2017 and implementation of remediation by 2019) and the continuing program of identifying and correcting illicit connections/I&I will assist in managing flow and potentially reducing N load (depending on N concentration in inflow and other factors).

Westchester County input regarding the planning process and application review was discussed. Westchester County Planning Board is a referral agency for City of New Rochelle applications that meet the threshold for County review. The New Rochelle downtown overlay zones initiative will be referred to the County Planning Board. The WC Planning Board may issue a finding that an application is subject to “Local Determination” (“LD”) and/or may contain recommendations. One common wastewater recommendation/policy, is to repair I&I at a rate of 3:1 (reduced flow to project design flow) for any increase in sanitary flow above an existing site use. For affordable housing units/projects, the I&I repair is relaxed to a 1:1 ratio. DEF uses an estimated waste load allocation of 150 gallons per day (gpd)/capita based on estimated population of new projects; if flow is over this amount, additional reduction of flow is required through I&I repair. Projects are also recommended to conform to the Westchester County Comprehensive Plan.

Both DEF and the City recognize and discussed the benefits of mutually seeking funding opportunities and public-private partnerships to address current wastewater handling issues. There was discussion that wastewater/stormwater management may be able to incorporate “living machine” technology for water quality treatment in mudflats and tidal waters of New Rochelle, similar to systems installed in Rhode Island and Cape Cod. Such systems may be able to be promoted through incentives for redevelopment under City initiatives.

The following summarizes key considerations regarding wastewater treatment:

- The City wastewater/stormwater infrastructure requires ongoing repairs.
- There are mechanisms in place to ensure that I&I is reduced in proportion to the flow generated by new projects, thus resulting in reduced flow to the WWTF and improved infrastructure.

- Westchester County has indicated that there is sufficient capacity for additional flow to the New Rochelle WWTF due to completion of a recent upgrade/expansion of the plant.
- Nitrogen discharge limitations in lbs/year for all of Westchester County will need to be monitored and must be below 1,768 lbs/day;
- Current N loading is approaching the limit, but operational efficiencies in the New Rochelle WWTF over time are expected to reduce this load; Westchester County will need to monitor this situation.
- Westchester County Planning Board will recommend that new development reduce I&I based on a 3:1, reduced flow: project design flow, except for affordable housing units/projects which is based on a 1:1 ratio.

#### 3.3.1.4 Solid Waste Management

##### *City of New Rochelle*

The Bureau of Sanitation is responsible for the collection of garbage, bulk trash and other refuse from limited types of uses in the City:

- Private residences
- Commercial establishments on a restricted basis
- City litter cans and baskets located in business areas
- Some apartment buildings

The Bureau collects over 36,000 tons of garbage and over 20,000 tons of material is recycled each year.<sup>20</sup> Some apartment complexes and new residential/mixed-use developments contract with a private carter for collection of solid waste. Material is disposed of at the Westchester County Material Recovery Facility (“MRF”) in Yonkers, NY.

Meetings were held with City DPW personnel on August 12, 2015 (as referenced under **Section 3.3.1.3**) to discuss solid waste handling in New Rochelle. At the meeting, it was indicated that that no source separation or recycling is required in the downtown and there are logistical issues in separation and collection of waste streams at facilities within the City. Other new projects in the downtown have contracted directly with private carters to have waste removed, and in these cases, there is separation of recyclable materials to streams that are handled by the County MRF. The Bureau has found that higher density housing developments require refuse handling to be built into design and should continue to privately contract for removal. It was observed that as density increases, it becomes more difficult to centrally collect and provide access for City collection. Therefore, it was suggested that a number of units/acre factor should be considered when requiring private refuse collection/disposal and recommended that building designs incorporate recycling and source separation from the early planning stages. It was noted that the Westchester County MRF is not able to handle “single stream” waste at this time. City DPW personnel indicated that under current conditions, they would not be able to handle refuse collection from all new residential and mixed-use developments and that options may be sought

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<sup>20</sup> <http://www.newrochelleny.com/index.aspx?NID=583>



for future large commercial projects. The proposed two-way street traffic on Main and Huguenot Streets was also discussed and no particular impediments were noted by DPW.

#### *Westchester County*

Representatives of New Rochelle, the Master Developer and the DGEIS consultant met with Westchester County DEF on August 25, 2015 as referenced in **Section 3.3.1.3** above. Commissioner Lauro provided much of the information discussed, first indicating that Westchester County has a Solid Waste Management Plan Updated (2011)<sup>21</sup> that guides waste management for the County. Year 2030 goals are to reduce solid waste per person to 0.6 lbs/person/day through recycling, food/organic waste separation, composting and other techniques. New Rochelle is within the Westchester County solid waste district. As noted by City personnel, New Rochelle collects waste (other than waste collected by private carters) and Westchester County receives waste for disposal at the County MRF in Yonkers and further confirmed that waste is “double stream.”<sup>22</sup> All solid waste in New Rochelle, whether collected by private carters or the City Bureau of Sanitation, is disposed of at the County MRF.

The County continues to monitor other solid waste management techniques including “single stream” waste handling, food waste pickups, “gas to energy” opportunities, “e-waste” recycling (i.e., appliances, electronics, TVs, etc.), expanded recycling and other techniques some of which are used in New York City. There was discussion that New Rochelle DPW may seek private carter options for handling of new (and potentially existing) commercial solid waste, which is consistent with input from the City of New Rochelle. There was discussion of the use of “in vessel” composters for new developments of certain sizes that can plan such solid waste management/reduction techniques as part of their program, with further input that textile separation provides a way to reduce weight and tipping fees. In general, it was recognized that “robust recycling” programs associated with the DOZ zoning could be an incentive for density, height or other bonus for new development and this is seen as a benefit to the community and county in terms of reduction of solid waste.

#### 3.3.1.5 Water Supply

United Water Westchester is the local public water purveyor that serves the City of New Rochelle. Rate District 1 includes New Rochelle, Rye and Rye Brook, the Villages of Bronxville, Tuckahoe, North Pelham, Pelham Manor, Ardsley, Hastings on Hudson and Dobbs Ferry and provides water to the Village of Pelham through a master meter. United Water purchased the New Rochelle Water Company (formed in 1885) in 1994 and was operated as United Water New Rochelle. In 2007, Aquarion Water Company of New York was purchased by United Water and became known as United Water Westchester, and in 2014, United Water New Rochelle and United Water Westchester merged and now operate under the name United

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<sup>21</sup> Westchester County Solid Waste Management Plan, June 2011, Malcom Pirnie, Inc., White Plains, NY

<sup>22</sup> Ibid; the Westchester County MRF receives “Municipal Recyclable Materials, Bulk Metals and Yard Waste and the balance of putrescible waste is landfilled, thus the waste is referred to as double stream by the City and County personnel interviewed in terms of recyclable and non-recyclable waste.

Water Westchester.<sup>23</sup> **Figure 3-10** is a map of Water Districts including the Study Area and surrounding communities. The Study Area is wholly within the area served by United Water.

United Water obtains water from surface water supply sources of the City of New York, available from the Croton, Catskill and Delaware aqueducts. United Water purchased 6.50 billion gallons of water from New York City in 2014 to provide to their customers. Water delivery amounted to 5.09 billion gallons, with 1.53 billion gallons attributed to water main breaks, under-registration of meters, fire use, hydrant flushing, plant use, unauthorized use and leaks. United Water Westchester Rate District 1 provides water supply to more than 146,000 Westchester residents through 31,093 service connections in the City of New Rochelle as well as the Town of Eastchester and part of the Town of Greenburgh.<sup>24</sup>

City Planning Department representatives met with United Water along with representatives of the Master Developer and the DGEIS consultant on August 12, 2015 to discuss community services related to wastewater and stormwater management.<sup>25</sup> The purpose of the meeting was outlined and background with respect to the Downtown Overlay Zone initiative was provided. The intent of the meeting was to provide a pro-active forum to discuss current issues facing the Department, potential issues which may arise as a result of growth stimulated by the DOZ and to explore measures to mitigate any identified concerns.

It was confirmed that United Water has sufficient water supply to provide to expanded growth planned for the downtown. Based on prior contact between the Master Developer and United Water, preliminary modeling was performed based on a Theoretical Development Scenario; this modeling found a drop in water pressure based on the assumptions used. Further information is to be exchanged regarding proposed density/uses and fire flow to refine projections; however, it is expected that infrastructure improvements will be needed to deliver water to new growth areas in the downtown.

Given the need for infrastructure improvements to the water supply delivery system, funding and process considerations were discussed. Currently, new development is assessed to determine necessary connection/infrastructure improvements necessary to provide water supply; needed improvements are analyzed to determine cost; the cost of improvements is funded by the developer and the improvements are installed to supply a project. It was noted that water distribution system improvements need to be approved by the Public Service Commission (“PSC”) through a 6-9 month process. PSC policy is that existing customers should not subsidize cost of service demand for new customers. It was recognized that addition of customers is increased revenue for United Water; however, this revenue is not expected to be sufficient to address the needed upgrades to the delivery system. The Master Developer representative noted that the Mid-Hudson Economic Development Council may support New Rochelle in securing grants through New York State CFA funding due to the Council’s support

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<sup>23</sup> <https://www.unitedwater.com/Westchester/LocalLanding.aspx>

<sup>24</sup> United Water Westchester, May 2015, Water Quality Information; Annual Water Quality Report

<sup>25</sup> DPW representatives included: Paula McEvoy, P.E., Director of Engineering Lynda DiMenna, Manager of Operations

of revitalization efforts such as in New Rochelle; ½ billion in infrastructure funding is potentially available.

#### 3.3.1.6 Electric and Gas

Con Edison of New York is the local utility that provides electric and gas service in New Rochelle. As described on the Con Edison website, the utility provides electricity to approximately 3.3 million customers and gas service to approximately 1.1 million customers in New York City and Westchester County.<sup>26</sup>

The City of New Rochelle 1996 Comprehensive Plan describes electric and gas services as follows:<sup>27</sup>

Electric Service is provided by Consolidated Edison (Con Ed), primarily by overhead cables on utility-owned poles in the older neighborhoods of the city. In newer subdivisions, cables are underground. In general, city residents and businesses are adequately served by Con Ed. The New York Power Authority has a feeder line which runs under Long Island Sound to Long Island crossing Davenport Neck near Beckwith Pointe. Gas is also provided by Con Ed. All gas lines are underground and service appears to be adequate.

Electric and gas service continues to be provided by Con Edison to the residents of the City of New Rochelle. Con Edison is subject to rates and terms of service (a.k.a., "tariffs") that are filed with PSC the entity that regulates electric and gas service in New York.<sup>28</sup>

The City of New Rochelle has also applied for a grant to examine Microgrids. As noted in the RAP (**Appendix A-1**), Microgrids are a means to provide “flexible and efficient electric grid, by enabling the integration of growing deployments of renewable sources of energy such as solar and wind and distributed energy resources such as combined heat and power, energy storage, and demand response.”

#### 3.3.1.7 Educational Services

Educational services are provided by the City School District of New Rochelle, which operates under New York State Education Department oversight. **Figure 3-11** is a map of the City’s School Zones, which are also illustrated below and show that the Study Area is within the following zones:

Ward	North and northeast part of Study Area
Lincoln	West and central part of Study Area
Trinity	South and southeast part of Study Area
Columbus	South-central and southwest part of Study Area

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<sup>26</sup> <http://phx.corporate-ir.net/phoenix.zhtml?c=61493&p=irol-homeprofile>

<sup>27</sup> 1996 Comprehensive Plan page II-26 (40/203)

<sup>28</sup> <http://www.coned.com/rates/>

Educational services are an important issue in New Rochelle. Recognizing this, the City Council retained WXY Studio (New York, NY), an architecture, urban design and planning firm to conduct an analysis of school resources, estimate the number of school age children that could be generated by the Proposed Action, and examine options to address the needs of schools that may experience capacity issues as growth under the DOZ provisions occurs. The report, “New Rochelle School Capacity Study” (“Capacity Study”) is available as **Appendix E-5**.



**School Zones within the DO Zone**

The investigation into current conditions in the school district involved the identification of affected schools and zones; a review of available demographic and enrollment data; an assessment of building permit activity; site visits to the schools to determine physical class sizes, the number of seats per class, and number of children enrolled per class; examination of school expansion potential and site constraints; and solicitation of input from the City and School Board. Information compiled during this stage of the review provided the basis for a more complete understanding of existing school district capacity and for projecting future student enrollment so that potential impacts and mitigations could be identified.

**Table 3.3-2** summarizes recent student enrollment activity in the City by School Zone. This data reveals a three percent increase in elementary school enrollment, a 0.8 percent increase in middle school enrollment, and a two percent increase in high school enrollment between the years 2010 and 2014.

**Table 3.3-2**  
**CITY SCHOOL DISTRICT OF NEW ROCHELLE STUDENT ENROLLMENT**  
**AND PERCENT CHANGE**  
**2010 AND 2014**

School Zone Home Located in	2010	2014	Percent Change 2010-2014	2010	2014	Percent Change 2010-2014	2010	2014	Percent Change 2010-2014
	<i>Elementary (K-5)</i>			<i>Middle School (6-8)</i>			<i>High School (9-12)</i>		
Barnard	359	396	10.3%	181	194	7.2%	264	220	-16.7%
Columbus	920	1032	12.2%	438	428	-2.3%	570	670	17.5%
Davis	286	295	3.1%	130	149	14.6%	173	177	2.3%
Jefferson	480	502	4.6%	223	222	-0.4%	347	346	-0.3%
Lincoln	411	419	1.9%	182	225	23.6%	317	282	-11.0%
Trinity	918	995	8.4%	470	463	-1.5%	708	754	6.5%
Ward	998	912	-8.6%	502	502	0.0%	662	671	1.4%

Webster	368	358	-2.7%	233	196	-15.9%	312	296	-5.1%
None	39	15	-61.5%	11	9	-18.2%	15	18	20.0%
<b>Total</b>	<b>4,779</b>	<b>4,924</b>	<b>3.0%</b>	<b>2,370</b>	<b>2,388</b>	<b>0.8%</b>	<b>3,368</b>	<b>3,434</b>	<b>2.0%</b>

Source: WXY, 2015 (see **Appendix E-5**)

School capacity was also evaluated. Applying natural baseline growth projections (i.e., background growth without the Proposed Action) to current capacity revealed the following projected conditions in 2025 pursuant to the Capacity Study:

*Elementary Schools (25 seat max per classroom)*

Davis (which is outside the zones to be impacted by the Proposed Action) and Trinity Elementary hit a “tipping point” in the natural growth projection, each requiring 1 additional classroom beyond currently available configurations. Ward and Webster are at capacity, but do not reach a tipping point. Barnard, Jefferson and Columbus Elementary schools have some additional capacity.

*Middle Schools (30 seat max per classroom)*

No tipping points are reached. Albert Leonard Middle School has capacity constraints in 2021, but future baseline enrollment can be managed in current school facilities.

*High School (30 seat max per classroom)*

New Rochelle High School reaches a tipping point in 2020, requiring 1-3 additional classrooms.

### 3.3.1.8 Recreation

The City of New Rochelle overall has extensive recreational opportunities and services that are enjoyed by residents of the City. The City of New Rochelle 1996 Comprehensive Plan describes recreational opportunities in New Rochelle as follows:<sup>29</sup>

The City's Bureau of Parks and Recreation operates under the Supervision of the City Manager's Office. The Bureau is responsible for the maintenance of existing parks and for the recreation programs which operate in these parks and other facilities throughout the City. Numerous opportunities for private recreation exist at the beach, yacht and country clubs and other facilities open to the general public throughout the city. If only the 250± acres of city parks are counted, the city park acreage represents 3.75 acres of park per 1,000 persons. When Glen Island Park is added, the figure rises to 4.7 acres of parks per person. In both cases, the City measures favorably against national planning standards that recommend approximately 2.5 acres per 1,000 persons.

Overall there are 35 City parks and playgrounds all with varying facilities serving passive or active recreation functions. The range of facilities at each park is identified in the City Parks table. Among all its park resources the City's waterfront parks provide special amenities and opportunities. Five Islands Park, completed with funds under the Federal Urban Parks Program, is

<sup>29</sup> 1996 Comprehensive Plan page II-37, 39 (51, 53/203)

a beautifully designed park that provides nature trails, a children's playground, a sunbathing beach and footbridges linking two of the islands to the mainland. A small parking area however, limits vehicular access. Hudson Park and the City's three other waterfront parks -- Sharkey, Neptune and Cameron Parks- need to be improved. The Municipal Marina, located at the entrance to Hudson Park, provides approximately 400 boat slips and 300 offshore moorings. It also offers services related to boating, such as launching, hauling, repair and storage facilities. The City owns several buildings on the marina property which are not all utilized for water-related uses. While the City is currently considering whether it should continue to act as the direct provider of these marine services, it is clear that the Marina facility could be better utilized to enhance the City's unique position as a waterfront community.

Recent investments in two of the city's larger and better utilized facilities -- Lincoln and City Parks -- are in progress to ensure that they are meeting the city's recreation needs based on its changing demographics. Improvements at City Park have included a new parking lot, a youth football and soccer field under construction and a field house which is in design. At Lincoln Park, improvements have included new basketball courts with tot lot, swimming pool and field improvements proposed. There currently is interest in developing an enclosed ice hockey and skating facility in the city; appropriate sites and methods of financing and construction are under discussion.

The City's recreation programs also address the needs of special groups such as senior citizens and the developmentally disabled. The main senior facility is the Hugh A. Doyle Senior Center on Davis Avenue close to downtown. Senior activities are provided there daily and on Saturdays. Satellite programs for seniors are conducted at the Martin Luther King, Jr. Community Center on Lincoln Avenue and at the August Mascaró Boys' and Girls' Club on 7th Street. Special programs provided for developmentally disabled individuals from 5 to 21 years of age include a day camp program that operates during the summer.

The Study Area associated with the Downtown Overlay Zones has limited park facilities, primarily associated with Ruby Dee Park at Library Green (located at Lawton Street at Huguenot Street) and Faneuil Park (located at East Main Street and Huguenot Street). Ruby Dee provides concerts and passive recreational use, and Faneuil Park provides passive recreational use. A map of the City's abundant park facilities including those within and near the Study Area is included as **Appendix E-4**.

### 3.3.2 Potential Impacts

Based on the discussions and input received during meetings with the various community service providers, there is currently a deficiency in manpower and available funding for community service improvements in New Rochelle; this directly impacts the Police and Fire Departments and the DPW Bureau of Sewers & Drains and Sanitation. The condition of community services can be considered both without, and with, the Proposed Action. Without the Proposed Action, the current manpower deficiency would continue and the police, fire, and public works departments would continue to provide community service needs as best they can with the level of personnel and equipment achievable under yearly budgeting. Current conditions in the downtown would not change due to a lack of incentives for redevelopment. Without

redevelopment and growth, additional tax revenue would not be forthcoming and the City would continue to maintain services under constrained budgets.

The Proposed Action has been created to facilitate revitalization within the new Downtown Overlay Zone area due to zoning incentives and market conditions. This will include a number of factors that would be beneficial in terms of community services, specifically:

- police protection (more population provides “eyes on the street” which may curtail criminal activity as compared with a non-vibrant downtown area; larger redevelopment projects are anticipated to have some on-site security that would work with City police personnel);
- fire protection (new buildings built to current fire and building codes as compared with existing older buildings);
- Sewer/stormwater infrastructure (policy to repair sewer/stormwater infrastructure on a 3:1 ratio of I&I mitigation to project flow as compared to the status quo)
- Solid waste considerations (new developments would likely contract privately for refuse removal; recycling would be increased and the burden on DPW personnel would be reduced as older buildings are redeveloped for new projects).

It is noted that there is still a burden from new development that will require a potential increase in police and fire protection as well as public works services and this will be described in each subsection below.

There would be an increase in tax revenue from new development that would occur as a result of the Proposed Action, and it is anticipated that this would assist in offsetting some of the increased cost of services resulting from the realization of redevelopment. Tax revenue would be generated based on the taxation of development projects as they occur over time, as well as increased receipts of sales tax revenues from increased retail activity attributed to a more vibrant downtown, and would be distributed according to the current revenue distribution (see **Section 3.4.2** for additional information on tax revenues generated by the Theoretical Development Scenario).

An additional benefit of the revitalization effort is to provide alternative housing and affordable housing in the downtown. The Proposed Action and resultant redevelopment is expected to add as many as 5,500 new residential units to the downtown.<sup>30</sup> The expected mix will favor smaller 1-bedroom and studio units, with less 2-bedroom and very few 3-bedroom units and will include a mix of rental (5,034) and “for sale” (466) housing. The mix of unit sizes favoring smaller units may provide access to housing that would not otherwise be available and this may attract future police officers and fire fighters, as well as teachers and public service personnel. In addition, of the 5,500 units, a minimum of 10 percent are required under City Code to be offered as affordable units as determined by the City. The City and Master Developer will seek to offer preference to workforce occupants including police officers, fire fighters and school teachers. The need for “price sensitive housing” was echoed by Department representatives and police/fire union representatives and this was seen as a benefit of the revitalization effort.

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<sup>30</sup> As indicated in the Theoretical Development Scenario used as a basis for SEQRA analysis and anticipated to occur potentially over a 10 year period.

In contrasting conditions without, and with, the Proposed Action, there is a clear indication that conditions can and will improve through planned revitalization of downtown New Rochelle, since current community service deficiencies exist due to budget constraints. If these conditions can be improved through planned growth and redevelopment, ultimately, the Proposed Action can be a vehicle to reduce impacts and improve services throughout the City.

The City of New Rochelle has applied for grant funding and will continue to seek grant opportunities through New York State, other sources, and with the support of the Mid Hudson Economic Development Council. A City that has a plan for revitalization, and is undergoing redevelopment, is expected to rank high on grant funding lists, providing an additional benefit of the Proposed Action.

As a means of further ensuring that needed service improvements are made and infrastructure is upgraded, it is envisioned that a “Fair Share” mitigation plan will result from the GEIS process. The concept would involve establishing a per unit/square foot fair share that would be contributed to a fund to be used by the City of New Rochelle to address specific needs that can be fulfilled by City Departments. The fund would be available for use on police, fire, wastewater/stormwater infrastructure and sanitation needs, as these services are all provided by the City of New Rochelle. The pro-active meetings with City officials has assisted in identifying potential impacts as well as solutions that will be formulated as mitigation measures in this DGEIS. Completion of the SEQRA process including the Final GEIS will provide a basis for comments and further consideration of community service needs, such that the Statement of Findings can establish conditions and thresholds that will be addressed through further individual project review as new development is proposed. The creation of a “Fair Share” mitigation plan and fund will enable improvements to be made to address identified impacts and areas of concern.

Other community services that may be able to be addressed through “Fair Share” mitigation include school impacts (see **Section 3.3.2** and Section 3.3.3) and recreational services (if park maintenance needs are increased). Water supply distribution is a service impact which may not be able to be addressed through “Fair Share” mitigation; however, an alternative funding source program that has precedent with the PSC could be created (see subsection below). It is expected that Con Edison will be able to continue to provide electricity and gas to City residents including the revitalized downtown area.

In summary, the Proposed Action is expected to cause impacts to community services and utilities; however, the following considerations are outlined above which would tend to minimize impacts, and in fact demonstrate substantial benefits that will address needed community service manpower and infrastructure upgrade needs over time:

- Current conditions are such that service providers are doing more with less under constrained budgets; the Proposed Action will provide a vehicle for community service manpower and infrastructure upgrades that would not otherwise exist;
- “Eyes on the street” may curtail criminal activity as compared with a non-vibrant downtown area thereby assisting police protection;



- New buildings built to current fire and building codes as compared with existing older buildings will potentially assist in fire related calls;
- New large projects that displace older projects are expected to have some on-site security;
- Policy to repair sewer/stormwater infrastructure on a 3:1 ratio of I&I mitigation to project flow as compared to the status quo will assist DPW in implementing improvements;
- New developments would likely contract privately for refuse removal and recycling would be increased as new buildings displace older commercial buildings that are serviced by DPW for refuse removal;
- The tax base and tax revenue distribution will increase;
- More units that are affordable to a higher percent of the population including community service manpower will be available; and
- A “Fair Share” mitigation program and fund will be established to provide revenue for service/infrastructure upgrades.

Potential impacts for each community service are noted below and mitigation which is expected to become inherent in the Proposed Action through the SEQRA process are also noted, followed by a list of mitigation measures.

#### 3.3.2.1 Police Protection

Without the Proposed Action, the current manpower deficiency would continue and the Police Department would continue to address crime, security, enforcement and response issues as best they can with the level of personnel achievable under yearly budgeting. The New Roc substation would remain “unmanned,” and police services would be directed on a response basis with minimal pro-active, pre-emptive police presence that is known to curtail criminal activity.

A large increase in residential units and/or commercial development in the Study Area could potentially exacerbate the existing deficiency in police manpower due to budget constraints. As a result, the implementation of the Proposed Action, which would include adoption of the Downtown Overlay Zone and Zoning Map Amendments, and resultant growth through redevelopment could cause a potential impact if no action is taken to add officers, CSO’s and generally increase police presence in the Study Area. Planned mitigation would involve facilitating additional police manpower in a phased manner as growth is realized. The Police Department identified prior plans for a 15 man downtown task force in connection with prior development. This would be an important step toward increasing street police presence and ensuring a safe environment and perception.

The population of New Rochelle was 77,062 in 2010 and the 2014 estimated population is 79,637.<sup>31</sup> The current number of police officers in the New Rochelle Police Department is 157. This equates to a ratio of police officers to 1000 inhabitants of 1.97. Prior to 2008, there were

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<sup>31</sup> <http://quickfacts.census.gov/qfd/states/36/3650617.html>

186 police officers in the Department. Using the 2010 population, this equates to 2.41 officers per 1000 inhabitants. An fbi.gov web site includes a survey of various data relating to law enforcement including number of police officers per 1000 inhabitants. In a survey of 439 cities with populations between 50,000 and 99,999, the nationwide average was 1.7 officers/1000 inhabitants. For cities of this size just in the northeast, the ratio was 2.1 officers/1000 inhabitants; for just New England, the ratio was 2.0 officers/1000 inhabitants, and the middle Atlantic state average was 2.2 officers/1000 inhabitants.<sup>32</sup> New Rochelle was above the highest average (middle Atlantic) prior to 2008 and is currently in line with national average but below northeast and middle Atlantic averages. Adding 15 officers to assist with enforcement in the downtown would increase the number of officers to 172, which would result in 2.16 officers/1000 inhabitants. This would seem to be a reasonable goal for the Police Department to achieve in the near term as growth commences. It is noted that as population increases as a function of redevelopment, the number of officers will also need to increase to keep pace with a goal in the range of 2.0-2.2 officers/1000 inhabitants.

The RAP and traffic impact study evaluates the potential to modify downtown traffic patterns to promote economic activity and revitalization. The traffic consultant is analyzing the impact of this on traffic operations. This matter was reviewed by police personnel and discussed in meetings. There was specific reference to two-way traffic on Main Street and Huguenot Street. The Police Department expressed concern due to current traffic patterns due to street parking, double parking, and other practices that hamper police response and require traffic enforcement. It was also noted that traffic is diverted through New Rochelle when there are accidents on I-95 at Exits 15/16. The current one-way traffic westbound on Huguenot and eastbound on Main Street allows this diversion; however, this may detract from the downtown revitalization and economic activity that is sought through the Proposed Action. There is a planning basis for two-way to assist retail activity and revitalization. Also, New Rochelle is the only part of Route 1 with split traffic. Mitigation to address the Police Department's concern may include elimination of some strategic street parking and providing parking structures to assist in addressing parking needs. Use of CSO's for traffic enforcement will further assist and would reduce the cost to the Police Department as compared with police officers which can be directed to more pressing issues involving crime and security.

The police department will receive a portion of the \$11.86 million in annual tax dollars projected to be generated and distributed to the City of New Rochelle (see **Section 3.4.2**). Such revenues are expected to accrue from the realization of redevelopment, participation in a "Fair Share" mitigation plan and fund may be needed to ensure that personnel issues and needed improvements are implemented as growth occurs. The details of this "Fair Share" mitigation plan and fund will be developed throughout the SEQRA process and memorialized in the SEQRA Statement of Findings. Department needs have been identified and the mitigation strategy is presented in the Mitigation Measures subsection under **Section 3.3** Community Services.

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<sup>32</sup> [https://www2.fbi.gov/ucr/cius2009/data/table\\_71.html](https://www2.fbi.gov/ucr/cius2009/data/table_71.html)

### 3.3.2.2 Fire Protection

The City of New Rochelle has a need for additional manpower to man engines, ladders and a currently unmanned rescue unit. Station #2 is in the poorest condition and Station #1 is likewise suffering from facility degradation; both are in need of major renovation and/or replacement and other facilities require maintenance. Without the Proposed Action, the current manpower deficiency, equipment needs and facility conditions would continue and the Fire Department would continue to address fire calls as best they can with the level of personnel achievable under yearly budgeting.

A large increase in residential units and/or commercial development in the Study Area could potentially exacerbate the existing deficiency in fire manpower and equipment due to budget constraints. As a result, the implementation of the Proposed Action, which would include adoption of the Downtown Overlay Zone and Zoning Map Amendments, and resultant growth through redevelopment could cause a potential impact if no action is taken to add firefighters and equipment and plan for facility improvements. Planned mitigation would involve facilitating additional resources for fire protection in a phased manner as growth is realized.

The Fire Department currently operates with 27 firefighters on a shift. Comparison with other comparable cities (particularly Norwalk due to similarities) finds that 33-34 firefighters would be more optimal in terms of manning equipment and responding to calls, thus supporting a goal of adding 6-7 firefighters to the current roster. This would seem to be a reasonable goal to achieve in the near term as growth commences. Personnel needs will need to be monitored as redevelopment occurs to ensure that an adequate number of firefighters are maintained.

A high pressure pumper truck is needed to pump above 42 stories. This has been identified by the Department and it is part of the existing plan to procure this equipment. Stations #2 and #3 have been identified as requiring significant attention. Other issues such as need for convenient training facilities, pre-emption of traffic signals and need for traffic enforcement remain and will need to be addressed as revitalization commences.

The RAP discusses the need to modify downtown traffic patterns to promote economic activity and revitalization. The Traffic Impact Study (**Appendix F**) analyzed the impact of this on traffic operations. This matter was reviewed by fire personnel and discussed in meetings. There was specific reference to two-way traffic on Main Street and Huguenot Street. The Fire Department expressed concern due to current traffic patterns due to street parking, double parking, and other practices that hamper fire response and require traffic enforcement. Also, the existing 1-way configuration allows a fire truck to “push” traffic since all cars are in one direction. There is a planning basis for two-way traffic to assist retail activity and revitalization and as this is implemented, measures will need to be taken to ensure that fire response can be provided as efficiently and quickly as possible. Mitigation may include elimination of some strategic street parking and providing parking structures to assist in addressing parking needs. Use of CSO’s for traffic enforcement will further assist in traffic flow, as would signal pre-emption for fire response.

It was noted in discussions with the Fire Department that future growth will generate 10% affordable units which would be over 500 units and it was further noted that housing would potentially be available for more firefighters to live in the community. This would be a benefit to the Fire Department in finding and retaining quality personnel in the community.

The fire department will receive a portion of the \$11.86 million in annual tax dollars projected to be generated and distributed to the City of New Rochelle (see **Section 3.4.2**). Such revenues are expected to accrue from the realization of redevelopment, participation in a “Fair Share” mitigation plan and fund may be needed to ensure that personnel issues and needed improvements are implemented as growth occurs. The details of this “Fair Share” mitigation plan and fund will be developed throughout the SEQRA process and memorialized in the SEQRA Statement of Findings. Department needs have been identified and the mitigation strategy is presented in the Mitigation Measures subsection under **Section 3.3** Community Services.

#### 3.3.2.3 Wastewater and Stormwater Management

The wastewater and stormwater systems of the City are old and require continuing repair under current conditions. The policy of improving wastewater conveyance systems as new development occurs is implemented by the City through the Planning/Building Department review/approval process and is supported by Westchester County Planning Board referrals to the City. Since the policy requires I&I improvements in excess of project design flow by a factor of three times I&I is reduced thus reducing flow volumes to the Westchester County WWTF. This assists with infrastructure upgrades as new development occurs.

The projected sanitary flow for the Theoretical Development Scenario which may occur over a 10 year period is 2.31 MGD<sup>33</sup>. This would indicate that I&I may be reduced by as much as 6.94 MGD (three times the design flow volume) pursuant to the City’s policy on I&I reduction. This would substantially improve the City’s wastewater conveyance infrastructure.

New Rochelle is participating with Westchester County and other jurisdictions in the update to the SSES. This will identify I&I and other improvements needed and will provide an action plan to be used as development occurs and I&I improvements are required to be made. In addition, New Rochelle is moving forward with a Capacity Management Operation Maintenance (CMOM) Program for system operation and maintenance which will start on or before 12/31/15.

In terms of stormwater, New Rochelle is subject to the MS4 program and completes annual reports and demonstrates conformance measurable goals through this program. The City has a policy of requiring 3 ½” of stormwater retention on site plans and continues to identify illicit discharges to the system as well as upgrade stormwater infrastructure.

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<sup>33</sup> Total water use/wastewater generation is based on 100 gpd/per capita for residential uses, and 0.125 gpd/SF for commercial uses, plus additional demand factor to account for restaurant/wet commercial uses as provided by United Water New Rochelle for the Theoretical Development Program.

Westchester County has indicated that there is sufficient capacity in the New Rochelle WWTF to accommodate increased growth due to redevelopment. Westchester County is under consent to eliminate Overflow Retention Facilities, and continues to monitor treatment at the New Rochelle WWTF in relation to the other plants that are subject to the 1,768 lbs/day nitrogen load limitation under the LISS TMDL. Reduction of flow through I&I upgrades in the City infrastructure and WWTF performance improvements are expected to allow the County to meet the N limitation.

#### 3.3.2.4 Solid Waste Management

The City of New Rochelle handles refuse collection for private residences, commercial use (on a restricted basis), City litter cans in business areas and some apartment buildings. City personnel indicated that they are currently able to maintain the level of service to collect refuse from these sources. The Bureau of Sanitation would be over taxed based on its current level of manpower, if additional refuse collection responsibilities resulted from new development in the downtown area. Should this occur, additional staffing may be required; however, several new developments would replace uses that may already require City refuse collection. In addition, larger new mixed use projects would be expected to contract with private carters; this would alleviate the need for additional Bureau of Sanitary personnel. Tax revenue would be generated as a result of the development that would occur, and this would be available to assist in addressing new demand for services should this occur.

Given the type of development, the density of use and the ability to plan sorting and recycling facilities into new development projects by design, it is anticipated that new mixed use projects will seek private carting services to collect refuse. Anticipated solid waste generation based on the Theoretical Development Program would be approximately 2,436 tons/month<sup>34</sup>. Coupled with this, the zoning will provide incentives for “robust” recycling programs through density bonus or other developer benefits.

Westchester County indicated that there is sufficient capacity at the MRF to receive waste material from redevelopment in downtown New Rochelle. County solid waste personnel further stated that “in-vessel” waste compost equipment can effectively reduce solid waste requiring disposal. Such methods would be appropriate for the type of development that is envisioned. Source separation of recyclables provides a means to reduce frequency of waste removal and reduced tipping fees at the County Material Facility which would have the benefit of reducing costs as well as the volume of solid waste and the use of recycled materials.

As a result, some potential impacts with respect to solid waste may occur if new growth requires City refuse collection. This would be an incremental increase since it is likely that some existing buildings where refuse is currently collected would be redeveloped for new mixed use projects that may use private carting. Further, tax revenue would increase and this could potentially

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<sup>34</sup> Solid Waste Generation (Salvato, 2009): 3lbs/day/bed adult care, independent living units; 3lbs/room/day hotel, 1lb/capita/day restaurant (based on one occupant/30 SF); 1lb/100 SF/day office; 4lbs/capita/day (based on one occupant/50 SF) municipal/institutional use; 13lbs/1,000 SF/day retail; 4lbs/unit/day residential.

assist in funding personnel needed to meet demand. It is expected that potential impacts associated with solid waste handling can be minimized by providing private carting services and encouraging recycling of waste which has environmental benefits by reducing material that is managed at the MRF, as well as cost reduction for the development. Through the GEIS process, thresholds will be established for new development of a certain size that would require private carting, and incentives can be provided to promote recycling efforts. Should additional assistance be required, the “Fair Share” mitigation that is envisioned is intended to be flexible so that the services experiencing the greatest burden can be addressed through the fund. Should sanitation services require support, the City can direct resources to address those needs through the Fair Share mitigation plan and fund.

### 3.3.2.5 Water Supply

Water demand in connection with the Theoretical Development Scenario has been estimated and exchanged with United Water. The water demand is essentially equal to sanitary flow, plus an allocation for needed fire flow. The expected demand is in the range of 2.31 MGD<sup>35</sup>, excluding fire flow (evaluated at 2,500 gallons/minute as an estimate). United Water modeled this demand on the existing system and found that there would be an unacceptable drop in pressure should this level of development be realized. As a result, the Proposed Action may have an impact on water supply service such that it may not be possible to provide for the delivery of water using existing infrastructure. While United Water has water capacity, the delivery system may experience a decrease in pressure resulting from the level of development contemplated in the Theoretical Development Scenario. As a result, a method for improvements to the water delivery system is needed.

Typically, a development will provide the funding needed for service upgrades to supply water to a new project. This practice is expected to still continue as growth and redevelopment occurs. Ideally, a comprehensive infrastructure improvement program would be created to pro-actively address needed service upgrades; however, there are limited options for comprehensively addressing service upgrade needs for United Water given their private company status and oversight by PSC. In examining options, a concept was discussed which may assist in accumulating funds for use in infrastructure improvements to share mitigation costs throughout the downtown revitalization area. This concept involves an area defined “waiver” or refund program that would then be used to assist in funding needed distribution system improvements. More specifically, each “meter” is “allotted” 75 feet of connection pipe, the cost of which is refunded a year after connection at the dollar/foot cost at that time. A potential program would be to have this refund waived as noted above, to create available capital for water district distribution improvements specific to the defined area. This would be a public-private partnership that would be mandated/legislated at the conclusion of the SEQRA process once Findings are adopted. There is a Dobbs Ferry project (RiverTown Square) that provides PSC-

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<sup>35</sup> Total water use/wastewater generation is based on 100 gpd/per capita for residential uses, and 0.125 gpd/SF for commercial uses, plus additional demand factor to account for restaurant/wet commercial uses as provided by United Water New Rochelle for the Theoretical Development Program.

approved precedent for this approach. This would provide a means to address infrastructure more comprehensively through an accumulated fund for needed improvements.

#### 3.3.2.6 Electric and Gas

Con Edison supplies electric and gas to a large service area including New York City and most of Westchester County and is expected to be able to continue to provide service to the downtown area as growth and redevelopment occurs. No significant adverse impacts are expected on electric and gas supply as a result of the project. The new development would represent new customers for Con Edison who would supply energy resources under the approved rate schedule.

It is noted that the City of New Rochelle expects to explore Microgrids that would reduce energy dependence, seek renewable energy resources and provide local source energy. This would reduce energy demand and provide beneficial renewable energy that would reduce potential impacts with respect to electric use.

#### 3.3.2.7 Educational Services

As noted in Section 3.3.1.7, the Study Area is divided into multiple School Zones. Based on this division, certain School Zones that are already at or near capacity would experience greater impacts. The City of New Rochelle retained WXY Studio to conduct a separate analysis of school resources, determine an estimated number of school children to be generated from future development, and examine options to address the needs of targeted schools that may experience capacity issues as growth under the DOZ provisions occurs (see Capacity Report, **Appendix E-5**).

WXY specifically collected and geocoded student enrollment data, employed a 10-year enrollment projection model, factored in the observed student attrition and participation rates identified for 2010-2011 and 2014-2015 by School Zone and grade, determined low, moderate, and high baseline enrollment projections (“Natural Growth”), and added the anticipated natural growth to projections of students expected to be added from the Theoretical Development Scenario over this time period. Projections of new students were customized by WXY utilizing multipliers based upon local information (actual school aged children from multi-family buildings in the area) and PUMS data. Multipliers of 0.014, 0.141 and 0.213 were applied to one, two and three-bedroom units respectively. Studios were assumed to generate no students (see **Appendix E-5**). Based upon these multipliers, a total of 312 new students would be generated under the Theoretical Development Scenario.

Based on the analysis of these data, it was determined that impacts requiring mitigation would occur at Trinity Elementary and New Rochelle High School.

The following provides the findings from the Capacity Study prepared by WXY regarding impacts from the Theoretical Development Scenario (see **Appendix E-5**):

*Trinity Elementary*

- Our capacity model shows that Trinity will receive 59-71 additional students with new Trinity zone development, and 3-4 students from Lincoln zone development.
- Trinity will be 49 seats (3 classrooms) over capacity total, with approx. 66% attributable to new development.
- 1 new classroom is needed with natural growth, 2 additional classrooms are needed with new development (3 rooms total).
- Mitigation measures include: Expansion at Trinity; New school construction; Targeted redistricting to redistribute seats between the Trinity and Jefferson school zones.

*Columbus Elementary*

- Columbus Elementary will receive 113-135 additional students with new development, and 1-2 students from Lincoln zone development.
- Columbus Elementary does not reach a tipping point before 2025, but the classrooms will be filled to capacity after new development.
- Assuming a total of 137 new elementary school students join the zone, Columbus Elementary will still have 20 open seats (across 6 grades.)

*Ward Elementary*

- Ward Elementary will receive 6-7 additional students with new [Ward zone] development, and 5 students from Lincoln zone development.
- Ward does not reach a tipping point before 2025, but classrooms will be reaching capacity after new development.
- Assuming a total of 12 new elementary school students join the zone, above, Ward Elementary will still have 64 open seats (across 6 grades.)

*Albert Leonard Middle School*

- Albert Leonard will receive 1-2 additional students with new development.
- The baseline (natural growth) projection shows that Albert Leonard will reach its outer capacity by 2025. However, future capacity issues are not triggered by new development.



*Isaac Young Middle School*

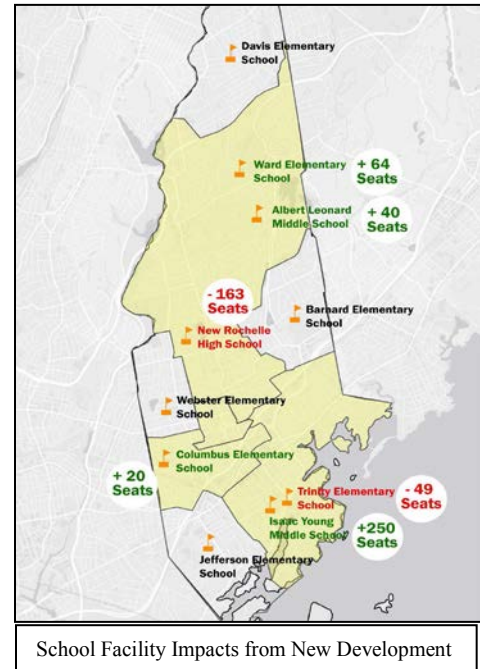
- Isaac Young will receive 45-53 additional students with new development.
- Even with the enrollment growth, Isaac Young has significant remaining capacity, with 250+ open seats (across 3 grades.)

*New Rochelle High School*

- New Rochelle High School will receive 69-83 new students with new development.
- NRHS will be 163 seats (4-5 classrooms) over total capacity, with approximately 50% [of this amount] attributable to new development.

*Summary*

- Future public elementary school enrollment can be absorbed at Columbus and Ward Elementary, as well as the Lincoln zone feeder elementary schools.
- Trinity Elementary will face significant capacity issues, however, compounded by new development.
- Public middle school enrollment growth can be absorbed at both Albert Leonard and Isaac Young.
- Albert Leonard will experience capacity constraints in the next decade, but these constraints are due to natural growth.
- New Rochelle High School will face significant capacity issues in the next decade, compounded by new development.
- Mitigation measures for Trinity Elementary include, school expansion or new school construction and targeted redistricting to redistribute seats between the Trinity and Jefferson School Zones.
- Mitigation measures for New Rochelle High School include expansion of the school or construction of a new high school.



Tax revenues will be generated as a result of development activities. **Section 3.4.2.1** includes a tax analysis of the Theoretical Development Scenario, which estimates significant annual tax revenues (\$41.48 million dollars) distributed to the School District (based on current tax rates and assessed values, see **Table 3.4-19**).

In addition, similar to the need for revenues to fund police, fire and infrastructure services, it is expected that Fair Share mitigation may be used to assist with revenues to the School District to implement one of the mitigation options discussed in the Capacity Study (**Appendix E-5**). The details of this Fair Share mitigation plan and fund will be developed throughout the SEQRA process and memorialized in the SEQRA Statement of Findings. With the identification of impacts, assessment of alternative plans to address impacts, and create a revenue stream to

implement alternative solutions for school district capacity were evaluated. It is expected that this potential impact can be managed to allow redevelopment to occur consistent with the RAP. The preliminary findings and recommendations of the Capacity Study are currently under review by the School Board and will be issued by the City once this review is complete.

The full array of identified school district mitigation measures are provided in **Section 3.3.3** of this document. The Capacity Report contained in **Appendix E-5** outlines options that can be employed to address future capacity issues at these schools.

#### 3.3.2.8 Recreation

The existing recreational resources within the downtown will remain and will be maintained by the City. The City of New Rochelle enjoys abundant recreational resources beyond the Study Area as noted in **Section 3.3.2.8**. These services will be accessible to new residents in the downtown area.

In order to implement the redevelopment initiatives sought to create a vibrant downtown, the proposed Downtown Overlay Zone provisions will seek civic space in connection with redevelopment. This may involve: courts, courtyards, plazas, corner plazas, piazzas, pedestrian ways, greens, squares, roof gardens and pocket parks as well as wide sidewalks for more public street space. The intent is to provide an attractive environment for social activities.

Given the existing recreational resources within and outside of the study area, coupled with civic space provisions in the new code, it is expected that recreational resources will continue and expand such that no significant adverse impact will occur.

### 3.3.3 Mitigation Measures

This section outlines the mitigation strategies to assist the City of New Rochelle in addressing future community service needs to ensure that the existing and future residents of New Rochelle receive the services that they expect and deserve. As noted in consideration of existing conditions, many of the community service providers have been doing more with less for some time. New development caused by the implementation of the Downtown Overlay Zones will create new and significant revenue streams for the City as new projects are proposed and constructed. However, several of the mitigation options below may require additional, specific funding mechanisms for implementation. Capital or other resources may be provided by any developer availing themselves of the use of the DOZ. In addition, the City is currently considering options to allow for the receipt and expenditure of these funds. The current concept being examined would involve a “Fair Share” mitigation plan and fund that would be perpetuated by a per unit contribution that would be set aside for service provider support and infrastructure improvements on an as needed basis. New Rochelle is ideal for this type of mitigation program since police, fire, wastewater conveyance, stormwater management, refuse collection, recreation and other services are all provided by the City. The anticipated

development that will result from the Proposed Action provides an opportunity to establish a creative funding source to address both existing and future needs of City service providers. The form, nature and use of the funds will be developed through the concepts being examined in this DGEIS, and will be further advanced through receipt of comments on the DGEIS that will be addressed in the Final GEIS and ultimately incorporated into the Statement of Findings to ensure that no adverse community service impacts will occur and that mitigation is in place to address existing and future needs.

#### Police Protection

- The Police Department will have the opportunity to provide input on site-specific plans, thereby requiring any site-specific mitigation measures necessary.
- Establish a means to add 15 man downtown task force to roster
- Encourage on-site private security for large projects and work cooperatively with Police Department
- Fund Police Department needs through participation in a “Fair Share” mitigation plan and fund
- Remove strategic parking on Main Street and Huguenot Street and provide parking structures to ensure traffic flow when one-way streets are changed to two-way traffic
- Ensure traffic flow using CSO’s and downtown officers
- Provide price sensitive housing opportunities for potential future Fire Department personnel

#### Fire Protection

- Conformance to the NYS Building and Fire Safety Codes will partially mitigate potential health and safety impacts from fire response providers.
- The Fire Department will have the opportunity to review future proposed site plans to ensure that their needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed
- Establish a means to add 6-7 firefighters to roster
- Ensure planned purchase of high pressure pumper
- Address physical plant issues at Stations #2 and #3
- Improve access to professional training
- Fund Fire Department needs through participation in a “Fair Share” mitigation plan and fund
- Remove strategic parking on Main Street and Huguenot Street and provide parking structures to ensure traffic flow when 1-way streets are changed to 2-way traffic
- Ensure traffic flow in coordination with the Police Department using CSO’s and officers
- Seek increased coverage using traffic signal pre-emption through grants and fund allocation
- Provide price sensitive housing opportunities for potential future Fire Department personnel

#### Wastewater and Stormwater

- Prepare update to Sanitary Sewer Evaluation Study in coordination with Westchester County and maintain schedule to implement improvements
- Continue Capacity management Operation System Maintenance (CMOM) Program for system operation and maintenance and maintain schedule to implement improvements

- Continue “fund and fix” program of wastewater infrastructure I&I reduction as a factor of 3x the flow of new developments
- Seek grant funding for wastewater and stormwater improvements
- Continue MS4 program and identify illicit discharges and improve stormwater infrastructure
- Encourage 3 ½” retention of stormwater through site plan and building permit review process
- Examine potential for use of “living machine” installation(s) for water quality improvements
- Participation in a Fair Share mitigation plan and funding resources should have the flexibility to be used for wastewater/stormwater should this become a priority requiring fiscal support

#### Solid Waste

- Larger private mixed use development should be required to have private carting of refuse
- More dense projects (in terms of units per acre) should be required to have private refuse carting
- Zoning provisions should encourage project design that includes recycling and private pickup of solid waste
- Zoning provisions should provide incentives for “Robust” recycling programs including such measures as “in-vessel” composters
- Participation in a Fair Share mitigation plan and funding resources should have the flexibility to be used for solid waste management should this become a priority requiring fiscal support

#### Water Supply

- Developments are analyzed for what system improvements are needed, and these are paid for by the developer
- A potential “refund waiver” program could be established (subject to PSC approval) in a specified area of the downtown to make future distribution system improvements to service revitalization and growth; in concept, this program would involve waiving the refund that is typically returned for the 75 feet of water line connection; this would apply to the downtown Study Area and would create a fund to proactively improve water supply infrastructure so that new demand can be accommodated.
- Promote indoor water use efficiency – lowering water consumption reduces potable water consumption and unnecessary wastewater treatment.
- Install low flow appliances, fixtures and fittings.
- Employ outdoor potable water reduction techniques.
- Use responsible planting of native vegetation that demand less water in landscape design
- Require devices that automatically shut down irrigation systems during rain
- Implementing Conservation Pricing in which the cost of a gallon of water increases with the quantity consumed
- Seek to use secondary water sources for nonpotable use
- Promote use of captured rainwater as a resource for nonpotable use
- Provide incentives for recycled wastewater – grey water.
- Use of stormwater, foundation drain water & AC condensate where possible.

#### Electricity and Gas

- Increase pedestrian and vehicular connectivity throughout the community such that less energy is expended.
- A vibrant, walkable downtown center with multimodal transportation options including bus/shuttle connections, would allow for significant savings in energy use and greenhouse gas emissions.
- Observe solar orientation for development that can take advantage of energy use reduction through this method
- Encourage passive solar elements for new development
- Install energy efficient lighting and appliances
- Reduce heat island effect to lower need for cooling in summer
- Encourage building and neighborhood energy production
- Explore Microgrids to reduce energy dependence, promote renewable resources and provide more localized energy sources to supplement utility electricity

#### Educational Services

- Substantial increases in tax revenue are expected (\$41.48 million annually) to be distributed to the School District
- Establish a Fair Share mitigation plan and fund to assist with School Zone improvements through selection of an alternative plan from the WXY report.
- Several options are identified to address impacts to specifically address impacts to Trinity Elementary and New Rochelle High School, which will be evaluated with the City and School District (see **Appendix E-5**):
  - *Trinity Elementary*
    - a. Option 1A: Existing School Expansion
    - b. Option 1B: New Elementary School Construction
    - c. Option 1C: Targeted re-districting for Trinity, Columbus and Jefferson to better distribute enrollment
  - *New Rochelle High School*
    - a. Option 2A: Existing School Expansion
    - b. Option 2B: New High School Construction (Program options include specialized STEM school, K-12 school, etc.)

#### Recreation

- Active green spaces along with pedestrian and bicycle networks will reduce automobile dependence and attract a class of environmentally conscious residents and employees
- The City will continue to support the abundant recreational uses within and outside of the Study Area; Ruby Dee Park at Library Green and Faneuil Park provide green space within the Study Area, and extensive recreation resources are available nearby and throughout New Rochelle

## 3.4 SOCIOECONOMICS

Existing conditions below includes a demographic profile of the City of New Rochelle that will be used in **Section 3.4.2** Potential Impact as a basis for assessment of social impacts. **Section 3.4.2.1** provides a complete fiscal analysis of tax revenue, **Section 3.4.2.2** assesses the impact of sales tax revenue, and **Section 3.4.2.3** provides the economic impact analysis (construction and operational job creation), as related to overall potential socioeconomic impacts of the Proposed Action.

### 3.4.1 Existing Conditions

#### 3.4.1.1 Population Characteristics

The following information and analyses summarize the demographic and socioeconomic characteristics and trends of Downtown New Rochelle and the City of New Rochelle, identify potential socioeconomic impacts from the Proposed Action, and determines the need for and availability of appropriate mitigation strategies to prevent or alleviate any identified concerns. The socioeconomic review includes the examination of US Census data for the Downtown (which corresponds to the Study Area) and City of New Rochelle Census Designated Place with projection estimates provided by ESRI Business Analyst for 2020. Additional sources of data include information reported in the “Retail Market Analysis and Retail Development Strategy for Downtown New Rochelle” prepared by “Community Land Use & Economics Group” (2015) which was prepared for the New Rochelle Downtown Overlay Zone, as well as available US Census Bureau (“USCB”) data from the 2000 and 2010 decennial censuses, the USCB’s 2013 Community Survey, the New Rochelle Action Plan, and other available resources. Analyses provided in the socioeconomic investigation include comparisons of City characteristics with those of Westchester County, New York State, and the US in order to isolate the traits and special conditions that make New Rochelle unique.

#### *Population*

**Table 3.4-1** provides USCB decennial population data for the City of New Rochelle between the years 1890 and 2010 as well as 2013 Community Survey data estimates which provide a window into the City’s population trends and patterns over time. Examination of these data reveal that the population of the City increased dramatically between 1890 and 1930, growing from a small community of just 9,057 to a geographically small yet relatively compact City containing 54,000 residents around the start of the Great Depression. The decennial growth rate during this 40-year (1890 through 1930) period ranged from a low of 25.4 percent to a high of 96.1 percent with an average population growth of 58.3 percent per decade. Growth slowed during the Great Depression and into the Second World War to an average of just 5.3 percent between 1930 and 1950 with 8.2 percent and 2.3 percent per decade during this period, but increased significantly (by 28.6 percent) from 1950 through 1960 (in part of the post-WWII recovery era) when the population grew by 17,087 from 59,725 to 76,812. New Rochelle experienced a slight decline in its population between 1960 and 1990 when it fell by 9,547 residents from 76,812 to 67,265 with an average decennial population decrease of -4.3 percent during that period. This decline was likely due to the then-burgeoning trend toward mass suburbanization in the country caused by

increased mobility and wealth. In more recent years, there has been a rebound in population growth in the City as the population grew steadily reaching 7.3 percent growth between 1990 and 2000 and 6.8 percent between 2000 and 2010, ultimately reaching a population of 77,062 in 2010.

The Census Bureau's 5-Year Estimates for 2013 projected the population of New Rochelle to be 77,820 indicating an increase of 758 persons or approximately one percent over the three years between 2010 and 2013. The growth of the City's population from 9,057 in 1890 to 77,820 in 2013 indicates a nearly nine-fold increase during this 125-year period. Based on the 2013 projection, the average 2013 population density for the 10.67 square miles of land within the City's municipal boundaries is 7,293 persons per square mile.

**Table 3.4-1**  
**POPULATION OF NEW ROCHELLE**  
**1890-2014**

<b>Year</b>	<b>Population<sup>1</sup></b>	<b>% Change<sup>1</sup></b>
1890	9,057	---
1900	14,720	62.5%
1910	28,867	96.1%
1920	36,213	25.4%
1930	54,000	49.1%
1940	58,408	8.2%
1950	59,725	2.3%
1960	76,812	28.6%
1970	75,385	-1.9%
1980	70,794	-6.1%
1990	67,265	-5.0%
2000	72,182	7.3%
2010	77,062	6.8%
Estimate 2013 <sup>2</sup>	77,820	1.0%
Estimate 2014 <sup>3</sup>	79,637	2.3% 3.3% <sup>4</sup>

Sources:

- 1) US Census Bureau Decennial Census data (1890-2010) provided by Community Land Use & Economics Group (2015)
- 2) Estimate from US Census Bureau 5-Year American Community Survey Estimates data (2009-2013)
- 3) Estimate from Community Land Use & Economics Group (2015)
- 4) 2013-2014 = 2.3%; 2010-2014 = 3.3%

While the City's growth as a whole has increased by 6.8% between the 2000 and 2010 census, the Downtown area experienced a significant level of growth which is illustrated in Table 3.4-2. Between 2000 and 2010, the area's population increased from 6,098 to 8,673, a 42.2% increase.

**Table 3.4-2**  
**POPULATION OF DOWNTOWN AND CITY OF NEW ROCHELLE**  
**2000-2010**

	Downtown			City of New Rochelle		
	2000	2010	Percent Change	2000	2010	Percent Change
Population	6,098	8,673	42.2%	72,175	77,062	6.8%

Source: USCB 2000 and 2010 Census (ESRI 2010 Census Profile reports).

#### *Race and Ethnicity*

**Table 3.4-3** provides a breakdown of population by race and ethnicity in the Downtown, the City of New Rochelle and Westchester County from 2010 census and projections for 2020. Based on these data, Downtown New Rochelle has a lower percentage of people reporting race as white alone than the rest of the city (47.8% in 2010 and projected to decrease to 43.6% in 2020) as compared with 65.2% of the city population and 68.2% of the county population. The black population makes up a higher percentage of the downtown (at 29.7%, projected to increase to 30% by 2020) than of the City of New Rochelle, in which the black population in 2010 was 19.3% and projected to increase to 20.2% in 2020. Within the Downtown, the population of Hispanics (of any race) at 36.9% of the population is higher than found in the city as a whole (27.8%).

This data suggests a relatively diverse population and fairly large minority community comprising a significant portion of the Downtown population in comparison to the City's population. Comparing these data to those of greater Westchester County reveals that its white population is present at a similar proportion as the City's (68.1% as compared to 65.2%) percent) or two-thirds of each jurisdiction's population (whereas the white population in the Downtown is a lower percentage - at 47.8% and expected to decrease). However, the black alone population comprised just 14.6 percent of the County's population in 2010 (compared to 29.7 percent in the Downtown and 19.3 percent in New Rochelle) and the percentage of persons of Hispanic origin (of any race) was also lower in the County at 21.8 percent of the population as compared to 36.9 percent of the Downtown population and 27.8 percent of the City's population. As with the Downtown and City, the County has a relatively small Asian community which represents 5.4 percent of the County's populace as compared to 5.7 percent of the Downtown's and 4.2 percent of the City's populations.

Based on the data provided in **Table 3.4-3** and the differences in the proportions of black and Hispanic (of any race), it is clear that Downtown New Rochelle and the City of New Rochelle are home to larger shares of minorities when compared to the demographic profile of greater Westchester County.

Also indicated in **Table 3.4-3** is population growth as forecasted through 2020. Based upon the forecasted population data, the projected growth in Downtown New Rochelle at 6.5% will be



higher than for the City at 2.5% and Westchester County as a whole at 3.5%. Between 2000 and 2020, the most significant change in terms of actual numbers, is expected to be the increase in the Hispanic (of any race) population which is forecasted to increase by 7.4 percent in the Downtown and 6.5 percent in New Rochelle. The trend in the County is expected to be similar, with a projected increase in those of Hispanic origin of 5.5 percent.

**Table 3.4-3**  
**RACE AND ETHNICITY PERCENTAGES**  
**DOWNTOWN NEW ROCHELLE, NEW ROCHELLE AND WESTCHESTER COUNTY**  
**2010/2020\***

Population Characteristic	Downtown New Rochelle 2010/2020	New Rochelle	Westchester County
Total Population	8,673/9,144	77,062/79,052	949,113/982,400
<i>Population by Race &amp; Ethnicity</i>			
White Alone	47.8%/43.6%	65.2%/61.1%	68.1%/63.6%
American Indian	0.6%/0.8%	0.5%/0.6%	0.4%/0.5%
Black Alone	29.7%/30.0%	19.3%/20.2%	14.6%/15.2%
Asian Alone	5.7%/6.0%	4.2%/4.9%	5.4%/6.6%
Pacific Islander Alone	0.1%/0.1%	0.1%/0.1%	0.0%/0.0%
Some Other Race Alone	11.6%/14.5%	7.4%/9.3%	8.3%/10.2%
Two or more races	4.4%/5.0%	3.3%/4.0%	3.2%/3.8%
Hispanic Origin (any race)	36.9%/44.3%	27.8%/34.3%	21.8%/27.3%

Source: ESRI 2010 Census Profile; US Census Bureau

Note: \* 2020 Forecast by ESRI

#### *Median Age and Age Distribution*

Age and age distribution can play a role in the present and future needs of a community. For example:

- a community with a large number of retirees may require proportionately more services, housing for seniors, assisted living facilities, and better health care to serve its citizens;
- when the age demographic is largely adults of workforce age, employment, education, and training can be of major importance depending on the existing availability of jobs, education and training of the workforce, experience, and other factors; and
- in communities that largely consist of young adults, young families and children, education of school age children, appropriate school resources and staffing, taxes, availability of parks and daycare facilities, and affordable “starter homes” and/or small rental housing may be important.

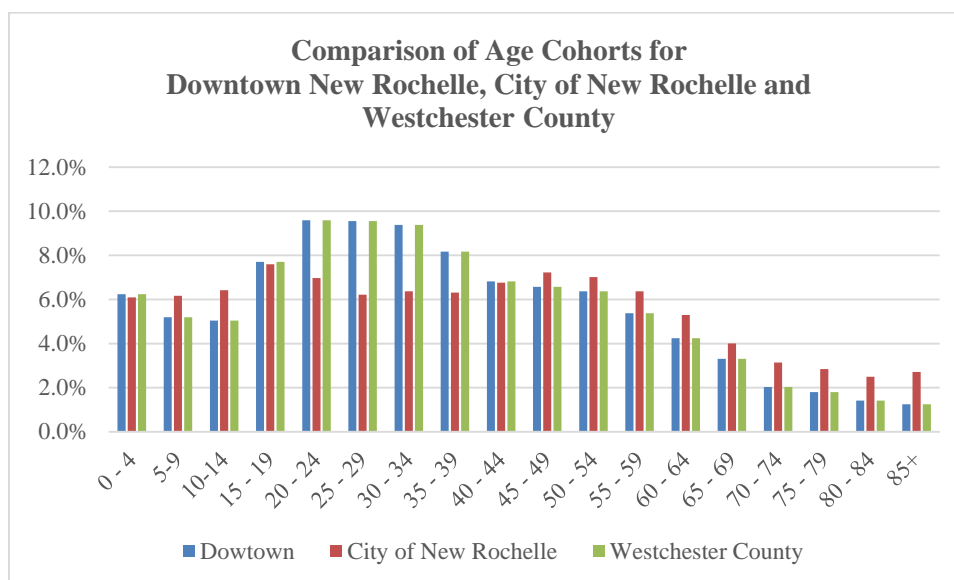
Based on 2010 Census data, the median age in the Downtown is 33.6 which is significantly younger than the median age of the City of New Rochelle, which is 38.3. In comparison, the median age in Westchester County is higher at 40.0 (**Table 3.4-4**).

**Table 3.4-4  
MEDIAN AGE  
DOWNTOWN, NEW ROCHELLE AND WESTCHESTER COUNTY  
2010 CENSUS**

Population Characteristic	Downtown New Rochelle	New Rochelle	Westchester County
Total Population	8,673	77,062	949,113
Median age (years)	33.6	38.3	40.0

Source: US Census Bureau (2010)

The graph below shows the relative distribution of population by age cohort for the Downtown, City and County in 2010. The distributions by age for the Downtown and County are similar. The City of New Rochelle's population has differences from both areas with relatively lower number of population aged 20 to 39 and relatively higher number of population aged 5 to 14 years and over 45 years of age. **Table 3.4-5** summarizes the age distribution of the Downtown, City and County in 2010 by "children" (0-19), "adults" (20-64) and "senior citizens" (65+) and suggests there is little difference between the City and County when the data are grouped in this fashion; however, clearly, the Downtown area has a higher percentage of adults and significantly less seniors than the City or County, which may indicate the attraction of this area for the working population.



**Table 3.4-5**  
**AGE DISTRIBUTION (CHILDREN, ADULTS & SENIORS)**  
**DOWNTOWN, NEW ROCHELLE AND WESTCHESTER COUNTY**  
**2010**

<i>Classification</i>	<i>Downtown</i>			<i>New Rochelle</i>			<i>Westchester County</i>		
Age Range (Years)	0-19	20-64	65+	0-19	20-64	65+	0-19	20-64	65+
% of Population	24.2%	66.1%	9.8%	26.3%	58.5%	15.2%	26.5%	58.9%	14.7%

Source: Census 2010

### 3.4.1.2 Housing Characteristics

#### *Households*

According to the USCB, there were 1,994 households in Downtown New Rochelle in 2000, which increased significantly between 2000 and 2010 to 3,188 households (42.2 percent increase). In the City of New Rochelle, there was an increase as well though less dramatic with a 6.7 percent increase in the number of households. This 6.7 percent increase in households in the City is more than double the 3.0 percent increase in Westchester County during the same period (i.e., 337,142 to 347,232) suggesting that proportionately more people are choosing New Rochelle as their new home when compared to other Westchester communities (see **Table 3.4-6**). It is even more significant when comparing these geographic areas to the relative growth in the Downtown, which experienced a 59.9% increase in households during the same time period (1,994 households to 3,188).

**Table 3.4-6**  
**HOUSEHOLDS IN DOWNTOWN, NEW ROCHELLE AND WESTCHESTER COUNTY**  
**2000 - 2010**

	<b>Downtown</b>			<b>City of New Rochelle</b>			<b>Westchester County</b>		
	<b>2000</b>	<b>2010</b>	<b>Percent Change</b>	<b>2000</b>	<b>2010</b>	<b>Percent Change</b>	<b>2000</b>	<b>2010</b>	<b>Percent Change</b>
Population	6,098	8,673	42.2%	72,175	77,062	6.8%	923,459	949,113	2.8%
Households	1,994	3,188	59.9%	26,186	27,953	6.7%	337,142	347,232	3.0%
Housing Units	2,077	3,513	69.1%	26,992	29,586	9.6%	349,445	370,821	6.1%

Source: US Census, 2000 and 2010

#### *Household and Group Quarters Populations*

Based on data provided in the 2010 Census for New Rochelle, 77,062 people (95.7 percent of the City's population) live in households and 3,277 (4.3 percent) live in group quarters, including 1.6

percent living within quarters dedicated to institutionalized persons<sup>1</sup> and 2.6 percent living in quarters dedicated for non-institutionalized persons<sup>2</sup>.

**Table 3.4-7  
HOUSEHOLDS BY TYPE  
NEW ROCHELLE  
2000-2010**

Households by type	2000 Census	%	2010 Census	%	Percentage Point Change
Total households	26,189	100%	27,953	100%	
Family households (families)	17,541	67%	18,179	65%	-2%
Nonfamily households	8,648	33%	9,774	35%	+2%
Householder living alone	7,323	28%	8,368	30%	+2%
Average household size	2.68	-	2.64	-	

Source: US Census Bureau (2000 & 2010) and Community Land Use & Economics Group (2015)

#### *Household Tenure*

The City of New Rochelle's occupied housing stock is roughly split between owner-occupied dwellings and renter-occupied dwellings. In comparison, in the Downtown area, according to 2010 census, 19.8% of housing units are owner occupied and 80.2% are renter occupied. In 2000, 50.3 percent of the occupied dwellings were owner-occupied and 49.7 percent were renter-occupied. Similarly, in 2010, the rate was 51.2 percent compared to 48.8 percent renter-occupied or a nearly 50/50 split.

Another noteworthy difference between households in New Rochelle and households in Westchester County is the significantly lower proportion of owner-occupied households and higher proportion of renter-occupied dwellings in the City as compared to the County. In 2000, the proportion of owner-occupied households in New Rochelle was 50.3 percent, while in the County it was nearly ten percent higher or 60.1 percent of occupied units. This disparity and the overall rates of owner- and renter-occupied dwelling units remained nearly the same in 2010, when 61.6 percent of the County's dwelling units were owner-occupied as compared to 51.2 percent of New Rochelle's occupied housing stock.

**Table 3.4-8** provides a summary of the number of households by tenure in the City of New Rochelle and Westchester County in 2000 and 2010.

<sup>1</sup> An institutionalized person is defined by the US Census Bureau as a person living in facilities such as correctional institutions, nursing homes, and juvenile institutions.

<sup>2</sup> A non-institutionalized person is a person living in college dormitories, military quarters, and group homes.

**Table 3.4-8**  
**HOUSEHOLDS BY TENURE**  
**NEW ROCHELLE AND WESTCHESTER COUNTY**  
**(2000-2010)**

Housing Characteristic	City of New Rochelle				Westchester County			
	2000	2010	Change	% Change	2000	2010	Change	% Change
<i>Households</i>								
Total	26,189	27,953	1,764	6.7%	337,142	347,232	10,090	3.0%
Owner-Occupied	13,176	14,317	1,141	8.7%	202,673	213,888	11,215	5.5%
Renter-Occupied	13,013	13,636	623	4.8%	134,469	133,344	-1,125	-0.8%
Ownership Rate	50.3%	51.2%	---	0.9%	60.1%	61.6%	---	1.5%

Source: US Census Bureau, 2000 & 2010

In addition, according to the ACS, the number of households in New Rochelle increased to 28,202 with roughly the same breakdown between owned and rented units (14,070 owned, 14,132 rented).

#### *Household Size*

According to the US Census Bureau, average household size in the City has remained relatively constant or has gone down slightly from 2.68 occupants in 2000 to 2.64 in 2010. According to Census 2010, the household size in the Downtown are slightly lower at 2.53. Household size trends are similar to the City in Westchester County with an average household size in 2000 of 2.67 which decreased to 2.65 persons per household or 0.02 higher than the City in 2010. Conversely, the State and US showed slightly lower rates than the City and County in 2013 as the State's average was 2.57 and the Country's was 2.58.

**Table 3.4-9** provides a summary of 2013 household size by the number of persons per household. Based on a review of the proportions in this table it appears that New Rochelle had a greater proportion of very small (one-person) households and very large (5+ person) households when compared to the County which tended to have larger proportion of mid-sized households (3- or 4-persons/household).

**Table 3.4-9**  
**HOUSEHOLD SIZE**  
**NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK STATE & USA**  
**2013**

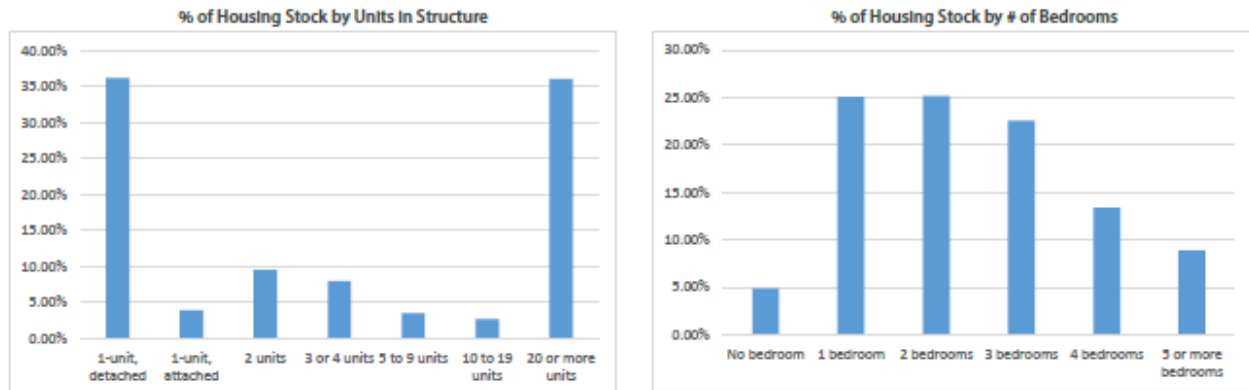
	New Rochelle		Westchester County		New York State		USA	
Household Size	#	%	#	%	#	%	#	%
1 person	8,276	29.3%	92,354	26.9%	2,128,968	29.4%	31,778,729	27.5%
2 people	8,094	28.7%	99,441	28.9%	2,223,845	30.7%	38,743,858	33.5%
3 people	4,333	15.4%	58,620	17.1%	1,159,372	16.0%	18,307,171	15.8%
4 people	4,171	14.8%	53,540	15.6%	977,428	13.5%	15,355,819	13.3%
5+ people	3,328	11.8%	39,606	11.5%	745,130	10.3%	11,424,639	9.9%
Average Household Size	2.64		2.65		2.57		2.58	

Source: US Census Bureau (2013) and Community Land Use & Economics Group (2015)

*Housing Units per Structure and Bedrooms per Housing Unit*

The graph provided below (left) taken from the RAP depicts the breakdown of the City's housing stock based on the number of units in the structure. The vast majority of dwelling units are located either in single family homes or larger (20 or more units) buildings. This indicates a lack of housing options in between these two extremes. .

The graph below (right) shows the breakdown of housing units based on the number of bedrooms. Based on this graph it is clear that the City has very few studio (no bedroom) units, which are increasingly attractive to the millennial generation. Comparing the proportion of 1-person households in the City (29.3%) (see **Table 3.4-9**) with the relative paucity of studio apartments available in the City (5%) as shown in the graph on the lower left, and knowing the difficulty in affording housing in NYC metropolitan area supports this finding of need.



Source: New Rochelle Recommended Action Plan - ACS 2013 Housing Summary for City of New Rochelle

### *Household Income*

Median household income in the City of New Rochelle in 2013 was \$67,094, which was higher than the median in the State of New York (\$58,003) and the United States (\$53,046) but lower than that of Westchester County (\$81,946). Median income in the Downtown in 2013 was \$55,947, which is lower than the City of New Rochelle and State of New York, though higher than in all of the United States. The rate of growth of household income between the years 1999 and 2010 in New Rochelle was 17.7 percent, which was lower than that of Westchester County (21.4 percent), New York State (28.1 percent), and the United States (23.6 percent) during this same period. The rate of growth of household income between the years 2000 and 2013 in New Rochelle was 2.7 percent or \$1,777 over the three-year period, which was surpassed by Westchester County (2.9 percent) and New York State (4.3 percent) but was higher than the increase in median income at the US level (2.2 percent). Even though New Rochelle has a higher median household income than households throughout the State, its rate of growth was considerably less over the time periods reviewed.

Since the cost of living in the New York Metropolitan Area tends to be considerably higher than that of New York and the United States, the more appropriate baseline for comparison is Westchester County. In 2013, the median household in Westchester County earned \$14,852 or 22 percent more than the median household in New Rochelle and the rate of increase over the three-year period (2010-2013) was also higher in the County (2.9 percent versus 2.7 percent in the City). Household income data are presented in **Table 3.4-10**.

**Table 3.4-10**  
**MEDIAN HOUSEHOLD INCOME**  
**NEW ROCHELLE, WESTCHESTER COUNTY, STATE OF NEW YORK AND USA**  
**2010-2013**

	New Rochelle	Westchester County	New York State	USA
<b>1999</b>	\$55,513	\$65,582	\$43,393	\$41,994
<b>2010</b>	\$65,317	\$79,619	\$55,603	\$51,914
<b>Increase (\$) 1999-2010</b>	\$9,804	\$14,037	\$12,210	\$9,920
<b>Increase (%) 1999-2010</b>	17.7%	21.4%	28.1%	23.6%
<b>2013</b>	\$67,094	\$81,946	\$58,003	\$53,046
<b>Increase (\$) 2010-2013</b>	\$1,777	\$2,327	\$2,400	\$1,132
<b>Increase (%) 2010-2013</b>	2.7%	2.9%	4.3%	2.2%

Source: US Census Bureau, 2000, 2010 & 2013; Community Land Use & Economics Group (2015)

### 3.4.1.3 Labor Force Participation

#### *Employment*

Employment status and educational attainment are important factors to consider in regard to determining unemployment, the types and availabilities of jobs, and level of educational training. As can be seen from **Table 3.4-11**, the City had a slightly higher rate of unemployment than the County in 2013 (6% versus 5%). These rates, however, have risen considerably from 2000, which according to the USCB's 2000 Census data, indicate that the City's unemployment rate was 2.7% while the County's was 2.8%. These rates also indicate a slightly higher change in unemployment over this period, with the City suffering a slightly higher overall increase (2.7-6.0%).



**Table 3.4-11  
EMPLOYMENT STATUS  
NEW ROCHELLE AND WESTCHESTER COUNTY  
2013**

	Population 16 years of age and older			
Employment Status	New Rochelle	%	Westchester County	%
Civilian labor force	40,171	64%	498,722	66%
Employed	36,714	59%	456,825	60%
Unemployed	3,457	6%	41,897	5%
Not in labor force	22,519	36%	258,804	34%
Occupation (of employed civilians)				
Management, business, science + arts occupations	15,277	42%	208,011	46%
Service occupations	7,245	20%	84,149	18%
Sales + office occupations	8,301	23%	103,365	23%
Natural resources, construction + maintenance occupations	3,346	9%	32,513	7%
Production, transportation + material moving occupations	2,545	7%	28,787	6%

Source: US Census Bureau (2013) and Community Land Use & Economics Group (2015)

#### *Educational Attainment*

Educational attainment is often a factor in securing good-paying high-quality jobs that provide medical and other benefits. It is noted that when compared to the county, state, and country, New Rochelle has a lower high school graduation rate than these jurisdictions. In addition, New Rochelle has a lower rate of persons holding a bachelor's degree or higher than the County, but a considerably higher number than people in the state and country.

**Table 3.4-12**  
**EDUCATIONAL ATTAINMENT**  
**NEW ROCHELLE, WESTCHESTER COUNTY, NEW YORK STATE & USA**  
**2013**

<b>Educational Attainment</b>	<b>New Rochelle</b>	<b>Westchester County</b>	<b>New York State</b>	<b>USA</b>
High School Graduate or Higher	83.4%	87.4%	85.3%	86.3%
Bachelor's Degree or Higher	40.4%	46.1%	33.5%	29.1%

Source: US Census Bureau (2013) and Community Land Use & Economics Group (2015)

#### 3.4.1.4 Affordable Housing

The need for safe and affordable housing for diverse income levels is noted in several City planning studies and reveals a shortage and pent-up demand which will be increased by economic revitalization efforts. For example, the City's 2014 Transit-Oriented Development Smart Growth Study expressly indicates a need for affordable housing for middle income groups in the City and that the best location for new dwellings is within a half-mile of the New Rochelle Train Station. The Study goes on to say that fostering the development of new housing in the City would help to stimulate housing investment that would attract jobs including the creation of new construction jobs, the bolstering of the health of the local economy, and would help to create a vibrant housing market. Similarly, the 1995 Comprehensive Plan called for a wide range of housing options that are safe and affordable for current and future residents, including seniors, young professionals, families, and a growing regional population. The City's GreenNR Sustainability Plan also calls for TOD housing, stating that 95% of new housing should be within walking distance of mass transit and 65% should be within a half-mile of the New Rochelle Transit Center. These policies and recommendations provide testament to the need and demand for additional diverse housing options, including housing for different income levels.

### 3.4.2 Potential Impacts

The City of New Rochelle and the selected Master Developer (RDRXR) are proposing the adoption of a new Downtown Overlay Zone ("DOZ") for an approximately 279-acre area of the downtown, centered in the heart of downtown New Rochelle. The Downtown Overlay Zone is proposed as an optional overlay district, whereby landowners can choose to opt into development under the proposed Downtown Overlay Zone requirements. The intent of the Downtown Overlay District is to encourage downtown redevelopment through the creation of an active, mixed-use district with convenient, safe and pleasant access to the New Rochelle Transit Center. The proposed Downtown Overlay Zone would standardize uses to encourage the development of economically diverse high quality housing, modern retail, commercial, office, hotel space and civic uses, integrated with well-designed pedestrian friendly streetscapes, and appropriately placed open and green spaces. Redevelopment under the proposed DOZ would create and maintain numerous construction jobs over the projected 10-year build-out period and would

ultimately provide a wide variety of long-term full-time and part-time employment opportunities. The existing Downtown Density Bonus Floating Overlay Zone, West Downtown Business Floating District, and Transit Oriented Floating District would be replaced by the proposed Downtown Overlay Zone. Density bonuses would be available for projects that provide certain community benefits (see Section 3.1.2 for details).

Based on a Theoretical Development Scenario for the Study Area, once the zoning amendments are adopted, it is expected that additional development would be possible in the Downtown. This additional development would address a number of socioeconomic considerations as the downtown revitalizes and attracts a critical mass of activity to become a transportation-oriented retail, office, and residential hub.

In regard to any potential for residential and commercial relocation and/or displacement and impacts on small businesses from the Proposed Action and Theoretical Development Scenario, it is the intended purpose of the Proposed Action to revitalize Downtown New Rochelle, which has been identified as being in need of revitalization. If the existing downtown provided a strong business environment with little or no blight, vacancies or other economic challenges and was growing and thriving, then there would be no need for revitalization. The basis for the Proposed Action is well documented in the RAP and GEIS. Entrepreneurship, the success of small businesses, the filling of vacant buildings or office spaces, creation of much needed jobs, and the enhancement of a sense of community pride are at the core of the downtown revitalization efforts and are a central tenet of the Proposed Action.

While typical redevelopment does have the potential to displace residents and/or businesses, there are a number of factors to be considered in analyzing the potential impact of the revitalization initiative in the City of New Rochelle, including balancing the benefits of economic development with social responsibility. Unique to the City's proposed DO Zoning amendments is the establishment of enforceable Community Benefit Policies. These policies are intended to ensure that proposed redevelopment activities result in direct benefits to City residents. Additionally it should be noted that the City is working with a Master Developer in a unique Public Private Partnership which will provide for a Community Benefits Agreement ("CBA") between the two parties to further address certain identifiable benefits which cannot be addressed through the optional Overlay Zone. To the extent that the DOZ is optional and does not replace the underlying zoning, certain impacts of development such as potential displacement are possible and likely to occur over time regardless of the adoption of the DOZ. However, it is anticipated that the City and the developer will work together to assist in the furtherance of the success of certain existing businesses which may in the future, be subject to potential displacement.

Where Community Benefit Policies and Community Benefit Bonuses are incorporated into the DOZ, compliance with these regulations would be a condition for future site plan approvals under the DO Zones (see Section 3.1.2). This would include density incentives for creating improved public use areas, including but not limited to: storefronts and commercial space specifically designed to provide for the temporary or permanent relocation of potentially displaced businesses, arts and cultural space, community facility space, and public open space, as

well as to preserve historic structures in the downtown which help to enhance community character and quality of life for residents. The Community Benefit Bonus section of the Code is designed to be flexible and evolve over time in order to allow the City to monitor the effectiveness of the policies and advance or expand those which prove to be most effective. For those landowners choosing to opt-in to the proposed DO Zone, no building permit, certificate of occupancy, business license or business license renewal shall be issued unless the applicant has demonstrated compliance with the Community Benefit Policies.

Factors that tend to reduce impacts and provide land use and socioeconomic support for the Proposed Action are discussed below:

- The proposed DO Zones are entirely voluntary for existing residential and commercial property owners. This will result in redevelopment within the Study Area, based on market demand and economic conditions, which will occur incrementally over a period of time.
- The City Code Chapter 331 requires that a minimum of 10 percent of the total number of housing units (estimated at 550 affordable housing units) constructed will adhere to existing affordable housing laws. All redevelopment under the DOZ will be subject to this requirement. Additionally, with respect to the units covered by the ordinance, the City is considering implementing a local preference for both municipal employees and City residents to offer workforce housing to those employees who qualify under certain income restricted requirements. Several of the existing City Agencies have expressed interest and a need for such a program, these agencies include the Police Department, Fire Department, Department of Public works as well as other City of New Rochelle employees and residents in order to help existing and future service critical departments retain and attract quality employees.
- The redevelopment of the Study Area has the potential to trigger secondary impacts related to increases or decreases in demand for housing depending on the rate and volume and the market reaction to such increases or decreases in demand.
- Redevelopment of such sites would create new housing and commercial opportunities, with significant opportunities for relocation.

The Theoretical Development Scenario is anticipated to add in the range of 5,500 housing units – including attainable housing based on the median income for the City of New Rochelle – to the Study Area, creating an abundance of opportunities for persons to live downtown. This redevelopment will create a residential component that is not currently well represented in the local market, yet will greatly contribute to the economic success of local businesses through increased clientele, resultant sales revenue, and opportunities for local employment.

The Proposed Action is expected to create an opportunity for existing businesses to provide goods and services in keeping with the demand of new patronage. This comes with the potential increase in sales and profit for businesses that adapt to these conditions. Redevelopment/revitalization and resultant activity in the downtown will increase the local

presence and “eyes on the street” – likely contributing to the overall safety of the neighborhood. This is a beneficial impact associated with the change in land use and business climate in the Study Area.

### 3.4.2.1 Municipal Fiscal Impacts

Many of the City and County’s community services and facilities are supported in large part by the revenues generated through property taxes. The City of New Rochelle and Westchester County, as well as other local taxing jurisdictions will greatly benefit from an increase in such property tax revenues, resulting from the development and operation of the Proposed Action.

For the purpose of this analysis, and in coordination with the City of New Rochelle Assessor, projected taxes were based on the income-approach method. For commercial uses, including medical and non-medical office, retail, restaurant, and institutional uses, gross annual rents of \$24.00 per square foot were applied to each use to project the estimated gross income. The estimated gross income was then applied to a 5% loss from vacancies and a 30% loss from expenses to come up with net income for each use. Based upon correspondence from the City Assessor, a capitalization rate of 0.11 was deemed appropriate for the purpose of projecting taxes that would result from the Proposed Action, and as such it was applied to the net income to project an estimated market value. The current equalization rate of 2.93% was then applied to each, to project an assessed valuation for each component. This is shown in **Table 3.4-13**.

**Table 3.4-13  
ASSESSED VALUATION: COMMERCIAL USES**

	<b>Non-Medical Office</b>	<b>Retail</b>	<b>Medical Office</b>	<b>Restaurant/ Bar</b>	<b>Institutional</b>
Average Gross Annual Rent	\$24.00/SF	\$24.00/SF	\$24.00/SF	\$24.00/SF	\$24.00/SF
Size	1,805,000 SF	990,000 SF	420,000 SF	115,000 SF	775,000 SF
Estimated Gross Income	\$43,320,000	\$23,760,000	\$10,080,000	\$2,760,000	\$18,600,000
Loss from Vacancies	5%	5%	5%	5%	5%
Loss from Expenses	30%	30%	30%	30%	30%
Net Income	\$28,158,000	\$15,444,000	\$6,552,000	\$1,794,000	\$12,090,000
Capitalization Rate	0.11	0.11	0.11	0.11	0.11
Estimated Market Value	\$255,981,818	\$140,400,000	\$59,563,636	\$16,309,091	\$109,909,091
Equalization Rate	0.0293	0.0293	0.0293	0.0293	0.0293
<b>Assessed Value</b>	<b>\$7,500,267</b>	<b>\$4,113,720</b>	<b>\$1,745,215</b>	<b>\$477,856</b>	<b>\$3,220,336</b>

Source: Project program provided by RDRXR; City of New Rochelle Assessor; Analysis by Nelson, Pope & Voorhis, LLC.

The assessed value of the hotel component assumes a nightly room rate of \$195, which is comparable to other hotels in the vicinity of the City of New Rochelle. Assuming a 75% occupancy rate, and when applied to the 500 hotel rooms proposed, estimated gross income is projected to total approximately \$26.7 million per year. When applied to a 50% expense ratio, net income is estimated at \$13.3 million. A capitalization rate of 0.11 was applied to the net income to project an estimated market value of \$121.3 million. The current equalization rate of 2.93% was then applied, to project an assessed valuation of \$3.5 million, as shown in **Table 3.4-14**.

**Table 3.4-14**  
**ASSESSED VALUATION: HOTEL USE**

Estimated Gross Income	\$26,690,625
Expense Ratio	50%
Net Income	\$13,345,313
Capitalization Rate	0.11
Estimated Market Value	\$121,321,023
Equalization Rate	0.0293
<b>Assessed Value</b>	<b>\$3,554,706</b>

Source: Project program provided by RDRXR;  
City of New Rochelle Assessor; Analysis by  
Nelson, Pope & Voorhis, LLC.

For residential rental units, student housing, and senior independent living units, the estimated gross income was based upon monthly rental rates of \$3.00 per square foot of space. The estimated gross income was then applied to a 5% loss from vacancies (10% for rental units) and a 30% loss from expenses (35% for rental units) to come up with net income for each use. A capitalization rate of 0.11 was applied to the net income to project an estimated market value. The current equalization rate of 2.93% was then applied to each, to project an assessed valuation for each component. This is shown in **Table 3.4-15**.

**Table 3.4-15**  
**ASSESSED VALUATION: RESIDENTIAL RENTAL USES**

	<b>Rental Units</b>	<b>Student Housing Units</b>	<b>Senior Independent Living Units</b>
Gross Annual Rents	\$152,986,680	\$21,600,000	\$10,800,000
Loss from Vacancies	10%	5%	5%
Loss from Expenses	35%	30%	30%
Net Income	\$84,142,674	\$14,040,000	\$7,020,000
Capitalization Rate	0.11	0.11	0.11
Estimated Market Value	\$764,933,400	\$127,636,364	\$63,818,182
Equalization Rate	0.0293	0.0293	0.0293
<b>Assessed Value</b>	<b>\$22,412,549</b>	<b>\$3,739,745</b>	<b>\$1,869,873</b>

Source: Project program provided by RDRXR; City of New Rochelle Assessor; Analysis by

Nelson, Pope & Voorhis, LLC

Based upon correspondence from the City Assessor, and since condominiums are taxed differently than single-family homes, the assessed valuation for the owner-occupied condominiums was based upon the annual rental rates that would be generated from a comparable type of unit. In an effort to project a conservative tax projection for owner-occupied condominiums, the estimated gross income was based upon monthly rental rates of \$3.50 per square foot of space, resulting in gross annual rents of approximately \$20.1 million. The estimated gross income was then applied to a 5% loss from vacancies and a 30% loss from expenses to come up with net income of \$13.0 million. A capitalization rate of 0.11 was applied to the net income to project an estimated market value of \$118.7 million. The current equalization rate of 2.93% was then applied, to project an assessed valuation of approximately \$3.4 million. This is shown in **Table 3.4-16**.

**Table 3.4-16**  
**ASSESSED VALUATION: OWNER-OCCUPIED CONDOMINIUMS**

Gross Annual Rents	\$20,089,146
Loss from Vacancies	5%
Loss from Expenses	30%
Net Income	\$13,057,945
Capitalization Rate	0.11
Estimated Market Value	\$118,708,590
Equalization Rate	0.0293
<b>Assessed Valuation</b>	<b>\$3,478,162</b>

Source: Project program provided by RDRXR;  
City of New Rochelle Assessor; Analysis by  
Nelson, Pope & Voorhis, LLC.

Lastly, the adult care component assumed an average rental rate of \$6,000 per month, per unit. This resulted in gross annual rents of approximately \$40.1 million. The estimated gross income was then applied to a 5% loss from vacancies and a 50% loss from expenses to come up with net income of \$18.0 million. A capitalization rate of 0.11 was applied to the net income to project an estimated market value of \$164.0 million. The current equalization rate of 2.93% was then applied, to project an assessed valuation of approximately \$4.8 million. This is shown in **Table 3.4-17**.

**Table 3.4-17**  
**ASSESSED VALUATION: ADULT CARE**

Gross Annual Rents	\$40,104,000
Loss from Vacancies	5%
Loss from Expenses	50%
Net Income	\$18,046,800
Capitalization Rate	0.11
Estimated Market Value	\$164,061,818

Equalization Rate	0.0293
<b>Assessed Value</b>	<b>\$4,807,011</b>

Source: Project program provided by RDRXR;  
City of New Rochelle Assessor; Analysis by  
Nelson, Pope & Voorhis, LLC.

**Table 3.4-18** shows a summary of the assessed values stemming from each component of the Proposed Action. In total, and at full build-out, all uses have an assessed valuation of \$56.9 million. This assessed valuation can be applied to the current tax rates to project the impact on the local tax base.

**Table 3.4-18**  
**ASSESSED VALUATION: PROPOSED ACTION**

Non-Medical Office	\$7,500,267
Retail	\$4,113,720
Hotel	\$3,554,706
Medical Office	\$1,745,215
Residential Rental Units	\$22,412,549
Student Housing	\$3,739,745
Restaurant	\$477,856
Senior Independent Living Units	\$1,869,873
Institutional	\$3,220,336
Adult Care	\$4,807,011
Owner-Occupied Condominiums	\$3,478,162
<b>Total: Proposed Action</b>	<b>\$56,919,440</b>

Source: Project program provided by RDRXR; City of  
New Rochelle Assessor; Analysis by Nelson, Pope &  
Voorhis, LLC.

**Table 3.4-19** shows taxes and revenue distribution that are projected to be levied from full build-out of the Proposed Action. The information provided in the table was derived from the current tax rates and correspondence provided by the City of New Rochelle Assessor, as well as the total projected taxes calculated for the Proposed Action upon full build-out. It is important to note that all analyses are based on current tax dollars, and the revenue allotted among taxing jurisdictions will vary from year to year, depending on the annual tax rates, assessed valuation and equalization rates. Further, the final assessment and levy will be determined by the sole assessor at the time of occupancy. Projections included herein are as accurate as possible using fiscal impact methodologies, for the purpose of the planning and land use approval process.



**Table 3.4-19  
PROJECTED TAXES**

<b>Taxing Jurisdiction</b>	<b>Current Tax Rate (per \$1,000 Assessed Valuation)</b>	<b>Percent of Total Tax Distribution</b>	<b>Projected Tax Revenue</b>
<b>County Tax</b>	<b>183.392</b>	<b>15.9%</b>	<b>\$10,438,570</b>
County Tax	120.638	10.4%	\$6,866,647
Sewer Tax	51.448	4.5%	\$2,928,391
Refuse Tax	11.306	1.0%	\$643,531
<b>City Tax</b>	<b>208.357</b>	<b>18.0%</b>	<b>\$11,859,564</b>
<b>School Tax</b>	<b>728.684</b>	<b>63.1%</b>	<b>\$41,476,285</b>
<b>Library Tax</b>	<b>17.259</b>	<b>1.5%</b>	<b>\$982,373</b>
<b>Business Improvement District Tax</b>	<b>17.617</b>	<b>1.5%</b>	<b>\$1,002,750</b>
<b>TOTAL: ALL TAXING JURISDICTIONS</b>	<b>1,155.309</b>	<b>100.0%</b>	<b>\$65,759,542</b>

Source: Project program provided by RDRXR; City of New Rochelle Assessor; Analysis by Nelson, Pope & Voorhis, LLC.

The Master Developer is in agreement with the City of New Rochelle to focus development on city-owned lands, most of which are currently tax-exempt. As such, the Proposed Action will significantly increase taxes generated by such parcels, resulting in a substantial increase in revenues distributed to each taxing jurisdiction. At full build-out, the Proposed Action is projected to generate over \$65.7 million in annual taxes. Of this, over \$10.4 million, or 15.9% of the total taxes projected to be generated by the development, would be distributed to Westchester County, and over \$11.8 million, or 18.0% of the taxes, would be allocated to the City of New Rochelle. Over \$41.4 million, or 63.1% of the total tax revenues, are projected to be distributed to the School District. Approximately 1.5% of the tax revenue is projected to be levied to the Library, and another 1.5%, or \$1.0 million, of the total revenues are anticipated to be generated for the Business Improvement District (BID).

The tax revenue projections presented in this analysis provide an estimate based upon current tax rates and assessed valuations for the various uses proposed within the development; however, it is noted that some uses may be tax-exempt and since the exact uses are not yet known, this analysis assumes that all such uses will generate property taxes. Furthermore, it is important to note that other tax related considerations such as a payment in lieu of tax (PILOT) agreement and/or other tax-based incentives could apply to one or more uses within the development. PILOTs or other tax incentives would be evaluated on a site-specific basis as projects move forward with site specific site plan review and subsequent environmental review under SEQRA to determine any related socioeconomic impacts. It should be noted that projects moving forward under the existing zoning would also be subject to the same requirements.

### 3.4.2.2 Sales Tax Revenues

The annual operations of the Proposed Action will generate a considerable amount of consumer spending and resultant sales and sales tax revenues. For the purpose of this analysis, and according to the International Council of Shopping Centers and Urban Land Institute<sup>3</sup>, a given retailer located within the Super Community/Community Shopping Center classification (the type of setting in which a typical downtown tends to fall within) will generate an average of \$329.01 in sales per square foot of space.<sup>4</sup> Furthermore, this analysis assumes that the hotel will generate an average of \$195 per room per night, 365 nights per year, at a 75% occupancy rate. Further assuming that all retail, restaurant/bar and hotel sales, and half of the sales made at institutional uses will be subject to sales taxes, it is estimated that the Proposed Action will produce annual sales of almost \$518 million of sales taxable revenues of over \$1.37 billion total annual sales revenues. This is shown in **Table 3.4-20**.

**Table 3.4-20  
PROJECTED SALES TAX REVENUES**

Use	Size	Sales	Annual Taxable Sales	Sales Tax Revenues (8.375%)
Retail	990,000 SF	\$329.01/SF	\$325,719,900	\$27,279,042
Restaurant/Bar	115,000 SF	\$329.01/SF	\$37,836,150	\$3,168,778
Hotel	500 rooms	\$195/night (75% occupancy)	\$26,690,625	\$2,235,340
Institutional	775,000 SF	\$329.01/SF	\$127,491,375*	\$10,677,403
<b>Total: All Uses</b>	--	--	<b>\$517,738,050</b>	<b>\$43,360,562</b>

Source: New York State Department of Taxation; International Council of Shopping Centers, Urban Land Institute; Analysis by Nelson, Pope & Voorhis, LLC.

\* Note that amount reflects taxable sales, estimated at 50% of annual sales by institutional uses.

As of September 2015, the sales tax rate in New Rochelle was 8.375%, with 4.0% retained by New York State, 1.5% allocated to Westchester County, 0.375% distributed to the New York State Metropolitan Commuter Transportation District, and an additional 2.5% distributed to the City of New Rochelle. Assuming that this sales tax rate remains constant, annual sales revenues of over \$1.37 billion (and over \$517 million in taxable sales revenue when accounting for institutional tax exempt sales) would result in the generation of nearly \$43 million in annual sales tax revenues from the Proposed Action. As seen in **Table 3.4-21**, it is estimated that approximately \$20.7 million of the sales tax revenues would be allocated to New York State, over \$7.7 million would be retained by Westchester County, over \$1.9 million would be

<sup>3</sup> Urban Land Institute and International Council of Shopping Centers, 2008. Dollars and Cents of Shopping Centers. June 2008.

<sup>4</sup> Median sales revenues per square foot derived from retail establishments located in a sample of various types of shopping centers in the United States. It is important to note that the figures do not represent the industry average; however, the participating shopping centers are a representative group, and the results provide benchmarks that can be valuable in analyzing sales operations.

allocated to the New York State Metropolitan Commuter Transportation District, and the City of New Rochelle would levy approximately \$12.9 million in annual sales tax revenues.

**Table 3.4-21  
DISTRIBUTION OF SALES TAX REVENUES**

Sales Taxing Jurisdiction	Sales Tax Rate	Sales Tax Levy
New York State	4.000%	\$20,709,522
Westchester County	1.500%	\$7,766,071
New York State Metropolitan Commuter Transportation District	0.375%	\$1,941,518
City of New Rochelle	2.500%	\$12,943,451
<b>TOTAL: ALL SALES TAXING JURISDICTIONS</b>	<b>8.375%</b>	<b>\$43,360,562</b>

Source: New York State Department of Taxation; International Council of Shopping Centers, Urban Land Institute; Analysis by Nelson, Pope & Voorhis, LLC.

### 3.4.2.3 Economic Impacts of Construction and Annual Operations

For the purpose of this analysis, it is anticipated that the construction of the Proposed Action will commence in 2017, with construction occurring over a period of ten (10) years. It is anticipated that the Proposed Action will be complete in 2027.

It is projected that the construction and operations of the Proposed Action will contribute positively to the local economy. During the construction period, opportunities for employment will offer direct, indirect and induced benefits among businesses and households located throughout the region. During the operation of the Proposed Action, long term jobs will also offer direct, indirect and induced benefits to the City of New Rochelle, Westchester County and the region as a whole. The new jobs created during both construction and long-term operations will help to increase business and household income in the community. In turn, as spending increases, this creates additional jobs and further increases business and household income throughout the City and into other parts of the region.

A detailed analysis of direct, indirect and induced impacts<sup>5</sup> generated during the construction period are temporary and are projected to occur only while the Proposed Action is being constructed. Economic impacts generated during operations; however, are permanent and ongoing and they are projected on an annual basis, assuming continued stabilized operations.

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<sup>5</sup> A direct impact arises from the first round of buying and selling. These direct impacts can be used to identify additional rounds of buying and selling for other sectors of the economy and to identify the impact of spending by local households. An indirect impact refers to the increase in sales of other industry sectors, which include further round-by-round sales. An induced impact accounts for the changes in output and labor income by those employed within the region, resulting from direct and indirect impacts. The total impact is the sum of the direct, indirect and induced impacts.

### *Economic Impacts of Construction*

During the construction period, *output* refers to the investment, or total costs associated with the construction of the Proposed Action. As seen in **Table 3.4-22**, the construction period is projected to represent a total of approximately \$4.0 billion in investment.<sup>6</sup> This output includes construction and land development costs associated with the development of the Proposed Action.<sup>7</sup>

**Table 3.4-22  
CONSTRUCTION COST ESTIMATES**

Use	Size	Cost	Construction Cost
Retail	990,000 SF	\$200.00/SF	\$198,000,000
Restaurant/Bar	115,000 SF	\$250.00/SF	\$28,750,000
Office - Nonmedical	1,805,000 SF	\$365.17/SF	\$659,131,850
Office - Medical	420,000 SF	\$365.17/SF	\$153,371,400
Hotel	300,000 SF	\$450.00/SF	\$135,000,000
Residential	4,780,000 SF	--	\$1,415,700,938
Owner-Occupied	478,313 SF	--	\$145,649,500
<i>Open Lofts</i>	<i>106,813 SF</i>	<i>\$250.00/SF</i>	<i>\$26,703,250</i>
<i>Soft Lofts</i>	<i>237,875 SF</i>	<i>\$295.00/SF</i>	<i>\$70,173,125</i>
<i>Upscale Apartments</i>	<i>133,625 SF</i>	<i>\$365.00/SF</i>	<i>\$48,773,125</i>
Rental Units	4,249,630 SF	--	\$1,253,514,290
<i>Open Lofts</i>	<i>1,181,250 SF</i>	<i>\$250.00/SF</i>	<i>\$295,312,500</i>
<i>Soft Lofts</i>	<i>2,310,813 SF</i>	<i>\$295.00/SF</i>	<i>\$681,689,835</i>
<i>Upscale Apartments</i>	<i>757,567 SF</i>	<i>\$365.00/SF</i>	<i>\$276,511,955</i>
Student Housing	600,000 SF	\$365.17/SF	\$273,877,500
Adult Care	640,000 SF	\$373.06/SF	\$238,758,400
Independent	300,000 SF	\$365.17/SF	\$136,938,750
Institutional	775,000 SF	\$365.17/SF	\$283,006,750
Parking	11,000 spaces	\$40,000/space	\$440,000,000
Infrastructure <sup>8</sup>	360 acres	\$250,000/acre	\$90,000,000
<b>Total: All Uses</b>	<b>10,725,000</b>	<b>--</b>	<b>\$4,052,535,588</b>

Source: Project program provided by RDRXR; Analysis by Nelson, Pope & Voorhis, LLC.

The \$4.0 billion in direct output is projected to generate an indirect impact of over \$1.1 billion, and an induced impact of over \$1.5 billion, bringing the total economic impact on output to nearly \$6.7 billion during the 10-year long construction period.<sup>9</sup>

<sup>6</sup> For the purpose of this analysis, this figure and all other figures in this section reflect 2017 dollars, the year in which construction is assumed to commence. Consequently, the projected economic impact is a conservative estimate as construction is anticipated to occur over a ten (10)-year period.

<sup>7</sup> It is important to note that all costs are estimates based upon market conditions as of the date of submission of this analysis.

<sup>8</sup> Infrastructure improvements include but are not limited to sewer, water, and gas, but not including major facility improvements to each property.

During the construction period, direct *employment* refers to the number of short-term jobs necessary to build the Proposed Action. Assuming that labor represents approximately 60% of commercial construction costs, 50% of residential construction costs, and 35% of parking and infrastructure construction costs<sup>10</sup>. The labor budget was divided by the average wage, as well as the number of years comprising the construction period to estimate the number of full-time equivalent (FTE) jobs that would be generated. Assuming an average wage of \$67,813 among construction workers in the Hudson Valley region<sup>11</sup>, it is projected that the construction period will necessitate 3,107.0 full time equivalent (FTE) employees annually over the 10-year construction period. It is important to note that this analysis assumes that the same basic construction crew will remain employed on an annual basis, during the entire duration of the construction period.

Direct employment creates additional opportunities for job creation throughout other sectors of the economy through expenditures derived from labor income and output. As such, the 3,107.0 FTE jobs created annually during the construction period will have an indirect impact of 7,283.8 FTE employees per year and an induced impact of 9,319.0 FTE employees per year in other industry sectors, bringing the total impact of construction to 19,710.5 FTE jobs, annually during the 10-year construction period.<sup>12</sup> This job creation – direct, as well as indirect and induced – presents significant opportunities for those persons who are unemployed or underemployed throughout the region.

During the construction period, direct *labor income* refer to the earnings, wages, or salary paid to each of the construction workers. As previously mentioned, labor income typically comprises approximately 60% of the total cost of commercial/office construction; 50% of the total cost of residential construction, and 35% of the total cost of site work; the remaining portion represents the cost of construction materials. Assuming the payment of the area standard wage, each of the construction workers are estimated to earn the projected average annual wage of \$67,813.

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<sup>9</sup> Minnesota IMPLAN Group, Inc., 2009. IMPLAN Economic Modeling System, Version 3.0.2.1, Revised 2009. Hudson, Wisconsin. According to IMPLAN, the following multipliers represent the total dollar change in output that occurs in all industries for each additional dollar of output delivered to final demand in Westchester County, New York: “Construction of New Commercial Structures, including Farm Structures” (IMPLAN Sector 57): 1.496019; “Construction of Other New Nonresidential Structures” (IMPLAN Sector 58): 1.553419; “Construction of New Multifamily Residential Structures” (IMPLAN Sector 60): 1.590243.

<sup>10</sup> Construction labor and materials estimates per architectural design group Hawkins, Webb, Jaeger, PLLC.

<sup>11</sup> New York State Department of Labor, in partnership with United States Bureau of Labor Statistics, 2015. Occupational Employment Statistics Survey. Hudson Valley Region, 2015. New York State Department of Labor’s Occupational Employment Statistics Survey reports an average wage of \$63,920 among those employed within the construction and extraction occupations in the Hudson Valley labor market as of the first quarter of 2015. An annual inflation rate of three percent (3%) was applied to this wage to reflect the projected wages at the start of construction, anticipated to occur in 2017 for the purpose of this analysis.

<sup>12</sup> According to IMPLAN, the following multipliers represent the total change in the number of jobs that occurs in all industries for each additional one million dollars of output delivered to final demand in Westchester County, New York: “Construction of New Commercial Structures, including Farm Structures” (IMPLAN Sector 57): 8.481798; “Construction of Other New Nonresidential Structures” (IMPLAN Sector 58): 8.380102; “Construction of New Multifamily Residential Structures” (IMPLAN Sector 60): 9.807636.

Assuming that the construction period lasts ten years in duration, this represents approximately \$2.1 billion in collective earnings among the 3,107.0 FTE construction employees.

This labor income is projected to have an indirect impact of over \$455 million and an induced impact of nearly \$552.0 million, bringing the total economic impact of the construction to over \$3.1 billion in labor income.<sup>13</sup>

A summary of the derivation of the collective economic benefits during the construction period is provided in **Table 3.4-23**.

**TABLE 3.4-23  
ECONOMIC IMPACTS OF CONSTRUCTION**

<b>Impact Type</b>	<b>Output (Revenue)</b>	<b>Employment (Number of FTE Jobs)</b>	<b>Labor Income (Wages)</b>
Direct Impact	\$4,052,535,588	3,107.0	\$2,106,187,669
Indirect Impact	\$1,131,503,973	7,283.8	\$455,311,253
Induced Impact	\$1,505,338,533	9,319.7	\$551,989,376
<b>Total Impact</b>	<b>\$6,689,378,094</b>	<b>19,710.5</b>	<b>\$3,113,488,298</b>

Source: Project program provided by RDRXR; Analysis by Nelson, Pope & Voorhis, LLC, via IMPLAN software.

#### *Economic Impacts of Annual Operations*

For the purpose of this analysis, it is assumed that the operational phase of development will begin upon the completion of the 10-year long construction period, anticipated to occur in 2027. At that point in time, it is assumed that the Proposed Action will have been implemented and the project program will be operating at or near full occupancy. For the purpose of this analysis, the first full year of annual operations is assumed to occur in 2028.

During operations, direct output refers to the total revenues derived from the annual operation of each use. This includes revenue generated in the form of annual leases for the commercial uses, monthly rent for the residential rental units, and sales revenues from the hotel and commercial uses. As seen in **Table 3.4-24**, output is estimated to total approximately \$1.7 billion per year.<sup>14</sup> This direct output includes annual leases in the amount of \$24.00 per square foot for the commercial uses, including retail, restaurant/bar, medical and non-medical office space, as well as institutional space. In total, this represents \$98.5 million in revenue. In addition, direct output includes monthly rent estimated at \$3.00 per square foot from each of the residential rental units, including student housing and independent senior housing units, as well as \$6,000 per month per Adult Care unit. In total, this amounts to \$225.5 million. Direct output also includes the sales revenues generated by the hotel, with nightly room rates estimated at \$195 per night, as per other

<sup>13</sup> According to IMPLAN, the following multipliers represent the total dollar change in labor income of households employed by all industries for each additional dollar of output delivered to final demand in Westchester County, New York: “Construction of new commercial structures, including farm structures” (IMPLAN Sector 57): 0.676772; “Construction of other new nonresidential structures” (IMPLAN Sector 58): 0.664766; “Construction of new multifamily residential structures” (IMPLAN Sector 60): 0.707060.

<sup>14</sup> For the purpose of this analysis, this figure and all other figures in this section reflect 2028 dollars, the year in which a stabilized year of operations is anticipated to commence.

comparable hotels in the direct vicinity of the City of New Rochelle. Assuming a 75% occupancy rate, hotel revenues amount to approximately \$26.7 million per year. Sales revenues from each commercial use were also included within the direct output estimation. As mentioned in **Section 3.4.2.2**, a given retailer located within the Super Community/Community Shopping Center classification (the type of setting in which a typical downtown tends to fall within) will generate an average of \$329.01 per square foot of space. This was applied to each of the commercial uses, and is projected to total approximately \$1.35 billion.

**TABLE 3.4-24  
PROJECTED DIRECT OUTPUT**

Use	Size	Number of Units	Annual Leases	Monthly Rent	Sales Revenues	Total Output
Retail	990,000 SF	--	\$23,760,000	--	\$325,719,900	\$349,479,900
Restaurant/Bar	115,000 SF	--	\$2,760,000	--	\$37,836,150	\$40,596,150
Office - Nonmedical	1,805,000 SF	--	\$43,320,000	--	\$593,863,050	\$637,183,050
Office - Medical	420,000 SF	--	\$10,080,000	--	\$138,184,200	\$148,264,200
Hotel	300,000 SF	500	--	--	\$26,690,625	\$26,690,625
Residential	4,780,000 SF	5,500	--	\$152,986,680	--	\$152,986,680
Owner-Occupied	478,313 SF	466	--	--	--	\$0
Rental Units	4,249,630 SF	5,034	--	\$152,986,680	--	\$152,986,680
Student Housing	600,000 SF	1,500	--	\$21,600,000	--	\$21,600,000
Adult Care	640,000 SF	557	--	\$40,104,000	--	\$40,104,000
Independent	300,000 SF	375	--	\$10,800,000	--	\$10,800,000
Institutional	775,000 SF	--	\$18,600,000	--	\$254,982,750	\$273,582,750
<b>Total: All Uses</b>	<b>10,725,000</b>	<b>--</b>	<b>\$98,520,000</b>	<b>\$225,490,680</b>	<b>\$1,377,276,675</b>	<b>\$1,701,287,355</b>

Source: Project program provided by RDRXR; International Council of Shopping Centers, Urban Land Institute; Analysis by Nelson, Pope & Voorhis, LLC.



The \$1.6 billion<sup>15</sup> in direct operational revenues are projected to generate an indirect impact of over \$438.1 million and an induced impact of nearly \$602.8 million per year. This additional output is generated through round-by-round sales made at various merchants in other sectors of the regional economy. These include local retailers, service providers, banks, grocers, restaurants, financial institutions, insurance companies, health and legal services providers, and other establishments in the region. The sum of the direct, indirect and induced impacts results in a total economic impact on output of over \$2.4 billion during annual operations.<sup>16</sup>

During operations, direct *employment* refers to the number of persons that are employed by the development of the Proposed Action. For the purpose of this analysis, and as seen in **Table 3.4-25**, it is anticipated that the Proposed Action would generate approximately 10,693.0 FTE employees during annual operations.

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<sup>15</sup> The direct operational revenues include annual rental revenue, monthly rental rates, as well as sales revenues for all uses resulting from the Proposed Action. This totals approximately \$1.7 billion per year, which includes approximately \$325.7 million in annual sales revenues from the proposed retail space. It is important to note however, that the effect of retail/wholesale margins must be taken into account when projecting the economic impact of sales occurring within retail establishments. Margins represent the difference between producer and purchaser prices, or the mark-up that each retailer applies to a given product over and above the cost to produce. For the purpose of this analysis, margins specific to retail establishments in Westchester County, New York, were applied to the economic impact of the \$325.7 million in sales revenues occurring within the proposed retail space. This results in a direct impact of retail sales equal to nearly \$72.3 million per year – representing the “profit” among retail establishments at the proposed project. When added to the rest of the annual revenues stemming from annual operations of the proposed project, this equals \$1.4 billion. This figure represents the true direct output, which all economic impacts are based upon in this analysis. The difference between this figure and the annual sales revenues of \$325.7 million is attributed to the approximate cost to produce the retail items being purchased.

<sup>16</sup> According to IMPLAN, the following multipliers represent the total dollar change in output that occurs in all industries for each additional dollar of output delivered to final demand in Westchester County, New York: “Retail - General merchandise stores” (IMPLAN Sector 405): 1.647415; “Full-service restaurants” (IMPLAN Sector 501): 1.642180; “Marketing research and all other miscellaneous professional, scientific, and technical services” (IMPLAN Sector 460): 1.651219; “Offices of physicians” (IMPLAN Sector 475): 1.749116; “Hotels and motels, including casino hotels” (IMPLAN Sector 499): 1.541581; “Real estate” (IMPLAN Sector 440): 1.290716; “Nursing and community care facilities” (IMPLAN Sector 483): 1.714905; “Other amusement and recreation industries” (IMPLAN Sector 496): 1.650484; “Performing arts companies” (IMPLAN Sector 488): 1.831031; and “Other educational services” (IMPLAN Sector 474): 1.792067.

**TABLE 3.4-25  
PROJECTED EMPLOYMENT**

Use	Size	Number of Units	Employee Ratio <sup>17</sup>	Total Employees
Retail	990,000 SF	--	1 FTE: 500 SF	1,980.0
Restaurant/Bar	115,000 SF	--	1 FTE: 350 SF	328.6
Office - Nonmedical	1,805,000 SF	--	1 FTE: 300 SF	6,016.7
Office - Medical	420,000 SF	--	1 FTE: 500 SF	840.0
Hotel	300,000 SF	500	1 FTE: 2,000 SF	150.0
Residential	4,780,000 SF	5,500	1 FTE: 50 units	110.0
Owner-Occupied	478,313 SF	466	1 FTE: 50 units	9.3
Rental Units	4,249,630 SF	5,034	1 FTE: 50 units	100.7
Student Housing	600,000 SF	1,500 <sup>18</sup>	1 FTE: 50 units	15.0
Adult Care	640,000 SF	557	1 FTE/ 4-6 beds (day/evening); 1 FTE/12-15 beds (overnight)	177.8
Independent	300,000 SF	375	1 FTE: 1,000 SF	300.0
Institutional	775,000 SF	--	1 FTE: 1,000 SF	775.0
<b>Total: All Uses</b>	<b>10,725,000</b>	<b>--</b>	<b>--</b>	<b>10,693.0</b>

Source: Project program provided by RDRXR; Analysis by Nelson, Pope & Voorhis, LLC.

The 10,693.0 FTE direct employment positions are projected to result in an indirect impact of 1,792.8 FTE jobs, and an induced impact of 3,038.4 FTE jobs throughout the region, bringing the total economic impact of operational employment to 15,524.3 FTE jobs during annual operations.<sup>19</sup>

During operations, direct *labor income* refers to annual wages, earnings or salary that is paid to the 10,693.0 FTE employees. It is assumed that the salaries will collectively total over \$870.1 million per year, during annual operations of the Proposed Action. The breakdown of labor income is summarized in **Table 3.4-26**.

<sup>17</sup> Employee ratios are averages specific to a given industry, as published in various sources. Such sources include but not limited to the Commercial Buildings Energy Consumption Survey by the Energy Information Administration, Long Island Business News, CEQR Technical Manual, as well as Federal, State and local planning standards and design publications. Such ratios are considered to be industry standard for such fiscal and economic impact analyses.

<sup>18</sup> This figure assumes two beds per unit.

<sup>19</sup> According to IMPLAN, the following multipliers represent the total change in the number of jobs that occurs in all industries for each additional one million dollars of output delivered to final demand in Westchester County, New York: "Retail - General merchandise stores" (IMPLAN Sector 405): 16.547039; "Full-service restaurants" (IMPLAN Sector 501): 20.984528; "Marketing research and all other miscellaneous professional, scientific, and technical services" (IMPLAN Sector 460): 8.702765; "Offices of physicians" (IMPLAN Sector 475): 10.566430; "Hotels and motels, including casino hotels" (IMPLAN Sector 499): 11.350064; "Real estate" (IMPLAN Sector 440): 6.459963; "Nursing and community care facilities" (IMPLAN Sector 483): 17.711625; "Other amusement and recreation industries" (IMPLAN Sector 496): 15.931763; "Performing arts companies" (IMPLAN Sector 488): 22.088418; and "Other educational services" (IMPLAN Sector 474): 23.949149.

**TABLE 3.4-26  
PROJECTED DIRECT LABOR INCOME**

Use	Total Employees	Annual Wages <sup>20</sup>	Total Labor Income
Retail	1,980.0	\$33,544	\$66,417,120
Restaurant/Bar	328.6	\$22,570	\$7,415,857
Office - Nonmedical	6,016.7	\$110,638	\$665,673,471
Office - Medical	840.0	\$54,663	\$45,916,920
Hotel	150.0	\$38,497	\$5,774,550
Residential	110.0	\$74,928	\$8,242,080
Owner-Occupied	9.3	\$74,928	\$698,329
Rental Units	100.7	\$74,928	\$7,543,751
Student Housing	15.0	\$74,928	\$1,123,920
Adult Care	177.8	\$38,601	\$6,862,400
Independent	300.0	\$74,928	\$22,478,400
Institutional	775.0	\$51,947	\$40,258,731
<b>Total: All Uses</b>	<b>10,693.0</b>	--	<b>\$870,163,449</b>

Source: Project program provided by RDRXR; New York State Department of Labor Quarterly Census of Employment and Wages; Analysis by Nelson, Pope & Voorhis, LLC.

The \$870.1 million in direct labor income is projected to result in an indirect impact of over \$158.3 million and an induced impact of over \$221.6 million, bringing the total economic impact of labor income to over \$1.25 billion during annual operations.<sup>21</sup>

<sup>20</sup> New York State Department of Labor, in partnership with United States Bureau of Labor Statistics, 2015. Quarterly Census of Employment and Wages. Hudson Valley Region, 2015. New York State Department of Labor's Quarterly Census of Employment and Wages reports an average wage of \$33,544 in the Retail Trade industry. This annual wage was applied to all employees within the Retail use. The average wage of \$22,570 in the Food Services and Drinking Places industry was applied to all employees within the Restaurant/Bar use. The annual wage of \$110,638 reflects the average among the Professional, Scientific and Technical Services, Information, and Finance and Insurance, Real Estate and Rental and Leasing industries. This wage was applied to all employees within the Non-medical office use. The average wage of \$54,663 in the Health Care and Social Assistance industry was applied to all employees within the Medical office use. The average wage of \$38,497 in the Accommodation industry was applied to all employees within the Hotel use. The average wage of \$74,928 in the Rental and Leasing Services industry was applied to all employees within the Residential uses, including the Owner-occupied condominiums, rental units, student housing units, and independent senior living units. The average wage of \$38,601 in the Nursing and Residential Care Facilities industry was applied to all employees within the Adult care use. Likewise, the annual wage of \$51,947 reflects the average among the Educational services industry, Arts, Entertainment and Recreation industry, Local government industry, and Religious, Grantmaking, Civic, Professional and Similar Organizations industry. This wage was applied to all employees within the Institutional uses. All wages are specific to the Hudson Valley labor market as of 2014.

<sup>21</sup> According to IMPLAN, the following multipliers represent the total dollar change in labor income of households employed by all industries for each additional dollar of output delivered to final demand in Westchester County, New York: "Retail - General merchandise stores" (IMPLAN Sector 405): 0.635075; "Full-service restaurants" (IMPLAN Sector 501): 0.738591; "Marketing research and all other miscellaneous professional, scientific, and technical services" (IMPLAN Sector 460): 0.642829; "Offices of physicians" (IMPLAN Sector 475): 1.123646;

A summary of the derivation of the collective economic benefits during annual operations is provided in **Table 3.4-27**.

**TABLE 3.4-27  
ECONOMIC IMPACTS OF ANNUAL OPERATIONS**

<b>Impact Type</b>	<b>Output (Revenue)</b>	<b>Employment (Number of Jobs)</b>	<b>Labor Income (Wages)</b>
Direct Effect	\$1,447,863,777	10,693.00	\$870,163,485
Indirect Effect	\$438,103,647	1,792.80	\$158,365,504
Induced Effect	\$602,790,985	3,038.40	\$221,643,971
Total Effect	\$2,488,758,409	15,524.30	\$1,250,172,960

Project program provided by RDRXR; International Council of Shopping Centers and Urban Land Institute; New York State Department of Labor; Analysis by Nelson, Pope & Voorhis, LLC, via IMPLAN software.

### 3.4.3 Mitigation Measures

- The project will comply with City Code and provide 10 percent of the proposed new units as affordable housing units.
- Community Benefit Policies unique to the DO zoning are intended to ensure that proposed redevelopment activities result in direct benefits to City residents. Additionally it should be noted that the City is working with a Master Developer in a unique Public Private Partnership which will provide for a Community Benefits Agreement (“CBA”) between the two parties to further address certain identifiable benefits which cannot be addressed through the optional Overlay Zone.
- It is anticipated that the City and the developer will work together to assist in the furtherance of the success of certain existing businesses which may in the future, be subject to potential displacement.
- To the extent that Community Benefit Policies and Community Benefit Bonuses are incorporated into the DOZ, compliance with these regulations would be a condition for future site plan approvals under the DO Zones (see Section 3.1.2). This would include density incentives for creating improved public use areas, including but not limited to: storefronts and commercial space specifically designed to provide for the temporary or permanent relocation of potentially displaced businesses, arts and cultural space, community facility

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“Hotels and motels, including casino hotels” (IMPLAN Sector 499): 0.561582; “Real estate” (IMPLAN Sector 440): 0.233629; “Nursing and community care facilities” (IMPLAN Sector 483): 0.914844; “Other amusement and recreation industries” (IMPLAN Sector 496): 0.770498; “Performing arts companies” (IMPLAN Sector 488): 0.591159; and “Other educational services” (IMPLAN Sector 474): 0.954820.

space, and public open space, as well as to preserve historic structures in the downtown which help to enhance community character and quality of life for residents.

- The Community Benefit Bonus section of the Code is designed to be flexible and evolve over time in order to allow the City to monitor the effectiveness of the policies and advance or expand those which prove to be most effective. For those landowners choosing to opt-in to the proposed DO Zone, no building permit, certificate of occupancy, business license or business license renewal shall be issued unless the applicant has demonstrated compliance with the Community Benefit Policies.
- The fiscal, sales tax and economic Impact Analysis did not identify any significant adverse impacts associated with the Proposed Action. To the contrary, the Proposed Action is expected to result in significant beneficial impacts in terms of real estate tax revenue, sales tax revenue and construction and permanent job creation as well as beneficial economic ripple effect from these jobs. Accordingly, no fiscal/economic impact mitigation is necessary or proposed.

### 3.5 Transportation and Parking

The discussions and analyses of traffic and transportation-related conditions, resources, impacts and mitigations presented in this subsection have been taken from the September 15, 2015 Traffic Study Report (TSR) prepared by AKRF Environmental, Planning, and Engineering Consultants of White Plains, New York. The TSR identifies existing traffic conditions and provides detailed traffic analyses to assess the possibility for and magnitude of potential impacts from the “Proposed Action” in the year 2025 and compares these against anticipated future conditions without the Proposed Action. The TSR, including the data relied upon for its conclusions and recommendations, is provided in its entirety in **Appendix F** of this Draft GEIS.

#### 3.5.1 Existing Conditions

##### 3.5.1.1 Study Area

To assess the traffic impacts associated with the Proposed Action, an overall study area was determined as shown in **Figure 1** of the TSR provided in **Appendix F** of this Draft GEIS. The 52 intersections identified for detailed analysis were separated into four areas: 1) Downtown Study Area, 2) North Avenue Study Area, 3) Memorial Highway/Division Street Study Area, and 4) Palmer Avenue/River Street/Cedar Avenue Study Area. The study areas, streets and intersections examined during the traffic study are listed below.

##### *Downtown Study Area*

##### 1. Main Street and Pintard Avenue

- West Junction of Main Street and Huguenot Street
- Main Street and Maple Avenue
- Main Street and Centre Avenue
- Main Street and Division Street
- Main Street and Church Street/Memorial Highway
- Main Street and Lawton Street
- Main Street and North Avenue
- Main Street and Lecount Place/Locust Avenue
- Main Street and Franklin Avenue
- Main Street and Harrison Street
- Main Street and Echo Avenue
- East Junction of Main Street and Huguenot Street
- Main Street and Stephenson Boulevard
- Huguenot Street and Pratt Street
- Huguenot Street and Jackson Street
- Huguenot Street and River Street
- Huguenot Street and Cedar Street
- Huguenot Street and Harrison Street
- Huguenot Street and Lecount Place
- Huguenot Street and North Avenue
- Huguenot Street and Lawton Street
- Huguenot Street and Memorial Highway
- Huguenot Street and Division Street
- Huguenot Street and Centre Avenue

- Lecount Place and Anderson Street
- North Avenue and Anderson Street

*North Avenue Study Area*

- North Avenue and The Boulevard
- North Avenue and Lincoln Avenue
- North Avenue and Horton Avenue
- North Avenue and Hamilton Avenue
- North Avenue and Coligni Avenue/5th Avenue
- North Avenue and Treno Street
- North Avenue and Sickles Place
- North Avenue and Lockwood Avenue
- North Avenue and Burling Lane
- North Avenue and Station Plaza North
- North Avenue and Bus Depot Entrance

*Memorial Highway/Division Street Study Area*

2. Memorial Highway and Lincoln Avenue
  - Memorial Highway and Lockwood Avenue
  - Memorial Highway and Burling Lane
  - Memorial Highway and Division Street U-Turn
  - Memorial Highway and Station Plaza South
  - Division Street and Union Avenue
  - Division Street and Station Plaza North

*Palmer Avenue/River Street/Cedar Avenue Study Area*

3. Cedar Street and Palmer Avenue
4. Cedar Street and Radisson Plaza
5. River Street and Palmer Avenue
6. River Street and Radisson Plaza
7. Palmer Avenue and Potter Avenue/Petersville Road/Sun Haven Drive/Stonelea Place
8. Palmer Avenue and Stephenson Boulevard
9. Palmer Avenue and Joyce Road

### 3.5.1.2 Roadway Characteristics

The following is a brief description of the major roadways within the study areas.

**Main Street** is owned and operated by the City of New Rochelle with the exception of the intersections of Main Street and Memorial Highway, Harrison Street, and Echo Avenue which are owned by NYSDOT but maintained by the City. It is a one-way, eastbound roadway with two travel lanes and parallel parking provided on both sides of the street. Main Street is the main thoroughfare in New Rochelle's downtown. A majority of the intersections along Main Street are signalized. The posted speed limit is 30 miles per hour (mph).

**Huguenot Street** is operated by the City of New Rochelle. NYSDOT owns Huguenot Street from the northeastern confluence of Main Street and Huguenot Street to Harrison Street including the intersections of; Huguenot Street and Jackson Street, River Street, Cedar Street, Harrison Street, Memorial Highway and Division Street. The extent of Huguenot Street in the study area not owned

by NYSDOT is owned by the City. It is a one-way, westbound roadway with travel lanes varying from two to four lanes and parallel parking provided sporadically along the corridor. A majority of the intersections along Huguenot Street are signalized. The posted speed limit is 30 mph.

**North Avenue** is a two-way, City of New Rochelle owned and operated, northbound-southbound roadway with one to two travel lanes and parallel parking provided in each direction at certain locations. The posted speed limit is 30 mph.

**Division Street** is owned by NYSDOT and operated by the City of New Rochelle. It is a one-way, southbound roadway with two to three travel lanes and parallel parking provided. The posted speed limit is 30 mph.

**Memorial Highway** is owned by NYSDOT and operated by the City of New Rochelle. It is a two-way, northbound-southbound roadway between Lincoln Avenue and the train station with two travel lanes in each direction and a one-way, northbound roadway with three travel lanes between the train station and Main Street. The posted speed limit is 30 mph.

**Palmer Avenue** is a two-way, eastbound-westbound with three travel lanes in each direction. The posted speed limit is 35 mph.

**River Street** is a two-way, northbound-southbound roadway with two travel lanes in each direction south of Radisson Plaza and a one-way, northbound roadway north of Radisson Plaza. The posted speed limit is 35 mph.

**Cedar Street** is a one-way, southbound roadway with four travel lanes. The posted speed limit is 35 mph.

### 3.5.1.3 Intersection Capacity Analysis Methodology

#### *Signalized Intersections*

The operation of signalized intersections in the study area was analyzed by applying the Percentile Delay Methodology included in the Synchro 8 traffic signal software. This methodology builds on the methodologies presented in the 2010 *Highway Capacity Manual* (HCM 2010) for signalized intersections and evaluates signalized intersections for average control delay per vehicle and level of service (LOS).

LOS can be characterized for the entire intersection, each intersection approach, and each lane group. Control delay alone is used to characterize LOS for the entire intersection or an approach. Control delay and volume-to-capacity (v/c) ratio are used to characterize LOS for a lane group. Delay quantifies the increase in travel time due to traffic signal control. It is also a surrogate measure of driver discomfort and fuel consumption. The volume-to-capacity ratio quantifies the degree to which a phase's capacity is utilized by a lane group.

**LOS A** describes operation with a control delay of 10 seconds per vehicle or less and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is low and either progression is exceptionally favorable or the cycle length is very short. If it is due to favorable progression, most vehicles arrive during the green indication and travel through the intersection without stopping.

**LOS B** describes operation with control delay between 10 and 20 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity



ratio is low and either progression is highly favorable or the cycle length is short. More vehicles stop than with LOS A.

LOS C describes operation with control delay between 20 and 35 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is favorable or the cycle length is moderate. Individual cycle failures (i.e., one or more queued vehicles are not able to depart as a result of insufficient capacity during the cycle) may appear at this level. The number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping.

LOS D describes operation with control delay between 35 and 55 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is high and either progression is ineffective or the cycle length is long. Many vehicles stop and individual cycle failures are noticeable.

LOS E describes operation with control delay between 55 and 80 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is high, progression is unfavorable, and the cycle length is long. Individual cycle failures are frequent.

LOS F describes operation with control delay exceeding 80 seconds per vehicle or a volume-to-capacity ratio greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is very high, progression is very poor, and the cycle length is long. Most cycles fail to clear the queue.

A lane group can incur a delay less than 80 seconds per vehicle when the volume-to-capacity ratio exceeds 1.0. This condition typically occurs when the cycle length is short, the signal progression is favorable, or both. As a result, both the delay and volume-to-capacity ratio are considered when lane group LOS is established. A ratio of 1.0 or more indicates that cycle capacity is fully utilized and represents failure from a capacity perspective (just as delay in excess of 80 seconds per vehicle represents failure from a delay perspective).

The control delay criteria for the range of service levels for signalized intersections are shown in **Table 1** of the TSR provided in **Appendix F** of this Draft GEIS.

#### 3.5.1.4 Unsignalized Intersections

LOS for two-way stop-controlled (“TWSC”) intersections is determined by the computed or measured control delay. For motor vehicles, LOS is determined for each minor-street movement (or shared movement) as well as major-street left turns at TWSC intersections. LOS is not defined for the intersection as a whole for TWSC and AWSC intersections.

The LOS criteria for both TWSC unsignalized intersections are summarized in **Table 2** of the TSR provided in **Appendix F** of this Draft GEIS.

Note that the LOS criteria for unsignalized intersections are somewhat different from the criteria used in signalized intersections. At TWSC intersections, drivers on the stop-controlled approaches are required to select gaps in the major-street flow in order to execute crossing or turning maneuvers. In the presence of a queue, each driver on the controlled approach must also use some time to move into the front-of-queue position and prepare to evaluate gaps in the major-street flow.

### 3.5.1.5 Traffic Conditions

#### *Data Collection*

The existing traffic conditions in the study area were established based on traffic data presented in the *City of New Rochelle Microsimulation Study – Final Existing Conditions Calibration and Validation Memo (January 2015)*. Those studies provided existing conditions turning movements at each of the study intersections except along North Avenue between Sickles Avenue and Treno Street. Intersection turning volumes at these locations were based on counts provided by the City of New Rochelle and adjusted to 2015 conditions based on sample counts and ATR data collected in August 2015. The supplemental data collection sheets are provided in **Appendix A** of the TSR provided in **Appendix F** of this Draft GEIS.

Intersection turning movement volumes for existing conditions are shown in **Figures 2A** through **2D** of the TSR for the weekday AM peak hour and **Figures 3A** through **3D** of the TSR for weekday PM peak hour (see TSR in **Appendix F** of this Draft GEIS). Traffic volumes along the study area roadways may not necessarily balance exactly because of the presence of driveways and minor roadways, some of which are significant generators and receptors of traffic that are located between intersections.

#### *Intersection Analysis*

Traffic operating conditions at each Study Area intersection were analyzed using the Synchro 8 software as described above (see **Appendix B** of the TSR for Synchro 8 outputs for all Study Area intersections) to compute delays, v/c ratios, and LOS as described above and presented in **Tables 3A** through **3D** of the TSR. Intersection approaches that operate at LOS E and LOS F are highlighted in yellow and orange respectively. These include

During peak hours, LOS D operations are generally considered to be acceptable operating conditions for signalized and unsignalized intersections. As shown in **Tables 3A** through **3D**, the majority of the lane groups/approaches for signalized intersections in the study area generally operate at overall LOS D or better under Existing conditions during the peak hours analyzed. The following are exceptions:

#### *Signalized Intersections*

- Main Street and Centre Avenue – The northbound Centre Avenue approach operates at LOS E during the AM peak hour.
- Main Street and Church Street/ Memorial Highway – The eastbound Main Street approach operates at LOS E during the PM peak hour. The northbound Church Street approach operates at LOS F during the AM peak hour.
- Main Street and Lawton Street – The eastbound Main Street approach operates at LOS E during the PM peak hour.
- Main Street and Echo Avenue – The northbound Echo Avenue approach operates at LOS E during the AM peak hour. The southbound Echo Avenue left-turn lane group operates at LOS F during the AM peak hour and LOS E during the PM peak hour.
- North Avenue and Lincoln Avenue – The eastbound Lincoln Avenue left-turn lane group operates at LOS E during the AM peak hour.
- North Avenue and Coligni / Fifth Avenues – The eastbound Coligni Avenue approach operates at LOS F during the AM and PM peak hours.
- North Avenue and Station Plaza North – The eastbound Station Plaza North through/right-turn lane group operates at LOS E during the AM peak hour.

- North Avenue and Burling Lane – The westbound Burling Lane left-turn lane group operates at LOS E during the AM peak hour and LOS F during the PM peak hour. The southbound North Avenue approach operates at LOS F during the AM and PM peak hours.
- Cedar Street and Renewal Place/ Palmer Avenue – The eastbound Renewal Place approach operates at LOS E during the PM peak hour.
- Sunhaven Drive and Stonelea Place/ Petersville Road – The westbound Petersville Road approach operates at LOS F during the PM peak hour.

#### *Downtown Two-Way Circulation Assessment*

The City of New Rochelle is currently evaluating converting Huguenot Street (one-way westbound) and Main Street (one-way eastbound) from Pintard Avenue to Pratt Street to two-way eastbound-westbound operations. Therefore, this study includes an assessment of the Proposed Action with the two-way downtown system. The existing conditions volumes for the two-way system, shown in **Figures 4 and 5** of the TSR for the AM and PM peak hour, respectively, were based on turning movement volumes developed and presented in the *City of New Rochelle Microsimulation Study – Final Downtown Study Summary Memorandum (August 2015)*. The two-way downtown intersection traffic operations are presented in **Table 4** of the TSR provided in **Appendix F** of this Draft GEIS.

As shown in **Table 4** of the TSR, the majority of the lane groups/approaches for signalized intersections for the Downtown Two-Way Study area generally operate at overall LOS D or better under existing conditions during the peak hours analyzed. The following are exceptions:

#### *Signalized Intersections*

- Main Street/ Huguenot Street and Pintard Avenue – The northbound Pintard Avenue left-turn/through lane group operates at LOS E during the AM peak hour.
- Main Street and Locust Avenue/ Lecount Place – The northbound Locust Avenue right-turn lane group operates at LOS E during the AM peak hour.
- Huguenot Street and Centre Avenue – The northbound Centre Avenue left-turn lane group operates at LOS E during the AM and PM peak hours.
- Huguenot Street and Division Street – The southbound Division Street left-turn/through lane group operates at LOS E during the AM and PM peak hours.
- Huguenot Street and North Avenue – The southbound North Avenue through lane group operates at LOS E during the PM peak hour.
- Huguenot Street and Lawton Street – The northbound Lawton Street approach operates at LOS E during the AM peak hour.

#### 3.1.5.6 Public Transportation

Within the District Overlay Zone, the Westchester County Bee-Line Bus System operates 10 bus routes: Route 7, Route 30, Route 42, Route 45, Route 45Q, Route 60, Route 61, Route 62, Route 66, and Route 91. With the exception of Route 60, all routes are available at the New Rochelle Transit Center, providing connections to the Metro-North's Railroad New Haven Line.

**Figure 3-13** provides existing public transit options within the Study Area.

### 3.5.2 No Action Conditions

#### 3.5.2.1 Traffic Conditions

The Future without the Proposed Action, or “No Action,” traffic condition is an interim scenario that establishes a future baseline condition without the Proposed Action. The Action year is the same year as the Proposed Action (2025). No Action traffic conditions are ascertained by increasing the Existing Conditions traffic volumes by 0.5% per year from 2015 (existing year) to 2025 (future year) for background growth.

Traffic volumes for the 2025 No Action condition are shown in **Figures 6A** through **6D** of the TSR for the weekday AM peak hour and **Figure 7A** through **7D** of the TSR for the weekday PM peak hour (see **Appendix F** of this Draft GEIS). **Tables 6A** through **6D** of the TSR present the 2025 No Action LOS conditions for the study area intersections during the peak hours. Intersection approaches that operate at LOS E and LOS F are highlighted in yellow and orange, respectively. Synchro 8 outputs for the 2025 No Action scenario are provided in **Appendix C** of the TSR which is available for review in **Appendix F** of this Draft GEIS.

Under the 2025 No Action conditions, compared to the Existing conditions, there would be the following notable changes in LOS for the study area intersections:

#### *Signalized Intersections*

- Main Street and Echo Avenue – The northbound approach and the southbound Echo Avenue left-turn lane group would deteriorate from LOS E to LOS F during the PM peak hour.
- Huguenot Street and Echo Avenue – The northbound Echo Avenue approach would deteriorate from LOS D to LOS E during the AM peak hour.
- Burling Lane and North Avenue – The westbound Burling Lane left-turn lane group would deteriorate from LOS E to LOS F during the AM peak hour.
- Lockwood Avenue and Memorial Highway – The eastbound Lockwood Avenue left-turn/through lane group would deteriorate from LOS D to LOS E during the AM peak hour.
- Cedar Street and Renewal Place/ Palmer Avenue – The eastbound Renewal Place approach would deteriorate from LOS E to LOS F during the PM peak hour.
- Sunhaven Drive and Stonelea Place/ Petersville Road – The westbound Petersville Road approach would deteriorate from LOS D to LOS E during the AM peak hour.

#### *Downtown Two-Way Circulation Assessment*

Traffic volumes for the Downtown Two-Way Circulation 2025 No Action peak hours are shown in **Figures 8** and **9** of the TSR. **Table 7** presents the Downtown Two-Way Circulation 2025 No Action traffic conditions for the downtown study area intersections. Intersection approaches that operate at LOS E and LOS F are highlighted in yellow and orange, respectively. Synchro 8 outputs are provided in **Appendix C** of the TSR which is available in its entirety in **Appendix F** of this Draft GEIS.

Under the Downtown Two-Way Circulation 2025 No Action conditions, compared to the Downtown Two-Way Circulation Existing conditions, there would be no notable changes in LOS for the study area intersections.

### 3.5.2.2 Public Transportation

No significant changes in public transportation conditions are expected under 2025 No Action Conditions. While an increase in public transit ridership is expected with the No Action projects in place, it is the policy of the mass transit agencies (Metro-North Commuter Railroad and the Bee-Line Bus System) to adjust their operating schedules to reflect demand as needed.

### 3.5.3 Potential Impacts

#### 3.5.3.1 Proposed Action Description

The Proposed Action consists of zoning changes in a Downtown Overlay Zone in New Rochelle. **Table 8** of the TSR provided in **Appendix F** of this Draft GEIS presents the proposed net new increase in land uses for each of the District Overlay Zones. **Figure 10** of the TSR provided in **Appendix F** of this Draft GEIS presents a map of the District Overlay Zones.

#### 3.5.3.2 Project Trip Generation

In order to estimate the projected number of trips that would be generated by the Proposed Action, data from the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition* were examined and adjusted to reflect the urban environment in New Rochelle and the proximity to transit options in the District Overlay Zones. Trip rates developed from ITE for each land use are presented in **Table 9** of the TSR which is available for review in **Appendix F** of this Draft GEIS.

The ITE rates are based on surveys typically taken in suburban environments where driving is the dominant travel mode. Therefore the following trip reductions were applied to the trip rates to reflect the New Rochelle urban environment:

- 53 percent reduction in ITE trip rates to reflect travel modal splits from census data (43 percent auto and carpool trips, calculated based on average auto occupancy and number of auto trips per 100 person trips).
- Additional 23 percent reduction in residential auto trips within a ¼ mile of train station<sup>1</sup> (District Overlay Zones 1, 2, and 3).

**Tables 10 and 11** of the TSR present the trip generation estimates for the AM and PM peak hour, respectively, for each District Overlay Zone. The total estimates from these tables are summarized below in **Tables 3.5-1 and 3.5-2**.

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<sup>1</sup> A UC Berkeley study found trip generation was 70-90 percent lower for projects near downtown. To be conservative, 70 percent was used as the maximum achievable, and existing reduction from mode share was subtracted so as not to double-count, resulting in a 23 percent additional reduction. Vehicle Trip Reduction Impacts of Transit-Oriented Housing, Robert Cervero, University of California, Berkeley G. B. Arrington, PB Placemaking. <http://www.nctr.usf.edu/jpt/pdf/JPT11-3Cervero.pdf>

**Table 3.5-1  
SUMMARY OF AM PEAK HOUR  
TRIP GENERATION ESTIMATES**

Overlay District	DO-1	DO-2	DO-3	DO-4	DO-5	DO-6
Estimated Trip Generation	1,863	1,599	559	531	534	189

Source: AKRF, 2015

**Table 3.5-2  
SUMMARY OF PM PEAK HOUR  
TRIP GENERATION ESTIMATES**

Overlay District	DO-1	DO-2	DO-3	DO-4	DO-5	DO-6
Estimated Trip Generation	2,187	2,201	688	642	647	221

Source: AKRF, 2015

### 3.5.3.3 Traffic Conditions

The District Overlay uses represent potential land uses in a large area and not development proposals on specific land parcels, therefore individual trip assignments were not used to develop Proposed Action volumes from the No Action volumes.

To develop the 2025 Proposed Action volumes, the total volumes generated by each District Overlay Zone (presented in **Table 11** of the TSR and **Table 3.5-2**, above) were compared to the No Action volumes entering and exiting each zone to determine the percent increase in vehicle trips with the development (the Proposed Action growth rate) in each District Overlay Zone (presented in **Table 12** of the TSR in **Table 3.5-3**).

**Table 3.5-3  
PROPOSED ACTION GROWTH RATES**

District Overlay Zone	AM Peak Hour			PM Peak Hour		
	No Action Volumes <sup>1</sup>	Trip Generation Estimates <sup>2</sup>	Proposed Action Growth Rate <sup>3</sup>	No Action Volumes <sup>1</sup>	Trip Generation Estimates <sup>2</sup>	Proposed Action Growth Rate <sup>3</sup>
1	6,424	1,863	29%	7,426	2,187	29%
2	7,268	1,599	22%	7,337	2,201	30%
3	2,066	599	29%	1,720	688	40%
4	11,546	531	5%	10,700	642	6%
5	8,055	534	7%	8,088	647	8%
6	5,284	189	4%	4,420	221	5%

**Notes:**

1. Based on the traffic volumes at the zone boundaries
2. As presented in Tables 10 and 11
3. The growth rate was applied to the No Action traffic volumes to develop the Proposed Action traffic volumes.

The No Action turning movements in each District Overlay Zone were then increased by their respective Proposed Action growth rates. To account for trips traveling through one Zone to reach another, the volumes were balanced along the major corridors.

Traffic volumes for the 2025 Proposed Action peak hours analyzed are shown in **Figures 11A-12D** of the TSR. **Tables 13A** through **13D** of the TSR present the 2025 Proposed Action LOS conditions for the study area intersections for the peak hours. Intersection approaches that operate at LOS E and LOS F are highlighted in yellow and orange, respectively. Synchro 8 outputs for the 2025 Proposed Action scenario are provided in **Appendix D** of the TSR which is provided in **Appendix F** of this Draft GEIS.

The above referenced data and analyses indicate that the 2025 Proposed Action scenario when compared to the 2025 No Action conditions, produces the following notable changes in LOS, identified as locations that degrade from LOS D to LOS E or F conditions or from LOS E to LOS F conditions, for the study area intersections:

*Signalized Intersections*

- Main Street and Centre Avenue – The eastbound Main Street approach would deteriorate from LOS C to LOS E during the PM peak hour. The northbound Centre Avenue approach would deteriorate from LOS E to LOS F during the AM peak hour and from LOS D to LOS E during the PM peak hour. The southbound Centre Avenue left-turn lane group would deteriorate from LOS D to LOS F during the AM peak hour and from LOS C to LOS E during the PM peak hour.
- Main Street and Church Street/Memorial Highway – The northbound Church Street approach would deteriorate from LOS D to LOS E during the PM peak hour.
- Main Street and Locust Avenue/Lecount Place – The southbound Lecount Place left-turn lane group would deteriorate from LOS D to LOS E during the AM peak hour.
- Huguenot Street and Memorial Highway – The westbound Huguenot Street approach would deteriorate from LOS C to LOS E during the PM peak hour.
- Huguenot Street and North Avenue – The westbound Huguenot Street left-turn/through lane group would deteriorate from LOS B to LOS E during the PM peak hour. The westbound Huguenot Street right-turn lane group would deteriorate from LOS C to LOS F during the PM peak hour. The northbound North Avenue left-turn lane group would deteriorate from LOS D to LOS E during the PM peak hour.
- Huguenot Street and Echo Avenue/River Street – The northbound Echo Avenue approach would deteriorate from LOS E to LOS F during the AM peak hour.
- Station Plaza North and North Avenue – The northbound North Avenue approach would deteriorate from LOS C to LOS E during the AM peak hour and from LOS C to LOS F during the PM peak hour.
- Lockwood Avenue and Memorial Highway – The eastbound Lockwood Avenue left-turn/through lane group would deteriorate from LOS D to LOS E during the PM peak hour. The southbound Memorial Highway through/right-turn lane group would deteriorate from LOS C to LOS E during the PM peak hour.

#### *Unsignalized Intersections*

- Huguenot Street and U-Turn – The northbound U-Turn approach would deteriorate from LOS C to LOS E during the PM peak hour.

#### *Downtown Two-Way Circulation Assessment*

Traffic volumes for the Downtown Two-Way Circulation 2025 Proposed Action peak hours analyzed are shown in **Figures 13 and 14** of the TSR. **Table 14** presents the Downtown Two-Way Circulation 2025 Proposed Action LOS conditions for the downtown study area intersections for the peak hours. Intersection approaches that operate at LOS E and LOS F are highlighted in yellow and orange, respectively. Synchro 8 outputs are provided in **Appendix D** of the TSR provided in **Appendix F** of this Draft GEIS.

The above referenced data and analyses indicate that the Downtown Two-Way Circulation 2025 Proposed Action scenario, when compared to the Downtown Two-Way Circulation 2025 No Action conditions, would produce the following notable changes in LOS for the downtown study area intersections:

#### *Signalized Intersections*

- Main Street and Centre Avenue – The northbound Centre Avenue through/right-turn lane group would deteriorate from LOS D to LOS E during the AM peak hour. The southbound Centre Avenue through/right-turn lane group would deteriorate from LOS D to LOS E during the AM and PM peak hours.
- Main Street and Church Street/Memorial Highway – The northbound Church Street approach would deteriorate from LOS D to LOS E during the AM and PM peak hours.
- Main Street and Lawton Street – The southbound Lawton Street approach would deteriorate from LOS D to LOS E during the PM peak hour.
- Main Street and North Avenue – The southbound North Avenue approach would deteriorate from LOS D to LOS F during the PM peak hour.
- Main Street and Franklin Avenue – The northbound Franklin Avenue approach would deteriorate from LOS D to LOS F during the AM peak hour.
- Main Street and Echo Avenue – The eastbound Main Street left-turn lane group would deteriorate from LOS C to LOS E during the AM peak hour. The northbound Echo Avenue approach would deteriorate from LOS D to LOS E during the AM peak hour.
- Anderson Street and Lecount Place – The northbound Lecount Place approach would deteriorate from LOS D to LOS E during the PM peak hour.
- Huguenot Street and Centre Avenue – The southbound Centre Avenue approach would deteriorate from LOS D to LOS E during the AM peak hour.
- Huguenot Street and Division Street – The southbound Division Street left-turn/through lane group would deteriorate from LOS E to LOS F during the AM and PM peak hours.
- Huguenot Street and North Avenue – The westbound Huguenot Street left-turn/through lane group would deteriorate from LOS C to LOS F during the PM peak hour. The westbound Huguenot Street right-turn lane group would deteriorate from LOS C to LOS E during the PM peak hour. The northbound North Avenue left-turn lane group would deteriorate from LOS D to LOS F during the PM peak hour. The northbound North Avenue through/right-turn lane group would deteriorate from LOS D to LOS E during the PM peak hour. The southbound North Avenue left-turn lane group would



deteriorate from LOS D to LOS E during the AM peak hour. The southbound North Avenue through lane group would deteriorate from LOS E to LOS F during the PM peak hour.

- Huguenot Street and Echo Avenue/River Street – The eastbound Huguenot Street left-turn/through lane group would deteriorate from LOS B to LOS E during the AM peak hour. The westbound Huguenot Street through/right-turn lane group would deteriorate from LOS C to LOS E during the PM peak hour.

### 3.5.4 Mitigation Measures

As the Proposed Action Theoretical Development Program advances, supplemental detailed traffic studies and intersection analyses will be needed to identify potential impacts and required mitigations. Therefore, detailed mitigation measures such as turn pockets, detailed signal timing plans, etc., are not identified. However, a qualitative assessment of potential mitigations for the locations identified above is described below.

#### Downtown Study Area

A majority of the intersections that experienced a notable degradation in LOS occurred in the Downtown Study Area. Under the one-way circulation scenario, this includes approaches at the intersections of Main Street and Centre Avenue, Main Street and Church Street/Memorial Highway, Main Street and Locust Avenue/Lecount Place, Huguenot Street and Memorial Highway, Huguenot Street and North Avenue, and Huguenot Street and Echo Avenue/River Street. Given the limited right-of-way in the downtown area, mitigation measures that include widening the roadway to provide additional travel lanes may not be feasible. Therefore, the traffic mitigation measures will concentrate on other strategies. The current signal system in the downtown study area utilizes pre-timed signals that employ a fixed signal timing plan regardless of the varying traffic levels at the intersection approaches. The City of New Rochelle currently has a grant to upgrade the existing signal system to an actuated-coordinated system. The actuated-coordinated signal system would enable the intersections to better accommodate traffic by optimizing the amount of green time allocated to each intersection approach. The updated system would be expected to improve the LOS in the Study Area. Other strategies may involve downtown shuttle buses that would help residents, visitors and employees to circulate in the area and between the different zones without using the car. The City is also implementing measures to improve pedestrian friendliness downtown, therefore also encouraging more people to walk in the district and to park once and walk. Improvements in bicycle infrastructure will also help in shifting some local auto trips to active transportation modes. The purpose of these measures would be to alleviate as much as possible the LOS F conditions. Note that the LOS calculations represent in fact the worst 15 minutes during each peak hour (given that the LOS calculations introduce a peak-hour factor that converts the average hourly flow to the worst 15-minute flow)

#### Downtown Two-Way Circulation Study Area

Under the downtown two-way circulation system, a majority of the intersections that experienced a notable change in LOS resulted in LOS E operations. The two-way operation of downtown streets is in itself a mitigation measure in that it results in one less LOS F condition and also one less LOS E for the average intersection operation (compared to the one-way system). With two-way circulation it will also be easier for local traffic to avoid the difficult intersections and to seek a less congested path. The same mitigation measures mentioned above would be implemented to alleviate the remaining LOS F conditions: improved

signal control system, enhanced pedestrian friendliness and local shuttle buses. For a downtown business district LOS E conditions can be an acceptable condition as vehicles would travel slower in the business district, and as long as there are alternatives to the automobile travel. The lower speeds may also discourage some of the through traffic that today uses the Boston Post Road (Main Street and Huguenot Street) to avoid the toll on I-95.

#### North Avenue Study Area

The northbound approach at the Station Plaza North and North Avenue intersection experienced a notable change in LOS with the Proposed Action. The City of New Rochelle is currently evaluating changing the circulation around the train station and at the North Avenue/Garden Street/Burling Lane interchange. The circulation change would convert Station Plaza North to a one-way eastbound roadway and eliminate the northbound left-turn movement at the Station Plaza North and North Avenue intersection. This would result in improved operations on the northbound approach by better allocating green time at all approaches and allowing only a through movement on this approach.

#### Memorial Highway/Division Street Study Area

The intersection of Lockwood Avenue and Memorial Highway experienced notable changes in LOS during the PM peak hour on the eastbound and southbound approach. Increasing the signal cycle length and reallocating green time should improve the eastbound and southbound approach LOS.

In addition to the measures described above, to reduce the vehicular trips generated by future developments, different traffic management plans should be explored, including:

- Unbundled parking where parking spaces can be leased or sold separately (“unbundled”) from the rent or sale price giving a financial incentive to induce individuals to drive less or own fewer cars, or encourage companies to increase transit commute rates from among their employees.
- Employer travel demand management programs, such as incentive programs to use alternative modes of transportation, parking pay-out programs, priority parking for carpools, etc., to reduce employee vehicle trips.
- Implementation of a downtown shuttle bus.

#### Public Transportation

No significant changes in public transportation conditions are expected under 2025 Proposed Action. While an increase in public transit ridership is expected with the Proposed Action in place, it is the policy of the mass transit agencies (Metro-North Commuter Railroad and the Bee-Line Bus System) to adjust their operating schedules to reflect demand as needed.

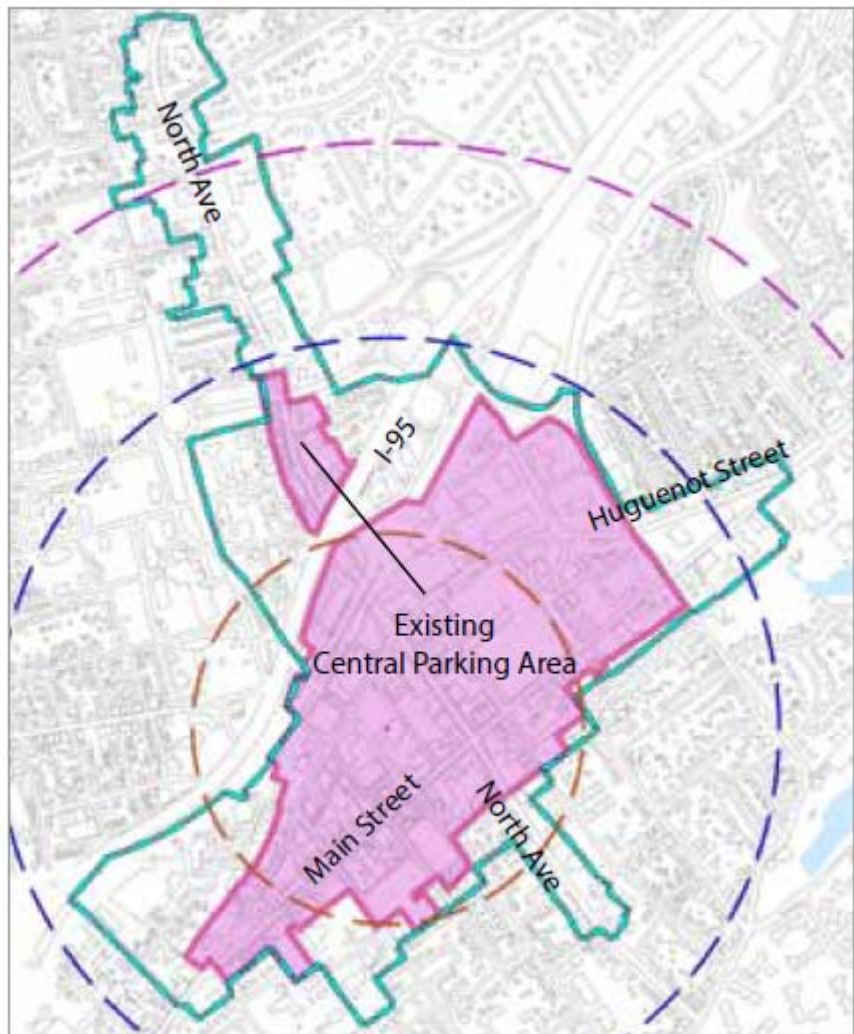
### 3.6 Parking

#### 3.6.1 Existing Conditions

The existing parking standards in the Downtown Study Area includes the Off-Street Parking and Loading standards defined in Article XIV of the Zoning Code. Legally pre-existing structures are not subject to the parking requirements, until such time that the building is modified or the structure is expanded, at which time the applicant must provide parking in accordance with Section 331-126 for that portion of the building to be modified (at a minimum). The code includes a provision for shared parking in mixed-use districts (Section 331-126.A), where the Planning Board may approve a parking ratio based on the peak demand for the various uses and accounting for residents, visitors, patrons, deliverers and/or employees.

Additionally, the City created the Central Parking Area (“CPA”) defined as an Overlay Zone pursuant to Section 331-126(E)(2). The boundaries of the existing Central Parking Area are shown in the illustration below.

The Central Parking Area Zone was created to provide less restrictive parking standards than in other areas in the City, because of the availability of public transportation, the proximity to the Intermodal Transit Center, the availability of on-street and off-street public parking facilities, and the possibility of multiple trips by foot to various locations within the Central Parking Area. The Code also provides an option to provide a payment in lieu of providing onsite parking for properties located within the Central Parking Area; however residential developments may only qualify for payment in lieu of parking for no more than 35 percent of the required parking in accordance with Section



Existing Central Parking Area Overlay Zone

331-126(E)(2). Payments made under this provision are placed in City of New Rochelle Parking Fund, which funds capital projects for parking improvements and maintenance with the Central Parking Area. **Table 3.6-1** provides a summary of the current parking requirements.

Section 331-126(E)(1) provides for relaxation of parking requirements for properties where the nearest entrance is located within 1,350 feet, measured along public streets, of a municipal parking garage or a municipal parking lot and where the applicant can demonstrate that such garage or lot can accommodate the required parking for the new development project. It is noted that this provision does not apply to proposed residential uses, except pursuant to the residential fee-in-lieu procedure outlined in Section 331-126(E)(2).

**TABLE 3.6-1  
EXISTING OFF-STREET PARKING REQUIREMENTS**

Use	Minimum Number of Parking Spaces	Off-Street Parking in CPA (if specified)	Within 1,300 feet of the DMUR District (if specified)
<i>Residential Uses</i>			
Multifamily dwelling	1.5 per dwelling unit, plus .25 for each bedroom	1.0 per dwelling unit	1.0 per dwelling unit, plus .25 for each bedroom
Senior Citizen Housing	0.5 per dwelling unit; 0.3 for publicly assisted senior citizen housing		
<i>Recreational Uses</i>			
Athletic facilities accessory to private school, university or college	1 per 10 seats		
Billiard hall	1 per billiard or pool table		
Bowling alley	4 per lane	3 per lane	
Commercial indoor recreation facility and health club	1 per 200 square feet of GFA	1 per 350 square feet of GFA	
Indoor wall or rock climbing facility	1 per 250 square feet of GFA	1 per 350 square feet of GFA	
Skating rink	1 per 100 square feet of rink area		
Squash, handball, racquetball and similar courts	2 per court	1 per court	
Tennis courts	5 per court	3 per court	

Use	Minimum Number of Parking Spaces	Off-Street Parking in CPA (if specified)	Within 1,300 feet of the DMUR District (if specified)
Theater	1 per 3 seats	1 per 5 seats	
Church or other places of worship	1 per 5 seats in the sanctuary, and for additional accessory areas and/or uses		
College or university	1 for each faculty member, plus 1 per 3 employees, plus 1 per each 3 students not residing on campus		
Congregate care facility, domiciliary care facility	1 per 3 beds, plus 1 for each employee		
Hospital	2.5 per bed or 1 per 400 square feet of GFA, whichever is greater		
Library	3.3 per 1,000 square feet of GFA	2.2 per 1,000 square feet of GFA;	
Nursery and day care	1 per 4 children, plus 1 per employee	1 for every 2 employees	
Elementary School (Grades K-8)	1 for each faculty member, plus 1 per each 3 staff members and 1 per each 30 students		
Secondary School (Grades 9-12)	1 for each faculty member, plus 1 per each 3 staff members and 1 per each 10 students		
<i>Commercial Uses</i>			
Bank	1 per 200 square feet of GFA, plus 2 per automated teller machine and/or, plus 5 queuing spaces per drive-up window		
Bar, cabaret and nightclub	1 per 3 seats or 1 per 100 square feet of GFA, whichever is greater		
Clinical laboratory	1 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 500 square feet of GFA		
Convenience store	1 per 200 square feet of GFA, plus 1 per pump island if associated with motor vehicle filling station		
Hotel	1 per guest room, plus 1 per employee, plus additional spaces		

<b>Use</b>	<b>Minimum Number of Parking Spaces</b>	<b>Off-Street Parking in CPA (if specified)</b>	<b>Within 1,300 feet of the DMUR District (if specified)</b>
	as required for other uses		
Office: business, professional, governmental	1 per 250 square feet of GFA	1 per 500 square feet of GFA	
Office: medical/dental	1 per 250 square feet of GFA	1 per 350 square feet of GFA;	
Restaurant and catering halls, Restaurant, carry-out	1 per 3 seats or 1 per 200 square feet of GFA whichever is greater		
Restaurant, fast-food	1 per 50 square feet of GFA		
Retail, national brand establishment	1 per 250 square feet of GFA and 1 per 1,000 square feet of accessory use		
Retail, store, shop, and personal service establishments	1 per 250 square feet of GFA	1 per 350 square feet of GFA;	
Accessory to multifamily residential development	1 per 1,000 square feet of GFA		
Retail, large-scale	1 per 200 square feet of GFA		
<i>Industrial</i>			
Light industrial	1 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 1,000 square feet of GFA		
Manufacturing, fabrication, finishing or assembling of products	1 per employee, plus 1 per commercial vehicle kept on the lot, but not less than 1 per 1,000 square feet of GFA		

Source: City of New Rochelle Zoning Code, Section 331-126

Section 331-126(E)(3) also includes a provision for providing parking in alternate locations (adjacent parking lots or structures), subject to the following criteria:

- a) The Planning Board may allow all or part of the parking spaces required to serve structures or uses to be located on any lot entirely within 250 feet of the structures or uses to be served, provided such parking is a lawful use in the district in which it is to be located and further provided that the Planning Board determines that it is impractical to provide parking on the same lot with the structures or uses being served.

- b) In any H, RMF-SC-4.0, or NA District, the required parking spaces may be provided on any lot within 450 feet of the structures or uses to be served.
- c) Where the Planning Board approves the location of such parking spaces on a lot different from the lot occupied by the structure or use served, the Planning Board shall require a legal instrument, in form and filing satisfactory to the Corporation Counsel, assuring the continued use of said parking spaces in connection with the uses or structures served and recorded in the Westchester County Land Records in the County Clerk's office.

### 3.6.2 Potential Impacts

The proposed DO Zone is anticipated to encourage additional residential and commercial uses within walking and biking distance to public transit, shops and entertainment. The DO Zone would also encourage retail and office uses in the downtown center, allowing visitors to park centrally and visit multiple destinations and allowing those working within the downtown area to take advantage of new and expanded retail and entertainment options in proximity to their offices. The mix of uses provides for shared parking opportunities between uses with different peak times of use (i.e., office and residential uses).

The Proposed Action includes Zoning Code amendments to the Off-Street Parking and Loading Requirements of the City Code (Section 331-125 and 126) (see **Appendix A-2**). The zoning amendments include remapping and expanding the Central Parking Area District to coincide with the proposed Downtown Overlay Zone boundary, with several proposed modifications made to Section 331-125 and 126 (described below). The proposed amendments would change the applicability of the CPA District such that the CPA District would only be available to those that opt into the DO Zone. Therefore, the CPA District would no longer be available as an overlay zone for property owners pursuing redevelopment under the existing underlying zoning. This change is to encourage applicants to participate the DO Zone, thereby conforming to the various redevelopment standards and form based zoning requirements.

The current CPA District standards, which apply to much of the existing Study Area, offer a more modern approach to parking situated in downtowns. The proposed amendments include several modifications to the proposed parking ratios within the CPA District, which are reflective of typical downtown urban areas with mixed-use settings (where people tend to park once and then walk to one or more destinations). The proposed CPA District parking ratios are provided below in **Table 3.6-2**, and are based on the ITE Parking Generation Manual, 4<sup>th</sup> Edition for various uses, which have been reduced by 20-30 percent for primary uses (i.e., residential, hotel, office, etc.) and by 50 percent for support uses (i.e., retail, restaurant, recreational, etc.) to account for downtown parking conditions, where the close proximity of mixed uses allows for the implementation of the shared parking model (as opposed to a more suburban parking situation, where the proximity of uses is too distant to allow for effective use of shared parking).

**TABLE 3.6-2  
PROPOSED OFF-STREET PARKING REQUIREMENTS – CPA DISTRICT**

	Use	Minimum Number of Parking Spaces in CPA District
(a)	Multifamily Dwelling	1.0 per dwelling unit
(b)	Townhome	1.0 per dwelling unit
(c)	Hotel	0.8 per guest room/suite plus additional spaces as required for other uses
(d)	Office: business, professional, governmental	1 per 500 square feet of GFA
(e)	Office: medical/ dental	1 per 350 square feet of GFA
(f)	Retail, store, shop, and personal service establishments	1 per 400 square feet of GFA
(g)	Theaters	1 per 5 seats
(h)	Library	1.3 per 1000 square feet of GFA
(i)	Bowling Alley	2 per lane
(j)	Commercial indoor recreation facility and health club	1 per 350 square feet
(k)	Squash, handball, racquetball and similar courts	1 per court
(l)	Tennis courts	1 per court
(m)	Nursery and Day care	1 for every 2 employees
(n)	Animal Hospital	1 per 350 square feet of GFA
(o)	Student residences	1 per 3 student resident beds
(p)	Independent living residences	0.50 per dwelling unit
(q)	Adult care facilities	0.20 per bed
(r)	Civic/institutional use	1 spaces per 500 square feet of GFA

The number of required parking spaces for individual developments will be determined by the Central Parking Area standards defined in Section 331-125 (Purpose) and 331-126 (Schedule of Off-Street Parking and Loading Space Requirements), with site specific analysis submitted to determine if credits may be applied for shared parking, attendant parking, and provisions for car share parking and non-reserved parking which are detailed in the proposed amendments to the CPA District. The CPA District currently provides options for shared parking and off-site parking credits. These credits will be modified in Section 331-126 to further incentivize shared parking opportunities using the mechanisms listed above. The code amendments would also encourage shared parking by allowing adjacent users to enter into shared parking agreements, subject to the approval of a Shared Parking Plan approved by the Planning Board and filing of the required lease, easement or deed restriction guaranteeing access for multiple users (see draft zoning amendments, **Appendix A-2**).



Pursuant to the Master Developer Agreement with the City, the Master Developer has the ability to redevelop existing City owned properties, particularly existing parking lots. **Figure 3-2** provides the existing publicly owned lands within the Study Area. Redevelopment of underutilized City parking lots will require that existing parking utilization be established and then used as a basis for the replacement/reconstruction of City parking spaces by the party sponsoring redevelopment. Temporary displacement of City parking while construction is occurring will require the preparation and implementation of a Parking Management Plan, which would specify locations of alternative parking, establish signage, striping, etc. and notification procedures for driver convenience and efficiency of traffic flow during construction and post construction.

### 3.6.3 Mitigation Measures

The proposed amendments to the CPA District are intended to build upon the current CPA requirements, and add further provisions to facilitate shared parking arrangements throughout the Study Area. The proposed amendments are anticipated to result in beneficial impacts by encouraging property owners to opt into the DO Zone, expanding the benefits of the form-based, sustainable revitalization of the Downtown area as described in the RAP (Section 5). The proposed amendments to Section 331-126 are appropriate for an urban downtown setting, therefore no significant adverse impacts are anticipated.

Future site-specific development applications (conforming to the Proposed Action) submitted to the City will be subject to site-specific review of proposed parking. This may include the following provisions if the redevelopment involves uses of existing parking areas.

- **Parking Management Plan:** Temporary displacement of parking capacity to other locations in the downtown area while construction is occurring will be mitigated by implementation of a Parking Management Plan, which would specify locations of alternative parking, establish signage, striping, and provide notification procedures for driver convenience and efficiency of traffic flow.
- **Parking Utilization Study:** Redevelopment of underutilized City parking lots will require that existing parking utilization be established and then used as a basis for the replacement/reconstruction of parking spaces by the party sponsoring redevelopment.

## **3.7 Water Resources**

### **3.7.1 Existing Conditions**

#### **3.7.1.1 Floodplains**

The National Flood Insurance Program (“NFIP”) was established with the Federal legislature’s adoption of the National Flood Insurance Act of 1968. The NFIP is a program that enables property owners in participating communities to purchase flood insurance as protection against flood losses, while requiring State and local governments to enforce floodplain management regulations that reduce future flood damages. The City of New Rochelle regulates activities proposed within floodplains as per Chapter 111, Building Construction, Article IV, Flood Damage Prevention. By law, the Federal Emergency Management Agency (“FEMA”) can only provide flood insurance to those States or communities that adopt and enforce floodplain management regulations that meet or exceed minimum NFIP requirements.

The NFIP requirements apply to areas mapped as Special Flood Hazard Areas (“SFHA”) on Flood Insurance Rate Maps (“FIRMs”) issued by FEMA. The SFHA is the area that would be flooded by the “base flood” (defined as the flood that has a 1 percent chance of occurring in any given year; also known as the “100-year flood”). The NFIP requirements include but are not limited to:

- Elevation of new and substantially improved residential structures above the base flood level.
- Elevation or dry floodproofing (made watertight) of new or substantially improved non-residential structures.
- Prohibition of development in floodways, the central portion of a riverine floodplain needed to carry deeper and faster moving water.
- Additional requirements to protect buildings in coastal areas from the impacts of waves, high velocity, and storm surge.

The City of New Rochelle states that the purposes of its regulations are to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- Regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- Control filling, grading, dredging and other development which may increase erosion or flood damages;
- Regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and
- Qualify for and maintain participation in the National Flood Insurance Program.

Activities are not permitted to alter or encroach upon the special flood hazard area without a floodplain development permit issued by the City Building Official as regulated by City of New Rochelle Code Section 111-33.

The FEMA Flood Insurance Rate Map that provides coverage within the Study Area is Map 36119C0342F, with an effective date of September 28, 2007. The FEMA floodplains are shown in **Figure 3-14**. The AE zone, or 100-year floodplain, extends up to Huntington Place which is to the rear of the McDonald's that fronts on Main Street in that vicinity within the DO-4 Zone – the base flood elevation is shown as 11 feet above sea level (“asl”). Portions of the 500-year floodplain (Zone X) extend over portions of the rear yards of the properties located between Main Street and Huntington Place; this designation has no regulatory status in the City. Except for this location, floodplains are not present in the Study Area.

The National Oceanic and Atmospheric Administration (“NOAA”) National Weather Service (“NWS”) has developed a Sea, Lake and Overland Surges from Hurricanes (“SLOSH”) model to estimate storm surge heights resulting from historical, hypothetical, or predicted hurricanes by taking into account the atmospheric pressure, size, forward speed, and track data. These parameters are used to create a model of the wind field which drives the storm surge. **Figure 3-15** presents SLOSH modeling within the Study Area and vicinity. Storm surges have been modeled and areas that would be inundated are located at the easterly portion of the proposed DO-4 Zone. The extent of inundation depends on the category of storm that occurs, i.e., a category 1, 2, 3, or 4 hurricane, with category 1 being the least severe storm. The portion of the Study Area to the north, east and south of Faneuil Park would be inundated from a category 4 hurricane. A category 3 hurricane could inundate low lying areas to the south of Main Street and east of Echo Avenue. A category 2 hurricane would extend only to Huntington Place.

#### 3.7.1.2 Surface Water and Wetlands

The Study Area is situated within the Coastal Long Island Sound watershed basin. Therefore, stormwater runoff that enters the streams, waterbodies and watercourses within the basin ultimately flow to Long Island Sound. Within the City, and particularly in the Study Area, there are few natural streams or waterbodies in existence – most have been drained, filled or piped and are part of the City's man-made drainage system.

A review of various resources<sup>1</sup> indicates that no New York State Department of Environmental Conservation (“NYSDEC”) regulated freshwater wetlands or U.S. Army Corps of Engineers-regulated freshwater wetlands are present within the Study Area (see **Figure 3-16**).

The Study Area is not underlain by any major aquifers (10 gpm or greater). However, Westchester County has designated lands adjacent to Long Island Sound, as well the sound's waters within its jurisdictional limits, as a Critical Environmental Area (“CEA”). A CEA is defined in NYCRR Part 617.2 of the regulations implementing SEQRA as “a specific geographic

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<sup>1</sup> NWI Mapper at <http://www.fws.gov/wetlands/data/mapper.HTML> and NYSDEC Environmental Resource Mapper at <http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>

area designated by a state or local agency, having exceptional or unique environmental characteristics.” The properties within DO-4 located to the south of Main Street and east of Echo Avenue are contained within the CEA.

Tidal wetlands are not located within the Study Area; the nearest tidal wetlands are found in the vicinity of the DO-4 Zone within Echo Bay Harbor.

### 3.7.2 Potential Impacts

#### 3.7.2.1 Floodplains

Adoption of the zoning changes of the Proposed Action is a regulatory action, and so would not result in any physical changes to the Study Area; therefore, no direct impact to floodplains would occur as a result of the DO Zoning. With the exception of any improvements that may be pursued in DO-4 in the vicinity of Huntington Place, no other areas of the Study Area are constrained by the 100-year flood plain. At the time a site-specific development application is advanced, the application would be reviewed by the Building Department, and a determination made as to whether the proposed project requires a floodplain development permit. If a floodplain development permit is required, the application would be required to comply with all applicable standards and requirements as set forth in City Code Section 111-33.

Only a very limited area of DO-4 is within the coastal area which could be inundated by a severe storm – a category 4 hurricane could inundate a portion of the Study Area in the vicinity of Faneuil Park in the vicinity of Main Street.

#### 3.7.2.2 Surface Waters and Wetlands

Adoption of the zoning changes of the Proposed Action is a regulatory action, and so would not result in any physical changes to the Study Area; therefore, no impact to surface waters and wetlands would occur as a result of the DO Zoning.

Site-specific development within the Study Area will not impact freshwater or tidal wetlands as none are present. Likewise, natural waterbodies or watercourses are not present in the Study Area and would not be impacted. The only impacts that will result from development would be from stormwater that enters the City’s drainage systems and ultimately discharges into Long Island Sound. Existing stormwater conveyance systems in the area are discussed in **Section 3.3**.

Stormwater runoff is currently directed from roadways and impervious surface areas into the City of New Rochelle’s stormwater conveyance system. Given that the Study Area is covered almost entirely by impervious surfaces, the acreage of impervious surfaces associated with the Development Scenario is anticipated to be similar, if not slightly reduced (the RAP includes the creation of civic space and pedestrian spaces as a community benefit to achieve density bonuses). New development will require that drainage systems be designed to accommodate any and all runoff volume on-site in conformance with City requirements. In addition, conformance to the requirements of the NYSDEC Phase II Stormwater Regulations and prevailing City and County regulations will be required. These requirements include water quality treatment of

stormwater runoff prior to discharge to any conveyance system that may ultimately discharge to surface water. These system designs will be subject to the review and approval of appropriate City and/or County engineering staff, ensuring that significant adverse impacts from stormwater runoff would not occur.

The City of New Rochelle does attempt to limit impervious surface cover in the City through Chapter 178, Impervious Surfaces, of the City Code. As per the regulations:

“On private property, no person who, by existing zoning or land development regulations or by building code requirements, requires or will require a building permit for new construction, building expansion, parking area, driveway, swimming pool, or other structure shall be permitted to create impervious surface or to expand any existing impervious surface by more than 200 square feet, utilizing macadam, concrete, tiles or bricks with mortar, asphalt shingles, slate, plastic, or other similar impervious material, through the construction of buildings, carports, driveways, walkways, patios, pools, roadways, sidewalks, or other similar structures without first obtaining a permit from the Bureau of Buildings and without required mitigation as approved by the approval authority as part of the building permit process, in accordance with in § 178-5. The permit to create or increase impervious surface by more than 200 square feet shall be part of the existing building permit application and approval process. Where that building permit approval process by Code requires prior approval by the Planning Board, as in the case of site plans, subdivisions, and some special permit uses, the Planning Board shall be the approval authority. In all other cases, where a building permit is required by Code for construction, demolition, site work, or development, the Building Official shall be the approval authority.”

The intent of the law is to strictly regulate further expansion of impervious surface areas within the City.

### 3.7.3 Mitigation Measures

While no mitigation is required for the Proposed Action, future site specific review of development may require the following mitigation measures.

- New development will be required to retain 3½” of stormwater runoff on site. For those individual projects that involve one or more acres of disturbance, a SWPPP must be prepared pursuant to NYSDEC requirements pursuant to the 2010 NYS Stormwater Management Design Manual.
- As part of any site-specific review, the potential for development within the area of the DO-4 Zone located within the 100-year floodplain and/or which could be inundated by storm surges would specifically be evaluated and appropriate measures incorporated to mitigate against damage.
- Identification and removal of existing illicit discharges to the City stormwater conveyance system during redevelopment will improve functioning of these systems, as well as reduce pollutant loads to surface water and groundwater.

- New construction in the Study Area will be encouraged and incentivized to utilize water-conserving plumbing fixtures and mechanical systems that will conserve water resources. Additionally, incentive-based use of “green development” options such as green roofs, grey-water and rainwater recycling, roof gardens, etc. will be encouraged by the proposed overlay zoning amendments, thus reducing water use.

### 3.8 Geology, Soils and Topography

#### 3.8.1 Existing Conditions

##### 3.8.1.1 Geology

The Study Area is located within the Highlands physiographic province, which is further subdivided into the Manhattan Prong region; this region consists of a smaller belt of ancient rock in southern New York (including Manhattan, the Bronx, and segments of Brooklyn and Staten Island), parts of Westchester County, and upland portions of southwestern Connecticut. According to the Geologic Map of New York State (Fisher, Isachsen, and Rickard, 1970), the bedrock underlying the Study Area is the Hartland Formation of the Ordovician Age, consisting of basal amphibolite overlain by pelitic schists. Soil deposits and fill that lie atop bedrock are described in the following subsection. The Study Area adjoins the Atlantic Coastal Plains province located to the east.

##### 3.8.1.2 Soils

There are six soil mapping units within the Study Area. **Table 3.8-1** identifies each soil mapping unit by abbreviation and name, followed by a description and the amount of the Study Area that each soil comprises. **Figure 3-18** illustrates the soil mapping units found within the Study Area.

Approximately 93 percent of the Study Area is Uf, Urban land. These areas are primarily found in central business districts and other highly developed locations. As such, the soils have been disturbed to an extent that the underlying soils are mixed and do not necessarily reflect their natural position.

A limited area of Ub soils can be found in DO-4 on the east side of I-95 and south of River Street within the landscaped interchange right-of-way. Like the Uf soils, they are disturbed and intermixed and soil investigations are required to determine the specific soil composition in these areas.

An inclusion of Uc soils is found beneath developed properties within the Study Area just south of Renewal Avenue and west of Cedar Street. As described, these areas were formerly depressional locations which have been filled over time.

The remaining soils listed in **Table 3.8-1** are found at the boundaries of the Study Area. In general, approaching the waterfront and Long Island Sound, historic topographic maps demonstrate that areas along the coastline, as well as former marshes, wetland and water bodies, have been filled to accommodate urban and suburban development. As such, soils have been altered and mixed with concrete, cinder and ash, and other debris to create filled areas.

**Table 3.8-1**  
**SOIL DESCRIPTION AND DISTRIBUTION**

<b>Soil Mapping Unit</b>	<b>Soil Name</b>	<b>Description</b>	<b>Percent of Study Area</b>
Ub	Udorthents, smoothed	This unit consists of very deep, excessively drained to moderately well drained soils that have been altered by cutting and filling. It is mainly adjacent to urban areas, highways and borrow areas. The properties and characteristics of Udorthents are so variable that onsite investigation and evaluation are required to determine the suitability and limitations for proposed uses.	1%
Uc	Udorthents, wet substratum	This unit consists of somewhat poorly drained and very poorly drained soils that have been altered mainly by filling. Filled areas are in the lower landscape positions, such as depressions, drainageways, and areas of tidal marsh. The properties and characteristics of Udorthents are so variable that onsite investigation and evaluation are required to determine the suitability and limitations for proposed uses.	2%
Uf	Urban land	This unit consists of areas where at least 60 percent of the land surface is covered with buildings or other structures. The areas include parking lots, shopping centers, industrial parks, and institutional sites. Much of the Urban land is in the business centers of villages and cities.	93%
UIC	Urban land-Charlton-Chatfield complex, hilly, very rocky	This unit consists of Urban land; the very deep, well drained Charlton soil; and the moderately deep, well drained or somewhat excessively drained Chatfield soil. Typically, the Urban land consists of areas covered by buildings, streets, parking lots, and other structures. The natural soil layers have been altered or mixed with manufactured materials, such as bricks, broken concrete, or cinders. This unit is used mainly for urban development. The main limitation on sites for dwellings with basements, local roads and streets is the variable depth to bedrock.	2%
UpB	Urban land-Paxton complex, 2-8 percent slopes	This unit consists of areas of Urban land and the very deep, well drained, gently sloping Paxton soil. Typically, the Urban land consists of areas covered by buildings, streets, parking lots, and other structures. The natural soil layers have been altered or mixed with manufactured materials, such as bricks, broken concrete, or cinders. The main limitations on sites for dwellings with basements, local roads and streets is seasonal wetness and frost action.	1%
UwB	Urban land-Woodbridge complex, 2-8 percent slopes	This unit consists of areas of Urban land and the gently sloping, very deep, moderately well drained Woodbridge soil. Typically, the Urban land consists of areas covered by buildings, streets, parking lots, and other structures. The natural soil layers have been altered or mixed with manufactured materials, such as bricks, broken concrete, or cinders. The main limitations on sites for dwellings with basements is wetness, and frost action for local roads and streets.	>1%

Source: Seifried, Stefan T., 1994, Soil Survey of Putnam and Westchester Counties, New York, US Dept. of Agriculture, Soil Conservation Service and Cornell University Agricultural Experiment Station



### 3.8.1.3 Topography

**Figure 3-17** illustrates the general topographic conditions found within the Study Area. Topographic elevations range from near sea level in the vicinity of the waterfront, to greater than 100 feet above sea level (“asl”) in the vicinity of I-95. The highest elevation in the Study Area is 102 feet asl located along a northwest-southeast trending ridge found in the vicinity of 543 Main Street, 548 Main Street and at the parking lot on the south side of Leroy Place all within the DO-2 Zone. The area in and around Division Street, Leroy Place, Westchester Place is a plateau within the Study Area on the south side of I-95. From this plateau, the terrain slopes downward to the east and south toward the waterfront areas. In the vicinity of Harrison Street, the land slopes moderately from west to east near New Roc City, with Harrison Street at 72 feet asl. Between Harrison Street and Echo Avenue, lands slope moderately to an elevation of approximately 36 feet. Approaching Faneuil Park, where Main Street joins Huguenot Street, elevations reach approximately 24 feet asl. At Huntington Place, which runs parallel to Main Street, the rear yard of properties and street are at an approximate elevation of 10 asl.

On the north side of I-95, Memorial Highway runs along a ridge which is at an elevation of approximately 94 feet asl and slopes down toward the Memorial Highway circle which is approximately 72 feet asl. Along North Avenue, elevations range from approximately 80 feet at I-95 to about 56 feet asl at the northern limits of DO-6.

The highest ground elevation in the Study Area is an estimated 102 feet asl, found in the vicinity of Leroy Place, and the lowest elevation (10 feet asl) is located in the vicinity of Huntington Place in the easterly corner of the Study Area. Thus, total relief (the difference between highest and lowest elevation) in the Study Area is approximately 92 feet. Within the Study Area, the terrain slopes downward from the high point in an easterly and southerly direction toward the waterfront.

It is important to note that the land surface within the Study Area has been modified and reflects the developed conditions that are present. Topography and soils have been altered with cuts and fill to accommodate building placement, construction of major roadways and railroad rights-of-way, utilities (water, sewer, and stormwater conveyance systems), and other development-related alterations. No natural surface drainage channels or topographic features exist with respect to stormwater transport within the Study Area.

Westchester County Geographic Information Systems has mapped steep slope areas utilizing two-foot contour data. Slope ranges from 15-25 percent, and greater than 25 percent, have been mapped. Two very small areas with slopes in excess of 25 percent exist within the I-95 right-of-way. Areas with slopes between 15-25 percent are found sporadically and interspersed in the Study Area, and also associated with the I-95 or the railroad rights-of-way traversing it. Within DO-5, there are two areas of 15-25 percent slope located in the vicinity of and on either side of Cross Avenue at its intersection with North Avenue. A wedge of 15-25 percent slopes is found in DO-2 at the end of Bally Place. A similarly sloped area is located to the west of Harrison Street (DO-2), as well as at the end of Huntington Place (DO-4).

### 3.8.2 Potential Impacts

#### 3.8.2.1 Geology

Adoption of the zoning amendments and map is a regulatory action, and would not in and of itself result in disturbances within the Study Area. No direct impact to geology would occur. Direct impacts to bedrock may result from development activities on individual properties pursuing redevelopment under the proposed zoning overlay zones in the future, including excavations to construct building foundations and basements, or otherwise to achieve appropriate grade for site development. At the time a site-specific development application is pursued, the need for rock removal, including potential blasting activities, would be determined based on the results of geotechnical investigations performed at the site. It is noted that most of the Study Area is currently developed and as a result, it is expected that growth based on the Zoning Amendments would occur on previously developed, previously disturbed land where foundations have been placed and bedrock and pre-existing geology have already been altered.

During site plan review, the need for rock removal, and methods to ensure that said removal is done in accordance with best practices, would be reviewed by applicable city agencies. It is noted that Chapter 281, Streets, Sidewalks and Public Places, of the City Code (Section 44) sets forth general standards for rock excavation:

“C. Rock excavation.

- (1) In rock excavation, drilling and blasting shall be conducted with all possible care. All blasting operations shall be conducted in strict accordance with the existing ordinances and regulations relative to rock blasting and the storage and use of explosives. A blasting permit must be obtained from the New Rochelle Department of Fire in all instances.
- (2) Any rock excavation within five feet of a water or gas main, pavement or other surface or subsurface pipe, conduit or structure shall be done with very slight charge of explosive, and the utmost care shall be used to avoid disturbing or injuring said structure.
- (3) The permittee shall use the utmost caution in properly protecting all surface and subsurface structures from the effects of blasting, and any damage done to such structures shall be promptly repaired by the permittee or by such other parties as the Commissioner may direct, at said permittee's own expense.
- (4) Sufficient warning shall be given to all persons in the vicinity of the work before blasting. The site of the blast shall be covered with heavy timbers, blasting mats or other devices to prevent damage from flying rock fragments.
- (5) The time of blasting and the manner and size of charges must be satisfactory to the Commissioner. The blasting shall be done only by properly licensed individuals.
- (6) The permittee shall give adequate notice to the City and to the appropriate public service corporations before proceeding with blasting in the vicinity of water mains, sanitary sewers, stormwater drains and other drains or other public utility lines.”

As a result, since much of the Study Area is already developed, significant adverse impacts to geology are not expected. Additional assessment of soils and topographic resources is provided in the following subsections.

### 3.8.2.2 Soils

Adoption of the zoning amendments and map is a regulatory action, and would not in and of itself result in disturbances to the Study Area. No direct impact to soils would occur as a result of the legislative action.

Any development that occurs in accordance with the adopted amendments would impact soil conditions as a result of potential demolitions of existing structures, general grading activities, excavation for footings and building foundations, installation of utilities, roadway beds and parking areas. However, due to the flat to rolling terrain which is prevalent in the Study Area, major grading operations involving significant cut and/or fill are not anticipated, except for any cuts necessary for building basements or other subsurface structures, such as parking facilities. In addition, it is noted that the soils listed in **Table 3.8-1** are all related to urbanized areas and have resulted from alteration or fill. Because of the high variability of these soil conditions due to previous alterations and development, site design would rely on site-specific structural soil borings required to ensure soils demonstrate suitable load bearing capacity to support above ground buildings and/or drainage. Native soils, if encountered during evaluations, may be considered suitable for reuse as load-bearing fill material as long as proper compaction is undertaken as specified by the supervising engineer during construction. Techniques including deep compaction or over-excavation and replacement of unsuitable fill materials may be utilized in the event that unsuitable fill materials are found on properties proposed for development. Fill materials may include, but will not limited to: fill soils, concrete, bricks, stone, rebar, pipes, asphalt, ash, construction and demolition debris, scrap metal, and wood. Materials encountered that are unsuitable for reuse as fill would be removed from the site for proper disposal at an appropriate landfill. The development areas would be stabilized, as determined by a geotechnical engineer, prior to construction of structural elements.

Specific subsurface conditions will be determined in detail as part of the site plan review of a site-specific development application. As construction design generally provides for the on-site reuse of excess soil material for fill (in order to minimize the cost of removal/disposal as well as impacts from removal operations), the total amount of excess soil that must be removed from construction sites would likely be minimized. This would further minimize the potential for short-term construction related impacts associated with soils, such as dust impacts on neighboring sites and on roadways.

Given the anticipated limited depth to groundwater within the southeasterly portion of the Study Area as it approaches the waterfront, limited dewatering may be necessary to enable construction of foundations and subsurface infrastructure and parking facilities. It is noted that dewatering would be a temporary measure for the installation of building footings or other subsurface structural support during construction. Should dewatering be necessary, all appropriate regulations will be observed and necessary permits obtained. Depending on the point of discharge, a discharge permit may be required. Any discharge will be required to conform to Chapter 215, Illicit Discharges, of the City Code.

To reduce the potential for soil erosion during and after construction, site-specific Stormwater Pollution Prevention Plans (“SWPPP”) will be prepared for the development of each property involving an acre or more of disturbance. The SWPPP must include a detailed erosion and sediment control plan to provide methods for sediment trapping, soil stabilization and best management practices to reduce the extent of soils exposed to elements. The erosion control and phasing plans will be required to utilize the New York State Department of Environmental Conservation (“NYSDEC”) Guidelines for Urban Erosion and Sediment Control, and include measures such as:

- Silt fencing, storm drain inlet protection, sediment traps, and good housekeeping procedures.
- Staging locations for construction equipment and vehicles.
- Provisions to prevent soil on truck tires from being tracked onto the public road system.
- Temporary stabilization measures for stockpiles and as grades are stabilized.
- Weekly inspections of erosion controls to ensure proper installation and maintenance of erosion controls.

Additionally, the SWPPP must include measures to manage stormwater generated on-site during construction activities, and provide water quality and flood control for post construction conditions. The proposed drainage system must be designed to meet the requirements of the 2015 NYS Stormwater Management Design Manual (“Design Manual”) and City Code. These requirements ensure that stormwater runoff is not permitted to discharge to adjacent properties.

No significant long-term adverse impacts are expected with respect to soils, as the Study Area is currently disturbed and grading plans will be prepared and reviewed to minimize the area and amount of disturbance. Short-term impacts will be controlled by proper grading, erosion control, construction inspection and management, and site stabilization techniques consistent with NYSDEC and City requirements.

### 3.8.2.3 Topography

Adoption of the zoning changes of the Proposed Action is a regulatory action and would not result in any physical changes to the Study Area; therefore, no impact to topographic resources would occur. Given the developed nature of the majority of the Study Area, significant amounts of grading and changes to topography are not expected to be necessary for new development pursued under the DOZ.

The zoning amendments would promulgate a form-based code which seeks to limit expansive parking lots which detract from a quality urban experience. To the extent that the zoning amendments embrace these types of design standards, this will further help to reduce environmental impacts, including impacts to topography. Aspects of the Theoretical Development Scenario that may minimize parking-related impacts include:

- The Proposed Action seeks to provide parking areas in new, multi-level parking structures, which would have the beneficial impact of reducing the acreage of land to be leveled to accommodate parking areas.
- Some of these new parking spaces would be provided in the form of shared parking areas, which tends to reduce the number of spaces required, and thereby the acreage of paved surfaces.
- Parking demand would be reduced in consideration of the convenience of public transit throughout the Study Area that serves a wide range of local and regional destinations. As a result, the number of space that would be provided would be reduced, so that the impact on topography would also be reduced.
- The Development Scenario would include various targeted development sites which are primarily existing surface parking areas. Redevelopment of these spaces would tend to reduce the acreage of land converted from other uses to parking area use.

As described previously, the impacts associated with grading activities which result in topographic alterations are associated primarily with the introduction of soil erosion. Site plan review and site-specific SWPPPs will be prepared for the development of each property involving an acre or more of disturbance. The SWPPP will contain the required information described above.

Significant long-term adverse impacts are not expected with respect to topography as the Study Area is currently disturbed and grading plans will be prepared and reviewed to minimize the area and volume of disturbance as part of future site-specific review of individual development projects. Short-term impacts will be controlled by proper grading, erosion control, construction inspection and management, and site stabilization techniques consistent with NYSDEC and City requirements.

### 3.8.3 Mitigation Measures

While no mitigation is required for the Proposed Action, future site specific review of development may require the following mitigation measures.

- If unsuitable subsoils are found, techniques including deep compaction or over-excavation and replacement of unsuitable fill materials may be utilized. Development areas would be stabilized, as determined by a Geotechnical Engineer, prior to construction of structural elements.
- Erosion control and construction phasing plans will be prepared for individual site developments during site plan review that will provide protection methods that will be utilized during construction to control transport of sediment and stormwater runoff during construction activities.
- Prior to the initiation of construction activities, remediation of sites where recognized environmental conditions have been identified will be necessary. Remediation activities are required to be completed according to the protocols, procedures, standards and documentation

requirements of the appropriate supervising entity, City of New Rochelle, NYS Department of Labor, County Fire Marshal and/or NYSDEC.

- New development will be required to detain stormwater runoff in accordance with City and NYSDEC standards. For those individual projects that involve one or more acres of disturbance, a SWPPP must be prepared pursuant to NYSDEC requirements.

### 3.9 Air and Noise Resources

#### 3.9.1 Existing Conditions

##### 3.9.1.1 Noise

###### *General Noise Information*

Noise can have various effects on human beings ranging from annoyance to hearing loss. A noise problem is said to exist when noise interferes with human activities<sup>1</sup>. Sound waves are generated in varying frequencies, which are described in hertz (“Hz”), a measure of cycles per second. The human ear is sensitive to frequencies between 20 Hz to 20,000 Hz and is most sensitive to frequencies between 200 and 10,000 Hz with the lower frequencies heard as lower or bass tones and upper frequencies as high tones. The frequencies are divided into octave bands on a logarithmic basis. The logarithmic center frequency of each octave band is such that each successive center frequency is twice the preceding center frequency. Common center frequencies used in octave band analysis are 63, 125, 250, 500, 1,000, 4,000 and 8,000 (Hz). The middle range (e.g., 1,000 Hz) are heard best by the human ear, while the lower octaves (31.5 or 63 Hz) are perceived less and the upper octaves (4,000 or 8,000 Hz) are perceived a little better, even at high power. Various noise scales have been developed to describe the response of an average human ear to sound. The most common unit utilized to characterize noise levels is the A-weighted decibel (“dBA”), which weighs the various components of noise according to the response of the human ear. Because the human ear perceives the middle range of frequencies better than the high or low frequencies, the dBA scale assigns the middle range a much larger “loudness” value than higher and lower frequencies. With respect to human perception of noise, a change less than 2 dBA is generally not discernible. On average, a change of 3 dBA is required for the average person to detect a difference in the level of noise, and a change in the range of 5-6 dBA is noticeable and is considered to be an impact as referenced in **Table 3.9-1**.

**Table 3.9-1  
PERCEIVED CHANGES IN NOISE LEVEL**

Change in dBA	Human Perception of Sound
2-3	Barely perceptible, threshold of detection
5-6	Readily noticeable
10	Doubling or halving of the loudness of sound
20	Dramatic change
40	Difference between a faintly audible sound and very loud sound

Source: USDOT, 1980<sup>2</sup>

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<sup>1</sup> Rau, John G., Wooten, David C., 1980, *Environmental Impact Analysis Handbook*, McGraw-Hill, Inc.

<sup>2</sup> US Department of Transportation, 1980, *Highway Noise Fundamentals - Noise Fundamentals Training Document*, Federal Highway Administration, Washington, D.C.

The noise level associated with an urban area is typically 60 to 70 dBA, whereas a busy city street can be upwards of 90 dBA. **Table 3.9-2** provides typical noise levels as compared to a base reference of 60 dBA.

**Table 3.9 -2  
COMMON NOISE LEVELS AND REACTIONS**

Sound Source	Noise Level (dBA)	Apparent Loudness	Typical Human Reaction
Military Jet Air raid siren	130	128 times as loud	Limit of amplified speech
Amplified rock music	110	32 times as loud	Maximum vocal effort
Jet takeoff at 500 meters Train horn at 30 meters	100	16 times as loud	
Freight train at 15 meters	95		
Heavy truck at 15 meters Busy city street Loud shout	90	8 times as loud	Very annoying Hearing damage (after 8 hours)
Busy traffic intersection	80	4 times as loud	Annoying
Highway traffic at 15 meters Train horn at 500 meters Noisy restaurant	70	2 times as loud	Telephone use difficult
Predominantly industrial areas Light car traffic at 15 meters City or commercial areas Residential areas close to industry Noisy office	60	Base reference	Intrusive
Quiet office Suburban areas with medium-density transportation	50	1/2 as loud	Speech interference
Public library	40	1/4 as loud	Quiet
Soft whisper at 5 meters	30	1/8 as loud	Very quiet
	10	1/32 as loud	Just audible
Threshold of hearing	0	1/64 as loud	

Note: The minimum difference in noise level noticeable to the human listener is 3 dBA. A 10 dBA increase in level appears to double the loudness, while a 10 dBA decrease halves the apparent loudness.

Sources: NYSDOT, 1980<sup>3</sup> and White, 1975<sup>4</sup>

<sup>3</sup> NYSDOT, Environmental Analysis Bureau, August 1998 Environmental Procedures Manual, Chapter 3.1, Noise Analysis Procedures, Project Environmental Guidelines.

<sup>4</sup> White, Frederick A., 1975, Our Acoustic Environment. John Wiley & Sons, Inc.



### *Existing Noise Environment*

The existing noise environment within the Study Area is typical of an urbanized area. In this environment, noise is generated by HVAC [heating, ventilation and air conditioning] equipment for commercial, institutional and residential uses as well as by transportation uses, including vehicular traffic (i.e., buses, trucks and cars) and railroad use. There are no heavy industrial uses in the area to generate excessive environmental noise. Typical sound pressure/noise levels for an urbanized area with adjacent roadways carrying high volumes of traffic can range from 65 dBA to as high as 90 dBA<sup>5</sup>.

### *City Noise Code*

The City of New Rochelle Noise Control Ordinance is Chapter 213 of the City Code and was adopted by the Council of the City of New Rochelle in April of 1976 with the declared policy of preventing excessive, unreasonable and unusually loud noise which may jeopardize the well-being or health and welfare of its citizens or degrade quality of life.<sup>6</sup> The Noise Control Ordinance is enforced by the Police Department of the City of New Rochelle.

The code contains general prohibitions related to the generation of unreasonable noise and provides standards for consideration in determining whether unreasonable noise exists (including the volume and intensity of noise, nature of the source of noise, relation to background noise, proximity to residential area or 'residential sleeping facilities', nature and zoning district of the area within which the noise emanates, time and duration of noise, term of noise, whether noise is continuous or impulsive, and the presence of discrete tones). The code also provides specific prohibitions regarding:

- the use of sound-reproduction devices producing unreasonable noise,
- sound signal devices (horns, whistles),
- emergency warning devices (with exceptions for emergencies and testing of devices),
- burglar alarms (with exception for first 15 minutes of activation),
- animals (barking),
- containers and construction materials (related to loading/unloading, transport, destruction of),
- use of domestic power tools and equipment (with specific regulations related to landscaping equipment including mowers and leaf blowers),
- modified devices (which have been modified to cause sound levels greater than emitted as originally manufactured), and
- Operation of equipment without a properly functioning muffler.

Applicable sections of the code are discussed below.

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<sup>5</sup> Cyril M. Harris, 1998, Handbook of Acoustical Measurements and Noise Control, 3<sup>rd</sup> Edition, Acoustical Society of America, (ii) Bruel & Kjaer, 1988, Acoustical Noise Measurement, (iii) M. David Egan, McGraw Hill, 1972 and U.S. Department of Housing and Urban Development, Office of Community Planning and Development , The Noise Guidebook.

<sup>6</sup> §213-2 Policy (which was amended 9-16-1988)

Air-conditioning and air-handling devices are regulated under §213-13 which provides a noise limit of 55 dBA in areas zoned for residential use. However, this provision does not apply if such unit produces less than a five dBA increase in sound level over the level that exists in the absence of operation of the device.

Sound levels by receiving land use district are promulgated in §213-19 thru 21 for residential, commercial and manufacturing zoned districts.

- Noise levels within residential zoned districts shall not exceed 65 dBA or  $L_{10}$  of 60 dBA (between 8 am and 10 pm) and 55 dBA or  $L_{10}$  of 50 dBA (10 pm to 8 am)<sup>7</sup>. In addition, the levels are reduced for sound propagating devices and signals (noted above) by five decibels if the sound contains impulsive or discrete tone characteristics.
- In commercial zoned districts, noise levels shall not exceed 65 dBA or  $L_{10}$  of 60 dB at any time of the day, though between 10 pm and 6 am there is an additional standard that prohibits unreasonable noise regardless of whether or not such level exceeds the specified decibel levels. For reference, unreasonable noise is defined as any excessive or unreasonably loud sound made with the intent to or which recklessly creates a risk of disturbing the peace, comfort or repose of a reasonable person of normal sensitivities or causing injury to plant or animal life or damage property or business.
- In manufacturing districts, the noise levels are not to exceed 70 dBA for a duration of 24 hours per day. However, in addition to this general limit, manufacturing districts (M-1, M-2 and M-3) have specific decibel limits depending upon the neighboring zoning district (for residential and commercial zones which range from 60 to 65 dBA) and the same prohibition regarding unreasonable noise as noted above for commercial districts also applies.

In “noise sensitive zones,” there are special considerations which prohibit creation of noise exceeding 55 dBA provided that signs are displayed so as to identify such zones. Noise-sensitive zones are defined as an area adjacent to a site, including but not limited to any authorized school, church, senior citizen center, day-care center or areas adjacent to any hospital. It is noted that other than for hospitals, this standard applies only when facilities are in use.

The Noise Ordinance provides specific language and standards related to construction in Section 213-22<sup>8</sup> (including all activity necessary or incidental to the erection, demolition, assembling, altering installing or equipping of buildings, public or private highways, roads, premises, parks, utility lines, or other property, including but not limited to related activities such as land clearing, grading, earthmoving, excavating, blasting, filling and landscaping). The ordinance states that *“No person shall conduct, or permit to be conducted, construction activities in a manner as to produce a sound level exceeding the limitations in this section. Construction activities shall be defined as the erection, construction, reconstruction, demolition, or major repair of buildings: the excavation, clearing, filling, or grading of land; or the placement or removal of earth, stone or building material.”* Sound level limitations are provided below:

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<sup>7</sup>  $L_n$  is the percentile level, where  $n$  is any number between 0 and 100. The number designated by  $n$  corresponds to the percentage of the measurement time period by which the stated sound level has been exceeded.

<sup>8</sup> Amended 3-19-2002

In residential zoned districts:

- noise levels from a construction site shall not exceed an  $L_{10}$  of 70 db(A) when measured at a distance of 400 feet from the construction site from 8:00 a.m. to 7:00 p.m., Monday through Friday, and
- noise emanating from construction sites shall not be unreasonable during the following time periods:
  - from 10:00 a.m. to 5:00 p.m. Saturday and Sunday;
  - From 5:00 p.m. Sunday to 8:00 a.m. Monday;
  - from 7:00 p.m. Monday to 8:00 a.m. Tuesday;
  - from 7:00 p.m. to 8:00 a.m. Tuesday through Thursday;
  - from 7:00 p.m. Thursday to 8:00 a.m. Friday;
  - from 7:00 p.m. Friday to 10:00 a.m. Saturday;
  - from 5:00 p.m. Saturday to 10:00 a.m. Sunday; and
  - from 12:00 a.m. to 11:59 p.m. on state legal holidays,

It is noted that a noise level shall be presumed unreasonable for the purpose of this subsection if it can be heard beyond the perimeter of the property from which it originates).

In commercial/retail zoned districts:

- During normal business hours noise levels shall not exceed  $L_{10}$  of 75 db(A) when measured at a distance of 400 feet from the construction site; during other than normal business hours noise levels shall not exceed an  $L_{10}$  of 80 db(A) when measured at a distance of 400 feet from the construction site.

In manufacturing/zoned districts:

- During a 24 hour period, noise levels shall not exceed 80 db(A) when measured at the construction site boundary. (New York State recommendation. Construction workers are protected by the Occupational Safety and Health Act.)

### 3.9.1.2 Air Resources

#### *Existing Air Resources*

The 1970 Clean Air Act (“CAA”) required the Environmental Protection Agency (“EPA”) to establish National Ambient Air Quality Standards (“NAAQS”) for six principal pollutants; carbon monoxide (“CO”), nitrogen dioxide (“NO<sub>2</sub>”), ozone (“O<sub>3</sub>”), lead (“Pb”), particulate matter (“PM”), and sulfur dioxide (“SO<sub>2</sub>”). Under the requirements of the Clean Air Act, States are required to ensure that air quality levels do not exceed the NAAQS. Areas that exceed the NAAQS for any of the six criteria pollutants are designated nonattainment areas. Currently, Westchester County is a marginal nonattainment area for ozone (8-Hr Ozone 2008 standard). Accordingly, New York State has a State Implementation Plan (“SIP”), which describes plans for attaining and maintaining compliance with the NAAQS for ozone. It is noted that the area was also formerly a nonattainment area for inhalable fine particulate matter (“PM<sub>2.5</sub>”); however, on June 27, 2013, the NYSDEC submitted a redesignation request/maintenance plan to EPA for

the New York metropolitan area for PM<sub>2.5</sub><sup>9</sup> and this plan was approved by EPA on April 18, 2014<sup>10</sup>.

Air quality monitoring data is published by the New York State Department of Environmental Conservation (“NYSDEC”) Division of Air Resources for the continuous and manual ambient air monitoring systems that exist throughout the State to establish ambient air quality. Air quality data is compared to the NAAQS and New York State standards. There are no air quality monitoring stations in New Rochelle; however, regional air quality can be characterized from a review of data collected at the closest NYSDEC air quality monitoring stations. The nearest air quality monitoring station is located at 240 Orchard Street in White Plains, which is approximately 9.5 miles north of the Study Area. The next closest station is located at Conklin Orchards, South Mountain Road in Pomona (Rockland County) approximately 23 miles northwest of New Rochelle. Ozone (“O<sub>3</sub>”) and inhalable particulates PM<sub>2.5</sub> are measured continuously at both of these stations. The most recent ten years of available air quality monitoring data is available on the NYSDEC’s website through 2014.<sup>11</sup> **Table 3.9-3** provides the most recent reported annual air quality monitoring data for O<sub>3</sub> and PM<sub>2.5</sub>.

**Table 3.9-3-  
2014 AIR MONITORING DATA**

<b>Pollutant</b>	<b>Standard</b>	<b>White Plains Average 2012 -2014</b>	<b>Rockland County Average 2012 -2014</b>
PM <sub>2.5</sub>	Average of last 3 years' annual means not to exceed 15 µg/m <sup>3</sup>	Average of annual means: 7.6* µg/m <sup>3</sup>	Average of annual means: 7.3 µg/m <sup>3</sup>
	Average of 98 <sup>th</sup> percentile for last 3 years not to exceed 35 µg/m <sup>3</sup>	Average of 98 <sup>th</sup> percentile: 18.5 µg/m <sup>3</sup>	Average of 98 <sup>th</sup> percentile: 18.1 µg/m <sup>3</sup>
<b>Pollutant</b>	<b>Standard</b>	<b>White Plains Average 2012 -2014</b>	<b>Rockland County Average 2012 -2014</b>
Ozone	4 <sup>th</sup> highest maximum 8-hour average not to exceed an average of 0.075 ppm during the last three years	0.075	0.072

Notes: \* Includes annual mean for 2014 based on less than 75% available data - the Federal reporting standard.  
µg/m<sup>3</sup>: microgram per cubic meter

There are no major air emission sources in the City of New Rochelle which require a Title V or NY State Facility Permit. There are forty facilities that are authorized under NYSDEC Registrations, which are used for minor air emission sources such as heating sources for large

<sup>9</sup> <http://www.dec.ny.gov/chemical/92166.html>

<sup>10</sup> <https://www.federalregister.gov/articles/2014/04/18/2014-08747/approval-and-promulgation-of-air-quality-implementation-plans-new-york-state-redesignation-of-areas>

<sup>11</sup> 2014 Region 3 Air Quality Data: <http://www.dec.ny.gov/chemical/29311.html>

places of assembly (such as colleges), and other uses such as dry cleaners and auto service uses. **Table 3.9-4** provides a list of current air registrations in the City of New Rochelle and as August 2015, no violations are reported on any of the listed facilities.

**Table 3.9-4  
CURRENT AIR REGISTRATIONS IN NEW ROCHELLE**

<b>Registration</b>	<b>Location</b>
Centre Cleaners	62 Centre Street
Eric S Turner & Co	33-35 Center St
Iona College	715 North Avenue
New Rochelle Associates	60-70 Locust Ave
New Rochelle Stp	One Lefevres Lane
Ati Service Station: Remediation Site	569 North Ave
New Rochelle Service Ctr 2471	635 Main St
New Rochelle Auto Body Inc	43 Potter Ave
Rad Retail Corp	761 Main St
Getty Station 58121	67 Quaker Ridge Rd
Chris Diagnostic Inc.	46 Main Street
Amoco Station 73620998005	690 Main St
Sunoco Service Station	720 Main St
Power Test	44 Echo Ave
Beechwood Auto Body	111 Beechwood Ave
Ray Tamburo Auto Body Repairs	781 Main St
Auto Elegance	152 Webster Ave
Robs Auto Body	719 Main St
Expert Auto Body	18 Everett St
Amj Custom Collision Inc.	19 Beechwood Ave
Laser Framed Body Repair	74 Potter Ave
Tedesco Auto Body	320 Main St
Bobs Collision & Repairs	206 Main St
Green Heaven Cleaners	62 Centre Ave
Absolute Dry Cleaners	376 Pelham Rd
Teck Laundry Dry Cleaners	254 Washington Ave
Mayflower Cleaners	626 North Ave
New Care Cleaners	414 North Ave
Value Cleaners Of Ny	1335a North Ave
Quaker Ridge Cleaners	39 Quaker Ridge Rd
Luxor Valet Cleaners	389 Main Street
Onestop Pelham Cleaners	420 Pelham Rd
Wykagyl Cleaners Inc.	1286 North Ave

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Registration	Location
Han's Cleaners	554 North Ave
Speedy Cleaners	217 North Ave
Sunoco Station & Gasoline Retail Fac	71 Huguenot St
Pay & Save Cleaners	320 Webster Ave
Elite Cleaners	235 Main St
Rudy Auto Body	23a Pleasant St
Getty#58839	747 Main St

Source: US Environmental Protection Agency

The data indicates generally excellent air quality for the parameters in areas where monitoring is conducted and the full data for these stations and other area stations in NYSDEC Region 3 indicate a trend of general improvement in air quality for those parameters sampled, including ozone levels. Ground-level ozone is considered a secondary pollutant, since it is formed through a photochemical reaction between nitrogen oxides and reactive hydrocarbons (Volatile Organic Compounds) in the presence of elevated temperatures and ultraviolet light. The sources of the primary pollutants that form ozone include automobiles, trucks and buses, large combustion sources such as utilities, fuel stations, print shops, paints and cleaners, and engines (including construction and lawn equipment). Ozone level concentrations that exceed the NAAQS usually occur on hot sunny summer days with little to no wind. Implementation of more stringent emission controls and vehicle inspection requirements are strategies included in the SIP which are expected to contribute to the reduction of ozone concentrations. The present air quality in the vicinity of New Rochelle is expected to be excellent for the majority of the year, with the exception of a few days in summer when ozone levels are higher than normal.

The City of New Rochelle has made efforts to reduce ground level ozone consistent with the State Implementation Plan and had received a grant from NY State for traffic mitigation whose goal was improved air quality by improving flow and reducing queueing/idling vehicles optimizing the downtown one-way signal system and implementation of upgraded signal systems. The Traffic Circulation and Gateways to the City's Downtown Study has been substantially completed (May 2014) by the selected consultant team Nelson Nygaard and AKRF.<sup>12</sup> This study is also being supplemented to examine potential traffic related impacts associated with the Study Area. The study is intended to develop strategies for increasing pedestrian, bicycle, and transit access; as well as to develop welcoming gateways; and solidify connections to the City's downtown area. The implementation of the study is expected to result in improved traffic circulation and greater use of intermodal transportation opportunities, which ultimately will reduce air emissions as a result of vehicular transportation.

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<sup>12</sup> Nelson Nygaard, May 1014, Traffic Circulation and Gateways to the City's Downtown, City of New Rochelle, 1400 I Street Northwest, Washington, D.C.

### 3.9.2 Potential Impacts

#### 3.9.2.1 Noise

The downtown Study Area is urbanized and includes transportation systems, existing commercial, residential and other uses, and existing HVAC system in connection with these uses. The types of uses and density of development that can occur under the proposed Downtown Overlay District will not, in and of itself, generate significant levels of noise. As development occurs, the uses are not expected to change such that noise-generating uses will be prevalent (e.g., no heavy industrial uses are included) and so, the character of the noise environment is not expected to change.

For the uses envisioned under the Proposed Action, (including multifamily residential, office, retail, commercial, artisan workshops, hospitality, educational, healthcare and institutional development), the HVAC systems are the only significant source of noise to consider, and such systems will generally be located on the building roofs. New facilities with HVAC systems will be modern systems that are generally quiet in comparison to individual units and older systems (i.e., a new centralized HVAC system for a multiuse building is significantly quieter to individual window units or an old HVAC system). In addition, any new equipment such as air-conditioning units will be required to conform to Section 213-13 of the City Noise Control Ordinance.

The Department of Housing and Urban Development (“HUD”) establishes policy with respect to acceptable sound levels that are generally considered in connection with residential use and potential impacts. It is HUD's general policy to provide minimum national standards that are applicable to HUD programs so as to protect citizens against excessive noise in their homes. Under HUD Land Use Compatibility Guidelines, areas with  $L_{dn}^{13}$  of 65 dBA or less are considered generally acceptable for residential development. The assumption is that modern building construction would provide a minimum of 20 dBA of noise attenuation, thereby achieving an acceptable interior level of 45 dBA. Residential use is normally unacceptable for areas with  $L_{dn}$  of between 65 and 75 dBA; however, it is possible to further attenuate sound with specific window and wall materials. In general, based on **Table 3.9-2**, it is expected that background noise levels will be in the range of 60 dBA. If there are site/location specific noise considerations or if proposed uses within the Study Area may approach the guidance value of 65 dBA, site specific noise assessment and mitigation may be appropriate in connection with a site specific use. In consideration of suitability for noise sensitive uses and multi-family residential uses for areas adjacent to I-95, and main roadways with higher volumes/speed, noise generated by traffic should be considered in the design and construction of such uses to be located in the first three building stories (or in the case of I-95, two to three building stories above the height of the elevated roadway), as these units may have the potential for unacceptable noise exposure for residential use based upon HUD standards.

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<sup>13</sup>  $L_{dn}$  is the A-weighted day-night equivalent sound level defined as a 24 hour continuous  $L_{eq}$  with 10 dBA added to all signals between 10 PM and 7 AM to account for the extra sensitivity people have to noise during typical sleeping hours.

Several other factors influence sound levels at a receptor in relation to the street generated noise. In mixed-use portions of the development, where residential is above street level retail or office use, the elevated residential levels may experience less noise as a result of distance from the source, deflection and attenuation. Further, residential use that is placed within a block would take advantage of distance from the source and associated attenuation, and depending on placement of buildings, noise may be further reduced if there are intervening buildings that interrupt the path between street and receptor. These factors, along with the architectural design of buildings in terms of attenuation properties, must be considered based on a specific development proposal.

As new development is proposed, it is recommended that projects which incorporate residential uses that are located in any area where the HUD land use compatibility guideline of 65 dBA may be approached, be required to provide attenuation to achieve the HUD recognized interior guidelines, or that applicants provide a noise assessment to determine potential impact with respect to a site/use specific project and an appropriate level of attenuation.

Noise sensitive zones would include areas around a school, church, senior citizen center, day-care center or areas adjacent to any hospital. There are schools, churches and at least one day care center located within the Study Area. Should any proposed noise generating use be located in proximity to any of these uses, site and use specific noise assessment should be conducted. Since the Proposed Action for the most part allows uses that are currently allowed under the existing zoning, and since none of these uses are expected to generate substantial noise, impacts to noise sensitive zones are not expected.

As the Proposed Action is expected to encourage new development, noise due to construction will be generated. Construction related noise will be associated with demolition of existing buildings (where applicable), site preparation, and actual building construction which involve the use of heavy trucks, cranes and construction equipment. Noise levels during construction periods will be required to comply with the levels for construction sites set forth in Section 213-22 of City Code and enforced by the City of New Rochelle Police Department.

Based on Chapter 213-22, construction proximate to residential districts will generally need to be limited to daylight hours, since during other periods, noise levels considered unreasonable are not permitted (and in this case, noise is considered unreasonable if it can be heard beyond the perimeter of the property from which it originates). In residential districts, the noise ordinance is quite strict other than during weekday hours (and during this time period, generally speaking, the noise level may not exceed 70 dBA more than 10% of the time at a distance of 400 feet) and compliance with City Code will be required for construction proximate to the residential zones within and adjacent to the Study Area. In commercial districts, noise associated with construction sites is more strict during “normal business hours” (during which times the  $L_{10}$  may not exceed 75 dBA) and at other times may not exceed an  $L_{10}$  of 80 dBA (at 400 feet from the construction site).



**Table 3.9-5** provides sound levels of typical construction equipment in use at a distance of 50 feet.

**Table 3.9-5  
TYPICAL CONSTRUCTION EQUIPMENT NOISE LEVELS**

Item	Noise Level at 50' (dBA)
Air Compressor	81
Asphalt Truck	88
Backhoe	85
Compactor	80
Concrete Spreader	89
Concrete Mixer	85
Concrete Vibrator	76
Crane (derrick)	88
Dozer	87
Dump Truck	88
Front End Loader	84
Generator	76
Hoist	76
Impact Wrench (steel bunting)	88
Jackhammer (Paving Breaker)	88
Motor Crane	83
Pick-up Truck (light)	72
Pneumatic tools	85
Pump	76
Roller	80
Rock Drill	98
Scraper	88
Shovel	82
Truck (Medium and Heavy)	88

While it is typical for a number of pieces of equipment to be utilized during any time period, at a distance of 400 feet, sound levels attenuate greatly. By applying the inverse squared law, the levels that may be expected at a distance of 400 feet can be calculated. The loudest of noise generating equipment would likely be a rock drill, which has an associated sound level of 98 dBA at 50 feet. The use of this equipment would be temporary; however, it would need to occur in short periods, since under continuous use this level is reduced to approximately 79.9 dBA at 400 feet. For sites proximate to residential districts or noise sensitive zones, noise from rock drilling would require mitigation. For sites in commercial districts, rock drilling equipment would be required to occur outside of normal business hours when maximum noise levels are not to exceed  $L_{10}$  of 80 dBA, or during short intervals during normal business hours so as to comply with the overall  $L_{10}$  of 75 dBA. If longer periods of drilling are required, the use of a temporary

noise barrier system can be employed. Of the other equipment noise levels, the higher levels are generated by jackhammers, heavy trucks, and scrapers, whose levels are reported at approximately 88 dBA at 50 feet. Applying inverse square law, these levels are reduced to below 70 dBA at 400 feet.

As there will be no new major sources of noise other than construction related noise, which is temporary in nature and will be required to conform with the City Noise Control Ordinance intended to protect the well-being, health and welfare of New Rochelle citizens and protect quality of life, the Proposed Action is not expected to result in any significant adverse impacts with respect to noise.

### 3.9.2.2 Air Resources

The City is proactively addressing the need for improved traffic circulation through the Traffic Circulation and Gateways study. This is expected to increase use of intermodal transportation and ultimately reduce vehicular air emissions. Likewise, the Transportation analysis (Section 3.5) in this DGEIS identifies mitigation to reduce congestion, thus improving air quality.

Under current and future conditions, the sources of air emissions located within the Study Area are generally related to vehicle emissions, including truck, automobile and train traffic as well as stationary sources which require registrations through the NYSDEC and existing heating, ventilation, and air-conditioning (HVAC) systems. As noted, the only NYSDEC regulated establishments within the City are under the lowest emission level regulated by the NYSDEC (such as dry cleaning and automobile repair shops). While the achievement of the Theoretical Development Scenario under the Proposed Action has the potential to result in an increase in the level of development as compared to development under existing zoning, the development mix is not inconsistent with the type of development permitted under the current zoning. The uses that are permitted under the existing zoning and proposed DOZ would not result in major sources of air pollutants and any uses would be required to comply with NYSDEC regulations where needed, just as such uses would be required to comply under current zoning. In addition, development under the DOZ includes design elements and incentives that will be inherently beneficial in terms of air quality, including elements which encourage reduced vehicular trips and walkability, shared parking, car sharing, the provision of electric vehicle charging stations, and payments to transit funds, all which would contribute to a reduction in greenhouse gas emissions. Also, implementation under the DOZ will create a pedestrian friendly mixed-use walkable environment that will encourage a reduction in vehicular use, as people will opt to walk to transit, home, work, shopping, entertainment and other uses.

Following adoption of the new Downtown Overlay Zone and during implementation of development approved under the new zoning, there could be the potential for localized impacts in air quality resulting from construction related activities, most typically related to dust generated during earthwork. While this is not expected to vary from construction activities occurring under the present zoning, standard procedures may be required as a condition of approval to require use of water trucks to mitigate dust impacts during grading and site

preparation (see **Section 3.10**). In addition, sites would be required to be stabilized following construction or during delays in construction if they occur. Such mitigation measures would minimize impacts to the maximum extent practicable during and following construction.

While future site developments may require oversight by the NYSDEC for regulated facilities (as would be required under the current zoning), the Proposed Action is not anticipated to result in a significant adverse impact on air quality.

### 3.9.3 Mitigation Measures

While no mitigation is required for the Proposed Action, which involves the adoption of the proposed zoning amendments, future review of site specific plans for development under the proposed zoning amendments may require mitigation measures which are described below.

- All activity within the downtown Study Area and New Rochelle in general must conform with Chapter 213 of the City Code which defines and regulates “unreasonable noise.” Air-conditioning and air-handling devices are regulated under Chapter 213-13. Sound levels by receiving land use district are promulgated in Chapter 213-19 through 21 for residential, commercial and manufacturing zoned districts. All construction activities shall be conducted in conformance with Chapter 213-22 of the City Code. For projects where rock drilling is required (or other activities in which the duration and levels exceed permitted levels), a construction noise plan will be employed for protection of workers and for compliance with the provisions in Chapter 213-22 for construction sites. Such conditions are not expected; however, this provision will be invoked if rock drilling is encountered.
- If there are site/location specific noise considerations or if proposed uses within the Study Area may approach the guidance value of 65 dBA, site specific noise assessment and mitigation may be appropriate in connection with a site specific use.
- Projects including residential uses located adjacent to high volume roadways (including I-95) should be designed to provide sufficient attenuation of noise to achieve the HUD recognized interior guidelines, or provide noise assessment to determine potential impact with respect to a site/use specific project and an appropriate level of attenuation.
- Noise sensitive zones would include areas around a school, church, senior citizen center, day-care center or areas adjacent to any hospital. There are schools, churches and at least one day care center located within the Study Area. Should any proposed noise generating use be located in proximity to any of these uses, site and use specific noise assessment should be conducted. Since the Proposed Action for the most part allows uses that are currently allowed under the existing zoning, and since none of these uses are expected to generate substantial noise, impacts to noise sensitive zones are not expected.

- Implementation of the Traffic Circulation and Gateways to the City's Downtown Study is expected to assist in reducing automobile dependence and therefore reduce vehicle emissions.
- Phased implementation of mitigation measures identified in the traffic analysis, **Section 3.5** of this DGEIS, is expected to reduce congestion and maintain or improve air emissions related to vehicular traffic.
- Comply with NYSDEC Title V air permit requirements if applicable, though such uses are not expected.
- Perform individual site/use specific air impact analysis for any future site plan applications that may warrant such analysis, though such uses are not expected.
- Mitigate fugitive dust related to construction activities using proper construction management techniques, erosion control measures, wetting of excessively dry soils, and conformance to City nuisance and construction requirements under the Code.

### 3.10 Construction

#### 3.10.1 Existing Conditions

Construction-related activity is expected to be an inevitable occurrence in the downtown area as businesses turn over, buildings are replaced and new land use projects are established. Construction and redevelopment of older sites would be expected to occur with or without the Proposed Action. The City regulates construction activities through the building demolition and building permit process, whereby site specific construction plans are reviewed.

There are commercial sites within the Study Area that may currently or may historically have stored or utilize hazardous substances (as defined by the NY Environmental Conservation Law § 27-0901). Such uses include gas stations, auto repair, certain manufacturing, dry cleaners, etc. Storage and use of toxic and hazardous materials can present a potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed. Given the age and historic use of many of properties within the Study Area, preparation of a Phase I Environmental Site Assessment (“ESA”) is recommended to identify areas of Recognized Environmental Conditions (“RECs”) prior to initiation of demolition or redevelopment activities. Detailed investigations for lead paint, asbestos, and other hazardous materials and their removal and disposal in accordance with applicable governmental regulations will be required to be undertaken prior to any building demolition or renovation. **Section 6.0** provides information regarding future actions.

##### 3.10.1.1 Construction-Related Vehicle and Traffic Considerations

The Study Area is served by a network of existing roadways that provide access to individual construction sites; the roadways to be used will be determined on a case-by-case basis as site-specific development occurs. Primary access for construction vehicles will be via Interstate I-95, which will route vehicles to the network of roads within the Study Area that create blocks and street frontage that serve individual sites. Huguenot Street and Main Street (U.S. Route 1) provide the primary east/west connections to Interstate I-95 via Boston Post Road and Cedar Street/River Street, and North Avenue and Memorial Highway provide the primary north/south access to Huguenot and Main Street (U.S. Route 1).

#### 3.10.2 Potential Impacts

Construction will occur with or without the Proposed Action; however, it is recognized that the zoning amendments are being advanced in order to stimulate beneficial redevelopment and revitalization of the City of New Rochelle. As a result of the adoption of the proposed zoning amendments, the pace of construction may be increased. This is a planned and desired result of the Proposed Action as sites are assembled and new development is conceived and implemented.

It is noted that construction is a short-term, temporary impact; however, given the magnitude of redevelopment that is expected to occur as a result of the proposed zoning amendments,

construction is expected to cause localized inconvenience and increased activity proximate to individual construction sites. Further, construction impacts from multiple sites may combine to increase the inconvenience and level of activity. These factors can be managed and will be controlled through the City of New Rochelle's building and demolition permit review and regulations.

Construction may include development of sites that are currently owned by the City, and of privately-owned sites located within the DO Zones. (Construction may also occur in conformance with the existing underlying zoning.) Construction would be expected to occur over a ten-year peak construction period. Since construction and redevelopment would occur on a site-by-site basis, based upon the decisions of individual property owners and in response to market demand, neither a schedule nor a sequence of development can be realistically determined at this time. The geographic extent of impacts during construction would depend upon the location of a specific project, the scale of the project, and specifics of the particular project design (including but not limited to: building height, bulk, parking facilities, length of construction schedule, etc.). Generally, the larger the project, the larger the area of potential impact. The scale and nature of each project would also contribute to the spatial extent and duration of potential impacts related to street closings, areas needed for worker parking, material storage and staging areas, etc.

All building construction including redevelopment is regulated under City Code Chapter 111, which requires building permits and oversight by the Bureau of Buildings. The building permit process provides for conformance with building code requirements, and special provisions as needed to ensure that building occurs in a manner that causes the least disruption possible. Site-specific construction management plans for construction activities will be required on a case-by-case basis as each site-specific development proposal is proposed and reviewed. Such mitigation plans would take into account any other known or planned construction that could combine to increase the area of influence and therefore require special construction management considerations. Best management practices for construction management and planning can assist in mitigating potential impacts from multiple construction projects within the vicinity. Such best management practices will include site access management, traffic and parking management, construction materials staging plans and vehicle staging emission control plans, restrictions on hours of operation and noise generation, erosion and dust control, protection of City streets from damage, and establishment of blasting protocols/management. The level and type of construction management plan would be determined during the site plan and building permit review process and will be monitored by the City Bureau of Buildings. Best management practices for construction are discussed in greater detail below.

Redevelopment sites involving construction will require some level of review to determine if there is concern with respect to contamination, system abandonment, tanks and/or demolition-related impacts. Phase I ESA investigations are typically required for any bank lending or pre-purchase due-diligence. The Phase I ESA may identify RECs that would warrant further investigation in the form of a Phase II ESA (e.g., soil, sediment or groundwater testing). The City and Westchester County Department of Health ("WCDOH") agencies oversight and bank lending practices provide assurances that all appropriate measures will be taken to address such

issues as floor drains, tank installations, asbestos abatement and lead based paint, as well as other potential undiscovered issues. The findings from Phase I ESAs, and subsequent investigations of RECs (Phase II ESAs) would be used to create a Remedial Action Work Plan(s) which would include all mitigation necessary to ensure that the redevelopment is compliant with all Federal, State and Local regulations and guidelines and that it is protective of human health and the environment. The documentation of systems to be abandoned, testing prior to abandonment, and appropriate agency oversight of remediation/abatement is required to ensure all RECs are properly managed.

Site redevelopment may cause erosion and sedimentation that could potentially impact the surrounding area. The Study Area is characterized by relatively flat topography, and the block-type setting would tend to limit potential impacts to localized areas, immediately adjoining properties and roads. The potential for this impact occurs only during periods when soils on a site are exposed and/or placed in such a way that rainfall could cause sediment transport. Therefore, the potential for this impact is short-term for each construction site. Sediment and erosion control plans will be required for building demolition and construction of new buildings. Additionally, NY State requirements under New York State Department of Environmental Conservation (“NYSDEC”) State Pollutant Discharge Elimination System (“SPDES”) General Permit for Stormwater Discharges from Construction Activity (GP 0-15-002) will be adhered to for stormwater permits as administered by the City and pursuant to Chapter 215 of the City Code. For those sites where such measures are required, the filing of a Notice of Intent, erosion and sedimentation control plans, Stormwater Pollution Prevention Plan (“SWPPP”), site construction monitoring and a Notice of Termination once complete, would ensure that potential impacts from stormwater are properly managed. Demolition, excavation and grading activities may cause fugitive dust to be raised from construction sites. Potential fugitive dust would only be generated during hours when construction activity occurs. Management techniques include the use of water spray to control dust, and avoidance of dust-generating activities during periods of excessively high winds. Erosion and sedimentation control measures, including dust control can be required and implemented at construction sites where there is a concern with respect to erosion, and would be specified on a case-by-case basis for each site-specific application.

Site redevelopment may cause potential for noise impacts as a result of equipment operation, demolition and increase activity levels (see DGEIS Section 3.9 for further discussion of noise) . The Noise Ordinance provides specific language and standards related to construction in Section 213-22<sup>1</sup> (including all activity necessary of incidental to the erection, demolition, assembling, altering installing or equipping of buildings, public or private highways, roads, premises, parks, utility lines, or other property, including but not limited to related activities such as land clearing, grading, earthmoving, excavating, blasting, filling and landscaping). Noise generating activity would not be expected to occur on weekends; therefore potential impact to religious activities would be minimized during periods of worship and services. Noise generating activity which occurs proximate to uses identified as sensitive (i.e., schools, churches, senior citizen center, day-care center or areas adjacent to any hospital) may require further considerations to limit

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<sup>1</sup> Amended 3-19-2002

potential impacts. The potential for noise proximate to sensitive receptors will be addressed as part of a site-specific construction management plan. Further, noise-generating activities are short-term impacts that would be limited to period of demolition, excavation and potentially during erection of external building components. Once buildings are enclosed and interior work commences, the potential for such noise impacts at a given site would be reduced or eliminated. Consequently, this potential impact can be limited and managed through existing City Code requirements and is considered a temporary impact.

Bedrock is located within the Study Area, which may require blasting for building preparation and the installation of subsurface structures such as subsurface parking. To minimize impacts from necessary blasting activities, all blasting work would be performed by licensed contractors under an established blasting protocol. The blasting protocol would include best management practices including storage, handling and transportation of explosives, and proper noticing, signage and safety procedures for firing of explosives. Pre-construction condition surveys will be required to be conducted for buildings and other vibration sensitive structures within approximately 250 feet of blasting, and vibration monitoring would be conducted during construction. Additionally, the site applicant would be required to contact any establishments that may be impacted by noise and/or vibrations to provide a blast schedule and contact information. Blasting activities require a blasting permit from the New Rochelle Fire Department as regulated under Chapter III, Section 281-44 of the City Code.

There is a potential for impact on traffic movements in the downtown area during construction activities due to deliveries of building materials, construction worker arrivals/departures, etc. These impacts would be managed under the building permit issued in conformance with City Code, and by the terms of a Construction Traffic Management Plan, which may specify routes that would reduce impacts to roadways, options for the redirection of traffic at times or locations of particularly intense construction traffic, coordination of traffic measures with other adjacent or nearby construction sites, and staging of construction activities within the site to avoid activity on public streets as much as possible. It should be noted that the grid pattern of streets within the Study Area provides options to design and implement measures to redirect traffic from areas proximate to construction activities. Impacts on traffic movements would be temporary and related to specific activities occurring on a given construction site during a given construction period. While temporary inconveniences are expected, traffic impacts can be controlled and minimized through management plans.

Some of the potential construction sites will involve lands currently owned by the City where parking is used or leased by government agencies, offices and local businesses. It is acknowledged that impacts will occur with respect to displacement of parking capacity to other locations in the downtown area while construction is occurring. These impacts can be addressed by implementation of a Parking Management Plan, which would specify locations of alternative parking, with signage, striping, etc. for driver convenience and efficiency of traffic flow; underutilized lots can be leased or made available on a short-term basis for displaced parking. The City will work cooperatively with businesses and office uses in the downtown to devise and implement such measures. Finally, the impact of displaced parking on the traffic flow in the



Study Area will be temporary in duration and will be limited in extent, and the displaced parking capacity would ultimately be replaced on a long-term basis.

There is potential for damage to local roads during construction due to truck traffic, equipment movements, etc. Damage will be repaired by each site-specific applicant as a part of their respective conditions of site plan approval. Such repairs would be conducted under a construction bond established by the applicant, which is a routine matter that is administered by the Bureau of Buildings.

### 3.10.3 Mitigation Measures

While the Proposed Action requires no mitigation, future site specific development may require the following mitigation measures.

- City Code Chapter 111 addresses building construction requirements, including the requirements for building permits for any and all building construction. This permit provides a means to ensure that building activity is managed on a site-by-site basis.
- Noise generated by and during construction activities will be regulated by City Code Chapter 213, which limits the period when such noises may be generated based on zoning.
- Blasting activities require a permit from the New Rochelle Fire Department as regulated under Chapter III, Section 281-44 of the City Code.
- A Construction Management Plan may be required for each site-specific development project under the proposed action. Such a plan would be comprised of a number of lower-order plans as necessary, and may include a Construction Traffic Management Plan, an Erosion Control Plan, SWPPP (for disturbances of one acre or more), a Parking Management Plan, Blasting Protocol and/or a Remediation Plan.
- If practicable, construction accesses/exits will be located onto major roadways in order to minimize the potential for impacts on pedestrian safety, as well as to mitigate potential impacts on the use and operation of local, neighborhood streets. Implementation of these measures would be the responsibility of the construction manager, subject to the approval of the Bureau of Buildings.
- To the extent practicable, construction equipment loading/unloading areas, materials storage areas, construction staging areas and construction worker parking areas will be located within each construction site. Implementation of these measures would be the responsibility of the construction manager, subject to the approval of the Bureau of Buildings.
- Damage occurring to roads during the construction process will be repaired under a construction phase bond to be established as a condition of the site plan approval for each site-specific proposal.

- Individual projects under the proposed action will be required to prepare an Erosion Control Plan, and if applicable under Chapter 215 and as required by the NYSDEC (for land disturbances of one acre or more), a SWPPP. Such a plan would include specific measures to minimize the potential to raise dust, and erosion and sedimentation control measures including but not limited to, use of groundcovers, drainage diversions, soil traps, water sprays to minimize the time span that bare soil is exposed to erosive elements and prevent sediment from tracking onto adjacent roadways and properties.
- Surface and subsurface soil will be disturbed during grading operations on construction sites. Re-use of as much of this material on-site as practicable, as fill, would also reduce the need for (and impacts from) truck trips to remove this material.
- A Parking Management Plan may be required by the Planning Board and/or Bureau of Buildings as part of the site plan or building permit application review for each site-specific project prepared under the proposed action.
- A Remediation Plan for the RECs may be required, to be based on the presence (if so determined) of underground tanks, asbestos-containing materials, lead-based paint or other appropriate materials. If such materials are discovered, each would be properly evaluated, removed and disposed of according to the protocols, procedures, standards and documentation requirements of the appropriate supervising entity, such as WCDOH, NYS Department of Labor, County Fire Marshal and/or NYSDEC.

## **SECTION 4.0**

# **OTHER ENVIRONMENTAL IMPACTS**

## 4.0 OTHER ENVIRONMENTAL IMPACTS

### 4.1 Unavoidable Adverse Environmental Impacts

The Proposed Action itself is the adoption of zoning amendments and would not result in any direct physical impacts. The Study Area and proposed adoption of zoning amendments have been characterized, and a Theoretical Development Scenario has been outlined for the purpose of SEQRA analysis. The potential adverse impacts of both the zoning and the Theoretical Development Scenario have been disclosed and assessed, and mitigation measures have been identified. Potential adverse impacts have been quantified and discussed; for those adverse impacts that cannot be quantified, qualitative discussions have been provided in **Section 3.0** of this document.

The Proposed Action involves amendments to the existing City of New Rochelle Zoning Code and Zoning Map Amendments. The Proposed Action is a form-based zoning code that is intended to stimulate revitalization of New Rochelle through appropriately planned growth and redevelopment. It is noted that the Overlay Zones are optional and the underlying zoning will remain in effect; however, the DOZ will provide incentives for redevelopment consistent with the provisions of the zoning. Based on the Theoretical Development Scenario, site-specific impacts which may occur as a result of these regulatory changes will involve physical alterations in conformance with the optional zoning provisions. It is premature to evaluate impacts associated with the development of any individual site since no specific projects are proposed. The Code and Map amendments are intended to implement the planning initiatives of the City as embodied in the Recommended Action Plan and prior land use policy documents set forth in **Section 3.0** of this DGEIS. Should the zoning amendments be adopted by the City Council, it is recognized that redevelopment would be expected to occur, as that is the intended result of the Proposed Action. Potential physical impacts resulting from possible development or redevelopment (based on a Theoretical Development Scenario, see **Section 2.0**) were analyzed in **Section 3.0** of this document. The potential adverse impacts that were identified in connection with the Proposed Action that may occur as a result of the Proposed Action will be minimized where possible, but this section acknowledges those adverse impacts that may still occur, as follows:

- Despite the planned measures to mitigate potential fugitive dust impacts during construction (such as soil wetting, etc.), temporary increases in the potential for fugitive dust may still occur. Such conditions would be temporary and controlled as well as possible at the source through Building Department oversight and proper construction management techniques.
- Temporary increases in truck traffic and noise will occur during the construction period of each property. Activity will be conducted in conformance with City requirements for construction hours and noise management and site specific measures at the discretion of the Building Department which may be warranted to manage individual construction sites.
- There will be increases in vehicle trips generated on area roadways, with consequent impacts on the LOS at these intersections (though mitigation would be required at these

locations). Traffic mitigation will be a parameter for establishment of thresholds and conditions in the Statement of Findings.

- There will be an increase in wastewater generation; however, Westchester County has sufficient capacity in the New Rochelle Wastewater Treatment Facility (“WWTF”); measures to reduce inflow and infiltration (“I&I”) are recommended to be implemented to reduce existing flow volumes within City sewer mains and to the County WWTF.
- There will be an increase in generation of stormwater; however, the City of New Rochelle seeks on-site storage and is reducing illicit discharges and I&I to the stormwater system.
- There will be increases in water use; however, United Water has sufficient water supply, but requires distribution system upgrades to deliver the water supply to new development areas.
- There will be an increase in refuse generation; however, measures will be taken to reduce solid waste through individual site recycling, contracting with private carters to reduce burden on City services, and examination of the use of “In Vessel” compactors at large new facilities.
- There will be an increased demand for emergency services (police, fire, and associated ambulance services). This increased demand will be partially offset by increased taxes generated. The City of New Rochelle provides police/fire services and acknowledges existing deficiencies and that additional revenues from revitalization may benefit the police/fire departments, provided fair share mitigation is employed to provide supplemental revenues for increased service needs. Ambulance services are contracted by the fire district and will respond to the increased need for services. Service providers have been contacted and will provide further input through the SEQRA process.
- Based upon the WXY Capacity Study (Appendix E-5), it was determined that impacts requiring mitigation would occur for Trinity Elementary and New Rochelle High School (see Section 3.3.2.7). Tax revenue will be generated that will also assist in partially offsetting potential impacts.
- There will be increased demand for energy services (electricity and natural gas); however, the Study Area is served by existing electric and gas utilities and service providers are expected to provide service through their rate/tariff structures. In addition, the City of New Rochelle received a grant to study a microgrid for energy sustainability through the New York State Energy Research and Development Authority. This will facilitate a future initiative to create a standalone energy system to provide energy during outages through an integrated renewable and other advanced energy technology system for local energy needs.

The above list identifies unavoidable adverse impacts in terms of those impacts that may occur, many of which are minimized by the measures identified above and in **Section 3.0** and outlined above. It is expected that Fair Share Mitigation will be used for City of New Rochelle services that can be managed under City control. This would apply to wastewater conveyance, stormwater management and refuse collection. Westchester County facilities receive wastewater and refuse, and measures to reduce flow and waste stream will assist in allowing the County to accommodate the increased waste within the capacity of existing facilities; nevertheless, increases in development related waste will occur. Assistance to school services will be addressed through funding sources for target improvements to accommodate additional students.

Though increased energy use is expected, energy providers are expected to be able to accommodate demand under their rate/tariff structures and future initiatives and current development practices will reduce the rate of increase of energy demand. **Section 6.0** identifies Future Actions that include thresholds and conditions to ensure that the mitigation measures identified in **Section 3.0** are implemented to ensure that potential environmental impacts do not occur and that unavoidable adverse environmental impacts are minimized.

## 4.2 Irreversible and Irretrievable Commitment of Resources

This subsection is intended to identify those natural and human resources discussed in **Section 3.0** that will be consumed, converted or made unavailable for future use as a result of the Proposed Action. Given the urbanized and highly developed character of the Study Area, there are few natural resources that would be disturbed from any site-specific development that is pursued subsequent to the zoning's adoption. Irretrievable and irreversible commitment of resources involves primarily the commitment of natural resources in any building products used in construction, and consumption of energy.

As described throughout the DGEIS, the Proposed Action embodies sustainable planning by situating the highest density and intensity of residential and nonresidential development within walking distance of an existing transit center. Further, it is anticipated that one of the community benefits will promote energy efficient design and development by incorporating green infrastructure improvements, energy efficiency and LEED<sup>®</sup> standards classification and/or LEED<sup>®</sup> equivalent development components. Future private development that will rely on publicly supported infrastructure will be required to comply with New York State Smart Growth Public Infrastructure Policy Act. Proposed development is anticipated to involve consolidation of properties to provide more coordinated development than would occur under current zoning, and the mixed-use concept will ensure that residents of the area have access to employment opportunities within the Study Area, as well as access to mass transit, which will ultimately reduce inefficiencies associated with development under existing zoning. Also see **Section 4.4** for additional discussion of energy use and conservation.

Nevertheless, the Proposed Action will result in irreversible and irretrievable commitment of resources, as follows:

- Material used for construction of the Theoretical Development Scenario, including but not limited to: wood, asphalt, concrete, fiberglass, steel, aluminum, etc.
- Energy used in the construction, operation and maintenance of the Theoretical Development Scenario, including fossil fuels (i.e., oil and natural gas).

## 4.3 Growth-Inducing, Secondary and Cumulative Impacts

Growth-inducing effects cause or promote additional development, either due directly to the development itself (i.e., “primary” effect), or indirectly, as a result of a change in the population, market demand or potential for development in that community (i.e., “secondary” effect). A primary impact may include, for example, the installation of sewer infrastructure to serve a new development which increases the capacity for future development. A secondary, or “indirect” impact is one which is reasonably foreseeable, occurs at a later time or at a greater distance, and is likely the result of the Proposed Action. Secondary impacts can be of a wide variety and may include growth inducing impacts. For example, the construction and operation of an office building may result in off-site demand for a service facility or related business.

By design, the Proposed Action, i.e., zoning amendments, are intended to stimulate growth within the Study Area by creating a regulatory framework which favors development. It is a goal of the City Council to provide for the type and quality of development in the Study Area necessary to improved social and economic conditions as set forth in the RAP (see **Section 2.0**).

The site-specific development that would result from the Proposed Action would have secondary effects. The intent of the Proposed Action is to provide incentives to attract appropriate and complementary uses to a downtown setting, within walking distance of public transportation, and to provide opportunities for beneficial economic growth and investment in an existing downtown in need of revitalization. The proposed zoning amendments use an incentive based system to encourage development, which is anticipated to have growth inducing impacts, consistent with the goals of the RAP. It is anticipated that the Proposed Action would contribute to an increase in activity for the existing local businesses from the increased customer base arising from the increased number of residents. New employment opportunities associated with the office, retail and service-oriented spaces will be substantial, with associated beneficial economic and fiscal outcomes.

Construction of various uses will induce short-term employment opportunities. It is estimated that the Theoretical Development Scenario could create a significant number of full time equivalent construction jobs over a multi-year period (see **Section 3.4**, Socioeconomic for a full account of construction and operational jobs and beneficial economic ripple effect). These jobs may be filled first from within the local labor pool. These job opportunities would not require relocation of specialized labor forces or influx of large businesses from outside the area to provide construction support. As a result, construction job-related effects of the Proposed Action are expected to be beneficial and significant, though temporary in duration.

In the long-term, operational jobs will also provide significant employment opportunities as growth occurs and new businesses are established. There has been significant public interest expressed that jobs generated by the development be available first to local residents of New Rochelle, particularly the city's disadvantaged. The RAP recommends that the City launch a new comprehensive job training and placement program in connection with the development. RDRXR would recommend that the City procure a not-for-profit, mission-driven partner to administer and which would be designed to provide local residents with the skills that they need to secure employment and then would work to place those trained in the program in jobs created throughout the development process, as well as in other employment opportunities found in New Rochelle. Through this program, New Rochelle would not only ensure that its citizens are well-positioned to take advantage of the economic activity to be generated by development, but would also signal to the marketplace a commitment to providing prospective employers with a well-trained workforce -- an important attraction tool. Funding for the program could be covered by fees generated by development in the Downtown and elsewhere in the City.

Development associated with the Proposed Action will place demand on utilities. Electrical and natural gas services are generally available throughout the Study Area. Significant expansions of these utilities beyond what is planned for project related redevelopment are not expected, though lesser improvements (e.g., individual service connections) are expected.



It is expected that the Proposed Action would create demand for, and lead to the expansion and improvement of, community facilities serving the Study Area. The cost to meet this increased demand would be offset by property tax revenues and fees that would be generated from site-specific developments. These community service enhancements will benefit the overall City community and support existing programs and special districts for the use and enjoyment of the entire community.

In assessing the significance of growth that may result from the zoning and anticipated future redevelopment, several factors should be considered:

- 1) New Rochelle of the past had higher population numbers which are now being approached as the City experiences renewed growth. Population trends over the past 50 years have seen a drop in population from a peak in 1960, to 2010 when the 1960 population was finally exceeded. Though future growth is expected, current population is not substantially greater than the 1960 population as noted below:<sup>1</sup>

<u>Year</u>	<u>Population</u>
1960	76,812
1970	75,385
1980	70,794
1990	67,265
2000	72,182
2010	77,062

- 2) There is currently existing development that will be removed to accommodate new development, thus decreasing the incremental increase in growth;
- 3) Existing zoning would permit a large increase in growth; the Theoretical Development Scenario for the next 10 years is less than what would be allowed under existing zoning with existing bonus incentives;
- 4) Planned growth is consistent with the existing City of New Rochelle Comprehensive Plan and the Recommended Action Plan for the downtown area;
- 5) The downtown overlay initiative is centered on transit, walkability, creation of a “sense of place” and establishment of living opportunities in proximity to retail, recreational resources and employment, thus reducing dependence on automobiles and providing for a more sustainable form of development.
- 6) Growth is needed to revitalize the downtown and provide stable social and economic conditions as well as improved environmental management through properly planned growth.

In balancing the assessment of growth and its impacts, the “triple bottom line” of responsible growth through social, economic and environmental factors is critical. The factors noted above would lead to a finding that existing development is present in the old urbanized areas of New

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<sup>1</sup> "Census of Population and Housing". Census.gov; [https://en.wikipedia.org/wiki/New\\_Rochelle,\\_New\\_York](https://en.wikipedia.org/wiki/New_Rochelle,_New_York).

Rochelle, and that the properly planned revitalization that is expected to cause some incremental increase in growth is beneficial.

#### **4.4 Energy Use and Conservation, and Greenhouse Gas Emissions**

##### **4.4.1 Energy Use and Conservation**

To a large extent, the zoning and map amendments promote energy use and conservation through consistency with sustainable transit-oriented design siting practices. The zoning and map amendments are consistent with the City's GreenNR Sustainability Plan. The implementation measures of the Sustainability Plan's goals include transit-oriented growth. One of the plan's principal goals, by 2030, is to "site at least 95% of new housing units within walking distance of mass transit, including at least 65% of new housing units within 1/2 mile of the New Rochelle Transit Center."

It is acknowledged that energy consumption will increase from site-specific developments that are constructed in accordance with the proposed zoning and map amendments. However, new building construction in New York State is required to conform to applicable statewide energy codes. The New York State Energy Conservation Construction Code is promulgated by the State Fire Prevention and Building Code Council pursuant to Article 11 of the New York State Energy Law. The New York Energy Code is contained in Title 19 of the New York Codes, Rules and Regulations ("NYCRR"), Part 1240, and in the publications incorporated by reference in 19 NYCRR Part 1240. As of January 1, 2015, an update to the commercial provision of the Energy Conservation Construction Code of New York State ("ECCC") is now in effect. The ECCC addresses the design and construction of energy-efficient building envelopes and the installation of energy-efficient mechanical, lighting and power systems through requirements emphasizing performance. The ECCC establishes minimum requirements for energy-efficient buildings using prescriptive and performance-related provisions. It makes possible the use of new materials and innovative techniques that conserve energy. The Residential Energy provisions are found in the 2010 Energy Conservation Construction Code and Chapter 11 of the Residential Code of New York State. Multiple compliance paths are given in Chapter 4 of the ECCCNY 2010, and in Chapter 11 of the RCNYS 2010.

Buildings associated with the Proposed Action will be constructed in compliance with the above regulations and standards, which will minimize energy use. Standards apply to the use of energy-efficient building materials (e.g., insulation, windows, weather stripping, door seals, etc.) and mechanical systems (e.g., air conditioners, heating systems, HVAC systems, water heaters, heat pumps, etc.), which minimize the amount of energy required. Incorporation of such measures is not only required by New York State, but is an economical building practice, particularly in light of the increasing cost of energy resources.

New York State Environmental Conservation Law requires that water-saving plumbing fixtures, including fixtures such as a sink faucet, lavatory faucet, shower head, drinking water fountain, urinal or toilet and associated flush valve, be installed only if they meet water conservation flow

standards. Installation of low-flow toilets, showers, sinks and equipment reduce unnecessary water loss, which translates into conservation of the energy resources required to heat some of this water.

To ensure that the Energy Code is enforced at the municipal level, the City of New Rochelle has implemented a green building permitting process based on the New York State Energy Conservation Construction Code. The City's new process will help promote energy efficiency and reduce greenhouse gas emissions, while also protecting the rights and interests of home and business owners. The City's website presents energy efficiency goal, specifically, to ensure that energy-efficiency standards are met, the City has developed two checklists covering all the energy efficiency requirements of State law. The first is to be verified by the City's Building Inspector. The second will be verified by the architect or engineer of record and be incorporated into the Affidavit of Compliance which must be submitted to the City before the issuance of a Certificate of Occupancy. With the use of verifiable checklists, the City can ensure that construction home and business owners receive the benefit of energy savings, consistent with the City's policies.

Importantly, the RAP envisions that the density bonuses incorporated into the zoning and map amendments will include a community benefit for buildings that are constructed in accordance with LEED standards. The following general energy-conserving measures are expected to be incorporated in the new construction:

- Utilize energy-efficient and cleaner-burning natural gas systems; consider alternative heating/cooling methods including geothermal, heat pumps and/or solar roof systems.
- Reduce energy consumption through use of superior building insulation materials (i.e., insulations, windows, weather stripping, door seals, etc.).
- Utilize water-saving devices such as low-flow toilets, automatic faucet shut-offs and related equipment would to reduce unnecessary water loss and resultant pumping energy loss.
- Utilize energy-efficient low wattage bulbs for facility exterior illumination and interior lighting wherever possible.
- Incentive-based use of "green development" options such as green roofs, grey-water and rainwater recycling, roof gardens, community gardens, etc. in accordance with the GreeNR Sustainability Plan goals.

As discussed above, it is expected that future site-specific development undertaken in conformance with the Proposed Action will incorporate substantial energy-saving features, which may include building materials, site and project layout and design characteristics, mechanical systems and use procedures. However, as there are no site-specific development applications, a specific roster of these features is not available.

In terms of short-term impacts, there will be an increase in energy use during future site-specific construction activities. These impacts are expected to be of short duration and the timeframes would depend on the magnitude of the project being constructed.

#### 4.4.2 Greenhouse Gas Emissions

Energy generation and demand associated with development constructed in accordance with the Proposed Action is anticipated. Related to this is the generation of gaseous emissions from power sources and from the buildings to be built in the DO Zones (other potential air resource assessment is provided in **Section 3.9**). These emissions are a scientifically well-established contributor to global climate change through a mechanism known as “the greenhouse effect,” and are termed “greenhouse gases.” The following description and discussion of greenhouse gasses (“GHG”) is taken from the document, “*Guide to Assessing Energy Use and Greenhouse Gas Emissions in Environmental Impact Statements*” (NYSDEC, July 15, 2009).

Global climate change is emerging as one of the most important environmental challenges of our time. There is scientific consensus that human activity is increasing the concentration of GHGs in the atmosphere and that this, in turn, is leading to serious climate changes. Climate change will continue to adversely affect the environment and natural resources of New York State, the nation, and the world.

There are six main GHGs: carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), methane (CH<sub>4</sub>), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Evaluation of the emissions of each of these GHGs could potentially be included in the scope of an EIS.

Emissions of CO<sub>2</sub> account for an estimated 89% of the total annual GHG emissions in New York State. The overwhelming majority of these emissions - estimated at 250 million tons of CO<sub>2</sub> equivalent per year - result from fuel combustion. Overall, fuel combustion accounts for approximately 89% of total GHG emissions. (N<sub>2</sub>O and CH<sub>4</sub> also result from fuel combustion.) Additional GHG sources include electricity distribution (SF<sub>6</sub>); refrigerant substitutes (HFCs); the management of municipal waste, municipal wastewater, and agriculture (CH<sub>4</sub> & N<sub>2</sub>O); natural gas leakage (CH<sub>4</sub>); and others.

SEQRA requires that lead agencies identify and assess adverse environmental impacts, and then mitigate or reduce such impacts to the extent they are found to be significant. Consistent with this requirement, SEQRA can be used to identify and assess climate change impacts, as well as the steps to minimize the emissions of GHGs that cause climate change. Many measures that will minimize emissions of GHGs will also advance other long-established State policy goals, such as energy efficiency and conservation; the use of renewable energy technologies; waste reduction and recycling; and smart and sustainable economic growth. This policy is not the only state policy or initiative to promote these goals; instead, it furthers these goals by providing for consideration of energy conservation and GHG emissions within EIS reviews.

In general, it is critical that new development proposals consider designs and practices that reduce emission of greenhouse gases. Greenhouse gas emissions result from combustion of fossil fuels, including direct/indirect emissions and stationary/mobile sources. The Study Area is occupied by development that ranges in age and land use type, indicating that there is a wide range in the corresponding greenhouse gas emission characteristics.

The proposed zoning is designed to reduce GHG emissions by providing a walkable mixed-use environment within close proximity to transit. The Proposed Action will create a land use and

development regulatory framework that will allow an increase in the amount of residential, office, commercial and other development types in the Study Area. Site-specific development will:

- incorporate mandatory NYS Energy Code features;
- embody sustainability by situating the highest development intensity and density of development near the existing transit center, encouraging a pedestrian and bike friendly environment and reducing vehicular trip generation;
- comply with a form-based code that encourages energy efficient design and enhances the pedestrian environment;
- involve consolidation of properties to provide coordinated development than would occur under existing zoning;
- implement mixed-use projects that promote a jobs/housing balance.

These factors are expected to ultimately reduce inefficiencies associated with more conventional development patterns under the existing zoning and will promote sustainability that minimizes the impact of energy generation/consumption and generation of greenhouse gases. The DOZ will assist the City in achieving its sustainability goal of reducing GHG emissions in comparison to the existing zoning.

The following additional measures could be considered, where practicable, to ensure reduction of greenhouse gas emissions:

- Develop properties within the Study Area that are already cleared and/or developed, to minimize equipment operations for land clearing and demolition debris removal.
- Recycle demolition materials on-site to reduce use of new materials (which involves energy expenditure) and reduce energy expenditure for removal, disposal and handling.
- Use construction materials that minimize the consumption of fossil fuels in their manufacture.
- Reduce automobile dependence by locating development along convenient bus routes; promote use of public transportation.
- Reduce landscape maintenance through use of rain gardens and rain harvesting for irrigation, thus reducing water requirements and resultant pumping with expenditure of energy.
- Utilize building color/textures to reduce summer heat buildup that will reduce summer cooling needs.
- Utilize green roofs where possible to increase building energy efficiency and reduce stormwater generation.
- Utilize green walls to improve building energy efficiency particularly with regard to summer cooling requirements.

Instituting the measures listed above will ensure that future site-specific development associated with the Proposed Action will conserve energy resources. Such practices would also reduce the generation of greenhouse gases, which would in turn have region-wide beneficial impacts.

## **SECTION 5.0**

# **ALTERNATIVES**

## **5.0 ALTERNATIVES**

SEQRA and its implementing regulations at 6 NYCRR Part 617.9(b)(5)(iii)(v) require the consideration and evaluation of a range of reasonable alternatives to a proposed action that are feasible, considering the objectives and capabilities of the project sponsor. This DGEIS evaluates the potential environmental impacts associated with the adoption of proposed zoning amendments and changes to the zoning map being considered by the City of New Rochelle City Council.

This section identifies and addresses the potential impacts that would result from the No Action Alternative, i.e., continuing the status quo of maintaining the Study Area's existing zoning regulations. For the purpose of this DGEIS, the No Action Alternative is assessed by comparing the Proposed Action's 10-year development program with the potential rate of growth determined for the census tracts that encompass the Study Area using data developed by the New York Metropolitan Transportation Council ("NYMTC").

The No Action Alternative is based on the assumption that the Proposed Action will not be undertaken, and thus the existing zoning that governs the Study Area will remain in place. Development in the Study Area would continue in accordance with the existing regulations set forth in Chapter 331, Zoning, of the Code of the City of New Rochelle. Consequently, the City of New Rochelle's goals and objectives, as expressed in current planning documents, would not be achieved.

### **5.1 No Action Alternative**

An underlying assumption of the Proposed Action is that build out of the Theoretical Development Scenario would be completed during a 10-year time period. In order to compare the Theoretical Development Scenario to the No Action Alternative, the potential growth that would be anticipated to occur under the existing zoning over a ten year period must be determined. Data used to determine growth for downtown New Rochelle were obtained from the NYMTC 2035 Transportation Analysis Zones Model for Westchester County, based on the census tracts that encompass the Study Area.<sup>1</sup>

**Table 5-1** presents existing population and employment growth data and projections within the area that encompasses the Study Area for 2025.

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<sup>1</sup> The U.S. Census Bureau census tracts are 58, 59.01, 59.02, 60, 61, 63, 64, and 65.

**Table 5-1**  
**NO ACTION ALTERNATIVE**  
**COMPARISON OF GROWTH RATES**  
Population & Employment – NYMTC Model

Year/Interval	Population			Employment		
	Number	Change	% Change	Number	Change	% Change
2010	37,313	---	---	14,605	---	---
2015	38,385	1,072	3.58	15,139	534	3.65
2025	39,850	1,465	3.82	16,310	1,171	7.73

The NYMTC model shows that both population growth and employment growth within the area that includes the Study Area from 2015-2025 is estimated to increase by 3.82 percent and 7.73 percent, respectively (see **Table 5-1**). Note that the actual number of persons and employees that would be introduced within the Study Area would be less than identified in **Table 5-1**, as the census tracts cover areas outside the Study Area which would also accommodate growth. However, the above presents a reasonable worst case scenario for comparison to the Proposed Action as it assumes that all population and employment growth would occur within the Study Area.

In comparison, this DGEIS estimates that the Proposed Action will generate population and employment growth of 11,414 persons and 10,693 employees, respectively, based on a ten-year Theoretical Development Scenario. In order to compare the No Action Alternative to the Theoretical Development Scenario, the No Action Alternative's population and employment growth per NYMTC's growth estimates was converted to residential and nonresidential development area in the same proportion as the Theoretical Development Program (i.e., same residential unit mix assumptions, same commercial mix, and same employee ratios as contained in **Section 3.4, Table 3.4-25**). **Table 5-2** summarizes the proportional yields for the Proposed Action and the No Action Alternatives for comparison purposes. **Table 5-3** summarizes results of these analyses.



**Table 5-2  
THEORETICAL DEVELOPMENT COMPARISON**

Use	No Action Theoretical Development <sup>(1)</sup>	Proposed Action Theoretical Development Scenario
<i>Residential Uses (SF)</i>		
Residential Units (DU)	706 Total	5,500 Total
	141 - Studio	1,100 - Studio
	353 - 1 BR	2,750 - 1 BR
	141 - 2 BR	1,100 - 2 BR
	71 - 3 BR	550 - 3 BR
Student Housing (beds)	131	1,500
Independent Units (DU)	41	375
<i>Commercial Uses (SF)</i>		
Retail (SF)	108,415	990,000
Restaurant (SF)	12,600	115,000
Office Nonmedical (SF)	243,660	1,805,000
Medical Office (SF)	46,000	420,000
Hotel (rooms)	33,000 (55 Units)	300,000 (500 Units)
Adult Care (SF)	70,100 (61 Units)	640,000 (375 Units)
Institutional (SF)	84,870	775,000

(1) Assumes 3.82 percent growth rate for population and 7.73 percent employment growth within the Study Area from 2015-2025 NYMTC model.

**Table 5-3  
COMPARISON OF NO ACTION ALTERNATIVE TO THEORETICAL  
DEVELOPMENT SCENARIO**

Parameter	No Action Alternative	Theoretical Development Scenario
<i>Uses/Yields</i>		
Total Residences (dwelling units)	706 <sup>(1)</sup>	5,500
Total Nonresidential Floor Area (SF)	636,600 <sup>(2)</sup>	5,945,000
<i>Transportation</i>		
Parking	1,330 spaces <sup>(3)</sup>	11,000 spaces
AM Peak Hour Trip Generation	620 vph <sup>(4)</sup>	5,275 vph
PM Peak Hour Trip Generation	763 vph <sup>(4)</sup>	6,586 vph
<i>Wastewater Generation &amp; Water Use</i>		
Total Wastewater Generation/ Water Use	257,000 gpd <sup>(5)</sup>	2,311,875 gpd
<i>Fiscal</i>		
Annual Total Property Tax Revenues <sup>(6)</sup>	\$6,983,817	\$65,759,542

Parameter	No Action Alternative	Theoretical Development Scenario
Projected Sales Tax Revenue	\$4,749,685	\$43,360,562
<i>Demography</i>		
Residential Population: persons	1,465 <sup>(7)</sup>	11,414 <sup>(8)</sup>
School-age Children: students	40 <sup>(9)</sup>	312 <sup>(9)</sup>
Employees: persons	1,171 <sup>(7)</sup>	10,693 <sup>(2)</sup>
Notes:		
<p>(1) Total residences were determined using the base NYMTC residential population estimate of 1,465 persons, then assigned the same per unit capita population multiplier and proportional unit mix as the Theoretical Development Scenario.</p> <p>(2) Total nonresidential floor area was derived by using the base NYMTC employee estimate of 1,171 persons, and assigning the same employee ratios to nonresidential uses as used for the Proposed Action Theoretical Development Program (see <b>Table 3.4-25</b> of the DGEIS).</p> <p>(3) Parking calculations were derived from proposed Section 331-126 Central Parking Area (CPA) District amendments (see <b>Appendix A-2</b>), with shared parking credits by use estimated by RDRXR.</p> <p>(4) The No Action alternative trips were determined using the trip rates contained in <b>Appendix F</b> of this DGEIS.</p> <p>(5) Total water use/wastewater generation is based on 100 gpd/per capita for residential uses, and 0.125 gpd/SF for commercial uses, plus additional demand factor to account for restaurant/wet commercial uses as provided by United Water New Rochelle for the Theoretical Development Program.</p> <p>(6) See <b>Section 3.4.2</b></p> <p>(7) See <b>Table 5-1</b>.</p> <p>(8) Population was calculated using New York State per capita multipliers from “Residential Demographic Multipliers, Estimates of Occupants of New Housing”, Rutgers University Center for Urban Policy Research, June 2006.</p> <p>(9) Student estimate was calculated using student multipliers set forth in “New Rochelle School Capacity Study, Final Report” (<b>Appendix E-5</b>).</p>		

Under the No Action Alternative, growth will still occur but not at the rate anticipated with the Proposed Action. The purpose of the Proposed Action is to create the regulatory framework necessary to streamline the review of development applications and establish consistent incentivized zoning using an optional form-based overlay district code that will promote downtown revitalization through planned growth. The code enacted under the Proposed Action is expected to be employed by owners, investors and developers and therefore is expected to result in a more rapid buildout which in turn will induce additional growth in accordance with the City’s revitalization goals as outlined in the RAP (Section 3).

Under either scenario, there would be impacts associated with the demand for community services, traffic, and other impacts. However, the No Action Alternative would not bring about the significant positive/beneficial impacts to land use patterns and policies, community character or fiscal/economic impact. While the No Action Alternative may result in less growth and therefore less impact on certain parameters, the significant positive benefits of the Proposed Action would not occur and therefore the No Action alternative does not meet the City’s land use objectives.

## **5.2 Potential Impacts**

### **5.2.1 Land Use, Zoning and Plans**

This alternative would allow for development under the existing zoning of the Study Area. It is anticipated that redevelopment would occur slowly as the No Action Alternative would not provide the opportunity for construction on the City-owned and soft sites, which would further encourage development on surrounding sites. Development would likely require demolition of existing structures or small-scale infills within the Study Area that would not follow the same comprehensive design standards and form-based redevelopment as required under the DO Zone. Consistent with the existing zoning, it is anticipated that developers would continue to apply for the incentive benefits offered by the existing floating and overlay zones, but development would only be realized slowly as applications are processed through the existing approval processes. Development would be required to be consistent with the current zoning, so much of it would occur in and around the Transit Center as occurs at present, and to the extent developable sites are available. This form of development has resulted in several individual project buildings that dominate other surrounding uses within the Study Area, yet which have not evolved from a cohesive redevelopment growth plan.

The No Action alternative would not result in the introduction of a complete housing plan which is market-based and fulfills the needs of a diverse population. Under the Theoretical Development Scenario, the intent is to accommodate market rate and affordable housing units at a variety of sizes and bedroom mixes, as well as promoting alternative housing and a full spectrum of living accommodations, including student housing, independent living opportunities, and adult care. The extent of new housing options would be limited under the No Action Alternative. It should be noted that under both scenarios, adherence to Chapter 331, which requires a minimum of 10 percent of the total number of housing units constructed to be offered as affordable. Under the No Action Alternative, this would result in only 70 affordable units. Under the Proposed Action Theoretical Development Scenario, this would result in 550 affordable housing units, thus resulting in a significant increase in the amount of quality affordable housing to be made available.

While proposed development would continue to be subjected to the City's PARC design review, future development would not be strictly guided by a Zoning Standards Map, which is intended specifically to create pedestrian oriented and attractive streetscapes and which through its success, would further induce development as anticipated under the Theoretical Development Scenario.

### **5.2.2 Community Character**

Community character under the No Action Alternative would be similar to that which exists presently – given the limited scope of development that would occur under this scenario, this alternative is not anticipated to significantly change community character from what exists at present. The benefits of planned redevelopment of infill sites which would provide consistency in the City's skyline and cohesiveness in the downtown fabric in accordance with the Proposed

Action would not occur to any significant extent. A build-out utilizing existing zoning would likely continue to introduce development in proximity to the Transit Center, but there would be fewer incentives to redevelop other areas of the Study Area, such as uptown to the north of the I-95 corridor, or the Pine Street area which is mostly in heavy commercial use. There would be no overall action plan that coordinates growth, nor provision of the necessary components that make for a socially, economically and environmentally viable community. In addition, incentives for pedestrian-friendly, “green” and/or planned and coordinated architectural features would be enhanced under the Proposed Action, providing for increased implementation of these features, driven by the market. Development under existing zoning would result in less mixed-use development than would occur under the DO Zones and the proportionate number of residents living in the downtown would result in fewer “eyes on the street,” a known beneficial contributor to vibrancy, security and the success of a revitalized downtown. The opportunity to create more sustainable development close to transit would still exist, albeit that development would be less predictable and would be expected to occur over decades, rather than within a the shorter timeframe anticipated under the DO Zone and through the Zoning Standards Map. Therefore, the No Action alternative, as compared with the Proposed Action, would be very unlikely to result in an attractive and economically sustainable environment and ultimately would not have the elements necessary for comprehensive and planned growth to benefit the community.

Under the No Action Alternative, the additional height allowances within the floating and overlay zones, i.e., up to 500 feet in the DMU and DMUR zones, and up to 165 feet in the DB district (provided parcels meet other criteria including location within the CPA zone), would continue. Other height allowances, up to six stories or 70 feet in the NB-TOFZ district, could also be achieved. The WDB-F zone would allow up to 20 stories, or 250 feet, subject to various design and other requirements. The disadvantage of the existing overlay/floating zones is that it has not resulted in consistent growth, nor does it comprehensively consider the need for infrastructure planning, community benefits and an overall development program for cohesive planned growth. Such development would not be regulated by a single, design-oriented Zoning Standards Map that would ensure, on a consistent basis throughout the downtown, that appropriate urban design principles are followed to create the livable, walkable, and vibrant downtown that is sought. As evidenced by a slower and more piecemeal growth pattern, existing zoning has not and would not be expected to provide a cohesive pattern of building massing that would be achieved through implementation of the height and frontage requirements proposed through the DO Zones.

Historic and cultural resources would continue to exist, and potential impacts under the No Action Alternative would be evaluated as part of any site plan review process. The Proposed Action, as expressed in the RAP and intent of the DO Zone, specifically includes as a design objective that historic buildings and culturally important buildings be preserved.

### 5.2.3 Community Services and Infrastructure

All development places demands on community services, facilities, and infrastructure. In turn, the new development pays taxes and fees to offset the costs associated with meeting the demand. While the No Action Alternative would place demand on fire and police protection and other

services (wastewater/stormwater infrastructure, solid waste management, etc.), it would not occur within the context of the DO Zone which will produce the revenues and framework for necessary improvements to serve the new development. Police and fire protection services would experience an incremental increase in demand with no mechanism to provide additional resources to address this demand. It is recognized that new construction techniques tend to limit fire related incidents and larger developments implement security programs, such as video monitoring and surveillance; however, there is no substitute for the presence of police on the street and the ability to fund the manning of fire equipment and maintenance of facilities. The No Action Alternative does not include a “fair share” mitigation plan as does the Proposed Action. Experience regarding growth and development to date is that the New Roc police substation is not manned, the police force has declined in number of officers, the Fire Department has unmanned equipment and less firefighters on duty than other comparably sized cities and a deteriorated condition of some of the older physical facilities of the department. Though prior projects were subject to DEIS review, potential impacts on community services were not “comprehensively” considered and needs of community service providers were not addressed in a manner that allowed for service improvements commensurate with demand through growth.

Increases in the usage of City and County sanitary sewer and United Water distribution systems would be expected, from the increased need for potable water and associated generation of sanitary wastewater. Policy to date has resulted in repair of infiltration & inflow conditions in the wastewater/stormwater conveyance systems based a 3:1 ratio of project flow to infrastructure repair. This is a sustainable model; however, a greater rate of growth beneficially compounds the rate of infrastructure repair thus resulting in improved conveyance systems. Increased volumes of stormwater runoff could potentially occur. However, the majority of the Study Area is already mostly impervious, and new development would be required to provide on-site stormwater management in accordance with current state and City standards. Therefore in both cases the amount and rate of runoff would be controlled as required by current regulations. Any scenario will increase the potential need for infrastructure system expansions and/or improvements for wastewater collection and water services.

#### 5.2.4 Socioeconomic Conditions

Consistent with NYMTC’s reduced growth assumptions for the Study Area, the No Action Alternative would introduce fewer persons and employees to the Study Area than under the Theoretical Development Scenario. In turn, the reduced number of residents and employees would demand less in goods and services, and would not generate the significant economic benefits, direct and indirect, to the City’s economy, that are anticipated under the Theoretical Development Scenario, and as described in detail in the Section 3.4, Socioeconomics. Likewise, under a lesser build scenario such as the No Action Alternative, other fiscal benefits, including construction employment and material expenditures, would also be less, and would not benefit those seeking employment or create employment opportunities to the extent the Theoretical Development Scenario anticipates. A comprehensive development strategy as envisioned under the Proposed Action allows for investments to be made which will benefit the City from an employment perspective. As described in the RAP (Section 3), input from the community has

indicated significant interest in ensuring that as many jobs generated by the development as possible go to local residents of New Rochelle, particularly the City's disadvantaged. A not-for-profit, mission-driven partner could administer an employment program designed to provide local residents with the skills that they need to secure employment and then would work to place those trained in the program in jobs created throughout the development process, as well as in other employment opportunities found in New Rochelle. Funding for the program could be covered by fees generated by development in the Downtown and elsewhere in the City. Given the limited scale and growth anticipated under the No Action Alternative, it is unlikely that such a program could be implemented.

#### 5.2.5 Transportation

Development associated with the No Action Alternative would result in fewer vehicular trips than under the Theoretical Development Scenario given the reduced number of anticipated units and floor area. Any development would be evaluated to determine the extent to which the roadway network is impacted, and improvements are necessary to mitigate same. Under the No Action Alternative, development could occur anywhere within the Study Area, and there are fewer incentives to ensure that development is targeted to the downtown core where public transit is readily available.

The Proposed Action will accomplish two objectives in a programmatic manner: it will prioritize pedestrian connections in the Study Area, in order to ensure that pedestrians hold equal if not greater importance in the City's downtown circulation systems; and, it will include a mixed use development program intended to limit the necessity to drive within the downtown environment. A key element of the DO Zoning Amendments is that it is built around the New Rochelle Transit Center so that transit usage is promoted. With regard to vehicular traffic, it is expected that the City will monitor incremental increases in trip generation and impact, so that road or traffic control improvements would become introduced when necessary to maintain acceptable levels of service.

An additional benefit of planned growth that is expected to occur more rapidly under the Proposed Action is that the downtown is expected to achieve a balance in creation of employment opportunities, population to fill jobs, tax revenue and community benefits to support growth, and ultimately become established as a healthy and vibrant downtown through comprehensive development as compared with piecemeal and intermittent growth. This scenario as anticipated under the Proposed Action would lessen the need for automobiles as more sustainable development occurs that provides for living, working and recreational opportunities within the downtown. This would not be achieved under the No Action Alternative.

#### 5.2.6 Parking

The demand for parking is a function of the amount of development proposed within the Study Area which induces vehicular trips. Under the No Action Alternative, the reduced building program would require less parking. The need for and amount of parking in the Study Area would be increased as a result of the Proposed Action. The DGEIS projects that up to 11,000

parking spaces would be necessary. The No Action Alternative is likely to create more demand for surface parking, since intermittent and potentially smaller projects scattered throughout the Study Area would be anticipated, and smaller projects typically cannot afford the costs to construct structured parking. There would be no mechanism in place for comprehensive planning of off-site parking that is not a part of individual developments. Surface parking is wasteful of precious space in a downtown, and breaks up the cohesive building patterns with “non-activated” space that is unsightly and inefficient in a downtown environment.

The Proposed Action would include a Zoning Standards Map which would relegate parking structures and facilities behind the primary street frontage so as to be as “invisible” as possible and limit the creation of surface parking lots in the landscape which detract from the environment. The overall management of parking through comprehensive planning associated with the Proposed Action will ensure that additional public parking is provided and that demand for parking in connection with residential units and commercial square footage is accommodated. With the No Action Alternative, there would be no plans for the innovative parking management strategies identified in the DO Zoning Amendments, including but not limited to shared parking – a concept that only works with a balance of uses within a mixed-use environment.

Under the No Action alternative, the significant revitalization strategies programmed for downtown would not occur, including but not limited to enhancement of multi-modal transportation and parking options at the Transit Center, construction of a green parking facility at the Maple Avenue lot (with car sharing parking, electric vehicle recharging), and the addition of on-street parking on road segments such as North Avenue.

#### 5.2.7 Water Resources

With the exception of the small geographic area located behind the buildings on the south side of Main Street and east of Echo Avenue, new construction will not impact floodplains, wetlands, or surface waters within the Study Area under either the No Action Alternative or the Proposed Action. Similarly, the only area which is anticipated to be potentially inundated with a storm surge is to the east of Echo Avenue. Under either scenario, there would be minimal impacts to these resources.

#### 5.2.8 Geology, Soils and Topography

Under either the No Action or the Proposed Action, development is not anticipated to have a significant impact on geology, soils and/or topography. The Study Area is urbanized and its landscape has been disturbed to a large degree. The extent of subsurface disturbance needed for building foundations would potentially be more extensive with the Proposed Action. However, any potential impacts can be mitigated through use of appropriate construction techniques described in the DGEIS, as well as soil erosion and sediment control measures. The City also has regulations in place to control the effects of blasting activities (where necessary), and such activities would likely occur under both No Action and the Proposed Action.

### 5.2.9 Air and Noise

The increase in development under the No Action Alternative would be expected to result in an increase in traffic, especially during the AM and PM peak hour periods in the Study Area, with associated increases in vehicular emissions and traffic-generated noise, which would introduce air pollutants and increase existing ambient noise levels. As indicated in **Table 5-3**, the amount of traffic and development, which is less than that anticipated under the Theoretical Development Scenario, would result in fewer air pollutants and potentially lower noise levels associated with construction and operational activities. The City has an effective noise ordinance that will be implemented under the Proposed Action as it would be for development under existing zoning (No Action). Air emissions have not been identified as a critical issue under existing conditions, and it is expected that planned growth will result in less dependence on the automobile and construction of energy efficient buildings that use less heat and cause less emissions. Site-specific development, under any scenario, would be required to mitigate potential impacts, including appropriate traffic mitigation measures and signalization changes to improve traffic flow conditions which will reduce increases in air pollutants and noise levels. The Proposed Action, with its focus on promoting the pedestrian environment, is designed to improve the streetscape and urban fabric which is intended to get drivers out of their vehicles and walk to various destination within the downtown area. This specific goal would not be fully implemented under the No Action Alternative in the manner it will be under the Proposed Action.

### 5.2.10 Construction

Both the No Action Alternative and the Theoretical Development Scenario (Proposed Action) would be subject to the same City restrictions and requirements related to construction hours, noise control, erosion control, locations and mitigation requirements for displaced parking and construction worker parking, staging areas, materials storage and dust control, etc. The same City-, County- and State-controlled roadways would be used by construction-related traffic, so that the same potential impacts (in terms of types, location, etc.) would be expected, and the same or similar mitigation measures would be employed to address them. Given the increase in the total building area for the Theoretical Development Scenario, the extent and duration of construction is expected to be longer but will be appropriately mitigated.

## 5.3 Conclusions

The No Action alternative assumes that the Study Area will grow to a much lesser extent over the ten year 2015-2025 time period than under the Proposed Action. The beneficial impacts of the various land use policy documents and the DO Zoning Amendments would not be realized in the Study Area under the No Action Alternative. The consequence of this scenario is that the current land use mix and building pattern would continue in the absence of a cohesive and comprehensive planning and development program which is intended to stimulate development within the City's downtown core, and allow it to capture a greater proportion of the market share that exists in the region, and in a manner which promotes an attractive, mixed use, pedestrian



oriented environment. The Proposed Action also has mechanisms to provide community benefits and “fair share” mitigation to address ongoing needs of community service providers and aging infrastructure in the downtown. Development under the No Action Alternative would likely be more scattered as it would not be the result of a well-articulated plan and vision for the downtown. The No Action alternative would likely have a less meaningful effect on community character given the lack of a Zoning Standards Map to guide it. Specific community benefits that have been expressed as desirable by the community would also not be realized. For these and various other conclusions described in the DGEIS, the No Action Alternative is not consistent with the City’s adopted land use plans and public policy goals for the Study Area.

## **SECTION 6.0**

# **FUTURE ACTIONS**

## 6.0 FUTURE ACTIONS

This document is a Draft GEIS that analyzes the potential impacts associated with the adoption of amendments to the City of New Rochelle Zoning Code and Zoning Map to create Downtown Overlay Zones. After preparation of the Final GEIS, the SEQRA process will culminate with the Lead Agency issuing a Findings Statement.<sup>1</sup> Title 6, New York Code of Rules and Regulations (“6 NYCRR”) Part 617.10(c), states “*Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS.*”

More specific guidance is provided in Part 617.10(d), which states that “*When a final generic EIS has been filed under this part:*

- (1) No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;*
- (2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;*
- (3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;*
- (4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.”*

It is expected that the Findings Statement will contain conditions that establish thresholds and requirements for supplementary impact analyses, where necessary, and mitigation measures for future site-specific development that is proposed in accordance with the Proposed Action. Future site-specific development applications will undergo SEQRA evaluation to determine the appropriate level of environmental review in conformance with 6 NYCRR Part 617.10(d). If potential significant adverse environmental impacts are identified that were not previously or adequately analyzed as part of this SEQRA review, additional site-specific review including technical studies and/or a Supplemental GEIS may be required. The information submitted with the application for each such future project will be used by the entity having jurisdiction as the basis for this determination.

Based on the results of the impact analyses prepared in this DGEIS, the following actions may be required for future site-specific SEQRA review:

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<sup>1</sup> See **Section 1.0** for summary of SEQRA procedural steps.

### Land Use & Zoning

- Development Standards Verification: Developers that seek to participate and benefit from the DO Zone will be required to submit applications which demonstrate that an application complies with one of the three sets of development standards contained in the adopted DO Zone and as set forth in **Appendix A-2** of this DGEIS.
- Community Benefits: Developers that want to pursue additional building heights will be required to demonstrate compliance with a point system which verifies that an application is eligible for the bonus, because it achieves a community benefit requirement.

### Community Character

- Shadow Impact Analysis: The potential for shadows cast by new buildings and structures to impact sun sensitive resources will be addressed during site-specific review of site plan applications. Applications involving parcels identified in **Appendix D-2, D-3, D-4, D-5, D-6, and D-7** of this DGEIS will be required to submit a shadow analysis if they pursue development in accordance with the DO Zone. Mitigation may be necessary based on the results of site specific analysis.
- Cultural Resource Assessments: Future projects that may potentially affect the integrity of a City designated historic district or landmark, including buildings of historic or architectural interest, must comply with standards and procedures set forth under Chapter 170, “Historic Districts and Landmarks,” of the City of New Rochelle Code. This would include, as applicable, securing Certificates of Appropriateness from the City’s HLRB and performing future actions in accordance with specified conditions and standards. Applicants for Certificates of Appropriateness should also consult the City’s publications entitled “Owning a Home in a Local Historic District” and “Design Guidelines” which are available from the City. Compliance to State and Federal standards may also be applicable for projects that adversely affect properties listed on the State and/or National Register of Historic Places, necessitating outreach and coordination with applicable agencies. Cultural resource evaluations may include contact with the New York State Historic Preservation Office (“SHPO”) for review, input and approval. If that entity deems it appropriate, additional analysis may be required, or revisions to the application may be deemed necessary by SHPO to avoid or mitigate such impacts. For future redevelopment or site disturbance on sites identified as archaeologically sensitive that have not been previously disturbed or have had limited previous disturbance, a Phase IA (and possibly a Phase IB) cultural resource survey may be warranted.

### Community Services and Utilities

- Police Protection: The Police Department will have the opportunity to provide input on site-specific plans, thereby requiring any site-specific mitigation measures necessary. This may include the provision of on-site private security for large projects and each project participating in a “Fair Share” mitigation plan and fund.

- Fire Protection: The Fire Department will have the opportunity to review future proposed site plans to ensure that firefighting needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed. Each development may participate in a “Fair Share” mitigation plan and fund.
- Stormwater/Wastewater: Developments will be reviewed to ensure that site-specific applications provide 3½ inches of stormwater retention as part of the drainage design, which will be ensured through the site plan and building permit review process. Applicants may be required to participate in a “Fair Share” mitigation plan and fund to be used for wastewater/stormwater systems should this become a priority requiring fiscal support.
- Solid Waste Management: Developments may be required to participate in a “Fair Share” mitigation plan and fund to be used for solid waste management programs should this become a priority requiring fiscal support.
- Water Supply: Developments will be examined during site-specific review to determine the types of system improvements that will be required to accommodate demand, which will be the responsibility of the developer in coordination with United Water District. It is anticipated that United Water will petition the PSC to set up a geographic area within which developments would waive the 75 feet of water main extension refund, so that this dollar amount can be established as a fund to invest into the water distribution system in a more comprehensive manner. New development would be subject to this special district provision and would be required to participate by waiving the refund.
- Energy: Developments will be reviewed in accordance with NYS Energy Code requirements, and specifically for solar orientation so that they can take advantage of energy use reduction through this method.
- Education: Developments will participate in a “Fair Share” mitigation plan and fund to assist with School Zone improvements through selection of an alternative plan from the WXY Capacity Study (**Appendix E-5**).

#### Traffic

- Supplemental Traffic Analyses: At the time a site-specific development application is submitted supplemental detailed traffic studies will be required, and will be reviewed and compared against the findings set forth in the DGEIS TIS (**Appendix F**). The supplemental analyses will serve as a basis to determine if additional traffic analysis is warranted for individual development projects. Adequacy of site access, parking and pedestrian safety will also be reviewed as a part of the individual site plan review process.

#### Parking

- Parking Management Plan: Temporary displacement of parking capacity to other locations in the downtown area while construction is occurring will be mitigated by implementation of a Parking Management Plan, which would specify locations of

alternative parking, establish signage, striping, and provide notification procedures for driver convenience and efficiency of traffic flow.

- **Parking Utilization Study:** Redevelopment of underutilized City parking lots will require that existing parking utilization be established and then used as a basis for the replacement/reconstruction of parking spaces by the party sponsoring redevelopment.

#### Air Quality and Noise

- **Supplemental Air Quality Assessment:** If a site-specific development application is proposed that may have a greater potential impact on air resources as a result of the introduction of a regulated point source of air emissions or the generation of unmitigated traffic which exceeds that set forth in the TIS, supplemental air impact evaluation may be required.
- **Supplemental Noise Assessment:** All activity, including construction activity, within the Study Area must comply with Chapter 213 of the City Code which defines and regulates “unreasonable noise.” All construction activities shall be conducted in conformance with Chapter 213-22 of the City Code. A supplemental noise assessment may be required in the following situations:
  - For projects where rock drilling is required (or other activities in which the duration and levels exceed permitted levels), a construction noise plan will be employed for protection of workers and for compliance with the provisions in Chapter 213-22 for construction sites.
  - If proposed uses within the Study Area may approach a guidance value of 65 dBA, site specific noise assessment and mitigation may be required. The design of projects that incorporate residential uses located adjacent to high volume roadways (including I-95) will be designed to provide sufficient attenuation of noise to achieve the U.S. Department of Housing and Urban Development recognized interior guidelines, or provide a noise assessment to determine potential impact with respect to a site/use specific project and an appropriate level of noise attenuation.
  - Noise sensitive zones would include areas around a school, church, senior citizen center, day-care center or areas adjacent to any hospital. There are schools, churches and at least one day care center located within the Study Area. Lastly, should any proposed noise generating use be located in proximity to a noise sensitive zone, a site-specific noise assessment may be required.

#### Water Resources

- New development will be required to retain 3½ inches of stormwater runoff on site. For those individual projects that involve one or more acres of disturbance, a SWPPP must be prepared pursuant to NYSDEC requirements pursuant to the 2015 NYS Stormwater Management Design Manual.
- As part of any site-specific review, the potential for development within the area of the DO-4 Zone which could be inundated by storm surges would specifically be evaluated and appropriate measures incorporated to mitigate against damage.

- Development that is located within the 100-year floodplain, which is confined to the DO-4 portion of the Study Area, will be reviewed to ensure that it meets City regulations regarding minimizing and mitigating potential damage from flood flows.

#### Geology, Soil and Topography

- **Geotechnical Evaluation:** Subsurface soil conditions will be assessed for the purpose of structural and drainage system design as part of the site plan application review. If unsuitable subsoils are found in connection with site-specific development, techniques including deep compaction or over-excavation and replacement of unsuitable fill materials may be utilized. Development areas would be stabilized, as determined by a Geotechnical Engineer, prior to construction of structural elements.
- **Erosion Control:** Erosion Control and Construction Phasing Plans will be prepared for individual site developments during site plan review that will provide protection methods that will be utilized during construction to control transport of sediment and stormwater runoff during construction activities.
- **Remediation:** Prior to the initiation of construction activities, remediation of sites where recognized environmental conditions have been identified will be necessary. Remediation activities are required to be completed according to the protocols, procedures, standards and documentation requirements of the appropriate supervising entity, City of New Rochelle, NYS Department of Labor, County Fire Marshal and/or NYSDEC.
- **Stormwater Management:** New development will be required to detain stormwater runoff in accordance with City and NYSDEC standards. For those individual projects that involve one or more acres of disturbance, a SWPPP must be prepared pursuant to NYSDEC requirements.

#### Construction

- **Construction Management Plans:** Such plan may be required for each site-specific development project under the proposed action. A Construction Management Plan would be comprised of a number of lower-order plans as necessary, and may include a Construction Traffic Management Plan, a SWPPP (for erosion and stormwater control both during and post construction), a Parking Management Plan, and/or a Remediation Plan. Other potential site-specific plans related to construction activities, e.g., noise, soil erosion and stormwater, are addressed elsewhere above.

In summary, all site-specific applications for new development in the Study Area will continue to be required to adhere to SEQRA procedures and regulations. All such future development projects, whether proposed in accordance with the underlying zoning or DO Zone, will be subject to individual approval processes, including site plan review and site-specific impact review or consistency review with the Findings Statement to be issued upon completion of the SEQRA review of the Proposed Action.

Future applications that are submitted to pursue development in accordance with the DO Zone must conform to any applicable conditions listed in the Findings Statement. Adherence to this procedure will ensure that future development in the Study Area complies with SEQRA, conforms to established land use controls, minimizes potential adverse environmental impacts, and is determined to be consistent with applicable local, county, state and federal regulations as well as the broader land use and other policy and community goals outlined in the RAP and various City planning documents.



# **FIGURES**

# **APPENDICES**

**CITY OF NEW ROCHELLE, NEW YORK  
DEPARTMENT OF DEVELOPMENT  
PLANNING BOARD**

<i>Members Present:</i>	<i>Brown, Contreras, Lipow, Pitocchi, Smith</i>
<i>Members Absent:</i>	<i>Dodds-Brown, Mercado</i>
<i>Introduced:</i>	<i>February 25, 2020</i>
<i>Adopted:</i>	<i>February 25, 2020</i>
<i>Moved By:</i>	<i>Smith</i>
<i>Seconded By:</i>	<i>Brown</i>
<i>Abstained:</i>	<i>None</i>
<i>Opposed:</i>	<i>None</i>
<i>Passed:</i>	<i>Unanimously</i>

**Lead Agency**  
**PB 6-20**

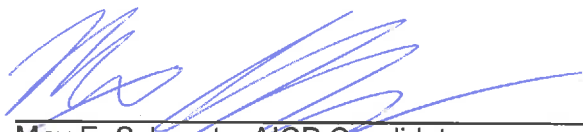
**RESOLUTION NO. 23-2020**  
**247 North Avenue, Block 231, Lot 19 & 23**

**WHEREAS**, an application has been filed by **247 North Avenue Associates, LLC**, for site plan approval to construct a mixed-use development at **247 North Avenue** (Block 231, Lots 19 & 23) in a DO-2 Downtown Overlay Zone District; and

**WHEREAS**, it has been determined that this site is not located in a Critical Environmental Area, and is a Type I Action under the State Environmental Quality Review (*SEQRA*) process; now, therefore, be it

**RESOLVED**, the New Rochelle Planning Board hereby declares itself Lead Agency in connection with all processing procedures, determinations, and findings, to be made or conducted with respect to the subject application submitted by the applicant. The Planning Board took this action pursuant to § 8-0101 et. seq. of the Environmental Conservation Law and pursuant to the regulations promulgated by the New York State Department of Environmental Conservation, specifically 6 NYCRR Part 617 ("*SEQRA Regulations*").

Dated: March 10, 2020

  
\_\_\_\_\_  
Max E. Schwartz, AICP Candidate  
Planning Board Clerk

**Filed City Clerk's Office March 10, 2020**

  
\_\_\_\_\_  
City Clerk

**CITY OF NEW ROCHELLE, NEW YORK  
DEPARTMENT OF DEVELOPMENT  
PLANNING BOARD**

<i>Members Present:</i>	<i>Brown, Contreras, Lipow, Pitocchi, Smith</i>
<i>Members Absent:</i>	<i>Dodds-Brown, Mercado</i>
<i>Introduced:</i>	<i>February 25, 2020</i>
<i>Adopted:</i>	<i>February 25, 2020</i>
<i>Moved By:</i>	<i>Smith</i>
<i>Seconded By:</i>	<i>Brown</i>
<i>Abstained:</i>	<i>None</i>
<i>Opposed:</i>	<i>None</i>
<i>Passed:</i>	<i>Unanimously</i>

**Neg Dec  
PB 6-20**

**RESOLUTION NO. 24-2020  
247 North Avenue, Block 231, Lot 19 & 23**

**WHEREAS**, an application has been filed by **247 North Avenue Associates, LLC**, for site plan approval to construct a mixed-use development at **247 North Avenue** (Block 231, Lots 19 & 23) in a DO-2 Downtown Overlay Zone District; and

**WHEREAS**, it has been determined that this site is not located in a Critical Environmental Area, and is a Type I Action under the State Environmental Quality Review (*SEQRA*) process; and

**WHEREAS**, the New Rochelle Planning Board declared itself Lead Agency in connection with all processing procedures, determinations and findings, to be made or conducted with respect to the site plan submitted by the applicant. The Planning Board took this action pursuant to § 8-0101, *et. seq.*, of the Environmental Conservation Law and pursuant to the regulations promulgated by the New York State Department of Conservation specifically, 6 NYCRR Part 617 (*SEQRA Regulations*); and

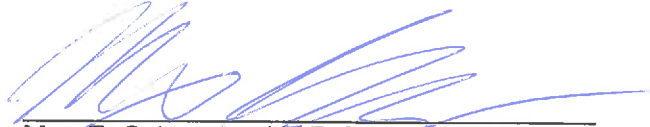
**WHEREAS**, after careful review and consideration of the full Environmental Assessment Form (*EAF*) Parts 1 through 3 and related documentation submitted to the Planning Board for site plan approval, a determination was made pursuant to §617.4 of the *SEQRA Regulations* that the application will not have a significant adverse impact on the environment and does not require the preparation of an Environmental Impact Statement (*EIS*); now, therefore, be it

**RESOLVED**, that this action constitutes a Type I Action under 6 NYCRR Part 617 of the *SEQRA Regulations*, which will not have a significant adverse impact on the environment and therefore does not require the preparation of an Environmental Impact Statement (*EIS*). The following are the reasons supporting this determination:

1. The proposed application is minor and will not pose significant adverse negative impacts on the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community character.
2. The proposed action will not significantly impact existing air quality, groundwater or surface water quality or quantity, traffic or noise levels, traffic patterns, and will not result in a substantial increase in solid waste production or disposal, or a substantial increase in potential for erosion, flooding, leaching, or drainage problems.
3. The proposed action will not result in the creation of a material conflict with the community's current plans or goals, as officially adopted, or a change in use or intensity of use of land or other natural resources.

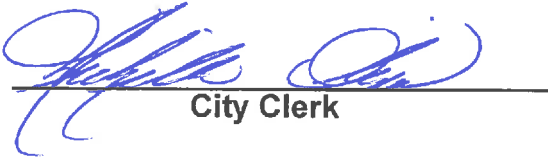
4. The proposed action will not result in the creation of a hazard to human health, or significantly impact vegetation or fauna, fish, shellfish or wildlife species, significant habitats or threatened or endangered species.
5. The proposed action will not result in the impairment of the character or quality of important historical, archeological, architectural, agricultural, aesthetic or other natural or cultural resources
6. There are no substantial long term, short term, or cumulative environmental impacts or consequences, as set forth in 6 NYCRR Part 617.7 which will result from the action and the action will not result in adverse impacts associated with induced growth, subsequent development, or related activities.

Dated: March 10, 2020



Max E. Schwartz, AICP Candidate  
Planning Board Clerk

**Filed City Clerk's Office: March 10, 2020**

  
City Clerk

**CITY OF NEW ROCHELLE, NEW YORK  
DEPARTMENT OF DEVELOPMENT  
PLANNING BOARD**

<i>Members Present:</i>	<i>Brown, Contreras, Lipow, Pitocchi, Smith</i>
<i>Members Absent:</i>	<i>Dodds-Brown, Mercado</i>
<i>Introduced:</i>	<i>February 25, 2020</i>
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<i>Moved By:</i>	<i>Smith</i>
<i>Seconded By:</i>	<i>Brown</i>
<i>Abstained:</i>	<i>None</i>
<i>Opposed:</i>	<i>None</i>
<i>Passed:</i>	<i>Unanimously</i>

**PB 6-20  
Site Plan  
Approval**

**RESOLUTION NO. 25-2020  
247 North Avenue, Block 231, Lot 19 & 23**

**WHEREAS**, an application has been filed by **247 North Avenue Associates, LLC**, for site plan approval to construct a mixed-use development at **247 North Avenue** (Block 231, Lots 19 & 23) in a DO-2 Downtown Overlay Zone District; and

**WHEREAS**, it has been determined that this site is not located in a Critical Environmental Area, and is a Type I Action under the State Environmental Quality Review (*SEQRA*) process; and

**WHEREAS**, the New Rochelle Planning Board declared Lead Agency, in connection with all processing, procedures, determinations and findings, to be made or conducted with respect to the site plan submitted by the applicant. The Planning Board took this action pursuant to § 8-0101, *et. seq.*, of the Environmental Conservation Law and pursuant to the regulations promulgated by the New York State Department of Conservation specifically, 6 NYCRR Part 617 (*SEQRA Regulations*); and

**WHEREAS**, after careful review and consideration of the *EAF* and the documentation submitted to the Planning Board for site plan approval, a determination was made pursuant to §617.4 of the *SEQRA Regulations* that the application will not have a significant impact on the environment and does not require the preparation of an Environmental Impact Statement (*EIS*). Now, therefore, be it

**RESOLVED**, the New Rochelle Planning Board does hereby approve the site plan subject to the following conditions:

1. The applicant shall provide a Fair Share Mitigation payment of \$1,036,805 based on the calculations below to satisfy the requirements for this project prior to the issuance of a building permit. Should the final design result in an adjustment to the calculations below, the applicant shall return to the Planning staff for an administrative review.

Use Category	Count	Area	% of GSF	Allocated Common Area	Total Area	Mitigation Amount	Adjustment Factor	Fee Amount
Studio	28	15,156	7.3%	5,127	20,283	\$2.6523	130%	\$69,936
1BR	144	114,336	55.1%	38,679	153,015	\$3.1827	130%	\$633,101
2BR	72	78,068	37.6%	26,410	104,478	\$2.2511	135%	\$317,507
3BR	0	0	0.0%	0	0	\$2.8138	105%	\$0
	<b>244</b>	<b>207,560</b>	<b>100%</b>	<b>70,216</b>	<b>277,776</b>			<b>\$1,020,544</b>
Retail	1	3,032	0.0%	0	3,032	\$1.4069	75%	\$3,199
		<b>210,592</b>			<b>280,808</b>			
Integrated Parking	211	92,233			92,233	\$56.2755	110%	\$13,062
					<b>373,041</b>			
						<b>TOTAL FEE AMOUNT:</b>		
						<b>\$1,036,805</b>		

2. The applicant shall comply with the City's affordable housing requirements in Section 331-152 of the municipal code and provide a Declaration of Restrictive Covenants setting forth the requirements which shall be recorded against the property prior to issuance of the temporary or permanent certificate of occupancy for the development, as approved by Corporation Counsel.

The applicant shall provide 25 affordable units in the project that meet the requirements of Section 331-152. This shall include 3 studios, 15 one-bedrooms, 7 two-bedrooms, and 0 three-bedroom.

The applicant shall work with the City's selected Affordable Housing Administration Consultant in the marketing, implementation and administration of the required affordable units within the project.

3. The applicant shall satisfy the code requirement for the provision of parking as set forth in Section 331-125 and 331-126 of the code.
4. The applicant is proposing to build four (4) bonus stories for the project under Development Standard 3 of the DO-2 district, comprised of 41,669 square feet. The cost/sf at this project location in DO-2 under DS-2 is \$40/sf, for a total benefit of \$1,666,760. To receive this height bonus, the applicant shall make a payment to the Community Benefits Bonus Fund of at least \$1,666,760.

The applicant has been awarded four (4) bonus stories with a total square footage of 41,669 as the approved community benefit bonus.

5. The applicant shall comply with the City's Economic Opportunity and Nondiscrimination Policy, including provision of quarterly reporting to the City for purposes of monitoring such compliance.
6. The applicant shall comply with the City's Business and Residential Relocation and Housing Program.

7. *The applicant shall satisfy the code requirement for recreation and open space as set forth in Section 331-118G of the code. A payment of \$263.00 per additional dwelling unit on-site shall be paid to Account TA-031 prior to the issuance of a building permit.*
8. *The applicant shall satisfy the requirement for Private Art Betterments in accordance with Section 331-120.1, which shall be approved by the Municipal Arts Commission, and the Planning Board as necessary. The minimum cost shall not be less than 0.0025 of the construction cost of the project.*
9. *Any rooftop furniture shall be mechanically fastened to the roof. Additionally, all moveable furniture on any roof shall be stored indoors when not in use.*
10. *The applicant shall comply with the City's requirement for off-street bicycle parking facilities in Section 331-126.1, or, alternatively, in Section 331-126.2.*
11. *The applicant shall incorporate and address the final recommendations of the Professional Architectural Review Committee.*
12. *The applicant shall submit foundation elevations and a method of sheeting/shoring prior to the issuance of a building permit to determine if City property will be affected.*
13. *Street opening permits are required prior to any work taking place in the public ROW.*
14. *Applicant shall comply with the provisions regarding trees and shrubs in accordance with Chapter 301 of the code. The applicant shall be responsible for any fees associated with tree removal/increase in impervious surface as the Code does not permit a waiver; if there is a discrepancy between caliper inches to be removed and caliper inches to be replanted on-site, the applicant shall pay a fee of \$300.00 for every two (2) caliper inches the applicant is deficient (Account TA-031).*
15. *Street trees shall be approved by the city tree inspector prior to planting.*
16. *Applicant shall provide granite curbing along the municipal right-of-way for the subject site's frontage per City standards.*
17. *The applicant's engineer shall submit the existing and proposed sanitary sewer flows for inflow and infiltration removal.*
18. *Prior to issuance of a building and/or demolition permit, the applicant shall submit a comprehensive construction plan including pertinent staging, drainage, shoring, dewatering, utility, erosion control and curb cut details and details of how materials, construction vehicles and heavy trucks will circulate on the site and move to/from the site, to the New Rochelle Department of Public Works (DPW) to be reviewed and approved by the Building Official, City Engineer and Traffic Engineer. In such plan, the applicant shall provide details as to any temporary utility structures or equipment. The applicant shall obtain appropriate permits from DPW, Westchester County and NYSDEC for work on the site under Section 239 F of the General Municipal Law.*

*The construction plan shall detail any planned closures of sidewalks, roadways, traffic lanes and/or parking spaces, with plans outlining mitigation of negative effects to the public. Sidewalks shall remain open and available to the public at all times. If additional space is needed for construction activity, a temporary sidewalk shall be provided.*



19. *The Applicant shall, at its own cost, complete all applicable on-site and off-site project specific improvements (not those improvements covered under the Fair Share Mitigation program) shown on the site plan in accordance with DPW specifications and shall obtain any requisite permits for construction and inspection by DPW. Prior to issuance of a building permit, the Applicant shall post a bond or letter of credit acceptable to Corporation Counsel according to Section 331-136 of the Code to cover the total cost for construction of such project specific infrastructure improvements, which amount shall be estimated by the Applicant's engineer and submitted to the Department of Public Works (DPW) for acceptance.*
20. *The Applicant shall, at its own cost, build all utilities, sanitary and storm drainage improvements, driveways, curbs, sidewalks, handicapped ramps, and other necessary infrastructure shown on the site plan, all in accordance with the New Rochelle Department of Public Works' standards and acceptable to the City Engineer.*
21. *Applicant shall enter into an agreement with SUEZ to address water supply for the development prior to the issuance of a building permit.*
22. *All proposed sanitary sewer lines shall be comprised of extra heavy cast iron.*
23. *The applicant shall provide a stormwater detention design to the satisfaction of the City Engineer.*
24. *The applicant shall comply with the grading and draining provisions in Section 331-129B. Oil/grit separators shall be constructed to permit access for inspection and maintenance and the Owner shall submit maintenance reports together with a signed and notarized certification on a form supplied by the Building Official twice per year, once between April 15 and May 30 and once between October 15 and November 30, certifying that the oil/grit separator was inspected and cleaned out during the above-described time periods and that said separators are in working order. The Owner shall be further required to post a long-term maintenance bond, or an evergreen letter of credit with respect to the performance of the maintenance required herein. If the maintenance bond expires or is used by the City in order to conduct the required inspection and cleaning in the event of default by the Owner, then the City may serve an abatement notice for further expenses incurred by or on behalf of the City pursuant to the procedures set forth in Section 200 of the City Charter.*
25. *A performance and maintenance bond, evergreen letter of credit, cash deposit or other surety, acceptable to the Corporation Counsel, shall be posted by the applicant to guarantee the planting and maintenance of trees and landscaping, as shown on an approved landscape plan for a period of five years, in accordance with § 331-119B(4)(a) of the Zoning Code. The amount of the bond shall be determined by the Building Official for site plans in accordance with § 331-119B(4)(a). The Bureau of Buildings shall confirm the required plantings prior to and as a condition of releasing the landscape bond required under City Code Section 301-23.B.*
26. *The applicant shall comply with all exterior lighting requirements in Section 331.22 of the municipal code. A lighting study must be completed to determine the required spacing of decorative lighting to the satisfaction of the Department of Public Works, prior to the issuance of a building permit.*
27. *The applicant shall install rumble strips, or a similar traffic calming device near the parking drive aisle's intersection with the sidewalk to the satisfaction of the city's Traffic Engineer.*
28. *Any damage during construction to City right-of-way shall be remedied to the satisfaction of the Department of Public Works.*

29. *Developer shall be responsible for maintaining and/or relocating all streetlights and traffic signs and for repairs to any wiring damaged by construction. The applicant shall coordinate re-posting of parking restriction signs with DPW prior to reconstructing any sidewalks.*
30. *Street numbers for all entrances shall be approved by the Fire Department.*
31. *The applicant shall submit a full set of digital plans (PDF), including the footprint of the building once finalized.*
32. *A full building code analysis shall be performed upon submission for a building permit.*
33. *The City Engineer shall approve all plans prior to the issuance of a building permit.*
34. *The applicant shall obtain any requisite permits from any Westchester County department/agency, New York state department/agency or federal department/agency prior to the issuance of a building permit.*
35. *Left turns into and out of the North Avenue driveway shall be prohibited. The primary garage access shall be from Lecount Place.*
36. *Applicant shall be required to obtain DPW permits for remove of any street lights or signs. Applicant shall be responsible at their sole expense for the replacement of any such infrastructure that is removed.*
37. *Applicant shall maintain sidewalks or walkways during construction. Applicant shall not be allowed to create pedestrian detours.*
38. *Applicant shall be restricted from storing equipment, including but not limited to cranes, outriggers, etc. in the public right of way after work hours.*
39. *Applicant shall comply with any and all comments provided by the New Rochelle Fire Department; and be it further*

**RESOLVED**, that in accordance with General City Law Subsection 27-a (7), the Applicant's engineer or architect, prior to the issuance of any type of building permit for construction, shall submit to the Building Official an estimate of the costs of all required site infrastructure and improvements associated with this site plan approval, which estimate shall be verified by the Building Official as adequate to cover all such site infrastructure and improvements. Thereupon, the Applicant shall provide to the City Bureau of Buildings a performance bond or other security acceptable to Corporation Counsel, in an amount and for a period of time acceptable to the Building Official, all in accordance with Section 27-a, Subsection 7 and Section 33, Subsection 8 of General City Law; and, be it further

**RESOLVED**, that in accordance with the Zoning Code, prior to issuance of the final Certificate of Occupancy, The Applicant shall provide to the City Bureau of Buildings all necessary maintenance bonds or other security acceptable to Corporation Counsel, in an amount and for a period of time acceptable to the Building Official for any proposed landscaping and, if applicable, for any oil/grit separators; and, be it further

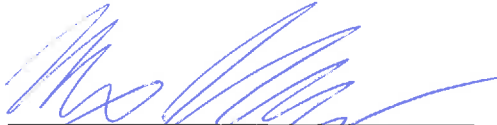
**RESOLVED**, that in accordance with Section 331-123 of Chapter 331 (Zoning) of the New Rochelle City Code, such approval for any construction shall expire if a building permit is not issued within two (2) years from the date of approval and if all construction work is not completed within five (5) years of the date of issuance of

such permit. Upon application to the Planning Board, extensions totaling a maximum of twelve (12) months may be granted to each of these time periods, for appropriate cause; and, be it further

**RESOLVED**, that the applicant and all successors/assignees are hereby informed that in accordance with Section 331-140 of the zoning code; Penalties for Offenses, if any element of an approved site plan is amended without knowledge or approval by the Planning Board, a fee shall be assessed to return to the Planning Board so as to formally file a site amendment, and be it, further

**RESOLVED**, the Planning Board Clerk is authorized to grant an extension of one (1) month beyond the first year site plan approval date, for any or all of the following conditions: if the applicant can demonstrate that reasonable progress has been made in satisfying the Planning Board's conditions of approval, if the Applicant needs the extension during the Planning Board's annual vacation period, or if other extenuating conditions have occurred, which the Planning Board Clerk considers reasonable for the granting of the additional one (1) month extension. If the Applicant has not obtained the required building permit within this one month extended approval period, the Applicant may apply to the Planning Board to extend the site plan approval for the remaining eleven (11) months.

Dated: March 10, 2020

  
\_\_\_\_\_  
Max E. Schwartz, AICP Candidate  
Planning Board Clerk

**Filed City Clerk's Office March 10, 2020**

  
\_\_\_\_\_  
City Clerk