

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, February 5, 2014, at 7:30 p.m. in Council Chambers at City Hall. *The Council will convene at 7:00 p.m. and it is expected they will adjourn into Executive Session at 7:01 p.m. to discuss the Rye Golf Club RFP. The Council will adjourn into Executive Session at the end of the meeting to discuss litigation and personnel matters.*

AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Draft unapproved minutes of the Strategic Workshop/Council Orientation held January 25, 2014 and the regular meeting of the City Council held January 29, 2014.
5. Issues Update/Old Business.
6. Consideration to set a Public Hearing for February 26, 2014 to change the zoning designation of County-owned property located on Theodore Avenue and North Street to the RA-5 District to provide for the construction of affordable senior housing.
7. Residents may be heard on matters for Council consideration that do not appear on the agenda.
8. Authorize payment of the balance of the 2013/2014 Rye Neck Union Free School District taxes collected by the City to the School District.
Roll Call.
9. Consideration of a request by the Rye Little League to approve a parade to kickoff Opening Day of the 57th Little League Season on Saturday, April 5, 2014 beginning at 12:00 p.m.
10. Consideration of a request by the Rye YMCA for the use of City streets for the 26th Annual Rye Derby on Sunday, April 27, 2014 from 9:00 a.m. to 2:00 p.m.
11. Resolution to declare the following RTV equipment as surplus: Power Mac G5 computer.
12. Miscellaneous communications and reports.
13. New Business.
14. The Council will convene into Executive Session to discuss litigation and personnel matters.
15. Adjournment.

* * * * *

The next regular meeting of the City Council will be held on Wednesday, February 26, 2014 at 7:30 p.m.

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

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



CITY COUNCIL AGENDA

NO. 4

DEPT.: City Clerk

DATE: February 5, 2014

CONTACT: Dawn Nodarse

AGENDA ITEM Draft unapproved minutes of the Strategic Workshop/Council Orientation held January 25, 2014 and the Regular Meeting of the City Council held February 5, 2014, as attached.

FOR THE MEETING OF:

February 5, 2014

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND: Approve the minutes of the Strategic Workshop/Council Orientation held January 25, 2014 and the Regular Meeting of the City Council held February 5, 2014, as attached.

DRAFT UNAPPROVED MINUTES of the
Orientation Workshop of the City Council of the City
of Rye held in City Hall on January 25, 2014 at 9:00
A.M.

PRESENT:

JOSEPH A. SACK Mayor (left at 10:40 a.m.)
KIRSTIN BUCCI
JULIE KILLIAN
TERRENCE McCARTNEY
RICHARD MECCA
RICHARD SLACK
Councilmembers

ABSENT: LAURA BRETT
Councilmember

The Council convened at 9:00 a.m. and Agenda Item 4 was taken immediately.

1. Pledge of Allegiance

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

2. Roll Call

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

3. Council Orientation

- Introduction and Overview
- Agenda Process
- Weekly Packets
- FOIL
- Citizen Requests
- Council Meeting Procedures

City Manager Pickup and the City Manager's assistant, Eleanor Militana, provided an overview for the new Members of the Council regarding the process and procedures involved in placing items on a City Council Agenda, the weekly Council packets, the FOIL process, utilization of Share File for sharing information with the Council, and the handling of citizen requests.

- Requests for Federal Funding

City Manager Pickup explained various ways the City looks to find outside funding sources for capital projects.

- Capital Project Update

City Engineer Ryan Coyne provided an overview of the following projects and studies that are currently scheduled for 2014:

- Hewlett Avenue Pump Station
- Theodore Fremd Retaining Wall
- Infrastructure Bond Projects
- Safe Routes to School Projects
- Milton/Apawamis – High School Driveway Reconfiguration
- Boston Post Road Realignment and Nature Center Driveway Study
- Disbrow Park Master Plan Study
- MTA Parking Lot Study
- Blind Brook Wall Study
- Energy efficiency upgrades
- FEMA Grants
- Street Resurfacing
- Sidewalk Program
- FEMA Projects

The Council took a ten minute recess at this time.

- Overview of Land Use Issues

City Planner Christian Miller provided an overview of the City Council's role in land use issues touching on the following areas:

- Legislative Authority
- Planning Authority
- Permitting Authority
- Guidelines

This Agenda Item was taken at the beginning of the meeting.

4. The Council will convene into Executive Session to discuss litigation and personnel matters

Councilman McCartney made a motion, seconded by Councilman Slack and unanimously carried, to adjourn into executive session at 9:05 a.m. to discuss litigation and

personnel matters. Councilman Mecca made a motion, seconded by Councilman Slack and unanimously carried, to adjourn the executive session at 10.22 a.m. The workshop reconvened at 10:25 a.m.

5. Adjournment

There being no further business to discuss Councilman McCartney made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn the meeting at 12:55 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on January 29, 2014 at 7:30
P.M.

PRESENT:

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

ABSENT: None

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements

Mayor Sack read a statement responding to recent allegations made by School Board Member Edward Fox regarding Mayor Sack and his wife, Kerri Law, and Councilman Slack and his wife, School Board President Laura Slack, claiming that a deal was made in connection with the recent appointment of Mr. Slack to the City Council. Mayor Sack denied all the allegations and called on Board Member Fox to retract his statement. Comments were also made refuting the allegations by Councilmembers, McCartney, Slack, Brett and Killian.

4. Announcement of opening for a City Court Judge (part-time) at the Rye City Court

Mayor Sack announced that Judge Richard Runes has stepped down from the position of City Court Judge (part-time). The Mayor explained the requirements of the position and asked anyone who was interested to please contact him.

5. Draft unapproved minutes of the regular meeting of the City Council held January 8, 2014

Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to approve the minutes of the regular meeting of the City Council held on January 8, 2014, as submitted.

6. Issues Update/Old Business

- Proposal for Affordable Senior Housing on the County-owned property located on Theodore Fremd Avenue

Mayor Sack summarized what has been done to date in connection with the proposal to develop Affordable Senior Housing on County-owned property on Theodore Fremd Avenue and outlined the next steps that the City would need to take. He said he would like to have a site visit that would be open to the public as part of the public hearing process. He also noted that he and Councilwoman Brett had met with representatives of the County to discuss the proposal and had visited the site with representatives of the media.

- “Parkette” at Boston Post Road and Central Avenue

Mayor Sack referred to a memo issued by the Traffic and Pedestrian Safety Committee that discusses using the site for parking. He added that any decision on whether to use the area for parking or convert it back to a park should wait until after the construction is completed at 2 Central Avenue. Councilwoman Brett said that the Landmarks Committee has been discussing placing the “mile marker” that is being returned from Port Chester at that location. Doug Carey provided the Council with newspaper clippings regarding the creation of the park.

- Rye Town Park Litigation

Mayor Sack said that the City had filed papers and perfected its appeal in connection with this matter last week. The Town of Rye has 30 days to submit their response.

- Freedom of Information Law (FOIL)

Corporation Counsel Wilson reported on two FOIL appeals filed by Timothy Chittenden. In one case, the City is not in possession of the document that he is seeking but has advised him who might be in possession of the record. In the other case, he was provided with the responsive documents and indicated that he believed there were additional documents. An additional search was made and no additional documents have been located. Ms. Wilson said she did not believe that either were appealable issues.

7. Presentation by the Playland Advisory Committee

Prior to the presentation, Mayor Sack designated Steve Vasko to serve as the Chair of the Rye Playland Advisory Committee (RPAC).

Councilmembers McCartney, Killian and Brett made disclosures regarding relationships they have with people who are affiliated with Playland Sports and Sustainable Playland. They

all indicated that these relationships would not affect their ability to be fair and objective regarding the SPI proposal.

Steve Vasko discussed a report that had been compiled by RPAC after they reached out to the community for their questions regarding the Playland Improvement Plan (PIP). The report lists questions under categories of who RPAC believes can best answer them. Residents have also requested public forums that will include all concerned parties and allow for comment, question and answer sessions. Some areas of concern raised in the questions include: traffic issues; adding Rye as an interested party under SEQRA; and the parkland alienation process. He requested that the City add a link to the Rye website to allow citizens to contact RPAC. Mayor Sack reported that he and Councilwoman Slack had met with Deputy County Executive Kevin Plunkett who agreed to assist the City in getting answers to questions if they were forwarded to him. The Mayor asked that RPAC report back to the Council at the February 26th meeting. Kim Morque, President of SPI reported that the PIP had been resubmitted to the County Board of Legislators this week and said SPI would welcome the opportunity to work on the plan with RPAC and the City Council.

Several members of the public commented on this Agenda item, including: *Susan Morison, Veronica Iuliano, Michael Lee, Chris Watson, Ken Ball, Deirdre Curran, and Michael Visci*. They expressed positions both for and against the PIP and the Field House proposal in particular.

8. Resolution authorizing the 2012 Rye City Share of Capital for Rye Town Park

Councilwoman Brett made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the payment of \$11,000.00 to the Rye Town Park Commission as the City of Rye's share of the 2012 capital expenditures for Rye Town Park.

ROLL CALL:

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

The Resolution was adopted by a 7-0 vote.

9. Resolution to transfer \$50,000 from contingency to Public Works to purchase salt for storm coverage for the remainder of the winter season

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

WHEREAS, City staff has determined that the amounts required for sale for storm coverage in fiscal 2014 will exceed the amounts provided for in the adopted 2014 budget by \$50,000; and

WHEREAS, the General Fund Contingent Account has a balance of \$300,000; now, therefore, be it

RESOLVED, that the City Comptroller is authorized to transfer \$50,000 from the General Fund Contingent Account to the Public Works Department.

ROLL CALL:

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

The Resolution was adopted by a 7-0 vote.

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

Joseph Murphy, Chair of the Rye Senior Advisory Committee, said that the Committee has revised their Mission Statement and asked that it be added to the Agenda of the next City Council meeting for consideration.

11. Council designation to the Litigation and Case Management Committee

Mayor Sack appointed Councilmembers Laura Brett and Richard Slack to serve on the Litigation and Case Management Committee.

12. Designation of the City Council Liaisons by the Mayor

Mayor Sack designated City Council Liaisons as follows:

Councilwoman Brett – Flood Advisory Committee, Landmarks Committee and Rye Town Park Commission

Councilwoman Killian – Finance Committee, Traffic and Pedestrian Safety Committee and Sustainability Committee

Councilman Mecca – Boat Basin Commission

Councilman McCartney – Recreation Commission and Rye Golf Club Commission (co-liaison)

Councilwoman Bucci – Rye Golf Club Commission (co-liaison)

13. Appointments to Boards and Commissions, by the Mayor with Council approval
- A) One appointment to the Board of Architectural Review for a three-year term.
 - B) One appointment to the Conservation Commission/Advisory Council for a three-year term.
 - C) Two appointments to the Finance Committee for a three-year term.
 - D) Four appointments to the Flood Advisory Committee for a three-year term.
 - E) Three appointments to the Landmarks Advisory Committee for a three-year term.
 - F) Four appointments to the Rye Cable and Communications Committee for a three-year term.
 - G) Two appointments to the Rye Town Park Advisory Committee for a three-year term.

Appointments to the Board of Architectural Review, Conservation Commission/Advisory Council, Landmarks Advisory Committee, Rye Cable and Communications Committee and Rye Town Park Advisory Committee were deferred.

Councilwoman Brett made a motion, seconded by Councilman McCartney and unanimously carried, to approve the following appointments:

Robert May and James Jenkins are appointed to the Finance Committee for three-year terms, expiring on January 1, 2017;

Holly Kennedy and Robert Gay are appointed to the Flood Advisory Committee for three-year terms, expiring on January 1, 2017;

James Lubeck is appointed to the Rye Playland Advisory Committee to fill out a term expiring on January 1, 2016.

14. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department: Amendment of General Order #113.7, “Domestic Violence”

This Agenda item was deferred to the next City Council meeting.

15. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department: Approval of new General Order #113.21, “Guidelines for Recording Custodial Interrogations of Suspects”

This Agenda item was deferred to the next City Council meeting.

16. Miscellaneous Communications and Reports

There was nothing discussed under this Agenda item

17. Old Business

Old Business was discussed under Agenda Item 6.

18. New Business

There was nothing discussed under this Agenda item.

19. The Council will convene into Executive Session to discuss litigation and personnel matters.

See Agenda Item 20.

20. Adjournment

There being no further business to discuss Councilwoman Brett made a motion, seconded by Councilman McCartney and unanimously carried, to adjourn into executive session to discuss litigation regarding the water rate case, and not return into regular session at 9:45 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: February 5, 2014

CONTACT: Mayor Joseph Sack

AGENDA ITEM: Issues Update/Old Business

FOR THE MEETING OF:

February 5, 2014

RYE CITY CODE,

CHAPTER

SECTION

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

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:



CITY COUNCIL AGENDA

NO. 6 DEPT.: Planning DATE: February 5, 2014
CONTACT: Christian K. Miller, AICP, City Planner

AGENDA ITEM: Consideration to set a Public Hearing for February 26, 2014 to change the zoning designation of County-owned property located on Theodore Fremd Avenue and North street to the RA-5 District to provide for the construction of affordable senior housing.

FOR THE MEETING OF:

February 5, 2014

RYE CITY CODE,

CHAPTER 197
SECTION 3

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

IMPACT: ☒ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND:

The petitioner, Lazz Development/Pawling Holdings, seeks an amendment to the City Zoning Map to change the zoning district designation of an approximately 2.0-acre property located on Theodore Fremd Avenue and North Street. The request would change the zoning of the Westchester County-owned property from the B-6, *General Business*, District and the B-1, *Neighborhood Business*, District to the RA-5, *Senior Citizen's Apartment*, District. The petitioner is seeking to construct fifty-four (54) units of age-restricted housing located in two buildings. The proposal would be limited to those over age 55 and consist of 44 one-bedroom units and 10 two-bedroom units. The proposed units would also be affordable and 27 of these units would count towards Rye's contribution to the 750 units of fair and affordable housing Westchester County is obligated to provide as part of a stipulation of settlement with the U.S. Department of Housing and Urban Development (HUD). It is noted that the proposed zoning change is the same district as adopted by the City Council in the mid-1980s to accommodate the nearly 100 units of affordable senior housing at 300 Theall Road. The matter has been referred to the City Planning Commission, which will consider a recommendation memo to the City Council at its February 4, 2014 meeting. Westchester County has provided its advisory comments on the matter.

Robert P. Astorino
County Executive

County Planning Board

January 30, 2014

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

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

Dear Mr. Miller:

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


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

Because we have not received full site plans, we will reserve full comment on this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code for a later date. At this time we offer the following preliminary comment:

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

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By: 
Edward Buroughs, AICP
Commissioner

EEB/LH

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

Clark Neuringer Architect

CONNECTICUT
DELAWARE
FLORIDA
MARYLAND
NEW YORK

December 10, 2013

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

Re: Proposed Zoning Amendment;
The Courtyard at Theodore Fremd

Dear Mayor French and Members of the City Council,

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

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

The Honorable Douglas French
Page 2
December 10, 2013

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

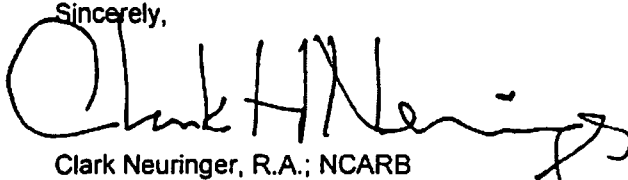
Our proposed senior citizen residential development meets or exceeds the requirements of the RA-5 District and would be a beneficial addition to the City in general and to the particular neighborhood. Our proposal represents a lower intensity of use of the property compared to what could be developed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

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

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

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

Sincerely,



Clark Neuringer, R.A.; NCARB

Cc: Louis Larizza, Lazz Development // Pawling Holdings

DRAFT

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**LOCAL LAW
CITY OF RYE NO. ____ -2014**

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

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

Section 1. **The Zoning Map of the City of Rye, New York is hereby amended to change the zoning district designation of a property known on the City of Rye Tax Map as Section 146.10, Block 1, Lot 66 from B-6, *General Business*, District and B-1, *Neighborhood Business*, District to RA-5, *Senior Citizens Apartment*, District.**

Section 2. **Severability**

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

Section 3. **Effective Date**

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

City of Rye, New York



Zoning Districts - Theodore Fremd Area

617.20
Appendix B
Short Environmental Assessment Form

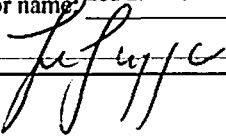
Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
City of Rye Affordable Senior Housing							
Name of Action or Project: The Courtyard at Theodore Fremd							
Project Location (describe, and attach a location map): Theodore Fremd Avenue and North Street, Rye, NY							
Brief Description of Proposed Action: 1. Construct 54 units of senior affordable housing units with parking areas for 95 cars on 2.08 acres in the City of Rye, NY. 2. Approval of a City of Rye zoning text amendment to permit certain residential types in the B6 (Business) zone.							
Name of Applicant or Sponsor: Pawling Holdings, LLC		Telephone: E-Mail:					
Address: 211 South Ridge Street, Suite 3R							
City/PO: Rye Brook		State: NY	Zip Code: 10573				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Rye Planning Commission, City of Rye Council, the Home Fund, HIF, AHC agencies, County of Westchester DPW			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		2.08 acres					
b. Total acreage to be physically disturbed?		2.08 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.08 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): Railroad, Interstate Highway 95 <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Existing Culvert beneath Metro North Rail Lines	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ Three subsurface detention vaults to be constructed beneath the parking areas. Size is generally 1000 square feet per system. The purpose is to limit flows to current levels.	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ NYS DEC database has no record of remediation 1978 to present.	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Lou Larizza</u> Date: <u>11/6/2013</u> Signature: <u></u>		

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

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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

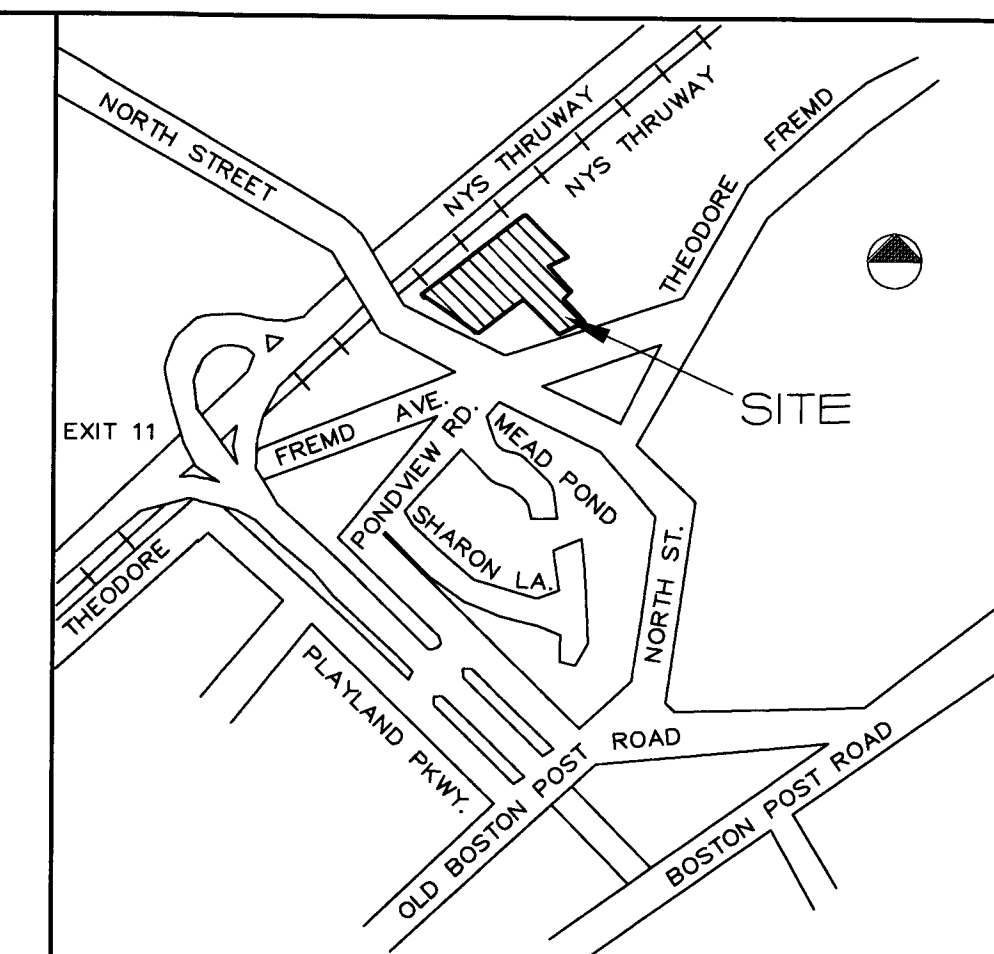
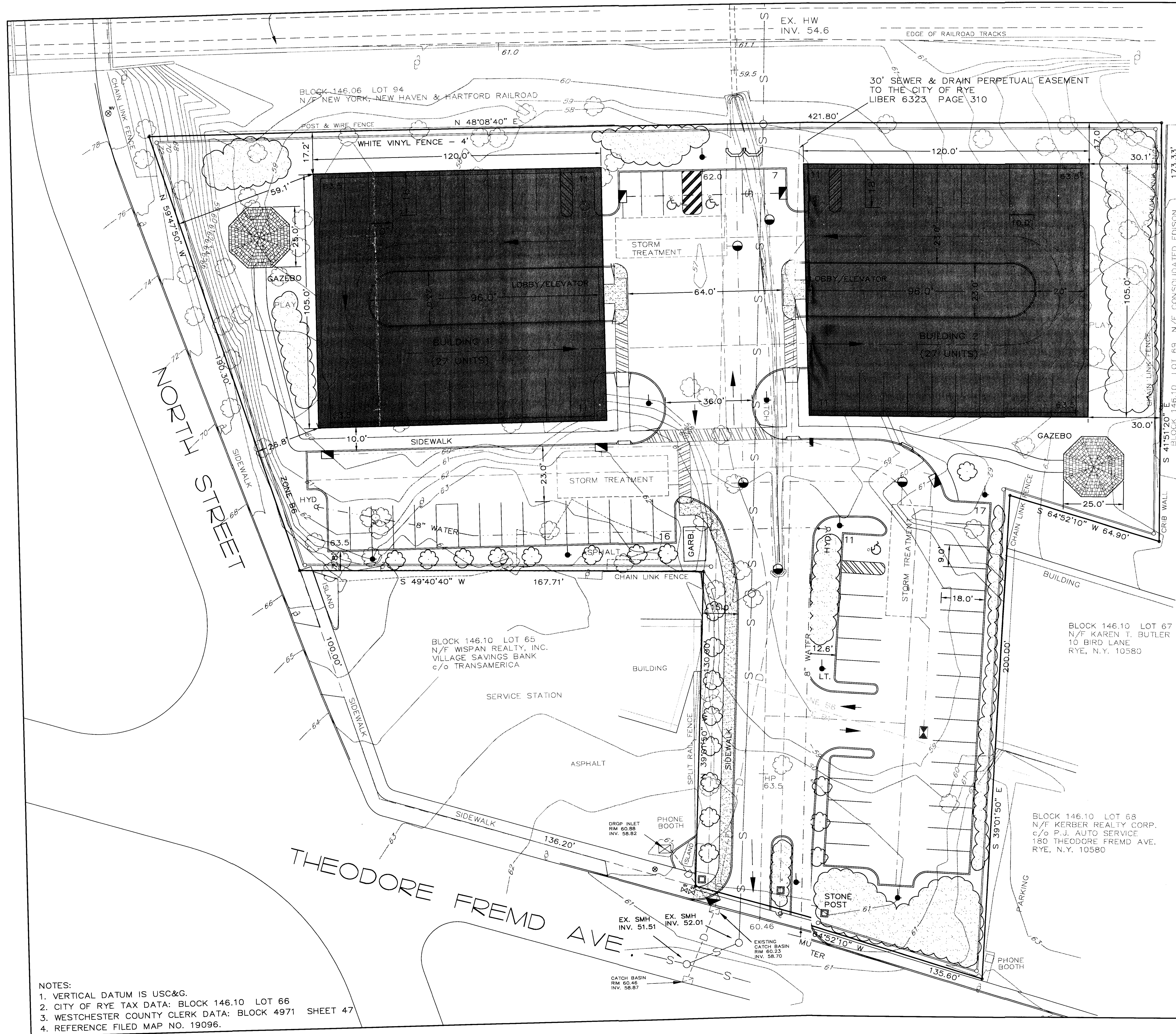
7b. Wastewater Treatment: The project is in the County's Blind Brook Sewer District and sewage flow will be treated at the Blind Brook Treatment Plant which has a capacity of 5 mgd and is currently operating at 3.3 mgd. City-owned sewers at the site are adequately sized to handle the increased flow from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

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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT



NOTES:

1. VERTICAL DATUM IS USC&G.
2. CITY OF RYE TAX DATA: BLOCK 146.10 LOT 66
3. WESTCHESTER COUNTY CLERK DATA: BLOCK 4971 SHEET 47
4. REFERENCE FILED MAP NO. 19096.
5. LOT AREA = 2.080 ACRES
6. TOTAL PROPOSED HOUSING UNITS: 54
7. TOTAL PARKING: 95 SPACES
8. THIS PLAN IS FOR PLANNING PURPOSES ONLY.

Site Zoning District: B6 / B1
Proposed Zoning District Controls: RA5

Item	Required	Proposed	Zoning Compliance
Minimum Lot Area, SF	43,560	90,604	OK
F.A.R. = 1.0	90,604 SF	75,600 SF	OK
Minimum Lot Width, ft.	80	135	OK
Front Yard, ft.	25	31.6	OK
Side Yard, one, ft.	30	30	OK
Rear Yard, ft.	40	17	See 197-64 Exemption
Stories	4	4	OK
Height, ft.	50	<50	OK
Parking, 1 space / 4 D.U.	14	+/-90	OK
Open Space, 40SF/DU	2,160	>3,700	OK

NOTE:
No proposed structures in B1 Zone; Parking only, which is a permitted use.

RALPH G. MASTROMONACO, P.E., P.C.
Consulting Engineers
13 Dove Court, Croton-on-Hudson, New York 10520
(914) 271-4762 (914) 271-2820 Fax

Ralph Mastromonaco

SITE PLAN
The Courtyard at Theodore Fremd
for
CITY OF RYE
AFFORDABLE SENIOR HOUSING
Lazz Development/Pawling Holdings
Owner: Lou Larizza

THEODORE FREM'D AVE.
CITY OF RYE
WESTCHESTER CO., N.Y.
DECEMBER 9, 2013
SHEET 1 OF 1 SHEETS



CITY COUNCIL AGENDA

NO. 8

DEPT.: Finance

DATE: February 5, 2014

CONTACT: Joseph Fazzino, Deputy City Comptroller

AGENDA ITEM: Authorize payment of the balance of the 2013/2014 Rye Neck Union Free School District taxes collected by the City to the School District.

FOR THE MEETING OF:

February 5, 2014

RYE CITY CODE,

CHAPTER 22.9
SECTION

RECOMMENDATION: That the Mayor and the City Council authorize payment of the 12/31/13 balance of \$185,168.04 on 2/5/2014.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

The balance of unpaid Rye Neck U.F.S.D. taxes on property within the City of Rye is \$185,168.04 at 12/31/13. This balance represents 2.84% of the total tax levied, \$10,897,521, on September 1, 2013. Arrears notices will be mailed in conjunction with the 2014 City tax bills, and again during March 2014, May 2014 and June 2014 to try to collect these balances prior to the filing of the list of delinquent taxes with the County scheduled for July 1, 2014.

In accordance with Section 22.9 of the City Charter, it is requested that the City Council authorize the City Comptroller to pay the Treasurer of the Rye Neck UFSD the amount due at December 31, 2013.



CITY COUNCIL AGENDA

NO. 9

DEPT.: City Manager

DATE: February 5, 2014

CONTACT: Scott Pickup

AGENDA ITEM: Consideration of a request by the Rye Little League to approve a parade to kickoff Opening Day of the 57th Little League Season on Saturday, April 5, 2014 beginning at 12:00 p.m.

FOR THE MEETING OF:

February 5, 2014

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council consider granting the request.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:

The Rye Little League is requesting the Council approve a parade to kickoff Opening Day of the 57th Little League Season on Saturday, April 5, 2014 beginning at 12:00 p.m.

See attached request from Nancy Lavelle, Parade Coordinator.

January 15, 2014

Dear Mr. Pickup,

The Rye Little League has designated Saturday, April 5th, 2014 as Opening Day of the 57th Little League Season.

We are planning to do what we have done for the past 56 years; a parade beginning at noon that originates at the Rye Train Station and ends at Grainger Field at Disbrow Park.

The parade will likely have upwards of 500 participants, including the Rye Little League, Rye Girls Sports League, marching bands, several vehicles and a variety of emergency vehicles (ambulance and fire trucks)

We respectfully request that you issue the League a permit to hold the parade on Saturday the 5th of April at noon and in addition, permission to reschedule for Sunday the 6th of April at noon in the event of rain on Saturday. We understand that the City's permission is conditioned upon the League furnishing a certificate evidencing \$1,000,000 liability insurance with the City of Rye named as additional insured and a hold harmless clause indemnifying the City against claims and judgments resulting from the use of City property. The certificate is forthcoming.

Upon the City's approval, the assistance and cooperation of the City of Rye Police will be requested directly through the Police Commissioner.

Very Truly Yours,

Nancy Lavelle
Parade Coordinator
11 Davis Ave
Rye, NY 10580
(914) 329-9066



CITY COUNCIL AGENDA

NO. 10

DEPT.: City Manager

DATE: February 5, 2014

CONTACT: Scott D. Pickup

AGENDA ITEM: Consideration of a request by the Rye YMCA for the use of City streets for the 26th Annual Rye Derby on Sunday, April 27, 2014 from 9:00 a.m. to 2:00 p.m.

FOR THE MEETING OF:

February 5, 2014

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council consider granting the request.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

The Rye YMCA is requesting the Council approve their use of City streets for the 26th Annual Rye Derby on Sunday, April 27, 2014 from 9:00 a.m. to 2:00 p.m.

See attached letter from Gregg Howells, YMCA Executive Director



FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

October 21, 2013

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President

Suzanne Kelly
Vice President

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Vice President

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Vice President

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Gregg R. Howells
Executive Director

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TRUSTEE EMERITUS
Michael T. Tokarz

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

RE: Rye Derby 2014

Dear Ms. Nordarse:

We are writing to request permission from the City of Rye for use of city streets on Sunday, April 27, 2014 for the 26th Anniversary of the Rye Derby sponsored by the Rye YMCA.

The five-mile run and 5K will start at 10:15 am and the one-mile "Family Fun Run" will begin at 12:15 pm, using the same course used last year. As always, the Rye Y will be the focal point of festivities before and after the race. This is a community event that attracts as many as 800 participants and several hundred spectators. The racecourse map from last year is enclosed.

Prior to race day, the Rye Y will provide a certificate of insurance naming the City of Rye as additionally insured for that day. We also have instructed our race advisors not to use paint or chalk on city streets and we will follow the course that has been agreed upon with the Rye City Police department for this race. Margaret Mead, our Race Director, will be coordinating her efforts with Lt. Falk.

Thank you in advance for your cooperation.

Sincerely,

Gregg Howells
Executive Director

CC: Lt. Falk, Eleanor Militana

GRH:mm

The Rye YMCA is a 501 c3 non-profit organization dedicated to strengthening the foundation of families and community.

RYE YMCA

21 Locust Avenue, Rye, New York 10580
P 914 967 6363 F 914 967 0644 www.ryeymca.org



**5 Mile & 5K Race
Start Time 10:15**

Start
Finish



RYE YMCA
21 Locust Avenue
Rye, NY
914-967-6363
www.ryeymca.org

The Rye Derby

April 28, 2013

■ 5 Mile Race
■ 5K Race



**Family Fun Race
Start Time 12:15**

Start
Finish



CITY COUNCIL AGENDA

NO. 11

DEPT.: RCTV

DATE: February 5, 2014

CONTACT: Nicole Levitsky, Access Coordinator

AGENDA ITEM: Resolution to declare the following RTV equipment as surplus: Power Mac G5 computer.

FOR THE MEETING OF:

February 5, 2014

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Council adopt the following resolution:

Whereas, the staff of RTV has recommended that the following equipment be declared surplus: Apple Power Mac G5, now, therefore, be it

Resolved that said equipment is declared surplus, and, be it further

Resolved, that authorization is given to the City Comptroller to sell or dispose of said equipment in a manner that will serve in the best interests of the City.

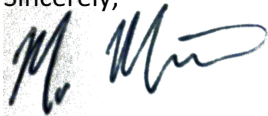
IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other

BACKGROUND: The Power Mac G5 computer should be declared as surplus since it can not turn on fully and no longer works. The City's IT consultants, Elevated Computing, have certified that the Mac has reached its end of life and would not be worth repairing. See attached note from Elevated Computing.

To whom it may concern,

We have run extensive diagnostics and worked with Apple tech support in our efforts to fix the Mac computer for Rye TV. It has been determined that the motherboard has gone bad and the computer is not worth repairing. We have returned the computer to Nicole Levitsky and advised that it be disposed of.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Molinelli', written over a light gray rectangular background.

Michael Molinelli

CEO

Elevated Computing