City of New Rochelle Comprehensive Plan Update and Zoning Code Amendments

FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FGEIS)

Submitted: October 6, 2016
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CITY OF NEW ROCHELLE COMPREHENSIVE PLAN UPDATE AND ZONING CODE AMENDMENTS

City of New Rochelle
Westchester County, New York 10801

October 6, 2016

SEQRA Classification: Type I Action

Lead Agency: City of New Rochelle
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Date the DGEIS was accepted by the Lead Agency: July 12, 2016
Date of Public Hearing: September 12, 2016
Closing Date of Comment Period: September 23, 2016
Date FGEIS was Accepted by the Lead Agency: October 18, 2016
Involved Agencies

- New Rochelle City Council (Lead Agency)

Interested Agencies

- New Rochelle Planning Board
- New Rochelle Zoning Board of Appeals
- Westchester County Department of Planning
- NYSERDA
- New York State Department of State
- Sabin Center for Climate Change Law

Required Reviews and Approvals

- City of New Rochelle City Council: Adoption of 2016 Comprehensive Plan Update
- City of New Rochelle City Council: Adoption of amendments to City Zoning Code and Official Zoning Map
- City of New Rochelle Planning Board: Recommendation on Zoning Amendments
- Westchester County Planning Board: General Municipal Law §239-m Review
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1.0 INTRODUCTION

This Final Generic Environmental Impact Statement (FGEIS) has been prepared pursuant to the State Environmental Quality Review Act (SEQR) and its implementing regulations (6 NYCRR Part 617). Under those regulations, the FGEIS serves as the basis for the Lead Agency Findings; the City of New Rochelle City Council is the Lead Agency for this environmental review. This FGEIS has been prepared to respond to all substantive environmental comments made on the Draft Generic Environmental Impact Statement (DGEIS). In accordance with Section 617.9(b)(7) of the SEQR regulations, this FGEIS incorporates by reference the DGEIS. The proposed action analyzed in the DGEIS is the adoption the 2016 Comprehensive Plan Update (“Comprehensive Plan”) and related amendments to the City’s Zoning Code (hereinafter referred to as the “Proposed Action”).

The following steps have been or will be undertaken during this SEQR review process:

- **Environmental Assessment Form (EAF)** – a Full EAF was prepared and submitted to the City Council in March 2016. The EAF provided preliminary analysis of the potential impacts associated with the Proposed Action. After review, the City Council determined that the Proposed Action had the potential for significant adverse environmental impacts and would require the preparation of GEIS. Pursuant to this determination, the City Council (SEQR lead agency) issued a positive declaration for the Proposed Action.

- **DGEIS** – a draft document accepted by the City Council and released for public and agency review and comment. On July 12, 2016, the City of New Rochelle City Council accepted the DGEIS dated July 12, 2016, as adequate and complete for the purpose of commencing public review and comment regarding issues addressed in the Final Scope of Work for the Proposed Action.

- **Public review** of at least 30 days, including a public hearing at which any individual, group or agency may comment on the DGEIS. A public hearing regarding the DGEIS was held and adjourned on September 12, 2016, and, then, closed following public comment. Written comments regarding the DGEIS were accepted for a total of 73 days, from July 13, 2016 to September 23, 2016, including a 10-day period following the public hearing.

- **Final GEIS (FGEIS)** – acceptance and publication by the City Council as Lead Agency, which incorporates relevant comments and responses, if any, made during public review of the DGEIS.

- **Findings Statement** – adopted and passed by the City Council as Lead Agency no sooner than 10 days, nor more than 30 days after publication of the FGEIS. The Findings Statement must: 1) consider the relevant environmental impacts, facts and conclusions presented in the GEIS; 2) provide a rationale for the agency’s decision; 3) certify that SEQR’s requirements have been met; and 4) certify that consistent with social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and
that the adverse environmental impacts will be avoided or minimized to the maximum extent practicable.

This FGEIS is organized into three sections: Section 1.0 describes the purpose of the Generic Environmental Impact Statement, summarizes the Proposed Action and identifies the project location and environmental setting; Section 2.0 describes changes that have been made to the Proposed Action in response to concerns raised during the public comment period; Section 3.0 contains a summary of all written comments and comments received at the public hearing and provides responses to each of those comments (public hearing transcripts and public comment letters are located in Appendix A).

1.1 Generic Environmental Impact Statement

This environmental impact statement for the adoption of the Comprehensive Plan Update and proposed Zoning Code amendments has been prepared as a Generic Environmental Impact Statement (GEIS). Importantly, the Proposed Action is legislative and generic in nature, not project-specific, and does not directly result in physical changes to the environment. The proposed adoption of the updated Comprehensive Plan and updates to the Zoning Code may affect the size, type and form of development permitted to be developed in the city. As such, the Proposed Action is “generic” in nature in that it is not a specific development change, but rather it constitutes policy and regulatory changes that would alter the range of future development options for the Project Site.

Under SEQR (§617.10), 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 Generic EIS, according to New York State Department of Environmental Conservation (NYSDEC) SEQR 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.” As noted in the SEQR handbook, “… A Generic EIS differs from a site or project specific EIS by being more general or conceptual in nature.” In addition, Section 617.10(c) of the SEQR regulations requires that a GEIS set forth the specific conditions under which future actions will be undertaken or approved.

1.2 Environmental Setting

Project Location
The Comprehensive Plan is a plan covering the entire geographic area of the City of New Rochelle. The City of New Rochelle is located in the southern portion of Westchester County, New York with nine miles of waterfront on the Long Island Sound. Located approximately 19 miles from Midtown Manhattan, New Rochelle is bordered by seven other Westchester towns and villages (Pelham
Manor, Pelham, Mount Vernon, Eastchester, Scarsdale, Mamaroneck and Larchmont). Figures I-1 and I-2 provide regional and project location maps.

Existing Land Use and Zoning
The most common land use in the City of New Rochelle is single-family residential, which accounts for nearly 48% of the City’s total land area and contributes to an overall character of low-density suburban neighborhoods in much of the City (see Figure I-3: Existing Land Use Map). The second largest land use in the City is public open space and recreational uses (13%). New Rochelle’s location along the Northeast Corridor has led to the development of a higher intensity of commercial and multi-family residential uses along Interstate-95 (I-95) and the New Rochelle Transit Center (served by Amtrak and the Metro-North rail systems) in and around the City’s Downtown. The small area of land dedicated to manufacturing and light industrial uses are also concentrated along I-95 and rail infrastructure. The City is also home to a number of significant institutional uses, accounting for the third largest land use in the City (7%), including Iona College, the College of New Rochelle, Monroe College, and Montefiore New Rochelle Hospital. Descriptions of the existing zoning and land use of areas that would be modified by the proposed changes are found below and in Section 3.2 of the DGEIS.

The City of New Rochelle Zoning Law, originally adopted in 1955 and amended over the years, contains 38 zoning districts: 17 residential, of which eight are single family, and 21 non-residential districts covering institutional, mixed-use, commercial and industrial uses. The City’s current zoning law was adopted in 2005 with amendments made as recently as 2016. Figure I-4 provides a map of existing Zoning Districts found New Rochelle.

The Proposed Action also includes amendments to the Zoning Code and Map. The proposed Zoning Code Amendments were prepared in coordination with the Comprehensive Plan update to ensure that they are fully consistent with the land use recommendations contained in the Plan. The majority of the proposed Zoning Code Amendments modify existing or create new standards effecting the five geographic areas shown on Figure I-5: Proposed Zoning Changes. In addition, several of these recommended zoning changes necessitate amendments to the City’s Zoning Map (see Figure 1-6).
Figure 1-1: Regional Map
Figure 1-2: City of New Rochelle Map
Figure 1-3: Existing Land Use Map

Source: Westchester County, City of New Rochelle, BFJ Planning
Zoning Districts

- AR DMU: Air Rights Downtown Mixed Use
- C - 1M: General Commercial Modified
- CR - 1: College Related
- DB: Downtown Business
- DMU: Downtown Mixed Use
- DMUR: Downtown Mixed Use Urban Renewal
- H: Hospital
- I: Industry
- LI: Light Industry
- LSR: Large Scale Retail
- MUFE: Mixed Use Family Entertainment
- NA: North Avenue
- NB: Neighborhood Business
- NR: Neighborhood Retail
- PUD - AH: Planned Unit Development Affordable Housing Floating Zone
- PWO - 3: Planned Waterfront Development
- PWO - 5: Planned Waterfront Development
- PWOE - 5: Planned Waterfront Development Extension Floating Zone
- R - URT: Urban Renewal Townhouse Residence
- R1 - 10: One Family Residence
- R1 - 10A: One Family Residence
- R1 - 15: One Family Residence
- R1 - 20: One Family Residence
- R1 - 7.5: One Family Residence
- R1 - CH: One Family Cluster Residence
- R1 - HIST: One Family Historic Residence
- R1 - WF 10: One Family Waterfront Residence
- R2 - 7.0: Two Family Residence
- Railroad: Railroad
- RMF - 0.4: Multi - Family Residence
- RMF - 0.5: Multi - Family Residence
- RMF - 0.7: Multi - Family Residence
- RMF - 1.0: Multi - Family Residence
- RMF - 1.3: Multi - Family Residence
- RMF - 2.0: Multi - Family Residence
- RMF - SC 4.0: Multi - Family Senior Citizen Residence
- RMSC - 4: Multi - Family Residence
- ROS: Recreation Open Space
- WR: Water Front Residence

Figure 1-4: Existing Zoning Map

Source: Westchester County, City of New Rochelle, BFJ Planning
Proposed Zoning Changes

1. Municipal Marina (WR / WR-1)
2. Fifth Avenue Overlay Zone
3. Cultural District Extension Overlay Zone
4. Hospital District
5. Quaker Ridge/Weaver District

Source: Westchester County, City of New Rochelle, BFJ Planning

Figure 1-5: Proposed Zoning Changes
Quaker Ridge NB Rezoning

Proposed Cultural District Extension Overlay Zone

Proposed WR-1 Zone

Source: Westchester County, City of New Rochelle, BFJ Planning

Figure 1-6: Proposed Zoning Map Amendments
2.0 CHANGES TO THE PROPOSED ACTION

Several revisions have been made to the draft Comprehensive Plan and draft Zoning Code and Map Amendments set forth in the DGEIS as a result of comments received during the public hearings held on each of these items.

The following summarizes changes made to the Comprehensive Plan and Zoning Code Amendments in response to comments made during the public hearing period for these documents. The revised Final Comprehensive Plan with changes shown in underline/strikeout can be viewed here: www.newrochelleny.com/EnvisioNR.

Comprehensive Plan

1. Minor revisions have been made to the Comprehensive Plan to correct typographical errors and to update existing conditions data that may have been incorrect or has changed since the draft Comprehensive Plan was published in April 2016.
2. Minor text edits to clarify intent and strengthen certain recommendations have been made. All of these revisions are in line with the overall goals of the Comprehensive Plan.
3. Several recommendations have been deleted from the Plan because they have already been implemented by the City.
4. Cultural District Extension Overlay Zone - The boundary of the proposed Cultural District Extension Overlay Zone included in the DGEIS was based on a draft report prepared by Civic Moxie, the City’s Cultural District consultant. Based on staff review, a revised report has been prepared that now includes an expansion of the boundaries of the Overlay Zone to include more of the underlying Light Industrial District. This is in line with the City’s goals for supporting and expanding the City’s arts and cultural community. Accordingly, the following figures have been updated to reflect the new boundary: Figure 1.1: Downtown, Neighborhood Focus Areas, Neighborhood Protection and Enhancement Areas; Figure 4.4: Arts and Cultural District; 11.3: Future Land Use Plan; 11.4: Zoning Recommendations has been updated to reflect the new boundary (see Figure 2-1 below for revised Future Land Use Plan showing the new Cultural District Extension Overlay Zone Boundary).

Proposed Zoning Code Amendments

1. Water Related (WR) and Water Related 1 (WR-1) – The City received a comment on the draft Zoning Code Amendments asking that the yard setback within both the existing WR and proposed WR-1 District be reduced from 30 feet to 20 feet to better accommodate reuse of the City’s Municipal Marina properties. Accordingly, this change has been made in the amendments to the WR and WR-1 Districts. This change in setback is not anticipated to result in any new potentially significant adverse environmental impacts not...
previously analyzed in the DGEIS. It should also be noted that, the amendments to the WR District contain special criteria to ensure that any new construction of a new building or replacement or expansion of an existing building will not block any significant existing water views. Finally, any future site specific development at the Municipal Marina will require site plan approval and site-specific review under SEQR.

Further, based on comments received during the public hearing on the Zoning Code Amendments, the City is also considering potential changes to the allowed uses within the WR. This and other potential changes, while still under review and pending the outcome of a neighborhood public meeting, would fall within the development envelope analyzed in the DGEIS and be less intensive in nature than what was previously analyzed. Therefore, any changes to the WR or WR-1 that result in a reduction in the uses and bulk analyzed in the DGEIS will not result in any new environmental impacts.

2. Cultural District Extension – As described above, the boundaries of the proposed Cultural District Extension Overlay Zone are being expanded to include more of the underlying Light Industrial District. This revision is in line with the City’s goals for supporting and expanding the City’s arts and cultural community. The revised Cultural District Extension Overlay Zone boundary is shown in Figure 2-2.

In addition, to counter the increase in land area covered by the Overlay District, the zoning has been revised to increase the minimum size of an artist work/live unit from 275 square feet to 400 square feet per living unit. The increase in area balanced by the increase in minimum unit size will result in approximately 20 additional live work units in the area.

The addition of approximately 20 artist work/live units is not anticipated to result in any new environmental impacts not previously analyzed in the DGEIS. As outlined in the DGEIS, the artist work/live units are not anticipated to result in the addition of any new school children. Further increases in demand for police and fire protection, water and sewer infrastructure and sanitation services from the additional units would be de minimus and adequate capacity exists to accommodate such a minor increase. Finally, the additional artist work/live units will also generate approximately $440,000 in additional taxes and other government revenue\(^1\) to offset any increase in the demand for services. Therefore, the expansion of the Cultural District Extension Overlay Zone boundary is not anticipated to result in any new significant adverse environmental impacts not previously addressed in the DGEIS.

Figure 2-1: Revised Future Land Use Plan
Figure 2-2: Revised Cultural District Extension Overlay Zone Boundary
3.0 COMMENTS AND RESPONSES ON THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

3.1 Public Hearing and Comment Period Process

The public comment period on the DGEIS opened on July 13, 2015 and extended through September 23, 2016. Written comments were received from the public during this time and submitted to the City of New Rochelle City Council. A public hearing on the DGEIS was also held on September 12, 2016 in the City Council Chambers, New Rochelle City Hall, 515 North Avenue, New Rochelle, New York. The DGEIS public hearing was undertaken as a joint public hearing on both the DGEIS and the Zoning Code Amendments. A public hearing was also held on the Draft Comprehensive Plan on June 14, 2016. No substantive environmental comments were made on the DGEIS during the September 12, 2016 public hearing. All comments made during the public hearing pertained to the Zoning Code Amendments. Therefore, this FGEIS does not include any responses to comments made during the public hearing with respect to the FGEIS. This FGEIS does include responses to written comments received during the DGEIS comment period.

3.2 Comments and Responses

The following summarizes and responds to substantive comments received on the DGEIS; copies of all DGEIS comments received are provided in Appendix A. A summary of the substantive comments made in each of the referenced comment letters is presented in this section, where applicable, and a response to each substantive comment is also provided.

No substantive comments on the DGEIS were received during the joint public hearing held on the Zoning Code Amendments and DGEIS.

Table 3-1: Written Comments Received on the DGEIS

<table>
<thead>
<tr>
<th>Letter Author</th>
<th>Author Affiliation</th>
<th>Date of Letter</th>
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<tbody>
<tr>
<td>1. Ivar Hyden</td>
<td>Member, New Rochelle City Council, District 4</td>
<td>July 27, 2016</td>
</tr>
<tr>
<td>2. Stephen M. Pappalardo</td>
<td>Village Manager, Village of Scarsdale</td>
<td>September 8, 2016</td>
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<tr>
<td>5. Peter Carlin</td>
<td>City of New Rochelle Resident</td>
<td>September 23, 2016</td>
</tr>
<tr>
<td>6. Amanda Carlin</td>
<td>City of New Rochelle Resident</td>
<td>September 15, 2016</td>
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</table>
Written Comments

1. Ivar, City of New Rochelle Resident – September 23, 2016 email to City of New Rochelle.
   
   Comment: The new comprehensive plan does not include Glenwood Lake Park as an actual City of New Rochelle park even though it has been considered as such for many years by the neighborhood and is treated as such by the Parks and Recreation Dept. My constituents and I would like clarification on this issue and information as to how this affects the park and any other potential ramifications.

1-1 Response: Glenwood Lake Park is not an officially-designated City Park and as such has not been included in the Comprehensive Plan list of “Public Park Facilities.” However, the park is included on the map of City parks and open spaces. The City is proposing to undertake a comprehensive master plan of its parks, lakes and open spaces.

2. Stephen M. Pappalardo, Village Manager, Village of Scarsdale – September 8, 2016 letter to the City of New Rochelle

2-1 Comment: The Village of Scarsdale supports the vast majority of the Draft Comprehensive Plan and DGEIS. The key components of the Comprehensive Plan recognize changes in local and regional economies, population and sustainability concerns and identify a number of opportunities to update the current Comprehensive Plan and zoning code. The proposed changes are reasonable and, with one exception, do not impact Scarsdale’s neighborhood character or function. As such, other than the comments set out below, the Village supports the entirety of the Draft Comprehensive Plan and DGEIS.

2-1 Response: Comments noted.

2-2 Comment: The Village is concerned with the proposed rezoning of the Quaker Ridge/Weaver Street site (the site), from RI-20 Single Family Residential to Neighborhood Business. Located at the northwestern corner of Quaker Ridge Road and Weaver Street, the site is currently occupied by a nursery and market and is zoned for single family residential use. Given its location on the Scarsdale border with New Rochelle, it is significant for the Scarsdale residents within its vicinity and for those that travel Weaver Street and Quaker Ridge Road.

2-2 Response: Comments noted. The proposed rezoning of the Quaker Ridge/Weaver Street site from R1-20 Single Family Residential to NB Neighborhood Business is designed to bring the site’s zoning in line with the current neighborhood business use, allowing the nursery to operate as a conforming use. It also recognizes that neighborhood businesses support local residents through provision of services close to home while also reducing
vehicle miles traveled. It is expected that the existing nursery will remain on the site with no change anticipated in the foreseeable future; however, if it were to close and another business replace it, a traffic study would be required as would assessment of other impacts including stormwater and visual impacts during site specific review under SEQR.

2-3 Comment: The proposed rezoning of the site from R1-20 Single Family Residential to Neighborhood Business also increases the development capacity of the site. The change in zoning essentially doubles the potential floor area ratio and site coverage allowance. The current R1-20 Single Family Residential zone could accommodate approximately three residential units, each with an estimated 3,000 - 4,000 square feet of floor area. The proposed Neighborhood Business zoning would accommodate a building with potentially 40,000 square feet of floor area, significantly larger than what is permitted now. This would allow an intensification of the development of the site, with resulting traffic, stormwater and visual impacts for the neighboring residents and the Village.

2-3 Response: Comments noted. See Response 2-2 above.

2-4: Comment: The Village is concerned that the justification for the rezoning is inadequate, and that the DGEIS fails to analyze the anticipated effects and mitigation opportunities. Several other rezoning measures proposed under the DGEIS are accompanied by a “build-out analysis.” The equivalent consideration should be given to the rezoning of this site. Simply stating that the site should be “rezoned to allow the current businesses on the site to operate as conforming uses” is not adequate justification. Should New Rochelle pursue the proposed rezoning, the Village requests additional analysis be undertaken to better understand the potential impacts and any mitigation options, including landscaping and traffic relief.

2-4 Response: Comments noted. See Response 1-2 above. The DGEIS did not include a build-out analysis of this rezoning site as the existing business use on the site is expected to remain. The DGEIS only considered vacant or under-developed sites as potential development sites under the build-out analysis. As this site is neither vacant nor under-developed, it was not deemed suitable for the build-out analysis. Further, any future build-out under the proposed NB zoning would be similar in nature to the existing use of the site, a neighborhood business use in a predominantly residential neighborhood.

3. Susan Masi, Member, City of New Rochelle Planning Board– September 19, 2016 email to City of New Rochelle

3-1 Comment: The paragraph states there are 10 schools, then fails to list Trinity Elementary School. This is on page 3.4-3.
Response: The paragraph has been revised to include Trinity Elementary School, as follows:

“The New Rochelle School District includes 10 public schools that provide education for Kindergarten through 12th grade (see Figure 3.4-2). The New Rochelle School District includes New Rochelle High School, Albert Leonard Middle School, Isaac Young Middle School, Columbus Elementary School, Trinity Elementary, George M. Davis Jr. Elementary School, Jefferson Elementary School, William B. Ward Elementary School, Daniel Webster Elementary School and Barnard Early Childhood Center.”

Comment: I think there might need to be more information on how proposed zoning changes would potentially affect the school enrollments. As you may know, there are major concerns from residents in the Trinity School area because of all of the residential that is approved and will be approved, as the school population is already outgrown its current facilities. Of course other schools also have similar problems, but a majority of the building will affect schools in this part of town.

Response: Comment noted. Pages 3.4-10 and 3.4-11 provide an analysis of potential impacts to the New Rochelle School District, including at Trinity Elementary. Using the New Rochelle School District-specific student multipliers developed by WXY in the New Rochelle School Capacity Study (2015), the DGEIS estimated that approximately seven new public school children would be generated by the proposed Zoning Code Amendments and of those, approximately four would attend Trinity Elementary. As part of the School Capacity Study, future capacity needs were projected to accommodate new students generated by new residential uses associated with the 2015 New Rochelle Downtown Overlay Zone (DOZ). The School Capacity Study projected that Trinity would be overcapacity by 2025 and in need of three additional classrooms (one from natural growth and two from the DOZ). As part of the DOZ amendments a Fair Share Mitigation Fund was created, in part, to address this overcrowding issue. Approximately $9.3 million in mitigation funds will be given to the School District to address capacity issues at its schools. Further, the addition of 4 students will increase enrollment at Trinity Elementary School by 0.37% over the next ten years. With an annual cost to educate seven public school children (four of which would attend Trinity) estimated at $133,000 per year ($19,000/school child), the projected taxes to be paid to the School District ($732,780) will more than cover the cost to educate any potential new public school children generated by the Proposed Action. This is in addition to sales tax revenues generated by the commercial, hotel and indoor recreational uses. Therefore, no significant adverse impacts to the City’s public schools are anticipated as a result of the proposed Zoning Code Amendments.

4. Edward Buroughs, AICP, Commissioner, Westchester County Planning Board
– September 20, 2016 letter to City of New Rochelle

4-1 *Comment:* We have reviewed the Comprehensive Plan, the draft GEIS and the proposed related zoning amendments under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code.

4-1 *Response:* Comments noted. All of the comments raised in the Westchester County letter pertained to the draft Comprehensive Plan. No comments on the DGEIS were provided.

5.  

Peter Carlin, City of New Rochelle Resident – September 23, 2016 email to City of New Rochelle.

5-1 *Comment:* The DGEIS states that the Comprehensive Plan calls for “future higher density development in New Rochelle” without “directly resulting in physical changes to the environment.” This is a laudable and potentially realistic goal, but not as it is currently written. As the Plan pertains to the Waterfront area (referred to in the Plan as WR and WR-1), it outlines “key steps in rebranding the City of New Rochelle as a major local and regional coastal destination” through outsized commercial development and rezoning. If the City is intent on reaching such a “destination” through commercial enhancement of the proposed scale, it must give equally aggressive consideration to how it will protect the unique Waterfront environment and its neighborhoods.

5-1 *Response:* The DGEIS states that the Comprehensive Plan aims to “Direct higher density development to the downtown center, strengthen neighborhood commercial clusters, and enhance and protect low-density residential neighborhoods.” The Comprehensive Plan, however, does not state that it will meet this goal without any future physical changes to the environment. Future development in the City of New Rochelle will need to be consistent with the Comprehensive Plan and in compliance with the City’s Zoning Code. The Comprehensive Plan and Zoning Code Amendments set the parameters by which any and all future development can occur in the City, but do not in and of themselves result in any physical changes to the environment. Accordingly, and consistent with SEQR (6 NYCRR Part 617.10), a Generic Environmental Impact Statement (GEIS) was prepared to analyze the impacts of the Proposed Action. A 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) SEQR 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 . . . .”
Specifically, with respect to the Municipal Marina, the Comprehensive Plan states that “the objective of rezoning the Municipal Marina and surrounding parcels is to encourage creation of a mixed-use destination that includes a combination of continued water-dependent uses, residential uses, retail, commercial and/or hotel uses, and improved programming and concessions in nearby public parks. In implementing these changes, it is important to preserve existing views of the Long Island Sound, so allowable building heights may vary depending upon existing views” (April 26, 2016 Draft Comprehensive Plan, page 172). The proposed amendments to the WR and WR-1 Districts do not represent a significant change in use or density compared to what is currently allowed under existing Zoning. The changes in allowable uses in the WR and WR-1 are minor, only one additional permitted use was added to the WR District (“bed and breakfast, hotel”), while all other uses in the amended WR District are currently allowed under existing Zoning. Further, all of these uses are currently allowed at a floor area ratio (FAR) of 1.0; this is not proposed to change under the Zoning Code Amendments. The FAR for special permit uses was increased from a very modest 0.25 to a still modest 0.40, which is less than half the density granted to permitted principal uses. Special permit uses are subject to additional review and approval by the Planning Board and within the WR District, special criteria has been developed to ensure that any new construction of a new building or replacement or expansion of an existing building will not block any significant existing water views.

Within the WR-1 District, which is located adjacent to mixed-use commercial/residential development along Pelham Road and five and six story multi-family buildings along Hudson Park Road, similar uses to those that currently exist in the area (i.e. mixed-use, multifamily residential, retail, recreational, hotel, bed and breakfast) are proposed. These uses are all currently allowed under existing zoning by special permit. It was determined that given the location of the WR-1 District, away from the sensitive viewsheds of Sutton Manor and closer to the higher density residential development along Hudson Park Road, that these uses were appropriate in this area. Further, there is no change in the allowable FAR of permitted uses in this area. The existing zoning currently allows an FAR of 1.0 and an FAR of 1.0 is proposed. Therefore, the proposed rezoning will not result in “outsized commercial development” as there is no change in the density of permitted uses and only a minor change in the permitted density of special permit uses in the two districts.

5-2 Comment: The Plan for New Rochelle proposes to allow far-reaching, long-term commercial development in WR and WR-1, which are designated by NY State as Critical Environmental Areas (CEA). These sections are also at the heart of one of the heaviest concentrations of Tidal Wetlands in New Rochelle. There’s no dispute that the area has been neglected, so an economic resuscitation of that area would be welcome. But as it reads now, the Plan’s lack of attention and mission to limit its impact, ultimately signals an overall failure.
5-2  *Response:* Comment noted. See Response 5-1 above. The WR/WR-1 Zone is located on the Long Island Sound, within the Long Island Sound CEA and within the FEMA Flood Hazard Zone. Future development in these districts will be required to elevate or floodproof to FEMA standards to ensure that future development is not negatively impacted by sea level rise or flooding. These requirements are not unique to the rezoning area and would apply to any development within the WR/WR-1 District under existing zoning. In addition, while no development plans are currently proposed at the Municipal Marina site, any future redevelopment of the property, whether under existing zoning or proposed, will require site plan approval by the Planning Board and site-specific review under SEQR.

5-3  *Comment:* While the goals of the pertinent Agency, the City Council, are far reaching and comprehensive, they don’t appear to allow for alternatives or adjustments. A key concern is that the only named alternative to the Proposed Action is the Proposed No Action, which suggests that the City aims to do all that they outlined in the Plan or do nothing. This is an all-or-nothing vision that is reckless and scary. There should exist the wherewithal to propose expertly-guided changes to the Comp Plan. Right now, it appears that one cannot agree to the development of Hudson Park, say, or the Municipal Marina, for multi-use dwellings, and at the same time also commit to limits on zoning proposals, or seek to implement studies of adverse environmental impacts. This lacks foresight and balance.

5-3  *Response:* SEQR only requires the preparation of a “No Action” alternative, which considers the impact of what would happen if the Lead Agency (City Council) does not move forward with adoption of the Comprehensive Plan or Zoning Code Amendments. This does not mean; however, that throughout the multi-year public planning process that has been undertaken by the City with respect to the Comprehensive Plan Update and Zoning Code Amendments (the planning process began in 2012 – see page 2-8 of the DGEIS), that the City did not explore many alternative planning and zoning scenarios and present them to the public. In addition, the City’s waterfront was subject to a separate planning process in 2015/2016 as it worked to update its Local Waterfront Revitalization Plan (LWRP). The LWRP also included two public workshops, a public hearing and a SEQR review process. In addition, due to the concerns expressed by residents on the proposed WR and WR-1 Zoning, the City is planning to hold a community workshop on the proposed zoning amendments and may, based on community feedback, further refine the zoning proposal to address concerns. See Section 2.0 Changes to the Proposed Action for additional detail. Finally, the DGEIS itself does not obligate the City Council to a future course of action. They still have the ability to adopt the Comprehensive Plan while further refining the proposed zoning.

5-4  *Comment:* Additionally, when the Agency proposes that future building will be allowable, they can’t realistically state that there will likely be no adverse impact by future buildings
due to existing codes and regulations. How responsible is it to declare specific building allowances without also specifying what measures should be taken to limit the surrounding impact of those buildings? That kind of planning is only “half-baked.”

5-4 **Response:** Comments noted. See Responses 5-1 and 5-2 above.

5-5 **Comment:** There exists a real danger that the Agency is “kicking the can down the road” with respect to responsibility. If the City Council is allowing development, they must also order thorough environmental studies now, rather than wait until future building permits are sought. Then it will be too late. If they are flexing enough authority to permit future development, they ought to be responsible enough to use the same authority to order comprehensive ecological surveys and review of potential costs on climate, ocean, bay and wetland life, etc.

5-5 **Response:** Comments noted. See Responses 5-1 and 5-2 above.

5-6 **Comment:** Whether or not aspects of this Plan are inevitable, adequate time should be given to allow for neighborhood and environmental protections to be put into place, and to allow the neighborhoods themselves to become part of the development process. What’s missing from this proposal is a collaborative spirit and the balance of community input. Letting the economic forecast of this project be known is admirable and shows promise for the future of the City. But what is of equal, if not greater, concern is an accurate reporting of the environmental and community support this project requires. Regard for the well-being and ecological health of the Waterfront must be evident for the proposed renewal to be a genuine success.

5-6 **Response:** Comments noted. See Response 5-3 above.

6. **Amanda Carlin, City of New Rochelle Resident – September 15, 2016 letter to City of New Rochelle.**

6-1 **Comment:** The current proposed plan has a very different stated goal, which signals the destruction of so much that is worth saving. Do you really wish to be the ones who sign away such a valuable habitat? The birdlife, the sea creatures, all rely on a delicate balance which will be damaged (perhaps irrevocably) by dredging and massive construction.

6-1 **Response:** As stated above under Response 5-1, the proposed WR/WR-1 zoning does not represent a significant change in allowed uses or density over what could happen at the Municipal Marina site today. In addition, the proposed zoning regulates land-side uses only. Any in-water uses would be required to comply with all state and federal permitting requirements. Further, no development plans are currently proposed for the Municipal Marina site; any future redevelopment of the property, whether under existing zoning or
proposed, will require site plan approval by the Planning Board and site-specific review under SEQR.

6-2  *Comment:* There is a species of tiny ducks called Buffleheads, which my parents would set out to view on their daily walks around the neighborhood in winter. These are cold-water lovers, and very shy. They tend to disappear at any noise. I can imagine that we would lose their company for good if their erstwhile home offered neither quiet nor peace.

6-2  *Response:* See Response 6-1 above.

6-3:  *Comment:* This latest development plan includes a radical change to that frontage again - but much much worse in scope and HEIGHT, practically in our back yard. There would go our second floor partial view of the water, (we’ve already lost the lovely clock tower cupola to Sandy), as well as most sense of privacy and security. The SIX-STORY HEIGHT of the proposed buildings around Leif Ericsson Park is a monstrous change to the existing landscape. Construction on that scale would alter a way of life, not just a skyline.

6-4:  *Response:* The proposed amendments to the WR District, which encompasses the existing Municipal Marina parking garage, has been crafted in such a way to require the preservation of water views from upland communities. Within the WR District special criteria has been developed to ensure that any new construction of a new building or replacement or expansion of an existing building will not block any significant existing water views. In addition, under the proposed WR-1 District six story building are only allowed by special permit and then only on property with frontage on Hudson Park Road. The zoning was designed as such to reflect that the neighborhood along Hudson Park Road already consists of five and six-story multifamily buildings. Further, the zoning provides for an additional layer of review of any new six story building by only allowing the additional height by special permit. Finally, due to the concerns expressed by residents on the proposed WR and WR-1 Zoning, the City is planning to hold a community workshop on the proposed zoning amendments and may, based on community feedback, further refine the zoning proposal to address concerns.

6-5:  *Comment:* Destruction of natural skyline and ecology, obstructed views, exponential increase in population - bringing almost guaranteed increase in garbage floating into the cul-de-sac, traffic, noise, security issues, parking challenges.

6-6  *Response:* Comment noted. These and other concerns were addressed in the DGEIS and will be further analyzed under SEQR at the time any site-specific redevelopment plans are submitted to the City for review. No specific redevelopment plans for the Municipal Marina are proposed at this time. In addition, the amendments to the WR District contain special criteria to ensure that any new construction of a new building or replacement or expansion of an existing building will not block any significant existing water views.
Commissioner Luiz Aragon
- Revisions are being proposed to the draft zoning code. Most notably the extension of the cultural district overlay zone. A revised report has been prepared that now includes an extension of the boundaries of the overlay zone to include more of the light industrial district. The draft arts and cultural district master plan will be issued for public review shortly.
- The City received a comment on the zoning code amendment in the WR and WR-1 districts. Considering a proposed changed in the setback requirement. The City will have a meeting soon with local residents to discuss potential impacts of the new zoning and will be looking at protecting viewsheds.

Robert McCaffrey (public speaker #1)
- These are all great things for New Rochelle but just like with all of our plans and the City Charter: if we don’t use it, what’s the point?
- Let’s get this comprehensive plan adopted but let’s keep it current, let’s hold conversations, and keep the debate going.

Vince Malfetano (public speaker #2)
- Regarding the single-family waterfront residential district: One of the permitted uses in this zone is “for owner-occupied dwellings only; the renting out of not more than one housekeeping room to not more than two people.” So is this saying that a one-family home is really a two family home? Let’s be clear about that.
- Further on in this zoning it talks about access to the water by citizens. It says that a “minimum of 15% of the linear frontage must be reserved for the public” except where there is a payment-in-lieu. So it sounds like basically people can buy their way out of giving the public access to the water. That’s not right. And where do these payment-in-lieu fees go? The zoning says that the “payment-in-lieu fee will be
reduced by the cost of offsite improvements”. What is that? Can an improvement be made anywhere in the city and that counts toward reducing the fee on the waterfront? That doesn’t seem right either.

- **Mayor’s response:** The payment-in-lieu fees are restricted to waterfront improvements. We are happy to correct that if it doesn’t say it in the zoning.

**Charles Portman (public speaker #3)**
- With the arts and cultural district: What are you going to do with parking? People are going to be selling things. Part of Webster Avenue that used to have parking is going to need to have that back. The parking they removed there doesn’t make any sense—you can see cars coming just fine with the parking there. There was a company that came into New Rochelle that rents part of Pine Court; it rents 8 parking spaces on a public street, taking them away from people in the neighborhood. The City gets $1,400 per year on the rent for each of these parking spaces, so they aren’t doing anything about it. This isn’t right. Public parking on a public street is being taken away from taxpayers. There’s also an emergency-parking-only area nearby where there is no such need. These parking issues have to be addressed.

**Chris Selin (public speaker #4)**
- The new zoning would allow additional 6-story apartment buildings and a hotel in the WR-1 zoning district. When are you widening Echo Avenue? When are you adding another elementary school? How will you replace the parking lot that will be removed for this development? It doesn’t enhance the neighborhood when an existing park is removed and replaced with 6-story multi-family buildings.
- Amending the zoning code to make the proposed uses as-of-right instead of by special use permit takes away the authority of the City Council to protect us.
- This is an overly dense area on the waterfront.
- The Sutton Manor residents are against the proposed zoning amendment.

**Peggy Godfrey (public speaker #5)**
- I echo everything Mrs. Selin said.
- The parking ratio proposed is crazy. The new zoning proposes a ratio of .8-to-1. That’s less than one car per unit. The ratio in Harrison is 2-to-1.

**Laraine Karl (public speaker #6)**
- I’m here because of the proposed amendments to Chapter 331 zoning.
- I’d like to have examples of light industry in a cultural district overlay.
- I hope the City will be meeting with the people on Beechmont, Webster, and other various streets.
- Don’t think we need a B&B or hotel near Hudson Park.
- There is way too much packed into this single hearing. It is crazy that you want people to talk about all of this (wind energy collection, wind turbines, light industry, water related mixed-use, schedule of off-street parking, zoning code, related map amendments, and about 10 other things) in one combined hearing. This should be
broken out. Voting for this without breaking it all out into more digestible pieces would be irresponsible.

John Carlin (public speaker #7)
- Only learned of these proposed changes less than one week ago. Most people are just hearing about the changes now.
- The City’s approach to the waterfront area has always been gradual and measured, with an emphasis on protecting this natural resource. These proposals are anything but gradual and measured. They are aggressive. The City seems to be proposing similar changes to the waterfront that it is making in the downtown. We need to balance public access and usage against a fragile marine ecosystem.
- New Rochelle’s waterfront is at risk for coastal erosion. It has been designated as such a hazard by DEC. The proposed zoning changes fly in the face of DEC’s recommendations.
- Some of the zoning proposals are good: aquarium, maritime learning center, waterfront walkways, bike paths, kayak launches, restaurants. But there are overreaching elements that need to be scaled back. Needs to be future friendly, preserves and protects what is unique beautiful, natural resource for the good of the entire city.

Ruth Hirsh (public speaker #8)
- Came for some clarification about Cherry Lawn Farm. It’s a wonderful facility and I’m glad it’s grandfathered in. But what is the purpose of changing the zoning?
- **Mayor’s response:** It would acknowledge the existing use and allow it to continue. I invite you to speak with the Development Commissioner who can provide much more detailed information.

Laura Case (public speaker #9)
- First, wanted to respond to Mr. Malfetano (public speaker #2) regarding the single-family home provision. It is the law in NYS that you are allowed to rent out a room in your home. Such a provision in the zoning probably won’t change the neighborhood character and is important for affordability.
- The affordable housing provision doesn’t let you live there unless you make a combined total of $80,000 per year. That is not affordable housing.
- The City should note that there is a new HUD regulation that is relevant here. (Though it probably won’t take effect until the City renews its 5-year plan.) Cities that accept HUD funds will be required to move affordable housing to higher income areas of the city. New Rochelle’s proposed plan doesn’t account for that. HUD is going to want you to move a lot of this affordability to higher income areas.

Joyce Furfero (public speaker #10)
- The changes requested previously by the Glenwood Lake Association (GLA) have not been made to the Comprehensive Plan. The GLA requests again that the changes be made.
There are also discrepancies in the plan that need to be reconciled: Glenwood Lake Park is named as a city park several times throughout the text but does not appear on the list of city parks within the plan and is not mapped as a park.

- Distinguish between which areas are parkland and which are not dedicated as parkland but rather as open space. Then take measures to dedicate all as parkland.

John Benjamin (public speaker #11)
- Speaking as member of the Sutton Manor Board of Directors.
- I don't think it is initially fair to oppose a document as thoroughly prepared as the GEIS before us, so I approach my comments to this in a non-hostile manor.
- However, this WR-1 proposal is far too grand for the limited available footprint encompassing this zone. I agree with the comments by Chris Selon and John Carlin. This is an overly ambitious proposal.
- In reference to density, consider: Do we really need more living space for more people, or some living space for less people?

Petar Bilic (public speaker #12)
- I’m concerned about the proposal to change the zoning.
- I bought my house 40 years ago, fixed it up, am retired, and now I’m going to look at a big building in front of my house.

Mayor Bramson
- One note before ending discussion on this: The City has obviously not done a great job of communicating its intentions regarding the waterfront. The goal is to create a positive, engaging, public experience around the waterfront, with commercial development only so far as it furthers this end.

8:10 pm - Close of public hearing on this subject
Afternoon all:

The new comprehensive plan does not include Glenwood Lake Park as an actual City of New Rochelle park even though it has been considered as such for many years by the neighborhood and is treated as such by the Parks and recreation dept. My constituents and I would like clarification on this issue and information as to how this affects the park and any other potential ramifications.

Thank you.
September 8, 2016

Mr. Charles B. Strome III
City Manager
City of New Rochelle
515 North Avenue
New Rochelle, NY 10801

Re: Draft Comprehensive Plan, Zoning and Draft Generic Environmental Impact Statement

Dear Mr. Strome,

Thank you for the opportunity to comment on the New Rochelle Draft Comprehensive Plan and Draft Generic Environmental Impact Statement (DGEIS). The Village of Scarsdale appreciates the value of ongoing cooperation with the City of New Rochelle.

The Village of Scarsdale supports the vast majority of the Draft Comprehensive Plan and DGEIS. The key components of the Comprehensive Plan recognize changes in local and regional economies, population and sustainability concerns and identify a number of opportunities to update the current Comprehensive Plan and zoning code. The proposed changes are reasonable and, with one exception, do not impact Scarsdale’s neighborhood character or function. As such, other than the comments set out below, the Village supports the entirety of the Draft Comprehensive Plan and DGEIS.

The Village is concerned with the proposed rezoning of the Quaker Ridge/Weaver Street site (the site), from R1-20 Single Family Residential to Neighborhood Business. Located at the northwestern corner of Quaker Ridge Road and Weaver Street, the site is currently occupied by a nursery and market and is zoned for single family residential use. Given its location on the Scarsdale border with New Rochelle, it is significant for the Scarsdale residents within its vicinity and for those that travel Weaver Street and Quaker Ridge Road.

The proposed rezoning to Neighborhood Business would change the permitted uses on the site from single family homes to retail, personal service and office uses. As the site is located at this busy intersection and is surrounded by single family residences, the Village questions the need to permit a wider variety of commercial uses in that location.

The proposed rezoning of the site from R1-20 Single Family Residential to Neighborhood Business also increases the development capacity of the site. The change in zoning essentially doubles the potential floor area ratio and site coverage allowance. The current R1-20 Single Family Residential zone could accommodate approximately three residential units, each with an
estimated 3,000 – 4,000 square feet of floor area. The proposed Neighborhood Business zoning would accommodate a building with potentially 40,000 square feet of floor area, significantly larger than what is permitted now. This would allow an intensification of the development of the site, with resulting traffic, stormwater and visual impacts for the neighboring residents and the Village.

The Village is concerned that the justification for the rezoning is inadequate, and that the DGEIS fails to analyze the anticipated effects and mitigation opportunities. Several other rezoning measures proposed under the DGEIS are accompanied by a “build-out analysis.” The equivalent consideration should be given to the rezoning of this site. Simply stating that the site should be “rezoned to allow the current businesses on the site to operate as conforming uses” is not adequate justification. Should New Rochelle pursue the proposed rezoning, the Village requests additional analysis be undertaken to better understand the potential impacts and any mitigation options, including landscaping and traffic relief.

The nonconforming provisions of the New Rochelle Municipal Code allow largely unrestricted continuing use of the site as a nursery and market. The provisions offer sufficient protection for the business activity to continue indefinitely, with minor amendments and necessary renovations or replacement as required. Therefore, the property owner and business are not unduly restricted by the zoning status-quo. That said, nonconforming uses are presumed to cease over time. The proposed rezoning contradicts this theory and in essence legalizes and expands the nonconformity.

As the surrounding neighborhood is exclusively residential, and the site was presumably anticipated for residential purposes, the Village of Scarsdale believes that the site is better suited for residential development in the future. The current zoning could accommodate a medium density residential development in keeping with the neighborhood character.

Thank you again for the opportunity to comment on the Draft Comprehensive Plan, Zoning and DGEIS. Best of luck with these planning and development efforts.

Very Truly Yours,

Stephen M. Pappalardo
Village Manager

Cc: Mayor Mark and Village Board of Trustees
    Elizabeth Marrinan, Village Planner
    Wayne Esannason, Village Attorney
    Rob Cole, Deputy Village Manager
Sorry, one more comment. Page 95/277 - the paragraph states there are 10 schools, then fails to list Trinity Elementary School. This is on page 3.4-3.

I think there might need to be more information on how proposed zoning changes would potentially affect the school enrollments. As you may know, there are major concerns from residents in the Trinity School area because of all of the residential that is approved and will be approved, as the school population is already outgrown it's current facilities. Of course other schools also have similar problems, but a majority of the building will affect schools in this part of town.

Thanks,
Susan Masi

On Mon, Sep 19, 2016 at 9:16 AM, Susan Masi < > wrote:

Good morning, Nina. My comments are as follows:

The comprehensive plan addresses many different issues with strategies to better our City. I am glad such document exists, and thank those involved for trying to provide the proposed solutions for all of the various issues.

I spent most of my time reviewing the proposed zoning changes, and generally think, (along with the downtown overlay zone), that the most complicated areas are the transitional areas where one zoning strategy abuts another zoning strategy. I've been a bit concerned about this with the downtown overlay zoning, and am also concerned here that care is taken to strike a balance in areas that hover around these zoning perimeters.

For example, the proposed WR-1 district is comprised of an open space including a small park, parking, and some small buildings along Hudson Park Road. As a resident on Pelham Road and frequent visitor to the neighborhood parks, I've always seen Leif Ericsson Park as a somewhat forgotten park area in need of a little love, but it plays an important roll in the spatial relationship of the area. There a taller residential buildings to the east and across Pelham Road there are smaller residential structures, including single family and smaller condos that rise up a hill to the west.

The proposal is to allow development of buildings up to 6 stories tall. I do not feel that building a 6-story building on this narrow swath of land is appropriate. There needs to be a balance, in this neighborhood with its multi-family structures, of building to green space. Potentially squeezing in a tall building that blocks views of the marina and water views for surrounding residents should not be an option. In this transitional area, the zoning should not be pushed to be denser, but in fact protect the openness of this area. This is a transitional space/properties and I feel that 6 stories is not transitional. I also disagree in removing an existing park space in New Rochelle(it looks like this would be an option with this proposal). Removing a green space to build a building that might create revenue for the City should not be allowed.
The comprehensive plan states that it wants to 'protect and enhance lower density residential neighborhoods', but what I think is missing is that the more dense areas of the City are also no less important than the lower density areas and are loved by those who live and shop there. There must be an effort to understand and protect the vitality and charm of those areas too. My husband and I love our diverse and lively neighborhood, we love each and every park and appreciate them more because we do not have a back yard. The character and strength of every neighborhood should be understood and protected and this should be addressed in this document, and each of the zoning change areas should not only be a line on a map, but should be fully understood so that we don't negatively affect a neighborhood's character and well-being.

I've focused on the one zoning change that I know best, and apologize that I don't know other proposed sites as well, but I wonder if there are other areas that deserve another round of thoughtful review to make sure any areas that would be negatively affected by the proposed changes.

Thanks,
Susan Masi

On Fri, Sep 16, 2016 at 2:35 PM, Arron, Nina <narron@newrochelleny.com> wrote:

Hello All,

Just a reminder that the public comment period for the Comprehensive Plan DGEIS and Zoning Recommendations closes on September 23rd. If you have any comments please get them to me no later than the 23rd. The public hearing was held on September 12th and can be viewed via the city website Council Meeting September 12, the hearing starts at 3 hours and 45 minutes. Twelve people spoke, all on the zoning, no one spoke about the DGEIS.

The same document will be on the September 27th PB agenda for a referral vote for City Council.

Please let me know if you have any questions.

Many thanks!

Nina

Nina Arron
Director of Planning and Sustainability
Department of Development
City of New Rochelle
Referral Review

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

Robert P. Astorino
County Executive

County Planning Board

September 20, 2016

Luiz Aragon, Commissioner
Department of Development
City of New Rochelle City Hall
515 North Avenue
New Rochelle, New York 10801

Subject: Referral File No. NRO-16-001B — Comprehensive Plan Update & Zoning Amendments
Draft Generic Environmental Impact Statement

Dear Mr. Aragon:

The Westchester County Planning Board has received a draft copy of EnvisionNR, a proposed city-wide Comprehensive Plan Update and related Zoning Code Amendments for the City of New Rochelle, dated April 26, 2016. We have also received a draft generic environmental impact statement (GEIS), dated July 12, 2016, prepared pursuant to the NYS Environmental Quality Review Act (SEQR).

EnvisionNR, is described as framed around two key concepts: 1) directing high-impact development to the downtown center, moderate-impact development to neighborhood commercial clusters and conservation in low-density residential neighborhoods; and 2) incorporating principles of sustainability from GreeNR, the City’s Sustainability Plan. EnvisionNR has 12 chapters covering: vision; history and regional context; population and housing; land use and zoning; economy; downtown; public facilities and utilities; parks, open space and natural resources; cultural and historic resources; future land use plan and zoning recommendations; and implementation.

The proposed action also includes amendments to the City’s zoning code and map which implement some of the Comprehensive Plan recommendations. The proposed amendments include:

- Revisions to the Water-Related District and the creation of a Water-Related 1 District to facilitate redevelopment of the Municipal Marina,
- Revisions to the Fifth Avenue Overlay District to allow mixed-use development on properties with frontage on Fifth Avenue and the inclusion of recreational uses within the Light Industrial District,
- Creation of a Cultural District Extension Overlay Zone to allow artist live/work units,
- Inclusion of education and research uses within the Hospital District,
- Adjustments to the City’s parking requirements to be in line with current parking trends and data,
- The inclusion of a local preference for the occupancy of affordable housing.
Referral File No. NRO 16-001B Comprehensive Plan Update & Zoning Amendments
Draft Generic Environmental Impact Statement
September 20, 2016
Page 2

- Minor revisions to the standards regulating the establishment of new or expansion of existing universities, colleges and private school campuses in residential districts,
- Addition of provisions for sustainability, including solar and wind regulations and
- Minor text revisions to definitions and special permit uses in the Large Scale Retail District.

We have reviewed the Comprehensive Plan, the draft GEIS and the proposed related zoning amendments under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. We offer the following comments:

1. **Consistency with County Planning Board policies.** We find EnvisionNR to be generally consistent with the County Planning Board’s long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995. The plan would continue to focus future growth in the city to the downtown area, where infrastructure can support growth, where public transportation can be provided efficiently and where redevelopment can enhance economic vitality. The plan is also supportive of transportation alternatives including increased bicycle and pedestrian mobility and enhanced transit services. The plan’s focus on sustainability is also consistent with the County Planning Board’s recommended strategies. We commend the City for undertaking this comprehensive plan update and we encourage the City Council to adopt the proposed plan and zoning amendments.

2. **Preferences with affordable housing.** The comprehensive plan and associated zoning amendments propose to establish an affordable housing priority framework city-wide, which would be used instead of a lottery system for affordable housing units. Implementation of local preference is not consistent with the County’s *Affordable Affirmatively Furthering Fair Housing Units Model Ordinance Provisions*.

3. **County sewers.** The opening discussion concerning sanitary sewage on page 112 of the comprehensive plan contains inaccuracies. The plan should clarify that trunk sewer lines within the city limits are owned and maintained by Westchester County. In addition, the discussion of the consent decree with respect to the New Rochelle Wastewater Treatment Plant should be amended to state that the County must eliminate the use of the overflow retention facilities influent to the plant. The elimination of the overflows will require mitigation of inflow/infiltration (I&I) from County, City and private (such as house laterals) sources. Because of this, we recommend that *Concept 7.18 Reduce stress on wastewater treatment facilities* specifically reference the County Department of Environmental Facilities’ policy recommending reductions in inflow/infiltration (I&I) at a ratio of three for one for additional flow generated by new development projects. We note that I&I work needs to be performed on all sewer infrastructure, both public and privately owned.

4. **Bus transit.** Chapter 8 – Transportation, includes a discussion about proposed improvements to bus transit. *Concept 8.26 Improve bus efficiency* contains a number of components which could speed buses through the city. We note that the County Department of Public Works and Transportation has had a number of discussions with the City as part of the Bee-Line Route 7 study. One strategy
discussed that is not included in the comprehensive plan is the potential implementation of “bus only lanes” to and within the downtown area. We recommend that the plan include a recommendation that this approach be considered.

We also note that Concept 8.27 Increase number of bus stops with bus shelters may not be feasible because at some locations there is often insufficient area available to install a shelter. Further, at some bus stops, ridership may be too low to warrant the construction of a shelter.

5. **Bicycle and pedestrian transportation.** Chapter 8 – Transportation, contains a discussion of “complete streets” policies as well as a number of initiatives to improve pedestrian and bicycle mobility within the city. Such initiatives include the redesign of Memorial Highway, adding complete street treatments to North Avenue and the implementation of a downtown bike share program. In addition, the plan also recommends that the city undertake both a Bicycle Master Plan and a Pedestrian Master Plan effort. We support each of these proposals.

We note that New Rochelle is the only municipality in Westchester County to require bicycle parking as part of the parking requirements for residential and commercial developments. The City’s regulations currently allow an in-lieu payment for bike parking if an applicant does not wish to provide it. The plan notes that the City is considering removing this payment in-lieu option, which we would support.

6. **Parking reductions.** The comprehensive plan and associated zoning amendments propose to allow parking reductions in various situations. For example, parking could be reduced in exchange for implementing demand reduction strategies in affordable housing developments where half of the required affordable units are set aside for households earning below 60% area median income. It is also proposed to reduce parking requirements in neighborhood commercial corridors that are near the New Rochelle Transit Center. We support such strategies to reduce parking requirements.

Thank you for calling this matter to our attention.

Respectfully,

WESTCHESTER COUNTY PLANNING BOARD

Edward Buroughs, AICP
Commissioner

EEB/LH

c: Thomas Lauro, Commissioner, County Department of Environmental Facilities
Naomi Klein, Planning Director, County Department of Public Works and Transportation
New Rochelle City Officials (Clerk, Building Commissioners, Counsel) Sept. 20, 2016

Please enter into the Public Record

Dear Steward of the City of New Rochelle;

As a longtime New Rochellean, I read the DGEIS for the City’s 10-year Comprehensive Plan and want to express my appreciation, but need to convey a much greater concern.

The DGEIS states that the Comprehensive Plan calls for “future higher density development in New Rochelle” without “directly resulting in physical changes to the environment.” This is a laudable and potentially realistic goal, but not as it is currently written. As the Plan pertains to the Waterfront area (referred to in the Plan as WR and WR-1), it outlines “key steps in rebranding the City of New Rochelle as a major local and regional coastal destination” through outsized commercial development and rezoning. If the City is intent on reaching such a “destination” through commercial enhancement of the proposed scale, it must give equally aggressive consideration to how it will protect the unique Waterfront environment and its neighborhoods.

As examples of how the economic sustainability can go hand-in-hand with environmental stewardship, both Provincetown, MA on Cape Cod, and Mystic, CT are major tourist destinations, but have maintained a vision that the local community and environmental agencies support. In Mystic, the maritime study programs there offer perhaps the best hands-on sea education of any coastal destination, a significant component of their economic growth. In P-Town, where tourists flock, their mission states that “development that is out of scale and character will continue to be discouraged by local regulations. Environmental quality and natural resources will be protected. We will continue to expand local protection of wetlands, ponds, harbors, floodplains, groundwater supplies,” etc.

The Plan for New Rochelle proposes to allow far-reaching, long-term commercial development in WR and WR-1, which are designated by NY State as Critical Environmental Areas (CEA). These sections are also at the heart of one of the heaviest concentrations of Tidal Wetlands in New Rochelle. There’s no dispute that the area has been neglected, so an economic resuscitation of that area would be welcome. But as it reads now, the Plan’s lack of attention and mission to limit its impact, ultimately signals an overall failure.

While the goals of the pertinent Agency, the City Council, are far reaching and comprehensive, they don’t appear to allow for alternatives or adjustments. A key concern is that the only named alternative to the Proposed Action is the Proposed No Action, which suggests that the City aims to do all that they outlined in the Plan or do nothing. This is an all-or-nothing vision that is reckless and scary. There should exist the wherewithal to propose expertly-guided changes to the Comp Plan. Right now, it appears that one cannot agree to the development of Hudson Park, say, or the Municipal Marina, for multi-use dwellings, and at the same time
also commit to limits on zoning proposals, or seek to implement studies of adverse environmental impacts. This lacks foresight and balance.

Additionally, when the Agency proposes that future building will be *allowable*, they can’t realistically state that there will likely be no adverse impact by future buildings due to existing codes and regulations. How responsible is it to declare specific building allowances without also specifying what measures should be taken to limit the surrounding impact of those buildings? That kind of planning is only “half-baked.”

Where there is consideration of the environmental impact on the Waterfront in the Plan, it is indeed welcome, but it is also troubling. While pains are taken to show how development would be protected from another Sandy, the Agency has minimized the equally real danger of increased population and building density and everyday storm run-off.

Other potential risks are discussed in tones of warning, such as the following statements:

- Major storms: “Small area islands will become increasingly vulnerable.”
- Drainage of streams and ponds: “all in varying states of distress.”
- Wetlands erosion: “This is of great concern, as salt marshes are considered the most ecologically productive, diverse and valuable land areas in this region and a vital component for aquatic and avian species survival.”
- Sea Level Rise: “Residential areas, businesses, industry, municipal facilities and parks are at risk to flood and tidal damage. Sea Level Rise has been documented in Long Island Sound... Sea level rise will further the destruction caused by storm surges including threats to life and property.”

If the risks are so great, why are the “resiliency measures” barely mentioned? Such mitigating measures, which are missing throughout the proposal, must be named, studied, pass review, and emerge from a deep concern for human and environmental safety.

There exists a real danger that the Agency is “kicking the can down the road” with respect to responsibility. If the City Council is allowing development, they must also order thorough environmental studies NOW, rather than wait until future building permits are sought. Then it will be too late. If they are flexing enough authority to permit future development, they ought to be responsible enough to use the same authority to order comprehensive ecological surveys and review of potential costs on climate, ocean, bay and wetland life, etc.

Whether or not aspects of this Plan are inevitable, adequate time should be given to allow for neighborhood and environmental protections to be put into place, and to allow the neighborhoods themselves to become part of the development process.

What’s missing from this proposal is a collaborative spirit and the balance of community input. Letting the economic forecast of this project be known is admirable and shows promise for the future of the City. But what is of equal, if not greater, concern is an accurate reporting of the environmental and community support this project requires. Regard for the well-being and ecological health of the Waterfront must be evident for the proposed renewal to be a genuine success.
Respectfully,

Peter Carlin

152 Sutton Manor Rd.

New Rochelle, NY 10805
September 15, 2016

Amanda Carlin
152 Sutton Manor Road
New Rochelle, NY 10801

To the New Rochelle City Manager, City Council Members, and Director of Development,

I am a longtime resident of Sutton Manor Rd., and must weigh in with a shout of alarm in the time allotted for response from those of us most directly impacted by the current Pelham Shore Rd/ Hudson Park Waterfront Development Plans (WR-1).

By now you will have heard from many of my neighbors about our remarkable history and unique community. Because of the shared Boathouse situated on a little cul-de-sac of the Sound, it is a place that has fostered nearly a century of seasonal traditions, a self-governing volunteer board, group activities, etc. We take care of each other. We respect each other’s privacy.

Many years ago, we witnessed the construction of Five Islands Park, whose goal was to increase accessibility to the natural beauty and serenity of the waterfront. A worthy goal, and a successful venture, in my opinion. The current proposed plan has a very different stated goal, which signals the destruction of so much that is worth saving. Do you really wish to be the ones who sign away such a valuable habitat? The birdlife, the sea creatures, all rely on a delicate balance which will be damaged (perhaps irrevocably) by dredging and massive construction.

As an example, there is a species of tiny ducks called Buffleheads, which my parents would set out to view on their daily walks around the neighborhood in winter. These are cold-water lovers, and very shy. They tend to disappear at any noise. I can imagine that we would lose their company for good if their erstwhile home offered neither quiet nor peace.

Help us to preserve this area as a natural preserve and refuge from commercial overdevelopment, over-crowded conditions, and urban sprawl,

As it is now, it is a lovely place to live in and visit. That will change drastically with this proposed plan. You will take away what’s precious and unique about this corner of New Rochelle.

My family’s house abuts the Marina parking lot, which we watched go up with the accompanying restaurant many, many years ago. Eventually, we grew accustomed to the intrusive sounds every weekend evening in summer, of people getting into their cars after restaurant closing time—shouts and loud talking and blaring car radios… Very different from the concerts in the Hudson
park bandshell which were occasional and which ended by 11 pm. My point is: sound carries.

This latest development plan includes a radical change to that frontage again - but much much worse in scope and HEIGHT, practically in our back yard. There would go our second floor partial view of the water, (we've already lost the lovely clock tower cupola to Sandy ), as well as most sense of privacy and security.

The SIX-STORY HEIGHT of the proposed buildings around Leif Ericsson Park is a monstrous change to the existing landscape. Construction on that scale would alter a way of life, not just a skyline.

Recently, I discovered printed materials from a previous “Waterfront Revitalization Plan “ of the area. Under “Key Goals” of the policy section is included this statement : “The preservation of the integrity of residential neighborhoods by assuring that any new adjacent development will conform with and respect the character, scale and other existing and desirable neighborhood qualities.”

These are my concerns:
Destruction of natural skyline and ecology, obstructed views, exponential increase in population - bringing almost guaranteed increase in garbage floating into the cul-de-sac, traffic, noise, security issues, parking challenges.

My mother is now living with 24 hr. care in the same house I grew up in (with 5 siblings), since a stroke in 2013 left her with severe cognitive impairment. The possibility that her final years could be spent fighting for some quiet and sense of security in her own home makes me angry, sad, and afraid all at once.

Sincerely,
Amanda Carlin