

**To:** All Involved and Interested Agencies (see list below)  
**From:** New Rochelle City Council  
**Date:** December 9, 2008  
**Re:** LeCount Square Findings Statement

Pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the City Council of the City of New Rochelle, as Lead Agency, makes the findings contained herein for the Proposed Project identified below:

**Name of Action:** LeCount Square

**Agency Jurisdiction:** The City of New Rochelle City Council is acting as Lead Agency under SEQRA for the Proposed Project.

**SEQR Status:** Type I

**Date Final FEIS Filed:** October 16, 2008

**Description of Action and Location:**

New Rochelle Revitalization, LLC (the “Applicant”) proposes the redevelopment of the LeCount Place/Anderson Street block, the bed and right-of-way of existing Anderson Street, and the building at 2 Anderson Street on the south side of Anderson Street (all such affected properties, the “Project Site”) with a 1,021,000 square foot mixed-use project containing retail, restaurant, office, residential, hotel and parking components (the “Proposed Project”). The Project Site is currently occupied by residential, commercial, and non-profit facilities, and a United States Post Office. The Proposed Project requires the relocation of all uses on the Project Site. The Proposed Project also involves the relocation of Anderson Street northward approximately 50 feet in order to align it with the New Street entrance to New Roc City, and the enhancement of the relocated street with a center green and public amenities.

After due consideration and pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, the City Council of the City of New Rochelle, as Lead Agency, finds that:

- 1) The requirements of 6 NYCRR Part 617 have been met and complied with in full
- 2) Consistent with social, economic, and other essential considerations from among the reasonable alternatives thereto, the Proposed Project is one that minimizes or avoids significant adverse environmental impacts to the maximum extent practicable.
- 3) The Proposed Project is one that appropriately balances potential adverse impacts against potential beneficial impacts in the forms of creation of additional housing opportunities, generation of tax revenues, and reinvestment in underutilized portions of the downtown. The need for this investment is well documented and a critical element in the Comprehensive Plan for downtown New Rochelle.
- 4) This written findings statement contains the facts and conclusions used by the City Council to support its decision.

## **SEQRA PROCESS**

The City Council determines that the requirements of SEQRA have been met, as evidenced by the following:

On April 27, 2005, the City Council and the “Applicant” entered into a Memorandum of Understanding with respect to the proposed redevelopment of the LeCount Place/Anderson Street block;

On May 26, 2005, the Applicant submitted an Environmental Assessment Form (EAF) for the proposed redevelopment;

On June 20, 2005, the City Council issued a Notice of Intent to Assume Lead Agency status;

On June 23, 2005, the City of New Rochelle Department of Development held a public meeting to receive comments on a draft Scoping Document;

On August 11, 2005, the City Council declared itself Lead Agency, issued a Positive Declaration, and adopted a final Scoping Document (dated July 20, 2005);

In October 2005, the Applicant submitted a preliminary Draft Environmental Impact Statement (pDEIS) to the City for its review for completeness with respect to the final Scoping Document;

By letter dated December 13, 2005, the City conveyed the comments of City Staff and AKRF, a consulting firm retained by the City to review the Environmental Impact Statement, indicating that the pDEIS was not complete and that revisions were required;

On February 21, 2006, the Applicant submitted a revised pDEIS to the City for its review for completeness with respect to the final Scoping Document;

On or about March 22, 2006, the City conveyed to the applicant the comments of City Staff and AKRF in a letter prepared by AKRF that indicated that the pDEIS required yet more revisions;

On March 31, 2006, and again on April 27, 2006, the Applicant submitted revised portions of the pDEIS to the City for its review for completeness with respect to the final Scoping Document;

On or about April 28, 2006, the City conveyed to the applicant the comments of City Staff and AKRF in a letter prepared by AKRF that indicated that the pDEIS had been revised sufficiently to allow a determination of completeness by the City Council;

On May 11, 2006, the City Council determined that the Draft Environmental Impact Statement (DEIS) was complete with respect to the final Scoping Outline;

On June 20, 2006, the City Council held a Public Hearing at which comments on the DEIS were made by members of the public with additional public comments accepted until June 30, 2006;

On June 18, 2007, the Applicant submitted a Supplemental DEIS (SDEIS) to the City for its review for completeness. The SDEIS was prepared by the Applicant to reflect a number of design modifications made in response to public comment on the original DEIS;

On or about August 3, 2007, the City conveyed to the Applicant the comments of City Staff and AKRF in a letter prepared by AKRF that indicated that the SDEIS was not complete and that revisions were required;

Between August and September 2007, City Staff and AKRF held numerous meetings with the Applicant to discuss revisions to the SDEIS;

On September 24, 2007, the City Council determined that the SDEIS was complete.

On November 20, 2007, the City Council held a Public Hearing at which comments on the SDEIS were made by members of the public, with additional public comments accepted until November 30, 2007;

On December 3, 2007, the Applicant met with City Staff and AKRF to discuss resolution of public and City comments and design changes that would be required to properly address those comments;

On January 28, 2008, the Applicant submitted a preliminary Final Environmental Impact Statement (pFEIS) to the City for its review for completeness;

On or about March 14, 2008, the City conveyed to the Applicant the comments of City Staff and AKRF in a letter prepared by AKRF that indicated that the pFEIS was not complete and that revisions were required;

On August 1, 2008, the Applicant submitted a revised pFEIS to the City for its review for completeness;

On August 29, 2008, City Staff met to discuss the completeness of the August 1, 2008, pFEIS;

On September 18, 2008, the Applicant met with City Staff and AKRF to discuss resolution of comments from City Staff;

On or about September 22, 2008, the City conveyed to the Applicant the comments of City Staff and AKRF in a letter prepared by AKRF that reflected decisions made at the September 18, 2008 meeting and indicated that the pFEIS, with minor typographical revisions, was acceptable;

On October 16, 2008, the City Council determined that the Final Environmental Impact Statement (FEIS) was complete and scheduled a Public Hearing to occur on November 10, 2008, on the FEIS; and

On November 10, 2008, the City Council held a Public Hearing at which comments on the FEIS were made by members of the public with additional public comments accepted until November 20, 2008;

On December 9, 2008, the City Council adopted this Findings Statement.

## **A. DESCRIPTION OF THE PROPOSED ACTION**

### *PROJECT PROGRAM*

The Proposed Project is the redevelopment of the Project Site with a 1,021,000 square-foot mixed-use project containing retail, restaurant, office, residential, hotel and parking components. The block is currently occupied by residential, commercial, and non-profit facilities, and a United States Post Office. The Proposed Project requires the relocation of all uses on the Project Site. The Planned Parenthood facility presently located at 247 North Avenue is proposed to be relocated to the former Club Carib on North Avenue. The United States Post Office facilities will be split, upon approval by the United States Post office: the retail facility will be relocated into either Trump Plaza or the Proposed Project, and the distribution facility is anticipated to be relocated within the general vicinity but outside of the core downtown area. Residential tenants of 5 Anderson Street were previously relocated to other apartments throughout the downtown. The Proposed Project also involves the relocation of Anderson Street northward approximately 50 feet in order to align it with the New Street entrance to New Roc City, and the enhancement of the relocated street with a center green and public amenities.

The Proposed Project has two buildings: a main building with two towers located on the north side of the realigned Anderson Street, and a smaller residential "loft" building fronting on the south side of Anderson Street. The Proposed Project includes approximately 22,000 square feet of restaurant space and approximately 154,000 square feet of retail space designed to accommodate a mix of tenants including smaller boutique and medium sized retailers, and large-format retailers. Retail will occupy the grade, second and third levels of the main building, and the ground floor of the loft building. The retail spaces of the Project will serve as a base for the office, hotel, and residential components, which will be located above.

The residential component of the Proposed Project totals 374,400 square feet of floor area (approximately 243 units), distributed between the 98-foot high loft building and a 493-foot high residential tower projecting from the main building. The residential tower will contain 185 units and will rise from the southwest corner of the main building. The loft building will contain 58 units.

The hotel and office uses will be located in a second, 261-foot high tower rising above the northeast corner of the main building. The office component will consist of approximately 330,000 square feet and the hotel component will contain approximately 140,600 square feet (150 rooms).

#### *PARKING*

On-site parking will be principally provided on four levels below-grade within the Project Site, but the Proposed Project will also utilize available parking at the New Roc City Parking Garage. The on-site parking garage will have garage entrances on LeCount Place and New Anderson Street. In total the Proposed Project will accommodate 1,027 parking spaces. There will be 543 self-park spaces and 484 valet spaces.

All of the Project's retail parking demand will be accommodated on-site with self-park spaces. The office component of the Project will primarily utilize available parking at the New Roc City Parking Garage, but up to 210 office employees would also utilize valet parking. Residents and hotel guests will utilize valet parking. The valet drop-off/pick-up areas will be located in the first underground parking level and curbside in front of the lobby for hotel patrons.

#### *OPEN SPACE*

The Proposed Project incorporates 48,222 square feet of open space in a variety of formats. However, it should be noted that approximately 16,130 square feet of existing open space will be removed from Anderson Street. Therefore, the Proposed Project will result in a net increase of 32,092 square feet of open space.

New open space is provided in the form of roof terraces, indoor atriums, and sidewalk space. The most notable open space component is a sixth floor roof terrace open to the public, which totals approximately 21,850 square feet. The sixth floor terrace will be an intensive green roof having a hardscape plaza with tree plantings, a lawn panel, movable seating, a concession kiosk, and cafe-style seating. It will also contain a sculpture garden and a walking path. The green roof, which will be open to the public, will provide an additional type of open space, and will help to create a diversity of open space experiences. The terrace will be a flexible space capable of accommodating larger groups for programmed events such as gallery openings or musical events, as well as informal passive recreation for small groups or individuals, away from the noise of the streets below.

The Proposed Project will include a fourth floor publicly accessible terrace, although it is not counted as open space due to the fact that it will also be used for private hotel functions. The fourth floor terrace will include a hardscape area, shade tree plantings, a water feature, pergola, and café style seating and will total approximately 9,220 square feet.

The Proposed Project will also include a publicly accessible indoor atrium and vertical circulation core of escalators to access the fourth and sixth floor open spaces consisting of approximately 11,000 square feet. This indoor atrium will serve as the lobby and will be transparent in order to ensure that it is visible from the street. The atrium will consist of a series of spaces linked by art and water gardens with the governing design principle of creating a continuous vertical garden space. This will provide an effective physical and functional linkage between the street and the upper open space resources. The exterior of the atrium will include a prominent vertical sign announcing the presence and public accessibility of the roof terraces.

The Proposed Project will also include plazas with art features and areas of café seating at street level along the sidewalks. In certain locations, these areas will extend beyond the typical 10-foot wide sidewalk. Approximately 15,372 square feet of this type of street level open space will be provided.

Finally, the Proposed Project will include a median in new Anderson Street totaling approximately 4,826 square feet. The median plan includes water features, a concession with cafe seating, new shade trees, and areas for seasonal plantings.

**B. SUMMARY OF DISCRETIONARY APPROVALS AND INVOLVED AND INTERESTED AGENCIES**

**Table 1  
Involved Agencies and Required Approvals**

Agency	Approval Type
New Rochelle City Council	Urban Renewal Plan amendments Amendments to the Comprehensive Plan Amendment of the Official Map Zoning Map amendment (rezoning of site) Amendments to the Zoning Ordinance
New Rochelle Planning Board	Site plan approval (LeCount Square) Site plan approval(Planned Parenthood Relocation) Urban Renewal Plan amendments (recommendation) Amendments to the Official Map, Zoning Ordinance and Zoning Map (recommendation)
New Rochelle IDA	Potential financial assistance
New Rochelle Building Department	Building permit Sign permit
New Rochelle Department of Public Works	Curb cuts Street opening Potential traffic and parking mitigation measures
Westchester County Department of Health	Water and sewer
Westchester County Department of Environmental Facilities	Sewer
Westchester County Department of Planning	General Municipal Law advisory review
NYS Department of Environmental Conservation	SPDES permit
NYS Division of Housing and Community Renewal	Potential demolition order (5 Anderson Street)
United Water New Rochelle	Water main relocation

Although it has not yet been determined, the Proposed Project may be constituted as one or more residential and/or commercial condominiums, and/or as a “Major development Subdivision” under Section 331-13E of the New Rochelle Zoning Ordinance. The New Rochelle Planning Board is the approving agency for a Major Development Subdivision.

## **C. EVALUATION OF POTENTIAL IMPACTS**

### **LAND USE, ZONING AND PLANNING CONSISTENCY**

The Proposed Project is located in downtown New Rochelle. The downtown area has been the subject of numerous planning studies that have sought to revitalize the area. Planning efforts began in 1976 with the adoption of the Lawton Street Urban Renewal Plan and continued through updates in 1981, 1986, 1987 and 1998. The City's 1995 Comprehensive Plan, 2003 New Rochelle Downtown Study, 2005 LeCount/Anderson Redevelopment Study, and 2005 Downtown Development Study further continued the planning efforts. These studies all emphasize redevelopment of the downtown. The Proposed Project will advance the downtown planning goals and objectives of the various City planning documents, and the regional objectives outlined in Patterns for Westchester, the County's comprehensive plan. The 2005 Downtown Development Study locates the Proposed Project in the Inner Core, which "is the most critical district for development in the downtown... and has historically been designated for higher density use. This density, if properly planned and having strong architectural merit should continue to be encouraged in this district subject to capacity for traffic, infrastructure, and parking."

The Proposed Project will reflect the continuing redevelopment of deteriorated and underutilized portions of downtown New Rochelle. The component mix of uses will include uses commonly found in a downtown setting such as offices, retail, restaurants, and multi-family dwellings. The Proposed Project will also include some slightly more unique uses such as a hotel, which is a project component that is desired by the City.

The Downtown Development Study recommends the development of the Downtown Density Bonus Overlay District to help implement the Comprehensive Plan's principle of mixed-use development in the downtown. The Proposed Project contains a mix of uses designed to further the Study's goal of creating a balanced mix of retail, office and residential development in the downtown, and will help create the critical mass of downtown activity uses and users necessary to revitalize and reestablish downtown as an active, exciting and viable destination.

#### *LAND USE*

Existing uses on the Project Site that are currently in operation include the United States Post Office, a Planned Parenthood facility and some restaurants along Anderson Street. The Project Site also includes 5 Anderson Street, a four story residential building, which is currently vacant. As described above, the Post Office will be temporarily, and possibly, permanently relocated. The Planned Parenthood facility will permanently relocate to the site of the Carib Night Club on North Avenue. All other uses currently occupying the Project Site, including the restaurants and other businesses on the south side of North Avenue, will be displaced. Nearby uses include a mix of retail, residential, and office space found within existing one to two story buildings along North Avenue and in the 13 story K-Building. Newer developments include New Roc City and Trump Plaza. The existing Key Bank on LeCount Place will remain in its current location, but the bank will lose its access driveway from Anderson Street. The City Council understands that the Applicant will negotiate an agreement with the Bank regarding that driveway, and will require proof of that agreement as a condition of site plan approval for the Proposed Project.

While the Proposed Project is larger in scale and density than the existing development on the Project Site, it is consistent with the City's goals of redeveloping the downtown and creating a critical mass to bring new vitality. The Proposed Project is also consistent with recent development trends in the downtown seen in the Avalon Phase 1 and Phase 2 development and the Trump Plaza building.

While the Proposed Project will have a scale and density that is greater than development seen in some nearby locations, such as the block located across North Avenue from the Project Site, it would be

consistent with new developments such as Trump Plaza. The City Council recognizes the concerns and comments from the public regarding the increased density, traffic, visual impact, parking, and economic effects of the Proposed Project. However the Council finds that the Proposed Project will provide a desired mix of land uses and density that will contribute to the downtown revitalization while allowing the influx of a critical mass of new residents, visitors, and office employees to patronize existing and future businesses and expand the customer base for those businesses. It is also the intention of the City Council to diversify the downtown such that it will have both a daytime and nighttime population. This goal will be facilitated by the mix of people the Proposed Project will attract at different times of day including office employees, residents, hotel guests, and shoppers. Responses to traffic, visual, parking, and economic concerns are addressed below.

### *ZONING*

The Proposed Project requires re-zoning of the Project Site to the DMUR District and Downtown Density Bonus Overlay Zone District (“DDB District”), and amendments to DDB District regulations<sup>1</sup> and Zoning Ordinance valet-parking regulations.

Table 2 identifies the potential maximum Floor Area Ratio (FAR) bonuses that could be applied to the Proposed Project if the Project Site is rezoned to the DMUR District and DDB District, amendments to the DDB District regulations are adopted and the identified public benefits are provided. The Council would be required to determine that the public benefits substantially meet the goals of the City as expressed in the City’s comprehensive plan; that sufficient capacity exists within water supply, wastewater conveyance and treatment, and roadway infrastructure to support the density bonuses or that appropriate mitigation is provided to the maximum extent practicable; that the project provides a mix of uses with at least 60 percent of the total floor area occupied by non-residential uses (see § 331-154 of the Zoning Ordinance).

Under proposed new Section 331-154 of the Zoning Ordinance, a height bonus permitting up to a maximum height of 500 feet in the DMUR District could also be applied to the Proposed Project. No determination has been made at this point that the Proposed Project qualifies for any height or FAR bonus under proposed new Section 331-154 of the Zoning Ordinance.

The Proposed Project will require amendments to Section 331-126 of the City’s Zoning Ordinance in order to allow increased amounts of valet parking. Valet parking will be used by the residents and hotel guests. The Zoning Ordinance currently limits valet parking to 35% of the total required parking. Since the Proposed Project proposes valet parking for both the residences and the hotel (and since parking for those components exceeds 35% of the total number of required spaces), the Applicant is requesting that the Zoning Ordinance be amended for mixed-use projects in the DMUR District and DDB District.

**Table 2**  
**DDB District Public Benefits and Maximum FAR Bonus for the DMUR District**

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<sup>1</sup> The amendments to the DDB regulations are currently under consideration by the City Council, and would be new Section 331-154 of the Zoning Ordinance.

<b>Public Benefit</b>	<b>Maximum FAR – DMUR</b>
Provision of new public parking in excess of that required for proposed uses and which provides a significant public benefit, or significant improvement or replacement of an existing parking facility.	1.5
Provision of new publicly accessible open space on-site or anywhere within the DB, DMU, or DMUR Zoning Districts in the Central Parking Area, and/or improvements to existing open space or streetscape in excess of any improvements required by § 331-119.1.	1.5
Provision of publicly accessible or publicly dedicated, open or enclosed program space on-site or anywhere within the DB, DMU, or DMUR Zoning Districts in the Central Parking Area.	2.0
Commitment to design and construct a project to achieve United States Green Building Council Leadership in Energy and Environmental Design (LEED) certification at any of the following levels:  Silver Gold Platinum	2.5 3.0 3.5
Provision of a minimum of 100,000 sq. ft. of office and/or hotel with conference center use guaranteed by a covenant to provide same.	3.0
Protection, conservation, or renovation of historic site or building element of historic quality.	1.5
Maintain and enhance the overall architectural character, massing, and urban design of Main Street, furthering its critical role as a pedestrian-scaled retail destination.	N/A
Provision of public access between Main Street and public or private parking facilities.	0.25
New construction with high-quality design that is in context with adjacent buildings or that serves to enhance the downtown visual environment.	2.0
Maximum Total FAR Bonus	6.0

The residential component of the Proposed Project requires 243 parking spaces and the hotel will require 203 spaces at peak, for a total of 446 spaces. Based on shared use concepts (as permitted under Section 331-126.A of the Zoning Ordinance), the Proposed Project includes 484 valet parking spaces to accommodate residential and hotel needs. Some of these parking spaces may also be used on weekdays to accommodate executives, management, and select employees of the office building tenants. During the weekday and weekend overnight hours, a portion of the lowest level self-park retail and restaurant spaces can be used for additional hotel and resident valet parking. The retail, restaurant and office parking continues to be based on shared use. The City Council understands the concepts of shared use parking and finds that shared parking is an effective way of reducing total parking requirements, reducing costs, and the amount of resources expended on the construction of parking. Furthermore, the Council finds that the Proposed Project is an urban development for which provision of excessive amounts of space for parking is not practical.

## **UTILITIES**

The estimated average water and wastewater flows from the Proposed Project have been estimated to be approximately 125,100 gallons per day (gpd), including the water demand reduction of 20 percent for water saving devices. In order to accommodate the water demands of the Proposed Project, United Water of New Rochelle (UWNR) has indicated that replacement of the existing water mains in North Avenue from Coligni Avenue to Burling Lane with new 16-inch mains will be required. The Applicant and

UWNR have successfully negotiated an agreement regarding both the facilities that UWNR will need to construct to provide service to the Proposed Project, with the costs of those facilities to be borne by the Applicant. The Proposed Project will also result in increased sewage flows. These increased sewage flows will result in the capacity of certain sewer mains being exceeded. As mitigation, the Applicant (at its sole cost) will replace the section of pipe in Huguenot Street from MH77260 to MH77259. The existing 10 inch pipe will be replaced with a new 12 inch pipe. All sewage from the Proposed Project will be discharged into this new main in Huguenot Street. This will require installation of a new 8 inch pipe in LeCount Place between New Anderson Street and Huguenot Street. These improvements will result in temporary disruptions similar to other utility construction activity within roadway beds.

Developers of new projects in the New Rochelle Sewer District that generate a net increase in sewage flows to the district are required by Westchester County to provide mitigation by reducing existing water inflow and infiltration (I&I) into the sewer system. The Proposed Project will require I&I to be removed at a ratio of 3 gallons of I&I to 1 gallon of increased average daily sewage flow. The Proposed Project will be required to remove three (3) times the net increase in average daily sewage flows, or 347,400 gallons. The location(s) of inflow and infiltration removal will be determined in consultation with the New Rochelle Department of Public Works and the cost of these improvements will be borne by the Applicant.

The City Council finds that the incremental impacts of the Proposed Project including increased sewage flows and additional demand for potable water are being mitigated to the maximum extent practicable. Based on the proposed development program, the above stated utility improvements and mitigation measures, will sufficiently offset the effects of the Proposed Project.

## **VISUAL/AESTHETICS**

The Proposed Project will result in the construction of two towers on a 6-story base and an 8-story loft building. The taller tower will measure 493 feet in height and will become the tallest building in New Rochelle. The City Council recognizes that this building will be visible from many parts of New Rochelle and Long Island Sound as shown in exhibits in the DEIS, SEIS, and FEIS; however, the Council does not consider this visibility to constitute an adverse visual impact. The Council finds that with the proposed high quality design developed through a Peer Review process, the new tower will serve to strengthen and enhance the City's emerging skyline. The design developed through the Architectural Peer Review process is considered a critical element of the Proposed Project's ability to avoid potential visual impacts and any significant modifications to the design may result in impacts not yet identified. The Council also considers the increased density facilitated by the height of the towers to be a positive impact in that it expands the critical mass of residents and visitors needed to increase the vitality of downtown New Rochelle.

The City Council also believes that the active retail storefronts, restaurants, hotel lobby, and open space will further contribute to the City's goals for revitalizing the downtown. Given the fact that the Proposed Project will incorporate active sidewalks, public art, café seating, water features, and other public amenities, the Council finds that the Proposed Project will result in positive impacts to the downtown.

The City Council does, however, recognize that the Proposed Project will result in shadows being cast on certain parts of the downtown, including a number of public areas as demonstrated by Exhibits in the DEIS and discussed in the DEIS, SEIS, and FEIS. While shadows will be cast on public areas and public road rights-of-way, shadows will not be cast on any dedicated parkland or on any light-sensitive historic resources. Where shadows are cast, they will generally only affect those areas for brief portions of the day, thereby avoiding significant adverse impacts. The City Council acknowledges this unavoidable consequence of the Proposed Project, but finds that on balance, the Proposed Project will result in beneficial impacts to the visual and aesthetic character of downtown New Rochelle.

## TRAFFIC

A Comprehensive Traffic Impact Study (TIS) was performed for the Proposed Project. The analysis included anticipated traffic volumes for the Proposed Project based on the Institute of Transportation Engineers Trip Generation Manual and factors such as the project's downtown location and proximity to mass transit. Based on the traffic volumes projected for the Proposed Project as well as other area developments, it was determined that traffic conditions at some intersections will deteriorate and that mitigation will be required. Impacts will occur at several downtown intersections due to additional traffic on area roadways. The affected intersections, and the mitigation measures that will be implemented by the Applicant (at its sole cost) to minimize the impacts, are as follows:

- Main Street and Lawton Street – Signal timing to reduce upstream delay on Main Street
- Main Street and North Avenue – Signal timing adjustments as described in the FEIS
- Main Street and LeCount Place – Implementation of a southbound protected left turn and signal timing changes.
- Huguenot Street and Lawton Street – Signal timing adjustments
- Huguenot Street and North Avenue – Construction of improvements identified in previous studies and elimination of parking along the southerly curb lane of westbound Huguenot Street, providing for an exclusive left-turn lane on the approach, and optimization of signal timing and signal offsets.
- Huguenot Street and LeCount Place – signal timing changes
- Cedar Street with Huguenot Street - provide additional green time to Cedar Street.
- Garden Street/Burling Lane and North Avenue - implementation of split signal phasing and restriping the westbound Garden Street approach to provide for an exclusive left-turn lane and a lane to accommodate left-turn and through movements (assumes completion of ongoing intersection reconstruction).
- Garden Street and I-95 ramps - signal timing and phasing changes.
- Anderson Street and North Avenue – Signal retiming.
- LeCount Place and Anderson Street – restriping LeCount Place, changes to the traffic signal timing, optimizing the signal offsets.

The City Council finds that the above mitigation measures will result in acceptable operating conditions and that traffic impacts will be mitigated to the maximum extent practicable. However, the City also evaluates potential traffic impacts associated with the length of queues at each intersection. The queue relates to the average or maximum measurement of the length of vehicles waiting in line in stopped traffic during the analysis period. Based on the metered effect on traffic that the traffic signals in the downtown cause, in coordination with the closely spaced traffic signals, the City, and its traffic consultants, consider the measurement of queue as being the most accurate indication of impacts.

A review of the queuing discussion provided in the DEIS, SDEIS and FEIS indicates that increased traffic associated with the Proposed Project will result in both increased queuing at the following intersections and the queue not being accommodated within the available storage (i.e., left-turn lane, backing up past the adjacent intersection, etc).

- Main Street at Lawton Street
- Main Street at LeCount Place
- Huguenot and North Avenue

- North Avenue, Garden Street and Transit Center Driveway
- Garden Street and Burling Lane

Aside from the mitigation identified in the DEIS, SDEIS and FEIS (as set forth above), the City finds that no additional mitigation can be implemented at the above locations due to right of way availability and constraints due to buildings adjacent to the intersections. The City worked with its traffic engineer and expert consultants to identify potential improvements for the intersection of North Avenue and Huguenot Street in addition to the improvements for that intersection set forth above. The City's traffic engineer and consultants identified a potential improvement consisting of widening of the Huguenot Street approach to provide a left-turn lane, two through lanes, and two right-turn lanes. This widening will result in the elimination of the pedestrian crossing across North Avenue at the north side of the intersection, which will improve safety but create inconvenience to the pedestrian population. The widening will also require additional right-of-way on the southern side of Huguenot Street. The proposed building and site plans for the project, as well as existing buildings on the western side of North Avenue, preclude this mitigation from being constructed. Given the foregoing, the City finds that this improvement cannot be constructed without significant modification to the Proposed Project and other structures in the immediate area and without impacts to pedestrian safety. Therefore there will be unmitigated traffic impacts associated with the Proposed Project at the intersection of North Avenue and Huguenot Street.

The Council recognizes that development activity will inherently increase traffic and that increases in congestion are reflective of a vibrant downtown environment. The City Council recognizes that some congestion is expected in a successful downtown environment, and that this congestion cannot be avoided if the City's vision for the downtown expressed in the numerous planning studies identified above, and the Comprehensive Plan, is to be implemented.

## **PARKING**

The Proposed Project includes 1,027 parking spaces, including 543 self-park spaces and 484 valet parking spaces. The valet spaces would be used to accommodate the residential and hotel needs. The available reserve capacity for permit parkers in the adjacent New Roc City Garage would be used to accommodate the bulk of the Proposed Project's office parking demand, although up to 210 of the office executives, management and select employees would be valet parked on-site during the day. The on-site self-park spaces would accommodate the Proposed Project's retail and restaurant components, as well as hotel employees (in the lowest level). The lowest level of the self-park spaces would also be available for hotel and residential valet parking, if necessary.

The City Council has reviewed the Parking Analysis presented in the FEIS. Based on estimated peak parking demand values, and daily and temporal distributions, the parking analysis concludes that with the development of the Proposed Project there would be at least five valet spaces and at least 31 self-park spaces available for use at all times on-site. However, the analysis shows that there would be a deficit of up to 95 permit spaces at the New Roc City Parking Garage in the middle of the day on weekdays.

In order to reduce the impacts of higher parking demands at the New Roc City Parking Garage, the public, permit, and reserved parking spaces will be reconfigured by the Applicant. There are a substantial number of spaces on the roof of the New Roc City Parking Garage which are never used, and the majority of the spaces reserved for hotel guests on the lower levels of the garage are never used during the daytime hours, when demand for permit spaces is greatest.

In order to accommodate the parking demand associated with the office component of the Proposed Project, which will be accommodated in the New Roc City Parking Garage, the following measures will be implemented at the sole cost of the Applicant:

- Relocate the 11 hotel spaces on the roof to the lower levels of the garage
- Move the gates to the roof parking further up the ramps leading to the roof, which would reduce the number of spaces provided for the residences located on the roof of the building to the 144 spaces required under the terms of the lease agreement for that air rights site, but would add 42 parking spaces to the New Roc City Parking Garage, 31 of which would be permit spaces, bringing the number of permit spaces to 831.
- Redesignate all but 50 of the spaces reserved for the exclusive use of the hotel so that they may also be used by permit parkers between the hours of 6:00 a.m. and 6:00 p.m. The 50 spaces closest to the hotel entrance would remain reserved exclusively for use by the hotel. This would free up 68 hotel spaces for permit parking during the busiest hours of the day, bringing the number of permit spaces to 899. This shared parking shall not affect or diminish the obligation of New Roc Hotels LLC, its successors and assigns, to make Garage Payments under the Restated Agreement of Lease (Hotel), as amended, between the City of New Rochelle as Landlord and New Roc Hotels LLC as Tenant.
- Reduce the number of spaces reserved for New Roc City management and garage management to two.

These measures will bring the total number of permit spaces to 901. With the reconfiguration, there will be at least six permit spaces unoccupied at all times and at least 11 metered spaces unoccupied at all times. At the time when only six permit spaces are unoccupied, there will be 226 metered spaces unoccupied, and when there are projected to be only 11 metered spaces unoccupied, there will be 81 permit spaces unoccupied.

The Council recognizes this potential deficit in parking and the concerns received during public comment periods, but finds that reconfiguring the parking at the New Roc City Parking Garage will result in acceptable levels of parking for the Proposed Project and other downtown commercial activity. While there may be high demand for parking at certain time periods, the utilization of available parking is considered a benefit of the Proposed Project. Higher demand for parking will unavoidably inconvenience some patrons of the New Roc City Parking Garage, but the increased demand is considered to be reflective of a successful downtown. Therefore while parking may become more difficult in the downtown as a result of the Proposed Project, the Proposed Project, on balance, will result in a positive impact as it advances the City's goals for revitalizing the downtown.

## **NOISE**

The City Council has reviewed the noise analyses presented in the DEIS, SEIS, and FEIS. Analyses for the reasonable worst case development scenario presented in the SEIS show that vehicular traffic volumes will result in Build condition noise levels that are 4.1dBA above the Existing noise level. The increase in the build noise level over the existing condition is less than the noise impact criteria of 6dBA and the increase in the Build condition over the No Build condition is only 2.1dBA (an insignificant and imperceptible increase). Thus significant mobile source noise impacts for the Proposed Project are unlikely to occur at any location.

The Proposed Project's mechanical/ventilation system will be constructed to adhere to the City's Noise Control Ordinance and prevent any potential noise impacts. The Proposed Project is, however, in an urban area where noise levels are generally higher. Noise attenuation design features, such as acoustically-laminated glass and weather stripping, will be required to be utilized to reduce interior noise levels and allow the Proposed Project to conform with HUD guidelines for residential use. The Council finds that with these mitigation measures the potential impacts of noise from the Proposed Project will be mitigated to the maximum extent practicable.

## **AIR QUALITY**

Roadways that experience high vehicular volumes, low travel speeds, and traffic congestion are usually associated with high CO concentrations. The Proposed Project will increase peak period traffic volumes along roadways bordering the Project Site and will therefore increase CO concentrations. Pollutant emissions from the proposed parking facilities may also result in adverse air quality impacts. The predicted maximum 1 -hour and 8 -hour CO concentrations in do not exceed the present NAAQS (35 ppm for the maximum 1 hour and 9 ppm for the 8 hour average). Therefore, the City Council finds that ambient air quality impacts from the Proposed Project street level mobile sources will not exacerbate or create any violations of the National Ambient Air Quality Standards (NAAQS).

The Proposed Project will use natural gas as a source of fuel for its heating and hot water boiler systems. Nitrogen dioxide (NO<sub>2</sub>) is formed from the burning of fossil fuels and is considered a highly reactive gas that is also linked to the production of acid rain. NO<sub>2</sub> is considered a pollutant of concern and a localized assessment of aggregate NO<sub>2</sub> stack emissions from the Proposed Project was performed. The predicted maximum annual concentration due to project-related sources is 83.52µg/m<sup>3</sup>. This predicted concentration is below the NAAQS of 100µg/m<sup>3</sup>, therefore significant air quality impacts from any of the Proposed Project's heating and hot water systems are not anticipated.

Inhalable particulate matter (PM) is a respiratory irritant and is of particular concern when classified as being less than 10 microns in diameter or PM<sub>10</sub>. Particulate matter is primarily generated by stationary sources, such as industrial facilities and power plants, but can also be produced by the combustion of diesel fuel used in some buses and trucks. The USEPA has also recently promulgated standards for PM less than 2.5 microns in diameter (PM<sub>2.5</sub>). The project area, presently and in the future, will include both bus and truck traffic. However, since the Proposed Project will likely not produce additional bus trips, and will not result in a significant increment in truck trips, neither PM<sub>10</sub> nor PM<sub>2.5</sub> due to mobile sources is a pollutant of particular concern for the Proposed Project. With respect to project-related stationary sources of PM, New York State Department of Environmental Conservation (DEC) guidance concerning the assessment of PM states that for the study of both PM<sub>2.5</sub> and PM<sub>10</sub>, if the primary emissions of PM<sub>10</sub> from a project are less than 15 tons per year, then impacts from the project are deemed insignificant for both pollutants and no further assessment of PM is required. Since the Proposed Project will use clean burning gas fuel for its heating and hot water systems, it is unlikely that the Proposed Project will result in an exceedence of the DEC PM minimum criteria level of 15 tons per year and therefore, PM is not a pollutant of concern for the Project.

Oxides of sulfur (SO<sub>2</sub>) are typically associated with fuel combustion at electrical utilities and large industrial sources, but can also be related to residential/commercial developments that utilize fuel oil. All DEC sulfur dioxide monitoring sites have remained in compliance with the New York State/Federal annual mean standard for over 20 years. As the Proposed Project will use clean burning natural gas fuel for its heating and hot water systems, and emissions of SO<sub>2</sub> are not typically related to mobile sources, SO<sub>2</sub> is not a pollutant of particular concern for the Proposed Project.

Based on the analyses presented in the DEIS, SEIS and FEIS, the City Council recognizes that concentrations of certain pollutants will be increased but finds that none of these increases will result in significant adverse impacts.

## **SOCIOECONOMIC**

The Proposed Project will result in increased residential population, employment, and tax generation. The Proposed Project will consist of 243 residential units and is expected to generate a population of approximately 493 residents. These new residents are not expected to change the overall character or demographic composition of the downtown area as a whole. However, the new residents resulting from

the Proposed Project and other downtown projects are expected to beneficially increase the overall vitality of the downtown area by introducing more residents.

The Proposed Project is expected to generate a total of approximately \$4.0 million in annual property taxes. In addition, the Proposed Project is expected to result in additional economic activity in downtown New Rochelle, including spending by residents, employees, hotel guests and retail visitors at local businesses. This increased business activity will have additional positive impacts on existing downtown businesses and would also benefit the City and County through increased sales tax revenues. Assuming average annual sales of \$500 per square foot, the retail/restaurant component of the Proposed Project is expected to have annual sales of approximately \$106 million (176,000 square feet X \$500 = \$88,000,000). In order to be conservative, 25% of these purchases are assumed to be for items that are not subject to sales tax. The remaining \$66,000,000 in annual purchasing would be taxable. The total sales tax rate for purchases in New Rochelle is 8.375% and is distributed to different taxing jurisdictions. New Rochelle's share of this sales tax would be approximately \$1.65 million. The Project will also generate additional parking revenues for the City since a portion of the office parking demand will be accommodated in the New Roc City Parking Garage. Anticipated annual project-related permit revenue will therefore be approximately \$324,000 annually based on 450 permits sold at \$720 each. In total, the City is expected to receive approximately \$2,345,508 annually in combined property and sales tax revenue and an additional \$324,000 annually from parking permits and meters.

The Proposed Project is expected to generate 1,466 jobs among the office, retail, residential and hotel components of the Proposed Project. Construction of the Proposed Project is estimated to involve approximately 2000 construction jobs over the course of the build out. However, these will not all be on-site simultaneously or continuously. At peak, it is estimated that there will be approximately 800 workers on-site.

The former tenants in the existing 38-unit apartment building at 5 Anderson Street have been relocated by the Applicant in accordance with DHCR regulations. The Planned Parenthood facility and other existing businesses on the Project Site will also be displaced. The Planned Parenthood facility will be relocated at the Applicant's cost.

Based on the increased tax revenues, the City Council finds that the Proposed Project will result in positive socioeconomic impacts to the City. While the Project will increase the population of the downtown area and result in the displacement of some existing businesses, the Council finds that on balance, the Proposed Project will on balance result in beneficial impacts to the downtown.

## **COMMUNITY FACILITIES AND SERVICES**

### *POST OFFICE*

The Proposed Project will occupy the site of the existing Post Office retail and distribution facility at the corner of North Avenue and Huguenot Street, resulting in the temporary or permanent relocation of those facilities. The Proposed Project therefore contemplates the off-site relocation of the Post Office distribution facility. The distribution facility is anticipated to be relocated within the general vicinity, but outside of the core downtown area, at a location which provides access to regional arterials. If relocation is determined to be infeasible, the Applicant will incorporate a replacement onsite carrier annex/distribution facility as a part of the Proposed Project. The retail operation will be relocated to Trump Plaza, across Huguenot Street, during construction of the Proposed Project. As determined by the Post Office, the retail facility will either remain at Trump Plaza or will be permanently relocated to new space at within the Proposed Project. No building permits will be issued for the Proposed Project until the Applicant has entered into an agreement with the Postal Service for the relocation of the Post Office retail and distribution operations.

### *EMERGENCY SERVICES*

The cumulative impacts of recently completed and projected downtown development in New Rochelle will necessitate the hiring of additional police and fire department staff. Based on the figures presented in the SDEIS (which utilized the City's 2007 Budget), the average cost for a police officer position is estimated at approximately \$72,179 (\$10,538,126 forecasted cost / 146 positions). The estimated average cost for a firefighter position is \$66,096 (\$7,733,256 forecasted cost / 117 positions). In the 2007 City budget, approximately 26.29% of total revenue was appropriated to the Police Department and 21.27% to the Fire Department. Applying these proportions to the annual City property and sales tax generated by the Proposed Project, it is expected that the Project could provide approximately \$616,634 annually to the Police Department, which would fund 8-9 police officers. Approximately \$498,890 could be provided annually to the Fire Department, which would fund approximately 7-8 firefighters.

The City Council understands the increased staffing needs of the Proposed Project and will make appropriate decisions regarding budget and staffing levels. The Council finds that the Proposed Project will generate sufficient tax revenue to offset the Proposed Project's proportionate share of any potential increased Fire Department or Police Department costs for additional staff hired to serve the overall demands of downtown development.

The south tower of the Proposed Project will exceed the maximum height that can be served by the City's current fire pumping equipment. The Fire Commissioner has indicated that a two phase high-pressure pumper will be necessary to raise a column of water to the highest stories of the south tower. The Applicant has agreed to a one time payment of \$250,000 toward the purchase of a two-phase pumper as partial mitigation for this impact. No building or demolition permits will be issued until the City receives this payment of \$250,000.

### *DPW OPERATIONS*

The Proposed Project will not adversely affect the City's DPW operations since the Proposed Project will utilize the services of a private carter. Therefore the Council finds that no adverse impacts to the DPW will result from the Proposed Project.

### *SCHOOLS*

Based on data presented in the DEIS, SEIS, and FEIS, the Proposed Project is expected to generate 41 school age children. Using the per pupil program cost estimate of \$12,130 used in the EIS (derived from total enrollment divided by budget, excluding administrative and capital expenditures), the cost to educate the project-generated school children will therefore be approximately \$497,330. This is substantially less than the \$2.5 million of school district taxes that will be generated by the Proposed Project, creating a significant positive fiscal impact for the public schools.

### *OPEN SPACE*

As described in detail above, the Proposed Project will result in the creation of 48,222 square feet of open space. Approximately 16,130 square feet of existing open space will be removed from Anderson Street. Therefore, the Proposed Project will result in a net increase of 32,092 square feet of open space. The City Council finds that this net increase in open space will result in positive impacts to the City. While the open space will be privately owned, it will be publicly accessible. The open space has been subject to an Architectural Peer Review process, and the committee's comments have been incorporated into the Proposed Project. The City Council will require certain guarantees in order to ensure that access to the open space is maintained, which will be incorporated into the site plan approval of the Proposed Project. Any rules and regulations governing the open space will require approval by the City's Department of Recreation and will be finalized during site plan review.

## **HISTORIC AND ARCHAEOLOGICAL RESOURCES**

The Proposed Project will result in the demolition of three historic resources, the US Post Office, the Standard Star Building, and 5 Anderson Street. The US Post Office is listed on the National Register of Historic Places. However, the nomination form states that the original terra cotta exterior, which was an unusual but integral component of its Art Moderne style, was replaced in the 1960s and the lobby was completely remodeled. The form concludes that, due to these changes, "the building has substantially lost its integrity of design and materials with the exception of three murals placed in the lobby in 1940, which still remain." Based on this description from the form (which was prepared by the NYSOPRHP National Register and Survey Coordinator in 1986), the City Council agrees that the building itself has lost its architectural significance, and its complete preservation is not warranted. The City Council does find that the curved façade of the US Post office is a well known landmark in the City. Therefore, the Proposed Project will be required to incorporate the existing geometry into the design of the building at the corner of North Avenue and Huguenot Street. This requirement will be part of any Site Plan Approval.

The Applicant has committed to removing and relocating the significant murals to a mutually acceptable location for display. A Conservation Treatment Plan for the historic murals has been submitted by the Applicant and has been reviewed by the City. Prior to site plan approval any necessary revisions and enhancements to the Conservation Treatment Plan will be coordinated between the City and the Applicant.

The Standard Star Building and 5 Anderson Street are eligible for listing on the National Register of Historic Places as described in detail in the DEIS, SEIS, FEIS. The City Council finds that the incorporation of these buildings or their adaptive reuse would not be practical or financially feasible given the City's goals and the proposed development program. Therefore, the City Council acknowledges the loss of these historic buildings and finds that the Proposed Project will result in an unmitigated adverse impact.

No building or demolition permits will be issued until Site Plan Approval for the Project and formal execution of the Land Disposition and Development Agreement between the City and the Applicant.

## **HAZARDOUS MATERIALS**

According to the Phase 1 Environmental Report prepared for the Proposed Project, the buildings on the Project Site are, or were at one time, fueled by oil stored in underground storage tanks (USTs). According to available records, some of these tanks have failed inspection in the past, and some are abandoned. Spills have also been reported on the Project Site, and no major remediation work has been identified. Field investigations also revealed the presence of USTs not listed in the available records. The Phase 1 Environmental Report also notes the possibility that since the Project Site has existed in an urban area for over a century, there may be other unreported petroleum or other hazardous waste spills that affect the soil or groundwater that have not been reported to any government agency. It is unknown whether oil remained in the tanks after they were abandoned, and whether the tanks are corroded or leaking. This raises the possibility of soil and groundwater contamination.

The Phase 1 Environmental Report recommends that prior to demolition of the buildings, a full interior inspection of the existing buildings be made to determine the presence of asbestos containing materials or any other possible regulated materials. Subsurface investigation is also recommended by the Phase 1 Environmental Report. The Applicant will be required to complete a Phase 2 Environmental Investigation prior to the start of construction on the Project Site. Subsurface testing will be conducted based on the protocols of a Phase 2 Environmental Investigation and will likely involve additional geophysical survey work to identify potential USTs, and borings to assess subsurface conditions within the vicinity of USTs.

The Council finds that redevelopment of the Project Site will result in environmental remediation of any existing contamination. This is considered a positive impact of the Proposed Project.

## **CONSTRUCTION IMPACTS**

A preliminary construction management plan was included in the DEIS, SDEIS/FEIS and identified potential temporary impacts associated with construction-related traffic, air quality, and noise. Prior to the start of construction, and before issuance of any construction permits, the Applicant shall submit, for the City's review, a traffic and parking management plan detailing how vehicular and pedestrian access will be safely maintained during construction.

### *TRAFFIC*

The Proposed Project will generate construction-related traffic, including construction worker commuting and the delivery of materials and equipment. The numbers and types of vehicles will vary depending on the construction phase. Street and sidewalk closures during the construction period are likely and will result in temporary disruption of vehicular and pedestrian traffic patterns.

The Proposed Project involves the creation of a service tunnel for retail loading between the Marriott loading dock at New Roc City and the retail core of the Proposed Project. All work associated with the installation of the tunnel will occur after the utilities in the roadway are relocated, or otherwise properly protected. In order to minimize the amount of time that the roadway would be closed, pre-cast concrete "boxes" will be utilized to create the tunnels. The construction of the tunnel in LeCount Place will allow for at least one lane to remain open at all times. It would be possible to complete this work without fully closing the roadway by keeping one lane open at all times. However, in the interest of safety, it is preferred to close the entire roadway while this work is being performed. Traffic could be directed around the site by utilizing Anderson Street. It is estimated that the roadway will be closed for a total of seven days during the installation of the tunnel.

The City has indicated that the roadway construction will require a full-time Public Works inspector to ensure that the roadway is reconstructed to Department of Public Works standards, and that this cost will be included in the cost of the Department permits for the applicable work. The City will also have the option of salvaging any items that may interfere with the proposed development, such as street lights, traffic signals, benches, trees, etc. Items so designated would be removed and delivered to designated locations by the Applicant, and at its cost.

### *AIR QUALITY*

The primary anticipated air quality impacts from construction activities are related to fugitive dust and mobile source emissions. Fugitive dust can result from land clearing, construction materials or debris handling, excavation, demolition, compaction, short term storage, and vehicle motion over unpaved areas. Mobile sources, such as construction equipment and construction worker vehicles, would produce emissions including CO, VOCs, and NO<sub>2</sub>. Exhaust emissions of particulate matter may also result from the use of diesel-powered vehicles. The project construction period is anticipated to be two years. However the period of heavy duty construction activities typically related to potential air quality impacts will be significantly shorter and will occur in the beginning of the construction period. The City Council finds that the temporary impacts related to construction will be a nuisance, but they are not considered a significant adverse impact due to their temporary nature.

### *NOISE*

Temporary, localized noise increases may also be expected from construction activities and vehicles during the anticipated two-year construction period. The level of noise impact will depend on the equipment and activity involved and will decrease with distance from the construction site. All activities will be subject to the City's Noise Control Ordinances which restricts the noise levels emanating from a construction site. Therefore, while the City Council acknowledges the temporary noise impacts, the

Applicant will adhere to the City's Noise Control Ordinance in order to minimize noise impacts to the extent practicable.

## BLASTING

If blasting is required, all operations will comply with §147-14 of the New Rochelle municipal code, which dictates blasting licensing requirements, hours of operation, bonding requirements and permitting. Blasting work will also conform to the detailed blasting plan set forth in the DEIS and SEIS. Where rock removal cannot be accomplished without the benefit of blasting, it will be carried out by a person who is licensed in the State of New York and the City of New Rochelle to handle and detonate explosives.

Prior to the start of blasting, a qualified licensed professional engineer/seismologist experienced in blasting ("PE/S") will be employed by the Applicant to prepare and certify a detailed Blasting Plan, as well as supervise and be responsible for the monitoring and conducting of all blasting activities, if any. The Blasting Plan will be prepared and certified by the PE/S and submitted to the City Engineer for review and approval, prior to any blasting activities at the site or issuance of any permits. The Blasting Plan will include, among other items, a pre-blasting survey of all structures within 500 feet of the blast site. The pre-blast survey will include an inspection and documentation of the existing conditions by means of a verbal dictation, video, and/or photographs. The PE/S will examine the existing structures during and after completion of various blasts to determine if any adjacent structures have been affected. The Blasting Plan will also include site specific conditions, a sub-surface utility analysis, drill patterns, noise/sound and ground and air vibration analyses, instrumentation requirements and setup procedures, measurement protocols and monitoring frequencies, proposed blasting and rock crushing procedures and operations, if any, a warning signal system for blasting occurrences, flyrock control procedures, and protocols for ongoing reporting and complaint procedures. Blasting noise and vibration analyses will be monitored by the PE/S and the PE/S will detail the results of each blasting operation.

The Blasting Plan will also provide that the contractor shall be limited to no more than four pounds of explosive per delay, and a maximum of 100 pounds per detonation. All blasting operations will be monitored by the PE/S using a seismograph placed on the property line to insure that peak particle velocities will not be exceeded.

The maximum peak particle velocity will be restricted to a peak particle velocity of 1.75 inches per second or lower in order to protect existing structures. Public and private utilities will be notified at least two weeks prior to commencement of blasting operations. The PE/S will also notify the City of New Rochelle and all inhabitants or users of structures located within 500 feet of the blasting site at least 48 hours prior to commencement of any blasting operations.

The limits of the operation will be fenced in. Blasting noise and vibration will be monitored at all times and will only occur between the hours of 8:30am and 4:30pm.

### **A copy of this Notice has been sent to:**

Lead Agency:

City of New Rochelle City Council

Interested & Involved Agencies:

City of New Rochelle Planning Board  
Westchester County Department of Planning  
Westchester County Department of Environmental Facilities  
New York State Department of Environmental Conservation  
Environmental Notice Bulletin

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