

Draft Generic Environmental Impact Statement (“DGEIS”)

Name of Proposed Action:

The adoption of the amended Code of the Village of Port Chester, Chapter 345, “Zoning”, and Official Zoning Map, hereinafter referred to as the Village of Port Chester Form-Based Code

State Environmental Quality Review Act (“SEQRA”) Classification:

Type 1 (see 6 NYCRR 617.4(b)(1) “the adoption of a municipality's comprehensive zoning regulations”)

Location of Proposed Action:

Village of Port Chester, New York

Lead Agency Name:

Village of Port Chester Board of Trustees

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

Adoption of the Proposed Action is classified as a Type I Action according to SEQRA regulations and requires an environmental impact assessment as prescribed in the implementing regulations of 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA). A Generic Environmental Impact Statement (GEIS) assesses a broad-based action or a group of related actions and is more conceptual in nature than a site-specific environmental impact statement (EIS). The GEIS does not replace the need for separate and distinct site-specific EISs in connection with any future development proposals. Each specific proposal for any site is independently subject to SEQRA.

The Draft Generic Environmental Impact Statement (DGEIS) scoping document (adopted by the Village Board on October 31, 2018) determined the elements to be evaluated in the DGEIS. This DGEIS addresses the amended Chapter 345, “Zoning”, and the official Zoning Map set forth in the Proposed Action and examines potential Village-wide environmental impacts that may result from the Proposed Action including, but not limited to, the potential land use changes and/or other actions required to implement the Proposed Action. In compliance with the requirements of SEQRA, this DGEIS includes the following:

- Description of the Proposed Action and its purpose and benefits;
- Assessment of existing conditions;
- Evaluation of potential environmental impacts of the Proposed Action and
- Alternatives (in some cases, analyses are based on conceptual information due to the comprehensive and prospective nature of the Proposed Action and its component parts);
- Identification of any potential, significant adverse environmental impacts;
- Identification of any necessary measures to minimize potential significant adverse environmental impacts;
- Identification of any potential growth-inducing impacts;
- Identification of any significant adverse environmental impacts that cannot be avoided if the Proposed Action is implemented; and
- Identification and brief discussion of any irreversible and irretrievable commitment of resources that would be involved in implementation of the Proposed Action.

1.2 Description of the Proposed Action

The proposed action involves the adoption of the amended Code of the Village of Port Chester, Chapter 345, “Zoning,” and Official Zoning Map by the Board of Trustees. The adoption of the amended Code and Official Zoning Map will help Port Chester grow sustainably as a vibrant, walkable, and active municipality that links its lower-density neighborhoods with the downtown and waterfront. The amended Code includes form-based provisions as a tool to guide future development based on a shared physical vision for the Village between the public and private realms. Other amendments to the Code include improvements to make it easier to read and use and to streamline the approval process.

1.3 Lead Agency Designation

The Village of Port Chester Board of Trustees declared its intent to act as Lead Agency, for purposes of SEQRA, on August 20, 2018. The SEQRA Positive Declaration and Notice of Intent to prepare a DGEIS were also issued on September 24, 2018. SEQRA defines a “Type I Action” as “an action or class of actions that is more likely to have a significant adverse impact on the environment than other actions or classes of action.” These activities must be further reviewed under SEQRA to determine the potential for significant adverse environmental impacts.

Pursuant to 6 NYCRR § 617.7, the Board of Trustees subsequently determined that the adoption and implementation of the Action may have an adverse impact on the environment and that a Draft Generic Environmental Impact Statement (DGEIS) must be prepared. The Board also determined that scoping for the DGEIS would be appropriate.

A draft scoping document, outlining the topics to be included in the DGEIS, was prepared in on October 31, 2018 and circulated for agency and stakeholder comment. The final scoping document was adopted by the Board of Trustees and this DGEIS was prepared in accordance with that final scope.

This DGEIS:

- characterizes the existing conditions in the Village of Port Chester;
- identifies and assesses the potential environmental impacts that are likely to occur by the adoption of the proposed zoning;
- identifies mitigation measures that have been utilized to minimize potential adverse environmental impacts; and
- establishes specific conditions or criteria under which future actions will be undertaken or approved, including requirements for future SEQRA reviews and compliance.

Once the Board of Trustees accepts this DGEIS as complete, there will be a public review period. During that time, the Board will host a public hearing(s) on the DGEIS. Following the close of the public review period, the Lead Agency must prepare or cause to be prepared, a Final Generic Environmental Impact Statement (FGEIS) which responds to comments from the public, interested and involved agencies. The FGEIS will include substantive comments received and responses to those comments, revisions to the DGEIS and the reason for revisions.

At least ten days after the completion of the FGEIS, the Board of Trustees can issue a Findings Statement, in accordance with 6 NYCRR § 617.11, which identifies whether the proposed action, adoption of the proposed zoning, minimizes or avoids potential adverse environmental impacts to the maximum extent practicable, and the that mitigation measures identified through the SEQRA process were incorporated. The determinations in the Findings Statement must be based on facts and conclusions that are derived from the SEQR process.

1.4 Significant Impacts and Mitigation Measures

Potential impacts of the Proposed Action and 20-Year Build-out Scenario are described and analyzed in this DGEIS, along with the corresponding mitigation measures that would eliminate or alleviate each impact. The summary of potential impacts and mitigation measures is presented in each subsection of Section 3.0 of the DGEIS.

1.5 Alternatives

Alternatives to the Proposed Action examined in the DGEIS include:

- No Action, (i.e., no revisions to the existing zoning regulations)
- New Euclidean Zoning (i.e., revisions to the existing zoning regulations, in a Euclidean format)
- Greater Affordable Affirmatively Furthering Fair Housing (A AFFH) Unit Requirement
- CD-6-T Urban Core TOD Character District Alternative

1.6 Interested/Involved Agencies

Potentially Involved and Interested Agencies were identified at the time the Board of Trustees adopted its Notice of Intent to Act as Lead Agency pursuant to SEQRA. The coordinated review process included the following agencies :

- Village of Port Chester Planning Commission
- Village of Port Chester Zoning Board of Appeals
- Village of Port Chester Architectural Board of Review
- Village of Port Chester Industrial Development Agency
- Village of Port Chester Waterfront Commission
- Village of Port Chester Park Commission
- Village of Port Chester Recreation Commission
- Port Chester-Rye Union Free School District

- Town of Rye
- City of Rye
- Village of Rye Brook
- Town of Greenwich, Connecticut
- Westchester County Planning Board
- Westchester County Department of Planning
- Westchester County Department of Health
- Westchester County Department of Public Works/Transportation
- Westchester County Department of Environmental Facilities
- MTA Metro-North Railroad
- New York State Department of Environmental Conservation, Region 3
- New York State Office of Parks, Recreation and Historic Preservation
- New York State Department of Transportation, Region 8
- United States Army Corps of Engineers, New York District
- New York State Department of State

1.7 Required Reviews and Approvals

This DGEIS provides the Village Board of Trustees (as Lead Agency under SEQRA) with information necessary to render an informed decision on the Proposed Action. Once accepted by the Lead Agency, this document will be subject to public review and written comments, followed by preparation of an FGEIS responding to any and all substantive comments. Upon completion of the FGEIS, the Board of Trustees will be responsible for the adoption of a Findings Statement. This will complete the SEQRA review process for the Proposed Action (see following table).

REVIEWS, PERMITS AND APPROVALS REQUIRED
 Proposed Action

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

1.8 Public Outreach and Community Participation

In formulating the rezoning project, the Village placed a strong priority on utilizing a true ground-up approach, which engages and actively involves the participation of all Village residents, including the Latino population. To that end, community participation has been an important part of the visioning and planning process for the Proposed Action over the past few years. Community participation continues and will continue to play a major role in the project.

The following public outreach and community engagement efforts were completed for the rezoning project:

- Stakeholder Identification
- Outreach and Engagement Plan (stakeholder identification, timing and location of public meetings, outreach methods and strategies, project branding)
- Online Engagement (development of interactive project website)
- Print, Social Media and Media Campaign (printed materials developed and Twitter and Facebook postings)

- Kick-off Presentation (held at the Port Chester Senior Center)
- Public Design Charrette/Planapalooza™
- Vision Book Presentation and Plan the Port Celebrations
- Presentation of the First Public Draft of the Proposed Code & Code-Testing Charrette
- Public Comment (First and second drafts of the proposed code presented to the public with associated comment periods)
- Workshops with the Board of Trustees
- Workshops with the Planning Commission
- Workshops/Meetings with Other Key Stakeholders
- On-Going and Future Outreach (SEQRA-related public comments and hearing)

2.0 DESCRIPTION OF THE PROPOSED ACTION

2.1 Introduction

As required by the implementing regulations of the New York State Environmental Quality Review Act (SEQRA), this draft generic environmental impact statement (DGEI) evaluates the potential environmental impacts of the “Proposed Action,” namely, the adoption of the amended Code of the Village of Port Chester, Chapter 345, “Zoning,” and Official Zoning Map (hereinafter referred to as “proposed zoning,” “zoning amendments,” or the Port Chester Zoning Code (PCZC).” The Proposed Action is being advanced in accordance with the Port Chester Comprehensive Plan adopted in 2012, which provides a comprehensive planning framework and zoning recommendations for the Village.

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

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

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

2.2 Study Area and Description

The Village of Port Chester is located in the southeastern portion of Westchester County, New York, and adjoins Long Island Sound. The Village is approximately 2.3 square miles and is part of the Town of Rye. It adjoins the Village of Rye Brook and borders the State of Connecticut to the east and north.

Interstate I-95 (the New England Thruway) is a major national interstate highway which travels through the southern portion of the Village in a north-south direction. U.S. Route 1, which preceded construction of I-95, parallels the interstate highway and follows Main Street within the Village (see. Figure 1).

2.3 Project Background, Purpose, and Need

Port Chester’s current zoning code was adopted in 1987. Since that time the code has been amended numerous times, which often makes the current zoning code difficult to use, interpret, and enforce.

The current zoning is Euclidian-based, the primary purpose of which is to segregate uses that are perceived to be incompatible. The current code regulates hundreds of individual uses including many uses that are no longer applicable. The traditional land use pattern of the Village, with mixed use neighborhoods that include residential and retail or commercial uses surrounded by housing allowing employees to walk to work, was discouraged or prohibited under the current zoning.

The current zoning code also developed new lot sizes and setbacks, which often were in conflict with the existing neighborhood types and lot sizes. This created a situation where new buildings were markedly incompatible with existing buildings, and the traditional mixed use nature of areas was discouraged. Minimum front side and rear setbacks decreased the percentage of lots that could be covered by a building and encouraged separations between buildings more often associated with suburban development, decreased population density, and discouraged walkable developments and neighborhoods. This created a number of conflicts between the existing built environment and what was allowed by zoning.

The proposed zoning is character based. Character-based coding represents a change in the way that the built environment is regulated. This shift is necessary because the conventional, use- based approach to zoning has been shown to be ineffective for regulating diverse, urban, mixed- use environments. Port Chester is using character- based regulation to help achieve the overarching goal of the Village of Port Chester Comprehensive Plan to create a vibrant Village that is welcoming to all.

Character-based codes foster predictable built results and a high- quality public realm. Unlike conventional land regulation, character-based codes use the intended form and character of a place as the organizing principle, or framework, of the code, rather than focusing predominantly on use.

Character-based ordinances regulate a series of important elements to create a high- quality place. Those elements include:

At the Building & Lot scale, standards covering:

- Building Placement and Number
- Building Facades
- Fences and Walls
- Private Frontage
- Building Form
- Building Type
- Use
- Encroachments
- Screens, Streetscreens, and Buffers
- Vehicular Parking
- Bicycle Parking
- Loading Space
- Trash Receptacles
- Private Lot Landscape
- Private Lighting
- Signs

For Development Parcels, standards covering:

- Thoroughfares
- Public Frontage
- Bicycle Accommodations
- Public Lighting
- Public Planting
- Blocks
- Civic Space

It is also important to note that while character-based regulation emphasizes an intended physical form and character of a place, it also regulates use. Character-based codes often allow a range of uses that are carefully chosen to maximize compatibility between uses and the intended physical form of the area.

The proposed zoning code is organized into 11 districts that govern how development in the Village can occur. The zoning map is also incorporated into the code and includes all parcels in the Village, each of which is assigned a zoning classification. The zoning classifications were informed by the planning process and other plans previously prepared for the Village. The zoning districts included in the proposed zoning are different from the current zoning code district classifications but are meant to group like uses and forms.

The proposed zoning code contains eight (8) Character Districts, two (2) Special Districts, and one (1) Civic District, as follows:

CD-3: Neighborhood Character District

This District is for new and redeveloped primarily low density single- family detached residential development. It has medium to deep front Setbacks and medium to wide side Setbacks. Its Thoroughfares have curbs and may include Sidewalks and/or street trees, and form medium to large blocks.

CD-3.R20: One-Family Residence Character District

This District is assigned to existing predominantly detached single- family residential areas having minimum lot sizes of 20,000 square feet. CD- 3.R20 (R20 One- Family Residence District)

CD-3.R7: One-Family Residence Character District

This District is assigned to existing predominantly detached single- family residential areas having minimum lot sizes of 7,000 square feet.

CD-R5: One-Family Residence Character District

This District is assigned to existing predominantly detached single- family residential areas having minimum lot sizes of 5,000 square feet.

CD-4: General Urban Character District

The General Urban Character District is a medium density district having a mix of building types and primarily residential, retail / personal service / artisan, office, lodging and civic uses. It has medium, narrow or no front Setbacks and narrow to medium side Setbacks; it has variable private landscaping; and it has Thoroughfares with curbs, Sidewalks and trees that define medium- sized blocks.

CD-5: Urban Center Character District

The Urban Center Character District is a higher density mixed use district. It has a tight network of thoroughfares with wide sidewalks, street lights and regular tree spacing, defining medium- sized blocks. Buildings are set close to the sidewalk.

CD-5W: Urban Center-Waterfront Character District

The CD- 5W Character District is a higher density mixed use district near the waterfront, which includes water-dependent uses. It has a tight network of streets with wide Sidewalks, street lights and regular tree spacing, defining medium- sized blocks. Buildings are set close to the sidewalk.

CD-6: Urban Core Character District

This district has the highest density and heights, with a wide variety of uses, located near and with connections and access to public transit. This District may be adjacent to Civic Districts with significant Civic Spaces and important Civic Buildings. Its blocks are defined by thoroughfares with curbs, street trees, and wide sidewalks, with narrow or no front setback and no side setbacks.

SD-PRD: Planned Residential Special District

The PRD Special District is assigned to most of the existing PRD zones.

SD-PMU: Planned Mixed Use Special District

This Special District is designated for the former United Hospital site and an adjacent parcel.

CV: Civic District

The Civic District is assigned to areas having a civic purpose, including certain governmental and non- profit uses. The development regulations for each of the Districts have been carefully considered in relation to their context.

2.4 Build-out Under the Existing and Proposed Zoning Codes

The proposed zoning amendments require an evaluation of environmental, human, community, and economic impacts pursuant to SEQRA. One input to the SEQRA process is a build-out and likely impacts analysis for the Village considering existing and proposed zoning conditions. A comparison of the two scenarios quantifies potential development yields attributable to the proposed zoning amendments, and serves as the ‘demand factor’ for evaluating impacts to the environment, supporting infrastructure, and economic vitality later in the SEQRA process. Build-out was conducted both for a twenty-year planning horizon based on a market analysis and full build-out of a targeted study area regardless of time horizon. The build-out analysis summarizes the data, analysis, and tools used for the build-out and likely impacts analysis, and provides a general comparison of high-level impacts associated with the existing and proposed zoning conditions.

Study Area

The study area for the build-out analysis focused on a subset of the area represented by Character Districts in the proposed Port Chester Zoning Map (see Figure 2). Property in all versions of Character District 3 and Character District 4 were excluded from the analysis with the exception of eight properties identified by Village staff as ready for redevelopment in Character District 4. Property in Character Districts 5 and 6 were included in the analysis with the exception of properties that had developed between 2008 and 2018, which were assumed to be ‘too new’ for redevelopment to occur in the foreseeable future. Property in the three remaining Character Districts — Civic, Special District (Planned Mixed-Use), and Special District (Planned Residential) — were excluded from the analysis.

Subareas of the Port Chester Zoning Map included in the build-out and likely impacts analysis are illustrated in Figure 2.

Analysis Tools

The build-out and likely impacts analysis relied on two analysis tools to calculate future year development potential and approximate high-level impacts associated with the current and proposed zoning conditions. Zonar, created by Gridics, LLC, is a three-dimensional, GIS-based development analysis software that calculates future year build-out potential for properties in a study area based on rules and requirements assumed for lot coverage, building height, use mix, and parking requirements unique to each of the character districts represented in the Port Chester Zoning Map. Parcel-level calculations in the software were grouped by analysis blocks, defined in the software, for reporting

development potential associated with the current and proposed zoning conditions. Output from the Zonar software was used to calculate likely impacts associated with the current and proposed zoning conditions.

Alternative Development Scenarios

The build-out and likely impact analysis assumed five different conditions (scenarios) for the study area: an existing conditions inventory, both current and proposed zoning conditions at full build-out of the study area, and both current and proposed zoning conditions for the study area assuming twenty years of market potential. A summary of each development scenario is provided below.

Existing Development Inventory

An inventory of existing development in the study area was captured using geographic information system (GIS) data, tax roll information, and a building height survey (number of stories) performed with GoogleEarth software. In total, the study area currently supports 664 residential dwelling units; 1,891,574 square feet of retail space; 288,619 square feet of office space; and 1,378,444 square feet of industrial space.

Village officials report development applications in the study area often request variances from height and setback requirements in the current zoning ordinance, which allows them to build more intense development compared to strict adherence to the current zoning ordinance.

Full Build-Out, Current Zoning Condition

Full build-out of the study area for the current zoning condition (Euclidean zoning) was approximated using Zonar software. It assumed all parcels in the study area were completely redeveloped, meaning the existing development was removed from the parcel and replaced with buildings that meet use, height, bulk, density, and parking requirements in the current zoning ordinance.

In total, the study area could support 511 residential dwelling units; 405,337 square feet of retail space; 1,665,935 square feet of office space; and 24,000 square feet of industrial (flex) space. The scenario represents a substantial decrease in development potential compared to existing conditions for all categories except Office.

Village officials confirm the condition where redeveloping the study area under the current zoning ordinance results in less overall development potential compared to the existing development inventory is accurate, and an indication of the number and magnitude of variances that have been granted in the past to support development applications.

Full Build-Out, Proposed Zoning Condition

Full build-out of the study area for the proposed zoning condition (form-based code) was approximated using Zonar software. It assumed all parcels in the study area were completely redeveloped, meaning the existing development was removed from the parcel and replaced with buildings that take advantage of height and setback requirements in the proposed zoning ordinance. In general, the software assumed all new buildings in the study area included first floor retail, one floor of office above, and the remaining floors allowed under the character district for residential dwelling units.

In total, the study area could support 6,178 residential dwelling units; 1,922,566 square feet of retail space; 1,922,566 square feet of office space; and 24,000 square feet of industrial (flex) space. The scenario represents a substantial increase in development potential compared to existing conditions for all categories except Industrial.

Twenty-Year Market Potential, Current Zoning Condition

Market potential for the study area in the next twenty years under the current zoning condition was enumerated in an analysis by Urban Advisors in 2018. Their work anticipated up to 511 residential dwelling units, 157,000 square feet of retail space; 412,000 square feet of combined office and medical office space; and 24,000 square feet of industrial warehouse and flex space is achievable in the next twenty years.

Twenty-Year Market Potential, Proposed Zoning Condition

Market potential for the study area in the next twenty years under the proposed zoning conditions was enumerated in an analysis by Urban Advisors in 2018. Their work anticipated up to 2,900 residential dwelling units, 157,000 square feet of retail space; 412,000 square feet of combined office and medical office space; and 24,000 square feet of industrial warehouse and flex space is achievable in the next twenty years.

Reporting Categories

The build-out and likely impacts analysis captures development potential for several scenarios — current zoning (full build-out), current zoning (twenty-year market potential), proposed zoning (full build-out), and proposed zoning (twenty-year market potential) — and reports anticipated conditions and measured impacts for the following categories:

- New student potential;
- New water demand potential;
- New sewer demand potential;
- New energy consumption potential;
- Affordable housing potential;
- Village tax roll potential; and
- School District tax roll potential.

Transportation impacts will be measured and evaluated in a separate analysis of the study area assuming the same development scenarios.

2.5 Required Reviews and Approvals

This overall document is a Draft Generic Environmental Impact Statement that analyzes potential impacts of the adoption of amendments to the Village Zoning Code and Zoning Map. The Village of Port Chester (as lead agency under SEQRA), will review the document and determine its completeness for the purpose of public review and comment. Upon adoption of a resolution which deems the DGEIS complete for purposes of public review, the Village Board of Trustees will file and publish a notice of completion of the DGEIS and file copies of the document in accordance with the regulations implementing SEQRA. The Village will publish a Notice of Completion of the DGEIS in the NYS Environmental Notice Bulletin (ENB), which is administered by the NYSDEC. Simultaneously, the Lead Agency will arrange for distribution of copies of the document to any involved or interested agencies, and make the document available for public review at the Village of Port Chester Library, as well as provide web access to an electronic copy of the full document. A comment period of not less than 30 days will be provided for public inspection and comment on the document, in accordance with SEQRA requirements.

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

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

- (1) consider the relevant environmental impacts, facts and conclusions listed in the Final SGEIS;
- (2) weigh and balance the relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency’s decision;
- (4) certify that the requirements of this part have been met;

(5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions those mitigation measures that were identified as practicable.

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

This DGEIS provides the Village Board of Trustees (as Lead Agency under SEQRA) with information necessary to render an informed decision on the Proposed Action. Once accepted by the Lead Agency, this document will be subject to public review and written comments, followed by preparation of an FGEIS responding to any and all substantive comments. Upon completion of the FGEIS, the Board of Trustees will be responsible for the adoption of a Findings Statement. This will complete the SEQRA review process for the Proposed Action (see following table).

REVIEWS, PERMITS AND APPROVALS REQUIRED
 Proposed Action

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

2.6 Public Outreach and Community Participation

In formulating the rezoning project, the Village placed a strong priority on utilizing a true ground-up approach, which engages and actively involves the participation of all Village residents, including the Latino population. To that end, community participation has been an important part of the visioning and planning process for the Proposed Action over the past few years. Community participation continues and will continue to play a major role in the project. What follows is a summary of that extensive public outreach and community engagement. More detail is provided in Appendix E.

Stakeholder Identification

During the kick-off meeting for the project, project stakeholders were identified, including citizens, Village staff, elected officials, property owners, neighborhood ambassadors, liaisons and other representatives, design and engineering professionals, developers, businesses, nonprofit organizations and other interested parties.

Outreach and Engagement Plan

An Outreach and Engagement Plan was then developed that includes the following:

- Final identification of stakeholders and focus groups including property owners, developers, builders, real estate professionals, business owners, neighborhood association leaders, and representatives from organizations dedicated to business interests, historic preservation, affordable housing;
- Timing and location of public meetings associated with project outreach;
- Methods and materials anticipated for each audience, which will include materials in both English and

- Spanish;
- Strategy for use of print, electronic, and broadcast media for public meeting announcements and provision of information;
- All Outreach and Engagement Materials will be provided in both English and Spanish and outreach events will be provided in both languages; and
- Project branding as “Plan the Port”.

Online Engagement

To involve more community members in the design process, an interactive project website was created – plantheport.com. More than 50% of today’s adult population will never attend a meeting in person. One way to allow them to also provide their input and engage in the process is through web platforms. Plantheport.com provides several tools in a single comprehensive platform – map-based interactive tools, surveys, discussion forums, polls, project document repository, as well as a platform to keep people informed and engaged.

Print, Social Media & Media Campaigns

Beyond a project website, the Village’s social media platforms, including Twitter and Facebook were utilized to bring awareness of the Project and build excitement. Similar to the media campaigns, printed materials were developed to make a first connection with stakeholders that do not have an online presence.

Kick-Off Presentation

On February 28, 2018 a kick-off presentation was held at the Port Chester Senior Center. It was used to provide an overview of the planning and form-based coding process, generate and share ideas, build excitement and gain an understanding of the Project. A Spanish-speaking member of the consultant team was on hand to co-present and closely work with Spanish-speaking attendees.

Art Content

As a way to excite and engage the public at the same time, an art contest was held. A number of entries were submitted by the due date of March 20, 2018 (coinciding with the opening of Planapalooza – see below) and a winner was selected (at the closing Planapalooza event).

Public Design Charrette / Planapalooza™

A multi-day event – termed Planapalooza™ – was held from March 20 to March 28, 2018 in order to take advantage of the opportunity for direct collaboration and sharing of ideas between the consultant team, the Village, and the public. The schedule included multiple presentations, work-in-progress pin-ups, technical roundtable discussions, public input sessions, and client meetings. There were multiple opportunities for the public to provide their ideas and feedback and to comment on the development alternatives proposed for the Village. In addition, the consultant team “set up shop” in a vacant storefront downtown (17 North Main Street) – nicknamed “Plan the Port Headquarters”. Finally, special attention was paid to the Latino community by holding “Re-Imagine Port Chester” workshops throughout the community. These workshops focused on art and building as a way to communicate planning and zoning ideas.

The specific events, and their corresponding dates and locations, are provided below (all at 17 North Main Street unless otherwise noted):

- 3/20/2018 – Planapalooza Opening Presentation & Workshop (Salvation Army)
- 3/21 – Developers Workshop
- 3/21 – Waterfront Development Workshop
- 3/22 – Transportation & Parking Workshop
- 3/22 – Design Professionals Workshop
- 3/22 – Re-Imagine Port Chester Workshop (Studio)
- 3/23 – Affordable Housing Workshop
- 3/23 – Business/Property Owners Workshop
- 3/23 – Re-Imagine Port Chester Workshop (Senior Center)

- 3/24 – Community Group Workshop
- 3/24 – Streetscape & Open Space Workshop
- 3/24 – Re-Imagine Port Chester Workshop (St. Peter’s Church)
- 3/25 – Public Pin-up & Review
- 3/28/2018 – Planapalooza Closing Presentation (Carver Center)

Greater detail on each of these events is provided in Appendix E.

Vision Book Presentation and Plan the Port Celebrations

Based on the work accomplished during the charrette and feedback from stakeholders and the public, the consultant team then prepared a Vision Book containing the community’s vision. This vision was presented on May 21, 2018 at Plan the Port Headquarters and at the Port Chester-Rye Brook Public Library, in both English and Spanish. Plan the Port Vision talks also took place at a special booths at the Village of Port Chester Farmer’s Market and at the Village of Port Chester 150th Anniversary Festival in Lyon Park on May 20, 2018.

Presentation of the First Public Draft of the Proposed Code & Code-Testing Charrette

Upon delivery of the First Public Draft of the Code, presentations were given at Plan the Port Headquarters and the Port Chester Senior Center on October 11, 2018, in both English and Spanish. Following the public presentation, the consultant team held a Code-Testing Charrette to help test the new Code against real potential projects in Port Chester, and show what might result from its implementation.

Public Comment

Upon release of the First Public Draft of the Code on October 29, 2018, the Village opened a public comment period on the First Draft. Public comment on the First Draft remained open until April 1, 2019. Over 100 comments were received as part of approximately ten (10) emails and letters. Each of these comments was reviewed and integrated into the Second Public Draft of the Code if appropriate.

Upon release of the Second Public Draft of the Code on September 13, 2019, the Village opened another public comment period, on the Second Draft. Public comment on the Second Draft remains open.

Workshops with the Board of Trustees

As the Lead Agency, the Board of Trustees scheduled a number of workshops to discuss the proposed Form-Based Code and particular topic items. These workshops were open to the public, mostly held in the Village Hall First Floor Conference Room, but limited to Trustee and staff discussion. In a few of the workshops, members of the public were able to speak.

- 12/19/2018 – Board of Trustees Workshop #1
- 1/8/2019 – Board of Trustees Workshop #2
- 2/19/2019 – Presentation at Board of Trustees Meeting (350 North Main Street)
- 5/9/2019 – Board of Trustees Workshop #3
- 6/5/2019 – Board of Trustees Workshop #4 (350 North Main Street)
- 6/19/2019 – Joint meeting of BOT, Planning Commission, ZBA, PCIDA, Traffic Commission, Waterfront Commission, ABR on PILOTs and Form-Based Code (Senior Center)
- 9/23/2019 – Joint meeting of BOT, Planning Commission, ZBA, and PCIDA on Form-Based Code and Future Development (350 North Main Street)
- 10/3/2019 – Board of Trustees Workshop #5

Workshops with the Planning Commission

As the body most involved in development, the Planning Commission also scheduled a number of workshops to discuss the proposed Form-Based Code. These workshops were open to the public, held in the Village Hall First Floor Conference Room, but limited to Commission and staff discussion.

- 2/11/2019 – Planning Commission Workshop #1
- 10/23/2019 – Planning Commission Workshop #2

Workshops/Meetings with Other Key Stakeholders

Workshops and meetings were also held between Village staff and a number of key stakeholders:

- 1/31/2019 – Presentation to NYSDOT
- 2/5/2019 – Presentation to Westchester County Planning
- 2/11/2019 – Meeting with Sustainable Port Chester Alliance
- 5/2/2019 – Meeting with NYSDOT
- 7/22/2019 – Conversation with Main Street Businesses
- 9/24/2019 – Meeting with Key Stakeholders
- 9/26/2019 – Neighborhood Revitalization Strategies Community Meeting #1 (Form-Based Code a topic of conversation at the meeting)
- 10/22/2019 – Neighborhood Revitalization Strategies Community Meeting #2 (Form-Based Code a topic of conversation at the meeting)

On-Going and Future Outreach

As part of the SEQRA process a number of outreach opportunities will occur. These include:

- Public Comment period on the DGEIS
- Public Hearing on the DGEIS
- Public Comment period on the FGEIS
- Potentially a Public Hearing on the FGEIS (which is optional)

Beyond SEQRA, many of the outreach activities listed above, notably the workshops, are anticipated to continue as the SEQRA process progresses. In addition, other stakeholders are anticipated to be engaged, including, but not limited to the NAACP and the Latino population.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION

3.1 Land Use, Zoning, and Public Policy

This section describes the existing land use, zoning and public policy within the Village of Port Chester and evaluates any potential impacts associated with the Proposed Action. This will also include an assessment of the Village’s local planning objectives and consistency with local plans including the Local Waterfront Revitalization Plan, as well as regional plans such as Westchester 2025.

3.1.1 Planning Framework

3.1.1.1 Existing Conditions

The following is a summary of land use and zoning related elements found in previous planning documents that cover development within the Village of Port Chester. Specifically, the following completed/adopted plans were reviewed as part of this analysis:

- Village of Port Chester Comprehensive Plan (2012)
- Village of Port Chester Strategic Plan (2017-2022)
- Local Waterfront Revitalization Program (2019)
- Recreation Master Plan Update (2002)
- Patterns for Westchester: The Land and the People (1996) and Westchester 2025

Village of Port Chester Comprehensive Plan (2012)

The Village of Port Chester Comprehensive Plan was adopted in 2012. The Plan provides a blueprint of the Village’s planning strategies and actions that are proposed for implementation in the Village of Port Chester. As stated in the Plan, the Village’s vision involves retaining the qualities of Port Chester that its residents have come to cherish, including a diverse cultural population, quality homes at relatively affordable prices, a vibrant downtown and its proximity to key employment centers in the region. At the same time, the vision addresses the challenges confronting the Village, including changing socio-economic conditions, unpredictable growth and development patterns, physical constraints limiting waterfront access and underutilized non-residential properties. This updated Comprehensive Plan establishes the framework for turning these challenges into opportunities and provides strategies for capitalizing on the Village’s physical, social, economic and human capital.

The Plan identifies goals, policies, and guidelines for the immediate and long-range protection, enhancement, growth, and development of Port Chester. The Plan focuses on major elements of the Village’s built environment, including maintenance and enhancement of residential neighborhoods; revitalization of commercial areas and the waterfront; strengthening of industrial areas; improvement of transportation and infrastructure facilities; and identifying opportunities for new development. The issues and challenges associated with these elements are often addressed by a variety of entities – governmental and non-governmental, local and extra-jurisdictional. The strategies, once implemented, are intended to guide development and preservation patterns in a proactive and predictable manner and ultimately realize the Village’s vision for a sustainable and prosperous future.

The Comprehensive Plan can be viewed as a mitigation measure against the prospective impact of development on the Village’s qualities and resources. It strives to guide development in a manner that will protect and enhance the natural resources, community character and quality of life, while improving the Village’s economic viability.

Village of Port Chester Strategic Plan (2017-2022)

The Port Chester Strategic Plan, covering fiscal years 2017 to 2022 includes the vision, mission, values, goals and strategies that will guide resource allocation and work planning for the next five years. This operational strategic plan builds on, yet is broader in scope than the prior FY 2014 to 2016 Strategic Plan, which was primarily focused on specific development sites in Port Chester. The following goals and associated strategies were included in the Plan:

Goal Area A - Resiliency

1. Systematically identify and prioritize areas of concern about the organization, environment, finances, emergency management, and risk management.
2. Create emergency management, continuity of operations, and organizational resiliency plans using the following process: perform risk assessment, followed by, develop resiliency plans that include the following elements: practices and procedures, resources, training, and partners.
3. Conduct drills and modify plan, as needed.
4. Document and formalize the plan.

Goal Area B - Smart Growth

1. Identify strategies and develop timelines to complete implementation of the development priorities included in the 2014 Economic Development Strategic Plan.
2. Complete a rewrite of the zoning code using form-based zoning and include a Generic Environmental Impact Statement (GEIS), streamlined development applications and approval processes and application fast-tracking.
3. Prepare shovel-ready development projects.
4. Identify short- and long-term parking solutions for the downtown area.
5. Provide greater access to the waterfront and repair the bulkhead.
6. Develop mechanisms for increasing and broadening the tax base.
7. Create incentives to diversify the housing stock.
8. Develop a business diversification plan.
9. Identify ways to preserve the historic character of the Village.
10. Assess the infrastructure capacity for new and proposed development and redevelopment proposals.

11. Develop a multi-modal transportation plan.
12. Create a visual identity and directional signage plan.
13. Implement a process for Comprehensive Plan updates and evaluation.
14. Identify resources and partners to expand opportunities for public access to and usage of the waterfront.

Goal Area C - Resource Management

1. Conduct process improvement analysis to optimize operations and identify needed technology.
2. Identify resources needed to meet service delivery expectations.
3. Develop an employee recognition program and highlight current and past workforce successes.
4. Develop and formalize policies and procedures to guide the operations of Village programs and services.
5. Design a capacity-building programs to improve employee recruitment, retention and training.
6. Implement a performance management program.
7. Identify and implement the process required to pursue city status.
8. Develop a long-term capital plan for Village infrastructure, equipment and facilities.
9. Assess service fees and update as needed.

Local Waterfront Revitalization Program (2019)

The Local Waterfront Revitalization Program (LWRP) is a New York State-sponsored program under the direction of the State Coastal Management Program. An LWRP is intended to be a comprehensive, realistic program for the beneficial use, revitalization and protection of a community's waterfront resources. The LWRP includes an inventory and analysis, coastal management policies, proposed land and water uses and proposed projects, techniques for local implementation, and state and federal actions likely to affect program implementation. The following coastal management policies are included in the LWRP:

1. Foster a pattern of development in the Port Chester coastal area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location and minimizes adverse effects of development.
2. Preserve historic resources of the Port Chester coastal area.
3. Enhance visual quality and protect scenic resources throughout the Port Chester coastal area.
4. Minimize loss of life, structures and natural resources from flooding and erosion.
5. Protect and improve water quality and supply in the Port Chester coastal area.
6. Protect and restore the quality and function of the Port Chester coastal area ecosystem.
7. Protect and improve air quality in the Port Chester coastal area. Applicable
8. Minimize environmental degradation in Port Chester's coastal area from solid waste and other hazardous substances and wastes.
9. Provide for public access to, and recreational use of, coastal waters, public lands and public resources of Port Chester's coastal area.
10. Protect Port Chester's water-dependent uses and promote siting of new water-dependent uses in suitable locations.
11. Promote sustainable use of living marine resources in Long Island Sound and the Byram River.
12. Protect agricultural lands in the eastern Suffolk County portion of Long Island Sound's coastal area. [not applicable]
13. Policy 13 Promote appropriate use and development of energy and mineral resources.

The LWRP also includes local laws necessary to implement the LWRP, including, revisions to the Boating and Watercraft Law (Port Chester Village Code Chapter 148) and revisions to the Waterfront Consistency Review Law.

Recreation Master Plan Update (2002)

The Village of Port Chester Recreation Master Plan Update revised the 1990 Plan to reflect over a decade of change. A comprehensive approach was used to compare existing parks and facilities with current community recreation desires and national standards, and to develop an implementation schedule to satisfy both. Improvement and development recommendations included in the Plan were based on consistency with national standards, State goals, intensity of residential desires and existing conditions to include maintenance and operation, an implementation

schedule, recreation resource evaluations, and software programs. Recommendations were made for recreational services and facilities within the five parks, including initial park design; facility development including the construction of a community center and additional children’s play equipment; additional programming through the Recreation Department; and facility sharing with local and regional recreational facilities.

Patterns for Westchester: The Land and the People (1996) and Westchester 2025

The adopted comprehensive plan for Westchester County is entitled *Patterns for Westchester: The Land and the People (1996)*. The Plan offers a broad policy framework for government action to guide the county’s future development. *Westchester 2025* is a planning process which builds upon *Patterns for Westchester*. The planning process resulted in a document entitled *Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning* which replaced the Assumptions and Policies sections of *Patterns for Westchester*. The following policies are included in *Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning*:

1. Channel development to centers
2. Enhance transportation corridors
3. Assure interconnected open space
4. Nurture economic climate
5. Preserve natural resources
6. Support development and preservation of permanently affordable housing
7. Support transportation alternatives
8. Provide recreational opportunities to serve residents
9. Protect historical and cultural resources
10. Maintain utility infrastructure
11. Support vital facilities
12. Engage in regional initiatives
13. Define and protect community character
14. Promote sustainable technology
15. Track and respond to trends

3.1.1.2 Potential Impacts

The proposed action is consistent with the Village’s Comprehensive plan. Specifically, the proposed zoning code translates the community’s vision, goals, policies, and guidelines of the Comprehensive plan into supporting regulations. These regulations retain the qualities of Port Chester that are cherished by residents while supporting a vibrant downtown and diverse cultural population.

The proposed action is consistent with the Village’s Strategic Plan. Specifically, the proposed zoning code is a form-based code which is included as a goal within the Strategic Plan.

The proposed action is consistent with the Village’s LWRP. Specifically, the proposed zoning code includes regulations to enhance community character, preserve open space, and make beneficial use of a coastal location while minimizing adverse effects. The CD-5W zoning district includes most of Port Chester’s waterfront. The district consists of higher density mixed use areas near the waterfront, including water-dependent uses and recreational opportunities.

The proposed action is consistent with the Village’s Recreation Master Plan. Specifically, the proposed zoning code includes the Civic District which consists of open space/parks.

The proposed action is consistent with the County’s Comprehensive Plan and Adopted *Westchester 2025*. Specifically, the proposed zoning code promotes a sustainable future, protects community character, preserves natural resources, and enhances the Village’s economic climate through more understandable zoning regulations.

3.1.1.3 Mitigation

No adverse impacts, or inconsistencies among planning efforts, were identified and therefore no mitigation is required.

3.1.2 Land Use

3.1.2.1 Existing Conditions

Development in Port Chester has been greatly influenced by many factors, including its waterfront location, manufacturing history, socioeconomic diversity, and proximity to New York City. An evaluation of the existing type, distribution, and intensity of land uses in the Village provides a basis for comparing any potential impacts to land uses as a result of the proposed action.

Port Chester includes residential, commercial, industrial/warehouse/storage, recreation/entertainment, community services, public services, public parks, mixed-uses, parking, and vacant land; see Table 1 and Figure 3.

Table 1: Existing Land Use

Land Use (Parcels)	Acres	Percent
Residential	721.7	64.7 %
Commercial	57.4	5.1 %
Industrial/Warehouse/Storage	58.2	5.2 %
Recreation/Entertainment	1.4	0.1 %
Community Services	13.6	1.2 %
Public Services	15.5	1.4 %
Public Parks	0.8	0.1 %
Mixed-uses	99.5	8.9 %
Parking	12.3	1.1 %
Vacant Land	33.7	3.0 %
[no land use classification]	17.3	1.6 %
Total	1031.4	100.0 %

Residential properties represent the largest land use in Port Chester (64.7 percent of properties). Residential uses are found throughout the Village but are largely concentrated in the northern area. Port Chester has a range of residential property types including one-family detached homes, two- and three-family homes, apartment complexes, townhouses, condominiums and co-ops.

Commercial, industrial/warehouse/storage, and mixed-uses represent the second largest group of land use in Port Chester (a total of 20.9 percent of properties), and are primarily concentrated along the railroad corridor and along Route 1 in the Village’s downtown. Commercial properties include dining establishments, retail, banks, motor vehicle services, and office buildings. The Waterfront at Port Chester, a retail mall, houses over 500,000 square feet of retail and entertainment use. Located at the intersection of South Main Street and Westchester Avenue, The Waterfront is anchored by Costco, Super Shop & Stop, Loews Cineplex and Bed Bath & Beyond.

Community services, public services, and parks occupy about 2.9 percent of properties in the Village (excluding roadway right-of-way which accounts for 85 acres of land). These parcels tend to be larger than others due to the types of uses they host, including water treatment facilities, communication services, transportation services, waste disposal, and electric and gas facilities.

3.1.2.2 Potential impacts

Land use is directly tied to zoning and the proposed zoning code and map includes updated permitted uses and districts. In general, the proposed land use mapping identifies commercial uses along major corridors and in downtown,

industrial in areas generally isolated from residential areas, open spaces dispersed throughout the village, and residential in most other areas of the village. Most residential neighborhoods are in close proximity to a commercial corridor or Downtown, which is intended to provide a variety of services within walking distance of residences. Overall, there is more consistency between the proposed and existing land uses than differences.

3.1.2.3 Mitigation

Adoption and implementation of the proposed zoning code and map is not anticipated to have an adverse impact on land use and therefore, no mitigation is proposed.

3.1.3 **Zoning**

3.1.3.1 Existing Conditions

The current zoning ordinance for the Village was adopted in 1975 and is officially entitled the Village of Port Chester Zoning Regulation of 1975. The ordinance has existed for over 40 years with numerous subsequent amendments. The Village currently has eight (7) residential zoning districts, eleven (17) nonresidential districts and five (5) mixed use/other districts (see Figure 4). A majority of the northern portion of the Village is zoned for residential use, largely accommodating one and two-family residences. Light industrial, commercial and business uses are largely confined to the southern and eastern sections of the Village, particularly in the railroad corridor and along the shoreline.

The Village’s zoning ordinance includes Supplemental Regulations (Article IV), Use and Dimensional Regulations for Residence and Non-Residence Districts (Articles VIII and IX), Planned Mixed-Use District (Article XI), Planned Residential Development (Article XII), Residential Office Overlay District (Article XIII), Transitional Residential Development District (Article XV), and Marina Redevelopment Project Urban Renewal District (Article XVI).

Supplemental Regulations (Article IV)

Article IV, Supplemental regulations includes numerous regulations and standards, including: accessory buildings, structures and uses; usable open space, minimum residential floor area; lot requirements; yards and courts; height regulations; spacing between buildings on the same lot; nonconforming uses and nonconforming buildings and structures; off-street parking, truck loading and vehicular access; sign regulations; building height and floor area bonus program; specific prohibited uses and special limitation on land uses; and set-asides for moderate-income housing.

Use and Dimensional Regulations for Residence and Non-Residence Districts (Articles VIII and IX)

Article VIII, Use and Dimensional Regulations for Residence Districts includes all 7 residential districts. Use regulations including permitted uses, special exception uses, and prohibited uses for each district is summarized in “345 Attachment 1A.” Types of uses include residential uses, residential facilities, general community facilities, business uses, accessory uses for each residential district. Dimensional regulations for each district is summarized in “345 Attachment 1B” which includes a maximum floor area ratio; minimum lot size; minimum yard dimensions; maximum building height; and minimum usable open space lot (for each dwelling unit).

Article IX, Use and Dimensional Regulations for Non-Residence Districts, includes 16 districts. Use regulations including permitted uses, special exception uses, and prohibited uses for each district is summarized in “345 Attachment 3A.” Types of uses include residential uses, residential facilities, general community facilities, business uses, industrial uses, and accessory uses for each residential district. Dimensional regulations for each district is summarized in “345 Attachment 3B” which includes a maximum floor area ratio; minimum lot size; minimum yard dimensions; maximum building height; and minimum usable open space lot (for each dwelling unit). Additional regulations are detailed in Article IX for the DW2 Downtown Design Waterfront District, M2 General Industrial District, M2D Designed Industrial District, and Village Center Redevelopment Area Light Industrial/Research Use District.

Planned Mixed-Use District (Article XI)

It is the purpose of the Planned Mixed Use (PMU) District to provide an opportunity for appropriately scaled and context-sensitive redevelopment to replace the decommissioned hospital located at 406 Boston Post Road and/or the

adjacent twelve-story residential apartment building located at 999 High Street, which together comprise the largest remaining potential development site in the Village, at approximately 15 acres, and a prominent gateway to the Village. This section provides the criteria and design standards so that high-quality, mixed-use development, including a variety of commercial, office, residential, and community facility uses, may be planned and developed in a unified and architecturally appropriate manner. The mixed-use development shall encourage active pedestrian uses through appropriately designed, furnished, lighted, and planted streetscapes and open spaces.

Planned Residential District (Article XII)

It is the purpose of this planned residential development (PRD) section to provide performance criteria as the basis for flexible use and design regulations so that residential developments incorporating a variety of residential types and containing both individual building sites and common property may be planned and developed in a unified manner on those large tracts of vacant or predominantly vacant land that are appropriate for such use. Where PRD techniques are deemed appropriate, the rezoning of land to a Planned Residential Development District by the Board of Trustees replaces the use and dimensional specifications contained elsewhere in this Regulation by an approval process in which an approved plan becomes the basis for continuing land use controls.

Residential Office Overlay District (Article XIII)

The purpose of a Residential Office Overlay District (ROO) is to encourage the adaptive reuse of industrial land and buildings of historic significance for residential purposes in a manner which will preserve the integrity of the historic character of the property and provide suitable residential units and appropriate amenities.

Transitional Residential Development District (Article XV)

The purpose of this TRD Transitional Residential Development District is to permit the establishment of a residential development zone to serve as a transitional area between districts zoned for high-density development and those zoned for limited or lower density. This section provides the criteria so that such residential development, incorporating a variety of residential types and containing both individual sites and common property, may be planned and developed in a unified manner on parcels of land which are appropriate for such use.

Marina Redevelopment Project Urban Renewal District (Article XVI)

According to Chapter 345 of the Village Code, the Urban Renewal Plan Amendment adopted on July 14, 1999 delineates an area referred to as the “Modified Marina Redevelopment Project” consisting of contiguous portions of the Village Center Urban Renewal Plan Area (adopted November 1, 1977) and the Marina Redevelopment Urban Renewal Plan Area (adopted June 23, 1982). The boundaries of the Modified Marina Redevelopment Project correspond to the boundaries of the zoning district designated on the Zoning Map as the “MUR Marina Redevelopment Project Urban Renewal District.”

3.1.3.2 Potential Impacts

As previously stated, the proposed action is the adoption of an amended zoning code and map which is intended to help Port Chester grow sustainably as a vibrant, walkable, and active municipality that links its lower-density neighborhoods with the downtown and waterfront. The amended Code includes form-based provisions as a tool to guide future development based on a shared physical vision for the Village between the public and private realms. Other amendments to the Code include improvements to make it easier to read and use and to streamline the approval process. The proposed code includes form-based provision such as 8 character districts, 2 special districts, a civic district, building types, private frontage types, civic space types, building height and façade standards, roof type and pitch, façade glazing, and window alignment. Similar to the previous code, the proposed code includes requirements for setbacks, building height, uses, and off-street parking.

To evaluate the potential future impacts of the proposed amended zoning code and map, a build-out analysis was completed that focused on a subset of the area represented by character districts (see Figure 2). The analysis examined different scenarios to calculate future year development potential and approximate high-level impacts associated with the current and proposed zoning conditions. The scenarios included:

- Full/maximum build-out using the existing zoning
- Full/maximum build-out using the proposed zoning
- Twenty-year build-out based on a market analysis and using existing zoning
- Twenty-year build-out based on a market analysis and using the proposed zoning

The results of the anticipated development portion of the Build-out Analysis (shown below in Table 2) shows that the proposed zoning code allows more residential dwelling units, more retail, office, and industrial space than the existing zoning code. The twenty-year build-out based on the market analysis shows the existing zoning and proposed zoning have the same anticipated outcome for retail, office, and industrial space. However, the twenty-year build-out for the proposed zoning allows more multi-family housing which translates to increased population (new residents) than the existing zoning.

Table 2: Build-out Analysis Anticipated Development

	Units	Existing Inventory	Full/Maximum Build-out		20-Year Build-out	
			Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
Single-Family Residential	d.u.	27	0	0	0	0
Multi-Family Residential	d.u.	637	511	9,178	511	2,900
Sub-total		664	511	9,178	511	2,900
General Retail	s.f.	1,891,574	405,337	1,922,566	157,000	157,000
General Office	s.f.	288,619	1,665,935	1,922,566	412,000	412,000
Industrial	s.f.	1,378,444	24,000	24,000	24,000	24,000
Sub-total		3,558,637	2,095,272	3,869,132	593,000	593,000

The results of the build-out analysis indicates the Village of Port Chester will likely see more residential dwelling units, more retail, office, and industrial space with the proposed action. This development would have potential impacts on resources in the Village of Port Chester such as transportation, community services, and utilities which have been analyzed in other sections of this document.

3.1.3.3 Mitigation

The amended zoning code will create some non-conforming uses throughout the village. The amended zoning code allows non-conforming uses to continue regardless of a change in zoning, until such a time as the use has been discontinued for a period of one year. Non-conforming uses cannot be expanded in area or intensity without a variance. This will ensure existing legal uses can continue to operate regardless of changes to the zoning code but are unlikely to expand. Adoption and implementation of the amended zoning code and map is not anticipated to have an adverse impact on existing properties or create incompatible uses in the Village. Therefore, no mitigation is proposed.

3.1.4 **Public Policy**

3.1.4.1 Existing Conditions

Subdivision Regulations

Subdivision regulations are identified as a chapter of the Village Code; however, it is no longer published since it does not apply to current Village conditions. Provisions for large subdivisions through the use of conservation development (cluster) regulations exist in the Village Code and, in the past, have been effectively used. These regulations specifically addressed development in the R2F district, establishing bulk regulations and parking accommodations for these developments. However, the largely built-out nature of the Village has rendered conservation subdivision regulations obsolete and it was recommended in the proposed Comprehensive Plan that they be deleted from the Village Code.

Site Plan Review

Site plan approval is required by the Planning Commission for the proposed use or changes in use or intensity of land, all uses of vacant land and buildings and other structures other than one or two-family residences as identified in the

Village Code. According to Chapter 345 of the Village Code, in certain circumstances, such as the storage of hazardous materials and properties within the Residential Office Overlay District and the Marina Urban Renewal District, site plan approval is required from the Board of Trustees.

Architectural Review Board and Design Guidelines

It is the purpose of the Architectural Board of Review to promote the health, safety and general welfare of the community, conserve the value of the buildings and encourage the most appropriate use of land within the Village. The Board consists of seven members, all of whom must be residents of Port Chester and be specifically qualified “by reason of training or experience in art, architecture or other relevant business or profession or by reason of civic interest and sound judgment to judge as to the effects of a proposed building upon the desirability, property values and development of surrounding area”. At least one member of the Board must be a registered architect in the State of New York.

Every application for a building permit for construction, reconstruction, alteration or extension of any structure within the Village shall be made simultaneously with the Building Inspector and the Architectural Review Board.

Design guidelines typically appear as a separate section within a municipality’s zoning law. Although this section is not formally within the existing Village Code, some design standards are established in Article IV of Chapter 345 in the Village Code, which is entitled, “Supplementary Regulations.” Regulations addressing driveways, parking areas, awnings, spotlighting, terraces, projecting architectural features, fenestration, fire escapes and fences are included in this article.

Signage Regulations

Signage regulations control the location, size, type and design of existing and proposed signs and billboards in order to enhance the Village’s physical appearance, ensure that signs and billboards are effective, address public safety issues and protect property values. Regulations are found in Chapters 272 and 345 of the Village Code. The permitting process for new signs includes a submission of an application to the Architectural Review Board and Building Inspector who issues a permit for a fee if the proposed sign is in compliance with all regulations.

3.1.4.2 Potential Impacts

The adoption of an amended zoning code includes improvements to streamline the approval process. Article 8, Administration, Procedure, & Enforcement, of the proposed zoning code details policies, regulations and procedures for decision-making authorities, referral bodies, applications and development review procedures, appeals and variances, public notice requirements, sign permits, building permits and certificates of occupancy, maintenance of approval, and compliance requirements. A consolidated location for approvals improves clarity for the development process and Article 8 establishes the proper and efficient administration of the Village Code, including the review of development applications, building permits, certificates of occupancy, and enforcement. The Development Review Committee will also have a positive impact as the central reviewer of specific applications for development review by key Village Staff and its technical experts and consultants. Potential impacts are anticipated to include a reduction in administrative burden related to the development approval process.

3.1.4.3 Mitigation

No adverse impacts or inconsistencies were identified and therefore no mitigation is required. However, particular site-specific proposals that result from implementation of the Proposed Action could result in significant adverse impacts on land use, zoning, or public policy, especially if such site-specific proposal deviates from the vision set forth through the request of variances, etc. As will be discussed in Section 6.0, at the time a site-specific development application is submitted, the Planning & Economic Development Zoning Administrator shall verify that such application complies with zoning, as outlined in Article 8 of the Proposed Action. In addition, Future site-specific actions must comply with SEQRA (6 NYCRR Part 617).

3.2 Community Character and Visual Resources

3.2.1 Existing Conditions

3.2.1.1 Community and Visual Character

Community character relates not only to the built and natural environments of a community, but also to how people function within and perceive that community. Since evaluation of potential impacts upon community or neighborhood character is often difficult to define by quantitative means, a qualitative approach is necessary. Reliance upon a municipality’s comprehensive plan and the robust public input process surrounding this rezoning effort serve as means to express the qualitative measure of the community’s desired future state or character. As such these tools and processes the primary driver when determining whether a proposed project or plan adoption will have an adverse impact on such character. If other resource- or sector-focused plans such as Local Waterfront Revitalization Programs have been adopted, those plans may further articulate desired future uses or character within the community. The following section provides a brief overview of the general character of the Village of Port Chester and its neighborhoods and an assessment of impacts on community character and visual quality if the proposed zoning is adopted.

The Village of Port Chester is characterized by a number of neighborhoods, districts and riverfront areas, many of which exhibit a unique historic, aesthetic, visual and natural quality. Neighborhoods in the Village vary but are generally comprised of single-family homes, two-family duplexes, and multi-family buildings, and a mix of predominantly commercial uses. Apartment buildings also provide housing opportunities but these are generally concentrated in and around the downtown. Residential lot sizes are typically small and narrow and resulted in higher population densities that promoted walkability and transit use in an age when the automobile was less prevalent. As the Village developed to the north, lot sizes typically became larger and wider than lots closer to downtown. Combined with the vernacular architecture and landscapes that provided the basis for development and growth of Port Chester’s middle and working class, mixed use neighborhoods, a high quality aesthetic environment developed, giving the Village its unique character.

While the Village’s community and neighborhood character represents a unique aesthetic quality, considerable insensitive suburban style development has occurred over the last several decades, significantly eroding community and neighborhood character. This has resulted in auto-centric commercial development, single use buildings incompatible with surrounding mixed uses, vacant lots and surface parking areas. This development pattern has created inconsistencies with the predominant architectural scale, rhythm and character of the Village and/or the character of the existing natural landscape and privatized important portions of the riverfront. Additionally, this change in the character and scale and single-use development typology has caused significant infrastructure challenges particularly related to vehicular traffic flow, circulation and parking in the downtown.

3.2.2 Potential Impacts

The Village includes a range of buildings and uses, and varying building patterns. The Proposed Action is the adoption of amendments to the proposed zoning in order to implement the redevelopment policies and objectives expressed in the Comprehensive Plan, Code rewrite public input process and other planning documents. The adoption of the Proposed Action would improve the visual character of existing underutilized areas and ensure that development is constructed in a manner which is consistent with the “historic” building patterns in the Village which elevate the importance of civic spaces and the pedestrian realm and respond to changing market preferences away from a more suburban development pattern thus allowing the Village to be more competitive regionally and economically resilient in the future. The Proposed Action emphasizes creation of a quality built environment that follows the historic urban and architectural patterns found in the most loved and valuable parts of the Village. New development will accommodate a vertical and horizontal mix of land uses that includes the potential for new residential development, retail, office, and other uses and complementary related service businesses, all in a manner that enhances and adds to the architectural character and vibrancy already found in the Village. Development would be required to comply with the proposed zoning’s form-based regulations and other design requirements that emphasize the importance of the

interface between the building (private) and pedestrian (public) realm. Some of the benefits associated with pursuing development in accordance with the proposed zoning are the introduction of new mixed-use development in a more consolidated pattern that is more efficient to provide services to, enhanced walkability and bikeability which provides for a more equitable way of moving around the Village as well as for better health of the citizens, increased vitality and aesthetic quality which improves quality of life for current residents and makes the community more desirable to future residents and businesses.

With respect to visual resources, the proposed zoning includes specific standards that will ensure that the quality of the visual environment is either preserved or enhanced. At a minimum, the base requirements for an application to be considered in accordance with the proposed zoning will require adherence to the following:

- Building placement, facades, height and finished floor elevation
- Private frontage, building form and type
- Pedestrian-friendly streets and storefronts
- Landscape and lighting standards
- Vehicular and bicycle parking and loading spaces
- Signage standards
- A streamlined table of uses
- Waterfront access and view protection

Each of these elements ensures that the community character of the Village will be improved and protected. Promoting “walkability” via frontage standards and creation of pedestrian friendly streets and storefronts, is a particular objective which will result in a positive visual environment. The character zones, to some extent, will promulgate standards which promote the existing positive visual pattern of the Village’s built environment. Because large portions of the Village are already developed with streets that have attached mixed use buildings that front the sidewalk, the new code is written to ensure that new development is complementary and additive, providing comfort and visual interest to the pedestrian by following the precedent of the original Village layout and design. These positive visual attributes are being codified strengthened for the first time in the new zones.

3.2.3 Mitigation Measures

Adoption of the proposed code amendments is not anticipated to result in any significant adverse impacts to community or visual character, as the code amendments include form-based design standards that are intended to improve the form of development and enhance the public realm and pedestrian experience. Such form-based standards include many elements that are intended to protect and improve community character such as building massing and form standards, public space standards, architectural standards and landscaping standards. Therefore, no mitigation is required.

3.3 Transportation Resources

This section summarizes the analysis of transportation resources including a review of existing conditions, potential impacts, and mitigation measures. Transportation resources evaluated include vehicular, commuter rail, bus service, bicycle network and facilities, pedestrian network and facilities, and nearby airports. The analysis herein follows the October 31, 2018 Final Scoping Document. Subsequent to the adoption of the Final Scoping Document, the New York State Department of Transportation (NYSDOT) has provided comment on the extent of the scope, specifically the methodology and analyses necessary to establishment impacts and design a comprehensive mitigation program. The Village continues to coordinate with NYSDOT on that methodology. As indicated in Section 3.3.3, the traffic assessment to be in line with that methodology will be provided as part of the Final Generic Environmental Impact Statement.

3.3.1 Existing Conditions

3.3.1.1 Setting

Transportation systems have shaped our built environment for centuries. As a village chartered over 150 years ago, Port Chester’s transportation networks have been shaped by changing paradigms from the pre-automobile period, the impact of the interstate highway system, to today’s more balanced approach. The analysis of Port Chester’s transportation modes to accommodate residents, employees and visitors, is necessary to sustain the Village’s ability to efficiently move people and goods within and through the Village, and also accommodate new physical development, future increases in volumes of movement and shifts from one type of transit to another. Modes within the Village include vehicular, commuter rail, bus service, taxi/ride hailing, bicycle, and pedestrian.

3.3.1.2 Mode Choice

The Village of Port Chester has numerous transportation options. The mode split/choice of commuting working adults is shown below in Table 3. The information shown in Table 3 was published by Westchester County using Census data from the 2013-2017 American Community Survey. Based on the information, more than half of working adults (55.9%) drive a single-occupancy vehicle while a large percentage use alternative modes such as bus/transit (17.7%) and walking (9.2%). Notably, the statistics from the 2013-2017 American Community Survey show no working adult commuters utilize a bicycle.

Table 3: Commute Modes 2013-2017

Mode	Percent
Drive Alone	55.9 %
Carpool	11.2 %
Bus	7.7 %
Rail	10.0 %
Walk	9.2 %
Bike	0 %
Other	6.0 %
Total	100.0 %

3.3.1.3 Vehicle Network

Overview

The vehicle network in the Village has been well-developed over decades for people and goods moving within and through the Village. As shown previously in Table 3, the vehicle network comprises 55.9% single-occupancy vehicles, 11.2% carpool, and 7.7% bus for commuter trips of working adults. This represents a total of 74.8% of commuters using the vehicle network in some form. The vehicle network totals 46.4 miles with multiple jurisdictions owning, operating, and maintaining the network, numerous functional classes creating a network hierarchy, and low-high daily vehicle volumes.

Jurisdiction

The roadway network within the Village is comprised of 5 miles of roads under State jurisdiction, 1.7 miles of roads under County jurisdiction, and 39.7 miles of roads under local jurisdiction (see Figure 6).

Functional Class

As shown on Figure 7, Port Chester contains five (5) functional roadway classifications, as defined by the New York State Department of Transportation (NYSDOT): Principal Arterial - Interstate, Principal Arterial - Other, Minor Arterial, Major Collector, and Local Roads. Figure 8 shows the number of lanes per road.

Interstates are defined as limited access highways/roadways designed primarily for through travel. Port Chester is served by two highways of the Interstate Highway System: Interstate 95 (New England Thruway) and Interstate 287

(Cross Westchester Expressway). An approximately half-mile segment of Interstate 95 (I-95) travels through Port Chester, providing two northbound exits (Midland Avenue and U.S. Route 1) and one southbound exit (Midland Avenue). An entrance to I-95 from Port Chester is provided at Midland Avenue. Interstate 287 (I-287) crosses the southwestern corner of the Village, where it interchanges with U.S. Route 1 (Exit 11) Route 1 and Midland Avenue. Unlike other municipalities in the region, Port Chester is fortunate in that these interstate highways generally do not travel through the heart of its land area. However, I-95 does create a physical barrier between a portion of the Village’s shoreline and its inland areas.

Other principal arterials serve the major centers of activity in an urbanized area and are designed to carry the major portion of trips entering and leaving the area. U.S. Route 1 (Boston Post Road/Main Street) is a principal arterial that travels in a general northeast-southwest direction through the heart of Port Chester’s commercial center. The Boston Post Road segment is a four-lane configuration (two in each direction), running from the Village’s southwest border to the intersection with Grace Church Street. The Main Street segment is a two-lane configuration (one in each direction), running from the intersection with Grace Church Street to the Village’s eastern border.

Port Chester is served by several minor arterials and major collectors, including Grace Church Street, Midland Avenue, Westchester Avenue, Regent Street, Putnam Avenue, Indian Road and King Street. These roadways radiate from Port Chester’s commercial core, interconnecting the principal arterials with the Village’s local roadway network.

Port Chester’s nearly 40 miles of local roads comprise the balance of the Village’s roadway network. The layout is generally that of a rectilinear grid of roads and sidewalks. This pattern provides a sufficient degree of connectivity for vehicles and pedestrians throughout the residential areas, and establishes an organized layout of lots, buildings and utility easements. The majority of local roads provide on-street parking.

Volume

Information on traffic volumes is provided by the NYSDOT which is shown in Figure 9. The highest volume roads within the Village are I-95 and I-287 with approximately 150,000 and 90,000 average vehicles per day, respectively. Other roads with high volumes include Boston Post Road, Midland Avenue, Main Street, Westchester Avenue, Putnam Avenue, and King Street. Ownership/jurisdiction of higher volume roads includes the State, County, and Village.

3.3.1.4 Commuter Rail

Port Chester is served by the New Haven line of the MTA Metro-North Railroad, which runs from New York City to New Haven, CT (see Figure 10). The rail line runs northeast through Port Chester’s commercial center, paralleling U.S. Route 1. One commuter rail station is located in the Village at 3 Broad Street between King Street and Westchester Avenue, the Village’s downtown area. This station has connecting bus services from CT Transit Stamford and Westchester County Bee-Line Bus, and parking is available from parking facilities owned/operated by the Village and by LAZ Parking.

3.3.1.5 Bus Network

The Westchester County Bee-Line System is a countywide bus network accessible to all Westchester residents and serves over 27 million passengers annually (see Figure 10). More than 65% of Westchester residents are within walking distance to a Bee-Line route. Most routes run buses that are handicapped accessible. Additionally, the bus line timetable complements train arrival and departure times at both the City of Rye train station and the Port Chester Village train station to ensure efficient travel.

Westchester County offers a curb-to-curb demand-responsive bus service called the Bee-Line ParaTransit which mirrors the established fixed-route service. Its services are available only to people who are not functionally able to utilize the standard fixed-route Bee-Line buses. The service runs Monday through Friday from 6 AM-7 PM and Saturdays from 8 AM-7 PM.

3.3.1.6 Bicycle Network

Within the Village limits, no public road currently has dedicated on-road bicycle facilities such as marked bicycle lanes or shared lane markings. However, bicycles are allowed on public roadways unless otherwise marked/signed as prohibited (NYS Traffic Law, Title 7, Article 34, §1234). Bicycle parking facilities/amenities are located in some areas of the Village, primarily downtown.

Westchester, Rockland and Putnam Counties jointly developed the Mid-Hudson South Region Bicycle & Pedestrian Master Plan in 2011. The Plan defines a vision for bicycling and walking in the tri-county region and builds on previous regional and local studies to identify needs, define strategies, and recommend projects that improve conditions for bicyclists and pedestrians. For Port Chester, this Plan proposes to develop a route with on-road bicycle facilities or off-road paths where feasible along US Route 1.

3.3.1.7 Pedestrian Network

Port Chester is highly walkable, with a well-developed sidewalk network and facilities to facilitate pedestrian connectivity and accessibility. In a Village as densely populated as Port Chester, sidewalks are essential, providing access to schools, parks, playgrounds, commercial districts and places of employment. Maintenance of sidewalks and crosswalks and filling gaps, therefore, remains a priority for the Village.

3.3.1.8 Airports

Four airports are proximate to Port Chester: the Westchester County Airport, JFK and LaGuardia Airports in New York City, and Newark Airport in New Jersey. All four are accessible by public transportation.

3.3.1.9 Village Code

The Village addresses transportation resources in numerous portions of its code including Chapter 110 Traffic Commission, Chapter 140 Bicycles, Chapter 319 Vehicles and Traffic, Chapter 283 Streets and Sidewalks, Chapter 345 Zoning, and a complete streets policy adopted in 2018.

Chapter 110 Traffic Commission

The Traffic Commission is comprised of five (5) members appointed by the Mayor and Board of Trustees. The purpose and duties of the Commission include: collect and compile traffic data and engineering studies and surveys in regard to vehicular and pedestrian traffic in the village; prepare and submit reports regarding traffic conditions; make recommendations regarding methods and proposals to ameliorate traffic conditions; submit specific proposals for amendments to ordinances, rules and regulations; Prepare and submit recommendations and proposals to improve existing streets; coordinate the efforts of and consider the reports, recommendations and suggestions of public and private agencies and civic groups or citizens in regard to traffic conditions and traffic control in the village; obtain and consider analyses of traffic accidents with a view toward determining their causes and means for their prevention; study and recommend the location and use of street parking meters for regulation of traffic; make recommendations as to the location and erection of traffic signs, signals, markings and devices, and as to the type and intensity of illumination of streets and highways; and, prepare and submit a proposed comprehensive village traffic plan and any proposed modification thereto from time to time.

Chapter 140 Bicycles

Effective in 1955, Chapter 140 details legislation that requires any resident or person having a place of business in the Village to register their bicycle and obtain a license plate before they are lawfully permitted to operate or use their bicycle in the Village. Chapter 140 also details legislation regarding registration fees, village records, bicycle inspections, and actions resulting in revocation of licenses.

Chapter 319 Vehicles and Traffic

Chapter 319 details legislation for vehicles and traffic within the Village. This legislation includes traffic regulations; parking, standing, and stopping; special zones and areas; trucks and buses; parking meters; commuter parking; decal parking; handicap parking; free parking; removal of storage vehicles; penalties; schedules; and the Marina parking lot.

Chapter 283 Streets and Sidewalks

Chapter 283 details legislation for streets and sidewalks. Legislation for streets includes regulations for construction in streets, permits, excavation, building drains, and public utilities. Legislation for sidewalks includes regulations for the construction of sidewalks and care and maintenance of sidewalks.

Chapter 345 Zoning

Chapter 345 includes specific requirements and regulations for off-street parking, truck loading, and vehicle access. Off-street parking is required for all building, uses, and districts except in the C2 Main Street Business district, the C5 Train Station Mixed-Use District, and the C5T Downtown Mixed-use Transition District. However, certain uses in those districts do have to adhere to off-street minimum parking requirements. Minimum parking requirements are detailed in Section 345-14B and 345-14C. A Schedule of off-street truck loading requirements is provided in Section 345-14D. Design requirements for off-street parking and truck loading facilities is provided in Section 345-14E.

3.3.1.10 2018 Green Streets, Complete Streets Policy

Adopted in March 2018, the Village’s Green Streets, Complete Streets Policy is applicable to all roadway scoping, design, and construction projects in the Village. The policy is intended to assure the safety of all users of all ages and of all abilities, and meet the needs of all users both along the roadway corridors and crossing the corridors. Design guidance in the policy refers to the Manual on Uniform Traffic Control Devices (MUTCD), American Association of State Highway and Transportation Officials (AASHTO), and National Association of City Transportation Officials (NACTO) design guides. The Policy further requires that all mode users will be considered in all phases of a project, including new construction, reconstruction, rehabilitation, repair, and maintenance.

3.3.2 Potential Impacts

As previously stated, the adoption of an amended zoning code and map is intended to help Port Chester grow sustainably as a vibrant, walkable, and active municipality that links its lower-density neighborhoods with the downtown and waterfront. In addition, the new code intends to aid and facilitate the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the Village, having particular regard to the avoidance of congestion in the streets and the provision of safe and convenient traffic access appropriate to the various uses of land and buildings throughout the Village.

To evaluate the potential future impacts of the proposed amended zoning code and map, a build-out analysis was completed that focused on a subset of the area represented by character districts (see Figure 2). The analysis examined different scenarios to calculate future year development potential and approximate high-level impacts associated with the current and proposed zoning conditions. The scenarios included:

1. Full/maximum build-out using the existing zoning
2. Full/maximum build-out using the proposed zoning
3. Twenty-year build-out based on a market analysis and using existing zoning
4. Twenty-year build-out based on a market analysis and using the proposed zoning

The results of the anticipated development portion of the Build-out Analysis (shown below in Table 4) shows that the proposed zoning code allows more residential dwelling units, more retail, office, and industrial space, and more people (new residents) and employees (new employees) than the existing zoning code. The twenty-year build-out based on the market analysis shows the existing zoning and proposed zoning have the same anticipated outcome for retail, office, and industrial space. However, the twenty-year build-out for the proposed zoning allows more multi-family housing which translates to increased population (new residents) than the existing zoning.

Table 4: Build-out Analysis Anticipated Development and Population

	Units	Existing Inventory	Full/Maximum Build-out		20-Year Build-out	
			Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
Single-Family Residential	d.u.	27	0	0	0	0
Multi-Family Residential	d.u.	637	511	9,178	511	2,900
Sub-total		664	511	9,178	511	2,900
General Retail	s.f.	1,891,574	405,337	1,922,566	157,000	157,000
General Office	s.f.	288,619	1,665,935	1,922,566	412,000	412,000
Industrial	s.f.	1,378,444	24,000	24,000	24,000	24,000
Sub-total		3,558,637	2,095,272	3,869,132	593,000	593,000
Population (new residents)	People	2,186	1,682	20,335	1,682	9,545
Employees	People	9,789	8,112	13,513	2,210	2,210
Sub-total		11,975	9,794	33,848	3,892	11,755

The results of the build-out analysis indicates the Village of Port Chester will likely see more residential dwelling units, more retail, office, and industrial space, and more people (new residents) and employees (new employees) with the proposed action. As noted earlier, a traffic assessment will be included as part of the Final Generic Environmental Impact Statement. The traffic assessment will identify potential adverse impacts. Potential adverse impacts may include increased traffic congestion/delay, increased pressure on existing parking facilities, capacity issues on the commuter rail and bus system, increased pressure on the pedestrian networks, and an increased demand for alternative modes including bicycle facilities.

3.3.3 Mitigation Measures

The proposed zoning code includes the following mitigation measures that will positively impact transportation resources:

1. The zoning of mixed-use areas within many neighborhoods is partially intended to reduce travel demand.
2. The zoning of areas with buildings that orient to the street and include pedestrian accommodations is partially intended to reduce vehicular travel demand.
3. The zoning code includes pedestrian access requirements for principal building types.
4. A minimum number of off-street parking spaces are required for most uses and districts to prevent a burden on public infrastructure including on-street parking facilities.
5. The minimum number of off-street parking spaces can be reduced, at the election of the applicant, through the incorporation of shared parking, proximity to transit, bicycle parking, car-sharing parking spaces, financial incentives, and payment in-lieu of parking. These proactive measures reduce single-occupancy vehicle trips, vehicle miles travelled, and air emissions.
6. All projects subject to SEQRA must evaluate and, if necessary, mitigate potential impacts to the transportation network.

In both the full/maximum build-out and twenty-year build-out scenarios, the population and employment within the Village would increase over current levels, thereby increasing demand on transportation resources. To mitigate potential adverse impacts to transportation resources, the Village has commenced a more detailed traffic assessment based on the build-out analysis to determine specific mitigation measures beyond those already included in the proposed zoning code. This traffic assessment will be included as part of the Final Generic Environmental Impact Statement. In addition, the Village should commence a Village-Wide Transportation Master Plan.

3.4 Community Services and Utilities

3.4.1 Existing Conditions

3.4.1.1 Educational Facilities

The Village of Port Chester is located within the Port Chester-Rye Union Free School District, which includes four elementary schools, one middle school serving students in grades 6-8, and one high school serving students in grades 9-12.

The Port Chester-Rye Union Free School District employs approximately 350 teachers. To be qualified, a teacher must have at least a Bachelor’s Degree, be certified to teach in the subject area, and show subject matter competency. Ninety-five (95) percent of the District’s teachers have received training beyond the standard qualification, including either a Master’s Degree plus thirty hours or holding a Doctoral Degree.

The student population of the Port Chester-Rye School District has been steadily growing over the past two decades, reaching a total enrollment of 4,623 students for the 2017-2018 school year, just over a 27 percent increase from the 1999-2000 school year when the student enrollment was 3,355.

As of June 2017, Hispanics made up almost 80 percent of the population. Other ethnic/racial groups represented in the student population include white at 14%, black at just over 4%, and Asian at just under 2%.

Elementary Schools

Port Chester children attend one of four elementary schools, including the John F. Kennedy Magnet School, King Street School, Thomas A. Edison School and Park Avenue School. The elementary schools are located within a relatively small radius of one another, with the John F. Kennedy Magnet School at 40 Olivia Street off of Rt.1, the King Street School at 697 King Street north of Lyon Park, the Thomas A. Edison School at 132 Rectory Street and the Park Avenue School located on Park Avenue.

As of June 2017, a reported 2,058 students were enrolled in Port Chester-Rye elementary schools, showing a significant increase over the last 20 years

School Performance

According to the NYS Education Department, Port Chester-Rye Union Free School District represents a “District in Good Standing,” meaning the district has made adequate yearly progress (AYP) to the goal of proficiency for all students. Testing in the subject areas of English Language Arts, Mathematics and Science and the high school’s graduation rate are used to determine AYP. Also worth noting is that John F. Kennedy Magnet School and the Port Chester Middle School are nationally recognized blue ribbon schools.

Libraries

The Port Chester-Rye Brook Public Library is located at 1 Haseco Avenue in Port Chester. The mission of the Library, serving the Villages of Port Chester and Rye Brook, is to provide free access to information, materials, programs and technology to meet the educational, recreational, and cultural needs and interests of all people. The Port Chester-Rye Brook Library is an independent organization that is supported financially by the Village with an annual lump sum payment. The Mayor of the Village of Port Chester holds an honorary seat on the Library Board of Commissioners. The Village maintains a Library Committee that interacts with the Library Commission on issues of budget and programming which affect Port Chester governmental operations. That committee consists of the Mayor and an additional one or two Village Board of Trustees members.

Port Chester IDA School Mitigation Study, February 2019

Since 2014, the Village of Port Chester has continued to prosper from an ongoing construction boom that has favored Westchester County’s most urban communities. In response, the new comprehensive plan and consequent zoning changes allow for higher density mixed-use development in strategic areas with the intent of creating additional

economic opportunities. There is concern that the already crowded school system will be stressed beyond capacity by additional children.

To better understand and deal with this challenge, the Port Chester Industrial Development Agency (IDA) retained Urbanomics, Inc. in 2014 to analyze the changing demographics and countervailing child generation rates of Port Chester and to develop a mechanism known as a Public School Child Generation Tool (PSCGT) that allows the Village of Port Chester to accommodate new school children without excessively taxing existing residents. The development of the PSCGT mechanism followed a process of literature review, data collection and forecasting, definition of the costs of education and new school construction, as well as development of a mitigation formula. Regular updates of the multipliers used in the PSCGT were recommended to ensure that the tool reflects current conditions to the greatest extent possible. The key findings of this update are as follows:

- The number of public school children in Port Chester has continued to rise over the last decade unlike the surrounding municipalities in Westchester County due to demographic differences.
- The number of public school children will continue to increase through the 2019-20 school year followed by several years of declining enrollment through the 2025-26 school year.
- Child generation rates in Port Chester are generally lower than State averages for studios and one-bedroom units, and higher than the averages for two or more bedroom units.
- The actual number of school children residing in new developments is far lower than estimated by current child generation rates
- Educational, operational (soft) costs and debt service per child are estimated at \$19,713
 - Minus government aid, the soft cost per child is \$14,253
- Applying the mitigation formula to projects in the pipeline at current unit mix yields:
 - 44 Children
 - \$627,137 in costs per child adjusted for State Aid

3.4.1.2 Police Protection

The Port Chester Police Department is currently staffed with 62 sworn police officers and operates out of its headquarters building at 350 North Main Street in the Village (see Figure 11). The department is composed of five divisions, including the Uniform Patrol Division, the Detective Division, the Staff Services Division, the Traffic Division and the Operations Division. The Chief of Police oversees the Department and works to ensure departmental and public cooperation in order to preserve the peace in the Village. The patrol division, the largest within the Department, has 43 members and is responsible for patrol activities and responding to citizen calls for service. Other functions administered by the Police Department include the D.A.R.E. program, the police youth initiative for disadvantaged youth, disaster preparedness and traffic management services.

3.4.1.3 Fire and Emergency Services Protection

The Port Chester Volunteer Fire Department was established in 1823 as volunteer fire companies. Since the 19th century, the Department has grown to serve the Village of Port Chester, the Westchester County Airport and the Village of Rye Brook.

The department operates out of four firehouses with locations throughout the Village (see Figure 11). The Department consists of seven volunteer companies with a large roster of volunteer firefighters, and is commanded by a volunteer chief and two assistants.

The Port Chester-Rye Brook Volunteer Ambulance Corps has been in existence for more than 35 years and maintains a reputation as one of the best emergency medical services organizations in Westchester County. Approximately 4,800 emergency calls are handled annually, and the Corps requires additional assistance from neighboring EMS services only an average of 15 times each year.

Through an inter-municipal agreement, the organization serves the Villages of Port Chester and Rye Brook and the City of Rye and is composed of 45 staff members, including 16 volunteers. Paid staff members include 17 paramedics

and 13 EMTs and two ambulances are in operation 24 hours a day. A paramedic and an emergency medical technician staff both ambulances.

3.4.1.4 Parks, Open Space, and Recreational Facilities

Major parks in Port Chester include Abendroth, Columbus, Edgewood, Lyon, and Recreation Park (see Figure 11). These parks comprise approximately 50 acres of land and are maintained by the Village’s Department of Public Works.

Abendroth Park

Abendroth Park covers approximately 10 acres of land in the southwestern corner of the Village. Amenities include a children’s play area, picnic areas, and soccer and baseball fields. Improvements to the park since 2004 have included a new playground, soccer and baseball fields, pavilion, and improvements to restroom facilities.

Columbus Park

Columbus Park is approximately 9.4 acres and is located between Ryan Avenue and Interstate 95. Park facilities include a playground, basketball and volleyball courts, a picnic shelter, and restored paths and lighting. Since 2004, a 2,000 square foot water spray playground and a full regulation soccer field, stands and a parking facility have been installed.

Edgewood Park

Edgewood Park is a small park covering 3.2 acres on Grace Church Street between Alto Avenue and Grey Rock Road. Its relatively steep topography limits uses, but the park still hosts a youth baseball field, playground, and soccer field.

Lyon Park

Lyon Park, located at King Street/Putnam Avenue, covers 20.3 acres. Due to its size and location, Lyon Park is considered to be the Village’s main park. It features two youth baseball fields, a new playground, walking path, gazebo, barns, rose garden, memorial garden, and public restrooms. The park hosts seasonal events such as concerts and holiday celebrations.

Joseph Curtis Recreation Park

Joseph Curtis Recreation Park is 7.5 acres located northeast of Lyon Park. It has one adult baseball field, a batting cage, two bocce courts, a playground, basketball court, and an in-line skating rink.

Veterans Memorial Park

Veterans Memorial Park is 0.5 acres located on Westchester Avenue at North Regent Street and Wesley Avenue. The park includes a memorial flag pole, World War I and World War II memorial monuments, and an English Garden.

Byram River Waterfront Walkway

The public walkway along the Byram River in downtown Port Chester is another of the Village’s key recreational resources. This walkway extends from Willett Avenue south to the end of the Costco parking lot, where there is a steep grade change. This southern portion of the walkway is currently closed to pedestrians because of safety reasons. This walkway comprises the first phase of an intended continuous shoreline linear park, pending further engineering studies, new bulkheading, and permits from the U.S. Army Corps of Engineers.

Recreation Facilities

In Port Chester, recreation facilities are often shared between organizations and the public, which include local schools, the Holy Rosary Church, Our Lady of Mercy Church, the Don Bosco Community Center, the Corpus Christi Church, the Carver Center and the Girl Scout House. These facilities provide space for sports programs and tournaments, religious and social services, non-profit programs, educational programs, and summer camp programs. Many of these activities are also sponsored by Port Chester’s recreation department. In addition to recreation facilities,

local school fields and pocket parks further increase the total acreage of open space in the Village. The Village is anticipating undertaking a Recreation Master Plan in the near future.

3.4.1.5 Water Supply

Port Chester’s water is supplied by SUEZ through approximately 31 miles of water main piping via four connections to the Aquarion Water Company of Connecticut and Westchester Joint Water Works. These connections are located at the Putnam Avenue Route 1 Bridge, Comly Avenue, King Street at the Hutchinson River Parkway and North Main Street. The majority of this water is stored in two tanks located at Summit Avenue with a combined capacity of 4.5 million gallons (MG). The downtown area is served by a 20” main on North and South Regent Streets, a 16” main on North Main Street and 12” mains on Midland Avenue and Route 1 east of the Metro-North Railroad trestle at Slater Street.

The existing water supply pipe network consists of many substandard water main sizes (diameters less than 8”), which could be upgraded to increase capacity. Many of the large diameter mains were constructed of cast iron pipe, which is more brittle than modern ductile iron and prone to mechanical failures over time due to stress cracks in combination with excessive internal pressure or external load conditions. Breaks have become more common on South and North Main Streets due to increased pressure and older pipes. In addition, corrosion along the inner wall surface of the pipe contributes to lower capacity because the interior pipe diameter is decreased. Corrosion also contributes to the weakening of the pipe by reducing the thickness of the pipe wall and therefore making it more susceptible to breakage.

Currently, the Village’s water demand and maximum day demand is at or near the safe yield of the system. There are plans to build a larger clear well at the Aquarion Water plant in Greenwich, Connecticut, which is the major source of supply, making additional water available. Westchester Joint Water Works has additional water available; however new agreements to purchase more water would be required between the two water companies.

3.4.1.6 Wastewater and Stormwater Management

All sanitary sewage generated in the Village is handled by the Port Chester Treatment Plant, located on Fox Island Road. The treatment plant is owned, operated and maintained by the Westchester County Department of Environmental Facilities (WCDEF) and provides both primary and secondary wastewater treatment. The Port Chester facility sends treated wastewater to the Blind Brook Plant in the City of Rye, where the wastewater is then discharged into the Long Island Sound.

The Port Chester Treatment Plant presently has the design and permitted capacity to treat an average wastewater influent flow of 6 million gallons per day (MGD). Secondary treatment processes have a peak hydraulic capacity of 12.2 MGD or 13.4 MGD including recycled flows. According to the 2014 Westchester County Annual Report, actual wastewater flow is 4.4 MGD which indicates excess treatment capacity based on the plant’s design flow.

The Port Chester Sanitary Sewer District covers an area of approximately 2.7 square miles and is almost contiguous with the Village boundaries, including small portions of the City of Rye and the Village of Rye Brook. The system is completely owned by the Village without any County-owned trunk sewers in the Village. The Sewer District has separate storm and sanitary sewers. Most of the sewers throughout the Village were constructed prior to the 1930s, and the majority of sewers south of Westchester Avenue were installed prior to 1900. There are two pump stations in the Village. The first is on North Main Street at the intersection of Putnam Avenue, serving approximately 75 houses and businesses. The second is located on Comly Avenue near the Connecticut state line, serving approximately 30 houses.

A Sewer System Evaluation Survey (SSES) was completed in 1995 on the Port Chester Sanitary Sewer District by WCDEF to identify sources of Inflow and Infiltration (I/I) into the County’s sewer system. This survey verified and quantified I/I problems within the system as a result of manhole deficiencies, pipe breaks/fractures, joint defects, pipe dips, service connection defects, storm/sewer cross-connections and tidal inflows. The study identified 734,000 GPD of observed infiltration from defective pipe, 265,840 GPD infiltration from defective manholes, and total estimated

inflow of approximately 1.6 (MGD) (for a 3-inch rainfall) from both public and private direct connections of storm sewers into the sanitary sewer system.

The results of the study are generally what could be expected of a sewer system comprised mainly of vitrified clay pipe. Open or offset joints, cracked and broken pipes are not uncommon within the system and have led to significant I/I effects, including tidal inflow into the system along the Byram River where the Village sewers are at or below the high tide level of the river. This condition greatly reduces the system’s capacity to varying degrees on any given day. Maintenance issues also contribute to reduced capacity, including grease and sediment buildup and root intrusion. These problems are exacerbated by the age and pipe material of the system.

The Village has been actively investigating and addressing the identified I/I sources. A fraction of these sources have been rehabilitated with a combination of techniques including pipe joint repair or manhole replacement, trenchless technology (cured in place pipe liners) and sealing techniques (manhole sealing). In April 2007, Port Chester had flow monitors installed in eight locations covering the entire Village. The findings from the flow monitoring were used to start field inspections and dye tests; based on these findings, a rehabilitation program has begun to remove the identified inflow sources.

Storm Sewers

The Village’s storm sewer system is separate from the sanitary sewer pipes. The storm sewer system serves an area roughly contiguous with the Village boundaries, and, as with the sanitary sewer system, much of the infrastructure dates back more than 100 years. There are five outflows into the Byram River.

Two large outflows serve major portions of the Village. One located at Purdy Avenue and the second near the intersection of Westchester and Abendroth Avenues. Two other outflow points are located in the downtown area, where infrastructure improvements are planned in support of future development. The fifth is located at the end of Wilkins Avenue, just north of the Metro-North railroad tracks.

The Village’s stormwater infrastructure is aging and in need of upgrading and/or replacement. In some cases, it has deteriorated due to age and lack of repair, and in other locations it is inadequate to meet current needs for capacity.

Port Chester is subject to U.S. Environmental Protection Agency (EPA) regulation for operation, maintenance and discharge of its stormwater collection system. Federal oversight is delegated to the NYSDEC, which has extended permit coverage to the Village via the municipal separate stormwater system (MS4) stormwater management program. The Village has prepared and filed with NYSDEC a five-year program to address six minimum measures for ensuring that stormwater quality discharged to Federal waters meets applicable requirements: public education and outreach, public participation/involvement, illicit discharge detection and elimination, construction site runoff control, post-construction runoff control, and pollution prevention good housekeeping.

As part of the five year program, the Village is inspecting outfalls from the stormwater system for indications of illicit discharges, and inspecting the system for possible sources of pollutants. This involves locating and eliminating cross-connections of the sanitary sewer system and stormwater system. Much of the downtown area has been inspected for locations where pollutants may be entering the system and then discharged to the Byram River.

3.4.1.7 Solid Waste Management

WCDEF serves as the State’s designated Planning Unit for Westchester’s 43 municipalities and manages Refuse Disposal District (RDD) No. 1, to which 36 of the County’s municipalities belong, including the Village of Port Chester. DEF oversees several solid waste and recycling facilities, which handle about 90% of the residential waste stream, as well as several countywide recycling and waste reduction programs and services.

Residents of the Village receive garbage pick-up services twice a week and recycling once a week. In 2014, the Village generated and disposed approximately 13,000 tons of solid waste and recycled a similar amount, achieving a 50% recycling rate compared to the county’s 48% rate.

3.4.1.8 Electric and Natural Gas Utilities

The Village’s energy utilities, electricity and natural gas, are provided by regulated private corporations, which generally provide adequate service to users. Electric power and natural gas is distributed and transmitted by Con Ed. The electric and gas distribution network serves most sections of the Village and is generally adequate to meet the needs of customers, although the systems in some areas require periodic maintenance and upgrades to better serve customers and address system failures.

3.4.2 Potential Impacts

The PCZC aims to encourage compact reinvestment and redevelopment within the Village where existing infrastructure, including water and sewer service are readily available. In the twenty-year build-out scenario, the population within the Village would increase by approximately 9,500 residents, thereby resulting in an increased demand on community services and utility infrastructure.

3.4.2.1 Educational Facilities

The results of the twenty-year Build-out Analysis (see Table 5) shows the Port Chester-Rye Union Free School District student population will increase by more than 1,000 students over the 20-year period. This is due to increased densities allowed under the proposed zoning compared to the existing zoning. Under the existing zoning, approximately 500 residential units (studio, one-, two and three-bedroom residential units) could be constructed compared to approximately 3,000 units under the proposed zoning. Applying standard student generation rates to each housing type category, approximately 1,077 new students would be added to the Port Chester-Rye Union Free School District over the 20-year period.

Table 5: Build-out Analysis Anticipated Student Population Growth

Student Growth	Full/Maximum Build-out		20-Year Build-out	
	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
New Students	190	2,291	190	1,077

Although the potential student population increase calculated in the 20-year build-out scenario is significant, it similarly compares to the increase of approximately 1,200 students in the previous 20-year period beginning in the 1999-2000 school year. Moreover, the 20-year build-out analysis calculates an increased school tax roll potential for the proposed zoning to be approximately \$535 million compared to \$142 million under the existing zoning over a 20-year period. Increased school tax revenue generated from the increased school tax roll would offset the increased costs necessary for the school district to accommodate more than 1,000 new students.

The 20-year build-out analysis also calculates an increased Village tax roll potential for the proposed zoning to be approximately \$616 million compared to \$145 million under the existing zoning over a 20-year period. Increased Village tax revenue generated from the increased Village tax roll would also offset any increased costs necessary to accommodate additional users of the Port Chester-Rye Brook Library system.

3.4.2.2 Police Protection

In the twenty-year build-out scenario, the population within the Village would increase by approximately 9,500 residents, thereby resulting in an increased demand on police services. This population increase and associated increase in residential units and/or commercial development in the Village could potentially strain police manpower. As a result, the implementation of the Proposed Action, which would include adoption of the PCZC, and resultant growth through redevelopment could cause a potential impact if no action is taken to add officers and generally increase police presence in the Village.

The Police Department will receive a portion of the annual tax dollars projected to be generated and distributed to the Village. Such revenues are expected to accrue from the realization of redevelopment, participation in a “Fair Share” mitigation plan and fund may be needed to ensure that personnel issues and needed improvements are implemented as growth occurs. The details of this “Fair Share” mitigation plan and fund will be developed throughout the SEQRA

process and documented in the SEQRA Statement of Findings. Finally, the Police Department is an integral part of the Development Review Committee (DRC), which is an important referral body in the proposed PCZC. This will ensure their participation and ability to review and comment on any site-specific development applications.

3.4.2.3 Fire and Emergency Services Protection

In the twenty-year build-out scenario, the population within the Village would increase by approximately 9,500 residents, thereby resulting in an increased demand on fire protection services. This population increase and associated increase in residential units and/or commercial development in the Village could potentially strain fire and emergency services manpower. As a result, the implementation of the Proposed Action, which would include adoption of the PCZC, and resultant growth through redevelopment could cause a potential impact if no action is taken. As a result, the implementation of the Proposed Action, which would include adoption of the proposed zoning, and resultant growth through redevelopment could cause a potential impact if no action is taken to add firefighters and equipment and plan for facility improvements. Planned mitigation would involve facilitating additional resources for fire protection in a phased manner as growth is realized.

The Fire Department will receive a portion of the annual tax dollars projected to be generated and distributed to the Village. Such revenues are expected to accrue from the realization of redevelopment, participation in a “Fair Share” mitigation plan and fund may be needed to ensure that personnel issues and needed improvements are implemented as growth occurs. The details of this “Fair Share” mitigation plan and fund will be developed throughout the SEQRA process and documented in the SEQRA Statement of Findings. Finally, the Fire Department is an integral part of the Development Review Committee (DRC), which is an important referral body in the proposed PCZC. This will ensure their participation and ability to review and comment on any site-specific development applications.

3.4.2.4 Parks, Open Space and Recreation

The existing recreational resources within the downtown will remain and will be maintained by the Village. Existing parks, open space and recreational resources will continue to be available and will not be impacted by the Proposed Action. In order to implement the redevelopment initiatives sought to create a vibrant Village, the proposed zoning promotes the creation of new civic space in connection with redevelopment. This may involve plazas, pedestrian ways, greens, squares, roof gardens and pocket parks as well as wide sidewalks for more public street space. The intent is to provide an attractive environment for social activities. In addition, the proposed PCZC contains a requirement for the payment of recreation fee in-lieu-of-parkland. This should allow those sites that are too small and cannot provide park or open space to support the creation of new civic spaces.

Given the existing recreational resources within and outside of the study area, coupled with civic space provisions in the new code, it is expected that recreational resources will continue and expand such that no significant adverse impact will occur.

3.4.2.5 Water Supply

The results of the twenty-year Build-out Analysis (see Table 6) show new water demand has the potential to increase by 0.55 million gallons per day (MGD) over the 20-year period. This is due to increased densities and amount of development allowed under the proposed zoning compared to the existing zoning.

Table 6: Build-out Analysis Anticipated Water Demand

Water Demand	Full/Maximum Build-out		20-Year Build-out	
	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
New Water Demand (GPD)	234,691	1,399,720	131,987	552,517
New Water Demand (MGD)	0.23	1.4	0.13	0.55

As a public utility, SUEZ would be required to meet any future demands that may arise. The system, and the supply sources that feed them, appear to have sufficient capacity to handle future growth, but it should be noted that significant improvements to the water supply system will likely be required to accommodate new growth in the Village. Any large-scale development would be required to conclusively demonstrate that the water lines serving the project have the capacity and are in a suitable condition to provide domestic and fire protection supplies, or to provide appropriate mitigation, as necessary.

3.4.2.6 Wastewater and Stormwater

The results of the twenty-year Build-out Analysis (see Table 7) shows new sewer demand has the potential to increase by 0.55 million gallons per day (MGD) over the 20-year period. This is due to increased densities and amount of development allowed under the proposed zoning compared to the existing zoning.

Table 7: Build-out Analysis Anticipated Wastewater Demand

Sewer Use Demand	Full/Maximum Build-out		20-Year Build-out	
	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
New Sewer Demand (GPD)	234,691	1,399,720	131,987	552,517
New Sewer Demand (MGD)	0.23	1.4	0.13	0.55

The Port Chester Treatment Plant currently treats sewage below its design and permitted capacity. However, elimination I/I flows into the sanitary sewer will be necessary to accommodate future development under the 20-year build-out scenario. Moreover, the Village’s sanitary sewage collection system is likely to require numerous upgrades in order to accommodate sewage flows from new development made possible by the Proposed Action.

3.4.2.7 Solid Waste Management

In the twenty-year build-out scenario which calculates a potential population increase in the Village of approximately 9,500 residents and associated new development, additional solid waste and recycling materials will be generated, impacting refuse collection responsibilities and efforts. However, larger projects would be expected to contract with private waste contractors which would reduce the need for additional personnel. Tax revenue would be generated as a result of the new development which in turn would be available to assist in addressing new demand for services.

Westchester County has indicated in the past that there is sufficient capacity at the county solid waste management facilities to receive waste material from new redevelopment. Source separation of recyclables also provides a means to reduce frequency of waste removal and reduced tipping fees at the County Material Facility which would have the benefit of reducing costs as well as the volume of solid waste and the use of recycled materials.

Some potential impacts with respect to solid waste may occur if new growth requires additional refuse collection. This would be an incremental increase over a 20-year period and it is likely that some existing buildings where refuse is currently collected would be redeveloped for new mixed use projects that may use private hauling contractors. Further, tax revenue would increase and this could potentially assist in funding personnel needed to meet additional demand. It is expected that potential impacts associated with solid waste handling can be minimized by providing private hauling services and encouraging recycling of waste which has environmental benefits by reducing material that is managed at county solid waste facilities, as well as cost reduction for the development. Through the GEIS

process, thresholds will be established for new development of a certain size that would require private hauling, and incentives can be provided to promote recycling efforts. Should additional assistance be required, the “Fair Share” mitigation that is envisioned is intended to be flexible so that the services experiencing the greatest burden can be addressed through the fund. Should sanitation services require support, the Village can direct resources to address those needs through the Fair Share mitigation plan and fund.

3.4.2.8 Electric and Gas

The results of the anticipated energy consumption portion of the Build-out Analysis (shown below in Table 8) shows that the twenty-year build-out for the proposed zoning allows more multi-family housing which translates to increased population (new residents) and by extension, energy usage, than the existing zoning.

Con Edison provides electric and gas to a large service area including New York City and most of Westchester County and is expected to be able to continue to provide service to the Village as growth and redevelopment occurs. No significant adverse impacts are expected on electric and gas supply as a result of the Proposed Action. Some upgrades to electric and gas distribution and facilities may be required on an incremental basis over the 20-year period as new development occurs; however, new development would represent new customers for Con Edison which would supply energy resources under the approved rate schedule.

Table 8: Build-out Analysis Anticipated Energy Consumption

Energy Resource	Full/Maximum Build-out		20-Year Build-out	
	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
Electricity (kWh/year)	36,718,061	36,718,061	13,005,772	31,286,400
Natural Gas (c.f./year)	107,224,258	95,271,608	15,043,665	15,796,200

3.4.3 Mitigation Measures

This section outlines the mitigation strategies to assist the Village of Port Chester in addressing future community service needs to ensure that the existing and future residents of the Village receive the services that they expect and deserve. As noted in consideration of existing conditions, many of the community service providers have been doing more with less for some time. New development caused by the implementation of the proposed zoning will create new and significant revenue streams for the Village as new projects are proposed and constructed. However, several of the mitigation options below may require additional, specific funding mechanisms for implementation. Capital or other resources may be provided by any developer. In addition, the Village is currently considering options to allow for the receipt and expenditure of these funds. The current concept being examined would involve a “Fair Share” mitigation plan and fund that would be perpetuated by a per unit contribution that would be set aside for service provider support and infrastructure improvements on an as needed basis. Port Chester is ideal for this type of mitigation program since police, fire, wastewater and stormwater management, and other services are all provided by the Village. The anticipated development that will result from the Proposed Action provides an opportunity to establish a creative funding source to address both existing and future needs of Village service providers. The form, nature and use of the funds will be developed through the concepts being examined in this DGEIS, and will be further advanced through receipt of comments on the DGEIS that will be addressed in the Final GEIS and ultimately incorporated into the Statement of Findings. This will ensure that no adverse community service impacts will occur and that mitigation is in place to address existing and future needs.

3.4.3.1 Educational Facilities

- Substantial increases in tax revenue are expected to be distributed to the School District
- Establish a Fair Share mitigation plan and fund to assist with School capital improvements, staffing and operations

3.4.3.2 Police Protection

- The Police Department will have the opportunity to provide input on site-specific plans as part of the DRC, thereby requiring any site-specific mitigation measures necessary.
- Encourage on-site private security for large projects and work cooperatively with Police Department
- Fund Police Department needs through participation in a “Fair Share” mitigation plan and fund
- Provide price sensitive housing opportunities for potential future Police Department personnel

3.4.3.3 Fire and Emergency Services Protection

- Conformance to the NYS Building and Fire Safety Codes will partially mitigate potential health and safety impacts from fire response providers.
- The Fire Department will have the opportunity to review future proposed site plans as part of the DRC to ensure that their needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed.
- Fund Fire Department needs through participation in a “Fair Share” mitigation plan and fund
- Provide price sensitive housing opportunities for potential future Fire Department personnel

3.4.3.4 Parks, Open Space and Recreation

- Active green spaces along with pedestrian and bicycle networks will reduce automobile dependence and attract a class of environmentally conscious residents and employees
- The Village will continue to support within the Village
- Proposed zoning includes provisions for new civic space which will enhance existing parks and open space resources

3.4.3.5 Water Supply

- Developments are analyzed for what system improvements are needed, and these are paid for by the developer
- Promote indoor water use efficiency, lowering water consumption reduces potable water consumption and unnecessary wastewater treatment.
- Install low flow appliances, fixtures and fittings.
- Employ outdoor potable water reduction techniques.
- Use responsible planting of native vegetation that demand less water in landscape design
- Seek to use secondary water sources for non-potable use
- Promote use of captured rainwater as a resource for non-potable use
- Provide incentives for recycled wastewater

3.4.3.6 Wastewater and Stormwater

- Continue program for system operation and maintenance and maintain schedule to implement improvements
- Seek grant funding for wastewater and stormwater improvements
- Continue MS4 program and identify illicit discharges and improve stormwater infrastructure
- Participation in a Fair Share mitigation plan and funding resources should have the flexibility to be used for wastewater/stormwater should this become a priority requiring fiscal support
- The Village should conduct a comprehensive, Village-wide wastewater and stormwater assessment

3.4.3.7 Solid Waste Management

- Larger private mixed use development should be required to have private hauling of refuse
- More dense projects (in terms of units per acre) should be required to have private refuse hauling services
- Participation in a Fair Share mitigation plan and funding resources should have the flexibility to be used for solid waste management should this become a priority requiring fiscal support

3.4.3.8 Electric and Gas

- Increase pedestrian and vehicular connectivity throughout the community such that less energy is expended.
- A vibrant, walkable community with multimodal transportation options, would allow for significant savings in energy use and greenhouse gas emissions.
- Observe solar orientation for development that can take advantage of energy use reduction through this method
- Encourage passive solar elements for new development
- Install energy efficient lighting and appliances
- Explore Microgrids to reduce energy dependence, promote renewable resources and provide more localized energy sources to supplement utility electricity

3.5 **Socioeconomics**

Throughout the public engagement process for the proposed Form-Based Code and Proposed Action, members of the community raised concern with regards to the potential for the new zoning to drastically change the character of the community, especially those within the community of color and/or of lower-income. The Village pledged to the community that it would take those concerns seriously as it evaluates the Proposed Action. As a result, this section not only describes the potential beneficial socioeconomic impacts of the implementation of the Proposed Action, such as increased jobs and employment opportunities, additional housing options, and increased tax revenues and other resulting expenditures, but also honestly describes the potential negative impacts of the implementation of the Proposed Action, including impacts on environmental justice communities, affordable housing, and residential and commercial displacement. Rather than simply state that there is a balancing act that municipalities must conduct when considering large policy changes such as the proposed re-zoning, the Village in this section lists a number of specified proposed mitigation measures that would serve to minimize many of those negative impacts. These proposed mitigation measures should serve as a potential guide for the Village Board of Trustees for further policy discussions.

3.5.1 **Existing Conditions**

The following information and analyses summarize the demographic and socioeconomic characteristics and trends of the Village of Port Chester. This review includes available U.S. Census Bureau data from the 2010 decennial census, the 2013-2017 American Community Survey and 2018 Population Estimates, and other available resources.

Table 9 provides U.S. Census decennial population data for the Village between the years 1890 and 2010 and the 2018 estimates which provide the Village’s population trends and patterns over time. The data indicates that the population of the Village increased significantly between 1890 and 1930, growing from a small community of 3,797 to a small but densely populated village of approximately 23,000 residents at the beginning of the Great Depression. The decennial growth rate during this 40-year (1890 through 1930) period ranged from a low of 29.4 percent to a high of 72.2 percent with an average population growth of 48.3 percent per decade. Growth slowed during the Great Depression and World War II as well as subsequent decades, with an average growth rate between 1940 and 1970 of just 3.3 percent per decade. Port Chester experienced a fairly significant decline in its population between 1970 and 1980 when it fell by 2,238 residents from 25,803 to 23,565 or -8.7 percent during that period. In more recent years, there has been a rebound in population growth in the Village as the population grew steadily reaching 12.7 percent growth between 1990 and 2000 and 3.9 percent between 2000 and 2010, ultimately reaching a population of 28,967 in 2010.

The Census Bureau’s Population Estimates for 2018 projected the population of Port Chester to be 29,282, an increase of 315 persons or approximately 1.1 percent over the eight years between 2010 and 2018. The growth of the Village’s population from 5,274 in 1890 to 29,282 in 2018 indicates a nearly six-fold increase during this 128-year period. Based on the 2018 estimate, the average 2018 population density for the 2.33 square miles of land within the Village’s municipal boundaries is 12,567 persons per square mile.

Table 9: Port Chester Historical Population

Year	Population	% Change
1890	5,274	62.1%
1900	7,440	41.1%
1910	12,809	72.2%
1920	16,573	29.4%
1930	22,662	36.7%
1940	23,073	1.8%
1950	23,970	3.9%
1960	24,960	4.1%
1970	25,803	3.4%
1980	23,565	-8.7%
1990	24,728	4.9%
2000	27,867	12.7%
2010	28,967	3.9%
Estimate 2018	29,282	1.1%

Sources:

- 1) US Census Bureau Decennial Census data (1870-2010)
- 2) U.S. Census Bureau, Population Estimates Program (PEP) 2018

Table 10 provides a breakdown of population by race and ethnicity in the Village and Westchester County from the U.S. Census 2018 estimates. Based on these data, the percentage of people reporting race as white alone is 55 percent compared with 73.4 percent of the county population. The black population makes up a lower percentage of the Village of Port Chester compared to the County, 4.7 percent and 16.6 percent, respectively. The population of Hispanics (of any race) in Port Chester is significantly higher than found in the County, 64.8 percent compared to 25.1 percent of the population.

This data suggests a relatively diverse population and fairly large Hispanic community comprising a significant portion of the Village’s population. Comparing these data, Port Chester’s white (55.0% and 73.4%, respectively) and black populations (4.7% and 16.6%, respectively) are lower compared to Westchester County. However, persons of Hispanic origin (of any race) was significantly higher in Port Chester at 64.8 percent of the population compared to 25.1 percent of the of the County’s population. Both the Village and County have a relatively small Asian community which represents 1.5 percent and 6.4 percent, respectively.

Based on the data provided in Table 10 and the differences in the proportions of blacks and Hispanics (of any race), the Village of Port Chester is home to a significantly lower share of blacks but a significantly larger share of Hispanics when compared to the demographic profile of Westchester County.

Table 10: Population by Race

Population Characteristic	Port Chester	Westchester County
White alone, percent	55.0%	73.4%
Black or African American alone, percent (a)	4.7%	16.6%
American Indian and Alaska Native alone, percent	1.4%	1.0%
Asian alone, percent	1.5%	6.4%
Native Hawaiian and Other Pacific Islander alone, percent	0.0%	0.1%
Two or More Races, percent	2.3%	2.5%
Hispanic or Latino, percent (a)	64.8%	25.1%
White alone, not Hispanic or Latino, percent	28.6%	53.1%

Source: USCB 2018 Population Estimates Program

(a) Hispanics may be any race, so also are included in applicable race categories

Based on 2013-2017 American Community Survey, the median age in Port Chester is 36.4 which is significantly younger than the median age of Westchester County at 40.6 (Table 11).

Table 11: Population and Median Age

Population Characteristic	Port Chester	Westchester County
Total Population	29,282	967,612
Median Age (years)	36.4	40.6

Source: USCB 2013-2017 American Community Survey

Table 12 shows the relative distribution of population by age cohort for the Village and County. The notable differences in population cohorts between the Village and County include greater population numbers in the 25 to 34 and 35 to 44 cohorts for the Village and greater population numbers in the older cohorts including 45 to 54 and 75 to 84 cohorts for Westchester County. This suggests Port Chester has a younger population compared to Westchester County which may indicate the Village’s attractiveness to a working population.

Table 12: Comparison of Age Cohorts for Village of Port Chester and Westchester County

Age Cohort	Port Chester	Percent	Westchester County	Percent
Under 5 years	1,947	6.6%	55,593	5.7%
5 to 9 years	2,013	6.8%	59,531	6.1%
10 to 14 years	1,989	6.7%	64,652	6.6%
15 to 19 years	1,870	6.3%	66,904	6.9%
20 to 24 years	1,762	5.9%	60,139	6.2%
25 to 34 years	4,372	14.8%	111,655	11.4%
35 to 44 years	5,257	17.7%	126,022	12.9%
45 to 54 years	3,443	11.6%	146,267	15.0%
55 to 59 years	2,181	7.4%	69,715	7.1%
60 to 64 years	1,491	5.0%	58,183	6.0%
65 to 74 years	1,680	5.7%	82,712	8.5%
75 to 84 years	1,170	3.9%	48,048	4.9%
85 years and over	448	1.5%	25,500	2.6%

According to the U.S. Census, the Village has 9,240 households, of which, 68.7% are family households and 31.3 are nonfamily households. There are a total of 10,046 housing units, of which 9,240 are occupied and 806 are vacant. Of the occupied housing units, 43.2% are owner-occupied and 56.8 are renter occupied.

According to the NYS Department of Labor, the Orange/Rockland/Westchester area has a September 2019 unemployment rate of 3.7% which matches the State rate of 3.7%. Also according to the Department of Labor, Westchester County is gaining jobs at a slower rate than the State (the State rate is between 1.2% and 1.6% from September 2018 to September 2019). According to the 2017 American Community Survey, the Village has an unemployment rate of 6.4% which is above the county rate and the State rate. Also, the median household income was \$60,041 while the mean household income was 86,645. Of those 25 years or older, 20.8 percent of the population has less than a 9th grade education, 8.5 percent have between a 9th and 12th grade education with no diploma, 27.4 percent have graduated high school, 15.5 percent have some college but no degree, 4.6 percent have an associate’s degree, 14.1 percent have a bachelor’s degree, and 9.1 percent have a graduate or professional degree.

The NYSDEC defines Environmental Justice as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting

from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

As established in NYS DEC Commissioner Policy 29 on Environmental Justice and Permitting (CP-29), Potential Environmental Justice Areas are U.S. Census block groups of 250 to 500 households each that have populations that meet or exceed at least one of the following statistical thresholds:

- At least 51.1% of the population in an urban area reported themselves to be members of minority groups; or
- At least 23.59% of the population in an urban or rural area had household incomes below the federal poverty level.

A large proportion of the Village is a Potential Environmental Justice Area.

3.5.2 Potential impacts

As previously stated, the adoption of an amended zoning code and map is intended to help Port Chester grow sustainably. This approach includes maximizing existing land while preserving residential character within its existing neighborhoods.

In general, there is a concern from the community that the Proposed Action will result in dramatic and unforeseeable changes to the community’s character, demographics, affordable housing options, economic vitality, and environment, and that the community will have limited ability to shape development to manage these impacts.

3.5.2.1 Population

Based on the results of the market analysis, the Village is anticipated to attract an additional 9,545 new residents. Based on the build-out analysis, the existing zoning code could only accommodate an additional 1,682 new residents. However, the build-out analysis examined the proposed zoning code and found the full/maximum build-out potential to be 20,335 new residents within the portions of the village analyzed, which can accommodate the anticipated new residents per the market analysis.

3.5.2.2 Housing

Implementation of the Proposed Action would also add to the Village’s supply of affordable housing. This would be accomplished with a minimum required 10% set-aside of affordable units in new residential or mixed-use construction. These new affordable units would not only add to the general community housing stock, but have the potential to replace existing illegal apartments within the community, thereby helping to promote improved health, safety, and quality of life. Some of the occupants of the new housing units would be expected to come from the current pool of Village residents, many of whom are currently living in illegal apartments, thereby minimizing any direct residential displacements. The proposed new residential uses in the area should also help accommodate some of the new employees that could be generated by implementation of the Proposed Action. Based on the build-out analysis of the existing zoning code, 49 additional affordable units can be created, while the analysis of the proposed zoning code shows 629 additional affordable units can be created.

Despite the above, it is anticipated that as a result of the Proposed Action residential displacement will occur, particularly lower-income tenants who may struggle to find alternative housing. There is additional concern that implementing the Proposed Action may increase residential rents in the Village, thereby possibly negating any increased inventory of affordable housing. It could be anticipated that there would be a greater impact on people of color, lower-income populations, and environmental justice populations.

That being said, implementation of the NYSDEC’s CP-29 is designed to incorporate environmental justice concerns into the environmental permit review process and thus further protect vulnerable populations that may be affected by a proposed project.

3.5.2.3 Jobs and Employment

Development under the Proposed Action will likely displace or eliminate existing businesses and jobs for local residents, especially small businesses. This has the potential to negatively impact the character and economic vitality of the Village. It could be anticipated that there would be a greater percentage of displacement impacting people of color, lower-income populations, and environmental justice populations.

There is concern that some of the jobs created in the construction and operation phases of any new development may impact local wage standards. Finally, concern has been raised that construction that results from implementation of the Proposed Action may engage irresponsible construction contractors with poorly trained workforces, putting workers and Village residents at risk and burdening the Village with delays, low-quality construction, and associated problems.

3.5.2.4 Tax Revenues

The 20-year build-out analysis calculates an increased Village tax roll potential for the proposed zoning to be approximately \$616 million compared to \$145 million under the existing zoning over a 20-year period. Similarly, the build-out analysis calculates school tax roll potential for the proposed zoning to be approximately \$595 million compared to \$142 million under the existing zoning over a 20-year period. Increased Village and school tax revenue generated from the increased tax roll would offset the increased costs necessary for the Village and school district to accommodate an increased population and users of both Village and school services.

Table 13: Build-out Analysis - Village and School Tax Roll Potential

Tax Roll Potential	Full/Maximum Build-out		20-Year Build-out	
	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
Village Tax Roll	\$281,240,877	\$1,629,185,682	\$145,149,684	\$616,362,381
School Tax Roll	\$277,837,800	\$1,583,928,050	\$141,746,611	\$595,118,168

3.5.3 Mitigation

The Proposed Action, in and of itself, would not create any significant adverse socioeconomic impacts. Therefore, no mitigation is necessary. Further, it is anticipated that implementation of the Proposed Action would have beneficial impacts on demographics and the economy, including additional housing opportunities, job generation, and the generation of significant tax revenues to all taxing jurisdictions. The analysis provided above does not take into consideration any tax benefits that a particular development project could receive from the Port Chester Industrial Development Agency (PCIDA). For any site-specific proposal that results from the implementation of the Proposed Action, if property or other tax relief is sought, sufficient documentation should be provided to the Village in its evaluation of the site-specific proposal under site plan review.

In order to minimize any potential general impacts on the Village’s socioeconomic conditions, the following mitigation measures should be considered:

- Throughout the development review process, the Village could encourage developers to consider entering into community benefits agreements with the community addressing employment, displacement, affordable housing, racial justice, and environmental justice.

3.5.3.1 Housing

In order to minimize any potential impacts on affordable housing, the following mitigation measures should be considered:

- In order to understand the actual local need for affordable housing, a comprehensive housing needs assessment should be conducted.
- A greater set-aside of AAFHH units, with a greater range of eligible incomes could be added to the proposed AAFHH requirements, similar in framework to those in the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative.

- While Proposed Action currently does not have any preferences for affordable housing, including a preference for income-eligible, Port Chester residents that resided in a residential unit displaced as a result of a development project would present a significant mitigation to the potential residential displacement impact of the Proposed Action.
- The Village could consider establishing or working with a not-for-profit to establish a community land trust (CLT) to provide permanent, owner-occupied affordable housing.
- The Village could investigate coordinating with the Town of Rye to create a municipal land bank.

3.5.3.2 Jobs and Employment

In order to minimize any potential impacts on businesses, the following mitigation measures should be considered:

- The Village could explore creating a policy that supports existing small businesses remaining in the Village, which may include, but would not be limited to encouraging new development to incorporate existing businesses into the development; the creation of a small business lease program in order to establish an environment for fair negotiations in the commercial lease process; continuing to provide support to small businesses through State and County programs.
- The Village could consider adopting a policy supporting the use of building and construction trades, especially local residents.
- The Village could consider adopting a policy supporting the Port Chester Industrial Development Agency (PCIDA) to further explore Project Labor Agreements (PLAs) and Community Benefits Agreements (CBAs) as part of its Uniform Tax Exemption Policy (UTEP).

3.5.3.3 Environmental Justice

In order to minimize any potential impacts on environmental justice populations, the following mitigation measures should be considered:

- NYSDEC’s existing CP-29 policy provides guidance for incorporating environmental justice concerns into the environmental permit review process and the NYSDEC’s application of SEQRA. The policy also incorporates environmental justice concerns into some aspects of the NYSDEC’s enforcement program, grants program and public participation provisions.

3.6 Historic and Cultural Resources

3.6.1 Existing Conditions

3.6.1.1 Historic Resources

Port Chester has several resources that contribute to the Village’s historic and cultural fabric. The Village of Port Chester has several resources listed on the National Register of Historic Places (NRHP) (See Figure 12). These include:

Bush-Lyon Homestead

The Bush-Lyon Homestead is located on King Street in John Lyon Park. The building has an architectural/engineering historic significance and has a domestic historic function. The Homestead was acquired by the Village in 1925, was added to the NRHP in 1982 and is currently a museum.

Capitol Theater

The Capitol Theater is located at 147-151 Westchester Avenue and has an architectural historic significance. The period of significance of the Capitol Theater is from 1925-1949 when it had a recreation and cultural historic function. The 1,835-seat theater operates as a live concert venue. The theater was listed on the NRHP in 1984.

Port Chester Post Office

The Port Chester Post Office is located at 245 Westchester Avenue. The building has a colonial revival architectural style and its interior is ornate with murals painted by Dominico Mortellito in the Mexican muralist tradition of Diego

Rivera and Jose Clemente Orozco. The period of significance of the Post Office is from 1925-1949 when it had a government historic function. The building was listed on the NRHP in 1989 and still operates as a post office.

Life Savers Building

The Life Savers Building is located on North Main Street and is a symbol of the area’s industrial heritage. The period of significance on the Life Savers Building is from 1900-1924 when it had a historic function as a candy factory. Life Savers operations ceased in 1985 and the building was subsequently listed on the NRHP and converted to condominiums.

St. Peter’s Episcopal Church

St. Peter’s Episcopal Church is located at 19 Smith Street and was constructed circa 1891-1892. The church is constructed in the Neo-Gothic revival style of bluestone, gray limestone and brick. The church was listed on the NRHP in 2006 and still operates as a church serving the surrounding community.

In addition to these NRHP-listed resources, several sites have been determined by the SHPO to be eligible for listing on the NRHP. These include properties clustered along Westchester Avenue, Irving Avenue and Broad Street, and North Main Street. Although not officially listed on the NRHP, eligible properties are afforded similar protections as NRHP properties when federal funding is used or a state or federal permit is required regarding a proposed project.

3.6.1.2 Archaeologically Significant Areas

Port Chester contains one large archaeologically sensitive area in the southern end of the Village (See Figure 12). Archaeologically sensitive areas are designated when a site of some archaeological significance is discovered, and represents both the site itself and a surrounding buffer zone between approximately one-half and one mile in radius. Tracts of land, bodies of water or some combination of the two can be found in these areas. Significant areas are designated for innumerable reasons related to the preservation of the history and culture in a region, but all are similarly valued for the nonrenewable nature of the site itself and its associated materials. The New York State Historic Preservation Office holds detailed descriptions and locations of specific archaeologically significant sites confidential.

3.6.2 Potential Impacts

Adoption of the PCZC is anticipated to have positive impacts on the Village’s historic resources. The PCZC provides a framework for sensitive infill development that will complement the existing historic fabric of the Village. Conversely, the existing Euclidean zoning ordinance last adopted in the 1987, typically requires variances to execute infill projects, which tends to discourage investment and often results in neglect and demolition of historic resources. Archeologically sensitive areas could be impacted by proposed development projects carried out as part of and consistent with the PCZC. However, many of these areas of sensitivity have had prior significant ground disturbance and, therefore, do not contain significant archeological resources. In instances where prior significant ground disturbance cannot be documented, the SHPO may require, at a minimum, a Phase 1 archeological investigation to determine the presence or absence of historic resources listed or eligible for inclusion in the NRHP. In addition, potential impacts include possible demolition of existing structures that may be eligible or listed or even deemed by some to be locally significant to make way for new development resulting from the new code. New development, as a result of the adoption of the amended zoning code, will conform to the existing historic character of the Village.

3.6.3 Mitigation Measures

When state or federal funding is used or a state or federal permit is required regarding a proposed project, the project’s sponsor must consult with OPRHP to obtain an opinion regarding potential impacts on cultural resources. This consultation is required for properties containing historic resources listed on, or eligible for inclusion in, the NRHP. Consultation may result in a letter of “No Effect” or “No Impact” or SHPO may require a cultural resources investigation involving a historic resources/standing structures analysis and/or Phase 1 archaeological investigation depending on the potential resources affected. In addition to the consultation process, Type I or unlisted actions under SEQRA that may potentially impact NRHP listed or eligible sites would require consultation to allow a lead agency to effectively determine whether such action will have an adverse impact on historic resources. As appropriate, the SHPO will determine the appropriate level of site investigation and evaluation necessary to ensure the effects or

impacts of a project on NRHP-listed or eligible properties are considered and avoided or mitigated during the project planning process. Site specific review will also focus on any impact to locally significant structures. The Village should establish a Village Historic Preservation Commission and include them as a Referral Body in the development application review process to ensure that impacts to historic resources are minimized. This should coincide with an investigation establishing a Historic District in the downtown area.

3.7 Water Resources

3.7.1 Existing Conditions

3.7.1.1 Surface Water

The Village of Port Chester is located in the Lower Long Island Sound, one of the six (6) drainage basins of the Long Island Sound Watershed. There are three (3) major water bodies within or adjacent to the Village: the Byram River, Port Chester Harbor and Long Island Sound.

Byram River

The Byram River forms the eastern boundary for the Village of Port Chester and is part of the border between New York and Connecticut. It originates at the Byram Lake Reservoir, located south of Mount Kisco, and empties into the Port Chester Harbor adjoining the Long Island Sound. Approximately 2.25 miles of the Byram River represent the Village’s coastline. The NYSDEC has studied the health of the Byram River in Port Chester and assigned classifications to two segments. The northern segment has been classified as “C” representing water that is suitable for fisheries and non-contact activities. The lower segment is similarly classified as “SC” where the “S” signifies water that is saline, and shell fishing is permitted.

Port Chester Harbor

Port Chester Harbor is one of ten maritime centers on the Long Island Sound. The popularity of recreational boating is reflected in maritime-related uses along the Byram River shoreline. The NYSDEC tested the Harbor for pollutants in 2004 and listed floatables and pathogens as high priority issues. The most northern section of the harbor is classified as “SM” by NYSDEC (Coastal Shoals, Bars and Flats), while the southern section located within the Village is classified as “LZ” (Littoral Zone). The Harbor was tested in 2004, and at that time was found to contain pollutants representing a number of pollutant categories. PCBs were ranked as a low priority issue even though levels of PCBs contributors were recorded during tests. Floatables and pathogens were listed as high priority issues. The area of the Harbor located within the Village was initially included in the New York State 2016 Impaired Waters 303(d) List but was subsequently delisted in 2018.

Long Island Sound

Water from the Byram River flows through Port Chester Harbor and into the Long Island Sound. The Sound is approximately 1,320 square miles and represents over 600 miles of coastline. It was designated as a National Estuary in 1987 and provides habitat to a great diversity of plant and animal life. These habitats have been compromised as development on the Sound has increased over the years.

3.7.1.2 Ground Water

Based on review of NYSDEC maps, there are no Primary aquifers in or bordering the Village; however, Principal Aquifers are mapped on the eastern boundary of the Village. Principal aquifers are "aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time." However, Port Chester residents rely on a public water supply.

Byram Watershed

The Byram watershed is part of the Connecticut Southwest Coast Major Basin and includes municipalities of Westchester County. The Byram Watershed Coalition is comprised of local, county, state and federal government agency officials, in addition to environmental nonprofit representatives.

3.7.1.3 Wetlands

The Byram River is mapped as an estuarine and marine deepwater system for the majority of the river’s length that makes up the eastern boundary of the Village of Port Chester (south of West Putnam Avenue all the way to where it flows into the Long Island Sound). River areas to the east and southeast of Columbus Park are mapped as estuarine and marine wetlands. Where the Byram River flows into the Long Island Sound, just southeast of the Village boundary, are areas of estuarine and marine wetland and estuarine and marine deepwater system (see Figure 13).

There are no mapped NYSDEC wetlands within or adjacent to the Village boundaries.

3.7.1.4 Floodplains

The Federal Emergency Management Agency (FEMA) has identified 100-year floodplains in the Village of Port Chester which coincide with the Byram River. Flood Insurance Rate Maps (FIRM) show base flood elevations and identify flood risk zones including Special Flood Hazard Areas (SFHAs) (FIRM Panel Numbers 36119C0293F, 36119C0294F, 36119C0356F), (Community Number 360928). The SFHA is the land area that is subject to a 100-year flood or greater. These high-risk areas are where National Flood Insurance Program regulations must be enforced and where the mandatory purchase of flood insurance applies. Properties located outside of these high-risk areas are still subject to flooding, and owners have the option of purchasing flood insurance.

Section 181 (Flood Damage Prevention) of the Port Chester Village Code provides for flood damage prevention measures and appoints the Building Inspector as local administrator for granting development permits within the areas of flood hazard. Among the requirements of the law, new and substantially improved construction must have the lowest floor (including the basement where it is legally habitable space) elevated to at least 2 feet above the base flood elevation. Mechanical, Electrical and Plumbing equipment must also be designed and/or located at least 2 above Base Flood Elevation, to prevent water damage during flooding.

As shown in Figure 13, 100-year floodplains isolated areas subject to episodic flooding and/or drainage deficiencies are generally located along Port Chester’s eastern boundary, generally following the extent of the Byram River. These floodplains extend landward, reaching North Main Street south of Hillside Avenue and Mill Street and South Main Street, south of Westchester Avenue. In addition, flooding occurs in the Village on a somewhat regular basis - notably downtown.

3.7.2 Potential Impacts

3.7.2.1 Floodplains

Adoption of the proposed zoning amendments is a regulatory action and would not result in any physical changes to the Village; therefore, no direct impact to floodplains would occur as a result of the Proposed Action. However, at the time a site-specific development application is advanced, the application would be reviewed by the Building Inspector, and a determination made as to whether the proposed project requires a floodplain development permit. Site specific development will also continue to undergo formal review under Village Code and pursuant to SEQRA. If a floodplain development permit is required, the application would be subject to all applicable standards and requirements set forth in the Village Code, Chapter 181, Article V. Areas of the Village along the Byram River are particularly susceptible to major storms and, increasingly, affected by more frequent episodic instances of heavy rainfall within short time periods.

3.7.2.2 Surface Waters

Site-specific development within the Village could impact identified areas in Figure 13. Likewise, site-specific development has the potential to impact the Byram River. Any new development occurring in these areas would be subject to federal requirements administered by the U.S. Army Corps of Engineers pursuant to Sections 401 and 404 of the Clean Water Act. Water Quality Certification (section 401) are administered by the NYSDEC.

Stormwater runoff is currently directed from roadways and impervious surface areas into the Village’s stormwater conveyance system. Given that the Village is developed and comprised predominantly of impervious surfaces, the acreage of impervious surfaces associated with the 20-year build-out is anticipated to be similar, although the proposed zoning code’s provision of civic space may increase opportunities for new pervious surfaces to be introduced into new development projects. New development will require that drainage systems be designed to meet specific performance design criteria, including water quality standards, pursuant to Chapter 281 of the Village’s Stormwater Management Code. In addition, conformance to the requirements of the NYSDEC Stormwater Regulations will be required for construction projects in excess of one acre, including preparation and implementation of a Stormwater Pollution Prevention Plan. These system designs will be subject to the review and approval of appropriate Village and/or State staff, ensuring that significant adverse impacts from stormwater runoff would be alleviated, minimized and/or mitigated.

3.7.3 Mitigation Measures

As mitigation for the Proposed Action, the Village should conduct a comprehensive study of flooding in the Village. Such study should identify actions to minimize or alleviate these conditions.

In addition, future site specific review of development may require the following mitigation measures.

- New development will be subject to both NYSDEC and Village stormwater management requirements. For those individual projects that involve one or more acres of disturbance, a SWPPP must be prepared pursuant to NYSDEC’s Stormwater General Permit from Construction Activities.
- As part of any site-specific review, the potential for development within areas of the 100-year floodplain and/or which could be inundated by storm surges would specifically be evaluated and appropriate measures incorporated to mitigate against damage. Requirements for flood damage prevention pursuant to Chapter 181 the Village Code would apply in these areas.
- New construction in the Village will be subject to the Green Building and Site Planning provisions of the proposed zoning code which encourages sustainable building practices, including green roofs, pervious pavement, efficient fixtures and technologies, and reducing construction waste, thus reducing water use.

3.8 Ecological Resources

3.8.1 Existing Conditions

3.8.1.1 Fish and Wildlife Habitats

Due to all of the development over the past several decades, landscaped areas, street trees, and vegetative habitat comprise a negligible portion of the Village and, therefore, natural habitats are limited. Some species of birds inhabit vegetated areas in the Village. Pollution from boats, industry, the sewer system and disturbances from channel dredging have greatly decreased the Byram River’s value as a habitat.

While no detailed wildlife surveys have recently been conducted in Port Chester, the U.S. Fish and Wildlife Service (USFWS) has determined that several species of endangered and threatened species are found in Westchester County: bald eagle, bog turtle, Indiana bat and shortnose sturgeon. In addition, according to the USFWS New England Ecological Field Office, the Northern Long-eared Bat and Roseate Tern may be found in the general vicinity of the Village. There is a possibility that some of these species could pass through or inhabit areas within the Village. Regarding state-regulated species, the NYSDEC has also documented one rare plant species – yellow flatsedge – that could be located within the Village in the vicinity of Port Chester Harbor. However, the lists developed by these agencies are highly generalized, not definitive and should not be considered a substitute for on-site surveys.

Although there are no listed NY State rare animals within the Village boundary, a mapped NY significant waterfowl winter concentration area is located approximately 0.15 miles to the south of the Village boundary, south of where the Byram River flows into the Long Island Sound. There are no significant natural communities mapped within the Village boundary. There is a mapped marine rocky intertidal significant community on North Manursing Island approximately 0.3 miles to the southeast of the Village boundary in the City of Rye, NY. The Manursing Island Flats

comprises one of the largest areas of sheltered, undeveloped tidal mudflats, shallow open water, and limited salt marsh on the south shore of Westchester County. Various species of birds inhabit the developed areas where vegetation is present. The Edith Read Wildlife Sanctuary is also located in the City of Rye and provides safe refuge to both flora and fauna.

3.8.1.2 Critical Environmental Areas

A Critical Environmental Area (CEA) is a State- or locally-designated geographic area with special or unique physical and environmental characteristics, established by identifying fragile or threatened environmental conditions. A majority of Port Chester’s riverfront is located in the Long Island Sound CEA, which is a Westchester County-designated CEA (see Figure 13). Within the Village limits, the Long Island Sound CEA extends landward encompassing developed portions of the Village, Columbus Park and points north, and south, east of I-95.

3.8.1.3 Urban Forest

The Village completed a Tree Management Plan in 2018 with a focus on addressing short-term maintenance needs for inventoried public trees. The plan recommends tree plantings, training, and pruning cycles. Port Chester has many opportunities to improve its urban forest. Planned tree planting and a systematic approach to tree maintenance will help ensure a cost-effective, proactive program. Investing in this tree management program will promote public safety, improve tree care efficiency, and increase the economic and environmental benefits the community receives from its trees.

3.8.2 Potential Impacts

Adoption of the proposed zoning amendments is a regulatory action and would not result in any physical changes to the Village; therefore, no direct impact to ecological resources would occur as a result of the Proposed Action. However, site-specific development in areas along the Byram River, particularly in areas identified as being within the Long Island Sound CEA, could be impacted by new development conducted pursuant to the proposed zoning amendments.

3.8.3 Mitigation Measures

While no mitigation is required for the Proposed Action, future site specific review of development may require the following mitigation measures:

- Although no significant fish and wildlife species or habitats have been specifically identified in the Village, site-specific projects proposed along the Byram River that are classified as Type I or Unlisted Actions under SEQRA should be evaluated for impacts to any sensitive species. Moreover, any site-specific projects located within the Long Island Sound CEA should be evaluated as part of the Village’s project review process and considered in its determination of significance prepared pursuant to 6 NYCRR Section 617.7 of SEQRA.

3.9 Geology, Topography, and Soils

3.9.1 Existing Conditions

3.9.1.1 Geology

The Village of Port Chester is part of the Manhattan Prong, “a geological sub-province of southeastern New York, that encompasses Manhattan, the Bronx, most of Westchester County and a corner of Putnam County.” The highest ridges of the sub-province are characterized by hard gneisses material while the shallow valleys have been carved from softer marble layers.

The Village’s bedrock consists of layers dating back to the Proterozoic and Paleozoic geological eras. Port Chester’s geological composition is similar to all communities east of the Hudson River between New York City in the south to Ossining in the north.

3.9.1.2 Topography

The Village is characterized by low and moderate elevation. The elevations in the northern and northwestern sections of the Village range from 90-220 feet, while elevations in the southern and southeastern sections of the Village range from less than 10 feet to 90 feet.

There are steep slopes areas (slopes over 25%) in a few areas within the Village. The concentration of steeper slopes is highest in the southeast area of the Village close to the Byram River and coastal area. There are also slopes of 15-25% intermittently throughout the Village.

3.9.1.3 Soils

The predominant soils in the Village are Urban Land-Charlton-Chatfield (UIC) and Urban Land-Paxton complex (UpB). The former can be found on moderately sloping land and is characterized as having a bedrock depth of 20-60 inches, moderately deep to very deep, and well drained to somewhat excessively drained. The latter can be found on moderately sloping land and is characterized as medium textured and moderately coarse textured, having a bedrock depth of 20-40 inches deep, and well drained to moderately well drained. Along the waterfront in the northern part of the Village, most of the soils represent former floodplains and soil naturally left from this activity. Deposited soils were then mixed with soils specified under the heading of urban land.

The following list details soils with the highest likelihood to occur within the Village:

- Ub – Udorthents, smoothed, 9% (approximately 9% of the soils in the Village)
- Uf – Urban land, 16%
- UIC – Urban land – Charlton-Chatfield, complex, rolling, very rocky, 22%
- UpB – Urban land – Paxton complex, 3 to 8 percent slopes, 30%
- UwB – Urban land – Woodbridge complex, 3 to 8 percent slopes, 8%
- CrC – Charlton Chatfield complex, 0-15 percent slopes, very rocky, 2%
- UpC – Urban Land – Paxton complex, 0-15 and 8-15 percent slopes, 5%

Depth to water table for many of the soils in the Village is 18 inches or greater. For soil groups such as Ridgebury Complex (RdB) and Udorthents (Uc) - wet substratum, the depth to water table is 6 inches or less. However, these soil groups make up a small percentage of the total soils in the Village (RdB makes up 0.2% of the soils and Uc makes up 0.5%).

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For the Adoption of the amended Code of the Village of Port
Chester, Chapter 345, “Zoning”, and Official Zoning Map

Table 14: Soil Properties - Most Prevalent Soils in the Village

Soils Map Unit Name	Acres	Percent	Depth to Bedrock (inches)	Depth to Water table (inches)	Drainage Class	Slope %	Farmland Classification	Soils Group
Ub - Udorthents, smoothed	143	9	40 - 60"	18 -48	Moderately well drained	0 - 8	Not Prime farmland	9
Uf - Urban land	255	16	Not listed	Not listed	Moderately well drained	Not listed	Not Prime farmland	9
UIC - Urban land - Charlton-Chatfield	340	22	>80" 20-40"	>80 (both)	well drained	2 -15	Not Prime farmland	9
UpB - Urban land - Paxton complex	468	30	0" UpB 20 - 39" Paxton	18 - 36 (Paxton)	Moderately well drained	3 - 8	Not Prime farmland	9
UwB - Urban land - Woodbridge complex	123	8	0" (UwB) 20 - 3" Woodbridge	18-30	Moderately well drained	3 - 8	Not Prime farmland	9
CrC - Charlton-Chatfield complex, 0-15 percent slopes, very rocky	30.3	2	20 - 40" >80"	>80	well drained	0 - 15	Not Prime farmland	8
UpC - Urban land - Paxton complex, 8-15 % slopes	74.4	5	0" UpC 20-39"	18 - 37	well drained	0 - 15 (urban land), 8-15 (paxton)	Not Prime farmland	9

3.9.2 Potential Impacts

Adoption of the PCZC and map is a regulatory action, and would not in and of itself result in disturbances to the Village. No direct impact to soils would occur as a result of the legislative action. Any development that occurs in accordance with the adopted amendments would impact soil conditions as a result of potential development including building demolitions, general grading activities, excavation for footings and building foundations, installation of utilities, roadway beds and parking areas. However, due to the relatively flat terrain which is prevalent in the Village, major grading operations involving significant cut and/or fill are not anticipated, except for any cuts necessary for building basements or other subsurface structures, such as parking facilities. In addition, it is noted that the soils listed in Table 14 are primarily related to urbanized areas that have been altered and/or are composed of fill. Due to the high variability of these soil conditions from previous alterations and development, site design would rely on site-specific geotechnical investigations to ensure soils demonstrate suitable load bearing capacity to support above ground buildings and/or drainage. Native soils, if encountered during those investigations, may be considered suitable for reuse as load-bearing fill material as long as proper compaction is undertaken as specified by the supervising engineer during construction. Techniques including deep compaction or over-excavation and replacement of unsuitable fill materials may be utilized in the event that unsuitable fill materials are found on properties proposed for development. Fill materials may include, but will not limited to: fill soils, concrete, bricks, stone, rebar, pipes, asphalt, ash, construction and demolition debris, scrap metal, and wood. Materials encountered that are unsuitable for reuse as fill would be removed from the site for proper disposal at an appropriate landfill. The development areas would be stabilized, as determined by a geotechnical engineer, prior to construction of structural elements.

Specific subsurface conditions will be determined in detail as part of the site plan review of a site-specific development application. As construction design generally provides for the on-site reuse of excess soil material for fill (in order to minimize the cost of removal/disposal as well as impacts from removal operations), the total amount of excess soil that must be removed from construction sites would likely be minimized. This would further minimize the potential for short-term construction related impacts associated with soils, such as dust impacts on neighboring sites and on roadways.

Given the anticipated shallow depth to groundwater within some areas of the Village (based on the Soil Survey), limited dewatering may be necessary to enable construction of foundations and subsurface infrastructure and parking facilities. It is noted that dewatering would be a temporary measure for the installation of building footings or other subsurface structural support during construction. Should dewatering be necessary, all appropriate regulations will be observed and necessary permits obtained. Depending on the point of discharge, a discharge permit may be required.

To reduce the potential for soil erosion during and after construction, site-specific Stormwater Pollution Prevention Plans (SWPPP) in accordance with the NYSDEC’s State Pollution Discharge Elimination System (SPDES) Stormwater General Permit from Construction Activities will be prepared for each development involving an acre or more of disturbance. The SWPPP must include a detailed erosion and sediment control plan to provide methods for sediment trapping, soil stabilization and best management practices to reduce the extent of soils exposed to elements. Additionally, the SWPPP must include measures to manage stormwater generated on-site during construction activities, and provide water quality and flood control for post construction conditions. These requirements ensure that stormwater runoff is not permitted to discharge to adjacent properties.

No significant long-term adverse impacts are expected with respect to soils, as the Village is predominantly comprised of disturbed soils and grading plans will be prepared and reviewed to minimize the area and amount of disturbance. Short-term impacts will be controlled by proper grading, erosion control, construction inspection and management, and site stabilization techniques consistent with NYSDEC requirements.

3.9.3 Mitigation Measures

While no mitigation is required for the Proposed Action pertaining to geology, topography or soils, future site specific review of development may require the following mitigation measures:

- If unsuitable subsoils are found, techniques including deep compaction or over-excavation and replacement of unsuitable fill materials may be utilized. Development areas would be stabilized, as determined through a geotechnical investigation, prior to construction of structural elements.
- Erosion and sediment control and construction phasing plans will be prepared for individual site developments during site plan review to control transport of sediment and stormwater runoff during construction activities.
- New development will be required to detain stormwater runoff in accordance with NYSDEC standards. For those individual projects that involve one or more acres of disturbance, a SWPPP must be prepared pursuant to NYSDEC SPDES Stormwater requirements.

3.10 Hazardous and Contaminated Sites

3.10.1 Regulatory Framework

Sites with hazardous materials may be subject to Federal and State regulations and guidance, including the following:

- The Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), including the United States Environmental Protection Agency (“USEPA”) National Priority List (“NPL”) and National Contingency Plan (“NCP”);
- USEPA Brownfield grant program;
- NYSDEC Brownfield Cleanup Program (6 NYCRR Part 375);
- NYSDEC Registry of Inactive Hazardous Waste Disposal Sites, ECL Article 27;
- 6 NYCRR Parts 595-599, 6 NYCRR Parts 612-614, NYSDEC STARS Memo #1—Chemical and petroleum bulk storage management and removal of aboveground or underground storage tanks;
- Article 71 of the Environmental Conservation Law, 17 NYCRR Part 32, Article 12 of the Navigation Law—Petroleum and chemical spill reporting; and,
- 6 NYCRR Part 360 and Part 364—Solid waste management requirements, which include certain requirements for the transportation of hazardous materials.

3.10.2 Existing Conditions

3.10.2.1 Remediation and Brownfield Sites

The NYSDEC defines brownfield sites as any real property, the redevelopment or reuse of which may be complicated by the presence or potential presence of contamination. Brownfields are abandoned, idled or underused industrial and commercial properties where expansion or redevelopment is complicated by real or perceived contamination. Public and private landowners in the Village have been actively working to address brownfield sites for a number of years, and New York State has offered voluntary brownfield clean up incentive programs during that time. These include the Voluntary Cleanup Program (VCP) and its successor, the Brownfield Cleanup Program (BCP), which created incentives to private landowners to voluntarily perform remedial activities on the property and fund oversight activities in an effort to return the property to economic viability.

According to the NYSDEC Environmental Remediation Database, there are two sites in the Village listed in the Voluntary Cleanup Program:

- Port Chester Redevelopment Area (Site Code V00459). The current owner is Village of Port Chester Industrial Development Agency. No further information was listed in the NYSDEC database for this VCP site.
- Former MGP – Purdy & Traverse Avenues (Site Code V00516). This site is located at 10-14 Waterfront Place in the southeast portion of the Village, 0.20 miles west of the Byram River. The site has been remediated and redeveloped into a multi-story commercial retail building, which covers most of the site. The site building is currently occupied by retailers and is zoned for commercial use. The site was historically utilized for the former Port Chester manufactured gas plant (MGP) in operation from the 1860s to the 1880s. It was then used for a variety of commercial and industrial purposes until 2001. The site entered the Voluntary Cleanup Program in 2002, a site investigation was completed in 2004 and remedial construction was completed in 2006. The commercial building has a sub slab vapor depressurization system installed to prevent vapor intrusion. Contact with contaminated soils and groundwater is highly unlikely since remediation of this site was completed.

In addition to the two aforementioned VCP sites, one site in the Village is listed in the Brownfield Cleanup Program:

- Key Food Supermarket (Site Code C360195). This site is located at 130 Midland Avenue in the southern portion of the Village near the Village line. No further information was listed in the NYSDEC database for this BCP site.

According to the NYSDEC Environmental Remediation Database, no Inactive Hazardous Waste Disposal (Superfund) sites are located in the Village.

Although not classified as a VCP or BCP site, an active solid waste facility is located in the Village. Peckham Materials, located at 1 Purdy Avenue adjacent to the Byram River, is registered with the NYSDEC as a construction and demolition debris (C&D) facility. No further information was listed in the NYSDEC database for this C&D site.

3.10.2.2 Spill Incidents

As with any urban area, Port Chester has its fair share of reported spills every year. In 2019, 23 spills have been reported to the NYSDEC. Annual spill rates have fluctuated greatly over the last five years, making it difficult to correlate spill rate with other factors in the Village.

The NYSDEC has created a spill response program with staffing to provide expertise on handling a spill situation, investigating the spill and properly documenting it. The NYSDEC will provide additional resources to local agencies during emergency situations and remain involved in any situation if continued cleanup of the environment is required.

According to the NYSDEC Spill Incident Database, most of the 23 spills reported in 2019 are closed and are no longer considered a concern. For example, several spills involve small amounts of #2 fuel oil, spilled at residential properties or businesses. There are also spills that involve small amounts of gasoline spilled during accidents or when refueling.

Six (6) spills reported in 2019 are still open and may require further information and/or remediation prior to closure. These include the following:

Table 15: 2019 Spill Incidents / Open Spills

Spill No.	Date Spill Reported	Spill Name	Address	Material/Cause
1810459	1/14/2019	JFK Elementary School	40 Olivia Street	Unknown petroleum
1812418	03/19/2019	JFK Magnet School	40 Olivia Street	#2 fuel oil/1900797Tank Test Failure
1900797	04/23/2019	Commercial	200 Westchester Avenue	Gasoline/human error
1903755	05/13/2019	Shopping Mall	130 Midland Avenue	Gasoline/Unknown
1906093	09/10/2019	Pasto-AST	36 Sand Street	#2 fuel oil/equipment failure
1906215	09/16/2019	Con Ed Excavation	5 Grace Church Street	Unknown material/unknown

3.10.3 Potential Impacts

The Proposed Action, in and of itself, will not include the introduction of hazardous materials and does not present any opportunity to adversely affect public safety nor would it create a hazard to human health. Implementation of the Proposed Action may include demolition and reconstruction on sites with existing structures – some of which may contain lead-based paint (LBP), asbestos-containing materials (ACMs), and polychlorinated biphenyl (PCB)-containing electrical components. Construction would also involve a variety of earthmoving/excavating activities that may encounter subsurface contamination in soil and/or groundwater. Potential subsurface contaminants of concern include: volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs), PCBs, pesticides and herbicides, and metals (such as lead, arsenic, cadmium, chromium and mercury). The presence of hazardous materials threatens human health only when exposure to those materials occurs; even then, a health risk requires both an exposure pathway to the contaminants and sufficient exposure to produce adverse health effects. Although very few sites within the Village have been identified in the NYSDEC databases, it is possible the some properties throughout the Village have been impacted by environmental contamination due to past uses and practices and/or spills that have not been reported. In these instances, site-specific redevelopment projects could result in remediation of those sites and therefore, have a positive environmental impact. The adoption of the proposed zoning may also encourage redevelopment of property and the corresponding use of tax incentives available through the Brownfield Cleanup Program which would have a positive impact on the Village.

3.10.4 Mitigation Measures

Adoption of the proposed zoning is not anticipated to have an adverse impact on the environment and therefore no mitigation is proposed. Site-specific development applications that involve the redevelopment of contaminated properties in Port Chester will be subject to State and Federal environmental investigation and remediation program requirements. For Village-owned land, a Phase 1 Environmental Site Assessment is recommended.

In particular, in order to minimize hazardous material impacts to the greatest extent possible, it is recommended that the following activities occur prior to demolition and/or construction for any specific project:

- Phase I Environmental Site Assessments (ESAs) – Land transfer transactions are expected to involve the preparation of a Phase I ESA. Such investigations are typically required for any bank lending or pre-purchase due-diligence.
- Asbestos Survey – A comprehensive asbestos survey of the areas to be renovated/demolished should be conducted that include the sampling of all suspect materials to confirm the presence or absence of asbestos. Based on the findings of the survey, the identified ACMs would be removed and disposed of in accordance with all Federal,

State, and local regulations.

- Lead-Based Paint – Any renovation or demolition activities with the potential to disturb lead-based paint should be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62 - Lead Exposure in Construction). Appropriate methods to control dust and air monitoring, as required by the appropriate OSHA regulations, should be implemented during demolition activities.
- PCBs – If disposal of electrical or hydraulic equipment is required, all Federal and State requirements relating to PCBs should be followed. Suspected PCB-containing equipment (e.g., transformers, electrical feeder cables, hydraulic equipment, and fluorescent light ballasts) may need to be surveyed and evaluated prior to building demolition or utility relocation.

Phase II ESAs – Subsurface investigations (Phase II ESAs) should be performed, if necessary. Based on the findings of the subsurface investigations, appropriate design measures should be implemented to address any contamination identified. Detailed procedures should be incorporated into each of the individual projects’ construction documents specific to the proposed development.

These measures to avoid potential impacts would be conducted in compliance with all applicable laws and regulations and would conform to appropriate engineering practices.

3.11 Air and Noise

3.11.1 Existing Conditions

3.11.1.1 Air Resources

National Ambient Air Quality Standards (NAAQS) have been established for six air pollutants – particulates, sulfur dioxide, nitrogen oxides, carbon monoxide, ozone, and lead. In 1990, ultrafine particulate matter was added to the list of criteria pollutants. This is associated with the combustion of fossil fuels, including natural gas and propane. Primary and secondary standards for varying exposure times have been established for each of these criteria pollutants. Primary standards are designed to protect public health, while secondary standards are established to prevent other adverse environmental impacts and to protect the public welfare.

In 2008, NYSDEC designated most of the New York Metropolitan Area (NYMA) Combined Statistical Area (CSA) a non-attainment area for the 2008 ozone NAAQS. Of the counties included in the NYMA, Suffolk, Nassau, Bronx, Kings, New York, Putnam, Queens, Richmond, Rockland, and Westchester, only Putnam County achieved acceptable standards. Westchester County is a moderate nonattainment area for 8-hour Ozone.

Pursuant to the Clean Air Act, New York State is required to develop a State Implementation Plan (SIP) for submission to the EPA. The plan must include enforceable measures for reducing air pollutant emissions and must describe the steps the area will take toward attaining the fine particulate (PM 2.5) standards.

According to the NYSDEC, one air emissions site is located in Port Chester: the Port Chester Asphalt Facility, (Site ID: 355480002500007) which holds a State Facility Air Permit. The site is located just north of Purdy Avenue, on the western shore of the Byram River. There are no major air emission sources in the Village that require a Title V Permit.

Air quality monitoring data is published by the NYSDEC Division of Air Resources for the continuous and manual ambient air monitoring systems that exist throughout the State to establish ambient air quality. Air quality data is compared to the NAAQS and New York State standards. There are no air quality monitoring stations in Port Chester; however, regional air quality can be characterized from a review of data collected at the closest NYSDEC air quality monitoring station. The nearest air quality monitoring station is located at 240 Orchard Street in White Plains, which is approximately 5 miles northwest of Port Chester. Ozone (O₃) and inhalable particulates (PM_{2.5}) are measured continuously at the White Plains station. According to the NYSDEC Region 3 data for 2017, the annual average

emissions for O3 declined slightly from 0.075 ppm in 2016 to 0.072 ppm in 2017. For PM2.5, the annual mean declined to 5.8 ug/m3 in 2017 from 6.3 ug/mg3 in 2016.

Generally, the air quality in the Village meets or exceeds national and State air quality standards. Degradation may occur in localized areas such as in the vicinity of new construction sites.

3.11.1.2 Noise

The existing noise environment within the Village is typical of an urbanized area. In this urban environment, noise is generated by HVAC (heating, ventilation and air conditioning) equipment for commercial, institutional and residential uses as well as by transportation uses, including vehicular traffic (i.e., buses, trucks and cars) and railroad use. There are generally no heavy industrial uses in the Village to generate excessive environmental noise. Typical sound pressure/noise levels for an urbanized area with adjacent roadways carrying high volumes of traffic can range from 65 dBA to as high as 90 dBA.

Village Noise Code

The Village of Port Chester Noise Ordinance, Chapter 224 of the Village Code, was adopted by the Village’s Board of Trustees in 1966 with the declared finding and declaration that every person is entitled to an environment in which disturbing, excessive or offensive noise is not detrimental to his or her life, health or enjoyment of property. The code includes a waiver provision for construction noise in certain circumstances. The code does not include numerical dBA standards; rather, the standards are qualitative in nature, referencing such criteria as volume, intensity, nature, proximity to sensitive receptors, duration, and time of day.

3.11.2 Potential Impacts

3.11.2.1 Air

The sources of air emissions located within the Village are generally related to vehicles, including truck, automobile and train traffic, stationary sources and existing HVAC systems. As noted, the only NYSDEC-regulated air facility within the Village is the Port Chester Asphalt Plant which holds a State Facility Air Permit. While the 20-year build-out under the Proposed Action has the potential to result in an increase in the level of development as compared to development under existing zoning, primarily related to multifamily residential, the development mix is not inconsistent with the type of development permitted under the current zoning. The uses permitted under the existing zoning and proposed zoning would not result in major sources of air pollutants and any uses would be required to comply with NYSDEC regulations where applicable. In addition, development under the proposed zoning includes design elements that will be inherently beneficial in terms of air quality, including elements which encourage reduced vehicular trips and walkability, contributing to a reduction in greenhouse gas emissions. Moreover, the proposed zoning would create a pedestrian friendly mixed-use walkable environment that will encourage a reduction in vehicular use, as people will opt to walk to transit, home, work, shopping, entertainment and other uses.

Following adoption of the proposed zoning code and during implementation of development approved under the new zoning, there could be the potential for localized impacts in air quality resulting from construction-related activities, most typically related to dust generated during site grading activities. While this is not expected to vary from construction activities occurring under the present zoning, standard procedures may be required as a condition of approval to require use of water trucks to mitigate dust impacts during grading and site preparation. In addition, sites would be required to be stabilized following construction or during delays in construction if they occur. Such mitigation measures would minimize impacts to the maximum extent practicable during and following construction.

While future site developments may require oversight by the NYSDEC for regulated facilities (as would be required under the current zoning), the Proposed Action is not anticipated to result in a significant adverse impact on air quality.

3.11.2.2 Noise

The Village is urbanized and includes transportation systems, existing commercial, residential and other uses. The types of uses and density of development that can occur under the proposed zoning will not, in and of itself, generate significant levels of noise. As site-specific development occurs, the uses are not expected to change such that noise-generating uses will be prevalent (e.g., no heavy industrial uses are included) and therefore, the character of the noise environment is not expected to change.

For the uses associated with site-specific development (including single-family and multifamily residential, office, retail, and industrial), the HVAC systems typically represent are the only significant source of noise, and such systems will generally be located on the building roofs. New facilities with HVAC systems will be modern systems that are generally quiet in comparison to individual units and older systems (i.e., a new centralized HVAC system for a multiuse building is significantly quieter to individual window units or an old HVAC system). In addition, any new equipment such as air-conditioning units will be required to conform to the Village’s Noise Ordinance.

Several other factors influence sound levels at a receptor in relation to the street generated noise. In mixed-use portions of a development, where residential is above street level retail or office use, the elevated residential levels may experience less noise as a result of distance from the source, deflection and attenuation. Further, residential use that is placed within a block would take advantage of distance from the source and associated attenuation, and depending on placement of buildings, noise may be further reduced if there are intervening buildings that interrupt the path between street and receptor. These factors, along with the architectural design of buildings in terms of attenuation properties, must be considered based on a specific development proposal.

Given that the Proposed Action is expected to encourage new development, noise due to construction will be generated. Construction-related noise will be associated with demolition of existing buildings (where applicable), site preparation, and actual building construction which involves the use of heavy trucks, cranes and construction equipment. Noise levels during construction periods will be required to generally comply with the Village Noise Ordinance unless a waiver is sought pursuant to Section 224-3.1 (Waiver for construction noise).

Based on the general provisions of Chapter 224, construction noise will generally need to be limited to daylight hours (8:00 a.m. - 8:00 p.m. weekdays and 10:00 a.m. - 7:00 p.m. weekends and holidays), since during other periods, noise levels considered unreasonable are not permitted.

3.11.3 Mitigation Measures

While no mitigation is required for the Proposed Action, which involves the adoption of the proposed zoning, future review of site specific plans for development under the proposed zoning may require mitigation measures which are described below:

- Comply with NYSDEC Title V air permit/registration requirements if applicable, though such uses are not expected.
- Mitigate fugitive dust related to construction activities using proper construction management techniques, erosion control measures, wetting of excessively dry soils, and conformance to Village stormwater and nuisance requirements per the Village Code.
- All activity within the Village in general must conform with Chapter 224 of the Village Code which defines and regulates “unreasonable noise.”
- Future site-specific review of mobile source air quality impacts and the development of site-specific mitigation measures, if deemed necessary, may be needed.
- As new residential development is proposed within the 65 to 70 decibel noise contour area, sound attenuating construction standards are recommended that reduce interior sound levels to the target goal of 45 decibels. Sound Transmission levels (STL) of construction materials and methods will be evaluated during site plan review.
- If rooftop (or outdoor not on the rooftop) mechanical equipment is proposed, in order to mitigate potential noise impacts, appropriate mitigation measures must be provided (e.g., screening, setbacks) to ensure that the sound levels from such equipment will not exceed the Town’s noise impact criteria.

4.0 OTHER ENVIRONMENTAL IMPACTS

4.1 Unavoidable Adverse Environmental Impacts

The Proposed Action is the adoption of an amended zoning code and would not result in any direct physical impacts. The Village and proposed adoption of zoning amendments have been characterized, and a build-out analysis was completed that focused on a subset of the Village represented by character districts for the purpose of SEQRA analysis. The potential adverse impacts of both the proposed zoning and the 20-year build-out have been assessed, and mitigation measures have been identified. Potential adverse impacts have been quantified and discussed; for those adverse impacts that cannot be quantified, qualitative discussions have been provided in Section 3.0 of this document.

The Proposed Action involves amendments to the existing Village of Port Chester Zoning Code and Zoning Map. The Proposed Action is a form-based zoning code that is intended to stimulate revitalization of Port Chester through appropriately planned growth and redevelopment. Based on the 20-year build-out, site-specific impacts which may occur as a result of the proposed zoning changes. Impacts associated with the development of any individual site have not been determined since no specific projects are proposed at this time. The proposed zoning is intended to implement the planning initiatives as described in the Village’s Comprehensive Plan and prior land use policy documents described in Section 3.0 of this DGEIS. Should the zoning amendments be adopted by the Village Board of Trustees, it is recognized that redevelopment would be expected to occur which is the intended result of the Proposed Action. Potential physical impacts resulting from possible development or redevelopment (based on the 20-year build-out) were analyzed in Section 3.0 of this DGEIS. The potential adverse impacts that were identified in connection with the Proposed Action that may occur as a result of adoption of the amended zoning code will be minimized where possible, consistent with the requirements of SEQRA. Those potential environmental impacts that cannot be either entirely avoided or fully mitigated are described below. Note that although some of the impacts listed below are unavoidable, they are not necessarily significant.

- Temporary increases in truck traffic and noise will occur during the associated construction periods at each site. Construction activities will be conducted in conformance with Village requirements for construction hours and noise management and site specific measures at the discretion of the Village which may be warranted to manage individual construction sites.
- The visual quality of the Village may be temporarily diminished by the presence and operation of construction equipment.
- Soils could be disturbed by grading, excavation, and mounding activities during construction and ultimate development.
- Although mitigation measures to address fugitive dust emissions during construction activities will be employed, temporary increases in fugitive dust may occur for each project proposed under the amended code.
- Additional vehicle trips generated on area roads will be generated, with associated impacts on the level of service at certain intersections (although mitigation would be required at these locations). Traffic mitigation will be a parameter for establishment of thresholds and conditions in the Findings Statement.
- Wastewater generation rates will increase overall; however, sufficient capacity in the Westchester County Wastewater Treatment Plant (“WWTP”) exists to accommodate such increase. Measures to reduce inflow and infiltration (“I&I”) are recommended to continue to be implemented to reduce existing flow volumes within Village sewer mains and to the County WWTF.
- Stormwater generation rates will increase overall; however, the Village is reducing illicit discharges and I&I to the stormwater system. Additionally, the Village is engaged in preparing a Climate Vulnerability Assessment & Climate Adaptation plan that may result in actionable measures for improved management of the quantity and quality of stormwater.
- Water use will increase overall; however, SUEZ has sufficient water supply to accommodate such increase, but may require distribution system upgrades to deliver the water supply to any new development areas.
- Refuse generation will increase overall; however, measures will be taken to reduce solid waste through individual site recycling.
- Demand for emergency services (police, fire, and associated ambulance services) will increase overall; however, such demand will be partially offset by increased taxes generated.

- Increased demand for schools, libraries, and parks/recreation.
- Increased demand for energy services (electricity and natural gas) will occur; however, the Village is served by existing electric and gas utilities and service providers are expected to provide service through their rate/tariff structures.

The above list identifies unavoidable adverse impacts in terms of those impacts that may occur, many of which are minimized by the measures identified above and in Section 3.0 and outlined above. It is expected that “Fair Share” mitigation will be used for many of the services under Village control.

Section 6.0 identifies Future Actions that include thresholds and conditions to ensure that the mitigation measures identified in Section 3.0 are implemented to ensure that potential environmental impacts do not occur and that unavoidable adverse environmental impacts are minimized.

4.2 Irreversible and Irretrievable Commitment of Resources

This section identifies the unavoidable environmental impacts of the PCZC that will irreversibly curtail the range of potential uses of the environment or result in the commitment of resources that are neither renewable nor recoverable. An irreversible commitment results in environmental changes that cannot, at a future date, be altered to restore the environment to its preconstruction state. Resources include not only the commitment of labor, fiscal resources and materials, but also natural and cultural resources committed as a result of project construction, operation and maintenance.

Any development that is induced by the adoption of the PCZC will commit resources. Most land development projects require a commitment of natural resources for construction. Construction of future developments will result in the short- and long-term commitment of natural resources. Some of the resources include structural steel, gravel, wood and concrete to be used in physical development projects. The long-term commitment of these materials will limit their availability for future projects. However, the actual amount of materials used to build any structure or for site work will comprise a very small percentage of the U.S. and world production of these materials. Some materials, at the end of the project life, such as steel and stone, will be available for reclamation and recycling. Therefore, the proposed projects that will be constructed will not have a significant impact on the availability of these materials.

Future developments will require the commitment of previously developed, yet currently underutilized urban land for the life span of the project. This land use is considered an irreversible commitment, but only during the expected lifetime of the development. Once the land is no longer needed for buildings and ancillary facilities, they can be removed and the land can be converted to a different purpose. Therefore, in the long-term, this is neither an irreversible, nor irretrievable commitment of resources.

Construction, operation and maintenance of individual developments will require irreversible and irretrievable commitments of human and fiscal resources to design, build, operate and maintain the facilities. Human and financial resources will also be expended by the local, state and federal governments for the planning, environmental reviews, permitting and monitoring of any future developments.

Project construction and maintenance work will irretrievably commit energy resources derived from petroleum products and electricity. Fuels and electrical energy will be consumed during the manufacturing and transport of materials and workers to be used for future developments. Additional fuel will be expended by construction equipment used to construct the facilities. Some fuels will also be used by maintenance and emergency vehicles and equipment during the lifetime of the developments. Fuels and electrical energy will be consumed for heating and cooling of the facilities during the life of the developments. These commitments will be minor and will not affect the local energy supply. The PCZC explicitly encourages and/or mandates adherence to sustainability practices including green building and site planning. Generally, while the adoption of the PCZC will not adversely impact the supply of human, fiscal or other resources, development following adoption may have minor impacts. These minor commitments of land and human resources and materials should be weighed against the public purpose and need for the Proposed Action to stimulate the economy and provide a better quality of life for existing and future residents.

4.3 Growth-Inducing, Cumulative, and Secondary Impacts

4.4 Energy Use and Conservation

While adoption of the proposed zoning amendments, in and of itself, will have no direct effect on the use and conservation of energy, the implementation of site-specific development projects (including the construction and operation of those projects) consistent with the proposed zoning has the potential to result in a corresponding increase in energy demand and use, although the proposed zoning amendments’ progressive policies and standards that encourage energy conservation are likely to result in beneficial impacts overall.

As previously indicated, to evaluate the potential future impacts of the proposed amended zoning code and map, a build-out analysis was completed that focused on a subset of the area represented by character districts (see Figure 2). The analysis examined different scenarios to calculate future year development potential and approximate high-level impacts associated with the current and proposed zoning conditions. As previously indicated, the scenarios included:

1. Full/maximum build-out using the existing zoning
2. Full/maximum build-out using the proposed zoning
3. Twenty-year build-out based on a market analysis and using existing zoning
4. Twenty-year build-out based on a market analysis and using the proposed zoning

The results of the anticipated energy consumption portion of the Build-out Analysis (shown below in Table 16) shows that the twenty-year build-out for the proposed zoning allows more multi-family housing which translates to increased population (new residents) and by extension, energy usage, than the existing zoning.

Table 16: Build-out Analysis Anticipated Energy Consumption

Energy Resource	Full/Maximum Build-out		20-Year Build-out	
	Existing Zoning	Proposed Zoning	Existing Zoning	Proposed Zoning
Electricity (kWh/year)	36,718,061	36,718,061	13,005,772	31,286,400
Natural Gas (c.f./year)	107,224,258	95,271,608	15,043,665	15,796,200

The overarching themes, policies and standards outlined in the proposed zoning that promote pedestrian-oriented development and a more compact land use pattern, on their own, would mitigate increases in direct energy consumption, particularly from non-renewable sources. Moreover, the proposed zoning would optimize indirect energy conservation benefits, through promotion of land uses that would accommodate mass transit and new development that minimizes automobile travel distances.

In addition to allowing and encouraging a more compact, energy-efficient, mixed land use pattern overall when compared to the existing antiquated zoning framework, the proposed amendments include new Green Building and Site Planning standards which are grounded in sound energy conservation principles and sustainability. Specifically, the new standards that encourage energy conservation and which may reduce energy consumption and corresponding greenhouse gas emissions include, but are not limited to:

- Any application for new commercial, mixed- use, or multi- family buildings requires a completed Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) checklist, Enterprise Green Communities checklist, Institute of Sustainable Infrastructure (ISI) Envision checklist, or equivalent green project checklist acceptable to the Director of Planning and Economic Development or his/ her designee;
- Energy- and water-efficient fixtures and building technologies shall be incorporated that meet the requirements of the New York State Energy Code;
- Pervious paving shall be permitted on all sites;
- Green roofs shall be permitted for all building types;
- The recycling of construction waste shall be required; and

- Pedestrian and bicycle amenities to minimize internal travel distances, increase pedestrian and transit trips, and reduce automobile dependency and greenhouse gas emissions.

4.5 Climate Change and Sea Level Rise

Energy generation and demand associated with development constructed in accordance with the Proposed Action is anticipated. Related to this is the generation of gaseous emissions from power sources and from the buildings to be built in the Village. These emissions (see Section 3.11) are a scientifically well-established contributor to global climate change through a mechanism known as “the greenhouse effect,” and are termed “greenhouse gases.” The following description and discussion of greenhouse gasses (GHG) is included in the document, “Guide to Assessing Energy Use and Greenhouse Gas Emissions in Environmental Impact Statements” (NYSDEC, July 15, 2009).

Global climate change is emerging as one of the most important environmental challenges of our time. There is scientific consensus that human activity is increasing the concentration of GHGs in the atmosphere and that this, in turn, is leading to serious climate changes. Climate change will continue to adversely affect the environment and natural resources of New York State, the nation, and the world.

There are six main GHGs: carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

Emissions of CO₂ account for an estimated 89% of the total annual GHG emissions in New York State. The overwhelming majority of these emissions - estimated at 250 million tons of CO₂ equivalent per year - result from fuel combustion. Overall, fuel combustion accounts for approximately 89% of total GHG emissions (N₂O and CH₄ also result from fuel combustion.) Additional GHG sources include electricity distribution (SF₆); refrigerant substitutes (HFCs); the management of municipal waste, municipal wastewater, and agriculture (CH₄ & N₂O); natural gas leakage (CH₄); and others.

SEQRA requires that lead agencies identify and assess adverse environmental impacts, and then mitigate or reduce such impacts to the extent they are found to be significant. Consistent with this requirement, SEQRA can be used to identify and assess climate change impacts, as well as the steps to minimize the emissions of GHGs that cause climate change. Many measures that will minimize emissions of GHGs will also advance other long-established State policy goals, such as energy efficiency and conservation; the use of renewable energy technologies; waste reduction and recycling; and smart and sustainable economic growth. This policy is not the only State policy or initiative to promote these goals; instead, it furthers these goals by providing for consideration of energy conservation and GHG emissions within EIS reviews.

In general, it is critical that new development proposals consider designs and practices that reduce emission of greenhouse gases. Greenhouse gas emissions result from combustion of fossil fuels, including direct/indirect emissions and stationary/mobile sources. The Village is occupied by development that ranges in age and land use type, indicating that there is a wide range in the corresponding greenhouse gas emission characteristics.

The proposed zoning is designed to reduce GHG emissions by providing a walkable mixed-use environment within close proximity to transit. The Proposed Action will create a land use and development regulatory framework that will allow an increase in the amount of residential, office, retail and other development types in the Village. Site-specific development will:

- Incorporate mandatory NYS Energy Code features;
- Embody sustainability by situating the highest development intensity and density of development near the existing transit center, encouraging a pedestrian and bike friendly environment and reducing vehicular trip generation;

- Comply with a form-based code that encourages energy efficient design and enhances the pedestrian environment;
- Involve consolidation of properties to provide coordinated development than would occur under existing zoning; and
- Implement mixed-use projects that promote a jobs/housing balance.

These factors are expected to ultimately reduce inefficiencies associated with more conventional development patterns under the existing zoning and will promote sustainability that minimizes the impact of energy generation/consumption and generation of greenhouse gases. The proposed zoning will assist the Village in achieving its sustainability goal of reducing GHG emissions in comparison to the existing zoning.

The following additional measures could be considered, where practicable, to ensure reduction of greenhouse gas emissions:

- Develop properties within the Village that are already cleared and/or developed, to minimize equipment operations for land clearing and demolition debris removal.
- Recycle demolition materials on-site to reduce use of new materials (which involves energy expenditure) and reduce energy expenditure for removal, disposal and handling.
- Use construction materials that minimize the consumption of fossil fuels in their
- Reduce automobile dependence by locating development along convenient bus routes; promote use of public transportation.
- Reduce landscape maintenance through use of green infrastructure including green roofs, thus reducing water requirements and stormwater generation;
- Utilize building color/textures to reduce summer heat buildup that will reduce summer cooling needs.

Instituting the measures listed above will ensure that future site-specific development associated with the Proposed Action will conserve energy resources. Such practices would also reduce the generation of greenhouse gases, which would in turn have region-wide beneficial impacts.

With regards to the effects of climate change, such as sea level rise and flooding, a discussion of existing conditions, potential impacts, and proposed mitigation measures is provided in Section 3.7 Water Resources.

5.0 ALTERNATIVES

Although this DGEIS focuses its analysis of the potential environmental impacts and mitigation measures associated with the Proposed Action (adoption of the proposed form-based zoning amendments and changes to the zoning map), SEQRA and its implementing regulations at (6 NYCRR Part 617.9(b)(5)(iii)(v)) require the consideration and evaluation of a range of reasonable alternatives to a proposed action that are feasible, considering the objectives and capabilities of the project sponsor.

Alternatives to the Proposed Action include:

- No Action, (i.e., no revisions to the existing zoning regulations)
- New Euclidean Zoning (i.e., revisions to the existing zoning regulations, in a Euclidean format)
- Greater Affordable Affirmatively Furthering Fair Housing (A AFFH) Unit Requirement
- CD-6-T Urban Core TOD Character District Alternative

This section provides a brief description of each alternative and weighs the potential impacts or effects of the Proposed Action against these alternatives. As required by 6 NYCRR §617.9(b)(5)(v), the alternatives to the Proposed Action are described and evaluated herein at a level of detail sufficient to permit a comparative assessment of the alternatives.

5.1 No Action Alternative

This section identifies and addresses the potential impacts that would result from the No Action Alternative, i.e., continuing the status quo of maintaining the Village’s existing zoning regulations. The No Action Alternative is based on the assumption that the Proposed Action will not be undertaken, and thus the existing zoning that governs the Village will remain in place. Development in the Village would continue in accordance with the existing zoning code. Consequently, the Village’s goals and objectives, as expressed in current planning documents, would not be achieved. The No Action alternative assumes that the Village will grow to a much lesser extent over the 20-year time period than under the Proposed Action. The beneficial impacts of the new form-based code would not be realized in the Village under the No Action Alternative. The consequence of this scenario is that the current land use mix and building pattern would continue in the absence of a cohesive and comprehensive planning and development program which is intended to stimulate development within the Village, and allow it to capture a greater proportion of the market share that exists in the region, and in a manner which promotes an attractive, mixed use, pedestrian-oriented environment. Development under the No Action Alternative would likely be more scattered as it would not be the result of a well-articulated plan and vision for the Village. The No Action alternative would likely have a less meaningful effect on community character given the lack of a Zoning Standards Map to guide it. Specific community benefits that have been expressed as desirable by the community would also not be realized. For these and various other conclusions described in the DGEIS, the No Action Alternative is not consistent with the Village’s adopted land use plans and public policy goals.

5.2 Euclidean Zoning Update

In the event that the Village updates the current Euclidean zoning code, the new code would replace the existing zoning code and land use regulatory system. An update of the existing zoning code would provide the opportunity for significant improvements including replacing the existing code’s confusing and antiquated language, streamlining the administrative processes, updating the use provisions and zoning map to better align with today’s economy, and providing an overall more user-friendly approach to land use regulations.

While comprehensively rewriting the Village’s existing zoning code would make for a major improvement, a Euclidean code update would not adequately address several of the Village’s key goals including preserving and enhancing neighborhood character, encouraging multi-modal transportation options, and promoting smart growth and sustainability. Euclidean zoning codes do not support compact mixed use neighborhoods that are integral to smart growth and are representative of Port Chester’s traditional development pattern.

Euclidean codes focus on regulating where specific uses are, and are not allowed. This separation of uses tries to avoid conflicts with other dissimilar uses. However, by focusing on the separation of land uses, Euclidean codes generally fail to encourage a healthy mix of complementary land uses found in vibrant urban neighborhoods. In addition, Euclidean codes do not address urban design and neighborhood character, and do not encourage walkability or other transportation options such as public transit or biking.

A Euclidean code would not align with the citizens’ shared vision as expressed in the Village’s comprehensive plan, public input process for this code update and other planning initiatives, which call for a smart growth and sustainable approach with a focus on traditional urban neighborhoods. By emphasizing the separation of land uses rather than a healthy mix of complementary uses, and failing to require appropriate urban design that preserves neighborhood character, supports walkability, and encourages multiple transportation options, an update of the current code would not implement the vision for future development shared by the community.

In summary, an update of the current Euclidean zoning code would provide a number of benefits including a more clearly written and user-friendly code, with streamlined processes, and a regulatory system. However, updating the current Euclidean zoning code would not embrace traditional neighborhood development, a healthy mix of land uses, or encourage an array of transportation alternatives, integral to vibrant urban communities. In addition, an update of the current Euclidean code would not be consistent with the community’s vision of traditional urban neighborhood development. Therefore, the Euclidean zoning alternative would only partially address the Village’s goals for a new development regulatory system and is not the preferred alternative.

5.3 Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative

5.3.1 Description

The provision of housing that is affordable is a concern that reaches beyond the borders of the Village of Port Chester – throughout Westchester County, New York State, the United States, and globally.

While the Proposed Action contains a provision requiring all new development with ten (10) or more units to set aside at least ten (10) percent (%) of the units as an Affordable Affirmatively Furthering Fair Housing (“AAFFH”) Unit, there is concern specifically that as a result of any rezoning such affordability concerns will be exacerbated, especially since the Area Median Income (“AMI”) for the Village of Port Chester is significantly lower than the Westchester County AMI.

The Sustainable Port Chester Alliance (“SPCA”) has proposed an alternative that would require that for all new development with ten (10) or more residential units, thirty (30) percent (%) of the units be set aside as an AAFFH unit, divided as follows:

- 8% priced for families earning up to 30% of Westchester AMI
- 8% priced for families earning up to 50% of Westchester AMI
- 8% priced for families earning up to 60% of Westchester AMI
- 6% priced for families earning up to 80% of Westchester AMI

In addition, the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would provide preference for such units, as follows:

1. An income-eligible Port Chester resident that had resided in a Building or Structure that was removed to allow for the new Development.
2. An income-eligible Port Chester resident.
3. All other income-eligible persons.

5.3.2 Impact Evaluation

It is anticipated that the following potential impacts would result from the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative in comparison to the potential impacts of the Proposed Action:

5.3.2.1 Land Use, Zoning and Public Policy

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would allow for greater provision of affordable housing, but would not alter any permitted land uses. Therefore, the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Land Use the same as the Proposed Action. Should the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative be integrated as part of the adopted new zoning, it would be consistent with Zoning and would form the accepted Public Policy of the Village with regards to provision of affordable housing within the Village. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would align with the Village’s 2012 Comprehensive Plan and other local and regional public policy documents similar to the Proposed Action as it would encourage a balance range of housing types and densities, among other things.

5.3.2.2 Community Character and Visual Resources

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Community Character and Visual Resources the same as the Proposed Action since the only change would be the provision of affordable housing – a difference that would occur within the building.

5.3.2.3 Transportation Resources

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Transportation Resources the same as the Proposed Action since the only change would be the provision of affordable housing. If anything, affordable housing units would have less reliance on automobiles (and therefore traffic and parking) and greater focus on public transportation.

5.3.2.4 Community Services and Utilities

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Community Services and Utilities the same as the Proposed Action since the only change would be the provision of affordable housing.

5.3.2.5 Socioeconomics

With greater provision of affordable housing, there would be additional impacts under the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative:

Population: Affordable housing units tend to generate larger household sizes. Therefore, it could be anticipated that the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would result in a greater population generation than the Proposed Action.

- Schools: Affordable housing units tend to generate more school-aged children than non-affordable units. Therefore, it could be anticipated that the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would result in a greater generation school-aged children than the Proposed Action. That being said, should the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative be elevated to the Proposed Action in the FGEIS, each site-specific development application will still be required to provide specific school-aged child generation documentation and may participate in a “Fair Share” mitigation plan and fund to assist with additional school-aged children based upon the Port Chester Public Schools Overcrowding and Mitigation Analysis (see Appendix F).
- Fiscal Impact: The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would likely result in different fiscal impacts than the Proposed Action. For many development applications, there would be additional costs associated with providing a greater number of affordable housing units. It would be anticipated that such costs would be reflected in greater requests for financial assistance from the Port Chester Industrial Development Agency (“PCIDA”) as compared to the Proposed Action, especially in the form of a larger request for a Payment-In-Lieu-of-Taxes (“PILOT”). In addition, there would be increased demands for services that would come with an increased cost due to larger population and school-aged child generation. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would likely not impact differently any construction-related fiscal benefits.
- Affordable Housing: The main objective of the Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would be to provide additional affordable housing units than required by the Proposed Action, with a delta of twenty (20) percent (%). In addition, such units would cover a greater range of incomes, ranging from 30% to 80% of Westchester County AMI vs. 80% of Westchester County AMI in the Proposed Action.
- Residential and Commercial Displacement/Impact on Environmental Justice Communities: The provision of significantly more affordable units, at a greater range of incomes, with local preferences would be anticipated to result in lesser residential displacement and lesser impact on Environmental Justice Communities than the Proposed Action. With regards to commercial displacement, there would be no change from the Proposed Action.

5.3.2.6 Cultural Resources

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Cultural Resources the same as the Proposed Action since the only change would be the provision of affordable housing – a difference that would occur within the building.

5.3.2.7 Water Resources

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Water Resources the same as the Proposed Action since the only change would be the provision of affordable housing.

5.3.2.8 Ecological Resources

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Ecological Resources the same as the Proposed Action since the only change would be the provision of affordable housing – a difference that would occur within the building.

5.3.2.9 Geology, Topography and Soils

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Geology, Topography and Soils the same as the Proposed Action since the only change would be the provision of affordable housing – a difference that would occur within the building.

5.3.2.10 Hazardous Materials

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Hazardous Materials the same as the Proposed Action since the only change would be the provision of affordable housing – a difference that would occur within the building.

5.3.2.11 Air and Noise

No change from the Proposed Action. The Greater Affordable Affirmatively Furthering Fair Housing (AAFFH) Unit Requirement Alternative would impact Air and Noise the same as the Proposed Action since the only change would be the provision of affordable housing. If anything, affordable housing units would have less reliance on automobiles (and therefore traffic and parking) and greater focus on public transportation, resulting in lesser air and noise impacts.

5.4 CD-6-T Urban Core TOD Character District Alternative

5.4.1 Description

The area immediately adjacent to the Port Chester Metro-North Train Station truly represents Transit-Oriented Development (TOD). However, in the suburban context, the market still requires providing sufficient on-site parking. In Port Chester, the area immediately adjacent to the Train Station is limited in its ability to provide such on-site parking. Recognizing all this, the CD-6-T Urban Core TOD Character District Alternative would allow for greater maximum Building Heights for Principal Buildings only for those parcels on the east side of Broad Street between Westchester Avenue and King Street so as to allow for property owners to provide their own multi-level parking, rather than relying on the Village’s limited on-street and municipal lot resources.

The CD-6-T District would differ from the CD-6 District only in the maximum Principal Building Height to be permitted, as shown in Table 17, the remaining regulations would remain the same:

Table 17: Comparison of Maximum Principal Building Heights – CD-6 vs. CD-6-T Districts

Principal Building	CD-6 District	CD-6-T District
Minimum	6 Stories	6 Stories
Maximum	12 Stories	17 Stories or 179 Feet, whichever is less

The CD-6-T Urban Core TOD Character District would apply only and specifically to the following parcels listed below known and designated on the Tax Map of the Town of Rye (the “CD-6-T Additional Study Area”):

- Section/Block/Lot
- Section 142.22, Block 2, Lot 1
- Section 142.22, Block 2, Lot 2
- Section 142.22, Block 2, Lot 3
- Section 142.22, Block 2, Lot 4
- Section 142.22, Block 2, Lot 5
- Section 142.22, Block 2, Lot 67
- Section 142.22, Block 2, Lot 68
- Section 142.22, Block 2, Lot 69
- Section 142.22, Block 2, Lot 70
- Section 142.22, Block 2, Lot 71
- Section 142.22, Block 2, Lot 72
- Section 142.22, Block 2, Lot 73
- Section 142.22, Block 2, Lot 74
- Section 142.22, Block 2, Lot 75
- Section 142.22, Block 2, Lot 76
- Section 142.22, Block 2, Lot 77
- Section 142.30, Block 2, Lot 1
- Section 142.30, Block 2, Lot 2
- Section 142.30, Block 2, Lot 18
- Section 142.30, Block 2, Lot 19
- Section 142.30, Block 2, Lot 20
- Section 142.30, Block 2, Lot 21
- Section 142.30, Block 2, Lot 22

5.4.2 Impact Evaluation

In order to understand the potential impacts of the CD-6-T Urban Core TOD Character District Alternative compared to the Proposed Action, a build-out of the CD-6-T Additional Study Area was performed.

Table 18: Comparison of CD-6-T Additional Study Area Build Out Scenarios – CD-6 vs. CD-6-T Districts

CD-6	CD-6-T
Maximum Program: 286 Apartments 198 studio 55 1-bedroom 33 2-bedroom 12,600 sqft retail 160 parking spaces	Maximum Program: 286 Apartments 78 studio 169 1-bedroom 39 2-bedroom 12,000 sqft retail 267 parking spaces
Total Population: 499	Total Population: 503
School Aged Children: Rutgers 2006 – 28 Rutgers 2016 – 6 Actual - 11	School Aged Children: Rutgers 2006 – 29 Rutgers 2016 – 6 Actual - 12
Police: Personnel – 1.0 Vehicles – 0.29 Facilities – 99.8 sqft	Police: Personnel – 1.0 Vehicles – 0.30 Facilities – 100.6 sqft

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Fire: Personnel – .82 Vehicles – 0.1 Facilities – 124.7 sqft	Fire: Personnel – .83 Vehicles – 0.1 Facilities – 125.7 sqft
Water & Sewer: Residential – 35,090 gpd Retail – 1,200 gpd Total = 36,290 gpd	Water & Sewer: Residential – 35,750 gpd Retail – 1,269 gpd Total = 37,010 gpd
Solid Waste Residential – 251 tons/year Retail – 20 tons/year Total = 271 tons/year (22.6 tons/month)	Solid Waste Residential – 251 tons/year Retail – 20 tons/year Total = 271 tons/year (22.6 tons/month)
Traffic Residential – 63 Retail – 12 Total = 75 Peak Hour Trips	Traffic Residential – 63 Retail – 13 Total = 76 Peak Hour Trips
Taxes Current = \$142,860 Proposed = \$3 million 11 students: instructional cost = \$135,564 School taxes = \$1,905,700 (\$1,770,136 surplus)	Taxes Current = \$142,860 Proposed = \$3 million 12 students: instructional cost = \$147,888 School taxes = \$1,905,700 (\$1,757,812 surplus)

Utilizing this comparison of the additional build out under the CD-6-T Urban Core TOD Character District Alternative, it is anticipated that the following potential impacts would occur in comparison to the potential impacts of the Proposed Action:

5.4.2.1 Land Use, Zoning and Public Policy

The CD-6-T Urban Core TOD Character District Alternative would allow for greater height and density, but would not alter any permitted land uses. Therefore, the CD-6-T Urban Core TOD Character District Alternative would impact Land Use the same as the Proposed Action. Should the CD-6-T Urban Core TOD Character District Alternative be integrated as part of the adopted new zoning, it would be consistent with Zoning and would form the accepted Public Policy of the Village with regards to maximum height in that particular location within the Village. The CD-6-T Urban Core TOD Character District Alternative would align with the Village’s 2012 Comprehensive Plan and other local and regional public policy documents similar to the Proposed Action as it would promote context-sensitive transit-oriented development around the Port Chester Train Station, among other things.

5.4.2.2 Community Character and Visual Resources

The CD-6-T Urban Core TOD Character District Alternative would allow for greater height and density. This will have a greater impact upon community character and visual resources. Throughout the visioning process to develop the Proposed Action, there was much concern over height and density and that tall buildings may block important views, cast shadows, and generally impact community character and visual resources. The Board agreed to pursue a maximum Principal Building Height (in the CD-6 District) of twelve (12) stories as the Proposed Action. Section 3.2 of this DGEIS discusses the potential impacts and proposed mitigation measures of such a maximum height. Seventeen (17) or 179 feet, whichever is less, is likely to exacerbate those potential impacts. In consideration of this alternative, the Lead Agency (the Board of Trustees) would have to examine in greater detail those greater potential impacts should it wish to pursue the alternative as a Proposed Action in the FGEIS. That being said, since the CD-6-T Urban Core TOD Character District Alternative is also form-based, any subsequent development, regardless of height, would need to be designed to be consistent with the character of the train station area and the community as a whole.

5.4.2.3 Transportation Resources

With greater height, and, therefore, density, it would be anticipated that there would be additional traffic generated under the CD-6-T Urban Core TOD Character District Alternative. As Table 18 indicates, this would only be slightly greater. As a result, the corresponding increased potential traffic impacts would only be slight. Regardless, for any site-specific development application, a supplemental traffic analysis will be necessary. In addition, for each site-specific application, “Fair Share” mitigation will be applied – so any increased impact as a result of the greater height and density would have to pay an increased proportional fair share. With regards to parking, an objective of the CD-6-T Urban Core TOD Character District Alternative is to provide greater height to allow for on-site parking. This would alleviate any additional burden on municipal and on-street parking resources. Impacts to pedestrian and alternative transportation modes would not change between the CD-6-T Urban Core TOD Character District and the Proposed Action.

5.4.2.4 Community Services and Utilities

With greater height, and, therefore, density, it would be anticipated that there would be additional demands on community services and utilities under the CD-6-T Urban Core TOD Character District Alternative. As Table 18 indicates, this would only be slightly greater. Regardless, for any site-specific development application, supplemental studies will be necessary. In addition, for each site-specific application, “Fair Share” mitigation will be applied – so any increased impact as a result of the greater height and density would have to pay an increased proportional fair share.

5.4.2.5 Socioeconomics

With greater height, and, therefore, density, it would be anticipated that there would be additional impacts under the CD-6-T Urban Core TOD Character District Alternative:

Population

As Table 18 indicates, a slightly greater generation of people would be anticipated by the CD-6-T Urban Core TOD Character District Alternative. This delta of four (4) persons would represent a negligible increase in the Village population over the Proposed Action. That being said, the addition of population to downtown Port Chester is a goal of the Village and is considered a beneficial impact.

Schools

As Table 18 indicates, a slightly greater generation of school-aged children would be anticipated by the CD-6-T Urban Core TOD Character District Alternative. This delta of one (1) child would represent a negligible increase in the Village population over the Proposed Action. That being said, each site-specific development application will be required to provide specific school-aged child generation documentation and may participate in a “Fair Share” mitigation plan and fund to assist with additional school-aged children based upon the Port Chester Public Schools Overcrowding and Mitigation Analysis (see Appendix F).

Fiscal Impact

As Table 18 indicates, the CD-6-T Urban Core TOD Character District Alternative would result in the same generation of tax revenues for all taxing jurisdictions as compared to the Proposed Action, with a slightly lower net gain for the School District (based on the additional school-aged child). In addition, there would be increased demands for services that would come with an increased cost. Generally speaking, the larger the project the greater number of construction jobs that could be anticipated.

Affordable Housing

No change from the Proposed Action. The CD-6-T Urban Core TOD Character District would result in the same number of affordable housing units since the build out would accomplish the same amount of overall units.

Residential and Commercial Displacement/Impact on Environmental Justice Communities

No change from the Proposed Action. The CD-6-T Urban Core TOD Character District would result in the same Residential and Commercial Displacement and any impacts on Environmental Justice Communities as the Proposed Action since the only change would be height within the CD-6-T Additional Study Area – an above-the-ground difference; determination of any specific impacts will be necessary as part of a site-specific development review regardless of the maximum height.

5.4.2.6 Cultural Resources

No change from the Proposed Action. The CD-6-T Urban Core TOD Character District would impact Cultural Resources generally the same as the Proposed Action since the only change would be height within the CD-6-T Additional Study Area. Regardless of maximum building height, there is the potential for historic properties (i.e., properties on- or eligible for the NRHP) to be impacted by a redevelopment of properties within the CD-6-T Additional Study Area; determination of specific potential impacts to historic resources will likely be necessary as part of a site-specific development review regardless of the maximum height. With regards to archaeological resources, the CD-6-T Additional Study Area is located outside of an “Archaeologically Sensitive Area”. As a result, there would be no difference in impacts than with the Proposed Action with regards to archaeological resources.

5.4.2.7 Water Resources

With greater height, and, therefore, density, it would be anticipated that there would be additional demands on water resources under the CD-6-T Urban Core TOD Character District Alternative. As Table 18 indicates, this would only be slightly greater. Since the only change would be height within the CD-6-T Additional Study Area – an above-the-ground difference for any site-specific development application, supplemental studies will likely be necessary regardless of the maximum height.

5.4.2.8 Ecological Resources

No change from the Proposed Action. The CD-6-T Urban Core TOD Character District Alternative would impact Ecological Resources the same as the Proposed Action since the only change would be height within the CD-6-T Additional Study Area, which is currently consists of impervious surfaces, buildings, and structures, with little vegetative cover.

5.4.2.9 Geology, Topography and Soils

No change from the Proposed Action. The CD-6-T Urban Core TOD Character District Alternative would impact Geology, Topography and Soils the same as the Proposed Action since the only change would be height within the CD-6-T Additional Study Area – an above-the-ground difference; determination of specific subsurface conditions will be necessary as part of a site-specific development review regardless of the maximum height.

5.4.2.10 Hazardous Materials

No change from the Proposed Action. The CD-6-T Urban Core TOD Character District Alternative would impact Hazardous Materials the same as the Proposed Action since the only change would be height within the CD-6-T Additional Study Area – an above-the-ground difference; remediation of sites where recognized environmental conditions have been identified will be necessary as part of a site-specific development review regardless of the maximum height.

5.4.2.11 Air and Noise

Similar to transportation, with greater height, and, therefore, density, it would be anticipated that there would be additional traffic generated under the CD-6-T Urban Core TOD Character District Alternative. This additional traffic is anticipated to be slight. Carbon dioxide emissions from truck delivery and passenger vehicles will result, but will be not noticeably different than the Proposed Action. As with air quality, the impacts with respect to noise would be limited to increases in vehicular traffic and its impact on the noise environment, especially residential components. Since the land use patterns in the Village are not expected to change dramatically, such that new noise-generating uses

would be prevalent; therefore, the character of the noise environment would not be expected to worsen. HVAC systems would be the only new significant sources of noise to consider, and such systems are normally located on the building roof. Since the CD-6-T Urban Core TOD Character District would allow for greater heights, such HVAC systems would potentially be further away from any sensitive noise receptors. Regardless, any site-specific development application will be required to conform to Chapter 224 of the Village Code.

5.5 Further Alternatives

Additional alternatives may be developed based upon agency and public comment. Per SEQRA, any new alternative developed would be evaluated in the FGEIS, with the possibility of elevating it to the Proposed Action in the FGEIS.

6.0 FUTURE SEQRA ACTIONS

This Draft GEIS analyzes the potential impacts associated with the adoption of the amended Code of the Village of Port Chester, Chapter 345, “Zoning,” and Official Zoning Map. After preparation of the Final GEIS, the SEQRA process will culminate with the Lead Agency issuing a Findings Statement. SEQRA’s implementing regulations (6 NYCRR Part 617.10(c)), state:

“Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS.”

More specific guidance is provided in Part 617.10(d), which states that “When a final generic EIS has been filed under this part:

- (1) No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;
- (2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;
- (3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;
- (4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.”

It is expected that the Findings Statement will contain conditions that establish thresholds and requirements for supplementary impact analyses, where necessary, and mitigation measures for future site-specific development that is proposed in accordance with the Proposed Action. Future site-specific development applications will undergo SEQRA evaluation to determine the appropriate level of environmental review in conformance with 6 NYCRR Part 617.10(d). If potential significant adverse environmental impacts are identified that were not previously or adequately analyzed as part of this SEQRA review, additional site-specific review including technical studies and/or a Supplemental GEIS may be required. The information submitted with the application for each such future project will be used by the entity having jurisdiction as the basis for this determination.

Based on the results of the general impact analyses prepared in this DGEIS, the following actions may be required for any future site-specific SEQRA review:

Land Use, Zoning, and Public Policy

- **Zoning Verification:** At the time a site-specific development application is submitted, the Planning & Economic Development Zoning Administrator shall verify that such application complies with zoning, as outlined in Article 8 of the Proposed Action.

Community Character and Visual Resources

- **Supplemental Visual Analyses:** At the time a site-specific development application is submitted, supplemental visual analyses will be required and will be reviewed and compared against the DGEIS Visual Resources analysis. This analysis may include a review of the potential for shadows cast by new buildings and structures. Mitigation may be necessary based on the results of site specific analysis.

Transportation Resources

- **Supplemental Traffic Analyses:** At the time a site-specific development application is submitted, supplemental detailed traffic studies will be required, and will be reviewed and compared against the findings set forth in the FGEIS TIS (will be included as an appendix in FGEIS). The supplemental analyses will serve as a basis to determine if additional traffic analysis is warranted and/or the “Fair Share” mitigation for individual development projects. Adequacy of site access, bicycle, and pedestrian safety will also be reviewed as a part of the individual development review process.
- **Supplemental Parking Analysis:** At the time a site-specific development application is submitted, a supplemental parking analysis will be required, and will be reviewed and compared against the findings set forth in the FGEIS TIS (will be included as an appendix in FGEIS). The supplemental analyses will serve as a basis to determine the “Fair Share” mitigation for individual development projects.
- **Construction Traffic and Parking Management Plan:** For each site-specific development application, any temporary changes in traffic flow and displacement of parking capacity shall be evaluated and identified and a Construction Traffic and Parking Management Plan shall be prepared, which would specify locations of alternative parking, establish signage, striping, and provide notification procedures for driver convenience and efficiency of traffic flow.

Community Services and Utilities

- **Educational Facilities and Libraries:** Each development may participate in a “Fair Share” mitigation plan and fund to assist with additional school-aged children based upon the Port Chester Public Schools Overcrowding and Mitigation Analysis (see Appendix F).
- **Police Protection:** The Police Department will have the opportunity to provide input on site-specific plans as part of the DRC, thereby requiring any site-specific mitigation measures necessary. This may include the provision of on-site private security for large projects and each project participating in a “Fair Share” mitigation plan and fund.
- **Fire and Emergency Services Protection:** The Fire Department and EMS will have the opportunity to review future proposed development plans as part of the DRC to ensure that firefighting and EMS needs, including provisions for emergency access, hydrant locations, sprinkler systems, fire alarms, and smoke and carbon monoxide detection, are properly addressed. Each development may participate in a “Fair Share” mitigation plan and fund.
- **Parks, Open Space and Recreational Facilities:** Each development will be required to provide recreation or open space or pay a fee in-lieu of providing recreation or open space.
- **Water Supply:** Developments will be examined during site-specific review to determine the types of system improvements that will be required to accommodate demand, which will be the responsibility of the developer in coordination with SUEZ.
- **Wastewater and Stormwater Management:** Developments will be reviewed to ensure that site-specific applications provide 3.5 inches of stormwater retention as part of the drainage design, which will be ensured through the site plan and building permit review process. Applicants may be required to participate in a “Fair Share” mitigation plan and fund to be used for wastewater/stormwater systems should this become a priority

requiring fiscal support.

- Solid Waste Management: Developments may be required to participate in a “Fair Share” mitigation plan and fund to be used for solid waste management programs, should this become a priority requiring fiscal support.
- Electric and Natural Gas Utilities: Developments will be examined during site-specific review to determine the types of system improvements that will be required to accommodate demand, which will be the responsibility of the developer in coordination with ConEd.

Socioeconomics

- Affordable Housing: Developments will be examined during site-specific review with regards to the provision of affordable housing within the proposed development or alternative methods to providing affordable housing.
- Supplemental Social Documentation: For any site-specific proposal, specific supplemental social documentation will be provided to the Village in its evaluation of the site-specific proposal under development plan review. This may include population growth, displacement, and impact on environmental justice communities (including people of color and/or lower income populations).
- Supplemental Economic Documentation: For any site-specific proposal, specific supplemental economic documentation will be provided to the Village in its evaluation of the site-specific proposal under development plan review. This may include tax generation, job, employment, and economic growth, any business displacement, and indication of any potential requests for financial incentives from the Port Chester Industrial Development Agency (PCIDA).

Cultural Resources

- Cultural Resource Assessments: Developments will be examined during site-specific review to determine any potential impacts to historic or archaeological resources. Should the Village establish a Historic Resource Commission or similar entity, such body would be a Referral Body related to cultural resources. Compliance to State and Federal standards may also be applicable for projects that adversely affect properties listed on the State and/or National Register of Historic Places, necessitating outreach and coordination with applicable agencies. Cultural resource evaluations may include contact with the New York State Historic Preservation Office (“SHPO”) for review, input and approval. If that entity deems it appropriate, additional analysis may be required, or revisions to the application may be deemed necessary by SHPO to avoid or mitigate such impacts. For future redevelopment or site disturbance on sites identified as archaeologically sensitive that have not been previously disturbed or have had limited previous disturbance, a Phase IA (and possibly a Phase IB) cultural resource survey may be warranted.

Water Resources

- New development will be required to retain 3.5 inches of stormwater runoff on site. For those individual projects that involve one acre or more of disturbance, a SWPPP must be prepared pursuant to NYSDEC requirements pursuant to the 2015 NYS Stormwater Management Design Manual.
- As part of any site-specific review, the potential for development that could be inundated by storm surges would specifically be evaluated and appropriate measures incorporated to mitigate against damage.
- Development that is located within the 100-year or 500-year floodplains, will be reviewed to ensure that it meets Village regulations regarding minimizing and mitigating potential damage from flood flows.

Ecological Resources

- New development that involves the removal of trees shall be required to replace in kind on site, plant elsewhere in the Village, or provide a “Fair Share” mitigation.

Geology, Topography, and Soils

- Geotechnical Evaluation: If appropriate, subsurface soil conditions will be assessed for the purpose of structural and drainage system design as part of development plan application review. If unsuitable subsoils are found in connection with site-specific development, techniques including deep compaction or over-excavation and replacement of unsuitable fill materials may be utilized. Development areas would be

stabilized, as determined by a Geotechnical Engineer, prior to construction of structural elements.

- Erosion and Soil Control: If appropriate, an Erosion and Soil Control Plan will be prepared for individual site developments during development plan application review that will provide protection methods that will be utilized during construction to control transport of sediment and stormwater runoff during construction activities.

Hazardous Materials

- Remediation: Prior to the initiation of construction activities, remediation of sites where recognized environmental conditions have been identified will be necessary. Remediation activities are required to be completed according to the protocols, procedures, standards and documentation requirements of the appropriate supervising entity, Village of Port Chester, Westchester County Fire Marshal, New York State Department of Labor, and/or NYSDEC.

Air Quality and Noise

- Supplemental Air Quality Assessment: If a site-specific development application is proposed that may have a greater potential impact on air resources as a result of the introduction of a regulated point source of air emissions or the generation of unmitigated traffic which exceeds that set forth in the FGEIS TIS (will be included as an appendix in FGEIS), a supplemental air quality assessment may be required.
- Supplemental Noise Assessment: All activity, including construction activity, must comply with Chapter 224 (Noise) of the Village Code; all construction activities shall be conducted in conformance with Section 224.2.C.(5). A supplemental noise assessment may be required in the following situations:
 - For projects where rock drilling is required (or other activities in which the duration and levels exceed permitted levels), a Construction Noise Plan will be employed for protection of workers.
 - If proposed uses may approach a guidance value of 65 dBA, site specific noise assessment and mitigation may be required. The design of projects that incorporate residential uses located adjacent to high volume roadways (including I-95) will be designed to provide sufficient attenuation of noise to achieve the United States Department of Housing and Urban Development recognized interior guidelines, or provide a noise assessment to determine potential impact with respect to a site/use specific project and an appropriate level of noise attenuation.
 - Should any proposed noise generating use be located in proximity to a noise sensitive zone, a site-specific noise assessment may be required. Noise sensitive zones would include areas around a school, church, senior citizen center, day-care center or areas adjacent to any hospital.

Construction

- Construction Management Plans: Such plan may be required for each site-specific development project. A Construction Management Plan would be comprised of a number of lower-order plans as necessary, and may include, but would not be limited to: a Construction Traffic and Parking Management Plan, a SWPPP, Soil and Erosion Control Plan, and/or a Remediation Plan.

In summary, all applications for new development projects would continue to be required to adhere to SEQRA procedures and requirements. This means that all such future development projects would be subject to individual approval processes, including development review and site-specific impact review or consistency review with the Findings Statement, under SEQRA. In order to best evaluate site-specific impacts, a FEAF should be prepared for each development proposal, supplemented with the technical studies noted above. Adherence to this procedure would ensure that all future development complies with SEQRA, and conforms to established land use controls, minimizes potential adverse environmental impacts, and provides consistency with established Village policy and community goals.

- - END - -