

**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
Agenda Work-Session  
Wednesday, March 1, 2023 at 6:30 P.M.  
PROPOSED EXECUTIVE/CLOSED SESSION 6:30  
VILLAGE HALL CONFERENCE ROOM  
222 Grace Church Street  
Port Chester, New York  
AGENDA**

*Trustee Bart Didden will be attending the meeting via videoconferencing from 685 Pelican Court, Marco Island, FL 34145, which will be open to the public for this meeting as well as the 222 Grace Church Street Location.*

**APPOINTMENT OF MAYOR PRO TEMPORE**

<b>I</b>	<b>CALL TO ORDER / PLEDGE OF ALLEGIANCE</b>	
<b>II</b>	<b>PROPOSED EXECUTIVE/CLOSED SESSION</b>	<b>ACTION</b>
1	Veolia Water New York Inc. Tank Negotiation	
2	Village litigation update	
3	Regarding a particular person in the Police Department	
<b>III</b>	<b>DISCUSSIONS</b>	<b>ACTION</b>
1	Architectural Review Board	Requested by: BOT
2	Lyon Park Baseball Concession Stand	Requested by: BOT
3	January 5, 2023 Amended Minutes	Requested by: Village Clerk Janusz Richards
4	The NY Governor's 2023 Operating Budget: NY Housing Compact	Requested by: Village Manager Stuart L. Rabin
5	600 King Street subdivision bond update	Requested by: Village Manager Stuart L. Rabin
6	King Street and N. Regent Street traffic study proposal	Requested by: Village Manager Stuart L. Rabin
7	Establishing a capital project for the upgrade and relocation of electrical service at 82 Fox Island Road	Requested by: Village Manager Stuart L. Rabin
8	Priorities meeting	Requested by: Trustee Grangeniois-Thomas
9	Parameters to create Form-Based Zoning Code Review Committee	Requested by: Trustee Grangeniois-Thomas
10	Extension of Site Plan Approval and all related Approvals for Station Lofts, an Apartment Community on Vacant Land at 67 New Broad Street	Requested by: Trustee Didden
11	Port Chester Grease Trap Certification Campaign	Requested by: Village Manager Stuart L. Rabin
<b>IV</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
1	Waiving/Modifying the Enhanced Public Notice requirements to provide that notice by publication is sufficient for consideration of and action on Local Laws I-18 and I-19, of 2022	
<b>V</b>	<b>REPORT OF THE VILLAGE MANAGER</b>	<b>ACTION</b>
<b>VI</b>	<b>AGENDA - WORK SESSION</b>	<b>ACTION</b>
1	2023-03-07	
2	2023-03-20	

**APPOINTMENT  
OF  
MAYOR PRO TEMPORE**

CALL TO ORDER  
PLEDGE OF ALLEGIANCE

**PROPOSED MOTION  
FOR  
EXECUTIVE / CLOSED SESSION**

# DISCUSSION

# **DISCUSSIONS**

## **#1**

# **DISCUSSIONS**

## **#2**

# **DISCUSSIONS**

## **#3**



# **DISCUSSIONS**

## **#4**

# **DISCUSSIONS**

## **#5**

# **DISCUSSIONS**

## **#6**

# **DISCUSSIONS**

**#7**

# **DISCUSSIONS**

## **#8**

# **DISCUSSIONS**

**#9**

# **DISCUSSIONS**

## **#10**

LAW OFFICES  
OF  
**ALDO V. VITAGLIANO, P.C.**  
ATTORNEY AT LAW

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ALDO V. VITAGLIANO\*

\*Also admitted in Fla. & Conn.

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BRENDAN G. MALONEY

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PERRY M. OCHACHER

February 21<sup>st</sup>, 2023

Luis Marino, Mayor and Board of Trustees  
Village of Port Chester  
222 Grace Church Street  
Port Chester, New York 10573

**Re: Extension of Site Plan Approval and all related Approvals for Station Lofts, an Apartment Community On Vacant Land at 67 New Broad Street**

Dear Chairman and Members:

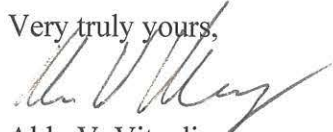
Our office represents New Broad Development, LLC, successor-in-interest to Post Road Iron Works, Inc. ("Applicant") in connection with the proposed development of its vacant 1.44-acre parcel adjacent to the Metro North Train tracks on New Broad Street. This letter is being submitted to request a further extension of all approvals including the Site Plan Approval first granted in April 2019 and then extended in April of 2020. Your board, by action pursuant to Local Law in December of 2021, enabled a further extension until April 27<sup>th</sup>, 2023. We write to request one additional extension of all approvals. For the record, our site plan has been signed.

As the Board well understands, at the time of the request for and subsequent grant of the last extension, the COVID 19 pandemic had seriously impacted the capital markets required to be accessed for a project of this type. After the last extension, the Board should know that a planned turnover of the project to the developer chosen to build it out was disrupted by international economic factors. This resulted in a pencils down order during the due diligence phase of the transaction. At the same time, the refusal of Suez – later Veolia – to issue Will Serve letters, and reluctance by Con Edison to extend their Will Serve letters also impacted development projects from progressing. You may recall that the Board's assistance was required to secure the renewal of the Con Edison Will Serve letter, which thanks to the Village's support was received. This procurement of an updated Will Serve letter from Veolia is not yet fully resolved. Capital markets will simply not allow a project to proceed in the absence of the confirmation of the availability of necessary utilities. A turnover of this project to a new buildout developer ([www.hines.com](http://www.hines.com)) is in place, subject to completion of due diligence and receipt of the Will Serve letters. Upon receipt of Veolia Will Serve Letter, and the completion of other due diligence items, the completion of the construction drawings (CD's) for the filing for the building permit will occur. An appropriate extension of approvals to allow for the receipt of necessary documentation and filing of building plans to enable the buildout of the building as originally approved, is requested.



Please place this matter on an upcoming agenda for the purpose of discussing extending the site plan approval for an additional period. While it is difficult to determine what the time period should be, we request it to be the earlier of: (i) a minimum of 24 months beyond the issuance of a Will serve letter by Veolia; or (ii) three years from the acceptance of this site plan extension, in order to enable time for building drawings to be completed to enable the issuance of a building permit. We believe that there is more than ample good cause shown for an extension in all events.

Very truly yours,



Aldo V. Vitagliano

Cc by Email: Peter Carriero – New Broad Development, LLC  
Mark Forlenza – New Broad Development, LLC  
Scott R. Gance – New Broad Development, LLC  
Grant Jabers – Hines Development  
Janet Giris - DelBello Donnellan & Weingarten

# **DISCUSSIONS**

## **#11**

# RESOLUTIONS

**RESOLUTION**

**AS AUTHORIZED BY SECTION 345-808 H OF THE CODE OF THE VILLAGE OF PORT CHESTER (ZONING CODE), WAIVING/MODIFYING THE ENHANCED PUBLIC NOTICE REQUIREMENTS TO PROVIDE THAT NOTICE BY PUBLICATION IS SUFFICIENT FOR CONSIDERATION OF AND ACTION ON LOCAL LAWS I-18 AND I-19, OF 2022**

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_ the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, as authorized by Section 345-808 H of the Village Code (Zoning Code) the Board of Trustees hereby waives/modifies the enhanced public notice requirements to provide that public notice by publication is sufficient for consideration of and action on Local Laws I-18 and I-19 of 2022.

Approved as to Form:



Anthony M. Cerreto, Village Attorney

REPORT  
OF  
THE VILLAGE MANAGER

# **AGENDA - WORK SESSION**

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**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
Regular Meeting**

**Tuesday, March 7, 2023 at 7:00 P.M.**

**PROPOSED EXECUTIVE/CLOSED SESSION 6:00-7:00 P.M.**

**PROPOSED EXECUTIVE/CLOSED SESSION AT THE END OF THE MEETING**

**TOWN OF RYE JUSTICE COURTROOM**

**350 North Main Street**

**AGENDA**

<b>I</b>	<b>CALL TO ORDER / PLEDGE OF ALLEGIANCE</b>	
<b>II</b>	<b>PROPOSED EXECUTIVE/CLOSED SESSION</b>	<b>ACTION</b>
1		
<b>III</b>	<b>MINUTES</b>	<b>ACTION</b>
1	Approval of January 5, 2023 Amended Minutes and February 1, 2023	
<b>IV</b>	<b>PUBLIC COMMENTS</b>	<b>ACTION</b>
<b>V</b>	<b>REPORT OF THE VILLAGE MANAGER</b>	<b>ACTION</b>
<b>VI</b>	<b>RESOLUTIONS</b>	
1	Accept Patterns for Progress Housing Needs Assessment Report	
2	Awarding request for proposals for grant writing services	
3	Authorizing renewal of Inter-Municipal Agreement with the County of Westchester with regard to the Enhanced 911 Service Network	
<b>VI</b>	<b>REQUESTS FOR AN ADD-ON RESOLUTIONS</b>	<b>ACTION</b>
4		
5		
<b>VII</b>	<b>CORRESPONDENCE</b>	<b>ACTION</b>
1		
2		
<b>VIII</b>	<b>PUBLIC COMMENTS AND BOARD COMMENTS</b>	<b>ACTION</b>
<b>IX</b>	<b>PROPOSED EXECUTIVE/CLOSED SESSION</b>	<b>ACTION</b>
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2		

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**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
Regular Meeting**

**Monday, March 20, 2023 at 7:00 P.M.**

**PROPOSED EXECUTIVE/CLOSED SESSION 6:00-7:00 P.M.**

**PROPOSED EXECUTIVE/CLOSED SESSION AT THE END OF THE MEETING**

**TOWN OF RYE JUSTICE COURTROOM**

**350 North Main Street  
Port Chester, New York**

**AGENDA**

<b>I</b>	<b>CALL TO ORDER / PLEDGE OF ALLEGIANCE</b>	
<b>II</b>	<b>PROPOSED EXECUTIVE/CLOSED SESSION</b>	<b>ACTION</b>
<b>1</b>		
<b>III</b>	<b>PRESENTATION</b>	<b>ACTION</b>
<b>1</b>	Clerk presents the Tentative Budget to the Board of Trustees.	
<b>IV</b>	<b>AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:</b>	<b>ACTION</b>
<b>1</b>	Public Hearing to consider the advisability of adopting Local Law No. I-18 amending the Code of the Village of Port Chester, Chapter 345, "Zoning", establishing a new C1 Neighborhood Character District, new CD4-MU Mixed Use Character District and new R2F Two-Family Residence Character District and making related dimensional and use changes to the existing CD-4 General Urban Character District.	
<b>2</b>	Public Hearing to consider the advisability of adopting Local Law No. I-19 amending the Code of the Village of Port Chester, Chapter 345, "Zoning", the Official Map of the Village of Port Chester reconfiguring the current boundaries of the CD-4 General Urban District to incorporate a new C1 Neighborhood Character District, new CD-4 MU Mixed Use Character District and new R2F Two-Family Residence Character District and an extension of the boundaries of the CD-3,R5 One-Family Residence District.  <b>RESOLUTION #1: Adopting a Negative Declaration with regard to a Local Law No. I-18 and I-19 of 2022, amending the code of the Village of Port Chester, Chapter 345, "Zoning" to amend the CD-4 General Urban Character District, including corresponding Zoning Map Changes, to the Form-Based Zoning Code</b>	
<b>3</b>	Public Hearing to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 319, "Vehicles and Traffic," regarding the parking of commercial vehicles.  <b>RESOLUTION #2: Classification of action under the SEQRA regarding LL No. I-20 of 2022 Parking of Commercial Vehicles</b>	
<b>V</b>	<b>REPORT OF THE VILLAGE TREASURER</b>	<b>ACTION</b>
	Budget Transfers	
	Budgetary Update(s)	
<b>VI</b>	<b>MINUTES</b>	<b>ACTION</b>



<b>VII</b>	<b>PUBLIC COMMENTS</b>	<b>ACTION</b>
<b>VIII</b>	<b>REPORT OF THE VILLAGE MANAGER</b>	<b>ACTION</b>
<b>IX</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
3		
4		
<b>X</b>	<b>CORRESPONDENCE</b>	<b>ACTION</b>
1		
2		
<b>XI</b>	<b>PUBLIC COMMENTS AND BOARD COMMENTS</b>	<b>ACTION</b>
<b>XII</b>	<b>PROPOSED EXECUTIVE/CLOSED SESSION</b>	<b>ACTION</b>
1		