

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NO SIGNIFICANCE**

**Village Board of the Village of Port Chester
Zoning Petition and Mixed-Use Building – Retail D**

March 7, 2016

This notice is issued pursuant to Part 617 of the regulations implementing the State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law. The Board of Trustees of the Village of Port Chester (the “Board of Trustees”), as lead agency, has determined that the Proposed Action described below will not have a significant effect on the environment.

TITLE AND LOCATION OF PROPOSED ACTION:

Title: Modified Marina Redevelopment Project Retail D

Location: The parcels known as Section 142.031, Block 1, Lots 3, 4, 5, 6, 20, 21, 22, 23, and 24 of the Town of Rye Official Tax Map and interstitial Liberty Street Right-of-Way, known as “Retail D,” which consists of approximately 23,138 square feet (the “Property”).

SEQRA STATUS: Unlisted Action

DESCRIPTION OF ACTION:

The Proposed Action is comprised of: (a) Amendments to (i) the Urban Renewal Plan for the Modified Marina Redevelopment Project (“MMRP”), (ii) the regulations of the MUR Marina Redevelopment Project Urban Renewal District of the Village of Port Chester, and (iii) the Concept Development Plan of the MMRP to permit residential use of the Property, and (iv) the MMRP Urban Renewal Plan and MUR District regulations to add a multifamily dwelling parking regulation to the required parking table, all of which are reflected in an Amended Petition (collectively, the “Proposed Zoning Amendments”), and (b) to develop mixed-use residential-retail development of the Property in a 5-story, 70-foot high elevator-serviced building to contain 12,000 square feet of ground-floor retail space and 60,000 square feet of residential space (79 residential dwelling units, primarily studios and one-bedroom units), which includes a density bonus provision for additional floor area.

The Applicant is G&S Port Chester LLC.

E. DEMOGRAPHICS

The proposed mix-use development will result in the addition of 141 new residents to the Village, which represents a negligible increase on 0.5% increase in the Village population.

Therefore, the Proposed Action will not have any adverse impacts with respect to demographics.

F. SCHOOL CHILDREN

The Applicant provided an estimate of public school children to be generated by the Proposed Action, using both the well-accepted Rutgers method, as well as the results of the “Port Chester Public Schools Overcrowding and Mitigation Analysis,” prepared for the Village of Port Chester IDA by Urbanomics, Inc. (November 10, 2014) (“IDA Mitigation Study”). Using either the Rutgers methodology or that in the IDA report, the Proposed Action is projected to generate seven school children.

The IDA study indicated that a “new construction cost” to address the facility and infrastructure needs of the Port Chester-Rye Union Free School District in \$18,370, whereas the annual educational costs per student in \$13,723 (actual cost minus school aid). The Applicant has asserted that a combination of PILOT payments and/or real estate taxes generated from the Proposed Action once it is put into use will more than offset any incremental variable cost associated with the projected addition of seven school children to the local public school system. The Applicant has agreed that if the increase of such revenues over the real estate taxes generated for the School District from the Property at the time the Proposed Action is placed into use do not generate an amount that would cover the annual cost per student of \$13,723 (as reported in the IDA Mitigation Study) for the actual number of students generated each school year, increased annually from January 1, 2015 by the increase, if any, in the cost of living index for the metropolitan New York region, the Applicant will pay the School District any deficit within thirty (30) days after being informed by the School District of such deficiency. The Applicant has agreed that this obligation shall continue for a period of ten (10) years. Based on this concurrence, any potential impacts to the public school should be minimal.

The Proposed Action will not affect other community services, as it is located in the already well-served downtown area of the Village.

Therefore, the Proposed Action will not have any significant adverse impacts with respect to community services.

G. INFRASTRUCTURE

The Applicant estimated that water demand, based on a standard multiplier, will have an increased demand of 4,330 gallons per day (“gpd”), an increase of water demand associated with the formerly approved retail use of 8,160 gpd. It is expected that there is adequate capacity to accommodate this nominal increase in demand.