

**CITY OF RYE
1051 BOSTON POST ROAD
RYE, NY 10580
AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
Wednesday, January 8, 2025
6:30 p.m.**

Please note: The Council will convene at 6:00 p.m. for the swearing-in of new City Council members.

1. Pledge of Allegiance.
2. Roll Call.
3. Draft unapproved minutes of the Regular Meeting of the City Council held December 18, 2024, and the Special Meeting of the City Council held December 26, 2024.
4. Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
5. Report of the City Manager.
6. Approval of appointments to the Rye Golf Club Commission.
7. Presentation by Steven Wrabel on the Toughman Westchester Triathlon and Consideration of a request from Westchester Endurance Corp., for the use of City streets on September 21, 2025.
8. Consideration of a petition from the Rye Arts Center, Inc. to amend the text of the Rye City Code to permit "Arts Center Use" as a new use permitted subject to additional standards and requirements in the R-1 to RT Residence Districts.
9. Appointment of the 2025 Deputy Mayor by the Mayor.
10. Designation of the City Council's Audit Committee by the Mayor.
11. Designation of the City Council's Liaisons by the Mayor.
12. Designation of the official City newspaper.
13. Consideration to set a public hearing for the Jan 29, 2025 meeting to amend the City Charter Section C23-1. "Liability in certain actions" to exclude electronic notification through email or the City's website as constituting prior written notice.

14. Appointments to Boards and Commissions.

15. Old Business/New Business.

16. Adjournment

The next regular meeting of the City Council will be held on Wednesday, January 29, 2025, at 6:30 p.m.

** City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at www.ryeny.gov under "RyeTV Live".

UNAPPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held at City Hall on December 18, 2024, at 6:30 P.M.

PRESENT:

KEITH CUNNINGHAM
SARA GODDARD
BILL HENDERSON
JAMIE JENSEN
JOSH NATHAN
JULIE SOUZA
Councilmembers

ABSENT:

JOSH COHN, Mayor

ALSO ATTENDING:

GREG USRY, CITY MANAGER
KEVIN SCHULTZ, ACTING CORPORATION COUNSEL
JOE FAZZINO, DEPUTY COMPTROLLER

The Council reconvened in City Hall at 6:05 P.M. The meeting was streamed live at www.ryeny.gov for public viewing.

1. [Pledge of Allegiance.](#)
2. [Roll Call.](#)

The Clerk called the roll and there was a quorum present. Councilperson Cunningham arrived at 6:06 pm after the roll call but before any voting.

3. [Draft unapproved minutes of the Regular Meeting of the City Council held December 4, 2024.](#)

On motion by Councilperson Henderson, seconded by Councilperson Jensen, and unanimously carried, it was

RESOLVED to approve the drafted minutes of the Regular Meeting of the City Council held December 4, 2024.

4. [City employee recognition.](#)

City Manager, Greg Usry, recognized employees celebrating 10, 20, 25 and 30 years of services with the City of Rye.

5. [Members of the public may be heard on matters for Council consideration that do not appear on the agenda](#)

No one in attendance spoke.

6. [Report of the City Manager.](#)

City Manager, Greg Usry, updated the City Council on various items.

7. Consideration of a resolution adopting a SEQR Negative Declaration in connection with the Blind Brook Riparian Restoration Project at Rye Nature Center.

This items was tabled for a later date before the meeting began.

8. Consideration of a petition from Rye Arts Center, Inc. to amend the text of the Rye City Zoning Code to permit “Arts Center Use” as a new use permitted subject to additional standards and requirements in the R-1 to RT Residence Districts.

This items was tabled for a later date before the meeting began.

9. [Open the public hearing to adopt a local law to override the State enacted tax levy limitation, if necessary.](#)

On a motion by Councilperson Goddard, seconded by Councilperson Jensen it was:

RESOLVED to open the public hearing to adopt a local law to override the State enacted tax levy limitation

Adopted by the following vote:

AYES: Councilpersons, Cunningham, Goddard, Henderson, Jensen, Nathan, Souza

NAYS: None

ABSENT: Mayor Cohn

On a motion by Councilperson Nathan, seconded by Councilperson Goddard it was:

RESOLVED to [close the public hearing](#) to adopt a local law to override the State enacted tax levy limitation

[On a motion by Councilperson Henderson, seconded by Councilperson Nathan:](#)

**A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF
THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

Be it enacted by the City Council of the City of Rye as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Rye to adopt a budget for the fiscal year commencing January 1, 2025, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The City Council of the City of Rye, County of Westchester, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2025 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

Adopted by the following vote:

AYES: Councilpersons, Cunningham, Goddard, Henderson, Jensen, Nathan, Souza
NAYS: None
ABSENT: Mayor Cohn

10. [Continue the public hearing on the 2025 Budget.](#)

On a motion by Councilperson Henderson, seconded by Councilperson Nathan:

RESOLUTION AMENDING THE CITY OF RYE PROPOSED 2025 BUDGET

Whereas, the City Manager presented the proposed Fiscal Year 2025 Budget to the City Council on November 6, 2024; and

Whereas, the City of Rye’s proposed Fiscal Year 2025 Budget originally designated \$889,162 for 2025 General Fund Workers’ Compensation Expenditures; and

Whereas, on December 12, 2024, the City received information from its insurance broker that 2025 rates will decrease by 6 percent, which is below the City’s original estimated increase of 5 percent; and

Whereas, this information allows the City to more accurately estimate 2025 Workers’ Compensation Expenditures, reducing the Workers’ Compensation Expenditure line by \$110,736, bringing the tax rate increase down to 5.41 percent.

Now, therefore, be it resolved, that the City of Rye hereby reduces the Workers’ Compensation Expenditure line by \$110,736 in the Fiscal Year 2025 proposed budget.

Adopted by the following vote:

AYES: Councilpersons, Cunningham, Goddard, Henderson, Jensen, Nathan, Souza
Mayor Cohn
NAYS: None
ABSENT: None

[Councilperson Henderson made a motion to increase the Building Permit fee by \\$1/\\$1000 of Construction seconded by Nathan:](#)

RESOLVED to increase the Building Permit fee by \$1 per \$1000 of construction for the 2025 Budget which increases in Building Permit Revenue in the budget by \$100,000

Adopted by the following vote:

AYES: Councilpersons, Cunningham, Goddard, Henderson, Jensen, Nathan, Souza
Mayor Cohn
NAYS: None
ABSENT: None

[Councilperson Henderson made a motion to increase parking fees by \\$0.25/hour but with no second, the proposed amendment failed.](#)

On a motion by Councilperson Jensen, seconded by Councilperson Goddard:

RESOLVED to [close the public hearing on the 2025 Budget.](#)

Adopted by the following vote:

AYES: Councilpersons, Cunningham, Goddard, Henderson, Jensen, Nathan, Souza
NAYS: None
ABSENT: Mayor Cohn

11. [Resolution to adopt the 2025 Budget and establish the 2025 tax levy and 2025 tax rate.](#)

On a motion by Councilperson Jensen, seconded by Councilperson Souza:

WHEREAS, on November 6, 2024, the 2025 Tentative Budget was presented to the City Council, and;

WHEREAS, the following changes were made;

On December 4, prior to the opening of the Public Hearing:

- Reduction of General Fund Employee Health Insurance by \$100,812

On December 18, after the opening of the Public Hearing:

- Reduction of General Fund Workers' Compensation Insurance by \$110,736
- Increase in Building Permit Revenue of \$100,000

NOW THEREFORE BE IT RESOLVED: that the City Council does hereby certify to the City Comptroller the 2025 City of Rye tax rate of \$214.34 per \$1,000 taxable assessed valuation and the 2025 City of Rye tax levy of \$31,147,837; and

BE IT FURTHER RESOLVED, that the City Council does hereby direct the City Comptroller to apportion and extend against each taxable property listed upon the assessment roll at the tax rate certified in this resolution to produce the tax levy certified in this resolution, and to render tax notices for, and receive and collect, the several sums so computed and determined, with interest as provided by law, and any special assessments heretofore authorized and approved.

Adopted by the following vote:

AYES: Councilpersons, Cunningham, Goddard, Henderson, Jensen, Nathan, Souza

NAYS: None

ABSENT: Mayor Cohn

12. [Resolution authorizing the City Comptroller to make necessary year-end closing transfers.](#)

On a motion by Councilperson Souza, seconded by Councilperson Henderson:

Resolved, that the City Comptroller is hereby authorized to make the necessary 2024 fiscal year-end budget transfers in City accounts, provided a list of such transfers over \$10,000 is furnished to the City Council after the completion of such transfers.

Adopted by the following vote:

AYES: Councilpersons, Cunningham, Goddard, Henderson, Jensen, Nathan, Souza

NAYS: None

ABSENT: Mayor Cohn

CONSENT AGENDA

- a) Consideration of a request by the Midland Fair Committee to approve a parade to precede the Midland Elementary School Fair on Sunday, May 4, 2025, from 10:30 a.m. to 11:10 a.m.
- b) Consideration of a request to have 2-3 food trucks for the Midland Fair on Sunday, May 4, 2025, from 11:00 a.m. to 3:00 p.m. The City Council will have to waive § 144-8D and G of the City Code.

On motion by Councilperson Henderson, seconded by Councilperson Souza and unanimously carried, it was

RESOLVED to approve all Consent Agenda items.

13. [Resolution authorizing an Equitable Business Opportunities \(EOB\) System Administrator as required by the NYSDOT.](#)

On a motion by Councilperson Goddard, seconded by Councilperson Nathan and unanimously carried:

**RESOLUTION OF THE CITY OF RYE AUTHORIZING THE CITY MANAGER
TO SERVE AS THE RESPONSIBLE LOCAL OFFICIAL (RLO) AND
EQUITABLE BUSINESS OPPORTUNITIES (EBO) SYSTEM ADMINISTRATOR
FOR THE CITY OF RYE AS REQUIRED BY THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION (NYSDOT)**

Whereas, the City of Rye periodically participates in contracts awarded by the NYSDOT, which contracts are required to utilize the EBO System to comply with civil rights requirements associated with Federal Aid projects; and

Whereas, the NYSDOT requires designation of an EBO Administrator to enter into a user agreement with NYSDOT for use of the EBO System;

Now, therefore be it resolved, that the Rye City Manager, is authorized to serve as the RLO and EBO Administrator as required by the New York State Department of Transportation; and it is further

Resolved, that this Resolution shall take effect immediately.

14. [Old Business/New Business.](#)

The Council thanked Councilperson Goddard for her service and willingness to step in to serve.

15. [Adjournment into Executive Session](#)

UNAPPROVED MINUTES – Regular Meeting - City Council
December 18, 2024

On motion of Councilperson Jensen, seconded by Councilperson Nathan, and with the Council in favor, the meeting was adjourned at 6:53 P.M.

Respectfully submitted,

Noga Ruttenberg
City Clerk

UNAPPROVED MINUTES of the Special Meeting of
the City Council of the City of Rye held in City Hall on
December 26, 2024, at 9:00 A.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
BILL HENDERSON
JAMIE JENSEN
JOSH NATHAN
JULIE SOUZA
Councilmembers

ABSENT:

KEITH CUNNINGHAM

The Council convened in a public meeting at 9:02 A.M. The meeting was streamed live at www.ryeny.gov for public viewing.

1. [Pledge of Allegiance.](#)
2. [Roll Call.](#)

The Deputy Clerk called the roll and there was a quorum present. Councilperson Nathan arrived at 9:03 AM after the roll call but before any voting.

3. [Consideration of a resolution adopting a SEQR Negative Declaration in connection with the Blind Brook Riparian Restoration Project at Rye Nature Center.](#)

City Planner, Christian Miller, and Executive Director of Rye Nature Center, Christine Siller, discussed the SEQR Negative Declaration. There were questions and discussions amongst the Council.

On motion by Councilwoman Souza, seconded by Councilman Henderson,

**RESOLUTION DECLARING A SEQR NEGATIVE DECLARATION IN CONNECTION
WITH THE BLIND BROOK RIPARIAN RESTORATION PROJECT
AT RYE NATURE CENTER**

WHEREAS, the Friends of Rye Nature Center proposed a Blind Book Riparian Restoration Project on property owned by the City of Rye at Rye Nature Center (hereinafter “the Proposed Action”); and

WHEREAS, the primary goals of the Proposed Action are to enhance vegetation biodiversity, stabilize streambanks to reduce erosion, improve wetland habitats, and serve as a model for successful intervention and restoration efforts throughout the Blind Brook Watershed and other urban watersheds; and

UNAPPROVED MINUTES – Special Meeting - City Council
December 26, 2024

WHEREAS, the Proposed Action includes streambank stabilization, wetland creation and enhancement, and riparian restoration activities in and adjacent to Blind Brook; and

WHEREAS, in December 2022, the Rye City Council adopted a resolution accepting a \$284,000 grant for the design of the Proposed Action; and

WHEREAS, at its November 20 meeting, the City Council declared its intent to be Lead Agency for the environmental review of the Proposed Action as required by the State Environmental Quality Review (SEQR); and

WHEREAS, no other interested or involved agency objected to the City Council assuming Lead Agency status; and

WHEREAS, the City Council referred the Proposed Action to the Rye City Planning Commission for advisory wetland permit review; and

WHEREAS, in a December 10, 2024, memorandum to the City Council, the Rye City Planning Commission supported the Proposed Action;

NOW, THEREFORE, BE IT RESOLVED, that the Rye City Council designates itself as Lead Agency and based on its review of the Environmental Assessment Form (EAF), the criteria listed in Section 617.7(c) of SEQR and the complete record of plans, studies and other information, the City Council finds that the Proposed Action will enhance the environment by reducing sediment loads in Blind Brook and restore riparian ecological functions and hereby adopts a Negative Declaration based on a finding that the Proposed Action will not have any significant adverse environmental impacts.

Adopted by the following vote:

AYES: Councilpersons Goddard, Henderson, Jensen, Nathan, Souza, Mayor Cohn
NAYS: None
ABSENT: Councilpersons Cunningham

4. Adjournment.

On motion of Councilperson Souza, seconded by Mayor Cohn, and with the Council in favor, the meeting was adjourned at 9:10 A.M.

Respectfully submitted,

Noga Ruttenberg
City Clerk



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Approval of appointments to the Rye Golf Club Commission.

FOR THE MEETING OF:

January 8, 2025

RECOMMENDATION: That the Council consider the new appointments.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Commission Member

Expiration Date

Christopher Fanning

12/31/2027

Lynne Murphy-Gere

12/31/2027

1051 Boston Post Road
Rye, New York 10580



E-mail:
gm@ryegolfclub.com
<http://www.ryeny.gov>

CITY OF RYE Golf Club

To: City Council

From: Chris Correale

Date: 1/2/2025

Re: Request to Appoint New Golf Club Commissioner Terms

Recently the golf club hosted an election amongst club members to select candidates for two 3-year terms to serve as a Rye Golf Club Commissioner beginning in 2025. The election results are attached. The membership elected Lynne Murphy-Gere (Non Resident) & Christopher Fanning (Resident) to the RGC commission.

Chris has been a Golf Member since 2019 and a Comprehensive Member since 2024. His wife is from Rye (grew up on Milton Point), his first job was in town, and Rye was the only community we considered moving to after having our first child. We bought our house on Oakland Beach Avenue in 2019 and have been raising our 3 children, Jack (7), Connor (5), and Sophie (3), there since. My office is also in Rye, right around the corner from club.

Lynne has been a non-resident comprehensive members for over 20 years. Lynne's volunteerism and leadership with RGC Ladies golf has enhanced the club experience of women golfers. In her prior role as the Women's Metropolitan Golf Association (WMGA) Team Captain, she helped build and organize 3 interclub teams in winning match play competitions within our tri-state district.



5160 Decarie Boulevard, Suite 502
Montreal, QC, H3X 2H9 Canada
1 (800) 585-9694

Nov 29, 2024

Rye Golf Club
330 Boston Post Road
Rye, NY
10580 United States

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,

Brian Lack
President
Simply Voting Inc.

Results - 2025 Rye Golf Club Commission Election

Start: 2024-11-15 10:00:00 America/New_York
End: 2024-11-29 10:00:00 America/New_York
Turnout: 245 (12.1%) of 2022 electors voted in this ballot.

Rye Golf Club Commission

Option	Votes
Lynne Murphy-Gere	125 (27.8%)
Christopher Fanning	117 (26.0%)
Al Vitiello (incumbent)	100 (22.2%)
Richard Kelley	69 (15.3%)
TJ Flahive	39 (8.7%)

VOTER SUMMARY

Total	245
Abstain	0 (0.0%)



Election ID: 245756
To validate the authenticity of this
report please contact Simply
Voting at info@simplyvoting.com.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Presentation by Steven Wrabel on the Toughman Westchester Triathlon and Consideration of a request from Westchester Endurance Corp., for the use of City streets on September 21, 2025.

FOR THE MEETING OF:

January 8, 2025

RECOMMENDATION: That the Council consider the request.

RESOLVED, Westchester Endurance Corp., is hereby authorized to use City streets on September 21, 2025 in order to hold the Toughman Westchester Triathlon.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See attached request letter and presentation.

Course will require the use of City Streets from approximately 7:00 AM to 11:00 AM on September 21, 2025, with additional time for set up and disassembly.

McCULLOUGH, GOLDBERGER & STAUDT, LLP

Attorneys at Law

1311 Mamaroneck Ave., Suite 340, White Plains, NY 10605

TEL (914) 949-6400 FAX (914) 949-2510

mcculloughgoldberger.com

STEVEN WRABEL

Partner

swrabel@mgslawyers.com

December 12, 2024

Honorable Mayor Josh Cohn and Members of the City Council
City of Rye
1050 Boston Post Road
Rye, New York 10580

Re: Toughman Westchester Triathlon

Dear Mayor Cohn and Members of the City Council:

This office represents Dr. Richard Izzo of Westchester Endurance Corp., a Westchester-based company that organizes triathlons throughout New York, and its affiliate organization, Toughman Inc. (501C.3). Toughman has 18 years experience in triathlon production, and a long track record of working with corporate and charitable partners in staging races.

As the Council may recall, the Westchester Triathlon has been a fixture in the community for nearly 40 years. That race, however, has not been held for the past six (6) years. It is Westchester Endurance's goal to bring this race back to Westchester. This new race will benefit the County Parks Foundation as well as various additional charities. We are therefore writing to the Council to formally request permission to hold the Toughman Westchester Triathlon on Sunday, Sept 21, 2025, which will utilize the same course as the original Westchester Triathlon.

We have had a preliminary meeting with the Rye City Manager, Corporation Counsel, and Public Safety Commissioner Kopy, at which we discussed the logistics of the Rye City portion of the race. We have also been in contact with Playland (and have a signed agreement), the Town of Rye, Harrison, Port Chester, Rye Brook, and Greenwich. Westchester Endurance will continue to engage with all stakeholders throughout the planning process to ensure the race will be a safe and exciting event for the community.

Additional details on Westchester Endurance's operations are enclosed herewith, including an overview of the proposed route, staffing, permitting, and partners. We are excited to bring this race back to Rye and the surrounding community, and we look forward to discussing this with the City. We respectfully ask that this be placed on the Council's January 9, 2025 agenda. Thank you for your consideration.

Very truly yours,



Steven Wrabel

cc: Greg G. Usry
Kristen Wilson, Esq.

TOUGHMAN

WESTCHESTER TOUGHMAN TRIATHLON

OLYMPIC TRIATHLON

PROPOSAL
SUBMITTED BY TOUGHMAN INC
(501C.3)
WESTCHESTER ENDURANCE LLC



INTRODUCTION

For nearly 40 years, the Westchester Triathlon has been a fixture in Westchester County as well as the regional triathlon community consistently bringing in 1500 adult, college age and youth athletes into the Playland area.

The race has not been held for the past 6 years creating a void for the community as well as local businesses and charities.

Westchester Endurance LLC, as part of the Toughman Inc (501c3), is offering to resurrect the race and return it to prominence.





SUMMARY

RESUME HOSTING AN OLYMPIC TRIATHLON TO LEVERAGE THE RACE HISTORY

- Resume hosting an Olympic Triathlon to leverage the race history
- Westchester Tri has not happened for 6 years
- Toughman team has 18 years experience in triathlon production
- Staff of 30
- Corporate partners in place
- Past history: producing/resurrecting race 1998-2002
- Full refund guaranteed to athletes and vendors (going forward)
- Economic impact on area \$3 million annually
- Charities-YMCA, Westchester Children's Museum, Westchester Parks Foundation

TOUGHMAN TEAM

- Our Toughman and Toughkids Staff is made up of 30 team members that are all passionate about our mission and goals. They have been in place for 18 years with additional members added to the team as we have grown.
- We have structured our team in a hierarchy such that each position reports to the Race Director and subsequently our Event Director.
- Monthly calls with a master production plan sent out to every team member in June for review.
- On-site DRY RUN of the event with all team members 4 weeks out at the venue.
- First Responders meeting with the permitting agency 1 week out from race day.
- Last minute briefing the day before race weekend with all team members.





EXPERIENCE

Based on our 18 years of hosting and managing triathlon events we have the expertise at budgeting for events of this size. Since the founder is a full-time doctor that continues to work we are fully capitalized with no debt and very low overhead operating expenses.



ECONOMIC ACTIVITY

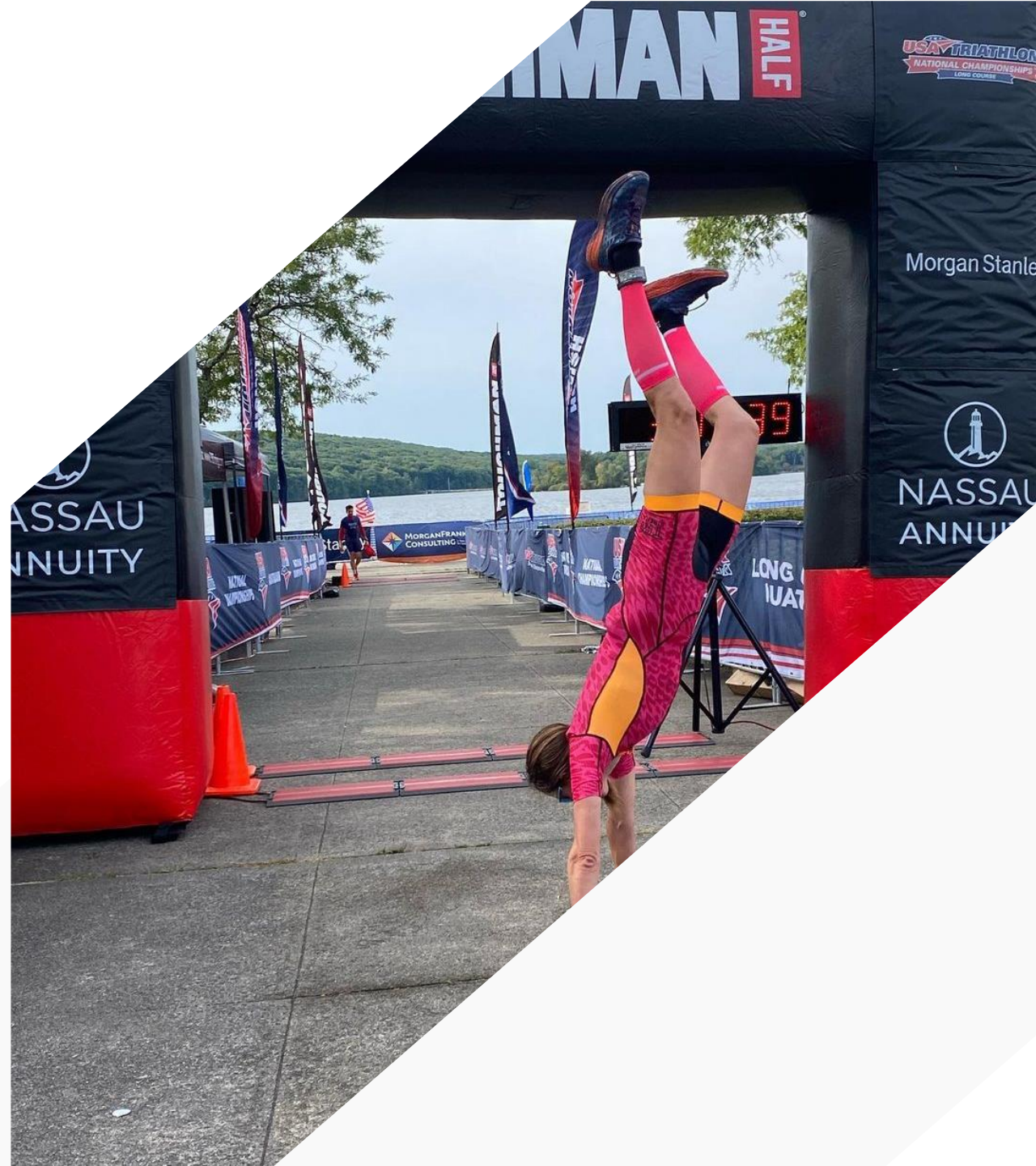
ADULT PARTICIPANTS: 2,200 **NUMBER OF DAYS:** 2

AVERAGE DOLLAR AMOUNT OF SPENDING PER DAY: \$175 **TOTAL:**
\$1,155,000 **OUT-OF-TOWN**
ADULT SPECTATORS: 4,500
NUMBER OF DAYS: 3

AVERAGE DOLLAR AMOUNT OF SPENDING PER DAY: \$150 **TOTAL:**
\$2,025,000
LOCAL ADULT PARTICIPANTS: 600 **AVERAGE DOLLAR AMOUNT OF**
SPENDING PER DAY: \$75 **TOTAL:** \$45,000

LOCAL ADULT SPECTATORS: 900
AVERAGE DOLLAR AMOUNT OF SPENDING PER DAY: \$40 **TOTAL:**
\$36,000

PROJECTED ECONOMIC IMPACT: \$3,261,000 (annually)



MEDICAL AND COMMUNICATION

- Our medical partner is White Plains Hospital.
- Race Day Communications maintained via 3 channels:
- Hand-held radio
- Cell phone
- Ham radio positions along the run and bike course as well as lead car, sag truck- including GPS locator.
- All radio traffic is directed to Communications hub which sits just off the main area onsite where a representative of the first responders sits as well
- All radio traffic is directed to the Communications Coordinator(CC)/legal counsel.
- The CC maintains chain of command to specific segment head.
- Decreased radio traffic that is redundant or counterproductive
- Communications log is maintained for all radio traffic.
- Full HIPAA compliance



RACE NEEDS

- County, Rye City Permits
- Harrison, RB and Rye town Greenwich Port Chester DOT permits
- Reduction Of permit fees
- 2 yr permit 1 yr option
- Non compete for month of Sept
- Possible addl women's only tri May
- Possible USAT Collegiate natl championship 2026
- Possible USAT Age Group Sprint and Olympic National Championships 2026
- Economic Activity \$6 million annually (for USAT AG Nationals-2 yrs)





FINISH -
Playland

Pier Restaurant
& Tiki Bar

OLYMPIC DISTANCE

SWIM .9 MILES

Practice Swim
Area

START -
Rye Town
Beach

1

9

8

7

2

3

4

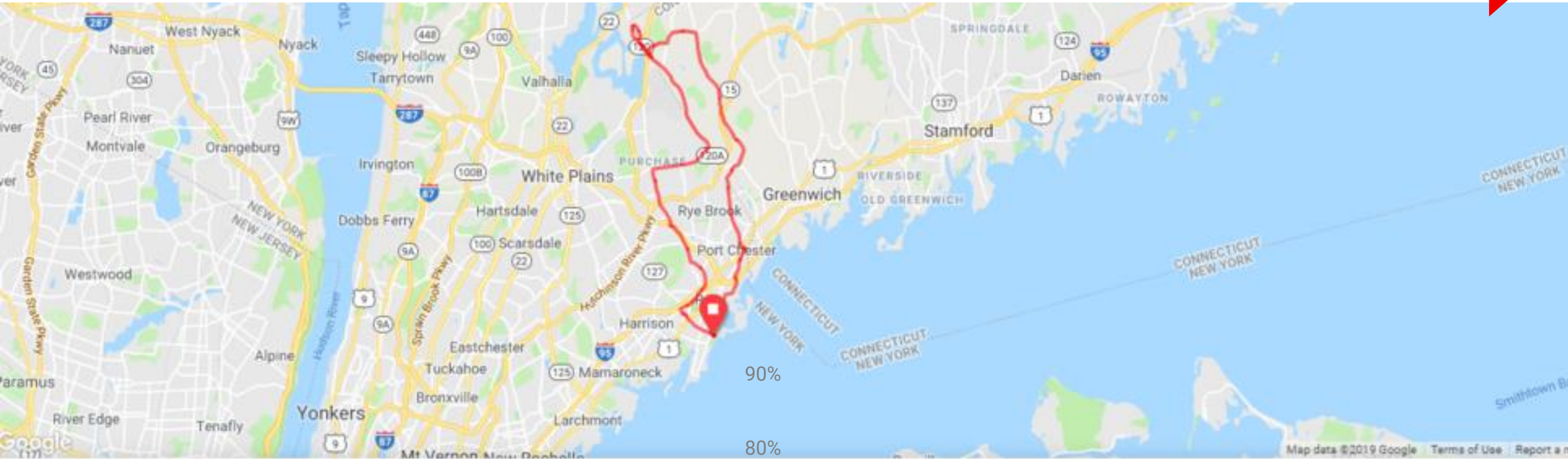
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5

TOUGHMAN

OLYMPIC DISTANCE

BIKE 25 MILES



90%

80%

Ele Grade 26.5 miles · +1,472 ft / -1,470 ft



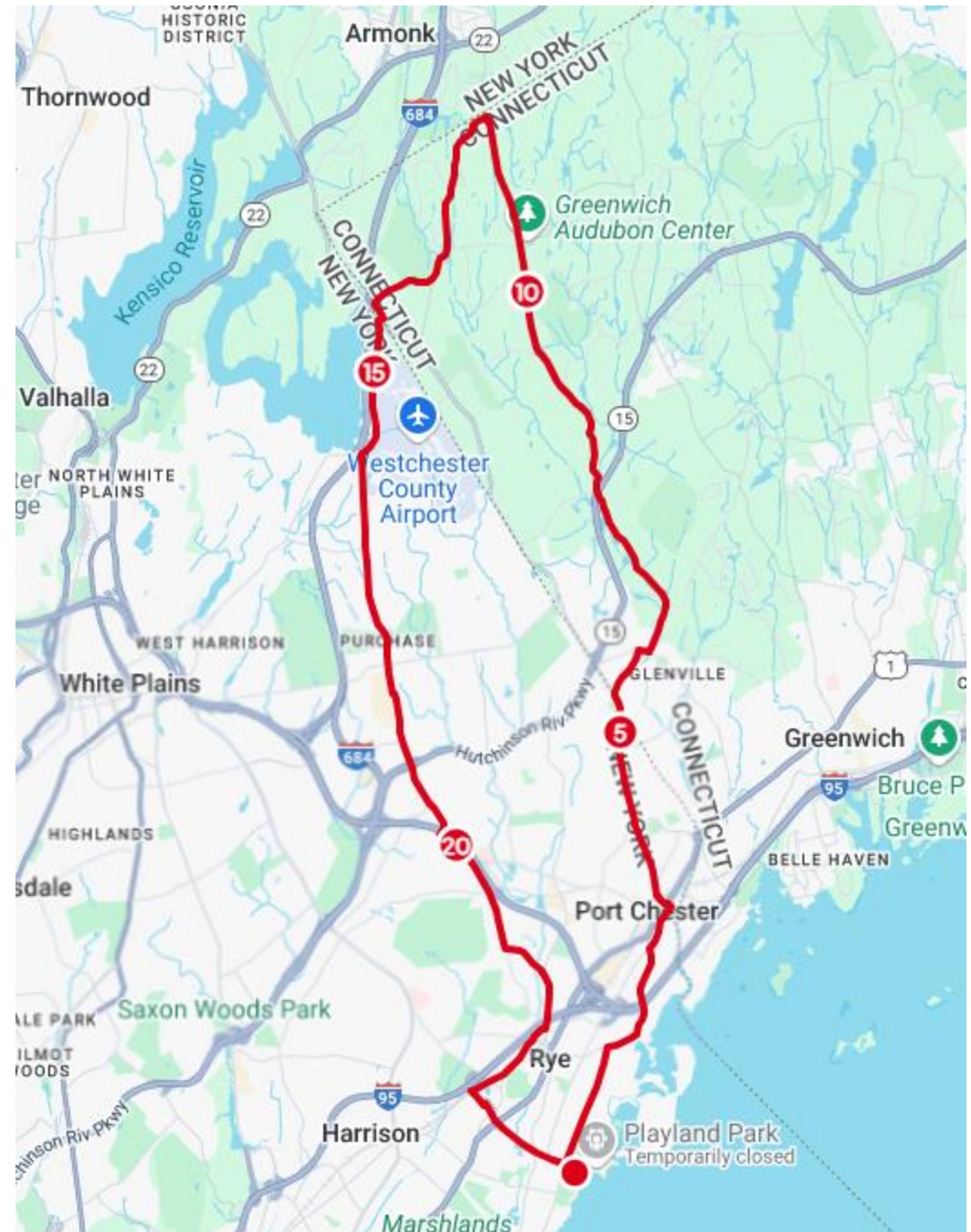
Drag on graph to zoom

TOUGHMAN

OLYMPIC DISTANCE

BIKE 25 MILES

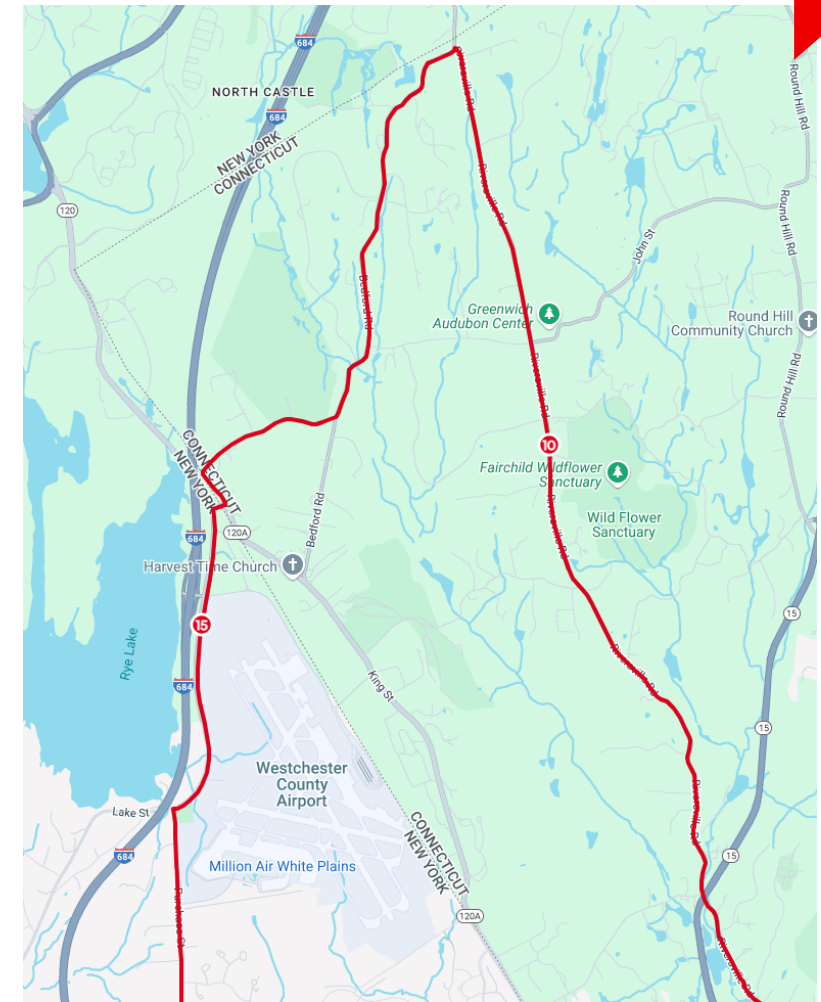
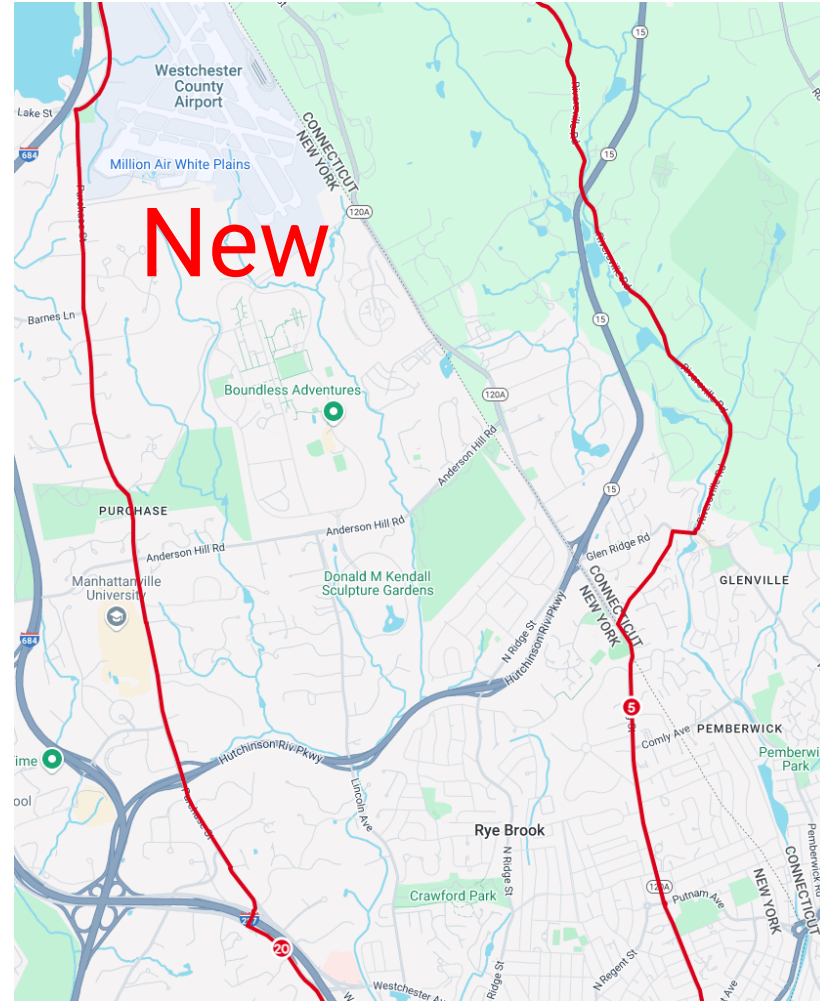
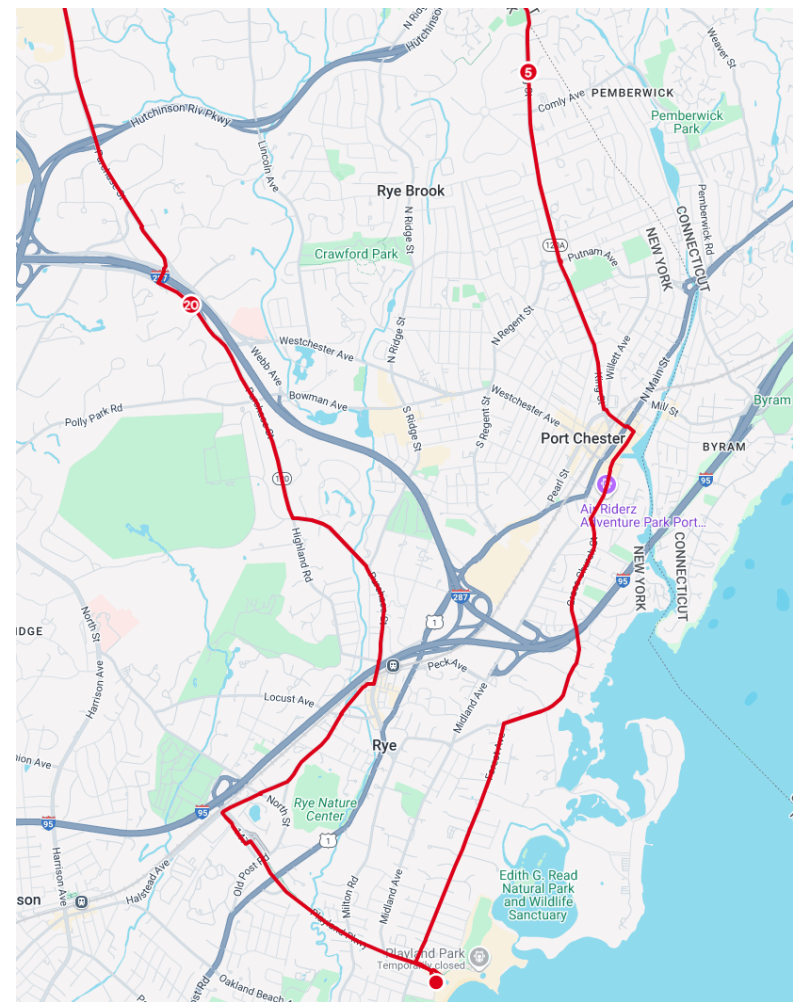
New



TOUGHMAN

OLYMPIC DISTANCE

BIKE 25 MILES



SWIM / BIKE

TIMELINE

Start time 7 am 3 min waves 150 per wave 10 waves

Swim-.9m

Fastest Most Slowest

Swim-15min. 25min. 1 hr

Start time for Bike

Bike 25m

Mile 0

7:15am. 7:45am 8:30am

Mile 5

7:25am. 7:57am. 8:55am

Mile 10

7:37am. 8:10am. 9:20am

Mile 15

7:45am. 8:07am. 9:45am

Mile 20

7:55am. 7:35am. 10:10am

Mile 25 (end of police details)

8:05am. 8:47 am. 10:35 am



TIMELINE

TOUGHMAN

New





OLYMPIC DISTANCE

RUN 6.2 MILES

Proposed Run Course: Reduce impact on local neighborhoods by using boardwalk and trails

RUN TIMELINE Within Playland

Run	Course	6.2m	
	Fastest.	Most.	Slowest
Mile 0.	8:05am.	8:47 am.	10:35am
Mile 1.	8:10am.	8:55am.	10:45am
Mile 2.	8:15am.	9:03am.	10:55am
Mile 3.	8:20am.	9:11am.	11:05am
Mile 4.	8:25am.	9:19am.	11:15am
Mile 5.	8:30am.	9:27am.	11:25am
Mile	.	6.2M	(finish)
Finish	8:35am.	9:35 am.	11:35am





TOUGHMAN IS THE OFFICIAL USA TRIATHLON
NORTHEAST REGION COLLEGIATE TRIATHLON
CONFERENCE RACE FOR 2024



The mission of the Northeast Collegiate Triathlon Conference (NECTC) is to promote triathlon to collegiate athletes in the region for the growth and development of the sport. The conference aims to develop a community that is both competitive and fun. Race weekend will be on September 14, 2024 at Harriman State Park, Lake Welch Beach, NY.

TOUGHMAN

CONTACT

INFORMATION

 www.toughmantri.com

 Rizzo@toughmantri.com

 914.251.1223





CITY COUNCIL AGENDA

DEPT.: City Planner

CONTACT: Christian K. Miller, City Planner

AGENDA ITEM: Consideration of a petition from Rye Arts Center, Inc. to amend the text of the Rye City Zoning Code to permit "Arts Center Use" as a new use permitted subject to additional standards and requirements in the R-1 to RT Residence Districts.

FOR THE MEETING OF:

January 8, 2024

RECOMMENDATION: That the City Council review and refer the petition to the City Planning Commission for its advisory review and comment.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The not-for-profit Rye Arts Center recently acquired property at 25 Milton Road and are seeking to construct a new arts center facility. The property is immediately adjacent to the existing Rye Arts Center, which is situated on the portion of City-owned Rye Recreation Park known as 51 Milton Road. The subject property is in the R-1 and R-3 Zoning Districts. The proposed zoning petition is necessary because neither of these single-family residence districts allow art centers as a permitted use. The proposed zoning text amendment will allow art centers on a limited number of properties in Rye if they meet specific conditions such as minimum lot size, parking requirements and other location and use restrictions. Amendments to the City Zoning Code are implemented as local laws and are discretionary decisions by the City Council. The first step in the zoning amendment process is to refer the petition to the City Planning Commission for its advisory review and comment. After receipt of the Commission's comments the City Council will need to complete the local law process including rejection, acceptance or modification of the proposed text amendment, referral of the text amendment to the Westchester County Planning Board and potentially adjacent municipalities, notice and conduct a minimum of one public hearing, complete the environmental review process (i.e. SEQR) and consider a resolution adopting the final version of the local law.

JONATHAN D. KRAUT

DIRECT TEL.: 914-701-0800

MAIN FAX: 914-701-0808

JKRAUT@HKPLAW.COM

December 10, 2024

VIA E-MAIL & HAND

Greg G. Usry, City Manager
City of Rye
1051 Boston Post Road
Rye, New York 10580

Re: ***Proposed Zoning Text Amendment***

Dear Mr. Usry and Members of the City Council:

We represent the Rye Arts Center, Inc. (the “Rye Arts Center”), in connection with the enclosed petition to amend the Rye City Code to include a new use subject to additional standards and requirements for an “Arts Center Use.”

Due to the generous gift of a benefactor of the Rye Arts Center, there is a once-in-a-lifetime opportunity to develop 25 Milton Road with a new arts center facility for the benefit of the entire community and immediately adjacent to the existing facility at 51 Milton Road. Rye’s Zoning Ordinance does not contain an appropriate “use” category for this type of development. Accordingly, the Rye Arts Center is seeking an amendment to the Zoning Ordinance to include a new “Arts Center Use.”

Submitted herewith are the following:

- Petition for an Amendment to the Zoning Ordinance
- Concept Plan (C-1) prepared by Creighton Manning last revised 11/27/24
- Traffic Impact Study prepared by Creighton Manning dated 11/26/24
- Conceptual Renderings prepared by Spring Architecture & Design

Executive Summary

The Rye Arts Center is a not-for-profit corporation that is the largest multi-arts center of its kind in the region. The Rye Arts Center has operated out of 51 Milton Road for the past 50+ years under a long-term lease with the City of Rye. The Rye Arts Center's mission is to inspire life-long enthusiasm and participation in the arts through best-in-class artistic offerings and educational programs. It strives to have a positive impact on its local communities by bringing attention to the importance of the arts, creating a destination for diverse voices, and providing meaningful artistic opportunities. The Rye Arts Center also offers a variety of curated programming, exhibitions, and outreach initiatives for a wide range of ages, with students currently ranging in age from 3 to 96 years old. Class offerings range from the visual arts, including drawing, painting, mixed media, and ceramics, as well as performing arts classes, such as private music lessons, acting, theater, and more. The Rye Arts Center also offers upwards of \$25k in need-based scholarships each year, with many recipients being Rye residents. In addition to classes and workshops, the RAC administers a strong Outreach component, hosting free Dance for Parkinson's and Senior Arts immersion classes weekly, as well as its long-running HeadStart arts program, which serves over 300 children each week.

History of the Rye Arts Center

The Rye Art Center was originally founded in 1960 by five Rye families and was housed in an unused barn on Greenacres Lane. The Rye Art Center eventually outgrew the barn and for several years moved locations before finding a permanent home at 51 Milton Road in 1972.

The Rye Art Center closed its physical location at 51 Milton Road from 1984 to 1987 due to safety concerns with the structure and operated as a "center without walls" during that time, while raising funds to restore and expand the building at 51 Milton Road. The restoration and expansion of 51 Milton Road was completed in 1987 and the Rye Art Center became the Rye Arts Center that it is today. The facility includes an art gallery, studios, a Maker Space, performing arts room, a dance studio, digital arts lab and practice rooms for music instruction. The Rye Arts Center operations are supported entirely by tuition, membership, private and public grant-making agencies, special events and donations from corporations and private individuals.

The mission of the Rye Arts Center has undoubtedly been a success as it has grown from a barn housing classes with 20 students in 1960 to serving more than 35,000 students, patrons and artists annually. However, due to the age and physical limitations of the existing facility the Rye Arts Center is limited on the types of exhibitions, classes and performances that can be offered. For example, the Maker Space is relatively small and limited in offerings, the art gallery is lacking in climate and lighting control and some of the studio spaces serve multiple uses resulting in less than optimal utilization.

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In 2020 the property at 25 Milton Road was put on the market for sale. A generous benefactor of the Rye Arts Center acquired 25 Milton Road in January 2021 and gifted the property to the Rye Arts Center in 2022 to be developed with a new modern arts center facility. The Rye Arts Center has spent the past two years reviewing and developing a concept plan for the development of 25 Milton Road.

Proposed Zoning Text Amendment

I. Reason for the Proposed Amendment to the Zoning Ordinance

The property located at 25 Milton Road is 2.12 acres and is located partially in the R-1 (Single-Family Residential) and R-3 (Single-Family Residential) Zoning Districts. The accompanying Petition for Amendment to City of Rye Zoning Ordinance is occasioned because the contemplated use of 25 Milton Road for an arts center facility does not fit any existing “use” categories in the Zoning Ordinance in any of the zoning districts. The existing Rye Arts Center facility at 51 Milton Road is part of a larger parcel which also encompasses the Rye Skate Park, sports courts, playing fields, the Rye Recreation Center and associated parking, all of which are permitted as “public recreational uses” under the Zoning Ordinance, but such use classification could not be applied to 25 Milton Road as it is privately owned land. Accordingly, the Rye Arts Center is seeking an amendment to the Zoning Ordinance to permit an “Arts Center use” as a permitted use subject to additional standards and requirements in the R-1 to RT zoning districts.

II. Proposed Additional Standards Supporting the Request

The additional standards and requirements the Rye Arts Center is proposing for this new use are: i) that no primary activity is carried on for gain; ii) no parking area be permitted within any side or rear yard setbacks of the property where adjoining residentially zoned properties, except where adjacent to municipally owned land used for “public recreational uses” or “public uses”; and iii) that the site be a minimum of 2 acres and adjacent to municipally owned land used for “public recreational uses” or “public uses” and be located on a major street.

In applying these additional standards and requirements, there are limited existing sites within the City of Rye that could satisfy these minimum standards, of which 25 Milton Road is one. The other privately owned properties (i.e. excluding parkland presently owned by the City of Rye, Town of Rye or Westchester County) that could potentially satisfy the minimum acreage requirement, the location next to a “public recreation use” and on a major street are: i) 815 Boston Post Rd (S/B/L: 146.14-1-27) (private residence); ii) 75 Milton Rd (S/B/L: 146.11-3-31) (parking lot for Blind Brook Lodge); iii) 95 Milton Rd (S/B/L: 146.11-3-32) (private residence); iv) 145 Milton Rd (S/B/L: 146.11-3-38) (private residence); and v) 260 Boston Post Rd (S/B/L: 153.9-1-34) (the Parsons Estate which is a protected site and structure).

The intent behind the proposed additional standards and requirements is to limit the development of any property with an art center facility to those properties that have the appropriate size and location to accommodate such a use by the community. In addition, by

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requiring such a use to be located next to parkland there will be a natural campus-like development and symbiotic relationship between the community resources.

III. Conceptual Plan

The Rye Arts Center has developed a conceptual plan and renderings for the development of 25 Milton Road if the zoning text amendment were implemented. The conceptual plan was designed to comply with the existing bulk and density controls of the Zoning Ordinance for the underlying R-1 and R-3 Zoning Districts. The concept plan and renderings are intended to assist the City Council in considering the petition for the text amendment to the Zoning Ordinance as to how a development of 25 Milton Road with a new arts center facility could appear.

The Rye Arts Center envisions the development of a new modern arts center facility at 25 Milton Road to be connected to the existing Rye Arts Center and recreational facilities at 51 Milton Road. The main entrance to the new facility would be facing the existing facility. The Rye Arts Center is contemplating improvements to the public parking lot at 51 Milton Road to be used in connection with the new facility. Walking paths could be created to provide access from the sports courts, playground areas and Amphitheater on 51 Milton Road. The Rye Arts Center is excited for the opportunity to develop the site at 25 Milton Road into an expanded community campus within walking distance of central downtown Rye.

Please note that the concept plan and renderings are just that - - conceptual. The ultimate development of 25 Milton Road would be subject to the final language of any text amendment to the Zoning Ordinance and site plan approval. By amending the Zoning Ordinance to permit the new use category for an “Arts Center use,” the City Council would not be approving the conceptual plan. Rather, the development of 25 Milton Road with a new arts center facility would be further subject to site plan / special permit and wetland permit approvals by the City of Rye Planning Commission and architectural approval by the Board of Architectural Review. We are fully cognizant that there may be differing opinions on the architectural design of the facility and the layout and location of off-street parking and all of these matters will be fully considered and vetted during the subsequent approvals process with the Planning Commission and Board of Architectural following the amendment of the Zoning Ordinance.

Parking & Traffic Study

The Rye Arts Center engaged the civil and traffic engineering firm of Creighton Manning to undertake a study of potential traffic and parking impacts in connection with the conceptual plan. This study was also intended to develop a proposed minimum parking requirement for the amendment to the Zoning Ordinance with the new “Arts Center Use.”

Creighton Manning conducted a study of the existing driveways and parking demands for the existing facility at 51 Milton Road during a typical weekday and Saturday in April 2023. The findings of the study are set forth in great detail in the Traffic Impact Study submitted in

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connection herewith. For ease of review, we shall provide a summary of the highlights and findings of the traffic study.

I. Traffic Impacts

Peak hours of operation were observed on the weekday during the midday (11:30 AM – 12:30 PM), school dismissal (3:00 PM – 4:00 PM) and evening (4:30 PM – 5:30 PM). The Saturday peak hour was midday from 11:30 AM – 12:30 PM. By reviewing the trip count data against the total gross floor area of the existing facility (13,500 square feet), Creighton Manning was able to project total trip generation rates per 1,000 square feet of gross floor area and apply this projection to the contemplated development of a new facility at 25 Milton Road. The study shows that there will be virtually no impact to traffic patterns at the site driveways, with a difference in average delays of entering / exiting vehicles of 1 second or less between the No-Build and Build conditions.

II. Parking Study

Similarly, Creighton Manning studied the utilization of the existing public parking lot at 51 Milton Road and observed peak demand periods. The highest parking demand period observed was the weekday midday (between 11:00 AM – 11:15 AM) where 42 parking spaces were occupied. Using this peak demand and taking into account the size of the existing facility at 51 Milton Road, Creighton Manning projects that the maximum parking demand is 3.11 spaces per 1,000 square feet. As noted in the traffic study, since the parking lot at 51 Milton Road is a public parking lot shared with the Rye Recreation facilities this projected demand is a conservative estimate as some of those vehicles occupying spaces during the study period were almost certainly visiting the Rye Recreation facilities and not the Rye Arts Center. Accordingly, in the petition we have suggested a minimum parking requirement for an “Arts Center use” be set at 3 spaces per 1,000 square feet of gross floor area.

If the City Council were to adopt this proposed minimum parking requirement in connection with the amendment to the Zoning Ordinance, the conceptual plan depicts an ability to provide more than sufficient parking between the two sites. The existing facility is approximately 13,500 square feet and the new facility is contemplated to be approximately 13,000 square feet, for a total of 26,500 square feet of gross floor area. At 3 spaces per 1,000 square feet of gross floor area, the required minimum parking would be approximately 80 spaces. There are 58 existing parking spaces located at 51 Milton Road. The conceptual plan depicts a potential additional 33 parking spaces, with 16 of those spaces being located on 25 Milton Road and the other 17 spaces on newly expanded parking areas on 51 Milton Road. This would bring the total parking supply to 91 parking spaces (or 11 more spaces than the suggested minimum requirement).

The conceptual plan has also identified a potential drop off area on 51 Milton Road to improve traffic conditions during peak demand periods for children’s classes which are anticipated to continue in the existing facility. We again note that the projected parking demands

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are very conservative as the parking study did not distinguish the counts between spaces occupied by patrons of the Rye Arts Center and those of the Rye Recreation facilities.¹

Objectives of the Rye Arts Center

By developing a new modern facility, the Rye Arts Center will be able to create a state of the art gallery space to display higher quality artwork, have new quality studio spaces, state-of-the-art Maker Spaces and digital arts programming, and community gathering spaces. By having a new facility, the Rye Arts Center would also be able to reprogram and dedicate spaces in the existing facility at 51 Milton Road to provide new and enhanced opportunities (such as creating a home and studio for RyeTV in the current gallery space).

The sole matter in front of the City Council is whether to adopt the proposed zoning text amendment and the new use created therein. As noted above, any final plan for the development of 25 Milton Road with a new arts center facility will be subject to site plan and special permit review by the Planning Commission. For the reasons set forth hereinabove and in greater detail in the Petition, we believe there would be great public benefit in adopting the proposed amendment and allowing the vision of the Rye Arts Center to blossom into what will be an exciting project for all involved and enjoyed by the community for decades into the future.

We look forward to presenting this Petition to the Rye City Council and respectfully request that you refer this matter to the Planning Commission for the earliest possible date for a report and recommendation. Thank you for your consideration of this matter.

Very truly yours,
HARFENIST KRAUT & PERLSTEIN, LLP

By: Jonathan D. Kraut
Jonathan D. Kraut
Leo K. Napior

¹ Creighton Manning also studied available on-street parking in the vicinity of the Rye Arts Center; this additional aspect of the study revealed that there is extensive on-street parking reserve capacity during most of the peak periods, with the exception of the weekday school dismissal period (72% utilization). That said, the conceptual plan depicts a design layout where no credit would need to be claimed for nearby on-street parking to satisfy the proposed minimum parking requirement.

CITY OF RYE: RYE CITY COUNCIL
COUNTY OF WESTCHESTER: STATE OF NEW YORK
-----X

In the Matter of the Application of

Rye Arts Center Inc.

**PETITION
FOR AMENDMENT TO
CITY OF RYE ZONING
ORDINANCE**

-----X
Petitioner, RYE ARTS CENTER, INC., by its attorneys, Harfenist Kraut & Perlstein, LLP, hereby petition the City Council of the City of Rye for an amendment to the City of Rye Zoning Ordinance as follows:

1. Petitioner, Rye Arts Center, Inc., is a 501(c)(3) not-for-profit corporation with an address at 51 Milton Road, Rye, New York, with a mission to provide instruction through the arts to the community to inspire interest and maximize participation in the arts. The Rye Arts Center programming consists of classes, lessons, exhibitions and performances for all ages. The Rye Arts Center is the largest multi-arts center of its kind in the region.
2. Petitioner is seeking to construct a new modern facility on the premises commonly known as 25 Milton Road, Rye, New York (S/B/L: 146.11-3-4) (the “Subject Property”), which is presently improved with a single family residence.
3. The Subject Property is approximately 2.12 acres and lies partially within the R-1 (Single Family Residential) and partially within the R-3 (Single Family Residential) Zoning Districts.
4. The development of the Subject Property with a new modern facility would allow the Rye Arts Center to further its purpose by providing state-of-the-art programming space,

classrooms, galleries and outdoor space for sculpture gardens and studio space to permit an enhanced connection between the artists, patrons and nature.

AMENDMENT TO ZONING ORDINANCE

5. The Rye Arts Center has operated out of the adjacent City-owned property at 51 Milton Road for approximately the last 50+ years under a long term lease with the City of Rye.
6. The City-owned property at 51 Milton Road is similarly zoned partially within the R-1 (Single Family Residential) and partially within the R-3 (Single Family Residential) Zoning Districts.
7. Aside from the Rye Arts Center facility, other community facilities at 51 Milton Road include the Rye Skate Park, sports courts, playing fields, the Rye Recreation Center and associated parking, all of which are Uses Permitted Subject to Additional Standards and Requirements as “Public recreational uses” or “Public uses” in the Single Family Residential Zoning Districts as municipally owned land and facilities.
8. Since the Subject Property is privately owned by the Rye Arts Center (as opposed to 51 Milton Road which is owned by the City of Rye) the proposed development of the Subject Property with a new multi-purpose arts center facility does not fit into any existing use category contemplated under the City of Rye Zoning Ordinance.
9. Therefore, the Rye Arts Center seeks to create a new use category that fits the contemplated usage of the Subject Property by the Rye Arts Center.
10. Specifically, the Petitioners request that Section 197-86, Table A, Column 2, of the Rye City Code be amended to include a new use permitted subject to additional standards and requirements in the R-1 to RT districts as follows:

Arts Center use. A use that provides instruction, display and performance space for the arts to inspire interest and maximize participation in the arts. Uses to include classes, lessons, exhibitions and performances for all ages in a variety of the arts, including, but

not limited to, dance, theater, music, literature, horticulture, painting, sculpture, ceramics, and digital art. Such uses shall be permitted subject to the following:

- a. No primary activity is carried on for gain;
- b. No parking area shall be located within any side and rear yard setbacks of the underlying zoning district in which the property is located from any adjoining property zoned for residential purposes, except that parking areas within the required side and rear yard setbacks shall be permitted where adjacent to municipally owned land utilized for “public recreational uses” or “public uses” subject to the approval of the Planning Commission; and
- c. The site must be at least two (2) acres in size and adjacent to municipally owned land utilized for “public recreational uses” or “public uses” and have frontage on a major street such as Boston Post Road, Theodore Fremd Avenue, Osborn Road / Oakland Beach Avenue, North Street, Purchase Street, Milton Road, Forest Avenue, Midland Avenue or Milton Road.

11. The Rye Arts Center also specifically requests that Section 197-28.A (“Schedule of parking requirements”) be amended to include a new row as set forth below:

		Number of Spaces per Unit		Unit of Measurement and
Use	A	B	C	Conditions
Arts Center	3	3	3	1,000 square feet of gross floor area*****

*****The Planning Commission, in a particular case, may permit a lesser amount of on-site parking upon a finding that there is sufficient available public parking in the vicinity of the property in either municipally owned parking lots

or available on-street parking based on good standard practice for the size and type of activity.

FACTS SUPPORTING PETITIONER’S REQUEST

12. The redevelopment of the Subject Property with a new modern facility will allow the Rye Arts Center to further its mission and provide a greater range of offerings to its many students, visiting artists and patrons for many years to come to the benefit of the community at large.

13. The Subject Property is uniquely situated next to the current Rye Arts Center facility and is therefore a natural fit for a site to construct a new facility that would, in addition to any new parking at the Subject Property, allow for the existing and potentially expanded parking facilities at 51 Milton Road to service the proposed facility thereby minimizing the need to create extensive additional parking and maximizing green space on the Subject Property that can be used for outdoor studios, gardens, performance space and nature trails.

14. The requested amendments to the Zoning Ordinance would not have any adverse impacts on the City of Rye. If this Petition were granted it would allow the Property to be redeveloped with a use beneficial to the community as a whole rather than simply becoming another dated single family residence that would inevitably be torn down and replaced with a new residence built out to the maximum permitted constraints under the Zoning Ordinance.

SEQRA ANALYSIS

15. The proposed action should be properly classified as an unlisted action under 6 NYCRR Part 617. As further demonstrated in the accompanying materials and Environmental Assessment Form the proposed action to include the proposed permitted

use would have minimal impact on the environment and the specific impacts of any individual project could be analyzed on a case by case basis.

WHEREFORE, it is respectfully requested that this matter be placed on the calendar of the City Council for consideration and that the relief sought herein be in all respects granted.

Dated: Purchase, New York
December 10, 2024

Respectfully submitted,

Jonathan D. Kraut

Jonathan D. Kraut, Esq.

Leo K. Napior, Esq.

Harfenist Kraut & Perlstein, LLP

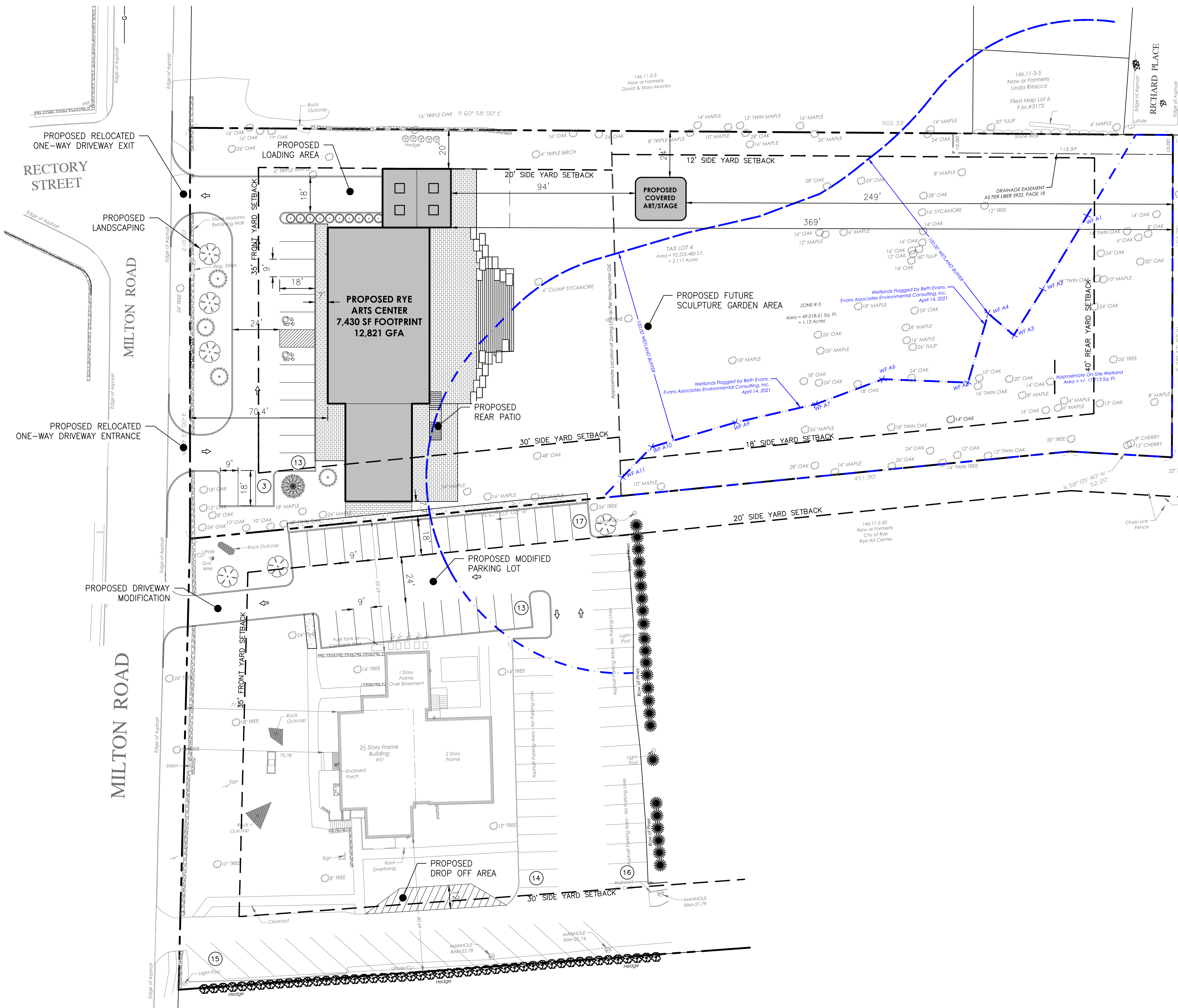
Attorneys for the Petitioner

2975 Westchester Avenue - Suite 415

Purchase, New York 10577

Tel: (914) 701-0800

FILE NAME: N:\Projects\2023\12\2024\Rye Arts Center - Rye Arts Center - Concept Plan.dwg 12/20/2024 10:28 AM
 LAST SAVED BY: Kamal Baraniewicz
 PLOT DATE: November 20, 2024 10:28 AM
 DESIGN SUPERVISOR: D. ADAMS
 JOB MANAGER: SHUF.FRANCOIS, JE
 DESIGNED BY: KAMAL BARANIEWICZ, JE
 CHECKED BY: SHUF.FRANCOIS, JE
 DRAFTED BY: SHUF.FRANCOIS, JE



ZONING TABLE
 25 MILTON RD (146-11-3-4)

ZONING DISTRICT :
 R-1 & R-3 (ONE-FAMILY RESIDENTIAL)

PROPOSED USE :
 ARTS FACILITY - NON-PERMITTED (V)

SITE STATISTICS	REQUIRED (R-1)	REQUIRED (R-3)	EXISTING	PROPOSED
MAX. FAR	0.15	0.25	0.05	0.15
MIN. LOT AREA	1 ACRE	1/2 ACRE	2.1 AC (92,225 SF)	2.1 AC (92,225 SF)
MIN. LOT WIDTH	150 FT	100 FT	162.1 FT	162.1 FT
MIN. FRONT SETBACK	35 FT	30 FT	68.47 FT	70.4 FT
MIN. SIDE SETBACK (ONE)	20 FT	12 FT	42.1 FT	7.7 FT (V)
MIN. SIDE SETBACK (TOTAL)	50 FT	30 FT	119.3 FT	27.7 FT (V)
MIN. REAR SETBACK	60 FT	40 FT	376.9 FT	369 FT
SPECIFIED DISTANCE	100 FT	70 FT	N/A	N/A
MAX. BUILDING HEIGHT	2.5 STORIES / 32 FT	2.5 STORIES / 28 FT	2.5 STORIES / 32 FT	2.5 STORIES / 32 FT
MAX. ACCESSORY COVER	20%	35%	0.52%	0.6%
MIN. ACCESSORY SIDE SETBACK	20 FT	10 FT	16.4 FT (EN)	24 FT

(V) VARIANCE NEEDED
 (EN) EXISTING NON-CONFORMITY

ZONING TABLE
 51 MILTON RD (146-11-3-30)

ZONING DISTRICT :
 R-1 & R-3 (ONE-FAMILY RESIDENTIAL)

EXISTING USE :
 ARTS CENTER - EXISTING NON-CONFORMITY
 PUBLIC RECREATION / PARK - PERMITTED UNDER 197-10

ACCESSORY USES - VARIOUS RECREATIONAL USES - NO CHANGE

SITE STATISTICS	REQUIRED (R-1)	REQUIRED (R-3)	EXISTING	PROPOSED
MAX. FAR	0.15	0.25	0.012	0.012
MIN. LOT AREA	1 ACRE	1/2 ACRE	18.2 AC	18.2 AC
MIN. LOT WIDTH	150 FT	100 FT	523.5 FT	523.5 FT
MIN. FRONT SETBACK	35 FT	30 FT	77.3 FT	77.3 FT
MIN. SIDE SETBACK (ONE)	20 FT	12 FT	67.5 FT	67.5 FT
MIN. SIDE SETBACK (TOTAL)	50 FT	30 FT	136.6 FT	136.6 FT
MIN. REAR SETBACK	60 FT	40 FT	>200 FT	>200 FT
SPECIFIED DISTANCE	100 FT	70 FT	5 FT (EN)	5 FT (EN)
MAX. BUILDING HEIGHT	2.5 STORIES / 32 FT	2.5 STORIES / 28 FT	2.5 STORIES / 28 FT	2.5 STORIES / 28 FT
MAX. ACCESSORY COVER	20%	35%	N/A	N/A
MIN. ACCESSORY SIDE SETBACK	20 FT	10 FT	N/A	N/A

(V) VARIANCE NEEDED
 (EN) EXISTING NON-CONFORMITY
 (N/A) NOT APPLICABLE OR UNABLE TO BE DETERMINED

PARKING TABLE

USE	EXISTING	PROPOSED	DIFFERENCE
ARTS FACILITY	58 SPACES	91 SPACES	+33 SPACES
RECREATIONAL PARK			

*PARKING REQUIREMENTS IN THE CITY OF RYE HAVE NOT BEEN ESTABLISHED FOR ARTS CENTERS

NO.	REVISION	DATE	BY
2	REVISED LAYOUT	11/27/2024	KB
1	FOR CITY SUBMISSION	06/16/2024	KB



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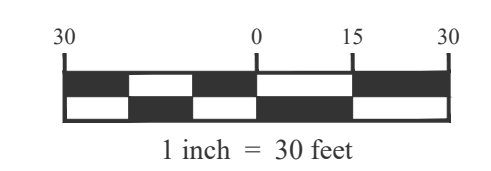
Creighton Manning

CREIGHTON MANNING ENGINEERING, LLP
 2 WINNERS CIRCLE, SUITE 400, RYE, NEW YORK 10583
 P: (914) 446-0396 F: (914) 446-0397 WWW.CMEELLP.COM

THE RYE ARTS CENTER
 25 & 51 MILTON ROAD
 RYE, NEW YORK

CONCEPT PLAN

DATE: NOV 2024 CME No.: 123-022 SCALE: 1 IN = 30 FT



November 26, 2024

Adam Levi, Executive Director
Rye Arts Center
51 Milton Road
Rye, NY 10580



RE: Traffic Impact Study for Proposed “New” Rye Arts Center Building, 25 Milton Road, City of Rye, Westchester County, New York; CM Project No. 123-022

Dear Adam:

As requested, Creighton Manning (CM) has completed a Traffic Impact Study for the proposed new Rye Arts Center building located on Milton Road in the City of Rye, Westchester County, NY. This study is based on traffic engineering industry standards and the Site Plan prepared by Spring Architecture + Design, dated November 1, 2021. It is noted that an updated site plan dated November 2024 was prepared by CM after the time of this study, and now reflects the latest plans for the proposed project. This site plan is included under Attachment A.

1.0 Project Description

The subject site is identified on the City of Rye Tax Map as Section 146.11, Block 3, Lot 4. The subject site is currently developed with a three-story family home. The proposed project consists of a new building that will complement the existing Rye Arts Center building located at 51 Milton Road and allow for the creation of a campus bridging the two buildings. The proposed building will have a gross floor area of 12,821 square feet comprised of galleries, various studios, conference rooms, storage, office, and performance spaces. The existing Arts Center is accessed via two driveways on Milton Road separated by approximately 170 feet. The southern driveway is ingress-only and the northern driveway is egress-only. The project proposes modifications to the two existing driveways that currently provide access to the residence at the project site. The northern driveway directly across from Rectory Street will be egress only, and the southern driveway approximately 105-feet to the south will be ingress-only. The existing parking lot at the Arts Center is shared with the Rye Skate Park and Rye Recreation Department. The proposed building will provide parking based on the parking demand of the existing building, which was approximated through a parking utilization study detailed herein. It is expected that the project will be complete and operational by 2025. Exhibit 1 depicts the site location and the roadway network.



Exhibit 1 – Site Location

2.0 Existing Conditions

Roadways Serving the Site

- **Milton Road** is classified as an Urban Minor Arterial roadway under the jurisdiction of the City of Rye. The roadway runs primarily north-south from Palisade Drive to Stuyvesant Avenue within the City. In the vicinity of the subject site, the roadway provides a 30-foot cross-section with one travel lane in each direction and on-street parking on the west side of the roadway. Turn lanes are not provided. A sidewalk is provided on west side of the roadway. The posted speed limit is 30 miles per hour.

Study Intersections

- **Milton Road/Rye Arts Center Ingress Driveway:** This is a three-leg unsignalized intersection. The northbound Milton Road approach provides a shared through/right-turn lane. The southbound Milton Road approach provides a shared left-turn/through lane. An enhanced pedestrian crossing is present approximately 20-ft south of the northbound approach. Exhibit 2 is a Nearmap image that shows the study intersection.
- **Milton Road/Rye Arts Center Egress Driveway:** This is a three-leg unsignalized intersection. The westbound Egress Driveway approach is stop-controlled and provides one lane for shared left-turns/right-turns. The northbound Milton Road approach provides one through lane. The southbound Milton Road approach provides one through lane. Exhibit 2 is a Nearmap image that shows the study intersection.



Exhibit 2 – Milton Road/Rye Art Center Driveways

Transit

The Westchester *Bee-Line* provides transit service in the area. Route 13, which runs from Ossining to Playland, has stops within ¼-mile north and south at Boston Post Road/Cross Street and the Milton Road/Resurrection stop, respectively. Route 13 provides bi-directional service with 20-30 minute headways Monday through Saturday and one hour headways on Sunday.

Data Collection

Turning Movement Counts (TMCs) were conducted at the existing driveways on Wednesday, April 26, 2023, from 11:00 AM to 7:00 PM and Saturday, April 29, 2023, from 11:00 AM to 2:00 PM. These periods coincide with the anticipated peak-hour operation times of the Arts Center as well as the adjacent street traffic. The observed peak hours during the weekday midday, school dismissal, and evening periods were 11:30 AM to 12:30 PM, 3:00 PM to 4:00 PM, and 4:30 PM to 5:30 PM, respectively. The Saturday peak hour was 11:30 AM to 12:30 PM. Figure 1-1 shows the 2023 Existing traffic volumes for the study area. The raw TMC data is included under Attachment B.

Rye Arts Center Operations

Based on information provided by the Rye Arts Center, it was determined that the aforementioned data collection occurred during a typical day. On Wednesday, April 26, 2023, the arts center started the first activity at 9:00 AM. Throughout the day, there were eight art classes, music classes, dance classes, one-one private arts lessons, workshops, and school programs. Some classes hold up to ten students and the dance classes have groups of 20 students. There are some classes that are conducted remotely and only the teachers are present in the facility. Most of the classes are dismissed by 7:00 PM on a typical weekday. On Saturday, April 29, 2023, the regularly scheduled classes started at 9:00 AM. On a typical Saturday, there are 12 arts classes, music lessons, one-on-one

art lessons, and five ballets classes. For this day, a birthday party was held on site with 20 students. The last classes on Saturday were dismissed by 4:30 PM.

3.0 Traffic Assessment

Trip Generation

Trip generation determines the quantity of traffic expected to travel to/from a given site. The Institute of Transportation Engineers’ (ITE) *Trip Generation Manual*, 11th Edition, is the industry-standard resource used for estimating trip generation for proposed land uses based on data collected at similar uses. However, upon review of the *Trip Generation Manual*, an arts center is not well represented by the data set. Therefore, in order to understand the trip-making characteristics of an art center, CM conducted a trip generation study of the existing Rye Arts Center located at 51 Milton Road in the City of Rye, New York. The existing arts center provides the same services that will be offered in the new building, which will be operated by the Applicant. CM performed a trip generation study on Wednesday, April 26, 2023, during the Midday (11:00 AM to 2:00 PM), School Dismissal (2:00 PM to 4:00 PM), and Evening (4:00 PM to 7:00 PM) peak periods, and Saturday, April 29, 2023, during the Midday (11:00 AM to 2:00 PM) peak period.

During these periods, CM tabulated all entering and exiting traffic associated with the arts center. Based on information provided via the RFI, it was determined that the existing arts center has a gross floor area of approximately 13,500 square feet. CM reviewed the count data for each period, determined the peak hour for each period, and calculated the peak-hour trip generation ratio (i.e., trips per 1,000 square feet). Table 1 summarizes these rates and the corresponding entering-exiting split. The raw count data for the study is included under Attachment C.

Table 1 – Summary of Observed Trip Generation Rates, Rye Art Center

Peak Hour	Total Trip Generation Rate (Trips Generated/1000SF)	% Entering	% Exiting
Weekday Midday	1.62	29%	71%
Weekday School Dismissal	3.11	62%	38%
Weekday Evening	4.14	39%	61%
Saturday Midday	7.33	56%	44%

It is noted that the trip generation assessment, traffic operations analysis, and parking utilization assessment below were conducted based on the previous site plan from November 2021, which reflected a gross floor area of 14,000 square-feet for the proposed building. Therefore, the results and conclusions herein reflect a conservative estimate.

Based on the above trip generation rates and entering-exiting splits, CM calculated the trip generation of the proposed 14,000-square-foot Art Center building. Table 2 summarizes the anticipated site-generated trips for the proposed building during the weekday midday, weekday school dismissal, weekday evening peak hours, and Saturday midday peak hours.

Table 2 – Summary of Peak Hour Trip Generation for Proposed Art Center Building¹

Weekday Midday Peak Hour			Weekday School Dismissal Peak Hour			Weekday Evening Peak Hour			Saturday Midday		
Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
7	16	23	27	17	44	23	35	58	57	46	103

¹ Calculation Example: Weekday Midday Peak Hour – 14 KSF x 1.62 = 22.68 say 23 total site-generated trips | Entering trips = 23 x 29% = 6.67 say 7 | Exiting trips = 23 x 71% = 16.33 say 16

Table 2 shows that the project is expected to generate 23 trips during the weekday midday peak hour, 44 trips during the weekday school dismissal peak hour, 58 trips during the weekday evening peak hour, and 103 trips during the Saturday midday peak hour. It is important to note that there is no “pass-by” component to the traffic associated with the proposed development. Additionally, this approach to determining trip generation is conservative as doubling the size of an existing use does not inherently mean that the trip generation will double, which in essence is what these trip generation results reflect. Rather, the expansion will likely result slightly lower trips than estimated but longer lay over times as guests extend their visits to view the larger campus.

Future Traffic Volumes

To evaluate the impact of the proposed project, traffic projections were prepared for the anticipated year of completion – 2025. Historic traffic volume data along US Route 1 (Boston Post Road) indicates that traffic volumes along the roadway have decreased by -3.46% annually.² To conservatively forecast 2025 traffic volumes, a +0.5% growth rate was applied to the existing traffic volumes and compounded annually for two years. The 2025 No-Build traffic volumes shown on Figure 1-2 represent the expected traffic volumes *without* the proposed development.

Traffic generated by the project was distributed on the Milton Road based on the observed travel patterns for trips entering and exiting the existing arts center. Based on the data collected, it is anticipated that part 40-45% of trips will be drawn to/from the south on Milton Road with the remaining 55-60% of trips to/from north on Milton Road. The associated trips assignments are shown on Figure 1-3. The new trips were then added to the 2025 No-Build traffic volumes, resulting in the 2025 Build traffic volumes, as shown on Figure 1-4.

Traffic Operations

Intersection Level of Service (LOS) and capacity analysis relate traffic volumes to the physical characteristics of an intersection. Intersection evaluations were made using Synchro Version 11 software, which automates the procedures contained in the Highway Capacity Manual. Table 3A and Table 3B summarizes the results of the level of service calculations for the Existing, No-Build, and Build conditions during the weekday midday peak hour, weekday school dismissal peak hour, weekday evening peak hour, and Saturday midday peak hour. The detailed level of service analyses are included under Attachment D.

Table 3A – Level of Service Summary

Intersection	Control	Weekday Midday Peak Hour			Weekday School Dismissal Peak Hour		
		2023 Existing	2025 No-Build	2025 Build	2023 Existing	2025 No-Build	2025 Build
Milton Road/Ingress Site Driveway	U						
Milton Road, SB LT		A (0.1)	A (0.1)	A (0.2)	A (0.4)	A (0.4)	A (0.5)
Milton Road/Egress Site Driveway	U						
N. Site Driveway, WB LR		B (10.3)	B (10.3)	B (10.5)	B (11.5)	B (11.5)	B (11.9)

- U = Unsignalized intersection
- S = Signalized intersection
- EB, WB, NB, SB = Eastbound, Westbound, Northbound, and Southbound intersection approaches
- L, T, R = Left-turn, Through, and/or Right-turn movements
- X (Y.Y) = Level of service (Average delay in seconds per vehicle)

² Based on NYSDOT ATR Station ID 870008. Study years: 2002, 2008, 2014, 2018.

Table 3B – Level of Service Summary

Intersection	Control	Weekday Evening Peak Hour			Saturday Midday Peak Hour		
		2023 Existing	2025 No-Build	2025 Build	2023 Existing	2025 No-Build	2025 Build
Milton Road/ Ingress Site Driveway Milton Road, SB LT	U	A (0.5)	A (0.5)	A (0.6)	A (0.2)	A (0.2)	A (0.8)
Milton Road/ Egress Site Driveway N. Site Driveway, WB LR	U	B (12.0)	B (12.1)	B (12.7)	B (11.1)	B (11.2)	B (12.1)

U = Unsignalized intersection
 S = Signalized intersection
 EB, WB, NB, SB = Eastbound, Westbound, Northbound, and Southbound intersection approaches
 L, T, R = Left-turn, Through, and/or Right-turn movements
 X (Y.Y) = Level of service (Average delay in seconds per vehicle)

The impact of the project can be described by comparing the analysis of the No-Build and Build operating conditions. The following observations are evident from the analysis:

- **Milton Road/Ingress Site Driveway:** The level of service analysis indicates that the southbound Milton Road approach currently operates at an acceptable LOS A or better during the study peak hours and will continue to do so in the Build conditions.
- **Milton Road/Egress Site Driveway:** The level of service analysis indicates that the westbound driveway approach currently operates at an acceptable LOS B or better in the study peak hours and will continue to do so in the Build conditions. Additionally, the 95th-percentile queue on the driveway approach is of one vehicle during all peak hours in the Build conditions.

4.0 Site Access, Circulation, and Parking

CM reviewed the site access as shown on the Site Plan prepared by CM, dated November 2024. The existing Arts Center is accessed via two driveways on Milton Road separated by approximately 170 feet. The southern driveway is ingress-only and the northern driveway is egress-only. Rye Arts Center currently shares the parking lot with the Rye Recreational Center that is adjacent to the facility. The site currently provides counterclockwise circulation on site. The two proposed modified driveways that will provide access to the new Arts Center building will be similar to the existing site; a northern, egress-only driveway and a southern, ingress-only driveway approximately 105-feet to the south. The proposed site will also provide counterclockwise circulation. It is noted that there is no internal cut-through road between the existing and proposed building sites, however a pedestrian walk-through is provided.

Similar to the trip generation study, CM inventoried and conducted parking counts at the existing Rye Arts Center. At the time this inventory took place, the site lot had unmarked spaces; therefore, the exact number of spaces was not defined by line striping as is typical, but there were approximately 50 spaces based on reasonable dimensions. It is noted that since this inventory, the existing parking area has been repaved, restriped, and modified to include 58 total marked spaces. The parking counts were conducted during the following periods: Weekday Midday (11:00 AM to 2:00 PM), Weekday School Dismissal (2:00 PM to 4:00 PM), Weekday Evening (4:00 PM to 7:00 PM), and Saturday Midday (11:00 AM to 2:00 PM).

The counts were performed on Wednesday, April 26, 2023, during the Midday, School Dismissal and Evening peak periods (11:00AM to 7:00PM) and Saturday, April 29, 2023, during the Midday (11:00AM to 2:00PM) peak period. Based on the analysis, the peak utilization for the midday counts occurred from 12:00 PM to 12:15 PM, the peak utilization for the school dismissal time occurred from 3:45 PM to 4:00 PM, the peak utilization for the evening counts occurred from 4:45 PM to 5:00 PM, and the Saturday midday peak utilization occurred from 11:45 AM to

12:00 PM. Table 4 summarized the parking utilization associated with the Arts Center by study period at the location. The parking count data for the study is included under Attachment E.

Table 4 – Observed Peak Parking Utilization, Rye Arts Center

Period	Observed Peak Demand	Parking Demand per 1,000 SF
Weekday Midday (12:00 PM-12:15 PM)	24	1.78
Weekday School Dismissal (3:45 PM-4:00 PM)	38	2.81
Weekday Evening (4:45 PM-5:00 PM)	40	2.96
Weekday Midday (11:00 AM-11:15 AM)	42	3.11

As shown in Table 4 above, the maximum observed parking demand during the Saturday midday period from 11:00 AM to 11:15 AM. Based on the size of the existing Rye Arts Center (13,500 Square feet), the peak parking generation rate is 3.11 occupied spaces per 1,000 square feet.³ Based on this rate, the proposed development would have a peak demand of 44 parking spaces.

It is noted that, due to the proximity to the Rye Recreation Department, which includes baseball fields, tennis courts, Rye Skate Park, etc., it is expected that some of the vehicles parked at the existing parking lot belonged to people who were using these facilities as opposed to the Rye Arts Center. Therefore, the parking demand calculated for this study could be a conservative estimate.

The site plan prepared by CM proposes modifications to the existing parking area on the north side of the property of the existing Rye Arts Center building. Additionally, 16 marked parking spaces are proposed in the property of the proposed building for a total of 91 parking spaces provided on both properties. Between the properties, the 91 spaces are sufficient in provided parking during peak demand. It is noted that a minimum of two ADA spaces will be provided in order to be ADA compliant.

Additionally, a parking utilization study was performed to determine if there is available public parking capacity along the following roadways and public lot:

- Milton Road – Between Rectory Street and 111 Milton Road
- Midland Avenue – Between Palisade Road and Billington Court
- Goldwin Street – Between Midland Avenue and Dead End
- Palisade Drive – Between Midland Avenue to Milton Road
- Recovery Street – Between Milton Road and Boston Post Road
- Boston Post Road – Between Central Avenue and 873 Boston Post Road
- Midland Parking Lot – at 281 Midland Avenue

These roadways are located within a five-minute walk from the Rye Arts Center. CM inventoried the aforementioned roadways and lot. When inventorying the on-street parking supply, limiting factors such as driveways, fire hydrants, and posted “No Parking” and “No Standing” regulations were considered. In areas where on-street parking spaces are not marked, a uniform parking space length of 22 feet was assumed consistent with the length of typical parking spaces. CM noted the applicable parking regulations. Table 5 presents the total supply along the study roadways and lot. Table 5A presents the breakdown of parking by regulation along the studied roadways segments.

³ Peak Demand = 42 Spaces/13.5 KSF = 3.11 spaces/1,000 SF

Table 5 – Study Area Parking Supply

Street/Lot	Boundaries	Parking Supply
Milton Road	From Rectory Street to 111 Milton Road	30
Midland Avenue	From Palisade Road to Billington Court	77
Goldwin Street	From Midland Avenue to Dead End	8
Palisade Drive	From Midland Avenue to Milton Road	27
Recovery Street	From Milton Road to Boston Post Road	23
Boston Post Road	Central Avenue and 873 Boston Post Road	38
Midland Parking Lot	N/A	40
TOTAL		243

Table 5A – Study Area Parking Supply by Regulation

Regulation	Parking Supply
Two-Hour Parking	43
No Parking Except Sunday	10
No Parking Mon-Fri 7:30AM-9:00AM/2:00PM-4:00PM ¹	115
No Regulation Posted	75

¹Specific times varies at certain roadways. Please refer to the parking utilization data sheets for exact times.

Table 5 shows that there are 243 parking spaces along the studied roadway segments. Table 5A shows that 43 of those parking spaces are Two Hour Parking Spaces.

CM performed parking surveys of the studied roadway segments to determine the utilization of the available parking supply and its variation over time. Parking surveys were conducted during the following periods:

- Weekday Midday – 11:00 AM to 2:00 PM
- Weekday School Dismissal – 2:00 PM to 4:00 PM
- Weekday Evening – 4:00 PM to 7:00 PM
- Saturday Midday – 11:00 AM to 2:00 PM

The weekday surveys were performed on Wednesday, April 26, 2023, and the Saturday surveys were performed on Saturday, April 29, 2023. Based on an analysis of the surveys, the peak level of utilization for the weekday midday occurred from 11:00 AM to 12:00 PM, the peak level of utilization for the weekday school dismissal occurred from 2:00 PM to 3:00 PM, the peak level of utilization for the weekday evening occurred from 6:00 PM to 7:00 PM, and the peak level of utilization for Saturday occurred from 1:00 PM to 2:00 PM. Table 6 summarizes the existing utilization of parking by study period along the studied roadway segments and lot based on time-of-day parking regulations. Table 6A summarizes the reserve capacity along each studied roadway segment and lot.

Table 6 – Existing Parking Utilization

Period	Observed Parked Vehicles	Utilization	Reserve Capacity
Weekday Midday (11:00AM-12:00PM)	88	38%	145
Weekday School Dismissal (2:00PM-3:00PM)	85	72%	33
Weekday Evening (6:00PM-7:00PM)	43	18%	190
Saturday Midday (1:00PM-2:00PM)	121	52%	112

Table 6A – Reserve Capacity by Street Segment

Period	Street Segment/Lot						
	Milton Rd	Midland Ave	Goldwin St	Palisade Dr	Rectory St	BPR	Midland Lot
Weekday Midday (11:00AM-12:00PM)	5	67	7	19	-8	19	35
Weekday School Dismissal (2:00PM-3:00PM)	4	-11	7	20	-6	-18	36
Weekday Evening (6:00PM-7:00PM)	29	75	4	26	11	30	14
Saturday Midday (1:00PM-2:00PM)	16	31	5	24	5	30	-1

As shown in Table 6 there are at least 33 spaces available along the studied roadway segments during the peak hours of the weekday midday, weekday school dismissal, weekday evening, and Saturday midday peak periods. Table 6A shows that the majority of the reserve capacity during the peak hours could be found on Midland Avenue, the Midland Lot, and Palisade Drive. It should be noted that parking along Midland Avenue and in the Midland Lot is incentivized by the walking path through the park providing access between these locations and the Arts Center.


5.0 Conclusion and Recommendations


The subject site is located on the parcel identified as Section 146.11, Block 3, Lot 4 on the City of Rye Tax Map. The subject site is currently developed with a three-story family home. The proposed project consists of a new building that will complement the existing Rye Arts Center building at 51 Milton Road. The following is noted regarding the proposed project:

- A previous site plan from November 2021 was used at the time of this study, which reflected a proposed Rye Arts Center building with a gross floor area of 14,000 square-feet. The site plan has since been updated to reflect a gross floor area of 12,821 square-feet. Therefore, the results and conclusions of the trip generation assessment, level of service analysis, and parking utilization assessment are conservative.
- CM performed a trip generation and parking demand study of an existing Rye Arts Center offering the same services. This allowed CM to determined specific peak trip generation and parking demand rates. Based on the peak trip generation rates, the proposed development will generate 23 trips during the midday peak hour, 44 trips during the school dismissal peak hour, 58 trips during the evening peak hour, and 103 trips during the Saturday midday peak hour. Based on the peak parking demand the proposed development will need 44 spaces.
- The level of service analysis indicates that the Build condition of the study intersections will operate at the levels of service consistent with the No-Build conditions.
- The parking utilization study determined that the surrounding roadways within a five-minute walk from Rye Arts Center have parking available during the studied times.
- The project is not expected to have a significant adverse impact on surrounding roadway network.

Please do not hesitate to call our office if you have any questions or comments, or require additional information.

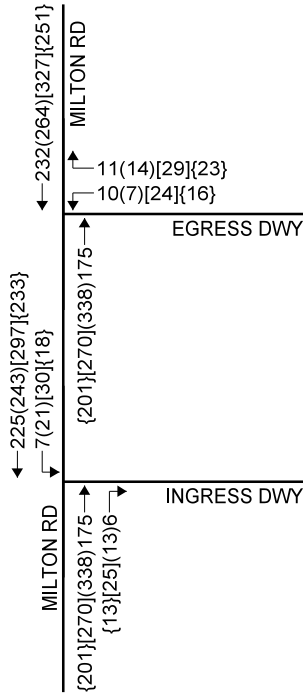
Respectfully submitted,
Creighton Manning


 Kenneth Wersted, P.E. (NY), PTOE
 Associate


 Matt Flaherty, PE
 Project Engineer

①

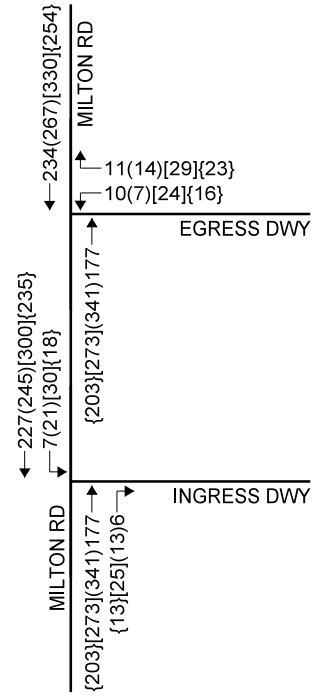
2023 EXISTING TRAFFIC VOLUMES



MIDDAY(SCHOOL DISMISSAL)[EVENING]{SAT}

②

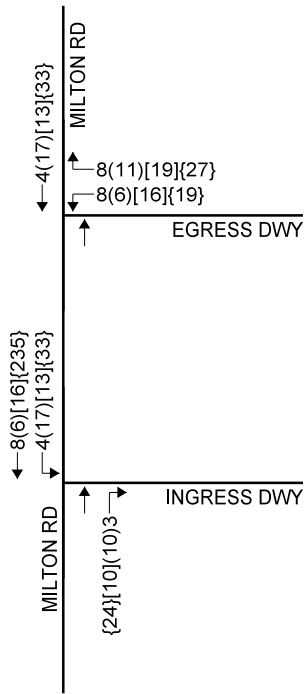
2025 NO-BUILD TRAFFIC VOLUMES



MIDDAY(SCHOOL DISMISSAL)[EVENING]{SAT}

③

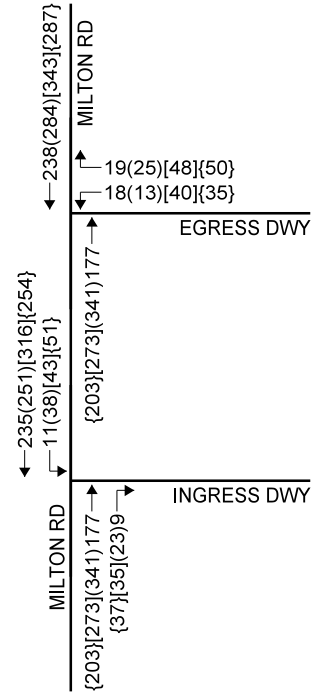
TRIP ASSIGNMENT



MIDDAY(SCHOOL DISMISSAL)[EVENING]{SAT}

④

2025 BUILD TRAFFIC VOLUMES



MIDDAY(SCHOOL DISMISSAL)[EVENING]{SAT}

TRAFFIC FIGURES

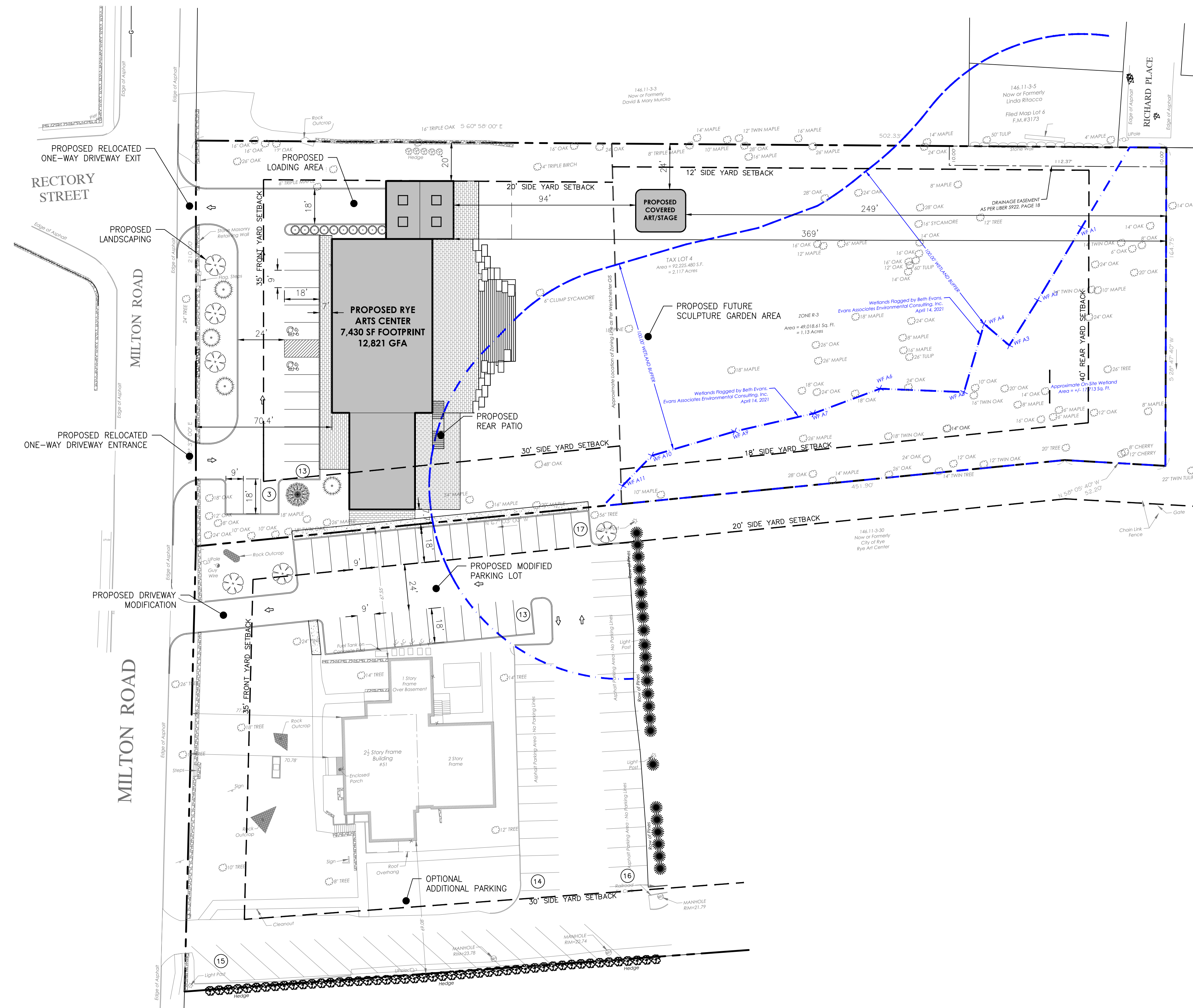
RYE ARTS CENTER
CITY OF RYE
WESTCHESTER COUNTY, NEW YORK



Attachment A
Site Plan

Rye Arts Center
City of Rye, New York

FILE NAME: N:\Projects\2023\12\2023 Rye Arts Center - Rye Working CADD.dwg 12/20/2023 Rye Arts Center - Concept Plan.dwg IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OR LAND SURVEYOR TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.
 LAST SAVED BY: Kamal Baranewicz
 PLOT DATE: November 15, 2024 10:05 AM
 DESIGN SUPERVISOR: D. ADAMS
 JOB MANAGER: SHUF. FRANCIS, PE
 DESIGNED BY: KAMAL BARANEWICZ, PE
 CHECKED BY: SHUF. FRANCIS, PE
 DRAFTED BY: SHUF. FRANCIS, PE



ZONING TABLE
25 MILTON RD (146-11-3-4)

ZONING DISTRICT : R-1 & R-3 (ONE-FAMILY RESIDENTIAL)
 PROPOSED USE : ARTS FACILITY - NON-PERMITTED (V)

SITE STATISTICS	REQUIRED (R-1)	REQUIRED (R-3)	EXISTING	PROPOSED
MAX. FAR	0.15	0.25	0.05	0.15
MIN. LOT AREA	1 ACRE	1/2 ACRE	2.1 AC (92,225 SF)	2.1 AC (92,225 SF)
MIN. LOT WIDTH	150 FT	100 FT	162.1 FT	162.1 FT
MIN. FRONT SETBACK	35 FT	30 FT	68.47 FT	70.4 FT
MIN. SIDE SETBACK (ONE)	20 FT	12 FT	42.1 FT	7.7 FT (V)
MIN. SIDE SETBACK (TOTAL)	50 FT	30 FT	119.3 FT	27.7 FT (V)
MIN. REAR SETBACK	60 FT	40 FT	376.9 FT	369 FT
SPECIFIED DISTANCE	100 FT	70 FT	N/A	N/A
MAX. BUILDING HEIGHT	2.5 STORIES / 32 FT	2.5 STORIES / 28 FT	2.5 STORIES / 32 FT	2.5 STORIES / 32 FT
MAX. ACCESSORY COVER	20%	35%	0.52%	0.6%
MIN. ACCESSORY SIDE SETBACK	20 FT	10 FT	16.4 FT (EN)	24 FT

(V) VARIANCE NEEDED
 (EN) EXISTING NON-CONFORMITY

ZONING TABLE
51 MILTON RD (146-11-3-30)

ZONING DISTRICT : R-1 & R-3 (ONE-FAMILY RESIDENTIAL)
 EXISTING USE : ARTS CENTER - EXISTING NON-CONFORMITY
 PUBLIC RECREATION / PARK - PERMITTED UNDER 197-10

ACCESSORY USES - VARIOUS RECREATIONAL USES - NO CHANGE

SITE STATISTICS	REQUIRED (R-1)	REQUIRED (R-3)	EXISTING	PROPOSED
MAX. FAR	0.15	0.25	0.012	0.012
MIN. LOT AREA	1 ACRE	1/2 ACRE	18.2 AC	18.2 AC
MIN. LOT WIDTH	150 FT	100 FT	523.5 FT	523.5 FT
MIN. FRONT SETBACK	35 FT	30 FT	77.3 FT	77.3 FT
MIN. SIDE SETBACK (ONE)	20 FT	12 FT	67.5 FT	67.5 FT
MIN. SIDE SETBACK (TOTAL)	50 FT	30 FT	136.6 FT	136.6 FT
MIN. REAR SETBACK	60 FT	40 FT	>200 FT	>200 FT
SPECIFIED DISTANCE	100 FT	70 FT	5 FT (EN)	5 FT (EN)
MAX. BUILDING HEIGHT	2.5 STORIES / 32 FT	2.5 STORIES / 28 FT	2.5 STORIES / 28 FT	2.5 STORIES / 28 FT
MAX. ACCESSORY COVER	20%	35%	N/A	N/A
MIN. ACCESSORY SIDE SETBACK	20 FT	10 FT	N/A	N/A

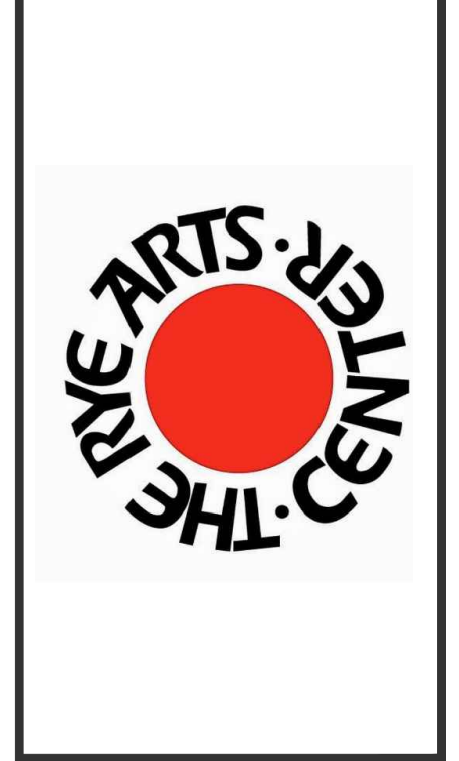
(V) VARIANCE NEEDED
 (EN) EXISTING NON-CONFORMITY
 (N/A) NOT APPLICABLE OR UNABLE TO BE DETERMINED

PARKING TABLE

USE	REQUIRED	EXISTING	PROPOSED
ARTS FACILITY*	1 PER 200 SF GFA 12,821 SF GFA / 200 SF = 64 SPACES	58 SPACES	91 SPACES

*PARKING REQUIREMENTS IN THE CITY OF RYE HAVE NOT BEEN ESTABLISHED FOR ARTS CENTERS. THE MOST CONSERVATIVE RATIO HAS BEEN USED BASED ON BUILDING SQUARE FOOTAGE.

NO.	REVISION	DATE	BY
2	REVISED LAYOUT	11/15/2024	KB
1	FOR CITY SUBMISSION	06/15/2024	KB



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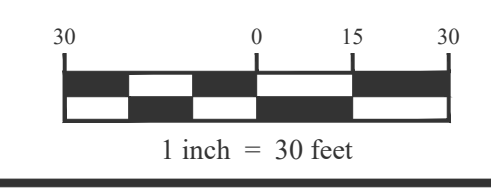
Creighton Manning

Creighton Manning Engineering, LLP
 2 WINNERS CIRCLE, SUITE 400, RYE, NEW YORK 10583
 P: (914) 446-0396 F: (914) 446-0397 WWW.CMEI.ENG.COM

THE RYE ARTS CENTER
 25 & 51 MILTON ROAD
 RYE, NEW YORK

CONCEPT PLAN

DATE: NOVEMBER 2024 CME No.: 123-022 SCALE: 1 IN = 30 FT



Attachment B
Turning Movement Count Data

Rye Arts Center
City of Rye, New York

123-022 Milton Road/Site Driveway Weekday Mi... - TMC

Wed Apr 26, 2023

Full Length (11 AM-2 PM)

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062435, Location: 40.977824, -73.68377, Site Code: Milton Road/Site Driveway



Provided by: Creighton Manning
Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound					Milton Road Northbound					Milton Road Southbound					Int
	L	R	U	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*	
2023-04-26 11:00AM	1	0	0	1	4	42	0	0	42	11	2	52	0	54	0	97
11:15AM	0	0	0	0	2	45	2	0	47	5	6	50	0	56	0	103
11:30AM	0	0	0	0	8	43	0	0	43	6	4	53	0	57	0	100
11:45AM	0	0	0	0	3	45	2	0	47	5	2	60	0	62	0	109
Hourly Total	1	0	0	1	17	175	4	0	179	27	14	215	0	229	0	409
12:00PM	0	0	0	0	0	31	2	0	33	4	1	60	0	61	0	94
12:15PM	0	0	0	0	11	56	2	0	58	11	0	52	0	52	0	110
12:30PM	0	0	0	0	0	46	0	0	46	0	2	42	0	44	0	90
12:45PM	1	0	0	1	0	46	2	0	48	3	1	44	0	45	0	94
Hourly Total	1	0	0	1	11	179	6	0	185	18	4	198	0	202	0	388
1:00PM	0	0	0	0	0	33	1	0	34	3	1	52	0	53	0	87
1:15PM	0	0	0	0	0	33	0	0	33	3	1	41	0	42	0	75
1:30PM	0	0	0	0	0	30	1	0	31	2	0	45	0	45	0	76
1:45PM	0	1	0	1	0	37	1	0	38	1	4	59	0	63	0	102
Hourly Total	0	1	0	1	0	133	3	0	136	9	6	197	0	203	0	340
Total	2	1	0	3	28	487	13	0	500	54	24	610	0	634	0	1137
% Approach	66.7%	33.3%	0%	-	-	97.4%	2.6%	0%	-	-	3.8%	96.2%	0%	-	-	-
% Total	0.2%	0.1%	0%	0.3%	-	42.8%	1.1%	0%	44.0%	-	2.1%	53.6%	0%	55.8%	-	-
Lights	2	1	0	3	-	471	13	0	484	-	24	579	0	603	-	1090
% Lights	100%	100%	0%	100%	-	96.7%	100%	0%	96.8%	-	100%	94.9%	0%	95.1%	-	95.9%
Articulated Trucks and Single-Unit Trucks	0	0	0	0	-	11	0	0	11	-	0	17	0	17	-	28
% Articulated Trucks and Single-Unit Trucks	0%	0%	0%	0%	-	2.3%	0%	0%	2.2%	-	0%	2.8%	0%	2.7%	-	2.5%
Buses	0	0	0	0	-	3	0	0	3	-	0	13	0	13	-	16
% Buses	0%	0%	0%	0%	-	0.6%	0%	0%	0.6%	-	0%	2.1%	0%	2.1%	-	1.4%
Bicycles on Road	0	0	0	0	-	2	0	0	2	-	0	1	0	1	-	3
% Bicycles on Road	0%	0%	0%	0%	-	0.4%	0%	0%	0.4%	-	0%	0.2%	0%	0.2%	-	0.3%
Pedestrians	-	-	-	-	28	-	-	-	-	54	-	-	-	-	0	-
% Pedestrians	-	-	-	-	100%	-	-	-	-	100%	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	0%	-	-	-	-	0%	-	-	-	-	-	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Weekday Mi... - TMC

Wed Apr 26, 2023

Midday Peak (11:30 AM - 12:30 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062435, Location: 40.977824, -73.68377, Site Code: Milton Road/Site Driveway



Provided by: Creighton Manning
Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound					Milton Road Northbound					Milton Road Southbound					Int
	L	R	U	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*	
2023-04-26 11:30AM	0	0	0	0	8	43	0	0	43	6	4	53	0	57	0	100
11:45AM	0	0	0	0	3	45	2	0	47	5	2	60	0	62	0	109
12:00PM	0	0	0	0	0	31	2	0	33	4	1	60	0	61	0	94
12:15PM	0	0	0	0	11	56	2	0	58	11	0	52	0	52	0	110
Total	0	0	0	0	22	175	6	0	181	26	7	225	0	232	0	413
% Approach	0%	0%	0%	-	-	96.7%	3.3%	0%	-	-	3.0%	97.0%	0%	-	-	-
% Total	0%	0%	0%	0%	-	42.4%	1.5%	0%	43.8%	-	1.7%	54.5%	0%	56.2%	-	-
PHF	-	-	-	-	-	0.786	0.750	-	0.785	-	0.438	0.938	-	0.935	-	0.943
Lights	0	0	0	0	-	167	6	0	173	-	7	217	0	224	-	397
% Lights	0%	0%	0%	-	-	95.4%	100%	0%	95.6%	-	100%	96.4%	0%	96.6%	-	96.1%
Articulated Trucks and Single-Unit Trucks	0	0	0	0	-	4	0	0	4	-	0	4	0	4	-	8
% Articulated Trucks and Single-Unit Trucks	0%	0%	0%	-	-	2.3%	0%	0%	2.2%	-	0%	1.8%	0%	1.7%	-	1.9%
Buses	0	0	0	0	-	2	0	0	2	-	0	4	0	4	-	6
% Buses	0%	0%	0%	-	-	1.1%	0%	0%	1.1%	-	0%	1.8%	0%	1.7%	-	1.5%
Bicycles on Road	0	0	0	0	-	2	0	0	2	-	0	0	0	0	-	2
% Bicycles on Road	0%	0%	0%	-	-	1.1%	0%	0%	1.1%	-	0%	0%	0%	0%	-	0.5%
Pedestrians	-	-	-	-	22	-	-	-	-	26	-	-	-	-	0	-
% Pedestrians	-	-	-	-	100%	-	-	-	-	100%	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	0%	-	-	-	-	0%	-	-	-	-	-	-

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Weekday Mi... - TMC

Wed Apr 26, 2023

Midday Peak (11:30 AM - 12:30 PM) - Overall Peak Hour

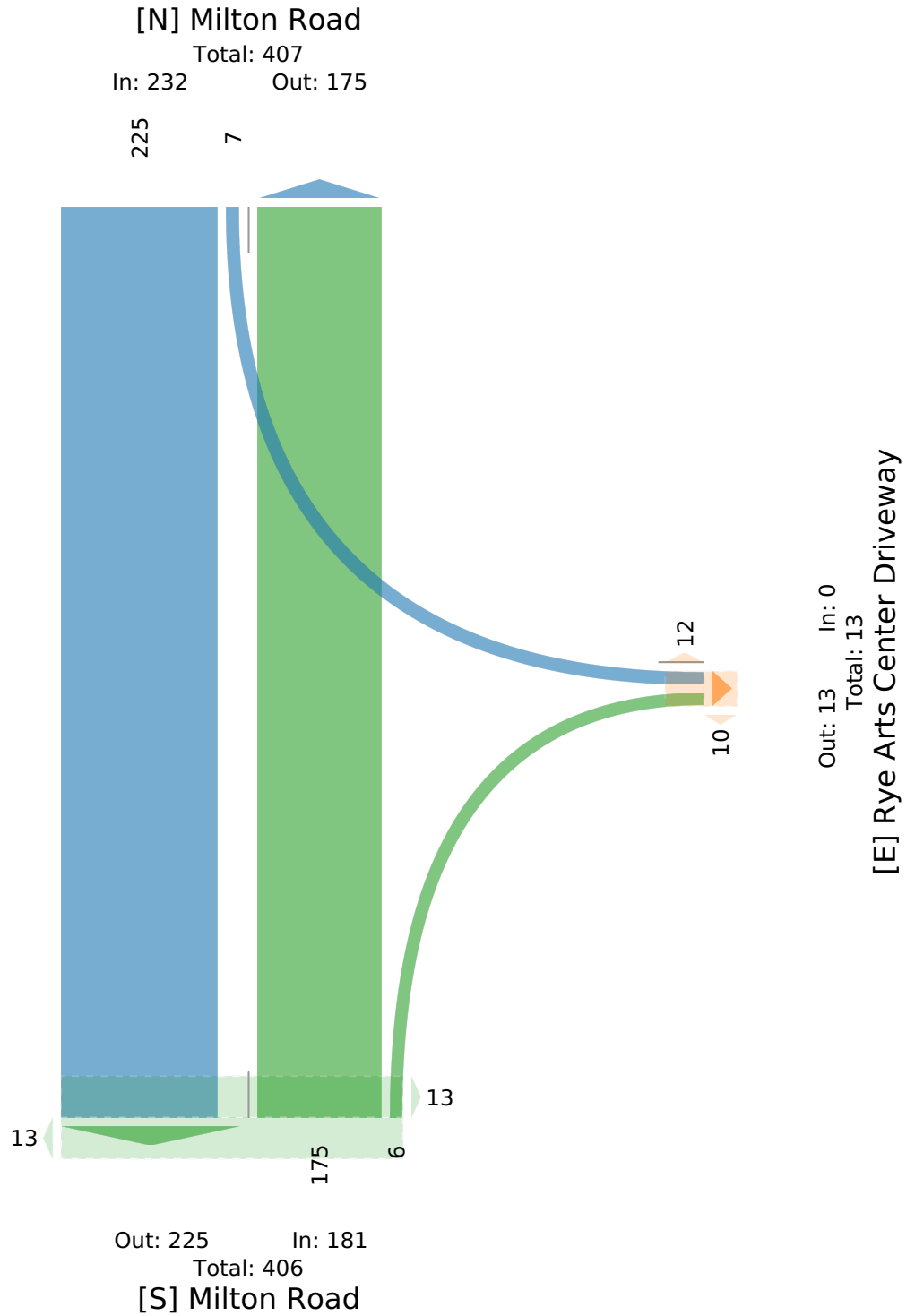
All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062435, Location: 40.977824, -73.68377, Site Code: Milton Road/Site Driveway



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US



123-022 Milton Road/Site Driveway Weekday Mi... - TMC

Wed Apr 26, 2023

PM Peak (1 PM - 2 PM)

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062435, Location: 40.977824, -73.68377, Site Code: Milton Road/Site Driveway



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound					Milton Road Northbound					Milton Road Southbound					Int
	L	R	U	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*	
2023-04-26 1:00PM	0	0	0	0	0	33	1	0	34	3	1	52	0	53	0	87
1:15PM	0	0	0	0	0	33	0	0	33	3	1	41	0	42	0	75
1:30PM	0	0	0	0	0	30	1	0	31	2	0	45	0	45	0	76
1:45PM	0	1	0	1	0	37	1	0	38	1	4	59	0	63	0	102
Total	0	1	0	1	0	133	3	0	136	9	6	197	0	203	0	340
% Approach	0%	100%	0%	-	-	97.8%	2.2%	0%	-	-	3.0%	97.0%	0%	-	-	-
% Total	0%	0.3%	0%	0.3%	-	39.1%	0.9%	0%	40.0%	-	1.8%	57.9%	0%	59.7%	-	-
PHF	-	0.250	-	0.250	-	0.899	0.750	-	0.895	-	0.375	0.835	-	0.806	-	0.833
Lights	0	1	0	1	-	130	3	0	133	-	6	187	0	193	-	327
% Lights	0%	100%	0%	100%	-	97.7%	100%	0%	97.8%	-	100%	94.9%	0%	95.1%	-	96.2%
Articulated Trucks and Single-Unit Trucks	0	0	0	0	-	3	0	0	3	-	0	6	0	6	-	9
% Articulated Trucks and Single-Unit Trucks	0%	0%	0%	0%	-	2.3%	0%	0%	2.2%	-	0%	3.0%	0%	3.0%	-	2.6%
Buses	0	0	0	0	-	0	0	0	0	-	0	4	0	4	-	4
% Buses	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%	2.0%	0%	2.0%	-	1.2%
Bicycles on Road	0	0	0	0	-	0	0	0	0	-	0	0	0	0	-	0
% Bicycles on Road	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%
Pedestrians	-	-	-	-	0	-	-	-	-	9	-	-	-	-	0	-
% Pedestrians	-	-	-	-	-	-	-	-	-	100%	-	-	-	-	-	-
Bicycles on Crosswalk	-	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	0%	-	-	-	-	-	-

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Weekday Mi... - TMC

Wed Apr 26, 2023

PM Peak (1 PM - 2 PM)

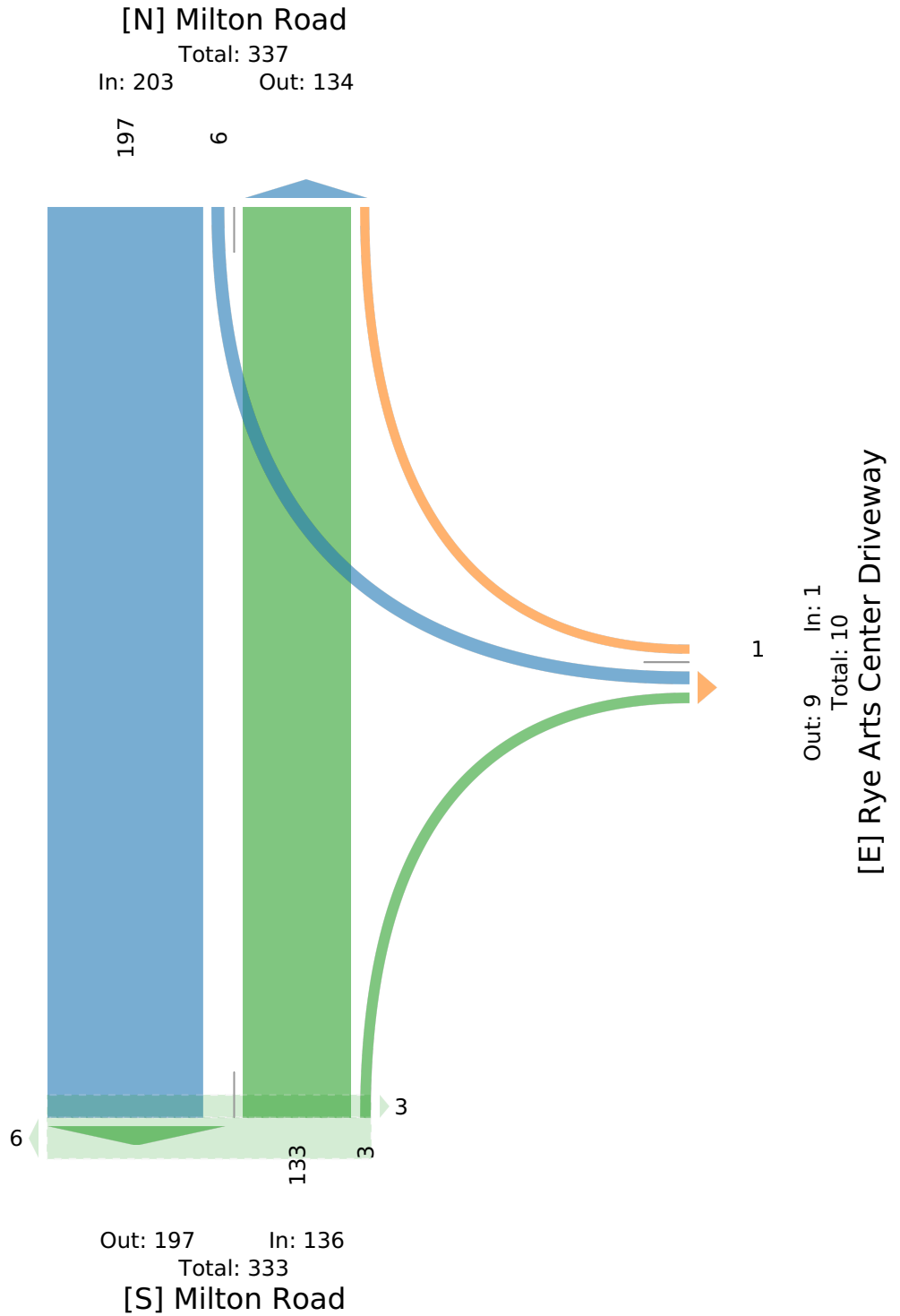
All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062435, Location: 40.977824, -73.68377, Site Code: Milton Road/Site Driveway



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US



123-022 Milton Road/Site Driveway Weekday Sc... - TMC

Wed Apr 26, 2023

Full Length (2 PM-4 PM)

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062438, Location: 40.977824, -73.68377



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway		Milton Road Northbound					Milton Road Southbound					Int
	Westbound		T	R	U	App	Ped*	L	T	U	App	Ped*	
Time	App	Ped*											
2023-04-26 2:00PM	0	0	35	5	0	40	1	2	50	0	52	0	92
2:15PM	0	0	44	3	0	47	1	3	56	0	59	0	106
2:30PM	0	0	66	2	0	68	3	4	57	0	61	0	129
2:45PM	0	0	77	0	0	77	11	2	60	0	62	0	139
Hourly Total	0	0	222	10	0	232	16	11	223	0	234	0	466
3:00PM	0	5	85	0	0	85	8	4	47	0	51	0	136
3:15PM	0	9	87	5	0	92	9	4	70	0	74	0	166
3:30PM	0	5	79	1	0	80	6	7	66	0	73	0	153
3:45PM	0	5	87	7	0	94	7	6	60	0	66	0	160
Hourly Total	0	24	338	13	0	351	30	21	243	0	264	0	615
Total	0	24	560	23	0	583	46	32	466	0	498	0	1081
% Approach	-	-	96.1%	3.9%	0%	-	-	6.4%	93.6%	0%	-	-	-
% Total	0%	-	51.8%	2.1%	0%	53.9%	-	3.0%	43.1%	0%	46.1%	-	-
Lights	0	-	549	23	0	572	-	32	449	0	481	-	1053
% Lights	-	-	98.0%	100%	0%	98.1%	-	100%	96.4%	0%	96.6%	-	97.4%
Articulated Trucks and Single-Unit Trucks	0	-	6	0	0	6	-	0	9	0	9	-	15
% Articulated Trucks and Single-Unit Trucks	-	-	1.1%	0%	0%	1.0%	-	0%	1.9%	0%	1.8%	-	1.4%
Buses	0	-	3	0	0	3	-	0	6	0	6	-	9
% Buses	-	-	0.5%	0%	0%	0.5%	-	0%	1.3%	0%	1.2%	-	0.8%
Bicycles on Road	0	-	2	0	0	2	-	0	2	0	2	-	4
% Bicycles on Road	-	-	0.4%	0%	0%	0.3%	-	0%	0.4%	0%	0.4%	-	0.4%
Pedestrians	-	24	-	-	-	-	44	-	-	-	-	-	0
% Pedestrians	-	100%	-	-	-	-	95.7%	-	-	-	-	-	-
Bicycles on Crosswalk	-	0	-	-	-	-	2	-	-	-	-	-	0
% Bicycles on Crosswalk	-	0%	-	-	-	-	4.3%	-	-	-	-	-	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Weekday Sc... - TMC

Wed Apr 26, 2023

PM Peak (3 PM - 4 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062438, Location: 40.977824, -73.68377



Provided by: Creighton Manning
Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound		Milton Road Northbound						Milton Road Southbound					Int
	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*		
2023-04-26 3:00PM	0	5	85	0	0	85	8	4	47	0	51	0	136	
3:15PM	0	9	87	5	0	92	9	4	70	0	74	0	166	
3:30PM	0	5	79	1	0	80	6	7	66	0	73	0	153	
3:45PM	0	5	87	7	0	94	7	6	60	0	66	0	160	
Total	0	24	338	13	0	351	30	21	243	0	264	0	615	
% Approach	-	-	96.3%	3.7%	0%	-	-	8.0%	92.0%	0%	-	-	-	
% Total	0%	-	55.0%	2.1%	0%	57.1%	-	3.4%	39.5%	0%	42.9%	-	-	
PHF	-	-	0.968	0.464	-	0.931	-	0.750	0.864	-	0.889	-	0.929	
Lights	0	-	334	13	0	347	-	21	237	0	258	-	605	
% Lights	-	-	98.8%	100%	0%	98.9%	-	100%	97.5%	0%	97.7%	-	98.4%	
Articulated Trucks and Single-Unit Trucks	0	-	2	0	0	2	-	0	3	0	3	-	5	
% Articulated Trucks and Single-Unit Trucks	-	-	0.6%	0%	0%	0.6%	-	0%	1.2%	0%	1.1%	-	0.8%	
Buses	0	-	1	0	0	1	-	0	2	0	2	-	3	
% Buses	-	-	0.3%	0%	0%	0.3%	-	0%	0.8%	0%	0.8%	-	0.5%	
Bicycles on Road	0	-	1	0	0	1	-	0	1	0	1	-	2	
% Bicycles on Road	-	-	0.3%	0%	0%	0.3%	-	0%	0.4%	0%	0.4%	-	0.3%	
Pedestrians	-	24	-	-	-	-	30	-	-	-	-	0	-	
% Pedestrians	-	100%	-	-	-	-	100%	-	-	-	-	-	-	
Bicycles on Crosswalk	-	0	-	-	-	-	0	-	-	-	-	0	-	
% Bicycles on Crosswalk	-	0%	-	-	-	-	0%	-	-	-	-	-	-	

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Weekday Sc... - TMC

Wed Apr 26, 2023

PM Peak (3 PM - 4 PM) - Overall Peak Hour

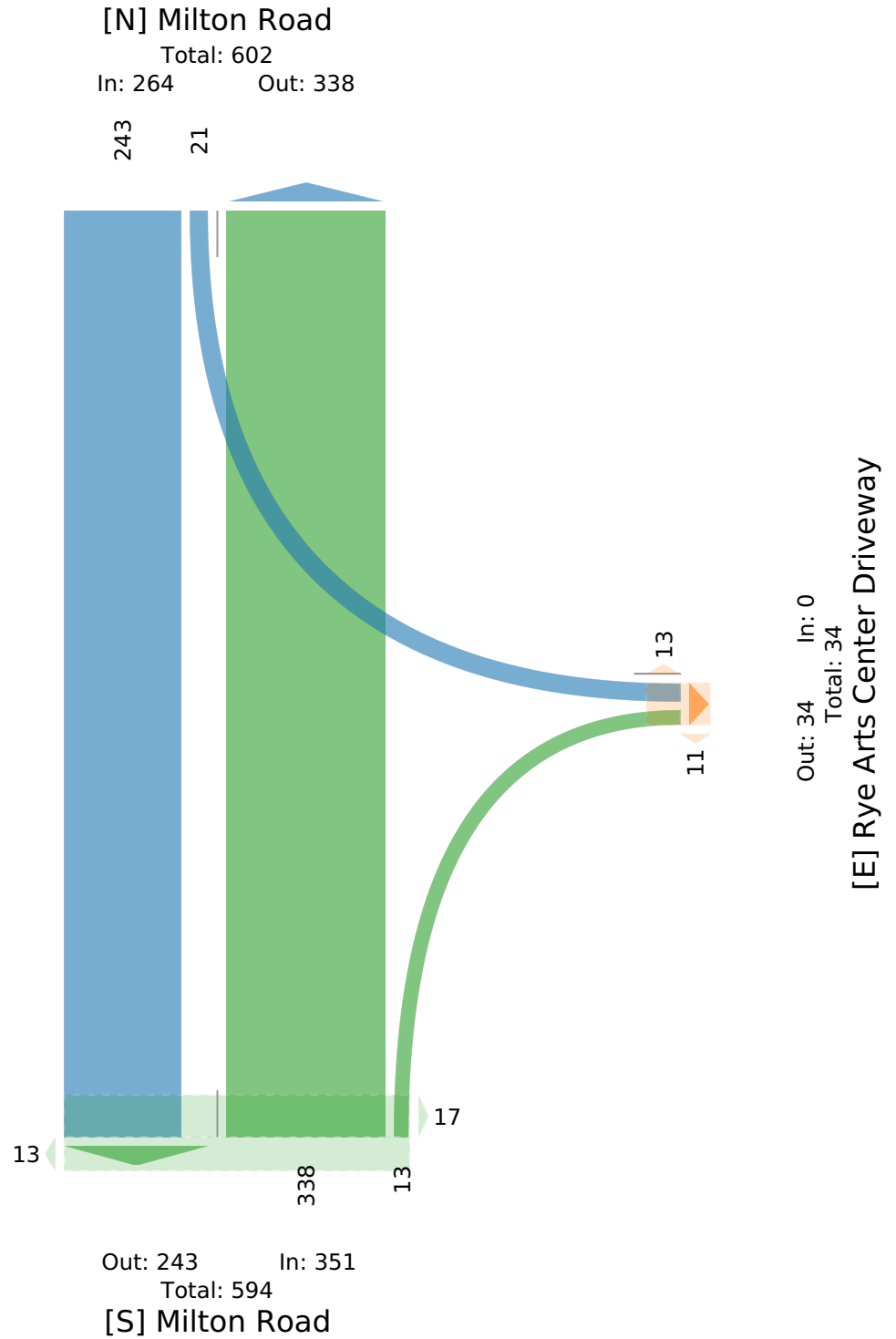
All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062438, Location: 40.977824, -73.68377



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US



123-022 Milton Road/Site Driveway Weekday Ev... - TMC

Wed Apr 26, 2023

Full Length (4 PM-7 PM)

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062440, Location: 40.977824, -73.68377



Provided by: Creighton Manning
Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound		Milton Road Northbound						Milton Road Southbound					Int
	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*		
2023-04-26 4:00PM	0	0	56	5	0	61	5	2	64	0	66	0	127	
4:15PM	0	0	50	4	0	54	1	3	75	0	78	0	132	
4:30PM	0	0	60	5	0	65	6	6	75	0	81	1	146	
4:45PM	0	0	65	14	0	79	1	15	75	0	90	0	169	
Hourly Total	0	0	231	28	0	259	13	26	289	0	315	1	574	
5:00PM	0	1	82	3	0	85	3	7	69	0	76	0	161	
5:15PM	0	1	63	3	0	66	2	2	78	0	80	2	146	
5:30PM	0	3	42	5	0	47	1	6	74	0	80	0	127	
5:45PM	0	2	72	11	0	83	1	10	78	0	88	0	171	
Hourly Total	0	7	259	22	0	281	7	25	299	0	324	2	605	
6:00PM	0	0	60	6	0	66	5	4	68	0	72	0	138	
6:15PM	0	0	63	1	1	65	5	1	86	0	87	0	152	
6:30PM	0	0	55	4	0	59	3	2	59	0	61	0	120	
6:45PM	0	0	42	2	0	44	2	3	43	0	46	0	90	
Hourly Total	0	0	220	13	1	234	15	10	256	0	266	0	500	
Total	0	7	710	63	1	774	35	61	844	0	905	3	1679	
% Approach	-	-	91.7%	8.1%	0.1%	-	-	6.7%	93.3%	0%	-	-	-	
% Total	0%	-	42.3%	3.8%	0.1%	46.1%	-	3.6%	50.3%	0%	53.9%	-	-	
Lights	0	-	698	62	1	761	-	60	829	0	889	-	1650	
% Lights	-	-	98.3%	98.4%	100%	98.3%	-	98.4%	98.2%	0%	98.2%	-	98.3%	
Articulated Trucks and Single-Unit Trucks	0	-	7	0	0	7	-	0	7	0	7	-	14	
% Articulated Trucks and Single-Unit Trucks	-	-	1.0%	0%	0%	0.9%	-	0%	0.8%	0%	0.8%	-	0.8%	
Buses	0	-	0	0	0	0	-	0	2	0	2	-	2	
% Buses	-	-	0%	0%	0%	0%	-	0%	0.2%	0%	0.2%	-	0.1%	
Bicycles on Road	0	-	5	1	0	6	-	1	6	0	7	-	13	
% Bicycles on Road	-	-	0.7%	1.6%	0%	0.8%	-	1.6%	0.7%	0%	0.8%	-	0.8%	
Pedestrians	-	7	-	-	-	-	33	-	-	-	-	3	-	
% Pedestrians	-	100%	-	-	-	-	94.3%	-	-	-	-	100%	-	
Bicycles on Crosswalk	-	0	-	-	-	-	2	-	-	-	-	0	-	
% Bicycles on Crosswalk	-	0%	-	-	-	-	5.7%	-	-	-	-	0%	-	

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Weekday Ev... - TMC

Wed Apr 26, 2023

PM Peak (4:30 PM - 5:30 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062440, Location: 40.977824, -73.68377



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound		Milton Road Northbound					Milton Road Southbound					
Time	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*	Int
2023-04-26 4:30PM	0	0	60	5	0	65	6	6	75	0	81	1	146
4:45PM	0	0	65	14	0	79	1	15	75	0	90	0	169
5:00PM	0	1	82	3	0	85	3	7	69	0	76	0	161
5:15PM	0	1	63	3	0	66	2	2	78	0	80	2	146
Total	0	2	270	25	0	295	12	30	297	0	327	3	622
% Approach	-	-	91.5%	8.5%	0%	-	-	9.2%	90.8%	0%	-	-	-
% Total	0%	-	43.4%	4.0%	0%	47.4%	-	4.8%	47.7%	0%	52.6%	-	-
PHF	-	-	0.820	0.462	-	0.862	-	0.518	0.942	-	0.928	-	0.933
Lights	0	-	266	24	0	290	-	29	291	0	320	-	610
% Lights	-	-	98.5%	96.0%	0%	98.3%	-	96.7%	98.0%	0%	97.9%	-	98.1%
Articulated Trucks and Single-Unit Trucks	0	-	3	0	0	3	-	0	2	0	2	-	5
% Articulated Trucks and Single-Unit Trucks	-	-	1.1%	0%	0%	1.0%	-	0%	0.7%	0%	0.6%	-	0.8%
Buses	0	-	0	0	0	0	-	0	1	0	1	-	1
% Buses	-	-	0%	0%	0%	0%	-	0%	0.3%	0%	0.3%	-	0.2%
Bicycles on Road	0	-	1	1	0	2	-	1	3	0	4	-	6
% Bicycles on Road	-	-	0.4%	4.0%	0%	0.7%	-	3.3%	1.0%	0%	1.2%	-	1.0%
Pedestrians	-	2	-	-	-	-	10	-	-	-	-	3	-
% Pedestrians	-	100%	-	-	-	-	83.3%	-	-	-	-	100%	-
Bicycles on Crosswalk	-	0	-	-	-	-	2	-	-	-	-	0	-
% Bicycles on Crosswalk	-	0%	-	-	-	-	16.7%	-	-	-	-	0%	-

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Weekday Ev... - TMC

Wed Apr 26, 2023

PM Peak (4:30 PM - 5:30 PM) - Overall Peak Hour

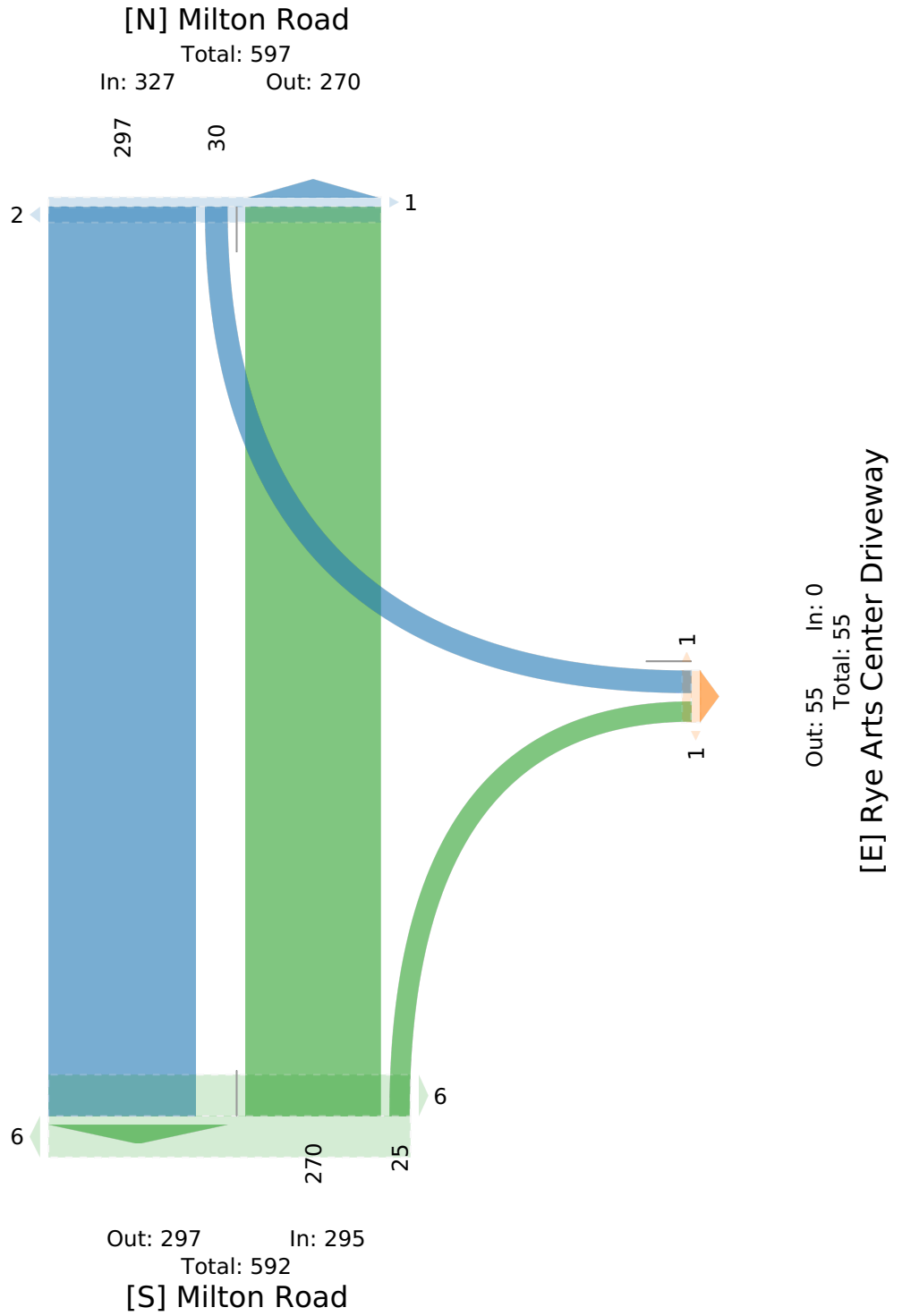
All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062440, Location: 40.977824, -73.68377



Provided by: Creighton Manning
Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US



123-022 Milton Road/Site Driveway Saturday M... - TMC

Sat Apr 29, 2023

Full Length (11 AM-2 PM)

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062442, Location: 40.977824, -73.68377



Provided by: Creighton Manning
Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound		Milton Road Northbound					Milton Road Southbound					
Time	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*	Int
2023-04-29 11:00AM	0	0	42	7	0	49	0	13	54	0	67	0	116
11:15AM	0	0	45	6	0	51	0	8	51	0	59	0	110
11:30AM	0	0	49	1	0	50	0	3	45	0	48	0	98
11:45AM	0	0	39	10	0	49	5	7	55	0	62	0	111
Hourly Total	0	0	175	24	0	199	5	31	205	0	236	0	435
12:00PM	0	3	58	1	0	59	3	4	81	0	85	0	144
12:15PM	0	2	55	1	0	56	10	4	52	0	56	0	112
12:30PM	0	2	36	1	0	37	3	3	40	0	43	0	80
12:45PM	0	0	39	6	0	45	6	7	47	0	54	0	99
Hourly Total	0	7	188	9	0	197	22	18	220	0	238	0	435
1:00PM	0	0	53	4	0	57	0	8	57	0	65	0	122
1:15PM	0	0	41	2	0	43	0	4	44	0	48	1	91
1:30PM	0	0	47	6	0	53	0	6	43	0	49	0	102
1:45PM	0	0	44	2	0	46	0	9	55	0	64	0	110
Hourly Total	0	0	185	14	0	199	0	27	199	0	226	1	425
2:00PM	0	0	0	0	0	0	0	0	0	0	0	0	0
Hourly Total	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	7	548	47	0	595	27	76	624	0	700	1	1295
% Approach	-	-	92.1%	7.9%	0%	-	-	10.9%	89.1%	0%	-	-	-
% Total	0%	-	42.3%	3.6%	0%	45.9%	-	5.9%	48.2%	0%	54.1%	-	-
Lights	0	-	544	47	0	591	-	76	620	0	696	-	1287
% Lights	-	-	99.3%	100%	0%	99.3%	-	100%	99.4%	0%	99.4%	-	99.4%
Articulated Trucks and Single-Unit Trucks	0	-	3	0	0	3	-	0	2	0	2	-	5
% Articulated Trucks and Single-Unit Trucks	-	-	0.5%	0%	0%	0.5%	-	0%	0.3%	0%	0.3%	-	0.4%
Buses	0	-	1	0	0	1	-	0	2	0	2	-	3
% Buses	-	-	0.2%	0%	0%	0.2%	-	0%	0.3%	0%	0.3%	-	0.2%
Bicycles on Road	0	-	0	0	0	0	-	0	0	0	0	-	0
% Bicycles on Road	-	-	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%
Pedestrians	-	7	-	-	-	-	27	-	-	-	-	1	-
% Pedestrians	-	100%	-	-	-	-	100%	-	-	-	-	100%	-
Bicycles on Crosswalk	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	0%	-	-	-	-	0%	-	-	-	-	0%	-

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Saturday M... - TMC

Sat Apr 29, 2023

Midday Peak (WKND) (11:30 AM - 12:30 PM) - Overall Peak Hour

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062442, Location: 40.977824, -73.68377



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway		Milton Road Northbound						Milton Road Southbound					Int
	Westbound		T	R	U	App	Ped*	L	T	U	App	Ped*		
Time	App	Ped*												
2023-04-29 11:30AM	0	0	49	1	0	50	0	3	45	0	48	0	98	
11:45AM	0	0	39	10	0	49	5	7	55	0	62	0	111	
12:00PM	0	3	58	1	0	59	3	4	81	0	85	0	144	
12:15PM	0	2	55	1	0	56	10	4	52	0	56	0	112	
Total	0	5	201	13	0	214	18	18	233	0	251	0	465	
% Approach	-	-	93.9%	6.1%	0%	-	-	7.2%	92.8%	0%	-	-	-	
% Total	0%	-	43.2%	2.8%	0%	46.0%	-	3.9%	50.1%	0%	54.0%	-	-	
PHF	-	-	0.866	0.325	-	0.907	-	0.643	0.719	-	0.738	-	0.807	
Lights	0	-	199	13	0	212	-	18	230	0	248	-	460	
% Lights	-	-	99.0%	100%	0%	99.1%	-	100%	98.7%	0%	98.8%	-	98.9%	
Articulated Trucks and Single-Unit Trucks	0	-	1	0	0	1	-	0	1	0	1	-	2	
% Articulated Trucks and Single-Unit Trucks	-	-	0.5%	0%	0%	0.5%	-	0%	0.4%	0%	0.4%	-	0.4%	
Buses	0	-	1	0	0	1	-	0	2	0	2	-	3	
% Buses	-	-	0.5%	0%	0%	0.5%	-	0%	0.9%	0%	0.8%	-	0.6%	
Bicycles on Road	0	-	0	0	0	0	-	0	0	0	0	-	0	
% Bicycles on Road	-	-	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%	
Pedestrians	-	5	-	-	-	-	18	-	-	-	-	0	-	
% Pedestrians	-	100%	-	-	-	-	100%	-	-	-	-	-	-	
Bicycles on Crosswalk	-	0	-	-	-	-	0	-	-	-	-	0	-	
% Bicycles on Crosswalk	-	0%	-	-	-	-	0%	-	-	-	-	-	-	

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Saturday M... - TMC

Sat Apr 29, 2023

Midday Peak (WKND) (11:30 AM - 12:30 PM) - Overall Peak Hour

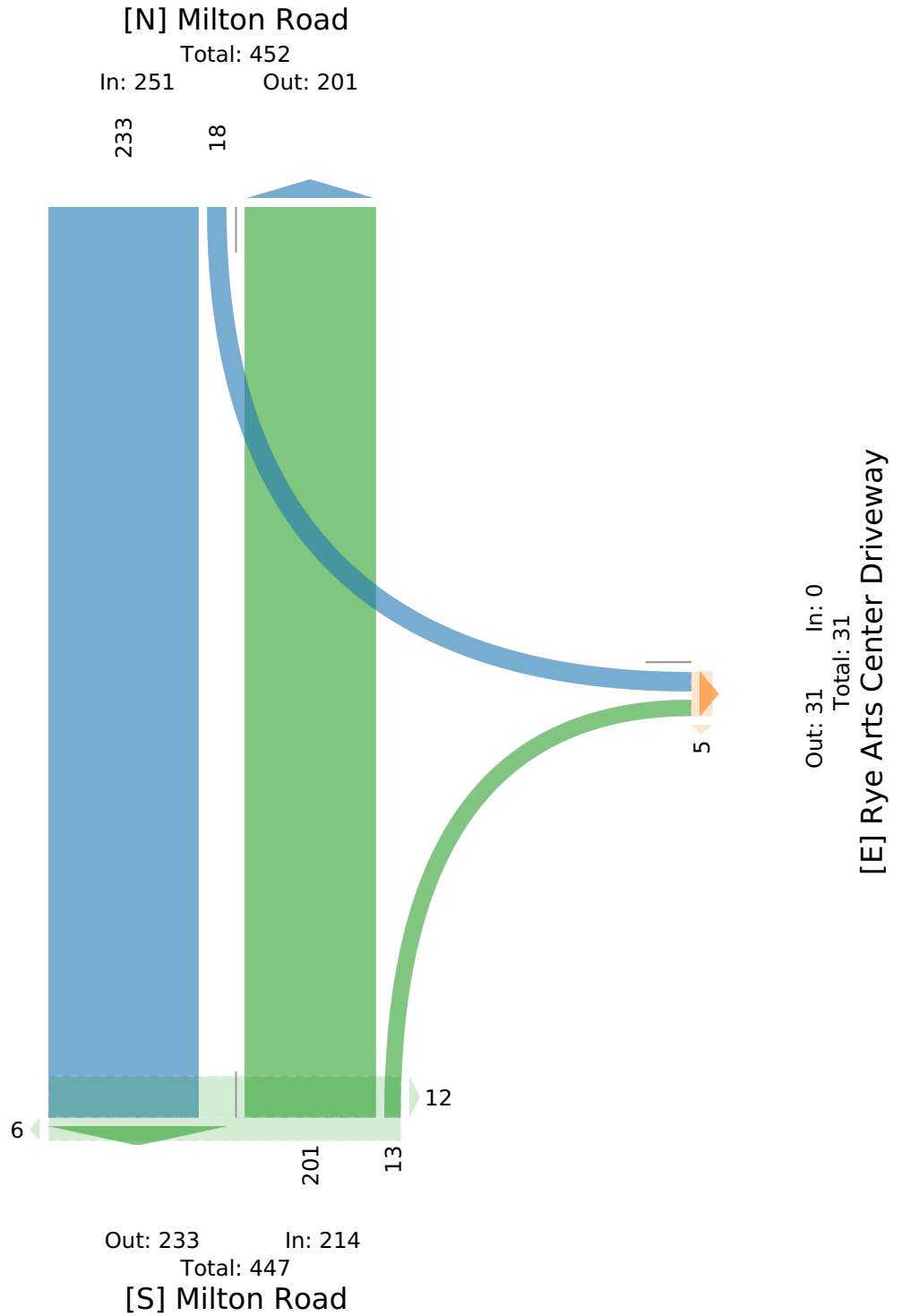
All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062442, Location: 40.977824, -73.68377



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US



123-022 Milton Road/Site Driveway Saturday M... - TMC

Sat Apr 29, 2023

PM Peak (WKND) (1 PM - 2 PM)

All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062442, Location: 40.977824, -73.68377



Provided by: Creighton Manning Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US

Leg Direction	Rye Arts Center Driveway Westbound		Milton Road Northbound					Milton Road Southbound					
Time	App	Ped*	T	R	U	App	Ped*	L	T	U	App	Ped*	Int
2023-04-29 1:00PM	0	0	53	4	0	57	0	8	57	0	65	0	122
1:15PM	0	0	41	2	0	43	0	4	44	0	48	1	91
1:30PM	0	0	47	6	0	53	0	6	43	0	49	0	102
1:45PM	0	0	44	2	0	46	0	9	55	0	64	0	110
Total	0	0	185	14	0	199	0	27	199	0	226	1	425
% Approach	-	-	93.0%	7.0%	0%	-	-	11.9%	88.1%	0%	-	-	-
% Total	0%	-	43.5%	3.3%	0%	46.8%	-	6.4%	46.8%	0%	53.2%	-	-
PHF	-	-	0.873	0.583	-	0.873	-	0.750	0.873	-	0.869	-	0.871
Lights	0	-	183	14	0	197	-	27	198	0	225	-	422
% Lights	-	-	98.9%	100%	0%	99.0%	-	100%	99.5%	0%	99.6%	-	99.3%
Articulated Trucks and Single-Unit Trucks	0	-	2	0	0	2	-	0	1	0	1	-	3
% Articulated Trucks and Single-Unit Trucks	-	-	1.1%	0%	0%	1.0%	-	0%	0.5%	0%	0.4%	-	0.7%
Buses	0	-	0	0	0	0	-	0	0	0	0	-	0
% Buses	-	-	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%
Bicycles on Road	0	-	0	0	0	0	-	0	0	0	0	-	0
% Bicycles on Road	-	-	0%	0%	0%	0%	-	0%	0%	0%	0%	-	0%
Pedestrians	-	0	-	-	-	-	0	-	-	-	-	1	-
% Pedestrians	-	-	-	-	-	-	-	-	-	-	-	100%	-
Bicycles on Crosswalk	-	0	-	-	-	-	0	-	-	-	-	0	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	-	-	0%	-

* Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

123-022 Milton Road/Site Driveway Saturday M... - TMC

Sat Apr 29, 2023

PM Peak (WKND) (1 PM - 2 PM)

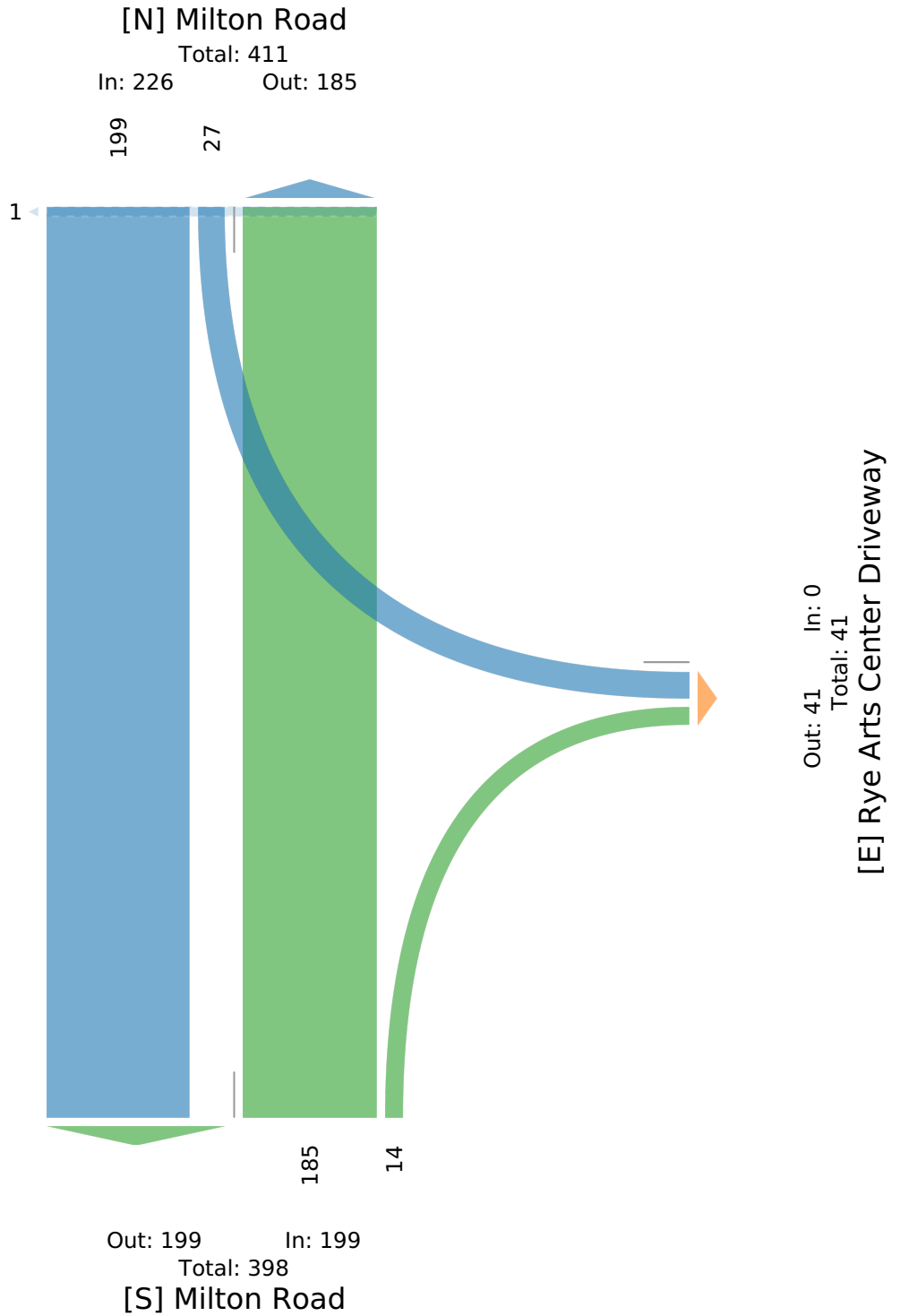
All Classes (Lights, Articulated Trucks and Single-Unit Trucks, Buses, Pedestrians, Bicycles on Road, Bicycles on Crosswalk)

All Movements

ID: 1062442, Location: 40.977824, -73.68377



Provided by: Creighton Manning
Engineering, LLP
2 Winners Circle,
Albany, NY, 12205, US



Attachment C
Trip Generation Count Data

Rye Arts Center
City of Rye, New York

Rye Arts Center Trip Generation
 4/23/2023 - CM Project 123-022

	Hour	In	Out	Total	Hourly Total
MIDDAY	11:00		0	2	2
	11:15		2	0	2
	11:30		2	3	5
	11:45		3	2	5
	12:00		0	3	3
	12:15		2	7	9
	12:30		4	10	14
	12:45		2	0	2
	13:00		1	0	1
	13:15		0	0	0
	13:30		3	5	8
	13:45		0	0	0
SCHOOL DISMISSAL	14:00		6	6	12
	14:15		7	7	14
	14:30		3	1	4
	14:45		1	3	4
	15:00		2	3	5
	15:15		8	2	10
	15:30		5	3	8
	15:45		11	8	19
EVENING	16:00		4	4	8
	16:15		4	1	5
	16:30		6	4	10
	16:45		11	8	19
	17:00		7	13	20
	17:15		3	3	6
	17:30		1	8	9
	17:45		6	5	11
	18:00		12	18	30
	18:15		1	0	1
	18:30		4	5	9
	18:45		1	4	5

Rye Arts Center Trip Generation
4/26/2023 - CM Project 123-022

Hour	In	Out	Total	Hourly Total
11:00		20	24	44
11:15		14	10	24
11:30		4	3	7
11:45		17	7	24
12:00		5	18	23
12:15		5	11	16
12:30		4	5	9
12:45		13	10	23
13:00		12	15	27
13:15		6	6	12
13:30		12	9	21
13:45		11	11	22

SATURDAY MIDDAY

Attachment D
Level of Service Analyses

Rye Arts Center
City of Rye, New York

Intersection						
Int Delay, s/veh	0.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	10	11	175	0	0	232
Future Vol, veh/h	10	11	175	0	0	232
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	0	0	5	2	2	4
Mvmt Flow	11	12	186	0	0	247

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	433	186	0	-	-	-
Stage 1	186	-	-	-	-	-
Stage 2	247	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	584	861	-	0	0	-
Stage 1	851	-	-	0	0	-
Stage 2	799	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	584	861	-	-	-	-
Mov Cap-2 Maneuver	584	-	-	-	-	-
Stage 1	851	-	-	-	-	-
Stage 2	799	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.3	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 702	-
HCM Lane V/C Ratio	- 0.032	-
HCM Control Delay (s)	- 10.3	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.1	-

Intersection						
Int Delay, s/veh	0.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	7	14	338	0	0	264
Future Vol, veh/h	7	14	338	0	0	264
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	0	1	2	2	2
Mvmt Flow	8	15	363	0	0	284

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	647	363	0	-	-	-
Stage 1	363	-	-	-	-	-
Stage 2	284	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	439	686	-	0	0	-
Stage 1	708	-	-	0	0	-
Stage 2	769	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	439	686	-	-	-	-
Mov Cap-2 Maneuver	439	-	-	-	-	-
Stage 1	708	-	-	-	-	-
Stage 2	769	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.5	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 578	-
HCM Lane V/C Ratio	- 0.039	-
HCM Control Delay (s)	- 11.5	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.1	-

Intersection						
Int Delay, s/veh	1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↑		↑			↑
Traffic Vol, veh/h	24	29	270	0	0	327
Future Vol, veh/h	24	29	270	0	0	327
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	0	2	2	2	2
Mvmt Flow	26	31	290	0	0	352

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	642	290	0	-	-	-
Stage 1	290	-	-	-	-	-
Stage 2	352	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	442	754	-	0	0	-
Stage 1	764	-	-	0	0	-
Stage 2	716	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	442	754	-	-	-	-
Mov Cap-2 Maneuver	442	-	-	-	-	-
Stage 1	764	-	-	-	-	-
Stage 2	716	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 571	-
HCM Lane V/C Ratio	- 0.1	-
HCM Control Delay (s)	- 12	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.3	-

Intersection						
Int Delay, s/veh	0.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	16	23	201	0	0	251
Future Vol, veh/h	16	23	201	0	0	251
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	81	81	81	81	81	81
Heavy Vehicles, %	0	0	1	2	2	1
Mvmt Flow	20	28	248	0	0	310

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	558	248	0	-	-	-
Stage 1	248	-	-	-	-	-
Stage 2	310	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	494	796	-	0	0	-
Stage 1	798	-	-	0	0	-
Stage 2	748	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	494	796	-	-	-	-
Mov Cap-2 Maneuver	494	-	-	-	-	-
Stage 1	798	-	-	-	-	-
Stage 2	748	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.1	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 636	-
HCM Lane V/C Ratio	- 0.076	-
HCM Control Delay (s)	- 11.1	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.2	-

Intersection						
Int Delay, s/veh	0.5					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	10	11	177	0	0	234
Future Vol, veh/h	10	11	177	0	0	234
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	0	0	5	2	2	4
Mvmt Flow	11	12	188	0	0	249

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	437	188	0	-	-	-
Stage 1	188	-	-	-	-	-
Stage 2	249	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	581	859	-	0	0	-
Stage 1	849	-	-	0	0	-
Stage 2	797	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	581	859	-	-	-	-
Mov Cap-2 Maneuver	581	-	-	-	-	-
Stage 1	849	-	-	-	-	-
Stage 2	797	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.3	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 700	-
HCM Lane V/C Ratio	- 0.032	-
HCM Control Delay (s)	- 10.3	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.1	-

Intersection						
Int Delay, s/veh	0.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	7	14	341	0	0	267
Future Vol, veh/h	7	14	341	0	0	267
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	0	1	2	2	2
Mvmt Flow	8	15	367	0	0	287

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	654	367	0	-	-	-
Stage 1	367	-	-	-	-	-
Stage 2	287	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	435	683	-	0	0	-
Stage 1	705	-	-	0	0	-
Stage 2	766	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	435	683	-	-	-	-
Mov Cap-2 Maneuver	435	-	-	-	-	-
Stage 1	705	-	-	-	-	-
Stage 2	766	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.5	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 574	-
HCM Lane V/C Ratio	- 0.039	-
HCM Control Delay (s)	- 11.5	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.1	-

Intersection						
Int Delay, s/veh	1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↑↑		↑			↑
Traffic Vol, veh/h	24	29	273	0	0	330
Future Vol, veh/h	24	29	273	0	0	330
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	0	2	2	2	2
Mvmt Flow	26	31	294	0	0	355

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	649	294	0	-	-	-
Stage 1	294	-	-	-	-	-
Stage 2	355	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	438	750	-	0	0	-
Stage 1	761	-	-	0	0	-
Stage 2	714	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	438	750	-	-	-	-
Mov Cap-2 Maneuver	438	-	-	-	-	-
Stage 1	761	-	-	-	-	-
Stage 2	714	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.1	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 567	-
HCM Lane V/C Ratio	- 0.101	-
HCM Control Delay (s)	- 12.1	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.3	-

Intersection						
Int Delay, s/veh	0.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	16	23	203	0	0	254
Future Vol, veh/h	16	23	203	0	0	254
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	81	81	81	81	81	81
Heavy Vehicles, %	0	0	1	2	2	1
Mvmt Flow	20	28	251	0	0	314

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	565	251	0	-	-	-
Stage 1	251	-	-	-	-	-
Stage 2	314	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	490	793	-	0	0	-
Stage 1	795	-	-	0	0	-
Stage 2	745	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	490	793	-	-	-	-
Mov Cap-2 Maneuver	490	-	-	-	-	-
Stage 1	795	-	-	-	-	-
Stage 2	745	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.2	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 633	-
HCM Lane V/C Ratio	- 0.076	-
HCM Control Delay (s)	- 11.2	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.2	-

Intersection						
Int Delay, s/veh	0.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	18	19	177	0	0	238
Future Vol, veh/h	18	19	177	0	0	238
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	0	0	5	2	2	4
Mvmt Flow	19	20	188	0	0	253

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	441	188	0	-	-	-
Stage 1	188	-	-	-	-	-
Stage 2	253	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	577	859	-	0	0	-
Stage 1	849	-	-	0	0	-
Stage 2	794	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	577	859	-	-	-	-
Mov Cap-2 Maneuver	577	-	-	-	-	-
Stage 1	849	-	-	-	-	-
Stage 2	794	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.5	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 694	-
HCM Lane V/C Ratio	- 0.057	-
HCM Control Delay (s)	- 10.5	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.2	-

Intersection						
Int Delay, s/veh	0.7					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	13	25	341	0	0	284
Future Vol, veh/h	13	25	341	0	0	284
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	0	1	2	2	2
Mvmt Flow	14	27	367	0	0	305

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	672	367	0	-	-	-
Stage 1	367	-	-	-	-	-
Stage 2	305	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	424	683	-	0	0	-
Stage 1	705	-	-	0	0	-
Stage 2	752	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	424	683	-	-	-	-
Mov Cap-2 Maneuver	424	-	-	-	-	-
Stage 1	705	-	-	-	-	-
Stage 2	752	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.9	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 565	-
HCM Lane V/C Ratio	- 0.072	-
HCM Control Delay (s)	- 11.9	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.2	-

Intersection						
Int Delay, s/veh	1.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔		↑			↑
Traffic Vol, veh/h	40	48	273	0	0	343
Future Vol, veh/h	40	48	273	0	0	343
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	0	0	2	2	2	2
Mvmt Flow	43	52	294	0	0	369

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	663	294	0	-	-	-
Stage 1	294	-	-	-	-	-
Stage 2	369	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	429	750	-	0	0	-
Stage 1	761	-	-	0	0	-
Stage 2	704	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	429	750	-	-	-	-
Mov Cap-2 Maneuver	429	-	-	-	-	-
Stage 1	761	-	-	-	-	-
Stage 2	704	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.7	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 560	-
HCM Lane V/C Ratio	- 0.169	-
HCM Control Delay (s)	- 12.7	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.6	-

Intersection						
Int Delay, s/veh	1.8					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		↑			↑
Traffic Vol, veh/h	35	50	203	0	0	287
Future Vol, veh/h	35	50	203	0	0	287
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	81	81	81	81	81	81
Heavy Vehicles, %	0	0	1	2	2	1
Mvmt Flow	43	62	251	0	0	354

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	605	251	0	-	-	-
Stage 1	251	-	-	-	-	-
Stage 2	354	-	-	-	-	-
Critical Hdwy	6.4	6.2	-	-	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-	-
Follow-up Hdwy	3.5	3.3	-	-	-	-
Pot Cap-1 Maneuver	464	793	-	0	0	-
Stage 1	795	-	-	0	0	-
Stage 2	715	-	-	0	0	-
Platoon blocked, %			-			-
Mov Cap-1 Maneuver	464	793	-	-	-	-
Mov Cap-2 Maneuver	464	-	-	-	-	-
Stage 1	795	-	-	-	-	-
Stage 2	715	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.1	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBTWBLn1	SBT
Capacity (veh/h)	- 614	-
HCM Lane V/C Ratio	- 0.171	-
HCM Control Delay (s)	- 12.1	-
HCM Lane LOS	- B	-
HCM 95th %tile Q(veh)	- 0.6	-

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.2	0.1	0.2

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.3	0.4	0.3

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.1
Total Del/Veh (s)	0.3	0.5	0.4

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.2	0.2	0.2

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.1	0.1	0.1

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.3	0.4	0.3

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.1
Total Del/Veh (s)	0.3	0.5	0.4

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.2	0.2	0.2

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.2	0.2	0.2

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.3	0.0	0.1
Total Del/Veh (s)	0.3	0.5	0.4

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.4	0.6	0.5

1: Milton Road & Ingress Driveway Performance by approach

Approach	NB	SB	All
Denied Del/Veh (s)	0.2	0.0	0.1
Total Del/Veh (s)	0.3	0.8	0.6

Attachment E
Parking Data

Rye Arts Center
City of Rye, New York

Parking Utilization - Rye Arts Center - 4/26/2023

Parking spaces

	Hour	In	Out	Started with		
MIDDAY				42		
	11:00		2	14	30	
	11:15		8	4	34	
	11:30		4	7	31	
	11:45		4	4	31	
	12:00		3	3	42	Peak Demand
	12:15		2	7	37	
	12:30		2	3	36	
	12:45		3	6	33	
	13:00		2	0	35	
	13:15		1	0	36	
	13:30		1	1	36	
	13:45		5	4	37	
SCHOOL DISMISSAL	Hour	In	Out		37	
	14:00		7	8	36	
	14:15		6	7	35	
	14:30		6	2	39	
	14:45		2	3	38	
	15:00		4	5	37	
	15:15		9	4	42	
	15:30		8	5	45	
	15:45		13	9	49	Peak Demand
EVENING	Hour	In	Out		49	
	16:00		7	5	51	
	16:15		7	3	55	
	16:30		11	9	57	
	16:45		29	12	74	Peak Demand
	17:00		10	22	62	
	17:15		5	10	57	
	17:30		11	10	58	
	17:45		21	13	66	
	18:00		10	18	58	
	18:15		2	1	59	
	18:30		6	17	48	
18:45		5	4	49		

Parking Utilization - Rye Arts Center - 4/29/2023

Parking spaces

SATURDAY MIDDAY	Hour	In	Out	Started with	31	
	11:00		20	24		27
	11:15		14	10		31
	11:30		4	3		32
	11:45		17	7		42 Peak Demand
	12:00		5	18		29
	12:15		5	11		23
	12:30		4	5		22
	12:45		13	10		25
	13:00		12	15		22
13:15		6	6		22	
13:30		12	9		25	
13:45		11	11		25	



SPRING
ARCHITECTURE + DESIGN




SPRING
ARCHITECTURE + DESIGN

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

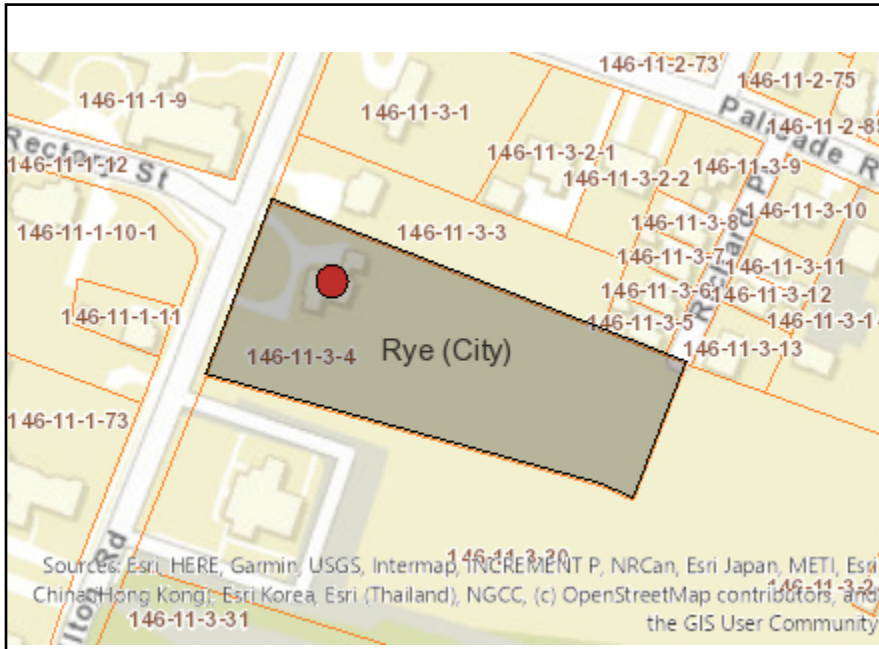
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)				
<input type="checkbox"/> Forest Agriculture Aquatic Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u>Leo Napion</u> Title: _____		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Short Environmental Assessment Form – Narrative Description

The proposed action is limited to the consideration of a new use category in the City of Rye Zoning Ordinance. The proposed use is for “*Arts Center Use*” to be a use permitted subject to additional standards and requirements in the R-1 to RT zoning districts. The proposed use is limited to an arts center facility at sites owned and operated by not-for-profit corporations intended to provide instruction, display and performance space for the arts, which does not otherwise fit into existing use definitions. If adopted the new use category could further not-for-profit and charitable uses in the City of Rye and provide for more community access to and instruction in the arts.

The adoption of the zoning text amendment itself would not have any direct effect on environmental resources. Any property seeking permission to operate as an “*Arts Center use*” would be subject to environmental review during the site plan and special permit review procedures.



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Mayor Josh Cohn

AGENDA ITEM: Appointment of the 2025 Deputy Mayor by the Mayor.

FOR THE MEETING OF:

January 8, 2025

RECOMMENDATION: That the Council adopt the following resolution:

RESOLVED, that _____ be appointed the Deputy Mayor for a one-year term commencing January 1, 2025, to serve as acting mayor in the Mayor's absence.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Section § C7-2, "Deputy Mayor" of the City Charter stipulates that "On or before the tenth of January following his election, and within ten (10) days after any vacancy in the office of Deputy Mayor shall occur, the Mayor shall appoint a member of the Council as Deputy Mayor, to hold office as long as he remains such a member at the pleasure of the Mayor."



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Mayor Josh Cohn

AGENDA ITEM: Designation of the City Council's Audit Committee by the Mayor.

FOR THE MEETING OF:

January 8, 2025

RECOMMENDATION: That the Council adopt the following resolution:

RESOLVED, that two Council members be appointed to the City Council's Audit Committee for a one-year term commencing January 1, 2025

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Audit Committee was established at the January 19, 1977, City Council Meeting to facilitate Council participation in City audits. The resolution stipulates that the Audit Committee consist of the Mayor and two Council members, appointed by the Mayor, to meet at least once yearly after the completion of the independent audit.



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Mayor Josh Cohn

AGENDA ITEM: Designation of the City Council's Liaisons by the Mayor.

FOR THE MEETING OF:

January 8, 2025

RECOMMENDATION: That the Council consider the appointments as presented by the Mayor.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Designation of the City Council Liaisons by the Mayor for the following Boards and Committees:

Board of Appeals	Police Advisory Committee
Board of Architectural Review	Recreation Commissions
Boat Basin Commission	Rye City School District
Chamber of Commerce	Rye Free Reading Room
Conservation Commission/Advisory Council	Rye Golf Commission
Emergency Medical Services	Rye Playland Advisory Committee
Finance Committee	Rye Senior Advocacy Committee
Flood Advisory Committee	Rye Sustainability Committee
Human Rights Commission	Rye Town Park Commission
Landmarks Advisory Committee	Traffic & Pedestrian Safety Committee
Planning Commission	



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Designation of the official City Newspaper.

FOR THE MEETING OF:

January 8, 2025

RECOMMENDATION: That the Mayor and City Council designate the Journal News as the official City newspaper for purposes of publishing legal notices.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Rye City Charter requires the City Council to designate a newspaper circulated at least once a week in the City as the official newspaper of the City. A daily newspaper provides the City staff with the most flexibility in meeting notice deadlines. Each of the newspapers covering the City provides different types of coverage but working with a weekly paper is much more difficult in meeting notice deadlines and a monthly paper cannot meet the notice needs of the City.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Consideration to set a public hearing for the Jan 29, 2025 meeting to amend the City Charter Section C23-1. "Liability in certain actions" to exclude electronic notification through email or the City's website as constituting prior written notice.

FOR THE MEETING OF:

January 8, 2025

RECOMMENDATION: That the Council consider setting the public hearing.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See attached NYCOM message, State Supreme Court decision and draft local law.

From:
To:
Cc:
Subject:
Date:
Attachments:

This is the email and attachments NYCOM sent out. I think the email in particular is helpful background for the packet.

Brian

From: Wade Beltramo <wade@nycom.org>
Date: December 21, 2024 at 5:55:44 AM GMT+13
To: Wade Beltramo <wade@nycom.org>
Subject: **Prior Written Notice of Defect - Calabrese v. City of Albany**

Good Morning Corporation Counsels,

I am writing to you regarding this week's Court of Appeals decision in the case Calabrese v. City of Albany. In short, the Court ruled that reports submitted via the City of Albany's citizen request management system (SeeClickFix, a web-based 311 system) satisfied the requirements of Albany's prior written notice of defect local law. A copy of the decision is attached for your reference. Albany's local law at the heart of this case substantially mirrors the language set forth in General Municipal Law § 50-g and provides in relevant part:

No civil action shall be maintained against the City for damages or injuries to person or property sustained in consequence of any street . . . being defective . . . unless, previous to the occurrence resulting in such damages or injury, **written notice** of the defective . . . condition of said street . . . **was actually given to the Commissioner of Public Works.**

Cities should review the Court's decision as well as their own prior written notice of defect local laws to determine if they need to amend their prior written notice of defect procedures to address the Court's holding and limit the city's exposure from electronically submitted written reports of defects.

The attached sample local law has been drafted in an attempt to address the Calabrese decision. The NYCOM staff is continuing to review this sample local law with attorneys who specialize in municipal tort defense. If we make additional edits to it, I will pass those along to you. We recommend that the city attorney review this sample before the city uses

any of the language contained therein. If you have any recommended edits to this sample or have drafted your own local law to address the Calabrese decision, I would appreciate you sharing those with me.

I hope that this is helpful. As always, if you have any questions or would like to discuss this matter further, do not hesitate to drop me an email or give me a call.

Wade Beltramo
General Counsel
New York Conference of Mayors
119 Washington Ave., 2nd Floor
Albany, N.Y. 12210
518-463-1185
518-463-1190 (Fax)
wade@nycom.org

Disclaimer: The enclosed information is intended for general informational purposes only. To the extent that the information contained herein is an interpretation of law, such interpretation is an opinion of the NYCOM staff and does not constitute specific legal advice. Moreover, NYCOM and its staff do not maintain an attorney-client relationship with its members or their officers or employees. This correspondence does not establish and should not be construed as establishing an attorney-client relationship with either the recipient or the municipality for which they work. We recommend that you consult with your municipal attorney to obtain specific legal advice about a proposed course of action and/or the consequences thereof.

State of New York Court of Appeals

OPINION

This opinion is uncorrected and subject to revision
before publication in the New York Reports.

No. 125
Henry E. Calabrese,
Respondent,
v.
City of Albany,
Appellant.

Robert Magee, for appellant.
Peter P. Balouskas, for respondent.
City of Syracuse et al., New York State Conference of Mayors and Municipal Officials,
amici curiae.

GARCIA, J.:

Plaintiff was injured when he lost control of his motorcycle on Lark Street in the City of Albany. He brought this lawsuit claiming that the accident was caused by a road defect that the City knew about and had failed to repair. The primary issue on appeal is

whether certain reports submitted to the City through an online reporting system called “SeeClickFix” (SCF) served as “written notice” of that defect and, if so, whether those reports were “actually given” to the official designated by statute to receive such notice. Viewing the evidence in the light most favorable to plaintiff, based on the implementation and use of the SCF system by the City and its Department of General Services (DGS), we hold that plaintiff raised a triable issue of fact as to prior written notice to the appropriate City official. We further hold that plaintiff raised a triable issue of fact regarding the affirmative negligence exception to the prior written notice requirement, and that the City lacks governmental immunity from suit. We therefore affirm.

I.

Statutes requiring that a municipality receive “prior written notice” of, and a reasonable opportunity to remedy, roadway defects were designed to address the “vexing problem” of municipal liability for such defects (*Amabile v City of Buffalo*, 93 NY2d 471, 473 [1999] [internal quotation marks and citation omitted]; *see also San Marco v Village/Town of Mount Kisco*, 16 NY3d 111, 116 [2010]; *Sprague v City of Rochester*, 159 NY 20, 25-26 [1899]). Prior notice statutes “are a valid exercise of legislative authority” (*Amabile*, 93 NY2d at 473 [citation omitted]; *see* General Municipal Law § 50-e [4]; Town Law § 65-a; Village Law § 6-628), but because local laws requiring such notice are in derogation of the common law, they are strictly construed against the municipality and “liberally in favor of the citizen” (*Sprague*, 159 NY at 26; *see Laing v City of New York*, 71 NY2d 912, 914 [1988]). We have recognized two exceptions to the prior notice requirement—“namely, where the locality created the defect or hazard through an

affirmative act of negligence and where a ‘special use’ confers a special benefit upon the locality” (*Amabile*, 93 NY2d at 474 [citations omitted]). For the affirmative negligence exception to apply, the locality’s negligent act must immediately give rise to the dangerous condition (*see Yarborough v City of New York*, 10 NY3d 726, 728 [2008]).

Here, at the time of the accident, the City’s prior written notice statute provided:

“No civil action shall be maintained against the City for damages or injuries to person or property sustained in consequence of any street . . . being defective, out of repair, unsafe, dangerous or obstructed unless, previous to the occurrence resulting in such damages or injury, *written notice of the defective, unsafe, dangerous or obstructed condition of said street . . . was actually given to the Commissioner of Public Works* and there was a failure or neglect within a reasonable time after the receipt of such notice to repair or remove the defect, danger or obstruction complained of” (Albany City Code former § 24-1 [emphasis added]).

This version of the statute was enacted in 1983. About fifteen years later, the Department of Public Works was abolished, and its functions were transferred to DGS (*see Albany City Code* §§ 42-99, 104). The statute was not amended to reflect that reorganization until after plaintiff’s injury.

At the time the City’s notice statute was enacted, the phrase “written notice” did not, and indeed could not yet, contemplate software applications capable of sending communications from the public over the Internet to municipal officials. We now confront the issue of whether such a relatively recent advance in technology can provide an avenue for written notice to be actually given to the statutory designee pursuant to the City’s notice statute.

II.

SCF is an online reporting system maintained by the City that allows users to report, through a software application or website, “anything that they see that should be addressed by any city department.” When a member of the public reports an issue in SCF, the system routes it automatically to the appropriate government office. Reports of road defects go to DGS, the agency responsible for road maintenance. Users may provide a description of the defect, its location, and photographs of the condition. Various City officials, including the DGS Commissioner, have encouraged the public to report road defects through SCF. At the same time, presumably anticipating potential liability for unaddressed road defects, the City requires SCF users to accept as a term of use the disclaimer that “use of this system . . . does not constitute a valid notice of claim nor valid prior written notice as established under . . . state and local law.”

Once SCF routes a road defect report to DGS, a DGS “front office” employee reviews it and assigns it to the appropriate supervisor for any necessary repair. In turn, the supervisor documents DGS’s response by making handwritten notes on a printed copy of the SCF report, and a DGS employee then enters those notes into the SCF system to track and record them. SCF is the only system used by DGS to log, track, and follow up on road defect reports, including all road defect reports received from DGS employees in the field or from members of the public who call or submit reports by regular mail. Outside of SCF, DGS has “[no] other documents pertaining to complaints about street . . . defects.” The Commissioner of DGS has access to the SCF system but, as a matter of choice, has “[n]ever personally reviewed any type of complaint from any source pertaining to any road

defect[],” opting instead to receive a spreadsheet listing reported complaints and work done to address them.

III.

In July 2019, plaintiff was injured when he lost control of his motorcycle on Lark Street in the general area where the City’s Water Department had repaired a water main break approximately two months before. In the months leading up to the accident, DGS had received a number of complaints about a defect in the road near the accident site; some were reported through SCF and others were reported by telephone and entered into SCF by a DGS employee pursuant to DGS policy.

Plaintiff brought this action, alleging that the City’s negligence caused his injuries. Following discovery, the parties cross-moved for summary judgment. The City argued that prior written notice was not actually given to the Commissioner of DGS, no exception to the prior written notice statute applied, and the City was immune from suit. Supreme Court denied both motions. First, the court held that an SCF report may constitute prior written notice, but that several issues of fact precluded summary judgment, including which of the complaints were “based upon verbal rather than written communications,” “whether the defects described in the S[CF] notifications were the same as, or were otherwise related to, the roadway depression that caused plaintiff’s accident,” and “whether the manner in which the City excavated, repaired and/or restored the roadway created or exacerbated the defective condition which allegedly caused plaintiff’s accident.” Supreme Court also rejected the City’s governmental immunity argument.

The parties both appealed denial of their respective summary judgment motions, and the Appellate Division affirmed (221 AD3d 1152 [3d Dept 2023]). As relevant here, the Court held that the SCF complaints may constitute written notice actually given within the meaning of the statute and rejected defendant's governmental immunity argument (*id.* at 1154-1155, 1156). The Appellate Division granted defendant leave to appeal and certified the question of whether it erred by affirming the denial of the City's motion.

IV.

A. Impossibility

As a threshold matter, plaintiff argues that the City's notice statute is unenforceable because it requires that prior written notice be actually given to the Commissioner of Public Works, an office that no longer exists. Compliance with the plain language of the statute was impossible for the approximately twenty-year period from the time the Department of Public Works was abolished to the amendment substituting the DGS Commissioner as the designated official after plaintiff's accident, and therefore, plaintiff argues, any notice requirement during that period should be excused. We decline to read the statute in a manner that would produce such an "objectionable, unreasonable or absurd consequence[]" (*Long v State of New York*, 7 NY3d 269, 273 [2006]; *see McKinney's Cons Laws of NY*, Book 1, Statutes § 141 [statutes should not be read to require impossibility]). The relevant statutes abolishing the Department of Public Works make clear that all functions, power, and personnel belonging to that department were transferred to DGS (*see Albany City Code*

§§ 42-101, 42-104). Accordingly, we read the statute, as did the lower courts, to require that prior written notice be actually given to the Commissioner of DGS.¹

Because the prior written notice requirement was not excused by the City’s failure to amend the statute, we must address two issues with respect to whether the SCF reports could provide that notice: whether such reports are “written,” and, if so, whether the City’s implementation and use of the SCF system resulted in those reports being “actually given” to the Commissioner of General Services.

B. Written Notice

We agree with the courts below that notices submitted electronically through SCF may satisfy the “written notice” component of the statute. Electronic communications fall within the plain meaning of the word “written” (*see* Black’s Law Dictionary [12th ed 2024] [defining “written” as: “(Of words or signs) recorded in visual form of some kind. . . . Expressed in letters, words, etc. on paper or in some other medium. . . . The term is often contrasted with its antonym *spoken*”]). They serve as “objectively observable and tangible record[s]” that are functionally equivalent to writings inscribed in a physical medium (*Bazak Intl. Corp. v Tarrant Apparel Group*, 378 F Supp 2d 377, 383-384 [SD NY 2005] [holding that an email can be a writing under the Uniform Commercial Code]). Indeed, the SCF system was the City’s sole process for recording road defect reports, including each defect’s reported location and the date and time each report was received by DGS,

¹ As the Appellate Division noted in rejecting this argument, “defendant represents without contradiction that it has never endeavored to avoid liability through such a literal enforcement of [Albany City Code former §] 24-1” (221 AD3d at 1153).

and the system did not route such reports through any third party, consistent with the policy underlying the prior written notice requirement (*see Poirier v City of Schenectady*, 85 NY2d 310, 313-314 [1995]; *see also Dalton v City of Saratoga Springs*, 12 AD3d 899, 901 [3d Dept 2004] [“Verbal complaints transcribed to a written telephone message or, here, a work order, do not satisfy the statutory requirement”]). Moreover, any ambiguity in what constitutes a writing under the statute must be strictly construed against the City (*see e.g. Laing*, 71 NY2d at 914). We therefore hold that a report typed into SCF by a user and then transmitted to DGS is a “written” communication (*cf. Van Wageningen v City of Ithaca*, 168 AD3d 1266, 1267 [3d Dept 2019] [acknowledging that an email is a “written complaint()” for purposes of prior written notice]; *Bochner v Town of Monroe*, 169 AD3d 631, 632 [2d Dept 2019] [recognizing that an email can serve as prior written notice]). However, any notices received verbally, for example via telephone, and memorialized by DGS staff in the SCF system do not qualify as “written” (*see Gorman v Town of Huntington*, 12 NY3d 275, 280 [2009] [“Nor can a verbal or telephonic communication to a municipal body that is reduced to writing satisfy a prior written notice requirement”]; *see also Tortorici v City of New York*, 131 AD3d 959, 960 [2d Dept 2015] [request generated from a “311” call and entered by clerk into the computer system was not written notice]). Of course, should a municipality prefer a different definition of “written notice,” it may choose to provide one in its prior notice statute (*see e.g. Wolin v Town of N. Hempstead*, 129 AD3d 833, 834 [2d Dept 2015] [prior written notice statute required that notices be “manually subscribed”]).

C. Actually Given to the Statutory Designee

In addition to holding that the SCF reports were “written” notice within the meaning of the statute, we also hold that the reports were “actually given” to the Commissioner of General Services. We have made clear that not “every written complaint to a municipal agency necessarily satisfies the strict requirements of prior written notice, or that any agency responsible for fixing the defect that keeps a record of such complaints has, ipso facto, qualified as a proper recipient of such notice” (*Gorman*, 12 NY3d at 279). The notice at issue in *Gorman* was made to the agency responsible for fixing the road defect, but that agency was not the locality’s statutory designee for prior written notice and was therefore not the proper recipient (*see id.* at 279-280 [citing cases involving similarly misdirected notices]). By contrast, the notices here went to the appropriate municipal agency, but were not addressed to, or personally reviewed by, the Commissioner of that agency, who is designated by title as the proper recipient (*see* Albany City Code § 24-1). Nevertheless, we hold, based on DGS’s specific process for routing and maintaining the road defect reports received through SCF, that those notices were “actually given” to the statutory designee.

In *Sprague v City of Rochester*, we accepted the conclusion that notice to a subordinate could provide prior notice to the statutory designee (*see* 159 NY at 26 [“It is not reasonable to believe that the legislature intended that personal notice of every defect in the entire system of sidewalks should be given (to the city’s executive board) in order to enable citizens to obtain redress for injuries owing to a failure to repair”]). There, the prior notice statute designated “the city officers having charge of the highways” as the mandatory prior notice recipients (*see id.* at 23). We concluded that “the legislature did

not contemplate that [those officers] should look closely after details, but that they should take general charge, give general directions, and to a great extent delegate their powers to subordinates” (*id.*). The officers in *Sprague*, like the Commissioner here, were empowered to establish unwritten practices regulating the inspection and repair of the streets and sidewalks as they saw fit, delegating authority to foremen to act on their behalf (*see id.* at 24-25). On these facts, we held that prior notice to a foreperson satisfied the statute (*see id.* at 28). Lower courts have reached the same commonsense conclusion with respect to notice given to a subordinate of the locality’s statutory designee (*see generally Elias v City of Rochester*, 49 App Div 597 [4th Dept 1900] [notice given to the clerk of the statutory designee was sufficient where the statutory designee could not practicably receive the public’s complaints directly and the clerk was empowered by statutory designee to receive and process them], *affd without op* 169 NY 614 [1902]; *see also Kowalski v City of Poughkeepsie*, 9 AD2d 685 [2d Dept 1959].

Here, DGS created a system for processing complaints that bypassed the need for the Commissioner’s personal review. SCF was promoted by the Commissioner as a tool for reporting road defects within the City and was the only internal system for tracking those complaints and any remedial work done in response. Any written complaints addressed to the Commissioner and actually mailed to DGS would be subject to the same process—that is, they would be routed to the DGS front desk and entered into SCF (*cf. Horst v City of Syracuse*, 191 AD3d 1297, 1301 [4th Dept 2021] [by comparison, prior notice statute not satisfied by reports submitted via a web-based complaint system that “were maintained in an electronic format and were separate from the written notices kept

in the office of the commissioner”]). In sum, DGS used SCF to receive, track, and follow up on notices provided through SCF, as well as notices received through all other channels, and subsequent repairs were then documented in the same system. As a result, we hold that, even though not personally received by the Commissioner, these notices were “actually given” to the statutory designee.² Accordingly, the SCF reports at issue here could constitute prior written notice. Plaintiff therefore raised a triable question of fact as to whether the City had prior written notice of the defect on Lark Street, precluding the City’s motion for summary judgment on that issue.

V.

Supreme Court also properly determined that issues of fact precluded summary judgment as to whether the City’s alleged negligence immediately resulted in a dangerous condition that caused plaintiff’s accident—in which case, the prior written notice requirement would not apply. According to a City official, the hole dug in connection with the water main repair was properly backfilled, compacted, and “cold patched,” and was “flat and even with the surrounding road and capable of supporting vehicle traffic.” On the other hand, plaintiff’s expert engineer opined that “there was severe insufficient subbase and asphalt concrete material used to restore the roadway,” which “caused dipping or sinking in the roadway, and would have been immediately apparent after the April . . . 2019 work was done.” This competing evidence about the adequacy of the City’s repair,

² We note that the SCF disclaimer requiring the user to accept that use of the system does not provide statutory notice does not operate to undo notice actually made in compliance with the statute.

and whether its consequences were immediately apparent after the repair's completion, required denial of summary judgment on the question of whether the City affirmatively created the defect.

VI.

Finally, we reject the City's contention that, because it was acting in a governmental capacity when it responded to the water main break, it is immune for any resulting negligence. The City is shielded from liability for "discretionary actions taken during the performance of governmental functions" (*Valdez v City of New York*, 18 NY3d 69, 75-76 [2011] [citation omitted]; see *Haddock v City of New York*, 75 NY2d 478, 484 [1990]). We have described "governmental functions" as those acts " 'undertaken for the protection and safety of the public pursuant to the general police powers' " (*Applewhite v Accuhealth, Inc.*, 21 NY3d 420, 425 [2013], quoting *Sebastian v State of New York*, 93 NY2d 790, 793 [1999]). Conversely, a governmental entity acts in "a purely proprietary role when its 'activities essentially substitute for or supplement traditionally private enterprises' " and so "is subject to suit [for such activities] under the ordinary rules of negligence applicable to nongovernmental parties" (*id.*, quoting *Sebastian*, 93 NY2d at 793). As relevant here, "[a] municipality's proprietary duty to keep its roadways in a reasonably safe condition is well settled" (*Turturro v City of New York*, 28 NY3d 469, 479 [2016] [citations omitted]). Here, while the City's response to the water main break may have been a governmental function, the City's repair of the excavation on Lark Street was a proprietary function. As a result, the City is not entitled to governmental immunity from suit.

Accordingly, the order of the Appellate Division insofar as appealed from should be affirmed, with costs, and the certified question answered in the negative.

Order insofar as appealed from affirmed, with costs, and certified question answered in the negative. Opinion by Judge Garcia. Chief Judge Wilson and Judges Rivera, Singas, Cannataro, Troutman and Halligan concur.

Decided December 17, 2024

LOCAL LAW

CITY OF RYE NO. _____ -2025

A new local law to amend Chapter C. Charter, Article 23. “Miscellaneous § C23-1. Liability in certain actions” to amend the process and procedure for submitting written notices of defect to the City.

Section 1.

§23-1. Liability in certain actions.

No civil action shall be maintained against the City of Rye for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk, crosswalk, park or other public place being defective, out of repair, unsafe, dangerous or obstructed, or in consequence of the existence of snow or ice thereon, unless written notice of the defective, unsafe dangerous or obstructed condition, or of the existence of snow or ice, had actually been given to the Department of Public Works prior to the happening of the event causing such damages or injuries to person or property and there had been a failure or neglect on the part of the city to repair or remove the defect, danger or obstruction complained of, or to cause the snow or ice to be removed, or the place otherwise made reasonably safe, within a reasonable time after the receipt of such notice. **Notice of a defect submitted via email, the city’s website, any service, website, or application the city uses to allow the public to submit reports or service requests to the city, comments on a social media page maintained by the city, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this section.**

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. Effective date.

This chapter shall take effect immediately upon filing with the Secretary of State.