

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

**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
Wednesday, September 17, 2025
6:30 p.m.**

Please note: The Council will convene at 5:30 p.m. and it is expected they will adjourn into Executive Session at 5:31 p.m. to discuss personnel matters, potential litigation, potential acquisition of property, and comprehensive plan consultant selection.

1. Pledge of Allegiance.
2. Roll Call.
3. Draft unapproved minutes of the Regular Meeting of the City Council held August 6, 2025.
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. Presentation by Caden Powers, Miles Dinger, and Keaton Greenberg on nitrogen pollution from fertilizer.
7. Discussion of customer outdoor seating.
8. Report from Martha Monserrate and Nick Everett and consideration of a "Resolution in Support of the Intermunicipal Airport Master Plan Task Force Recommendations" relating to the County Airport.
9. Consideration of the proposed Rules and Regulations of the City of Rye Police Department.
 - Policy 337 – Public Safety Video Surveillance System
 - Policy 339 – Service Animals
 - Policy 340 – Native American Graves Protection and Repatriation
 - Policy 343 – Extreme Risk Protection Orders
 - Policy 401 – Prohibition Against Bias-Based Policing
10. Presentation of the 2024 City Financial results by Jonathan Gibbs of the auditing firm BST & Co, LLP.

11. Consideration of the preliminary 2024 financial summary from the City Comptroller, Joe Fazzino.
12. Presentation of the City’s 6-month financial results by City Comptroller, Joe Fazzino.
13. Open a public hearing on a local law to amend Chapter 197 (Zoning) of the Code of the City of Rye, New York, to reduce the maximum permitted building height in the B-2 Central Business District from 40 feet to 35 feet.
14. Award bid for Sanitary Sewer Cleaning and CCTV Project (Contract # 2025-01).
15. Consideration to authorize the City Manager to transfer \$1,000,000 from Rye Golf Club’s Unrestricted Net Assets to Rye Golf Club Project Accounts.
16. Resolution to declare certain City equipment as surplus.
17. Consideration of a request by the Rye Sustainability Committee to use the Highland Lot from 8:00 am to 1:00 pm on October 18th for their 250 Acorns to Oaks Giveaway.
18. Old Business/New Business.
19. Adjournment

The next regular meeting of the City Council will be held on Wednesday, October 8, 2025, at 6:30 p.m.

** City Council meetings are available live on Cablevision Channel 1310, 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 August 6, 2025, at 6:30 P.M.

PRESENT:

JOSH COHN, Mayor
KEITH CUNNINGHAM
BILL HENDERSON
JAMIE JENSEN
JOSH NATHAN
JAMES WARD
Councilmembers

ABSENT: JULIE SOUZA

ALSO ATTENDING:

BRIAN SHEA, INTERIM CITY MANAGER
KRISTEN WILSON, CORPORATION COUNSEL
MIKE KOPY, COMMISSIONER OF PUBLIC SAFETY
CHRISTIAN MILLER, CITY PLANNER

The Council convened in City Hall at 6:38 P.M. The meeting was streamed live at www.ryeny.gov for public viewing.

1. [Pledge of Allegiance.](#)

Mayor Cohn led the Pledge of Allegiance.

2. Roll Call.

The City Clerk called the roll, and there was a quorum.

3. [Draft unapproved minutes of the Regular Meeting of the City Council held July 16, 2025.](#)

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

RESOLVED to approve the drafted unapproved minutes of the Regular Meeting of the City Council held July 16, 2025.

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

No one came to speak.

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

Interim City Manager, Brian Shea gave an update to the Council on several topics.

6. [Recognition of summer interns.](#)

City Clerk, Noga Ruttenberg, gave a brief overview of the summer interns' accomplishments and thanked them for their work.

7. [Consideration of the proposed revisions of the Rules and Regulations of the City of Rye Police Department.](#)

- Policy 334 – Communications with Persons with Disabilities
- Policy 335 – Biological Samples
- Policy 336 – Chaplains
- Policy 420 – Mobile Audio/Video
- Policy 431 – Body-Worn Cameras

Public Safety Commissioner Mike Kopy explained proposed policy revisions for the Police Department.

The Councilmembers acknowledged the revisions.

8. [Presentation of the City's 5-year Capital Improvement Program \(CIP\).](#)

Interim City Manager, Brian Shea gave an update on the CIP

9. [Continue public hearing to adopt a local law to repeal Chapter 133 "Noise" Section 133-7 "Lawn maintenance equipment regulations" in its entirety and amend Chapter 122 "Leaf Blower Regulations" Section 122-4 "Use of gas leaf blowers" of the Code of the City of Rye to amend the timeframe for the use of gas-powered leaf blowers.](#)

Councilperson Ward proposed an amendment to the proposed update banning gas leaf blowers entirely by May of 2027.

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

RESOLVED to close and table the public hearing.

10. [Open public hearing to adopt a local law to amend sections of Chapter 76 "Dogs" Section 76-5 "Running at large prohibited; exceptions" to extend the off-leash hours during the off-season and to transfer the registration from the City of Rye to the Town of Rye.](#)

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

RESOLVED to open the public hearing.

Gary Zuckerman, President of the Rye Town Park Commission, came to speak on the issue. Resident Karen Grenucci also spoke on the topic.

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

RESOLVED to close and table the close hearing.

11. [Open a public hearing regarding Crown Castle’s request for modification to existing wireless facilities in the City’s right-of-way.](#)

Paul Costa from Crown Castle described the requested modifications.

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

RESOLVED to open the public hearing.

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

RESOLVED to close the close hearing.

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

RESOLVED to grant Crown Castle’s request for modification to existing wireless facilities in the City’s right-of-way.

12. [Consideration to set a public hearing for the September 17, 2025, meeting on a local law to amend Chapter 197 \(Zoning\) of the Code of the City of Rye, New York, to reduce the maximum permitted building height in the B-2 Central Business District from 40 feet to 35 feet.](#)

City Planner, Christian Miller, introduced the topic.

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

RESOLVED to set the public hearing.

~~13. Authorization for the City Manager to engage the Laberge Group.~~

14. [Resolution establishing the City of Rye Deer Management Committee.](#)

On motion by Councilperson Henderson, seconded by Mayor Cohn, and unanimously carried:

RESOLUTION ESTABLISHING THE CITY OF RYE DEER MANAGEMENT COMMITTEE

WHEREAS, the City Council unanimously agreed to establish a Deer Management Committee at the second May 2025 meeting, after hearing from residents and staff on deer-related issues in the City of Rye; and

WHEREAS, the City Council wishes to establish a clear charge for the new Deer Management Committee in order to help its members understand the purpose of the new committee and more rapidly develop solutions to any deer-related issues; and

WHEREAS, the City wishes to establish a temporary committee to provide guidance to the City Council, as well as staff and other boards and committees within the City, on implementing deer management practices.

NOW, THEREFORE, BE IT RESOLVED, that the City of Rye Deer Management Committee will be tasked with researching deer-related issues in Rye, identifying solutions, and presenting findings and recommendations to the City Council and staff; and

RESOLVED, upon review, community input, and Council approval, the DMC will assist staff in implementing these recommendations to help mitigate any identified impacts of deer in the community; and

RESOLVED, the committee will sunset two years after the date this resolution is adopted unless extended by the City Council; and

RESOLVED, the charge of the Deer Management Committee is as follows:

1. Provide an informed perspective to the City Council regarding the management of deer, supported by data collected with assistance from the City and guided by the New York State Department of Environmental Conservation.
2. Facilitate public feedback regarding deer management practices and foster partnerships to develop and implement a recommended management strategy.
3. Educate residents on aspects of living with deer.

- 4. Create and recommend a deer management plan to the City Council that is suitable and acceptable to residents and complies with State regulations.
- 5. Establish committee rules and procedures for meetings.

15. [Adoption of the 2025/2026 tax levy and tax rate for the Rye Neck Union Free School District.](#)

On motion by Councilperson Jenson, seconded by Councilperson Henderson:

WHEREAS, the Rye Neck Union Free School District (District) has certified to the City of Rye Comptroller taxes in the amount of \$13,430,725 to be raised on property within the District located in the City of Rye, with established tax rates of \$1,127.940307 per \$1,000 of taxable assessed value on homestead property and \$1,279.903163 per \$1,000 taxable assessed value on non-homestead property, for the fiscal year beginning July 1, 2025 and ending June 30, 2026, now, therefore, be it

RESOLVED, that in accordance with the provisions of the City Charter, the City Comptroller is commanded to levy and collect said taxes, subject to any further amendments or approvals required by the Rye Neck Union Free School District.

Adopted by the following vote:

AYES: Councilpersons Cunningham, Henderson, Jensen, Nathan, Ward, and Mayor Cohn
NAYS: None
ABSENT: Councilperson Souza

16. [Appointments to boards and commissions.](#)

<u>Name</u>	<u>Board/Commission</u>
Peter Smith	Sustainability Committee
Chris Cohan	Deer Management Committee
Shrujal Baxi	Deer Management Committee
Elinore Neeves	Deer Management Committee
Ryan Fitzpatrick	Deer Management Committee
Jasmine Zhu	Deer Management Committee
Bryan Murtagh	Deer Management Committee
Stephanie Gomez	Deer Management Committee

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

- Councilperson Jensen gave an update on the usage of Rye Golf Club and commended the staff for its hard work.

- Councilperson Nathan applauded a great turnout for National Night Out, which fosters community between law enforcement and residents.
- Mayor Cohn gave his perspective regarding the Council's prior response to reviewing our Ethics Committee.

18. [Adjournment.](#)

On motion of Councilperson Henderson, seconded by Councilperson Nathan, and with the Council in favor, the meeting was adjourned at 9:17 P.M.

Respectfully submitted,

Noga Ruttenberg
City Clerk



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Presentation by Caden Powers, Miles Dinger, and Keaton Greenberg on nitrogen pollution from fertilizer.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council consider the presentation.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached presentation, proposed legislation outline, and proposal document with supporting information.



Fertilizer Legislation Project

Safeguarding Rye's Future
By: Caden Powers, Miles Dinger, Keaton
Greenberg

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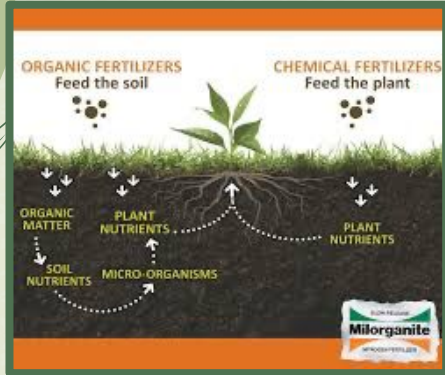
Next Steps



01

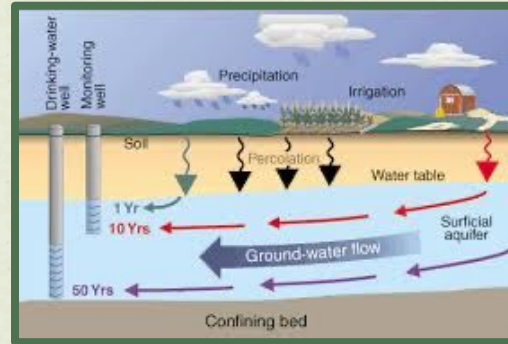
Background

Impact of Fertilizer on our Environment



1. Soil Degradation

- Adding Nitrogen to soil can disrupt the soil, killing nitrogen fixing bacteria and other organisms, such as worms
- This makes it so there is now no natural source of nitrogen other than fertilizer
 - Now you have to add fertilizer to make the plants grow
 - Positive feedback loop



2. Contaminating Groundwater

- Many people use excess fertilizer that is not absorbed by plants and seeps into groundwater
 - This water can find its way into reserves or wells
- Fertilizers (especially Nitrogen) pose many health risks to humans (mostly infants.)

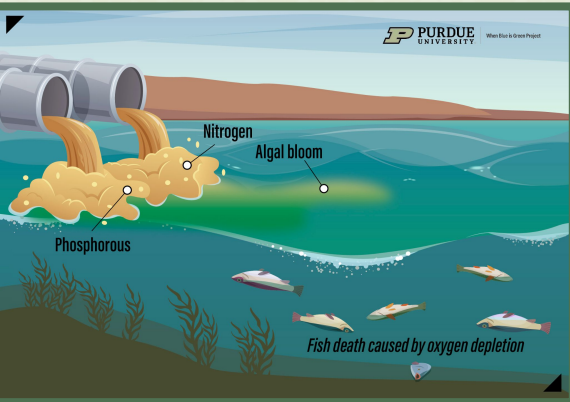


3. Algal Blooms

- Runoff causes excess fertilizer to go into bodies of water
 - This massive influx of nutrients is also known as **eutrophication**
- Once the excess fertilizer reaches the bodies of water, it can make algae, phytoplankton, and plant growth explode, this is called an algal bloom
 - **I will get more into this on the next slide —>>>>**

Algal Blooms + Hypoxia

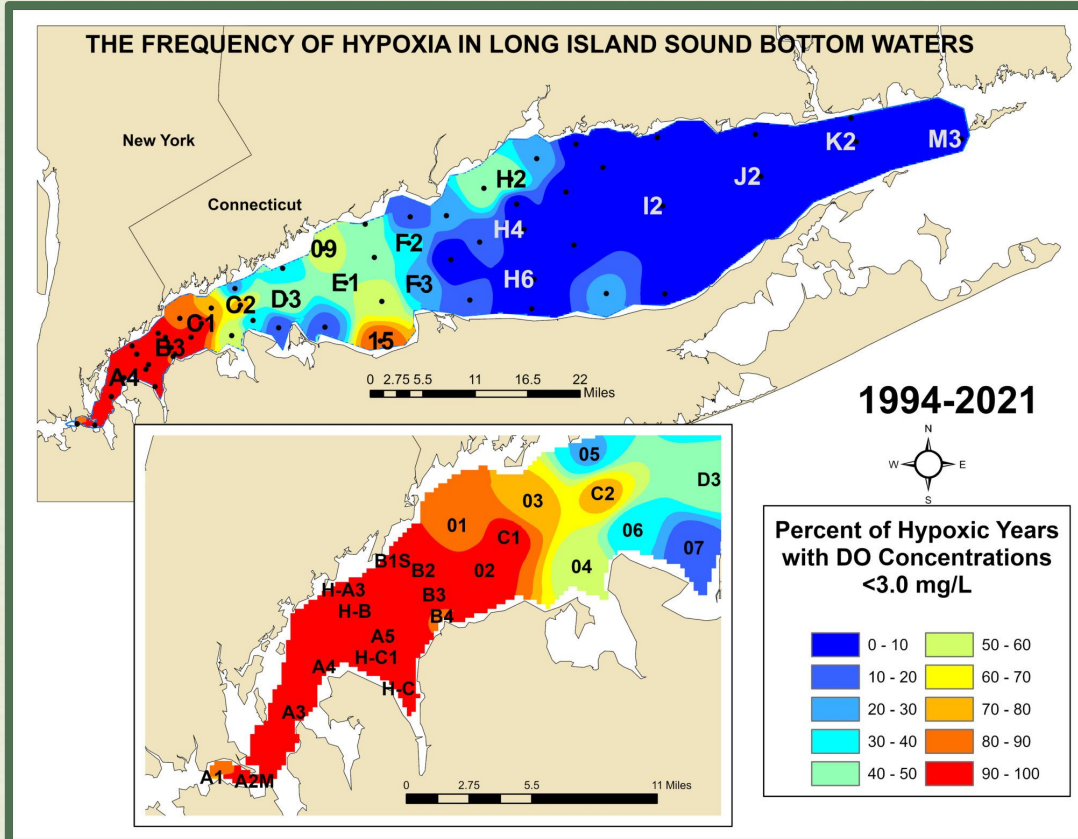
- The floating layer of algae can then form a thick layer on the surface of the body of water, that sunlight cannot penetrate, causing plants to die and no O₂ to be produced
 - The real problem occurs when the nutrients in the lake is used up and the phytoplankton and algae die and sink to the bottom of the lake
 - This is where bacteria and other decomposers use a lot of oxygen in order to break down this dead plant matter, causing the amount of dissolved oxygen in the water to go down




- These Harmful Algal Blooms or HABs can lead to **hypoxia** in marine organisms, sometimes causing the whole ecosystem to die
- Hypoxia is a condition where tissues and organs don't receive enough oxygen to function correctly, causing the organism to die
 - > Less dissolved oxygen = more dead marine organisms -> more decomposition -> less dissolved oxygen.
 - It is a cycle

33%

Percent of Long Island Sound Nitrogen Pollution caused by fertilizer





“Residential lawn care is one of the sources of nitrogen that we haven’t reduced very well”

— **Dr. Robert Johnson, director
of the George Perkins Marsh
Institute**



Relative % of N pollution from fertilizer in Westchester

Byram River: 52%, includes CT and Rye

Playland Lake: 43%, Rye



Milton Harbour: 81%, Rye

Mamaroneck River: 79%

Larchmont Harbour: 78%

Premium Millpond: 73%, New Rochelle/Larchmont

Echo Bay: 43%, New Rochelle



Quick Release vs Slow Release

Quick Release



Pros:

- Nutrients are most immediately available to plants
- Typically used for an immediate boost in nutrients

Cons:

- Nutrient leaching is more likely
- Requires more frequent fertilizer application
- Doesn't last as long
- Typically derived from manufactured, synthetic nutrients
- Water soluble

Nutrient leaching:

The process where water, typically from rainfall or irrigation, dissolves and carries away water-soluble nutrients (like nitrogen)

Slow Release



Pros:

- Lasts longer
- Less frequent application needed
- Less likely to leach-safer for the environment
- Less stress on plants- doesn't force unnatural quick growth

Cons:

- Typically more expensive (although less frequent application makes up for the cost)
- Nutrients not immediately available to plants- so it might take longer to see results
- Cool soil may inhibit effectiveness (although it's illegal to apply during cooler months)

Fertilizer Nitrogen Content Classification

Low (5-10%)

Pros:

- Less likely to contribute to nitrogen runoff
- Ideal for specific plants
- Promotes healthy root development

Cons:

- Less effective for leafy growth

Medium (10-20%)

Pros:

- Balanced nutrient supply
- Helps promote leaf growth
- Best of both worlds

Cons:

- Can still hurt the environment if not used properly

High (20%+)

Pros:

- Rapid leafy growth
- Quick “green-up”

Cons:

- Can damage plants, especially if applied incorrectly
- Can damage root systems
- High risk of nitrogen leaching into waterways
- Potential for soil degradation

High nitrogen content fertilizers

Why the increased risk of runoff?

- Put simply, more nitrogen=more nitrogen flowing away in runoff.
- The more nitrogen we add to our lawns, the more likely it is that plants are unable to absorb all of it.
- When plants can't absorb all of it, the nitrogen drains into bodies of water.
- It is rare that a lawn will absorb all of the nitrogen in a high nitrogen content fertilizer.

Why do people still use them then?

- High nitrogen content fertilizers make lawns "green" quicker
- In other words, they can make a lawn look greener, faster
- They also boost foliage growth
- These positive effects lead many to ignore the negative effects

Real World Example: The Chesapeake Bay

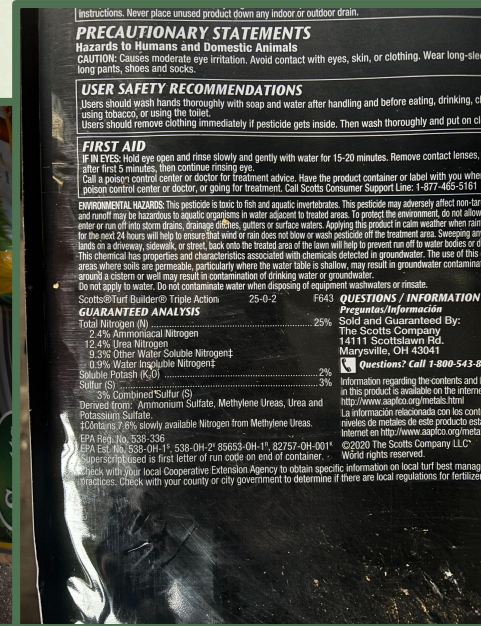
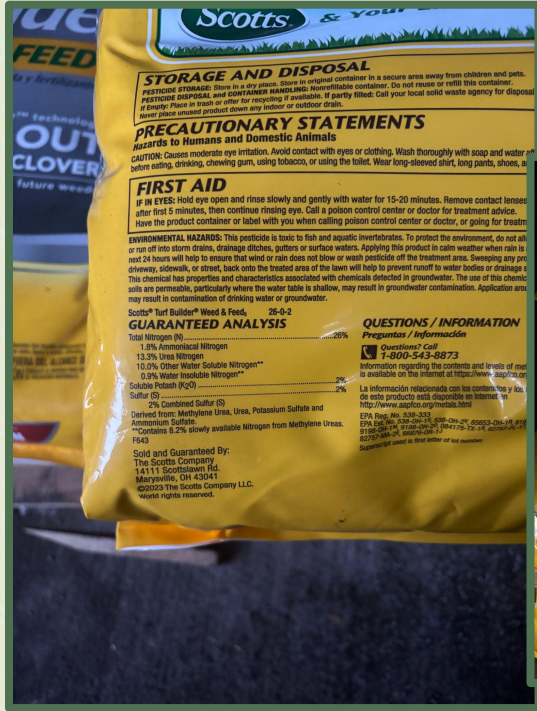
- Anthropogenic (artificial) nutrient input into the bay results in hypoxia as oxygen levels are consistently below water quality standards
 - **According to the study, if nitrogen reductions had not taken place in the region, annual hypoxic volumes (calculated by summing the volume of water in km^3 experiencing hypoxia over a year) would have increased between 50 and 120%.**
 - While nitrogen reductions have helped the bay retain its dissolved oxygen, warming waters have resulting in the Chesapeake releasing dissolved oxygen, offsetting improvements by up to 34%.
- Overall, the amount of hypoxic days in the Chesapeake have been reduced as a result of nitrogen reduction efforts throughout the region.

Rye fertilizer use data



- Manager didn't have specific data on how much fertilizer is sold per day
- They did say that they sell a lot
- Manager also said that the two most common brands sold (by FAR) are:
 - Scotts turf builder weed and feed and triple action
- These are also the only two kinds of fertilizer they really sell

Home depot fertilizer



Local Lawn Service


Lucky Lawn

- Lesco General Fertilizer typically used
- 30 percent nitrogen content-very high!



North Eastern Tree, Shrub and Lawn Care

- Lesco General Fertilizer and Lebanon Fertilizer typically used
- Leso General Fertilizer-30 percent nitrogen content
- Lebanon Fertilizer-25 percent total nitrogen content



02

Current Legislation

Real World Example: The Chesapeake Bay

- One example of legislation that helped reduced the prevalence of hypoxia in the Chesapeake Bay is Maryland Agriculture Code § 6-224 (2024) which states that the application of fertilizer may not result in:
 - I. More than 0.7 pounds per 1,000 square feet of water-soluble nitrogen [fast release]
 - A. If you had 10% Nitrogen fertilizer you could apply 7lb per 1000 square feet.
 - II. More than 0.9 pounds per 1,000 square feet of total nitrogen, at least 20% of which shall consist of slow–release nitrogen [not water soluble]
 - A. If you had 10% Nitrogen fertilizer you could apply 9lb per 1000 square feet.

New York State Nutrient Runoff Law

- Requires that you do not:
 - Use lawn fertilizer that contains phosphorus unless you are establishing a new lawn, or a soil test shows that your lawn does not have enough phosphorus.
 - Apply any lawn fertilizer December 1 - April 1 when the ground is frozen and least permeable
 - Apply fertilizer on sidewalks, driveways or other impervious surfaces.
 - Hose off fertilizer if it spills onto impervious surfaces. You **MUST** sweep it in order to prevent the fertilizer from entering drains and waterways.
 - Apply fertilizer within 20 feet of a waterway unless
 - There is a 10 foot buffer zone of shrubs, trees, or other vegetation



03

Proposed Legislation




Outline

Article 1

- Ban or significantly restrict fast-release fertilizers. Most fertilizers sold in Rye that we saw are already slow release, so this would have positive impact on the environment while affecting the lives of very few residents.

Article 2

- Ban high nitrogen content fertilizers (all fertilizers with above 15-20 percent nitrogen content)
- Bigger potential environmental hazard warnings at retail stores- no fine print



04

Next Steps

In the meantime....

Spread awareness

- Open to ideas!
- Any questions?
- Fliers
- Workshops? We would love to bring in professionals to show people how to make sure they are properly applying fertilizer if we get enough interest
- You can reach us with feedback and/or suggestions at powersc64@gmail.com

THANK YOU!

Article 1:

- Restrict the use of 60% fast-release (water soluble) fertilizers to no more than 0.7 pounds per 1,000 square feet for a single application.
- Restrict the use of 20% slow release fertilizer to 1.8 pounds per 1,000 square feet for a single application.
 - Most fertilizers sold in Rye that we saw are already slow release and applied below these levels, so this would have a positive impact on the environment while affecting the lives of very few residents.

Article 2:

- Ban high nitrogen content fertilizers (all fertilizers with above 20% nitrogen content)
- Bigger environmental hazard warnings at retail stores at the fertilizer sections- no fine print

Potential Article 3- still working with Save the Sound to determine how large its environmental benefit and impact on Rye Residents would be:

- The single application rate should be a maximum of 0.6 pounds of total nitrogen per 1,000 square feet.
- The annual application rate should be a maximum of 1.8 pounds of total nitrogen per 1,000 square feet.

Bio:

Our names are Caden Powers, Micheal Dinger, and Keaton Greenberg. We are 3 rising seniors at Rye Country Day. Caden and Micheal have lived in Rye nearly their whole lives. Each of us have witnessed first hand the impact that fertilizer has had on the environment in Rye. In particular, we've noticed the negative impact fertilizer runoff has had on local beaches and bodies of water like Playland and Oakland beaches.

Caden Powers:

Caden is passionate about public policy and law. He has been interning with the Rye Historical Society for over a year and recently started interning with Congressman Latimer.

Micheal Dinger:

Miles has been interning with Country Executive Ken Jenkins this summer. He is also extremely interested in law and public policy.

Keaton Greenberg

Keaton Greenberg is extremely interested in public policy and biology.

We are working with David Ansel's team at Save the Sound and our AP Bio teacher, Dr. Bischoff, who is the STEM director at Rye Country Day. Here is a brief introduction of them:

Allison Rugila:

Allison joined Save the Sound in May 2025, bringing over a decade of experience in marine conservation and climate change research. A Chesapeake Bay native, she has led oyster restoration and climate resilience projects and holds a Ph.D. in Ecology and Evolution from

Stony Brook University. Combining scientific expertise with a passion for coastal stewardship, she is dedicated to advancing a swimmable, fishable Long Island Sound.

Ella McGrail:

Ella is the New York Policy Coordinator at Save the Sound, working in Albany to support legislation that protects clean water, addresses climate change, and otherwise safeguards Long Island Sound and the wider environment. Originally from the New Hampshire coast, she has a passion for ocean conservation and a background in public policy, with a Masters from the Rockefeller College of Public Affairs & Policy. Ella first joined Save the Sound in 2024 and is committed to ensuring fair, effective environmental policy.

David Ansel:

David is a 30-year corporate law veteran and lifelong environmentalist who retired from law firm life in 2021 to focus on environmental law and policy. He previously held leadership roles at Loeb & Loeb and lectured on M&A at the University of Wisconsin Law School. A longtime environmental advocate, David has served with organizations like Riverkeeper, Waterkeeper Alliance, and the Westchester Land Trust. He is now the Vice-President of the Center for Water Protection at Save the Sound.

Catherine Bischoff:

Dr. Catherine Bischoff is the STEAM Coordinator for Pre-K through 12 at Rye Country Day School, where she also teaches physics and biology at the middle and high school levels. She earned her Ed.D. in Educational Leadership from Fairfield University and is passionate about

involving her students in local citizen science projects and exposing them to authentic research both inside and outside the classroom curriculum.

Background on the project:

Last year, we took a class called AP Biology with Environmental Data Analysis, where we analyzed AP Bio topics through data and environmental science lens. As part of our final project, we were given the opportunity to create a plan of action to tackle an environmental issue important to us.

As Rye residents, we have seen first hand the effects of nitrogen pollution. In particular, we have observed hypoxia in the Long Island Sound and terrible water contamination from excess runoff. This May, Playland Beach received a C+ grade and Oakland Beach at Rye Town Park received a D+ in Save the Sound's recent water quality report, in part due to lawn fertilizer contaminating storm runoff. As a result, we decided to focus on curbing pollution from fertilizer in Rye.

We developed our plan of action, which involved community awareness/outreach and proposing new legislation, and were ultimately given the opportunity to present at the CELF Symposium in May. That was all we needed to do for full credit on our project, but we wanted to take our project further and enact change instead of just talking about it.

We were able to schedule meetings with Save the Sound, the Rye Sustainability Committee, and the Rye Conservation Committee. They all agreed to help us get our proposed legislation in front of the Rye City Council. In particular, Save the Sound has been actively working with us to research the extent of nitrogen pollution in the Long Island Sound. We have been meeting with

them once a month over the last few months to examine how New York State as a whole, as well as Rye and Westchester County, can cut down on nitrogen pollution.

Our goal is to establish legislation in Rye that limits nitrogen pollution from lawn fertilizers to protect local waterways. We also aim to raise community awareness about the environmental impacts of excess nitrogen and promote sustainable lawn care practices.

Link to presentation (we will shorten it depending on how much time we have to present, it currently takes us about an hour to fully run through):

https://docs.google.com/presentation/d/1NIOZC6GRGISeeWQi0h-hKYyxbV5o72_uZAtW4Ejxt-M/edit?slide=id.g4dfce81f19_0_45#slide=id.g4dfce81f19_0_45

Link to shortened presentation (takes approximately 12 minutes to present):

https://docs.google.com/presentation/d/18ZV039DODDy18ExEudSyHrFWIU2FvhBbw4tJYCOwZJQ/edit?slide=id.g4dfce81f19_0_45#slide=id.g4dfce81f19_0_45

Link to doc with proposed legislation (proposed legislation can also be found on slide 23 in the presentation):

<https://docs.google.com/document/d/1HEyz1TDIFm8-V7gsvs-prtv4DEhGIjKEK9hj5HBnw2A/edit?tab=t.0>



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Discussion of customer outdoor seating.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council have a discussion.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Report from Martha Monserrate and Nick Everett and consideration of a "Resolution in Support of the Intermunicipal Airport Master Plan Task Force Recommendations" relating to the County Airport.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council hear the presentation and consider the resolution in support of the Intermunicipal Airport Master Plan Task Force recommendations.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached resolution and information sheet.



CITY OF RYE

RESOLUTION IN SUPPORT OF THE INTERMUNICIPAL AIRPORT MASTER PLAN TASK FORCE RECOMMENDATIONS

WHEREAS, the Intermunicipal Airport Master Plan Task Force (hereinafter the “Task Force”) was established by the elected officials in the City of Rye, Village of Rye Brook, Village of Port Chester, Town of Rye, Town of Greenwich, Town of New Castle, and Town of North Castle, who each appointed representatives to meet and provide unified recommendations for the County’s upcoming Airport Master Plan revision; and

WHEREAS, the Task Force is composed of community volunteers with expertise in governance, planning, law, aviation, and engineering; and

WHEREAS, the Task Force recognizes the economic and practical benefits of the County airport and the need to provide an improved passenger experience, including necessary safety features, without changing the passenger terminal capacity; and

WHEREAS, the Task Force has identified key areas of concern including environmental protection, community health and safety, traffic, noise, air and groundwater quality, stormwater management, and expansionary airport development; and

WHEREAS, the Task Force has submitted a comprehensive report dated July 10, 2025, which includes but is not limited to the following principal conclusions and recommendations:

1. **Airport Development:** We endorse past and ongoing efforts by the County to limit development of the Airport in order to protect the fragile environment surrounding the Airport, including impacts on the quality of drinking water for almost nine million people, impacts related to noise, air and water pollution, and impacts on downstream communities from stormwater runoff. Communities in proximity to the airport also deserve to have the security and safety risks posed by airport operations kept at or below present levels.

We call on the County to incorporate in all aspects of the Airport’s new Master Plan the provisions and principles of Board of Legislators Resolution 245-2003, as reaffirmed by Board of Legislators Resolution 58-2024, and of Section 712.462 of the Laws of Westchester County, including but not limited to the policy of no expansion at the airport, which has been upheld by County administrations for forty years. The Master Plan needs to make clear that any enlargement of the Airport’s physical infrastructure or the level of its use would most likely have detrimental impacts on adjacent communities and to residents of the County.

To the extent that safety, sustainability, or legal compliance factors compel deviations from the long-established County policy of Airport non-expansion, the Master Plan should provide clear justifications and use all available means to ensure that such deviations do not result, directly or indirectly, in the expansion of airport operations or detrimental impacts on surrounding communities and the environment.

2. **Commercial Passenger Experience:** There are numerous opportunities to improve the commercial passenger experience without enlarging the capacity or footprint of the commercial facilities. These include providing for curbside drop-off, ticketing and check-in, and improvements in TSA security areas, the waiting area, and related facilities (e.g., food service, baggage and logistics, and ground transportation). These will require minor interior design changes, changes to the use of spaces, training or reallocation of staff, and the change, or expansion or relocation of vendors.

The commercial passenger terminal capacity has not increased but parking is an issue. According to airport figures, passenger volumes are very near maximum permissible hourly levels and County Law caps those levels. We therefore recommend that the County rely on the following strategies to address periodic parking shortages:

- a. Better communication about parking availability at all onsite and offsite facilities
- b. Improved public transportation options
- c. Enforcement of parking rules to reduce unauthorized parking in unsafe and congested locations
- d. Efforts to dissuade airlines from exceeding the terminal capacity during holiday periods when normal caps are suspended, including public education about the role airline overscheduling plays in creating parking and seating shortages at the airport.

The Airport Master Plan and County policy should reference and adhere to Section 712.462 of the Laws of Westchester County, which specifies that the Passenger Capacity of the Terminal was designed for a capacity of 240 passengers per half hour, without consideration of whether such passengers are enplaning or deplaning. These limitations state that they apply to each half-hour interval of normal airport operations and are not to be aggregated to allow for more passengers in any half-hour than is stated in this law.

3. **Fixed Base Operations:** Fixed Base Operators (FBOs) are companies that service most resident general aviation and based-elsewhere aircraft at Westchester Airport and are an important consideration for the Master Plan given that these aircraft represent about 80% of take-offs and landings at the airport. There are currently five FBO locations at the airport that provide services to many operators for aircraft of all sizes, plus additional FBOs that support either one or a small number of aircraft operators. In addition, most of the violations of the voluntary restraint from flying (VRFF) during night hours are attributable to the general aviation and transient aircraft serviced by the FBOs.
 - a. **VRFF:** Ensure maximum adherence to the voluntary restraint from flying curfew: The Airport operates a voluntary curfew from midnight to 6:30am. Due to

Federal regulations, the curfew cannot be made mandatory, but the County could consider options for achieving maximum compliance with the curfew, including broadly publicizing the top offenders among aircraft operators.

- b. **Seat Limits:** Submit to the FAA for approval the County's amendments to Terminal Use Regulation law stipulating that airlines selling tickets to more than nine passengers per flight, including non-traditional operators, must adhere to gate and passenger caps (240 passengers arriving and departing per half-hour) and use the main passenger terminal with its more robust security protocols. Safety and security issues have only grown in importance with the growth in population near the airport over the past 55 years.
 - c. **Protect Light General Aviation Access:** Light General Aviation (GA) aircraft are defined as aircraft with a Maximum Take-Off Weight (MTOW) under 12,500 pounds. These are generally smaller planes that are based at the airport and are responsible for about a quarter of all aircraft operations. The County should seek to ensure Light GA aircraft do not see a diminution in their dedicated airport parking capacity.
 - d. **Private Hangar Redevelopment:** Promote modernization but restrict expansion given the potential for adverse community noise, environmental and other impacts. To the extent that modern building, safety, security and/or environmental standards dictate that aging hangars be replaced by new and potentially larger structures, the County should insist on a full and formal analysis as well as robust public input and operational and/or contractual controls to ensure that new facilities don't result in more operations.
4. **Traffic:** The increased use of residential streets as cut throughs to the Airport has brought a range of negative consequences for the local communities, impacting both quality of life and safety. A traffic study needs to be undertaken to understand how the Airport is being accessed from Greenwich, Port Chester, and Rye Brook, specifically impacting King Street, Cliffdale Road, Porchuck Road and other residential streets used as short cuts. The Airport should engage with local law enforcement groups and technology companies to address these issues.
 5. **Noise Considerations:** The noise concerns stemming from Westchester County Airport are significant and require a multifaceted approach involving airport management, the FAA, local government, and community stakeholders. By enhancing monitoring, fostering community involvement, and exploring feasible operational adjustments, the airport can work towards reducing noise impacts and improving the quality of life for residents in surrounding areas.
 - a. **Community Involvement:** Conduct more frequent public hearings and forums to gather community feedback on noise issues, enhance community involvement in the decision-making process and foster a collaborative approach. Update noise reports

in a timely manner and educate the public on how to access noise reports and report noise complaints.

- b. **Noise Profiles:** Quantify the number of larger aircraft in use and compare noise profiles of larger aircraft relative to the smaller aircraft previously utilized by commercial operators. Correlate noise complaints with the type of aircraft corresponding to the complaints. Identify ways to promote more modernized aircraft or updated technologies that reduce noise impacts.
 - c. **VRFF:** Encourage operators (both commercial and private) to reduce total usage within VRFF curfews and commercial airlines' rate of operations within VRFF curfews relative to their total operations. Identify reasons for fluctuations in transient helicopter usage and routes during VRFF curfews.
 - d. **Future Development:** Educate and provide incentives for local municipalities to limit development in areas severely affected by airport noise. Offer sound mitigation solutions for homes in high-noise areas to reduce the impact of noise indoors. Require disclosures to potential buyers of new projects proposed within areas affected by airport noise.
 - e. **Noise Monitoring:** Expand noise monitoring efforts and ensure data transparency by providing regular reports to the general public that are accessible and easy to navigate and that clearly include percentage increases and decreases. Measure sudden noise impacts over short durations focused on the overhead transit of aircraft, in addition to monitoring average noise levels. Set benchmarks and goals to track noise reduction efforts over time.
 - f. **Flight Path Alternatives:** Collaborate with the FAA to identify potentially feasible flight path adjustments that reduce total noise levels but do not re-distribute noise impacts between municipalities.
 - g. **Expansion:** Maintain the county's long-standing policy against airport infrastructure expansion to avoid enabling operations likely to escalate noise levels. Adopt the practice of conducting an impact assessment on any proposed infrastructure or operational changes to anticipate and mitigate potential noise impacts.
6. **Air Quality:** Ultrafine particles and lead are emerging contaminants of concern in aircraft exhaust at airports across the country. In light of the sensitive land uses near the Airport (e.g. residential, school, water supply), the following recommendations should be considered:
- a. **Air Quality Monitoring:** Future studies of aviation emissions and air quality at the airport should include identification and quantification of other relevant contaminants, such as lead, ultra-fine particles, and ozone. Efforts should be made to establish the indoor (terminal) and offsite impacts of contaminants.

- b. **Air Quality at Terminals:** Studies have shown that pollutant levels within the airport terminals can be high, with the gate departure areas frequently showing the highest indoor pollutant levels. Methods of reducing this pollution should be investigated, including requiring aircraft parked at the gates to use ground power units instead of jet-fuel consuming auxiliary power units.
 - c. **Unleaded Fuel:** Steps should be taken to ensure the Airport has the facilities to support the full conversion to unleaded fuel by general aviation users.
 - d. **Environmental Assessment Guidance:** The Airport and County should provide outreach, share findings, and create actionable, airport-specific environmental assessment guidance for surrounding communities to better encourage appropriate and consistent land use decisions.
7. **Groundwater Quality:** Airport operations have contaminated groundwater over the years with levels of some volatile organic compounds and PFAS now being detected above regulatory levels, both at onsite monitoring wells and offsite private wells. Although past reports cite no known impacts of the airport groundwater to the Kensico Reservoir system, it is imperative that the current contamination underlying the airport be addressed to ensure protection of the Reservoir and offsite receptors.
- a. **Groundwater Sampling Program:** The Airport should continue with the current groundwater sampling program onsite at an appropriate frequency (e.g., semi-annual). Offsite sampling locations should be added to determine the real extent and migration of any contamination. The program should include evaluation of groundwater cleanup or containment measures to protect the reservoir and offsite receptors.
 - b. **Brownfield Cleanup Program:** The Airport should move ahead expeditiously with the Brownfield Cleanup Program initiated with the DEC in 2020. These investigations and cleanup plans should include removal of source areas (such as contaminated soils and groundwater from the burn pit and the spill sites at some hangars). Any space planning for the airport should allow for equipment or treatment systems needed to address site contamination.
 - c. **Well Monitoring:** The Airport should ensure there is coordination with appropriate health departments to contact current owners of potable wells within the zone of influence of the contaminated airport groundwater flow to ensure sampling for PFAS and other contaminants, as appropriate. The Airport should work with the health departments and state environmental agencies to ensure no new potable wells are installed or that, at a minimum, wells are installed with proper point-of-use treatment units. This information should also be shared with local land use planning authorities.

8. **Stormwater Retention:** Since the last master plan update, new issues and knowledge have emerged regarding increased stormwater volumes due to climate change and new contaminants of concern (such as PFAS).
 - a. **Stormwater Discharge Permit:** The Airport should seek to revise their State Pollutant Discharge Elimination System (SPDES) stormwater discharge permit to include contaminants that are relevant to current operations and recent findings from environmental investigations. PFAS, found in a number of groundwater samples, should be added to the permit.
 - b. **Detention Systems:** The two-detention basin system should be re-evaluated in light of more intense storms and what is now known about downstream flooding. Increased storage capacity, in the form of additional basins or increased basin size, changes in the operation of the basins, and changes in the maintenance of the basins could all have positive impacts on downstream flooding.
 - c. **Drainage Systems:** Any anticipated additions to the stormwater volume through changes to drainage systems or additional airport development should be quantified. Emphasis should be placed on minimizing stormwater generation wherever possible.
 - d. **Watershed Communities:** The Airport should collaborate with downstream communities on the best stormwater management solutions. This should include the airport providing advance notice of any changes to stormwater volume or quality and the opportunity for communities to comment on and influence airport decisions impacting stormwater.

AND WHEREAS, the remainder of the Task Force’s report is comprised of position papers on various topics of concern, which are linked to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Rye City Council hereby endorses and supports the principal conclusions and recommendations of the Intermunicipal Airport Master Plan Task Force as outlined in its July 10, 2025 report; and

BE IT FURTHER RESOLVED that the Rye City Council urges Westchester County to incorporate these recommendations into the revised Westchester County Airport Master Plan and to prioritize community and environmental protections in all future planning and operations related to the Airport; and

BE IT FURTHER RESOLVED that the Rye City Council urges Westchester County to consider the entirety of the Task Force’s report, including the referenced and linked position papers and the additional recommendations contained therein, and invites the County to meet with representatives of the Task Force to address the content of its report; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution, along with the full Task Force report, shall be transmitted to the County of Westchester and the governing bodies of the participating municipalities.

Adopted this ___ day of _____, 2025 by the Rye City Council.

Intermunicipal Airport Master Plan Task Force
2024-2025

Position Papers

These documents are available on the [Village of Rye Brook's website](#) on a page dedicated to the work of the Intermunicipal Task Force. Individual members of the Task Force listed below also have the Position Papers.

[Airline Customer Experience Recommendations](#)

[Airport Parking Alternatives](#)

[Fixed Base Operator Considerations](#)

[Vehicular Traffic Impacts](#)

[Noise Concerns](#)

[Air Pollution Considerations](#)

[Groundwater Quality Considerations](#)

[Stormwater Considerations](#)

Members (* denotes member of the Task Force's Executive Committee)

Greenwich: Rich Flood, John Mastracchio

New Castle: James Benton, Greg Elders

North Castle: Michael Pollack*, Larry Ruisi

Port Chester: John Allen, Juliana Alzate, Janusz Richards

Rye Brook: John Mugno*, Peter Schlactus*

Rye City: Nick Everett*, Martha Monserrate

Rye Town: Jill Axelrod, Michelle Goodman



CITY COUNCIL AGENDA

DEPT.: Police Department

CONTACT: Michael Kopy, Public Safety Commissioner

AGENDA ITEM: Consideration of the proposed additions to the Rules and Regulations of the City of Rye Police Department.

- Policy 337 – Public Safety Video Surveillance System
- Policy 339 – Service Animals
- Policy 340 – Native American Graves Protection and Repatriation
- Policy 343 – Extreme Risk Protection Orders
- Policy 401 – Prohibition Against Bias-Based Policing

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: Consideration of the listed policies.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The proposed policies have been reviewed by the Commissioner and the Rye Police Association for review pursuant to the provisions of the collective bargaining agreement.

See the attached memo and policies.

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CITY OF RYE Public Safety

To: Brian Shea, Interim City Manager

From: Michael Kopy, Public Safety Commissioner

Date: 09/05/2025

Re: Police Department – Lexipol Policy

Reference the captioned subject, the attached policy changes are forwarded for review. As you know, the city contracted with Lexipol prior to my arrival to develop policies for the police department based on nationwide standards and best practices, while also incorporating state and federal laws. I have reviewed the policies submitted by Lexipol with a committee at the police department (including the PBA) and made the appropriate changes where necessary.

I believe that the adoption of these policies are in the best interest of public safety in the City of Rye and I recommend that they be forwarded to the City Council for action. Below is a brief overview of the changes from both the current City Police Department policy, as well as what was submitted by Lexipol, for each section.

I will be available to answer questions when these are reviewed.

Policy 337 – Public Safety Video Surveillance System

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

Policy 339 – Service Animals

The purpose of this policy is to provide guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act.

Policy 340 – Native American Graves Protection and Repatriation

This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act.

Policy 343 – Extreme Risk Protection Orders

The purpose of this policy is provided guidelines for applying for and serving extreme risk protection orders, and accounting for firearms obtained pursuant to those orders.

Policy 401 – Prohibition Against Bias-Based Policing

This policy provides guidance to department members that affirms the Rye Police Department's commitment to policing that is fair objective.

Public Safety Video Surveillance System

337.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

337.2 POLICY

The Rye Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

337.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Commissioner of Public Safety or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

337.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Commissioner of Public Safety should confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public safety video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.

Public Safety Video Surveillance System

- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.
- (h) To monitor critical infrastructure.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed at the Desk. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Tour Supervisor or trained the Desk personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Commissioner of Public Safety may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention of anything documented by public safety surveillance equipment is prohibited.

337.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

337.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems, video enhancement or other analytical technology, requires additional safeguards.

337.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members follow department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

Public Safety Video Surveillance System

337.4.1 VIDEO LOG

A log should be maintained at all locations where video surveillance monitors are located. The log should be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of person authorizing access.
- (d) Identifiable portion of images viewed.

337.4.2 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

337.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule.

337.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

Public Safety Video Surveillance System

337.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Rye Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Tour Supervisor for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

337.7 VIDEO SURVEILLANCE AUDIT

The Commissioner of Public Safety or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Commissioner of Public Safety or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

337.8 TRAINING

All department members authorized to operate or access public safety video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Service Animals

339.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

339.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

339.2 POLICY

It is the policy of the Rye Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law (Civil Rights Law § 47 et seq.).

339.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

Service Animals

- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

339.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Rye Police Department affords to all members of the public (28 CFR 35.136).

339.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

339.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

339.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

Service Animals

339.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ) or the New York State Office of the Attorney General Civil Rights Bureau.

Native American Graves Protection and Repatriation

340.1 PURPOSE AND SCOPE

This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

340.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects - Objects that, as part of the death rite or ceremony of a Native American culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains. Funerary objects are either associated funerary objects or unassociated funerary objects.

Associated funerary objects are any funerary objects related to removed human remains, where the location of the human remains is known. This includes objects that were made exclusively for burial purposes or to contain human remains, regardless of the physical location or existence of any related human remains.

Unassociated funerary objects are any other funerary objects that are identified by a preponderance of the evidence such as:

- Related to human remains but the remains were not removed, or the location of the remains is unknown.
- Related to specific individuals or families.
- Removed from specific burial sites with Native American cultural affiliation.
- Removed from an area where such burial sites are known to have existed, but the site no longer exists.

Native American human remains - Any physical part of the body of a Native American individual.

Objects of cultural patrimony - Objects having ongoing historical, traditional, or cultural importance that is central to the Native American group or culture itself and, therefore, cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

340.2 POLICY

It is the policy of the Rye Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, unassociated funerary objects, sacred objects,

Native American Graves Protection and Repatriation

or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption, or complicated custody transfer processes.

340.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, unassociated funerary objects, sacred objects, or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.5).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.5):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - New York State Office of Parks, Recreation and Historic Preservation
- Tribal land - Responsible Indian tribal official

340.4 EVIDENCE AND PROPERTY

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.7).

340.5 STATE LAWS

The following statutes may be applicable when encountering a situation involving the disturbance of a Native American grave site:

- (a) Indian cemetery or burial grounds - Tampering with or removing items from a state-designated Indian burial ground (Indian Law § 12-a).
- (b) Body stealing - The unlawful removal of a human body or body parts (Public Health Law § 4216).

Extreme Risk Protection Orders

343.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for applying for and serving extreme risk protection orders, and accounting for firearms obtained pursuant to those orders.

343.1.1 DEFINITIONS

Definitions related to this policy include:

Extreme risk protection order - An order of protection prohibiting a named person from purchasing, possessing, or attempting to purchase or possess a firearm, rifle, or shotgun (CPLR § 6340; CPLR § 6342; CPLR § 6343).

Prohibited items - Firearms, rifles, or shotguns that are prohibited by an extreme risk protection order (CPLR § 6340).

343.2 POLICY

It is the policy of the Rye Police Department to apply for and serve extreme risk protection orders in compliance with state law, and to properly account for prohibited items obtained by the Department pursuant to such orders.

343.3 EXTREME RISK PROTECTION ORDER COORDINATOR

The Commissioner of Public Safety will appoint an extreme risk protection order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of an application for an order or a renewal of an order by department members (CPLR § 6341; CPLR § 6345).
- (b) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of CPLR § 6342 and CPLR § 6343. Procedures should include:
 1. Evaluation of an order, and any related search warrant, to determine appropriate service and necessary precautions (see the Warrant Service Policy and the Operations Planning and Deconfliction Policy).
 2. Preparing or obtaining a search warrant prior to attempting service of an order, when applicable.
- (c) Coordinating with the Patrol or Detective Lieutenant to provide training on such orders to officers who may be involved in petitioning for or serving orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.
- (d) Reviewing each application for an order filed by department members, including any associated documents, to ensure compliance with this policy, department procedures, and state law.
- (e) Developing and maintaining procedures for members to accept surrendered or seized prohibited items. Procedures should include:

Extreme Risk Protection Orders

1. Accepting prohibited items at times other than when an order is being served by the Department.
 2. Preparing and providing a receipt describing the prohibited items (CPLR § 6344).
- (f) Managing court-ordered background investigations.

343.4 EXTREME RISK PROTECTION ORDERS

An officer who reasonably believes that an extreme risk protection order is appropriate should obtain supervisor approval prior to seeking an order.

343.4.1 STANDARDS

Extreme risk protection orders shall be filed when there is probable cause to believe the respondent is likely to engage in conduct that would result in serious harm to the respondent or others (CPLR § 6341; CPLR § 6342; CPLR § 6345).

343.4.2 REQUIREMENTS OF APPLICATION

An application for an extreme risk protection order should be prepared consistent with state law and the procedures developed by the extreme risk protection order coordinator (CPLR § 6341; CPLR § 6342).

343.5 SERVICE

Officers who receive an extreme risk protection order for service should serve a copy of the order, along with any accompanying notice of hearing and associated documents, when directed by the court, on the person named in the order as soon as practicable. Service of orders should take precedence over the service of other orders, except for orders of a similar emergency nature (CPLR § 6342).

343.5.1 SAFETY CONSIDERATIONS

When appropriate, based on the circumstances and department procedures, service of orders should be executed pursuant to the Operations Planning and Deconfliction Policy.

In no circumstances should fewer than two officers be present when an order is being served.

343.5.2 SURRENDER OF PROHIBITED ITEMS

Officers serving an extreme risk protection order shall request that the named person immediately surrender all prohibited items as required by the order. Officers should take custody of any items surrendered pursuant to the order or discovered either in plain sight or pursuant to a lawful search (CPLR § 6342; CPLR § 6343).

A receipt identifying all surrendered or seized items shall be prepared by the officers and a copy given to the person (CPLR § 6344). The officers should ensure the original receipt is included in the original case report and forwarded to the Records Sergeant as soon as practicable.

All items collected should be handled and booked in accordance with the Detective Division Policy.

Extreme Risk Protection Orders

343.5.3 SEARCH WARRANTS

Officers should consider whether a search warrant may be reasonably necessary prior to attempting service of an order.

Consideration should also be given to whether a search warrant is necessary after an extreme risk protection order has been served if an officer reasonably believes there are prohibited items within the respondent's custody, control, or possession that have not been surrendered or seized.

Preparation and service of the search warrant should be done in accordance with the Warrant Service Policy.

343.6 RELEASE OF PROHIBITED ITEMS

Any person requesting the release of any prohibited items in department custody pursuant to an extreme risk protection order should be referred to the Detective Division.

343.7 RENEWAL OF EXTREME RISK PROTECTION ORDER

The Detective Division supervisor is responsible for the review of any extreme risk protection order obtained by the Department to determine if renewal or extension of the order should be requested within the time prescribed by law (CPLR § 6345).

Prohibition Against Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Rye Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing or improper profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement. This includes explicit and implicit biases (i.e., conscious and unconscious beliefs or attitudes towards certain groups).

401.2 POLICY

The Rye Police Department is committed to providing law enforcement services to the community with due sensitivity for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from utilizing non-biased experiential judgment in combination with credible, timely and distinct information connecting a person or persons to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for immediately reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

Prohibition Against Bias-Based Policing

To the extent that written documentation would otherwise be completed (e.g., arrest report), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and their supervisor in a timely manner.
 - 1. Supervisors should document these discussions in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, body-worn camera (BWC) media, Mobile Data Computer (MDC) data, and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 ADMINISTRATION

The Patrol Division Commander should review the efforts of the Department to provide fair and objective policing and ensure that regular training on the topic is provided to the entire department.

401.7 TRAINING

Officers shall review this policy annually.



CITY COUNCIL AGENDA

DEPT.: City Comptroller/Finance Department

CONTACT: Joe Fazzino, Deputy City Comptroller

AGENDA ITEM: Presentation of the 2024 City Financial results by Jonathan Gibbs of the auditing firm BST & Co, LLP.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council hear the presentation.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Comptroller/Finance Department

CONTACT: Joe Fazzino, Deputy City Comptroller.

AGENDA ITEM: Consideration of preliminary 2024 financial summary from the City Comptroller, Joe Fazzino.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council consider the summary.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:



CITY COUNCIL AGENDA

DEPT.: City Comptroller/Finance Department

CONTACT: Joe Fazzino, Deputy City Comptroller

AGENDA ITEM: Presentation of the City's 6-month financial results by City Comptroller, Joe Fazzino.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council hear the presentation.

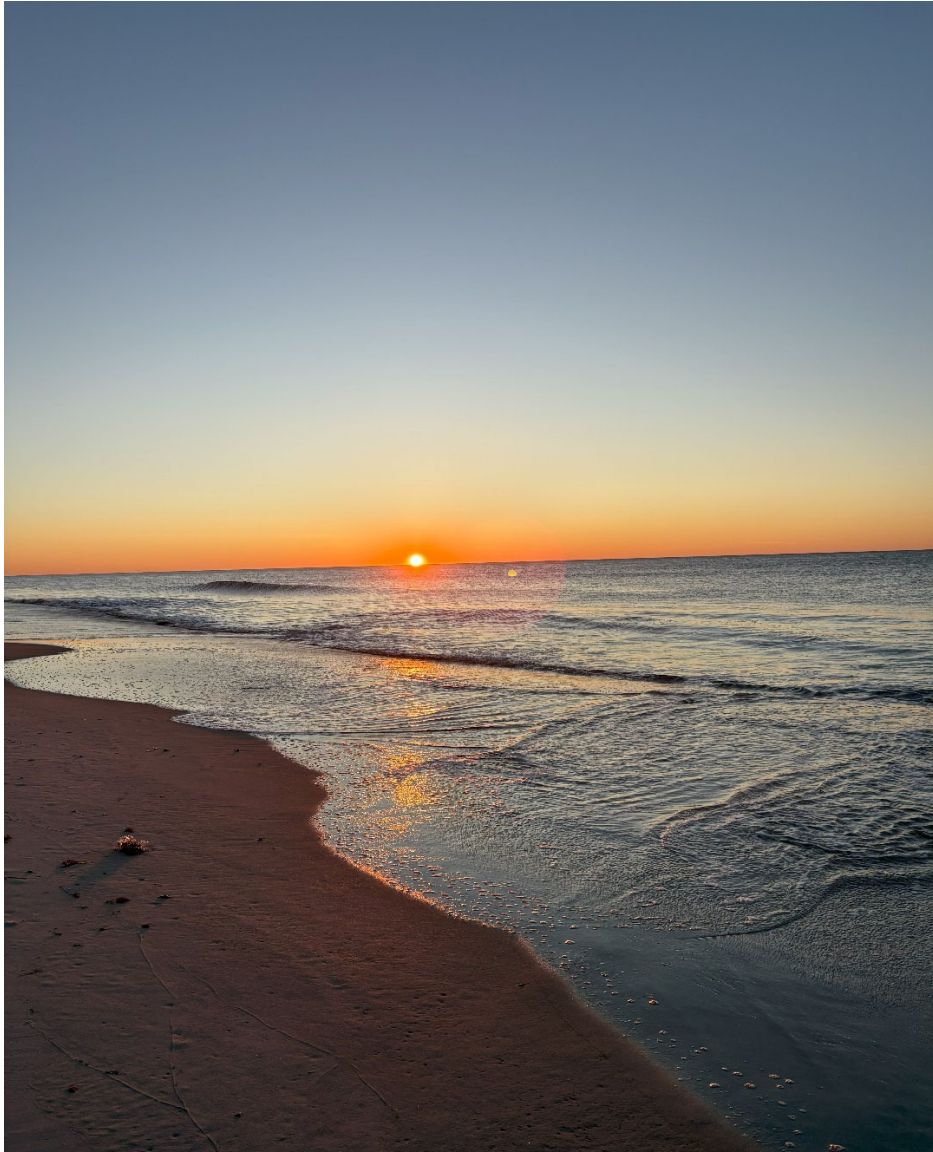
IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached report.



CITY OF RYE, NEW YORK

Interim Financial Report



Six Months Ended June 30, 2025

Joseph Fazzino
Deputy City Comptroller
September 17, 2025



Joseph S. Fazzino, Jr.
Deputy City Comptroller
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Rye, New York 10580

Tel: (914) 967-7303
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E-mail: finance@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE Department of Finance

September 17, 2025

To Mayor Cohn, the City Council and City Manager:

We are pleased to present the City of Rye, New York interim financial reports as of and for the six months ending June 30, 2025, with comparative totals for 2022, 2023, and 2024. Along with the attached summary of revenues and expenditures, we will provide an analysis of the components of these items. The analysis will focus on 2025 results against 2024 results.

The report will focus on the General Fund, the City's chief operating fund. The General Fund constitutes the primary operating fund of the City, in that it includes all revenues and expenditures not required by law or policy to be accounted for in other funds.

It should be remembered that unlike our comprehensive annual financial report, interim financial reports are prepared for the use of management as internal documents. These interim financial reports are unaudited and are not prepared in compliance with Generally Accepted Accounting Principles (GAAP) in that they do not include all funds of the City, do not include all GAAP-required statements and schedules, do not include notes to the financial statements, and are not necessarily formatted in accordance with GAAP. Also the information for these months is not finalized and may require adjustments throughout the year.

The General Fund constitutes the primary operating fund of the city, in that it includes all revenues and expenditures not required by law or policy to be accounted for in other funds.

2025 General Fund revenues are up \$774,477 (2.0%) compared with 2024 revenues. This amount comes from the following items:

- ❖ Property tax revenues, representing the largest component of the increase, rose \$962,025 (3.2%) which reflects our tax levy increase, refunds for Small Claims Assessment Reviews (SCARs) and a slight decrease in interest and penalties collected on property taxes.
- ❖ Sales tax of \$2,282,236, for the first two quarters, is up \$57,319 (2.6%) compared to 2024.
- ❖ Non-property taxes are up \$20,222 (5.6%) as a result of increased utility tax receipts of \$23,457.

Financial Analysis of the City's General Funds – Continued

- ❖ Charges for services, made up of recreation fees, land use fees, parking meter fees and vital record fees, increased by \$211,466 (15.4%). This upswing is a result of increases in recreation program fees of \$196,257 (including day camp fees of \$133,302, with one less week of camp in 2024) and parking meter revenue fees of \$40,176 (rates increased in March 2025).
- ❖ Interest and investment income is down \$607,196 (43.2%), resulting from less cash on hand and the federal reserve decreasing interest rates 100 basis points since September of 2024.
- ❖ Licenses and permit revenues increased \$322,710 (18.0%), mostly attributed to increases in building permit revenue of \$137,670, alarm permit revenue of \$112,850, due to timing of invoicing, with a new billing system, and parking permit revenue of \$54,118.
- ❖ Fines and forfeitures of \$481,443 are in line with 2024 numbers.
- ❖ Mortgage Tax (October 2024 through March 2025) is down \$95,764 (16.2%) compared to the same period last year. We will continue to monitor this revenue stream during the coming months.
- ❖ Other income includes inter-government charges, use of money and property other than interest income, donations, inter-fund revenue, sales and loss compensation, state aid and federal aid. These revenues decreased by \$96,553 (9.7%) attributed to a donation for senior citizen activities of \$100,000 in 2024.

2025 General Fund expenditures are up \$1,033,663 (5.1%) compared with 2024 expenditures. Below are the changes:

- ❖ Overall salaries and wages (the main driver of the overall increase) increased \$1,104,342 (11.8%) in 2025 compared to 2024. This is a combination of promotions and contracted/budgeted salary and step increases for 2025, and the addition of administrative positions during 2024. Regarding 2025 salaries compared to the budget, the amounts incurred through June 30 remain in line with the amounts budgeted.
- ❖ Equipment purchases increased by \$288,876, attributed to increases in police patrol equipment of \$143,114 and computer and systems purchases, across City departments, of \$77,008.
- ❖ Materials and supplies purchased decreased by \$219,552 (12.2%). Included in this amount are decreases in building repairs and maintenance of \$180,656, mostly related to heating system maintenance and replacements at the police and fire buildings in 2024, vehicle repairs and maintenance of \$33,418 and gasoline and diesel fuel costs of \$24,802 and increased purchases of road salt of \$34,827 (more active winter in 2025). More detailed information about other accounts can be obtained from the finance department.
- ❖ Contractual costs include inter-fund service charges (risk retention fund liability insurance costs), debt service expenditures, funding to the Rye Free Reading Room, legal costs, consultants, and miscellaneous service contracts. These costs are down \$46,220 (1.2%). Increases in transfers to the debt service fund of \$101,804, funding for EMS services of \$67,698, and risk fund inter-fund service charges of \$28,218 (all budgeted) were offset by decreases in legal services of \$114,966, corporation counsel costs of \$93,333 (position moved to full time employee in 2024 and included in salaries above), and consultants of \$35,075.

Financial Analysis of the City's General Funds – Continued

- ❖ Employee benefits and taxes decreased slightly \$93,783 (1.9%), mostly due to increases in FICA expense of \$80,548, directly related to the salary changes above, negated by decreases in employee and retiree health insurance of \$109,057 and workers' compensation costs of \$71,315. As mentioned earlier with salaries and wages, 2025 employee benefits and taxes through June 30 are consistent with the amounts budgeted for 2025.

If any further information or detail is required regarding the items above, please do not hesitate to reach out to the Finance Department.

Any questions or comments that can enhance the usefulness of this report are greatly appreciated. Of course, if there is any item that presents immediate concern or benefit to the City, the Finance Department will share this information with City Management as soon as possible.

A very special thanks to Finance Department staff for their assistance in preparing this report

Respectfully submitted,

Joseph Fazzino
Deputy City Comptroller

**City of Rye
General Fund Revenues and Expenditures
Results thru June 2025
With Comparison of 3 Prior Years**

Revenues	2022	2023	2024	2025	% Variance to: Prior Year	2025 Budget Full Year
Property Taxes	\$ 27,422,454	\$ 29,624,495	\$ 30,322,109	\$ 31,284,134	3.2%	\$ 31,487,200
Sales Tax ¹	2,100,087	2,081,577	2,224,917	2,282,236	2.6%	4,350,000
Non-Property Taxes ²	327,800	325,861	362,784	383,006	5.6%	1,065,000
Charges for Services ³	1,218,363	1,460,460	1,376,892	1,588,358	15.4%	2,035,537
Interest Income	26,796	855,730	1,405,439	798,243	-43.2%	1,550,000
Licenses & Permits	1,985,452	1,987,006	1,790,029	2,112,739	18.0%	3,268,730
Fines and Forfeitures	390,556	393,107	481,195	481,443	0.1%	820,700
Mortgage Tax ⁴	1,114,246	658,264	591,868	496,104	-16.2%	1,500,000
Other Income ⁵	627,504	1,047,633	997,714	901,161	-9.7%	2,997,843
Total Revenues	\$ 35,213,258	\$ 38,434,133	\$ 39,552,947	\$ 40,327,424	2.0%	\$ 49,075,010
Expenditures						
Salaries and Wages	\$ 8,157,729	\$ 8,539,721	\$ 9,365,348	\$ 10,469,690	11.8%	\$ 21,775,574
Equipment	112,082	221,318	242,446	531,322	119.2%	1,517,351
Materials and Supplies	996,804	983,795	1,796,622	1,577,070	-12.2%	4,246,196
Contractual Costs ⁶	4,148,836	5,274,483	3,748,728	3,702,508	-1.2%	10,826,351
Employee Benefits	4,072,344	4,517,288	4,930,042	4,836,259	-1.9%	14,201,989
Total Expenses	\$ 17,487,795	\$ 19,536,605	\$ 20,083,186	\$ 21,116,849	5.1%	\$ 52,567,461

1. First Two Quarters

2. Utility Tax, Hotel Tax, Franchise Tax

3. Recreation fees, land use fees, parking meter fees and vital record fees

4. Covers 6 Months October through March

5. Includes inter-government charges, use of money and property other than interest income, donations, inter-fund revenue, sales and loss compensation, state aid and federal aid

6. Inter-fund service charges, debt service payments, funding to the Rye Free Reading Room, legal costs, consultants, and miscellaneous service contracts



CITY COUNCIL AGENDA

DEPT.: Planning

CONTACT: Christian K. Miler, City Planner

AGENDA ITEM: Open a public hearing on a local law to amend Chapter 197 (Zoning) of the Code of the City of Rye, New York, to reduce the maximum permitted building height in the B-2 Central Business District from 40 feet to 35 feet.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council conduct the public hearing, consider closing the public hearing and consider the draft resolution of the local law adoption.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The attached local law was prepared as requested by the City Council and presented to the Council at its August 6, 2025 meeting. The proposed local law would reduce the maximum permitted building height in the B-2 Central Business District from 40 feet to 35 feet. The proposed local law is based on the recommendation of the Central Business District Development Review Committee. The Committee's June 5, 2025, report is attached hereto. The Committee was created by the City Council to suggest legislative or other regulatory strategies for future development that preserve the character of Rye's Central Business District.

The proposed local law is subject to environmental review pursuant to the State Environmental Quality Review Act (SEQRA). Parts I and II of the full EAF is attached hereto for the Council's review. The attached draft resolution adopting the local law includes a finding by the City Council that the proposed action will not have an adverse impact on the environment.

PUBLIC NOTICE

CITY OF RYE

Notice of a public hearing to amend the City Zoning Code to reduce the maximum permitted building height in the B-2 Central Business District.

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the **17th of September 2025 at 6:30 P.M.** to consider adopting a Local Law to amend chapter 197 (Zoning) of the Code of the City of Rye to reduce the maximum permitted building height in the B-2 Central Business District from 40 feet to 35 feet.

The public hearing will be held at a regular meeting of the City Council at City Hall, 1051 Boston Post Road, Rye, New York.

Noga Ruttenberg, City Clerk

Dated: _____

DRAFT

CITY OF RYE

LOCAL LAW NO. __ OF 2025

RESOLUTION

ADOPTING A LOCAL LAW TO AMEND CHAPTER 197 (ZONING) OF THE CODE OF THE CITY OF RYE, NEW YORK TO REDUCE THE MAXIMUM PERMITTED BUILDING HEIGHT IN THE B-2 CENTRAL BUSINESS DISTRICT FROM 40 FEET TO 35 FEET

WHEREAS, on February 25, 2025, the Rye City Council adopted a resolution creating a Central Business District (CBD) Development Review Committee that was charged with recommending legislative or other regulatory strategies for future development that preserve and enhance the desirable qualities and character of the City's CBD; and

WHEREAS, the CBD Development Review Committee completed a report dated June 5, 2025, which report and Committee recommendations were presented to the City Council at its July 15, 2025 meeting; and

WHEREAS, consistent the CBD Committee recommendations the City Council directed City Staff to prepare a draft local law for its consideration to amend the City Zoning Code to reduce the maximum permitted building height from 40 feet to 35 feet in the B-2 Central Business District; and

WHEREAS, on August 12, 2025, the City Council received and reviewed a draft local and set a public hearing on the local law for September 17, 2025; and

WHEREAS, notice of the hearing was published and circulated as required by law; and

WHEREAS, the City Council conducted a noticed public hearing on the local law on September 17, 2025 in which it gave all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, a draft local law and Full Environmental Assessment Form was presented to the City Council; and

WHEREAS, the City Council has reviewed the Full Environmental Assessment Form (EAF) and determines that the proposed action is consider a Type I Action; and

WHEREAS, the City Council is the only Involved Agency in connection with the proposed action;

NOW, THEREFORE, BE IT RESOLVED, that the City Council based on its review of the Environmental Assessment Form (EAF), the criteria listed in Section 617.7(c) of SEQRA and the complete record, the City Council finds that the proposed action will not have a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the City Council adopts Local Law # _____ -2025 adopting a local law to amend Chapter 197, *Zoning*, of the Code of the City of Rye, New York regarding the lot width and configuration of properties in new subdivisions.

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DRAFT

LOCAL LAW NO. _____-2025

**A LOCAL LAW TO AMEND CHAPTER 197 (ZONING) OF THE
CODE OF THE CITY OF RYE, NEW YORK
TO REDUCE THE MAXIMUM PERMITTED BUILDING HEIGHT IN THE B-2
CENTRAL BUSINESS DISTRICT FROM 40 FEET TO 35 FEET**

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

Section 1. Table B, *Business Districts Area, Yard, Height and Miscellaneous Regulations*, Column 12, *Maximum Height (feet)* shall be amended to reduce the maximum building height from 40 feet to 35 for all permitted building uses in the B-2 Central Business District as follows:

-----*Continued on Next Page*-----

City of Rye

Table B: Business Districts Area, Yard, Height and Miscellaneous Regulations

[Amended 9-18-1957; 9-21-1960; 3-21-1962 by Ord. No. 2-1962; 3-18-1964 by Ord. No. 2-1964; 4-7-1965 by Ord. No. 1-1965; 11-15-1967 by Ord. No. 4-1967; 12-6-1967 by Ord. No. 5-1967;
10-18-1972 by Ord. No. 4-1972; 6-16-1976 by Ord. No. 8-1976; 4-7-1982 by L.L. No. 6-1982; 11-6-1985 by L.L. No. 14-1985; 5-17-1989 by L.L. No. 7-1989; 7-17-1996 by L.L. No. 6-1996;
8-10-2011 by L.L. No. 5-2011]

District	Use	4	5	6	Minimum Yard Dimensions (feet)				11	12	13		14
		Maximum Ratio of Floor Area to Lot Area	Minimum Size of Lot (e) (acres or sq. ft.) per: a. Family or Equiv. (a) or b. Nonresidential Use	Minimum Width (feet) at Main Building [See also § 197-36]	Front [See (b) and (c)]	One Side [See (b) and (c)]	Total of Two Side Yards	Rear [See (b), (c) and (f)]	Maximum Height (stories)	Maximum Height (feet)	Accessory Structures		Minimum Distance of Side Line (feet)
											Maximum Coverage of Required Rear Yard	Maximum Coverage of Required Rear Yard	
B-1	Permitted residential uses (d)	0.5	5,000	50	25	8	20	30	2 ½	35	30%	5	
	Single-family house	0.5	3,000	60	25	8	20	30	2 ½	35	30%	5	
	2-family house	1.0	—	80	10	(c)	(c)	(c) (f)	2 ½	35	30%	6	
	Apartment houses All other main buildings	0.5	—	1	(c)	(c)	—	Bldg. Hgt. (c) (f)	2½	35	—	—	
B-2	Permitted residential uses (d)	2.0	5,000	—	20	8	20	30	3	40-35	35%	5	
	Lodging house	2.0	2,500	—	20	15	40	40	3	40-35	35%	10	
	Hotel, other Dwelling unit	2.00	—	—	(c)	(c)	—	(c) (f)	3	40-35	—	—	
	All other main buildings	2.0	—	—	(c)	(c)	—	(c) (f)	3	40-35	—	—	
B-3	Permitted residential uses	0.5	5,000	50	(d) 25	8	20	30	2 ½	35	30%	5	
	Single family house	0.5	3,000	60	25	8	20	30	2 ½	35	30%	5	
	2-family house All other main buildings	0.5	—	—	25(c)	12(c)	24	40	2 ½	35	30%	10	
B-4	Nonresidential uses permitted in R-2 Districts Office buildings	0.3 0.3(g)	½ acre 7 acres (h)	125 400 (1)	35 100	15 (c) 100 ⁺ (e)	40 (c) 200 (c)	50 (c) 100 (c)	2 ½ 3 (j)	35 45	20% —	15 —	

District	Use	4 Maximum Ratio of Floor Area to Lot Area	5 Minimum Size of Lot (e) (acres or sq. ft.) per: a. Family or Equiv. (a) or b. Nonresidential Use	6 Minimum Width (feet) at Main Building [See also § 197-36]	7 8 9 10 Minimum Yard Dimensions (feet)				11 Maximum Height (stories)	12 Maximum Height (feet)	13 14 Accessory Structures	
					Front [See (b) and (c)]	One Side [See (b) and (c)]	Total of Two Side Yards	Rear [See (b), (c) and (f)]			Maximum Coverage of Required Rear Yard	Minimum Distance of Side Line (feet)
B-5	Nonresidential uses permitted in R-2 Districts Office buildings (l) (p) Hotel	0.3 0.5 (m) 0.45	½ acre 3 acres (l) 3,000 (n)	125 300 (l) 300	35 100 (o) 100	15 (c) 50 50	40 (c) 125 125	50 (c) 75 75	2 ½ 3 (k) 4	35 44 (k) 65	20% — —	15 — —
B-6		0.75	—	—	(c)	(c)	—	Bldg. Hgt. (c) (f)	2	40	—	—
B-7		0.35	—	—	5 (c)	(c)	—	Bldg. Hgt. (c) (f)	2	35	—	—

- (a) Equivalent to one family in computing minimum lot sizes:
- [1] Hotels and lodging houses, each two guest sleeping rooms.
 - [2] Hospitals and similar institutions, each two hospital beds.
 - [3] Medical offices, each two doctors plus three other employees.
 - [4] Other nonresidential main uses not specifically provided for in the table of regulations or elsewhere in this chapter, each 1,500 square feet of floorspace.
- (b) No building shall be nearer than 100 feet to center line of the Boston Post Road between the Mamaroneck Village line and Central Avenue.
- (c) For yard requirements on lots facing or abutting residence districts, see § 197-69. No rear yard required if abutting municipal parking lot. For the rear and side yards of other than one- and two- family residences, hotels and lodging houses adjoining the right-of-way of a railroad, a parkway or limited access highway, see § 197-64.
- (d) For residence structures, see also notes to Table A.
- (e) In computing lot area requirements for any structure in which residential accommodations are combined with one or more nonresidential permitted main uses, see § 197-34. (f) See § 197-64.
- (g) Not more than 15% of lot to be covered by buildings.
- (h) If for more than 300 employees, add one acre for each 30 employees or fraction thereof in excess of 300.
- (k) At the discretion of the Planning Commission, the maximum height in stories may be increased to four stories and the maximum height in feet may be increased to 51 feet on a site or portion of a site surrounded on two sides by limited access highways at higher elevations.
- (l) Two parcels with frontage on or access to the same street and in the same zoning district separated only by the right-of-way for a limited access highway but not by more than 500 feet shall be considered as a single lot for the purposes of development, provided that all yard setback requirements are observed on each lot.
- (m) NOTES:
Accessory parking structures shall not be considered floor area for the purposes of determining compliance with the maximum permitted floor area to lot area ratio.
- (n) There shall be less than 3,000 square feet of lot area per rental sleeping room contained therein, except that a hotel with full elevator service may be constructed to a height of four stories and, if four stories, may be constructed on the basis of a minimum lot area of 1,400 square feet per rentable sleeping room in such hotel.
- (o) The minimum front yard setback from a non-limited-access county road shall be 125 feet.
- (p) Not more than 35% of the site shall be covered by buildings and structures, and not more than 65% of the site shall be covered by buildings, structures and other impervious surfaces.

Section 2. **Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

Section 3. **Effective Date and Applicability.**

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State and shall not apply to any issued building permit or City Board or Commission approval prior to the effective date of this local law.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> <li data-bbox="121 829 1542 861">i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No <li data-bbox="121 892 1542 924">ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No <li data-bbox="121 924 1542 955">iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No 		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. 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

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
 iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
 iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
 i. During Construction:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____
 ii. During Operations:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

<p>e. 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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p style="margin-left: 20px;">ii. Name: _____</p> <p style="margin-left: 20px;">iii. Brief description of attributes on which listing is based: _____</p>
<p>f. 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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe possible resource(s): _____</p> <p style="margin-left: 20px;">ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify resource: _____</p> <p style="margin-left: 20px;">ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p style="margin-left: 20px;">iii. Distance between project and resource: _____ miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify the name of the river and its designation: _____</p> <p style="margin-left: 20px;">ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency’s reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If “Yes”, answer questions a - h. If “No”, move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
If “Yes”, answer questions a - g. If “No”, move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans			
The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character			
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

RECOMMENDATIONS FOR THE RYE CENTRAL BUSINESS DISTRICT

REPORT OF THE CBD DEVELOPMENT REVIEW COMMITTEE TO THE RYE CITY COUNCIL

June 5, 2025

CBD Committee Members:

Nick Everett, Planning Commission Chair
Rick Schaupp, Planning Commission
Michael Harrington, Board of Architectural Review, Chair
Frank Gadaleta, Board of Architectural Review
Alan Weil, Board of Appeals, Chair
Alan Weiner, Board of Appeals
Rex Gedney, Landmarks Committee

Committee Staff Support:

Christian K. Miller, City Planner
Brian Shea, Interim City Manager
Kristen K. Wilson, Esq., Corporation Counsel

INTRODUCTION

As requested by the Rye City Council the Central Business District (CBD) Development Review Committee (hereinafter “the Committee”) presents this report of its findings and recommendations with respect to existing and future physical development in the City CBD.

BACKGROUND

At its February 26, 2025 meeting, the Rye City Council unanimously adopted a resolution creating the Committee consisting of members from the City Planning Commission, Board of Architectural Review, Board of Appeals and Landmarks Committee. The Committee, with the assistance of City staff, was tasked with submitting a report to the Council by May 30, 2025 that:

...define[s] the CBD’s significant physical characteristics and suggest[s] legislative or other regulatory strategies for future development that promote[s] suitable and appropriate development scale, mass, building arrangement and other aesthetic qualities;

In a series of bi-monthly meetings between February and May the Committee met in the Mayor’s Conference Room to review and discuss the CBD’s strengths, weakness, opportunities and threats, review existing regulatory land use controls, develop findings and prepare recommendations. All Committee meetings were public and agenda were posted on the City’s calendar. Relevant documents presented at meetings were posted on a new website created for this study at <https://engage.ryeny.gov/cbd-review>.

STUDY PARAMETERS AND ASSUMPTIONS

The Committee’s primary focus was on the CBD’s existing physical development qualities and how recent and future development contributes to preserving or enhancing the character of the CBD. Business districts are complex, inter-related ecosystems that include several functional elements that can contribute to community character such as parking management, retail and use mix, economic vitality, building maintenance, district management, special event planning and infrastructure conditions. These considerations were generally not reviewed by the Committee since they were beyond the scope of the Council’s request. The Council is encouraged to review the [2007 Central Business District Plan](#) available on the City’s CBD website for a discussion of those considerations.

For the purposes of this study the Committee agreed that the CBD boundary was the B-2, Central Business, Zoning District boundary. The B-2 District includes the “A” and “B” Parking

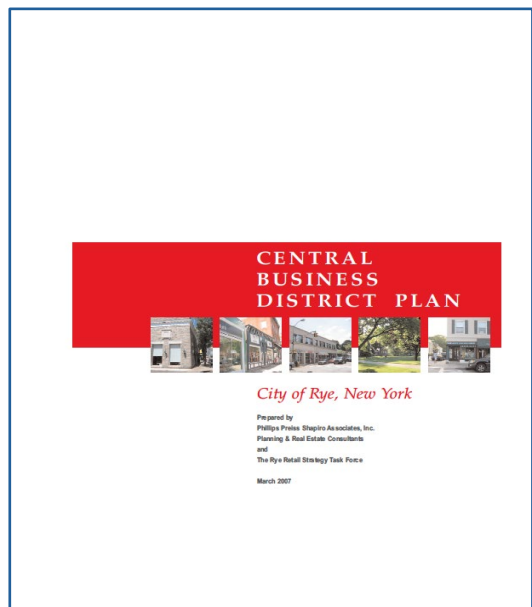


Figure 1: 2007 CBD Plan

Districts. The parking districts in the City Zoning Code regulate the minimum parking requirements and permitted uses. The “A” District generally corresponds to the Purchase Street core and the “B” District corresponds to the side streets such as Locust Avenue, Elm Place, Smith Street, School Street, Purdy Avenue and McCullough Place. The B-2 District and Parking District requirements work together to require less parking and promote pedestrian-oriented uses such as ground floor retail in the Purchase Street core and allowances for less pedestrian uses such as office or agency uses on the side streets.



Figure 2: The B-2 District (shown in orange) and B-1 District (shown in blue)

CBD CHARACTER

Even though most of the CBD is in the same B-2 Zoning District, development characteristics vary slightly throughout the district. Purchase Street represents the primary core of the CBD running approximately 1,500 feet between Rye City Hall and the Metro-North bridge and generally has the highest concentration of multi-story buildings consisting of ground-floor retail/restaurant/service businesses with residential or office use on the floors above. The side streets of Elm Place, Purdy Avenue, Smith Street, First Street and Second Street

Historic Properties

- 1. Square House
- 2. The Arcade Building (1909), 15 Purchase Street
- 3. The Mooney Building (1928), 22 Purchase Street
- 4. Firehouse (1909)
- 5. Former Lyceum, 31-33 Purchase Street
- 6. 36 Purchase Street (1915)
- 7. 43 Purchase Street
- 8. Former Max Frieze Building (1904), 66-68 Purchase Street
- 9. Rye Free Reading Room (1913)
- 10. Former Rye Trust Company (1923), 77 Purchase Street
- 11. Former Rye National Bank (1901), 86 Purchase Street
- 12. Budd Building (1871), 83-85 Purchase Street
- 13. 88 Purchase Street
- 14. Post Office (1930s), 41 Purchase Street
- 15. 16 School Street (1910)
- 16. Stone wall around Carpet Trends Parking Lot
- 17. WPA stone wall around CVS (1936)



(1)



(2)



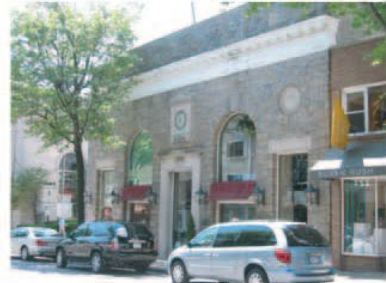
(3)



(4)



(9)



(10)



(11)



(12)



(13) on right



(14)



(15)



(17)

Figure 3: Notable/Historic CBD Buildings, Source: 2007 CBD Plan

have similar development intensity and building characteristics, however Locust Avenue, McCullough Place and the eastern half of Purdy Avenue have lower building heights and development intensities. Of the approximately 65 buildings in the CBD, 56% are two-stories or lower with the remaining 46% ranging between two-and-a-half and four stories.

The CBD retains many elements in its physical design that existed more than 100 years ago. This is particularly true along Purchase Street, which is characterized by buildings with a uniform setback from the street, a consistent width between buildings on opposite sides of the street (i.e. “street wall”), a unique subtle curve in the road creating visual appeal, two-way traffic flow with on-street parking, a pleasing building scale and walkable sidewalks. Over the decades there have been improvements to the CBD that have enhanced its character including the addition of street trees and relocating utilities underground.

The combination of these physical features contributes to the CBD’s character. The character is further enhanced by notable and historic buildings located through the CBD. These buildings are in both public and private ownership

B-2 DISTRICT STANDARDS AND REQUIREMENTS

Generally, B-2 District zoning standards are consistent with the prevailing mixed-use, commercial row development pattern in the CBD. Existing zoning limits building height to three-stories and 40 feet in height. Zoning supports multiple uses in buildings and promotes pedestrian-oriented uses such as retail, restaurants and personal service businesses on street level floors with residential and office uses permitted on the floors above. In some cases in Rye, uses that are considered less supportive of enhancing the pedestrian experience are prohibited on the ground floor. Examples include banks, offices and real estate businesses.

The B-2 District allows buildings to be located on property lines to replicate a uniform building pattern consistent with the setbacks of existing buildings. Parking requirements for CBD uses are generally low due to the shared-use of municipal parking lots and the inability of most properties to provide on-site parking due to their narrow width and small prevailing lot size, which range between 3,000 to 7,000 square feet. The B-2 District allows a floor area ratio (FAR) of 2.0, which is generally consistent with prevailing building floor area. Many buildings in the CBD that pre-date the existing zoning standards have a greater floor area than 2.0¹.

TABLE 1: B-2 DISTRICT BULK AND SETBACK REQUIREMENTS

Zoning Standard	Min./Max Standard
Floor Area Ratio	2.0
Minimum Lot Size	None
Front and Side Yard Setback (feet)	0
Rear Yard (feet)	0 or the height of building in limited cases
Width (feet)	0
Height (Stories)	3
Height (feet)	40
Height Exclusions	Parapet walls, bulkheads, elevator headhouses, HVAC, etc.

¹ Floor area ratio (FAR) is a zoning regulation that limits maximum permitted floor area of a building in relation to the size of the lot it’s built on. For example, a 2.0 FAR would allow 6,000 square feet of building floor area on a 3,000 square-foot lot.

PARKING DISTRICTS

The City Zoning Code breaks up the B-2 District into the “A” and “B” Parking District. The “A” generally applies to the Purchase Street core with the side streets falling in the “B” District. The “C” Parking District applies to the B-1 District area along Boston Post Road and the remainder of the City. The B-2 Districts and Parking District work in tandem to encourage and support pedestrian-oriented uses along the Purchase Street core. For instance, there is no parking requirement for retail in the “A” District, but a higher parking requirement for retail in the “B” District. This standard is designed to encourage retail uses to locate on Purchase Street. Conversely, there is a lower parking requirement for office (which is less pedestrian-oriented) in the “B” than the “A” District to discourage office on the Purchase Street core.

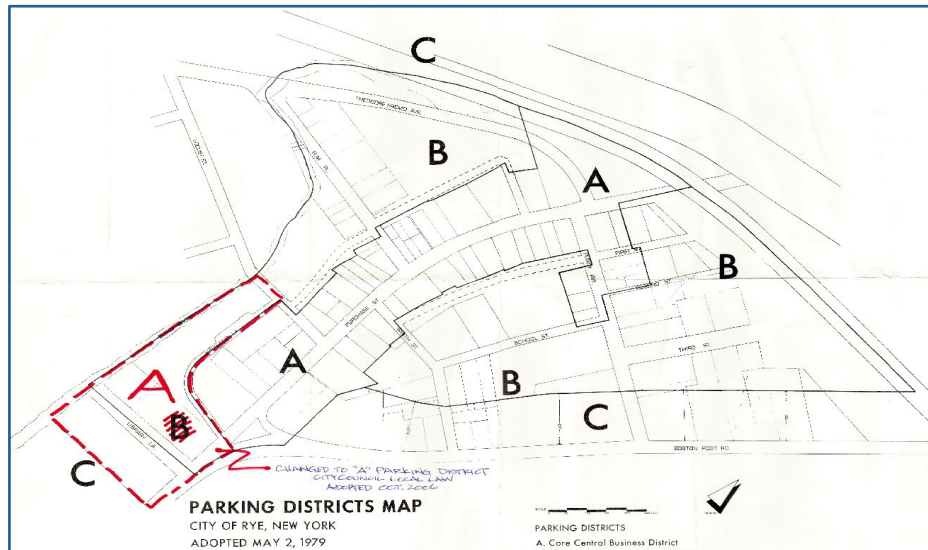


Figure 4: City of Rye Parking District Map, Rye City Zoning Code

In both the “A” and “B” Districts properties are allowed a parking credit that varies based on their lot size divided by 832. The 832 figure is essentially a parking space allocation from the City’s car parks that is given or “credited” to each property located in the “A” and “B” Parking District. A summary of the parking requirements is provided below.

TABLE 2: B-2 PARKING REQUIREMENTS

Use	“A” Parking District	“B” Parking District
Retail/Personal Service	0	1 per 200 sq. ft.
Apartments	0.7 per unit	1 per unit
Office	0.7 per 200 sq. ft.	0.3 per 200 sq. ft.
Restaurant	0.7 per 200 sq. ft.	0.3 per 200 sq. ft.
Parking Credit	Property Size (in square feet) / 832	

OTHER REGULATORY CONSIDERATIONS

In addition to the Rye City Zoning Code, the New York State Building Code regulates new building construction in the CBD. Fire safety and accessibility requirements mean that new construction often has design features that existing buildings do not. For instance, most new buildings located on a property line cannot have windows to prevent fire spread to adjacent buildings, which can result in blank windowless facades. Multi-

story buildings must have multiple means of egress contained within the building in case of a fire. Many existing buildings in the CBD have exterior fire escapes to satisfy this requirement. Finally, new construction of a certain size must be ADA accessible, which can require ADA-compliant ramps and elevators. These features can result in increasing the scale and mass of a building.

COMMITTEE SWOT ANALYSIS

To help define the character and qualities of the CBD, committee members reviewed the CBD's Strengths, Weaknesses, Opportunities and Threats (SWOT). The following is the Committee's SWOT assessment:

STRENGTHS

- The CBD is currently a thriving retail node with a diverse set of retailers that drive foot traffic in the CBD and is the heart of the community.
- Purchase Street is a great design, it is a nice walkable scale anchored by the Metro North Station to the north and the Village Green to the south. The street has a great density, character and pedestrian infrastructure. The curve in the street provides for a dynamic walking experience creating variety.
- The CBD is comprised of many buildings that successfully break up the scale of the street. Most buildings are 60 feet or less wide creating an irregular street scape that provides scale and a variety of experiences.
- Streetscapes, windows, doors and other elements such as building materials, cornices, façade articulation and other design details are for the most part of a historically appropriate human scale, once again, creating a character that defines the Rye CBD. These characteristics are further enhanced by the historic nature of many buildings in the CBD.
- Parking has been accommodated in a generally well executed strategy with on-street parking in the front of buildings and municipal carparks behind buildings. Front and rear building access allows for improved convenience to parking areas.
- Though not really the focus of the study, the farmers markets on Sundays and other programmed events such as the holiday lights, mistletoe magic, parades and the Halloween window painting are a creative way to activate the CBD.

WEAKNESSES

- As sites in the CBD are developed and redeveloped, the current zoning provides reasonable guidance as to the uses, density and overall building scale, but does not provide guidance to massing and articulation which could result in a loss of CBD character.
- Access to the CBD from the rest of the city by pedestrians and bikes is limited by the difficult connections on Post Road. If these connections are improved, increased access could further activate the CBD while potentially alleviating parking demands.
- Fremd/Purdy/Purchase intersection should have improved pedestrian crossings and traffic flow.
- There is limited open space in the CBD. In particular, Purdy and McCullough have limited street trees or open space opportunities.
- Zoning appears to overly restrict permitted uses, which may contribute to the lack of diversity of uses in ground-floor building spaces.
- Buildings on Elm Place, Locust Avenue and the rear of some buildings on Purchase Street are impacted by flood events.

- The limited retail presence, poor pedestrian infrastructure and prevalence of parking lots along McCullough Place creates dead zones making the Rye train station appear disconnected from the Purchase Street core.

OPPORTUNITIES

- Create design guidelines to encourage even larger sites to break down facades and building massing in a way consistent with the character of the CBD.
- Continue to develop and encourage a private/ public partnership in the CBD. Rye has been successful at curating a dynamic tenant roster and creating a number of events to activate the area, but active oversight of a retail environment is essential for long-term success.
- Improve pedestrian/ bike access to the CBD by improving sidewalks and crosswalks particularly near the municipal complex and Post Road.
- Explore creative parking solutions - in particular providing decked parking (if cost effective) in areas which take advantage of grade elevation changes eliminating the need for ramps.
- Contiguous properties on Purdy Avenue east of First Street and properties along McCullough Place are under-developed and have potential for a well-planned redevelopment.
- Explore property swaps or buying and selling CBD land parcels to improve circulation, increase viability and mitigate risks of the Blind Brook flooding.
- Explore relocating police station to create potential opportunities for new development at gateway to the City from the train station. This could further establish the train station area as an “anchor” for the north end of the CBD.
- Provide design guidelines for the Rye Subaru site to proactively guide the largest site adjacent to the CBD.
- Additional housing units built within current zoning parameters could improve CBD economic viability.

THREATS

- Large-massed buildings without articulation have the potential to negatively change the character and visual appeal of CBD.
- High quality street retail is competitive, and Rye needs to be proactive in managing its CBD.
- Significant or iconic buildings in the CBD lack incentives for protection against possible demolition.
- The lack of use diversity could jeopardize the desirability of the CBD and economic vitality.

POTENTIAL FUTURE DEVELOPMENT CONSIDERATIONS

Using its SWOT Assessment and understanding the existing zoning regulations, the Committee evaluated and discussed recently constructed and previously approved development in the CBD. The Committee also discussed potential future redevelopment scenarios on underdeveloped development properties given existing zoning restrictions and recent development trends in the CBD. Considering past buildings and future development scenarios allowed the Committee to assess what changes in existing development regulations might be necessary to preserve and enhance the character of the CBD. This assessment helped guide the Committee in its recommendations to the Rye City Council. A discussion of some of the buildings and properties the Committee considered is provided below.

PREVIOUSLY PROPOSED OR APPROVED PROJECTS



23-25 Purchase Street

This approximately 4,700-square-foot property is the vacant lot adjacent to Poppy’s. The former building on the site was partially condemned and was removed by the property owner in response to additional Building Department enforcement actions. In 2017 the property owner proposed a new building that required variances including a 27% (2.54) FAR variance. The application was withdrawn.



42 Purchase Street

This property was formerly TD Bank and received City approval in 2020 to construct a three-story mixed-use building on the 4,845 square foot property. The existing building footprint was not expanded and required a 19% (2.39) FAR variance (rendering is viewed from Smith Street). The approval has expired.



11-15 Purdy Avenue

This project received City approvals in 2024 and a building permit in 2025. The 13,000 square foot building on the 6,000 square foot lot required an 11% (2.22) FAR variance.



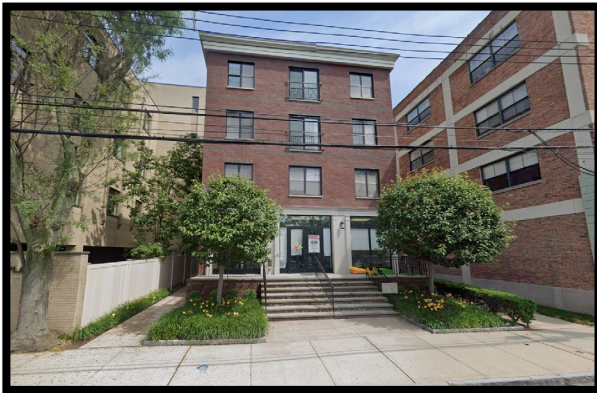
53 Purchase Street (includes 6-7 Elm Place)

This building formerly known as the “Smoke Shop” and the adjacent 6-7 Elm Place building received a building permit for an extensive renovation in 2016. The combined 7,341 square feet of floor area for both buildings is located on a 3,050 square-foot property (2.41 FAR).



12 Purdy Avenue

This three-story mixed-use building is located on a 3,750 square-foot lot and was completed in 2023. No variances were required.



30 Elm Place

This 4-story mixed-use building is located on a 4,700 square-foot lot. The project required a story and parking variance. The first-floor elevation complies with the FEMA flood mapping.

FUTURE REDEVELOPMENT POTENTIAL



54 Purchase Street

This one-story 5,800 square-foot building is located on an approximately 7,000 square-foot property. Existing zoning would permit up to three stories and 14,000 square feet of development.



57 & 59 Purchase Street

Each of these one-story approximately 2,800 square-foot buildings are located on lots just under 3,500 square-foot. Existing zoning would permit up to three stories and 7,000 square feet of development on each lot.



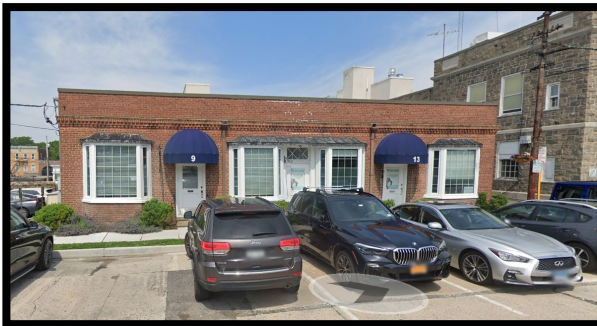
67 Purchase Street

Commonly referred to as “Rye Mall” this one-story building is located on a property that is over 11,000 square feet, making it one of the largest property sizes on Purchase Street. Existing zoning would permit up to three stories and 22,000 square feet of development.



25, 21 and 17 Purdy Avenue

25 Purdy is currently improved with a one-story building with a floor area of less than a quarter of the 14,000 square feet of floor area permitted by zoning. Adjacent properties at 21 and 17 Purdy Avenue have lot areas of approximately 6,000 square feet, which permits a combined development potential of 12,000 square feet. Three-story buildings are permitted.



13 McCullough Place

This 3,900 square-foot one-story building is located immediately adjacent to the Rye Police/Court. Over 12,000 square feet of development is permitted on this property.



37-43 Theodore Fremd & 38 Elm Place

These buildings are located on two properties held in common ownership having a combined lot area of 4,800 square feet. The Committee considered how potential redevelopment scenarios would be impacted by the properties’ location in a FEMA-designated floodway.

FINDINGS AND RECOMENDATIONS

ZONING CONSIDERATIONS

- **Building Height.** The Committee agreed that the City’s existing zoning regulations are generally supportive of maintaining and enhancing the existing character of the CBD and the B-2 District and do not require significant modification. The Committee does not recommend changes to existing regulations regarding maximum FAR, front, side and rear building setbacks, allowable roof-top exclusions from maximum building height, stories and adjustment to the minimum required parking. The Committee agreed, however, that the maximum building height of 40-feet is higher than necessary to accommodate a three-story mixed-use building and should be reduced to 35 feet.
- **Permitted Uses and Parking Requirements.** The Committee reviewed existing uses in the B-2 District and noted that the range of uses was limited and some were unclear, such as the interpretation of “service” use in the Zoning Code. The Committee recommended that the existing use framework be reviewed, clarified and potentially expanded. This may promote a greater diversity of uses that contribute to a healthy pedestrian experience and economic vitality. Parking requirements for new or existing uses should also be examined. Parking requirements cannot be overly restrictive, since most properties in the CBD are small and lack little opportunity for on-site parking.

PRESERVATION OF COMMUNITY CHARACTER

- **Design Guidelines.** The Committee agreed that the City should retain a consultant to develop guidelines that show architectural and building design considerations preferred and discouraged in the CBD. These guidelines would be available for designers to use when preparing plans and decision-making boards to refer to when reviewing future applications.
- **Restore Historic Preservation Tax Incentive.** The Committee identified buildings that contribute significantly to the character of the CBD and merit protection. To that end, the Committee recommends restoring 197-15 to the Rye City Code first established in 2014 but has since sunset. This incentive-based zoning provision would provide tax relief for property owners that agree to preserve building facades with restrictive covenants.
 - The Arcade Building
 - 22 Purchase Street (the Mooney Building)
 - Rye Post Office
 - Buildings at Purdy/Purchase/Fremd Intersection
 - Chase Bank
 - 77 Purchase Street
 - 16 School Street

THE PURDY AVENUE/MCCULLOUGH CORRIDOR

- Improving the Connection Between the Rye Train Station and the Purchase Street Core. The Committee agreed that the contiguous area along Purdy Avenue east of First Street to the McCullough Place intersection and along both sides of McCullough Place between Purdy Avenue and the MTA parking lot are under-developed properties relative to what is permitted by zoning that will experience redevelopment activities in the coming years. These areas could be developed under existing B-2 District standards, which the Committee did not find objectionable.



Figure 5: Contiguous Area for Potential Redevelopment Opportunity and B-2/B-1 District Boundary

The Committee agreed that this corridor presented opportunities for a re-imagined coordinated development strategy to create a more desirable connection between the Rye Train Station and the Purchase Street core. It could even potentially support greater densities than currently permitted by the B-2 District for properties and parking lots closest to the Rye Train Station. If the Council wants to explore this idea in more detail, the Committee recommends retaining a qualified urban designer to facilitate a community visioning exercise of potential redevelopment scenarios. The CVS, Shell Gas Station and Rye Subaru properties on Boston Post Road immediately located in the B-1 District should also be included in any visioning exercise. If there is a community consensus on a preferred planning outcome, specific zoning standards could be drafted for the area. Any changes in zoning to this extent should be mindful of potential Transit Oriented Design development requirements that may be mandated by New York State.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Award bid for the Sanitary Sewer Cleaning and CCTV Project (Contract # 2025-01).

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council award the bid to the recommended bidder.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: As part of the Capacity Management, Operation, and Maintenance Plan (CMOM) developed as part of the STS settlement, a 5-year rotational sewer cleaning program has been established. This project is part 1 of 5 and will clean and camera 20% of the city's sewer collection system.

Based on the Department of Public Works review of the bids submitted and qualifications of the lowest bidder, we recommend awarding Contract 2025-01 to National Water Main Cleaning Company in the amount of Two Hundred Sixty Three Thousand Seven Hundred Eighty Dollars and Twenty Cents (\$263,780.20).

Ryan Coyne, P.E.
City Engineer
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-7464
E-mail: rcoyne@ryeny.gov
<http://www.ryeny.gov>

**CITY OF RYE
DEPARTMENT OF PUBLIC WORKS**

To: Brian Shea, Interim City Manager

From: Ryan Coyne PE, City Engineer, *RXC*

Date: September 8, 2025

Re: Contract 2025-01 Sanitary Sewer Cleaning and CCTV Project

This office has reviewed and tabulated the bid received on September 3, 2025, for the above reference project. A copy of the bid result is attached herewith.

I recommend the contract be awarded to the lowest bidder, National Water Main Cleaning Company, in the amount of Two Hundred Sixty Three Thousand Seven Hundred Eighty Dollars and Twenty Cents (\$263,780.20).

This work is required to be completed as part of the STS settlement. Additional funds will need to be added to the Annual Sewer and Drain account to cover the costs of this work that is to be completed in 2025. Additionally, similar work will be required every year and should be accounted for in future operating budgets.

M:\01-Sanitary Sewers\Contracts&Bids\2025-01 Sanitary Sewer Cleaning and CCTV Project\Award Letter\Internal Memo Template.docx

**Sanitary Sewer Cleaning and CCTV Project - Contract 2025-01
Bid Tabulation**



Item Number	Item	Unit	Quantity	1. National Water Main Cleaning Company		2. Fred A. Cook Jr., Inc.		3. Insituform		5. Rhino Engineering Solutions, LLC		5. Arold Construction Company, Inc.	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Pre-Clean Inspection Services (Up to 12-inches)	LF	54,220	\$0.40	\$ 21,688.00	\$0.05	\$ 2,711.00	\$3.00	\$ 162,660.00	\$2.05	\$ 111,151.00	\$5.00	\$ 271,100.00
2	Light Sewer Main Cleaning Services (Up to 12-inches)	LF	43,220	\$0.01	\$ 432.20	\$1.00	\$ 43,220.00	\$1.50	\$ 64,830.00	\$3.85	\$ 166,397.00	\$2.00	\$ 86,440.00
3	Heavy Sewer Main Cleaning Services (Up to 12-inches)	LF	11,000	\$0.05	\$ 550.00	\$1.50	\$ 16,500.00	\$2.00	\$ 22,000.00	\$11.50	\$ 126,500.00	\$7.50	\$ 82,500.00
4	Sewer Main Television/Video Inspection Services	LF	54,220	\$3.00	\$ 162,660.00	\$1.85	\$ 100,307.00	\$1.75	\$ 94,885.00	\$1.65	\$ 89,430.00	\$2.00	\$ 108,440.00
5	Sewer Manhole Inspection Services	Ea	289	\$50.00	\$ 14,450.00	\$195.00	\$ 56,355.00	\$175.00	\$ 50,575.00	\$185.00	\$ 53,465.00	\$150.00	\$ 43,350.00
6	Disposal of Debris	Tons	20	\$700.00	\$ 14,000.00	\$150.00	\$ 3,000.00	\$250.00	\$ 5,000.00	\$1,000.00	\$ 20,000.00	\$250.00	\$ 5,000.00
7	Miscellaneous Additional Work	FLS	1	\$50,000.00	\$ 50,000.00	\$50,000.00	\$ 50,000.00	\$50,000.00	\$ 50,000.00	\$50,000.00	\$ 50,000.00	\$50,000.00	\$ 50,000.00
BASE BID TOTAL				\$263,780.20		\$272,093.00		\$449,950.00		\$616,943.00		\$646,830.00	

PUBLIC NOTICE

City of Rye
New York

NOTICE IS HEREBY GIVEN that sealed bids for Contract No. **2025-01, SANITARY SEWER CLEANING AND CCTV PROJECT**, will be received by the City of Rye on **Wednesday September 3, 2025 until 10:00 AM** at the office of the City Clerk at which time and place will be opened and read aloud by the Clerk for the work:

SANITARY SEWER CLEANING CONTRACT NO. 2025-01 AND CCTV PROJECT

Bid Security equal to 5% of the total of each bid will be required in the form of Certified Check, Bid Bond or Bank Draft.

Plans, specifications, and other Contract Documents are available at www.empirestatebidsystem.com and may be obtained therefrom beginning on **Friday, August 8, 2025 at 3:00 PM**. There is no charge for the bid documents. Bid security must be made payable to the City of Rye, in the amount specified above.

Bid must be in a sealed envelope addressed to The City Clerk, City of Rye, City Hall, Rye, New York 10580 and have the words “**Contract #2025-01 Sanitary Sewer Cleaning and CCTV Project**” clearly marked on the outside of the envelope.

No bidder may withdraw his bid within 45 days after the date bids are opened. No bid will be received or considered after the time stated herein above.

Additional Information and Technical Questions can be directed to Eric Kingsbury at (914) 967-7464 or emailed at ekingsbury@ryeny.gov.

The City of Rye Council reserves the right to accept or reject any and all bids; to waive any informality; to re-advertise for new bids or to accept any bid, which is in the best interest of the City of Rye, New York.

The City’s acceptance of the lowest responsible bid is not binding until the written contract is signed by all parties. The oral award of the bid to the lowest responsible bidder is not an enforceable agreement.

Noga Ruttenberg
City of Rye
City Clerk



CITY OF RYE
Department of Public Works

Interoffice Memorandum

To: Brian Shea, City Manager
From: Eric Kingsbury, ASPW
Date: August 1, 2025
Subject: **Contract 2025-01 – Sanitary Sewer Cleaning and CCTV Project**

This office has prepared plans and specifications for the Sanitary Sewer Cleaning and CCTV Project. I hereby request your approval to publish the attached notice in the newspaper with an anticipated bid opening date of Wednesday, September 3, 2025. We plan to be on the City Council Agenda for a bid award on September 17, 2025.

_____ Approved

_____ Denied

Brian Shea
City Manager



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Consideration to authorize the City Manager to transfer \$1,000,000 from Rye Golf Club's Unrestricted Net Assets to Rye Golf Club Project Accounts.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the Council adopt the following resolutions:

RESOLVED the City Manager is authorized to transfer \$20,000 from Rye Golf Club Unrestricted Net Assets to the Rye Golf Club Misc Non-Office Equipment project account.

RESOLVED the City Manager is authorized to transfer \$125,000 from Rye Golf Club Unrestricted Net Assets to the Building Construction & Improvements project account.

RESOLVED the City Manager is authorized to transfer \$600,000 from Rye Golf Club Unrestricted Net Assets to the Improvements project account.

RESOLVED the City Manager is authorized to transfer \$225,000 from Rye Golf Club Unrestricted Net Assets to the Rye Golf Club Irrigation Improvements project account.

RESOLVED the City Manager is authorized to transfer \$30,000 from Rye Golf Club Unrestricted Net Assets to the Rye Golf Club Swimming Pool Improvements project account.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached memos from the Golf Club General Manager.

Chris Correale
General Manager
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 835-3200
E-mail:
gm@ryegolfclub.com
<http://www.ryeny.gov>

CITY OF RYE
Rye Golf Club

To: Rye City Council

From: Chris Correale

Date: 09/10/2025

Re: Transfer from Reserve Account

RGC is requesting \$20,000 from the Golf Club Reserve account to the RGC Misc Non Office Equipment project account (78521-52199) to cover additional rental equipment needed for the bunker renovation project. For example the club rented a dumper last season to assist the work being conducted on the golf course.

Chris Correale
General Manager
1051 Boston Post Road
Rye, New York 10580



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

CITY OF RYE
Rye Golf Club

To: Rye City Council

From: Chris Correale

Date: 09/10/2025

Re: Transfer from Reserve Account

RGC is requesting a transfer of \$125,000 from the Golf Club Reserve account to the Building Construction & Improvements project account (78521-52900) to install new fire alarm panels at RGC's Administration and Golf Shop buildings, and address extensive repairs that may arise at Whitby Castle.

Chris Correale
General Manager
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 835-3200
E-mail:
gm@ryegolfclub.com
<http://www.ryeny.gov>

CITY OF RYE
Rye Golf Club

To: Rye City Council

From: Chris Correale

Date: 09/10/2025

Re: Transfer from Reserve Account

RGC is requesting \$600,000 from the Golf Club Reserve account to the Golf Course Improvements project account (78521-52981) to continue with our bunker renovation project. We are currently in phase 3 of the project which will consist of holes 11,2&,6 (weather dependent). After the conclusion of this phase, we will have holes 18,16,16,15,15,14,13,12,11,1,2, &6 completed. That leaves us with 3,4,5,7,8,9,10, left. Various expenses from this project account consist of capillary concrete, bunker sand, consultant visits, and other materials.

Chris Correale
General Manager
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 835-3200
E-mail:
gm@ryegolfclub.com
<http://www.ryeny.gov>

CITY OF RYE
Rye Golf Club

To: Rye City Council

From: Chris Correale

Date: 09/10/2025

Re: Transfer from Reserve Account

RGC is requesting \$225,000 from the Golf Club Reserve account to the RGC Irrigation Improvements project account (78521-52951) to begin upgrading the Club's irrigation control system. These irrigation control boxes are the main component that communicates with the overall irrigation system. Our controllers are outdated and are starting to fail. This is obviously a key component to our success in managing a healthy golf course. Additionally, the new control system will allow us to be more efficient by giving us wireless capabilities and also other modern features.

Chris Correale
General Manager
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 835-3200
E-mail:
gm@ryegolfclub.com
<http://www.ryeny.gov>

CITY OF RYE
Rye Golf Club

To: Rye City Council

From: Chris Correale

Date: 09/10/2025

Re: Transfer from Reserve Account

RGC is requesting \$30,000 from the Golf Club Reserve account to the RGC Swimming Pool Improvements project account (78521-52908) to cover a pool assessment and any other significant repairs that may arise. As our pool continues to age, preventive maintenance becomes even more important.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Resolution to declare certain City equipment as surplus.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, the City has been provided with a description of equipment identified as being obsolete or will become obsolete during 2025, and;

WHEREAS, the City recommends that Said equipment be declared surplus, now, therefore, be it

RESOLVED, that said equipment is declared surplus, and, be it further

RESOLVED, that authorization is given to the listed Department Heads to donate or sell or dispose of said equipment in a manner that will serve in the best interests of the City.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Harbor Master, Director of Communications, and IT Director have provided memos regarding equipment that needs to be declared surplus.

Rodrigo Paulino
Harbor Master
650 Milton Rd
Rye, New York 10580



Tel: (914) 967-2011
E-mail: Rpaulino@ryeny.gov
<http://www.ryeny.gov>

Boat Basin

Memorandum

To: Brian Shea, Interim City Manager
From: Rodrigo Paulino, Harbor Master
Date: 9/4/2025
Re: Surplus Equipment

The Boat Basin would like to surplus a 2002 John Deere 6x4 Gator, ID# VG06X4D030285. Due to the machine's age and the extensive repairs it now requires, we have determined that replacing it is a more cost-effective option. In an effort to keep expenses and overall maintenance costs down, we have opted not to invest in repairs and are instead seeking to surplus the equipment.

[Type here]

Nicole Levitsky
Rye City Communications
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-7242
nlevitsky@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE

Communications Department

Memorandum

To: Brian Shea, Interim City Manager
From: Nicole Levitsky, Director of Communications
Date: 08/18/2025
Re: Surplus Items for Disposal

Following the review of the items listed below, I request that the items be declared surplus.

In accordance with the city's surplus property policy, I recommend that these items be disposed

of as they are no longer useful for City operations:

- HP Elite Desk 800 G3 SFF SN# 2UA7312CRQ
- Smartboard Interactive Flat Panel SBID8055i, SN# K012FW30D0026

Please let me know if further action or documentation is required for this process.

Sincerely,

Nicole Levitsky

Nicole Levitsky
Director of Communications



Joseph DeVita
IT Services
Rye, New York 10580



<http://www.ryeny.gov>

CITY OF RYE

Memorandum

To: Brian Shea, Interim City Manager
From: Joseph DeVita, Head of IT
Date: Services 9/7/2025
Re: Surplus Galaxy S10e phones

IT is requesting to surplus the items below as they are not needed and now later in the life span of the phones. We will take all necessary steps to have the items auctioned and/or disposed of as per the City's surplus policy.

Item	Quantity
Samsung Galaxy S10e phones	9

Thank you.



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Brian Shea, Interim City Manager

AGENDA ITEM: Consideration of a request by the Rye Sustainability Committee to use the Highland Lot from 8:00 am to 1:00 pm on October 18th for their 250 Acorns to Oaks Giveaway.

FOR THE MEETING OF:

September 17, 2025

RECOMMENDATION: That the council consider the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: See the attached request email.

Sullivan, John P.

From: Shea, Brian G.
Sent: Wednesday, August 13, 2025 10:18 AM
To: Sullivan, John P.; Wilson, Kristen K.
Cc: Coyne, Ryan X.
Subject: Fw: 250 Acorns to Oak Give Away - City Support

From: James Ward -
Sent: Tuesday, August 12, 2025 11:11 PM
To: Shea, Brian G.

Subject: 250 Acorns to Oak Give Away - City Support

Hi Brian,

I hope all is well with you. As we previously discussed, the [250 Acorns to Oak project](#) continues to move along with the potential to give tree saplings to community members of Rye in October.

As such, we are wondering if we could use the Highland Ave parking lot on the weekends October 11 and/or October 18 to transfer the saplings to their owners. We would use the lot in much the same way used for the Compost Give Back day: small tent with a few volunteers.

On those days we would offer Rye community members a chance to come and pick up their oak sapling for planting in their yard. I suppose this would need city council approval but look for your guidance. We would most likely use the weekend of October 18th for .

As context, here is the link to the form [here](#). Community members that complete the form are agreeing to be a steward of an Oak on their property. The steward will be given an Oak Sapling and some support materials.

We are also hoping the city will participate in the program.

Regards,
James