



**Honorable Mayor and City Council Agenda  
1st Floor Council Conference Room, City Hall  
City of New Rochelle  
Regular Legislative Meeting  
Tuesday, January 20, 2026  
6:15 PM**

**Pledge of Allegiance**

**Roll Call**

**Approval of Minutes**

Regular Legislative Meeting, Tuesday, November 18, 2025; Committee of the Whole Session, Tuesday, December 2, 2025.

**Submission of Minutes**

Regular Legislative Meeting, Tuesday, December 9, 2025; Committee of the Whole Session, Tuesday, January 13, 2026.

**Presentation**

**Legislation in Voting Order**

**Consent Agenda**

1. PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE RE: PARKING REGULATION CHANGE (44 WOODBURY STREET) - Ordinance amending Section 312-91, Schedule XX: Handicapped Parking, of Chapter 312, Vehicles and Traffic, of the Code of the City of New Rochelle (44 Woodbury Street).
2. PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE RE: PARKING REGULATION CHANGES (PLAIN AVENUE) - Ordinance amending Section 312-83, Schedule XII: Parking Prohibited at All Times of Chapter 312, Vehicles and Traffic, of the Code of the City of New Rochelle (Plain Avenue).
3. PROPOSED ACCEPTANCE OF GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU'S 2026-2028 INVEST-IN-KIDS REQUEST FOR PROPOSAL - Ordinance accepting a grant award from the Westchester County Youth Bureau's 2026-2028 Invest-In-Kids Request for Proposal in the amount of \$150,000 relative to STEP University, amending Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, and appropriating funds therefor.
4. PROPOSED ACCEPTANCE OF GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU'S 2026-2028 INVEST-IN-KIDS REQUEST FOR PROPOSAL - Ordinance accepting a grant award from the Westchester County Youth Bureau's 2026-2028 Invest-In-Kids Request for Proposal in

the amount of \$108,000 relative to the establishment of R.O.D.N.E.Y's Place After School Program for middle school aged boys, amending Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, and appropriating funds therefor.

5. PROPOSED ACCEPTANCE OF GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU IN CONNECTION WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES RE: MOMMY & ME SPORT AND FITNESS ACADEMY - Ordinance accepting a grant from the Westchester County Youth Bureau, in connection with the New York State Office of Children and Family Services Youth Sports & Education Funding, in the amount of \$23,000 for the establishment of a Mommy & Me Sport and Fitness Academy, amending Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, and appropriating funds therefor.
6. PROPOSED AMENDMENT TO THE CODE OF THE CITY OF NEW ROCHELLE RE: PARTICIPATORY BUDGET STEERING COMMITTEE - Ordinance amending Chapter 9 of the Code of the City of New Rochelle to establish a Participatory Budget Steering Committee (Sponsored by Council Member Matthew Stern).
7. PROPOSED AMENDMENT TO CHAPTER 312-62 OF THE CODE OF THE CITY OF NEW ROCHELLE RE: TWO CLINTON GARAGE VALET-ONLY PERMIT PARKING FACILITY - Ordinance amending Section 312-62, Parking Lots, and Chapter 133, Fees.
8. PROPOSED AUTHORIZATION TO INITIATE LOCAL SAFETY ACTION PLAN PROCESS AND ESTABLISH LOCAL ROAD SAFETY ACTION COMMITTEE - Resolution authorizing the initiation of a Local Safety Action Process and the establishment of a Local Road Safety Committee.
9. PROPOSED RESOLUTION DECLARING LEAD AGENCY AND ISSUING A POSITIVE DECLARATION RELATIVE TO AMENDMENTS TO ARTICLE XXII, CHAPTER 331-175, DOWNTOWN OVERLAY ZONES, OF THE CITY OF NEW ROCHELLE ZONING CODE AND REVISIONS TO THE CITY'S OFFICIAL ZONING MAP - Resolution Declaring Lead Agency and issuing a Positive Declaration of Environmental Significance and directing that a Supplemental Draft Generic Environmental Impact Statement (SDEIS) be prepared relative to amendments to Article XXII, Chapter 331-175, Downtown Overlay Zones, of the City of New Rochelle Zoning Code and revisions to the City's Official Zoning Map.
10. PROPOSED LEGISLATION RE: 662 MAIN STREET - EDPL - Resolution authorizing the City Manager or designee to submit a written offer and to take all actions necessary to acquire 662 Main Street (Section 2, Block 460, Lot 46) pursuant to New York State Eminent Domain Procedure Law.
11. PROPOSED LEGISLATION RE: 625 NORTH AVENUE PROPERTY- EDPL - Resolution amending Resolution No. 2025-24, adopted February 18, 2025, to revise and correct the appraised valuations for 625 North Avenue, the adjacent Treno Street Lot, and 637 North Avenue (Section 3, Block 998, Lots 17, 19 and 23), and to authorize the issuance of initial condemnation awards pursuant to New York State Eminent Domain Procedure Law

### **Resolutions**

12. PIN 8758.99 PELHAM ROAD TRAFFIC SIGNALS- SUPPLEMENTAL AGREEMENT No. 2 to D031768 - Resolution authorizing the implementation, and funding in the first instance 100% of the Federal-Aid and State "Marchiselli" Program-Aid eligible costs, of a Transportation Federal-Aid Project, and appropriating funds therefore.

### **Ordinances**

**Public Hearings**

**Discussion Item(s)**

**Executive Session**

**Adjournment**

**City of New Rochelle**  
Public Works

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Alvaro Alfonso-Larrain, Public Works Commissioner  
**Subject:** PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE  
RE: PARKING REGULATION CHANGE (44 WOODBURY STREET) -  
Ordinance amending Section 312-91, Schedule XX: Handicapped Parking, of  
Chapter 312, Vehicles and Traffic, of the Code of the City of New Rochelle (44  
Woodbury Street).

---

**Background:** A resident of 44 Woodbury Street requested designation of a handicapped parking space in front of this address on behalf of herself and several other family members with sight and mobility impairments. There is no private driveway at this residence. DPW recommends designation of a handicapped space at this location, which is on a residential street.

This change requires amendment to the Municipal Code as detailed below:

(Matter underlined added; Matter bracketed deleted)

**§ 312-91 Schedule XX: Handicapped Parking.**

In accordance with the provisions of § 312-49, the following described locations are hereby designated as handicapped parking spaces:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
<u>Woodbury Street</u>	South	In front of 44 (20 feet)

**Attachments:**

None

**RESOLUTION NUMBER: 2026-2**  
**MEETING DATE: January 20, 2026**

**Item # 1.**

---

**LEGISLATION**

---

ORDINANCE AMENDING SECTION 312-91,  
SCHEDULE XX: HANDICAPPED PARKING, OF  
CHAPTER 312, VEHICLES AND TRAFFIC, OF THE  
CODE OF THE CITY OF NEW ROCHELLE (44  
WOODBURY STREET).

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Code of the City of New Rochelle, Section 312-91, Schedule XX:  
Handicapped Parking, of Chapter 312 (Vehicles and Traffic) is hereby amended as follows:

§ 312-91 Schedule XX: Handicapped Parking.

In accordance with the provisions of § 312-49, the following described locations are  
hereby designated as handicapped parking spaces:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
<u>Woodbury Street</u>	<u>South</u>	<u>In front of 44 (20 feet)</u>

Matter underlined added.

City of New Rochelle  
Public Works

---

MEMORANDUM

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Alvaro Alfonso-Larrain, Public Works Commissioner  
**Subject:** PROPOSED AMENDMENT TO CODE OF THE CITY OF NEW ROCHELLE  
RE: PARKING REGULATION CHANGES (PLAIN AVENUE) - Ordinance  
amending Section 312-83, Schedule XII: Parking Prohibited at All Times of  
Chapter 312, Vehicles and Traffic, of the Code of the City of New Rochelle (Plain  
Avenue).

---

**Background:**  
A request has been received to restrict parking at the Plain Avenue side exit of the Emanuel African Methodist Episcopal Church at 21 Valley Place.

**Recommendation:**

Staff recommends the following amendments to the Municipal Code (Matter underlined is added; matter bracketed is deleted):

§312-83 Schedule XII: Parking Prohibited at All Times.  
In accordance with the provisions of § 312-39, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
<u>Plain Avenue</u>	<u>South</u>	<u>Side entrance of 21 Valley Place for 10 feet</u>

**Attachments:**  
None

**RESOLUTION NUMBER: 2026-3**  
**MEETING DATE: January 20, 2026**

**Item # 2.**

---

## LEGISLATION

---

ORDINANCE AMENDING SECTION 312-83, SCHEDULE XII: PARKING PROHIBITED AT ALL TIMES; SECTION OF CHAPTER 312, VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF NEW ROCHELLE (PLAIN AVENUE).

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Code of the City of New Rochelle, Section 312-83, Schedule XII: Parking Prohibited at All Times, of Chapter 312, Vehicles and Traffic, is hereby amended as follows:

§ 312-83 Schedule XII: Parking Prohibited at All Times.

In accordance with the provisions of § 312-39, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
<u>Plain Avenue</u>	<u>South</u>	<u>Side entrance of 21 Valley Place for 10 feet</u>

Matter [bracketed] deleted  
Matter underlined added

**City of New Rochelle**  
Parks & Recreation

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Vincent Parise, Parks and Recreation Commissioner  
**Subject:** PROPOSED ACCEPTANCE OF GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU'S 2026-2028 INVEST-IN-KIDS REQUEST FOR PROPOSAL - Ordinance accepting a grant award from the Westchester County Youth Bureau's 2026-2028 Invest-In-Kids Request for Proposal in the amount of \$150,000 relative to STEP University, amending Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, and appropriating funds therefor.

---

**Background:**

In 2025, the City of New Rochelle Youth Bureau submitted a proposal to the Westchester County Youth Bureau in response to the 2026–2028 Invest-In-Kids Request for Proposals to support the Elite Steppers Program (STEP University). The Youth Bureau’s STEP University “ELITE Steppers” aims to create an atmosphere of unity and diversification through stepping and group creativity. Up to 50 elementary school students will participate in STEP University.

The Youth Bureau has been notified that it has been awarded \$150,000 in grant funding, to be allocated at \$50,000 per year for fiscal years 2026, 2027, and 2028.

**Issue:**

In order to proceed with related Grant Agreement, City Council needs to accept the awarded grant funds and delegate signing authority for all future grant documents. A budget amendment is also necessary to include the awarded funds in the 2026 City of New Rochelle budget.

**Recommendation:**

At this time, staff is requesting that the City Council accept the Westchester County grant funds and authorize the City Manager to execute all documents related to the grant disbursement.

Staff also recommends that City Council authorize the following Budget Amendment to allow for the \$50,000 of 2026 funds to be entered into the City's 2026 Budget. \$50,000 funding for

2027 and 2028 will be entered into future budgets as a part of the annual budgeting process.

Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, is hereby amended as follows:

***Increase Revenue***

7310.2706.26031 County Aid - Invest in Kids Step \$50,000

***Increase Appropriations***

7310.13000.26031 Salaries-Hourly Rates \$32,905  
7310.41500.26031 Functional Supplies \$9,513  
7310.46000.26031 Contracted Services \$3,304  
7310.8XXXX.26031 Fringe Benefits \$4,278

**Attachments:**

1. New Rochelle 2026-28 IIK Award Letter

---

## LEGISLATION

---

ORDINANCE ACCEPTING THE INVEST-IN-KIDS GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU IN THE AMOUNT OF \$150,000.00 AND AMENDING ORDINANCE NO. 198 OF 2025, THE BUDGET OF THE CITY OF NEW ROCHELLE FOR 2026, AND APPROPRIATING FUNDS THEREFOR (STEP UNIVERSITY).

WHEREAS, the New Rochelle Youth Bureau has been awarded a grant in the amount of \$150,000.00 (\$50,000 per year for 2026-2028) from the Westchester County Youth Bureau Invest-In-Kids Fund to support the Elite Steppers (STEP University); now, therefore

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Council of the City of New Rochelle hereby accepts the Invest-In-Kids grant from the Westchester County Youth Bureau in the amount of \$150,000.00 to support the Elite Steppers (STEP University).

Section 2. Ordinance No. 198 of 2025, the budget of the City of New Rochelle for 2026, is hereby amended in order to provide for the acceptance and implementation of the \$150,000.00 (\$50,000 per year for 2026-2028) grant, as follows:

***Increase Revenue:***

7310.2706.26AAA County Aid - Invest in Kids Step \$50,000

***Increase Appropriations:***

7310.13000.26AAA Salaries-Hourly Rates \$32,905

7310.41500.26AAA Functional Supplies \$9,513

7310.46000.26AAA Contracted Services \$3,304

7310.8XXXX.26AAA Fringe Benefits \$4,278

Section 3. The City Manager is hereby authorized to execute such documentation as may be necessary and required to file and accept the \$150,000.00 grant.



Kenneth W. Jenkins  
County Executive

Ernest L. McFadden  
Executive Director, Westchester County Youth Bureau

December 18, 2025

Kelly Johnson  
Executive Director  
City of New Rochelle – Youth Bureau  
515 North Avenue  
New Rochelle, NY 10801

Dear Mr. Johnson,

I am pleased to inform you that the Westchester County Youth Bureau has accepted your response to the 2026-2028 Invest in Kids Request for Proposals (RFP) for the program(s) listed below. This process was highly competitive and we congratulate you for scoring within range to deliver the following program(s) and service(s):

Name of Program: R.O.D.N.E.Y.'s Place	Amount Awarded: \$36,000 / per year
Step University: Elite Steppers	\$50,000 / per year

As stated within the RFP, funding is contingent upon available funds for up to three years. Your organization is required to provide a cash match, which amounts to \$4,000/per year for R.O.D.N.E.Y.'s Place and \$5,556/per year for Step University, for a total contract amount of \$40,000/per year for R.O.D.N.E.Y.'s Place and \$55,556/per year for Step University. The funding cycle is 2026 – 2028; therefore, your agency can anticipate funding from January 1, 2026 through December 31, 2028, based upon contract compliance and continued appropriation of funds to the Youth Bureau. Please be reminded, as stated in the RFP, **no fees** may be charged to individuals enrolled in the abovementioned program.

An agreement for services (the “Agreement”) is subject to approval by the Westchester County Board of Acquisition and Contract and also contingent upon review and approval of the program application and budget submitted in response to the RFP by the Westchester County Youth Bureau staff. This final review may result in changes from the original application. To expedite the review process, a Program Administrator will contact you on or before January 6, 2026. In preparation for the contract process, your agency is strongly encouraged to register with the county’s Vendor Portal. The first step in using the portal is the Vendor Document Repository Module, which allows vendors to upload and save scanned images of required supporting documents and then link them to each county contract. The link to access the Vendor Portal is: <http://business.westchestergov.com/vendor-portal>

Please note that the Agreement that your organization is required to enter into with Westchester County shall contain a provision that the County shall retain the right, upon the occurrence of any release by the Governor of a proposed budget of the State of New York and/or the adoption of the State budget or any amendments thereto, and after the County has a reasonable period of time to conduct an analysis of the impacts of such budget(s) on County finances, to terminate the Agreements authorized herein or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to your organization, then your organization shall have the right to terminate the Agreement upon reasonable prior written notice.

**Please be advised that all contracts will now be executed through the County's mandatory E-Signature Portal. This new process will streamline contract execution and eliminate the need for paper copies.** Additional information and step-by-step instructions regarding the use of the portal will be provided to you shortly.

The Westchester County Youth Bureau program administrator for this program is Susan Weisman. Her number is 995-2753 and her email is [ssw9@westchestercountyny.gov](mailto:ssw9@westchestercountyny.gov). Please contact her with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest McFadden", with a stylized flourish at the end.

Ernest McFadden  
Executive Director, Youth Bureau

**City of New Rochelle**  
Parks & Recreation

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Vincent Parise, Parks and Recreation Commissioner  
**Subject:** PROPOSED ACCEPTANCE OF GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU'S 2026-2028 INVEST-IN-KIDS REQUEST FOR PROPOSAL - Ordinance accepting a grant award from the Westchester County Youth Bureau's 2026-2028 Invest-In-Kids Request for Proposal in the amount of \$108,000 relative to the establishment of R.O.D.N.E.Y's Place After School Program for middle school aged boys, amending Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, and appropriating funds therefor.

---

**Background:**

In 2025, the City of New Rochelle Youth Bureau submitted a proposal to the Westchester County Youth Bureau in response to the 2026–2028 Invest-In-Kids Request for Proposals to support the middle school aged boys afterschool program, R.O.D.N.E.Y.'s Place. The Youth Bureau has been notified that it has been awarded \$108,000 in grant funding, to be allocated at \$36,000 per year for fiscal years 2026, 2027, and 2028.

**Issue:**

In order to proceed with the related Grant Agreement, City Council needs to accept the awarded grant funds and delegate signing authority for all future grant documents. A budget amendment is also necessary to include the awarded funds in the 2026 City of New Rochelle budget.

**Recommendation:**

At this time, staff is requesting that the City Council accept the Westchester County grant funds and authorize the City Manager to execute all documents related to the grant disbursement.

Staff also recommends that City Council authorize the following Budget Amendment to allow for the \$36,000 of 2026 funds to be entered into the City's 2026 Budget. The \$36,000 funding for 2027 and 2028 will be entered into future budgets as a part of the annual budgeting process.

Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, is hereby amended as follows:

**Increase Revenue**

7310.2706.26028 County Aid - Invest in Kids \$36,000

**Increase Appropriation**

7310.13000.26028 Salaries-Hourly Rates \$23,266

7310.41500.26028 Functional Supplies \$4,580

7310.43300.26028 Wireless Services \$550

7310.46000.26028 Contracted Services \$4,580

7310.8XXXX.26028 Fringe Benefits \$3,024

**Attachments:**

- 1. New Rochelle 2026-28 IIK Award Letter

---

## LEGISLATION

---

ORDINANCE ACCEPTING THE INVEST-IN-KIDS GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU IN THE AMOUNT OF \$108,000.00 AND AMENDING ORDINANCE NO. 198 OF 2025, THE BUDGET OF THE CITY OF NEW ROCHELLE FOR 2026, AND APPROPRIATING FUNDS THEREFOR (R.O.D.N.E.Y'S PLACE).

WHEREAS, the New Rochelle Youth Bureau has been awarded a grant in the amount of \$108,000.00 (\$36,000.00 per year for 2026-2028) from the Westchester County Youth Bureau's 2026-2028 Invest-In-Kids Request for Proposal to establish R.O.D.N.E.Y.'s Place, an afterschool program for middle school aged boys; now, therefore

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Council of the City of New Rochelle hereby accepts the Invest-In-Kids grant from the Westchester County Youth Bureau in the amount of \$108,000.00 to establish R.O.D.N.E.Y.'s Place.

Section 2. Ordinance No. 198 of 2025, the budget of the City of New Rochelle for 2026, is hereby amended in order to provide for the acceptance and implementation of the \$108,000.00 (\$36,000.00 per year for 2026-2028) grant, as follows:

***Increase Revenue:***

7310.2706.26BBB County Aid - Invest in Kids \$36,000

***Increase Appropriations:***

7310.13000.26BBB Salaries-Hourly Rates \$23,266

7310.41500.26BBB Functional Supplies \$4,580

7310.43300.26BBB Wireless Services \$550

7310.46000.26BBB Contracted Services \$4,580

7310.8XXXX.26BBB Fringe Benefits \$3,024

Section 3. The City Manager is hereby authorized to execute such documentation as may be necessary and required to file and accept the \$108,000.00 grant.



Kenneth W. Jenkins  
County Executive

Ernest L. McFadden  
Executive Director, Westchester County Youth Bureau

December 18, 2025

Kelly Johnson  
Executive Director  
City of New Rochelle – Youth Bureau  
515 North Avenue  
New Rochelle, NY 10801

Dear Mr. Johnson,

I am pleased to inform you that the Westchester County Youth Bureau has accepted your response to the 2026-2028 Invest in Kids Request for Proposals (RFP) for the program(s) listed below. This process was highly competitive and we congratulate you for scoring within range to deliver the following program(s) and service(s):

Name of Program: R.O.D.N.E.Y.'s Place	Amount Awarded: \$36,000 / per year
Step University: Elite Steppers	\$50,000 / per year

As stated within the RFP, funding is contingent upon available funds for up to three years. Your organization is required to provide a cash match, which amounts to \$4,000/per year for R.O.D.N.E.Y.'s Place and \$5,556/per year for Step University, for a total contract amount of \$40,000/per year for R.O.D.N.E.Y.'s Place and \$55,556/per year for Step University. The funding cycle is 2026 – 2028; therefore, your agency can anticipate funding from January 1, 2026 through December 31, 2028, based upon contract compliance and continued appropriation of funds to the Youth Bureau. Please be reminded, as stated in the RFP, **no fees** may be charged to individuals enrolled in the abovementioned program.

An agreement for services (the “Agreement”) is subject to approval by the Westchester County Board of Acquisition and Contract and also contingent upon review and approval of the program application and budget submitted in response to the RFP by the Westchester County Youth Bureau staff. This final review may result in changes from the original application. To expedite the review process, a Program Administrator will contact you on or before January 6, 2026. In preparation for the contract process, your agency is strongly encouraged to register with the county’s Vendor Portal. The first step in using the portal is the Vendor Document Repository Module, which allows vendors to upload and save scanned images of required supporting documents and then link them to each county contract. The link to access the Vendor Portal is: <http://business.westchestergov.com/vendor-portal>

Please note that the Agreement that your organization is required to enter into with Westchester County shall contain a provision that the County shall retain the right, upon the occurrence of any release by the Governor of a proposed budget of the State of New York and/or the adoption of the State budget or any amendments thereto, and after the County has a reasonable period of time to conduct an analysis of the impacts of such budget(s) on County finances, to terminate the Agreements authorized herein or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to your organization, then your organization shall have the right to terminate the Agreement upon reasonable prior written notice.

**Please be advised that all contracts will now be executed through the County's mandatory E-Signature Portal. This new process will streamline contract execution and eliminate the need for paper copies.** Additional information and step-by-step instructions regarding the use of the portal will be provided to you shortly.

The Westchester County Youth Bureau program administrator for this program is Susan Weisman. Her number is 995-2753 and her email is [ssw9@westchestercountyny.gov](mailto:ssw9@westchestercountyny.gov). Please contact her with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest McFadden", with a stylized flourish at the end.

Ernest McFadden  
Executive Director, Youth Bureau

**City of New Rochelle**  
Parks & Recreation

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Vincent Parise, Parks and Recreation Commissioner  
**Subject:** PROPOSED ACCEPTANCE OF GRANT AWARD FROM THE WESTCHESTER COUNTY YOUTH BUREAU IN CONNECTION WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES RE: MOMMY & ME SPORT AND FITNESS ACADEMY - Ordinance accepting a grant from the Westchester County Youth Bureau, in connection with the New York State Office of Children and Family Services Youth Sports & Education Funding, in the amount of \$23,000 for the establishment of a Mommy & Me Sport and Fitness Academy, amending Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, and appropriating funds therefor.

---

**Background:** In 2025, the City of New Rochelle Youth Bureau submitted a grant application to the Westchester County Youth Bureau to establish a Mommy & Me Sport and Fitness Academy.

The Youth Bureau has been notified by Westchester County that it has been awarded \$23,000 in grant funding.

**Issue:**

In order to proceed with the related Grant Agreement, City Council needs to accept the awarded grant funds and delegate signing authority for all future grant documents. A budget amendment is also necessary to include the awarded funds in the 2026 City of New Rochelle budget.

**Recommendation:**

At this time, staff is requesting that the City Council accept the Westchester County grant funds and authorize the City Manager to execute all documents related to the grant disbursement.

Staff also recommends that City Council authorize the following Budget Amendment.

Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, is hereby amended as follows:

**Revenue Increase**

7310.2706.26029 County Aid - Mommy & Me Fitness \$23,000

**Appropriation Increase**

7310.13000.26029 Salaries - Hourly Rates \$6,960  
7310.41500.26029 Functional Supplies \$7,000  
7310.46000.26029 Contracted Services \$8,000  
7310.8XXXX.26029 Fringe Benefuts \$1,040

**Attachments:**

- 1. New Rochelle 2025-26 OCFS YSEF Award Letter

---

**LEGISLATION**

---

ORDINANCE ACCEPTING THE  
WESTCHESTER COUNTY YOUTH  
BUREAU IN CONNECTION WITH THE  
NEW YORK STATE OFFICE OF CHILDREN  
AND FAMILY SERVICES YOUTH SPORTS  
& EDUCATION FUNDING FOR THE  
ESTABLISHMENT OF A MOMMY & ME  
SPORT AND FITNESS ACADEMY IN THE  
AMOUNT OF \$23,000.00, AND AMENDING  
ORDINANCE NO. 198 OF 2025, THE  
BUDGET OF THE CITY OF NEW  
ROCHELLE FOR 2026, AND  
APPROPRIATING FUNDS THEREFOR.

BE IT ORDAINED by the City of New Rochelle:

Section 1. The Council of the City of New Rochelle hereby accepts a grant from Westchester County, in connection with the New York State Office of Children and Family Services Youth Sports & Education Funding, in the amount of \$23,000.00.

Section 2. Ordinance No. 198 of 2025, the Budget of the City of New Rochelle for 2026, is hereby amended in order to provide for the acceptance and implementation of the \$23,000.00 grant and appropriating funds as follows:

*Increase Appropriations:*

7310.13000.26CCC	Salaries - Hourly Rates	\$6,960
7310.41500.26CCC	Functional Supplies	\$7,000
7310.46000.26CCC	Contracted Services	\$8,000
7310.8XXXX.26CCC	Fringe Benefuts	\$1,040

*Increase Revenue:*

7310.2706.26CCC	County Aid - Mommy & Me Fitness	\$23,000
-----------------	---------------------------------	----------

Section 3. The City Manager is hereby authorized to execute such documentation as may be necessary and required to file and accept the \$23,000.00 grant.



Kenneth W. Jenkins  
County Executive

Ernest L. McFadden  
Executive Director, Westchester County Youth Bureau

December 9, 2025

Kelly Johnson  
Executive Director  
City of New Rochelle – Youth Bureau  
515 North Avenue  
New Rochelle, NY 10801

Dear Mr. Johnson,

I am pleased to inform you that the Westchester County Youth Bureau has awarded your city in connection with the New York State Office of Children and Family Services **Youth Sports & Education** funding to deliver the following program, for the period October 1, 2025 continuing through September 30, 2026:

Name of Program: Mommy & Me Sports Fitness and Academy	Amount Awarded: \$23,000.00
--	-----------------------------

Your agency will be required to submit an application and associated budget as well as an annual assessment to report on the performance measures implemented to achieve your chosen Touchstone Life Area. An agreement for services is subject to a resolution approval by the Westchester County Board of Acquisition and Contract and also contingent upon review and approval of the program application and budget submitted.

Please note that the Agreement that your organization is required to enter into with Westchester County shall contain a provision that the County shall retain the right, upon the occurrence of any release by the Governor of a proposed budget of the State of New York and/or the adoption of the State budget or any amendments thereto, and after the County has a reasonable period of time to conduct an analysis of the impacts of such budget(s) on County finances, to terminate the Agreements authorized herein or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the contract agencies, then the contract agencies shall have the right to terminate their respective Agreements upon reasonable prior written notice.

**Please be advised that all contracts will now be executed through the County’s mandatory E-Signature Portal. This new process will streamline contract execution and eliminate the need for paper copies.** Additional information and step-by-step instructions regarding the use of the portal will be provided to you shortly.

The Westchester County Youth Bureau program administrator for this program is Chandreyee Mitra. Her number is 995-2754 and her email is [cxme@westchestercountyny.gov](mailto:cxme@westchestercountyny.gov). Please contact her with any questions.

Thank you,

Ernest McFadden  
Executive Director

City of New Rochelle  
City Manager

---

MEMORANDUM

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Wilfredo Melendez, City Manager  
**Subject:** PROPOSED AMENDMENT TO THE CODE OF THE CITY OF NEW ROCHELLE RE: PARTICIPATORY BUDGET STEERING COMMITTEE - Ordinance amending Chapter 9 of the Code of the City of New Rochelle to establish a Participatory Budget Steering Committee (Sponsored by Council Member Matthew Stern).

---

**Background:**

The City of New Rochelle is seeking to establish a Participatory Budgeting (PB) program to engage residents directly in decisions about local capital budget priorities. Participatory Budgeting provides a structured process in which community members can submit project ideas, develop proposals, and vote on how public funds are allocated. This approach promotes transparency, equity, and inclusive civic engagement while ensuring that City resources are aligned with community needs.

**Issue:**

To implement the PB program effectively and ensure long-term consistency, staff recommends that the City Council establish and codify a Participatory Budgeting Steering Committee (Committee) within the City Code. Codifying the Committee in Chapter 9, Article XXXIII of the City Code will formally define the Committee’s role, authority, composition, and responsibilities, providing a clear governance framework for future PB cycles.

The Committee will serve as the advisory body responsible for developing program rules, overseeing community engagement, reviewing project submissions along with relevant technical staff, and recommending the winning project(s) for Council approval. The Committee will ensure that the PB process is equitable, transparent, and representative of the diverse residents of New Rochelle.

This memorandum outlines the proposed **purpose, roles, composition options, authority, legal considerations, and next steps** for the Steering Committee. Council action is requested to

approve the establishment of the committee.

### **I. Purpose of Council Action**

The New Rochelle City Council is being asked to approve the establishment of a Participatory Budgeting Steering Committee that will:

1. Define the parameters and rules for the Participatory Budget cycle.
2. Oversee idea collection, proposal development, and community engagement.
3. Review project submissions for eligibility.
4. Approve the final ballot of PB projects and present the winning projects to City Council for funding approval.
5. Ensure the PB process is equitable, transparent, inclusive, and representative of New Rochelle residents.

### **II. Role of the Steering Committee**

The Steering Committee will be responsible for:

- 1. Setting PB Program Rules**
  - a. Eligibility guidelines
  - b. Funding categories and limits
  - c. Equity standards for outreach
  - d. Timeline and milestones
  - e. Voting procedures
- 2. Overseeing Community Engagement**
  - a. Outreach planning
  - b. Public meetings and workshops
  - c. Collaboration with community groups and schools
- 3. Project Screening**
  - a. Confirming eligibility under City rules
  - b. Determining feasibility with staff
  - c. Ensuring distributional equity across neighborhoods
  - d. Selecting final proposals for the PB ballot
- 4. Reporting to City Council**
  - a. Mid-cycle briefing
  - b. Winning project submission to City Council for approval
  - c. End-of-cycle report

### **III. Committee Composition**

The PB Steering Committee shall consist of ten (10) total members. Seven (7) members shall be voting members and shall be current residents of the City of New Rochelle. Three (3) members

shall be non-voting ex officio members and shall not be required to be residents of the City of New Rochelle. All members selected shall be appointed by a majority vote of the City Council.

The composition of the PB Steering Committee, and the selecting party, shall be as follows:

1. Voting Members

A. One (1) adult from each of the six (6) City Council Districts (Selected by the City Council member serving that District)

B. One (1) high school age youth\*\* (Selected by the Mayor)

2. Non-Voting Ex-Officio Members

A. One (1) current City Council Member (Selected by a majority of City Council)

B. One (1) current City Staff Member (Selected by the City Manager)

C. One (1) current City of New Rochelle School Representative (Selected by the Superintendent of Schools)

\*An adult shall be defined as an individual aged 18 or older.

\*\*High school-age youth shall be defined as individuals aged 14 to 18.

**IV. Authority of the Steering Committee**

Council approval and codification should define the Steering Committee’s authority as follows:

1. Advisory authority

- Recommends PB rules, processes, and project lists
- City Council retains final funding and budget approval

2. Decision-making authority

- Internal PB procedural decisions
- Outreach and engagement strategies
- Project eligibility recommendations (in partnership with City staff)

3. Deliverables

- Participatory Budgeting Rulebook
- Outreach and engagement plan
- Feasibility review summaries
- Winning project(s) recommendations
- End-of-cycle report

**Recommendation:**

Staff recommends that the City Council adopt the attached legislation creating a Participatory Budgeting Steering Committee in Chapter 9, Boards, Commissions, Committees, Agencies and

Councils, of the Code of the City of New Rochelle.

Following Council approval, the next steps will include:

- 1. Launch application and nomination process;
- 2. Seating the Participatory Budgeting Steering Committee;
- 3. Develop the PB Rulebook draft (Steering Committee + staff);
- 4. City Council reviews and approval of the PB Rulebook; and,
- 5. Initiation of the PB cycle, including idea collection, project development, and resident voting

**Attachments:**

None

---

## **LEGISLATION**

---

ORDINANCE AMENDING CHAPTER 9, ARTICLE XXXIII (§9-131 ET SEQ.) OF THE  
CODE OF THE CITY OF NEW ROCHELLE TO ESTABLISH A PARTICIPATORY  
BUDGETING STEERING COMMITTEE

WHEREAS, the City Council of the City of New Rochelle seeks to expand civic engagement, increase transparency, and empower residents to participate directly in recommending community investment priorities; and

WHEREAS, Participatory Budgeting (“PB”) is a community-driven process through which residents propose, evaluate, and prioritize capital or programmatic projects for City funding; and

WHEREAS, the establishment of a PB Steering Committee is necessary to develop the framework, rules, timeline, and project-review standards that will guide the PB process and ensure fairness, feasibility, and alignment with City goals;

WHEREAS, codifying the Steering Committee within Chapter 9, Article XXXIII of the City Code will provide clarity regarding its role, responsibilities, and advisory authority;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of New Rochelle:

### **Section 1. Amendment to City Code**

**Chapter 9, Article XXXIII of the Code of the City of New Rochelle is hereby amended to add §9-131 through §9-135, to read as follows:**

#### **§9-131 Establishment**

There is hereby established a Participatory Budgeting Steering Committee (“PB Steering Committee”) to serve as an advisory body to the City Council in connection with the City’s Participatory Budgeting program.

#### **§9-132 Membership and Composition**

The PB Steering Committee shall consist of ten (10) total members. Seven (7) members shall be voting members and shall be current residents of the City of New Rochelle. Three (3) members shall be non-voting ex officio members and shall not be required to be residents of the City of New Rochelle.

All members selected shall be appointed by a majority vote of the City Council.

The composition of the PB Steering Committee, and the selecting party, shall be as follows:

A. Voting Members

1. One (1) adult from each of the six (6) City Council Districts (Selected by the City Council member serving that District)
2. One (1) high school age youth\*\* (Selected by the Mayor)

B. Non-Voting Ex-Officio Members

1. One (1) current City Council Member (Selected by a majority of City Council)
2. One (1) current City Staff Member (Selected by the City Manager)
3. One (1) current City of New Rochelle School Representative (Selected by the Superintendent of Schools)

\*An adult is defined as an individual aged 18 or older.

\*\*High school–age youth is defined as individuals aged 14 to 18.

### **§9-133 Chairperson**

One member, from amongst the Voting Members, shall be selected and appointed by a majority vote of City Council for a one-year term. A member may be appointed as Chairperson for no more than two consecutive one-year terms.

### **§9-134 Terms of Office**

A. All members shall serve for a term of two (2) years. Members may be reappointed upon the expiration of their term.

B. Members shall serve without compensation.

C. In accordance with the provisions of the New York State Public Officers Law, any member whose term has expired shall hold over until his or her replacement shall be named; any replacement shall hold office for the balance of the term. Any vacancy shall be filled by a replacement appointment in the same manner as the original appointment was made, within 60 days of the vacancy.

### **§9-135 Duties and Responsibilities**

The PB Steering Committee shall:

1. Recommend rules and procedures for the Participatory Budgeting program;
2. Oversee community outreach and engagement strategies;
3. Review project submissions for eligibility and feasibility in coordination with City staff;
4. Present winning project(s) to the City Council for approval; and
5. Submit reports to the City Council at designated milestones in the PB cycle.

### **§9-136 Authority and Procedures**

- A. The PB Steering Committee shall serve in an advisory capacity only. Final funding and budgetary decisions shall remain with the City Council.
- B. Meetings shall be conducted in accordance with applicable open-government principles.
- C. Conflict-of-interest standards applicable to City advisory bodies shall apply.

**Section 2. Authorization**

The City Manager, City Clerk, and Corporation Counsel are hereby authorized to take all actions necessary to implement this amendment and incorporate it into the City Code.

**Section 3. Effective Date**

This resolution shall take effect immediately upon adoption.

**City of New Rochelle**  
Development

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Adam Salgado, Development Commissioner  
**Subject:** PROPOSED AMENDMENT TO CHAPTER 312-62 OF THE CODE OF THE CITY OF NEW ROCHELLE RE: TWO CLINTON GARAGE VALET-ONLY PERMIT PARKING FACILITY - Ordinance amending Section 312-62, Parking Lots, and Chapter 133, Fees.

---

**Background:** In 2015, the City commissioned a Parking Management Study pursuant to the Master Redevelopment Agreement with RXR to assess municipal parking demand associated with the redevelopment of the catalytic sites identified in the Master Developer RFP. As part of that analysis, the Study evaluated the former Church–Division Garage at 28 South Division Street and concluded that 80 municipal parking spaces would be required to support redevelopment at that location.

In 2020, RXR received Site Plan Approval for the redevelopment of 28 South Division Street. That approval included a condition requiring the provision of 80 municipal parking spaces, consistent with the findings of the 2015 Parking Management Study.

**Issue:**

Historically, the City has operated municipal parking facilities primarily as self-park assets, and user preference for self-parking remains strong. In order to encourage a change in parking behavior and support increased utilization of the Two Clinton Parking Garage, which operates as a valet-only facility despite its available capacity and central location, the City proposes a targeted incentive for existing permit holders. Specifically, a 30 percent discount from the standard permit price would be offered to eligible current permit holders to encourage voluntary relocation to the Two Clinton Parking Garage.

**Recommendation:**

To address these conditions, the Department of Development recommends a targeted permit strategy to facilitate the transition of existing permit holders into the Two Clinton Parking Garage. The amended code shall further provide that Prospect Street Lot permit holders with an

active parking permit as of December 31, 2025, or earlier, shall be eligible for a thirty percent (30%) discount from the applicable annual or semiannual permit fees for parking at the Two Clinton Park Garage.

This targeted incentive is intended to facilitate the orderly relocation of existing permit holders, increase utilization of the Two Clinton Park Garage, satisfy municipal parking obligations associated with prior site plan approvals, and improve the overall efficiency and financial performance of the City’s parking system as new municipal parking capacity is brought fully online.

**Attachments:**

- 1. Parking Permit Proposed Code Changes for 2 Clinton\_ Legislation Backup

---

## LEGISLATION

---

ORDINANCE AMENDING SECTION 312-62, PARKING LOTS, OF CHAPTER 312, VEHICLES AND TRAFFIC, AND SECTION 133-1, ENUMERATION OF FEES, OF CHAPTER 133, FEES, OF THE CODE OF THE CITY OF NEW ROCHELLE (TWO CLINTON PARK GARAGE).

BE IT ORDAINED by the City of New Rochelle:

Section 1. Section 312-62, Parking Lots, of Chapter 312, Vehicles and Traffic, of the Code of the City of New Rochelle, is hereby amended to read as follows:

§ 312-62. Parking lots.

D. Parking is hereby permitted in metered, ticket-timed, fee-controlled or free lots, as follows:

<b>Name of Lot</b>	<b>Restriction</b>
Two Clinton Park Garage	Parking shall be by permit only via Valet parking, available online, by mail or in person from the Department of Development pursuant to an annual/semiannual fee as set forth in Chapter 133, Fees. <u>Prospect St Lot permit holders with an active parking permit as of December 31, 2025 or earlier will be eligible for a 30% discount from the annual/semi annual fees as set forth in Chapter 133, Fees.</u>

Section 2. Section 133-1, Enumeration of fees, is hereby amended as follows:

§ 133-1 Enumeration of Fees

The following schedule of fees is hereby established with respect to licenses, permits, registrations, documents and activities required or regulated under the provisions of various

chapters of the Code of the City of New Rochelle. Specific requirements and regulations for the following shall be as set forth in the chapter to which reference is made below. The following fees shall apply commencing January 1, 2021, and shall renew each calendar year unless amended prior thereto in the fee and deposit schedule maintained by the City Manager.

<b>Code Section</b>	<b>Type of Fee</b>	<b>Amount</b>
§ 312-62D	Public parking lots	
	Two Clinton Park Garage	
	Area Resident	
	Annual	\$765.00
	Semiannual	\$405.00
	Business/Commuter	
	Annual	\$910.00
	Semiannual	\$485.00

Matter [bracketed] deleted.  
 Matter underlined added.

[Article VII. Public Parking Lots and Garages](#)

[§ 312-62. Parking lots.](#)

[D.](#)

Parking is hereby permitted in metered, ticket-timed, fee-controlled or free lots, as follows:

**Name of Lot**

**Restriction**

Two Clinton Park Garage

Parking shall be by permit only via Valet parking, available online, by mail or in person from the Department of Development pursuant to an annual/semiannual fee as set forth in Chapter 133, Fees. [Prospect St Lot permit holders with an active parking permit as of December 31, 2025 or earlier will be eligible for a 30% discount from the annual/semiannual fees as set forth in Chapter 133, Fees.](#)

[Chapter 133. Fees](#)

[§ 133-1. Enumeration of fees.](#)

**Code**

**Section**

**Type of Fee**

**Amount**

§ [312-62D](#)

Public parking lots

Two Clinton Park Garage

Area Resident

Annual

\$765.00

Semiannual

\$405.00

[Business/Commuter](#)

[Annual](#)

[\\$910.00](#)

[Semiannual](#)

[\\$485.00](#)



**City of New Rochelle**  
Development

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Adam Salgado, Development Commissioner  
**Subject:** PROPOSED AUTHORIZATION TO INITIATE LOCAL SAFETY ACTION PLAN PROCESS AND ESTABLISH LOCAL ROAD SAFETY ACTION COMMITTEE - Resolution authorizing the initiation of a Local Safety Action Process and the establishment of a Local Road Safety Committee.

---

**Background:** The City of New Rochelle is kicking off a Local Safety Action Plan (LSAP). An LSAP is a strategic, data-driven roadmap used by forward-thinking municipalities to identify, analyze, and address safety issues on roadways with the goal of reducing deaths and serious injuries for all travelers. This LSAP builds upon the foundation of prior Complete Streets work, utilizing crash data, prior planning work, and community input to apply context-specific safety improvements. This document is required by USDOT to access federal funding like the SS4A program, which is a key source of funding for Complete Streets improvements necessary for New Rochelle’s buildout of safe, multimodal roadways. The LSAP will be developed through both comprehensive data analysis as well as public input and engagement throughout Q1 and Q2 2026, with the final Plan brought to council for acceptance and adoption in June 2026, in time for application to the USDOT 2026 SS4A Implementation funding round.

**Issue:**

A Local Safety Action Plan as defined by USDOT requires a formal declaration that outlines the municipality’s commitment to reducing roadway deaths and serious injuries, including a specific goal or target for the plan. The current industry standard is to work towards zero deaths and serious injuries by 2040. In addition, USDOT requires the establishment of a planning structure (such as a committee or task force) to oversee the development, implementation, and monitoring of the LSAP. These elements are aimed at achieving transparency, public support, and commitment.

**Recommendation:**

Staff recommend that City Council adopt a resolution stating the City’s commitment to safer streets, recognizing that no one should die or be seriously injured while traveling on our city

streets and formally committing to a goal of eliminating traffic deaths and serious injuries by 2040. Furthermore, this resolution formally initiates the establishment of a Local Road Safety Action Committee via the City Manager, in January 2026. While the composition of this group is flexible, typical stakeholders to be included are local transportation officials, law enforcement, elected officials, relevant non-profit organizations, and local school districts.

**Attachments:**

- 1. Council Memo LSAP DRAFT Resolution

---

## **LEGISLATION**

---

A RESOLUTION DECLARING THE CITY OF NEW ROCHELLE'S COMMITMENT TO ELIMINATING TRAFFIC DEATHS AND SERIOUS INJURIES, INITIATING A LOCAL SAFETY ACTION PLAN ("LSAP"), AND AUTHORIZING THE ESTABLISHMENT OF A LOCAL ROAD SAFETY ACTION COMMITTEE

WHEREAS, the City of New Rochelle is committed to providing a safe, accessible, and equitable transportation system for all users of its streets, including pedestrians, bicyclists, transit riders, motorists, and individuals of all ages and abilities; and

WHEREAS, traffic-related deaths and serious injuries are preventable, and no loss of life or serious injury on the City's roadways is acceptable; and

WHEREAS, The United States Department of Transportation ("USDOT") has established the Safe Streets and Roads for All ("SS4A") program, which provides federal funding to support local efforts to reduce roadway fatalities and serious injuries; and

WHEREAS, USDOT requires municipalities seeking SS4A funding to develop a Local Safety Action Plan ("LSAP") that includes a formal commitment to safety, a defined goal for reducing roadway deaths and serious injuries, and a structured planning process involving relevant stakeholders; and

WHEREAS, the LSAP will build upon the City's prior Complete Streets policies and planning efforts and will be developed using crash data analysis, prior studies, and robust public engagement; and

WHEREAS, the LSAP is scheduled to be developed during the first and second quarters of 2026, with a final plan presented to the City Council for acceptance and adoption in June 2026, in advance of the USDOT 2026 SS4A Implementation funding cycle.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Rochelle hereby declares that no person should be killed or suffer a serious injury while traveling on the City's streets and affirms its commitment to safer, more complete, and more equitable roadways; and

BE IT FURTHER RESOLVED, that the City formally commits to a goal of eliminating

traffic-related deaths and serious injuries on City roadways by the year 2040; and

BE IT FURTHER RESOLVED, that the City hereby initiates the development of a Local Safety Action Plan in accordance with USDOT requirements to guide roadway safety improvements and support eligibility for federal funding opportunities, including the SS4A program; and

BE IT FURTHER RESOLVED, that the City Manager is authorized and directed to establish a Local Road Safety Action Committee in January 2026 to oversee the development, coordination, and monitoring of the Local Safety Action Plan; and

BE IT FURTHER RESOLVED, that the Local Road Safety Action Committee shall include, as appropriate, representatives of City departments, law enforcement, elected officials, local school districts, relevant nonprofit or advocacy organizations, and other stakeholders with expertise or interest in transportation safety; and

BE IT FURTHER RESOLVED, that upon completion, the Local Safety Action Plan shall be presented to the City Council for acceptance and adoption; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION No. xxx

**Committing the City to establishing a Local Safety Action Plan (“LSAP”) and associated Committee to develop strategies towards eliminating traffic deaths and severe injuries on our streets by 2040.**

WHEREAS, the quality of life, health, and safety of New Rochelle’s residents are the City’s utmost priority; and

WHEREAS, the City of New Rochelle recognizes that no one should die or be seriously injured while travelling on our city streets; and

WHEREAS, we believe travel in our city should be safe for all regardless of age, ability, income or any other factors; and

WHEREAS, speed is recognized as a major determining factor of survival in a crash;

WHEREAS, the City of New Rochelle established in 2012 its Complete Streets Policy, committing to designing streets that enable safe travel by all users, including pedestrians, bicyclists, drivers of various types of vehicles, and riders of public transportation, of all ages and abilities including children, seniors, and persons with disabilities;

WHEREAS, the City of New Rochelle through its GreeNR Sustainability Action Plan supports the development of streets and public places that encourage walking, cycling and rolling, and taking transit in an effort to reduce emissions and climate impacts and support local access and quality of life; and acknowledging that the safety of these vulnerable road users is of utmost importance to this vision;

WHEREAS, the City of New Rochelle continues to seek funding and support for design and construction of Complete and Sustainable Streets that improve safety for all users particularly in areas where crash data analysis prioritizes street safety improvements, including routes to our schools;

WHEREAS, the U.S. Department of Transportation defines in its Safe Streets and Roads for All (SS4A) grant program, completing a comprehensive safety action plan (referred to as a “Safety Action Plan”) detailing specific strategies to significantly improve roadway safety is required to apply for implementation funding;

WHEREAS, the first part of an SS4A-compliant Safety Action Plan is for the jurisdiction’s leadership to publicly commit to reduce traffic fatalities and serious injuries to an eventual goal of zero by a specific target date.

Safety Action Plans use data analysis to characterize roadway safety problems and strengthen a community’s approach through projects and strategies that address the most significant safety risks.

The SS4A grant program is guided by the Safe System Approach, which involves a paradigm shift to improve safety culture, increase collaboration across all safety stakeholders, and refocus transportation system design and operation on anticipating human mistakes and lessening impact forces to reduce crash severity and save lives.

NOW, THEREFORE, BE IT RESOLVED, that the City of New Rochelle will adopt the goal of eliminating traffic deaths and serious injuries by 2040, acknowledging that no loss of life or serious injury

is acceptable on our streets; and develop a Safety Action Plan that will support a comprehensive and holistic approach toward eliminating traffic fatalities and severe injuries while increasing safety, healthy, equitable mobility for all;

BE IT FURTHER RESOLVED that a Safety Action Plan Committee shall be established and charged to advise the City on the development, implementation, and monitoring of the Safety Action Plan; and shall be comprised of organizations and agencies with expertise in transportation, enforcement, education, public health, emergency response, equity, transit, biking, walking, vehicles and freight; and finally

BE IT RESOLVED that the final Safety Action Plan shall be presented to the City Council in 2026 for adoption.

Authenticated and certified this xx day of January by \_\_\_\_\_

**City of New Rochelle**  
Development

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Adam Salgado, Development Commissioner  
**Subject:** PROPOSED RESOLUTION DECLARING LEAD AGENCY AND ISSUING A POSITIVE DECLARATION RELATIVE TO AMENDMENTS TO ARTICLE XXII, CHAPTER 331-175, DOWNTOWN OVERLAY ZONES, OF THE CITY OF NEW ROCHELLE ZONING CODE AND REVISIONS TO THE CITY’S OFFICIAL ZONING MAP - Resolution Declaring Lead Agency and issuing a Positive Declaration of Environmental Significance and directing that a Supplemental Draft Generic Environmental Impact Statement (SDEIS) be prepared relative to amendments to Article XXII, Chapter 331-175, Downtown Overlay Zones, of the City of New Rochelle Zoning Code and revisions to the City’s Official Zoning Map.

---

**Background:**

At the December 9, 2025 Regular Legislative Meeting, Council declared its intent to assume Lead Agency status under the regulations promulgated by the New York State Department of Environmental Conservation (i.e. 6 NYCRR Part 617, SEQRA) relating to the environmental review of the proposed Downtown Overlay Zone (DOZ) amendments. Subsequent to that meeting, identified involved Agencies were notified of Council’s intent, and were given until January 9th to respond with any objection.

Based on the enclosed Full Environmental Assessment Form (FEAF), the proposed updates could result in impacts not previously analyzed through prior environmental reviews. Accordingly, a determination of significance and issuance of a “Positive Declaration” is warranted.

**Recommendation:**

At this time, staff recommends Council declare itself Lead Agency, and adopt a Determination of Significance and issue a Positive Declaration for this environmental review. In support of this recommendation, a Full Environmental Assessment Form, Parts 1, 2 and 3, as well as a January 8, 2026 memorandum from BFJ Planning are attached. Following this action, BFJ Planning will

draft a Supplemental Generic Environmental Impact Statement.

**Attachments:**

1. BFJ PLANNING MEMORANDUM 01/08/2026
2. FULL ENVIRONMENTAL ASSESSMENT FORM

---

**LEGISLATION**

---

RESOLUTION DECLARING LEAD AGENCY AND ISSUING A POSITIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE AND DIRECTING THAT A SUPPLEMENTAL DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (SDGEIS) BE PREPARED RELATIVE TO AMENDMENTS TO ARTICLE XXII, CHAPTER 331-175, DOWNTOWN OVERLAY ZONES, OF THE CITY OF NEW ROCHELLE ZONING CODE AND REVISIONS TO THE CITY’S OFFICIAL ZONING MAP.

WHEREAS, this City Council hereby wishes to declare itself to be the Lead Agency with respect to the environmental review of the proposed actions to amend Article XXII, Chapter 331-175, Downtown Overlay Zones, of the City of New Rochelle Zoning Code and revisions to the City’s official Zoning Map; and

WHEREAS, this City Council finds the Proposed Action to be an Unlisted Action pursuant to SEQRA; and

WHEREAS, the Department of Development has prepared and submitted an Environmental Assessment Form (EAF) for the Proposed Action, on file for inspection with the City Clerk’s Office; now, therefore,

BE IT RESOLVED, that this City Council hereby declares itself to be the lead agency with respect to the proposed amendments.

*Via email*

**To:** Adam Salgado, Commissioner of Development

**From:** Sarah K. Yackel, AICP, Principal, BFJ Planning

**Contact:** T. 212.353.7375 F. 212.353.7494 E. s.yackel@bfjplanning.com

**Subject:** New Rochelle City Council Adoption of Determination of Significance, Finding of Positive Declaration, And Preparation of a Supplemental Generic Environmental Impact Statement Regarding 2026 Proposed Downtown Overlay Zone (DOZ) Amendments and updated Theoretical Development Scenario (TDS) Project

**Date:** January 8, 2026

---

**Introduction:**

In 2015, the City of New Rochelle (“City”) City Council adopted the Downtown Overlay Zone (“DOZ” or “DO Zones”) and Zoning Map Amendments. The proposed DO Zones were intended to encourage the long-term resiliency of the City through the redevelopment of the City’s downtown. The unique nature of the DO Zones and the process innovated by the City in 2015 allows for a wide mix of uses to be considered pursuant to the design parameters and guidelines set forth in the form-based zoning overlay district, providing for flexibility in response to economic market conditions. As part of the 2015 legislative action, the City prepared a Generic Environmental Impact Statement (GEIS) to evaluate potential environmental impacts associated with adoption of the DOZ. The DOZ applied to approximately 279 acres of the downtown, and because no site-specific projects were identified at that time, a Theoretical Development Scenario (TDS) was developed to represent a projected maximum potential buildout (magnitude and mix of uses) over an approximately 10-year period. This reasonable worst-case development scenario recognized that actual buildout would ultimately be determined by market conditions, property owner objectives, and other economic factors.

Since adoption of the DOZ in 2015, the City has received a wide variety of site-specific development applications and has periodically refined the 2015 TDS to address changing market demands, including adjustments made between 2016 and 2019, the 2021 DOZ amendments updating the TDS for DO Zones 1 through 6 and creating the 30-acre Waterfront District (DO-7) with an accompanying Supplemental Generic Environmental Impact Statement (SGEIS), and the 2024 amendments establishing the 79-acre Lincoln Neighborhood District (DO-8), also supported by an SGEIS.

Over the past decade, the Downtown Overlay Zone has driven transformative growth in New Rochelle — billions in private investment, thousands of new residential units, activation of the urban core, and a strengthened tax base. The City is now entering a refinement phase designed to optimize quality, future-proof development, and increase economic value, not overhaul what works. To that end, the proposed action includes refinements to the DOZ zoning text and map and proposes an updated TDS for the DOZ to establish a revised buildout program and associated

Date: January 8, 2025  
2025 DOZ Amendments and Updated TDS

Page 2 of 2

environmental analysis for the next decade. The proposed DOZ zoning text and map amendments and the revised TDS (the “Proposed Action”) will be subject to a SGEIS, which will provide additional detail and analysis of potential impacts and required mitigation measures.

**Background:**

On December 9, 2025, the City Council declared its intent to be Lead Agency for the the SEQR review of potentially significant adverse environmental impacts that may arise from or be associated with the proposed 2026 DOZ Amendments and Updated TDS. Since the proposed action subject to SEQR is the potential adoption of amendments to the City’s Zoning Code and the City Council is the only agency with the authority to adopt such changes, the City Council is in the best position to act as the Lead Agency for the SEQR review process.

As part of the designation process, notice was given to the New Rochelle Planning Board, Westchester County Department of Planning, Westchester County Department of Health, Bureau of Environmental Quality, Metropolitan Transit Authority, New York State Department of Environmental Conservation, New York State Department of Transportation, New York State Department of State, New York State Historic Preservation Office, and New York State Thruway Authority, as “involved agencies” under SEQR. No objection to the City Council acting as Lead Agency for the proposed Downtown Overlay Zone Amendments SEQR review were received. Therefore, the City Council is confirmed as Lead Agency.

The Full Environmental Assessment Form Parts 1, 2 and 3 before the City Council for consideration assumes that the City Council will adopt a Positive Declaration on the project and that a Supplement Generic Environmental Impact Statement (SGEIS) will be prepared building off of the analysis and findings made in the 2015 GEIS for the Downtown Overlay Zone, 2021 SGEIS for the 2021 DOZ Amendments and DO-7 District, and the 2024 SGEIS for the DO-8 District and “Linc” Project.

In order to proceed to this next step under SEQR, the Council should consider adoption of a determination of significance and finding of a positive declaration and require the preparation of a Supplement Generic Environmental Impact Statement (SGEIS).

**Recommendation:**

It is recommended that the City Council adopt a determination of significance and finding of a positive declaration and require the preparation of a Supplemental Generic Environmental Impact Statement pursuant to SEQR.

**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 Counsel, 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		
<p>i. Coastal Resources.</p> <p><i>i.</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</p> <p><i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		

**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:
 

- 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)
- Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_
- 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:
 

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- 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:
 

- 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
- In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (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: \_\_\_\_\_

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul>	

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 coverytypes on the project site.

Land use or Coverytype	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:  
\_\_\_\_\_  
\_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>• Explain: _____ _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> 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: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> 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)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes to either <i>i</i> or <i>ii</i> , 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

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 If Yes: <i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District <i>ii.</i> Name: _____ <i>iii.</i> Brief description of attributes on which listing is based: _____
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
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Describe possible resource(s): _____ <i>ii.</i> Basis for identification: _____
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 If Yes: <i>i.</i> Identify resource: _____ <i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ <i>iii.</i> Distance between project and resource: _____ miles.
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 If Yes: <i>i.</i> Identify the name of the river and its designation: _____ <i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No

**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 Sarah K. Yauch Title \_\_\_\_\_

**FULL ENVIRONMENTAL ASSESSMENT FORM PART 1**  
**PROJECT DESCRIPTION**  
**DOWNTOWN OVERLAY ZONE TEXT AND MAP AMENDMENTS AND THEORETICAL DEVELOPMENT**  
**SCENARIO AMENDMENTS**  
**SUPPLEMENTAL DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

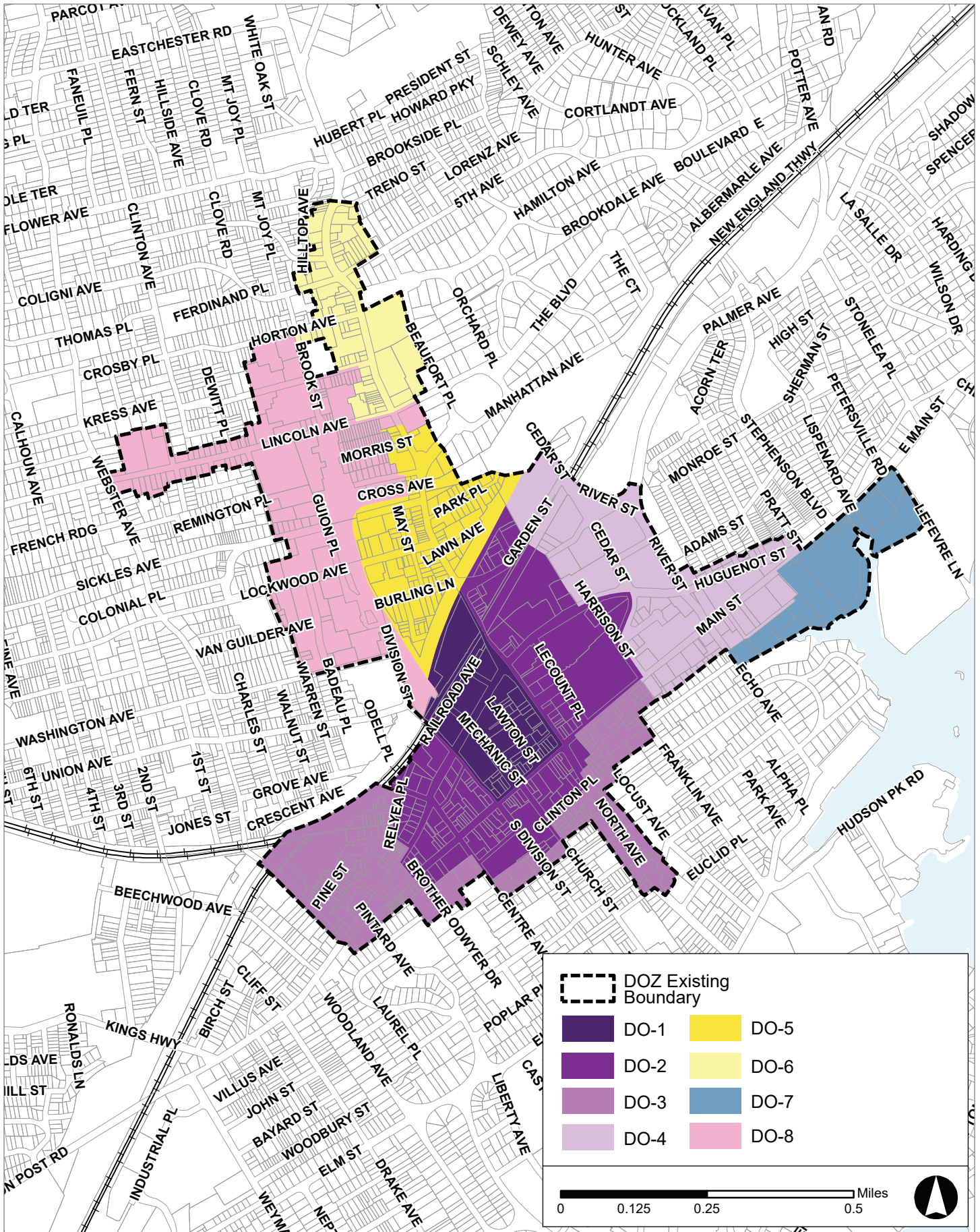
City of New Rochelle, New York

In 2015, the City of New Rochelle (“City”) adopted the Downtown Overlay Zone (“DOZ” or “DO Zones”) and corresponding Zoning Map amendments to support the long-term resiliency of the City through the redevelopment of its downtown. The DOZ was established as a flexible, form-based overlay district that permits a wide mix of uses, guided by design parameters and standards intended to respond to evolving economic and market conditions while advancing the City’s planning and economic development objectives.

As part of the 2015 legislative action, the City prepared a Generic Environmental Impact Statement (GEIS) to evaluate potential environmental impacts associated with adoption of the DOZ. The DOZ applied to approximately 279 acres of the downtown, and because no site-specific projects were identified at that time, a Theoretical Development Scenario (TDS) was developed to represent a projected maximum potential buildout (magnitude and mix of uses) over an approximately 10-year period. This reasonable worst-case development scenario recognized that actual buildout would ultimately be determined by market conditions, property owner objectives, and other economic factors.

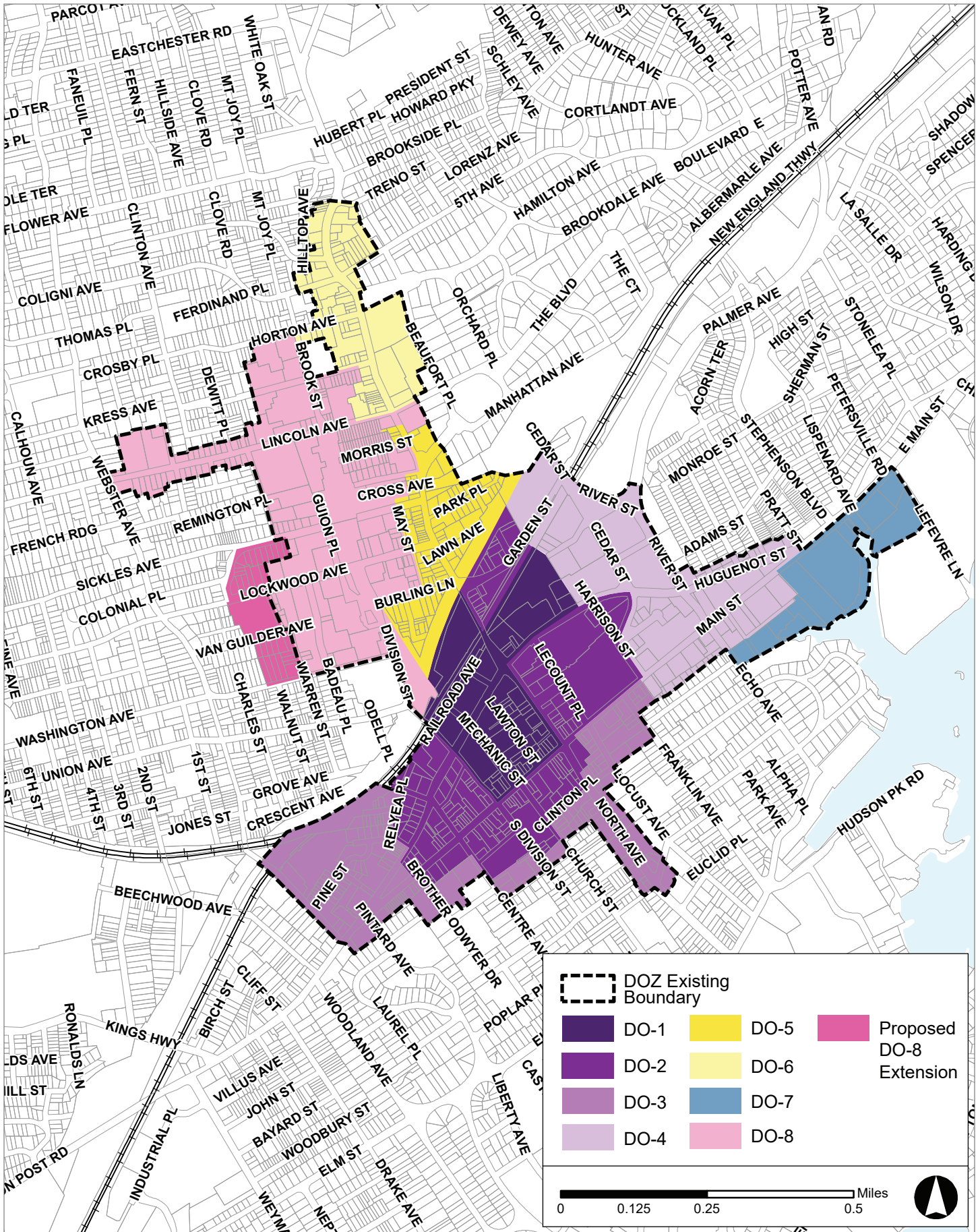
Since adoption of the DOZ in 2015, the City has received a wide variety of site-specific development applications and has periodically refined the 2015 TDS to address changing market demands, including adjustments made between 2016 and 2019, the 2021 DOZ amendments updating the TDS for DO Zones 1 through 6 and creating the 30-acre Waterfront District (DO-7) with an accompanying Supplemental Generic Environmental Impact Statement (SGEIS), and the 2024 amendments establishing the 79-acre Lincoln Neighborhood District (DO-8), also supported by an SGEIS (see Figure 1: Existing Downtown Overlay Boundaries). As the City reaches the end of the original 10-year buildout horizon evaluated in the 2015 GEIS, as updated in 2021 and 2024, it is appropriate to reexamine and update the DOZ. Accordingly, the proposed action includes refinements to the zoning text and map and an updated TDS for the DOZ to establish a revised buildout program and associated environmental analysis for the next decade (see Figure 2: Proposed Downtown Overlay Boundaries). The proposed DOZ zoning text and map amendments and the revised TDS (the “Proposed Action”) will be subject to a SGEIS, which will provide additional detail and analysis of potential impacts and required mitigation measures.

*December 3, 2025*



Source: City of New Rochelle, Westchester County GIS, BfJ Planning.

Figure 1: Existing Downtown Overlay Zone (DOZ) Boundaries



Source: City of New Rochelle, Westchester County GIS, BfJ Planning.







Figure 2: Proposed Downtown Overlay Zone (DOZ) Boundaries

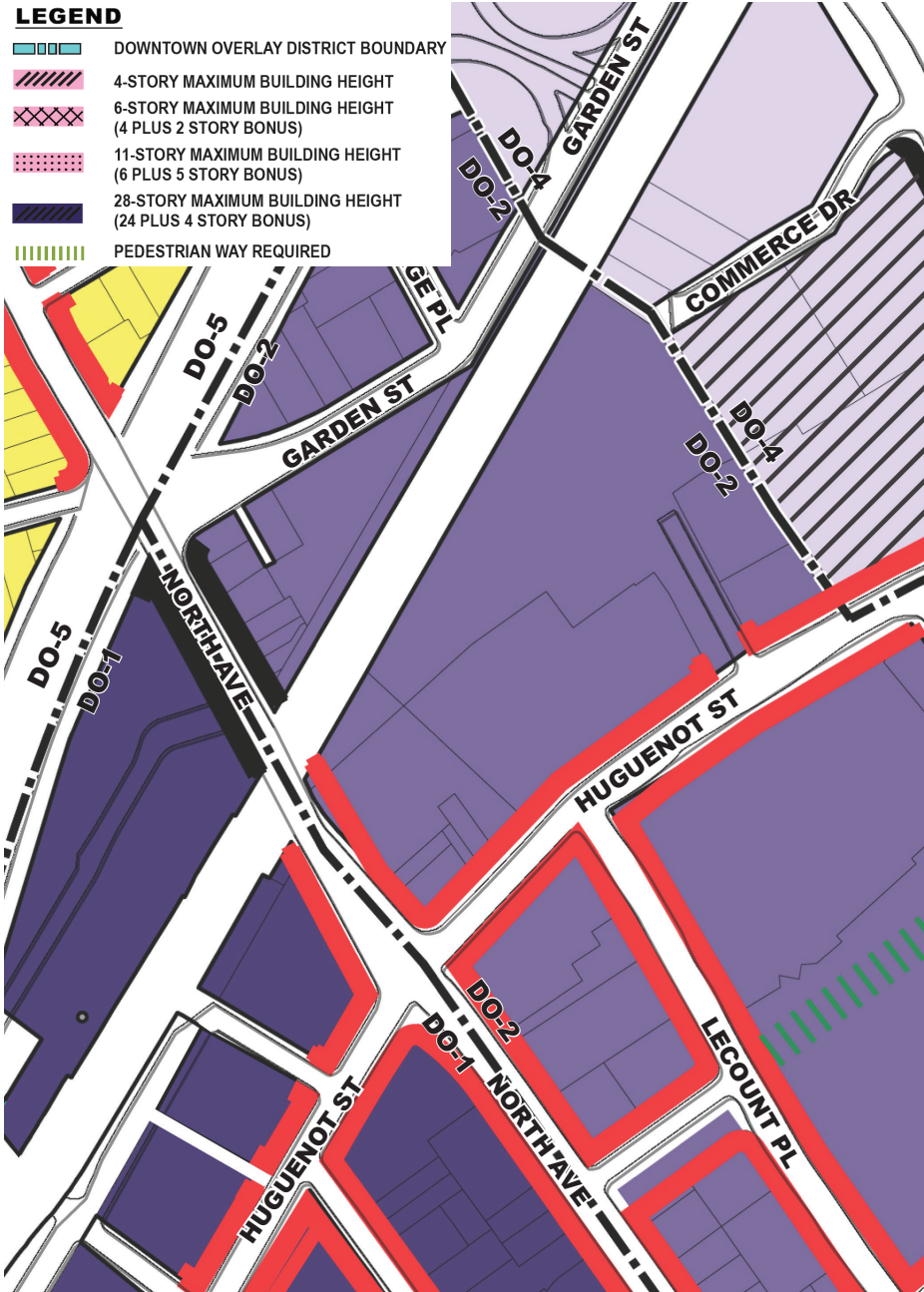
The following presents an overview of the proposed DOZ zoning text and map amendments and the revised TDS:

**DOZ Zoning Text and Map Amendments:**

1. **DO-2 Map and Text Changes:** Extend the DO-1 boundary across North Avenue along the transit line connection (see Figure 3: Proposed Zoning Map Detail). This extension reduces the overall size of the DO-2 district in order to encourage development designed to support the expansion and redevelopment of the Transit Center and enhance New Rochelle's market presence in Transit forward retail and entertainment leadership. The DO-1 extension in this area shall still be limited to a maximum height of 28 stories, consistent with the current DO-2 district, and will have additional requirements of prospective developers to avail themselves of the DO-1 TDS availability. The area will stretch from the Transit Center adjacent North Avenue bridge, easterly between the rail right-of-way and Huguenot Street. Its eastern boundary shall end at approximately Bally Place. Lot Size requirements for Development Standard 3 are proposed to be increased to 60,000 square feet and form-based designs will require parking to be provided for retail stores directly adjacent to and level with those stores. There will be a new mapped and required public civic space connection to the North Avenue Bridge and Transit Center connection as well as a significant commitment to larger format retail spaces. As part of the Site Plan review process in the modified DO-2, applicant's will be required to include analysis by a retail design firm stating that the design of the retail space and parking configuration is conducive to retail tenanting.
2. **Waterfront Fee:** Remove waterfront fee for DO-1-6 and DO-8 from Zoning Code §331-27.1. The waterfront fee is already located in City Code Chapter 133 Fees.
3. **Sustainable Development Standards:** Amend Zoning Code §331-175.11J Sustainable Development Standards as follows:
  - a. Zoning Code §331- 175.11J (1) shall read "(1) All Sites shall further the goals of the City of New Rochelle GreenNR plan and its updates and shall comply with Sustainable Development Standards."
  - b. Zoning Code §331-175.11J(4) LEED-ND EQUIVALENCY Shall be added.
    - i. It will explicitly require project-level LEED-ND v4 Silver equivalency: "The minimum required sustainable development requirements shall be achieved through demonstrating equivalency of a LEED-ND v4 Silver (50-59 points) of the U.S. Green Building Council's rating system."
4. **Add Definition:** Amend Zoning Code §331-175.04 to add a new definition for Contiguous Public Frontage, as follows: "A continuous, uninterrupted length of Public Frontage that directly abuts a civic space, plaza, or pedestrian way, providing at-grade physical and visual access between the public realm and the civic space. Non-emergency/temporary vehicular access shall be discouraged, and ground-floor uses shall complement adjacency to civic space."

**LEGEND**







-  DOWNTOWN OVERLAY DISTRICT BOUNDARY
-  4-STORY MAXIMUM BUILDING HEIGHT
-  6-STORY MAXIMUM BUILDING HEIGHT (4 PLUS 2 STORY BONUS)
-  11-STORY MAXIMUM BUILDING HEIGHT (6 PLUS 5 STORY BONUS)
-  28-STORY MAXIMUM BUILDING HEIGHT (24 PLUS 4 STORY BONUS)
-  PEDESTRIAN WAY REQUIRED

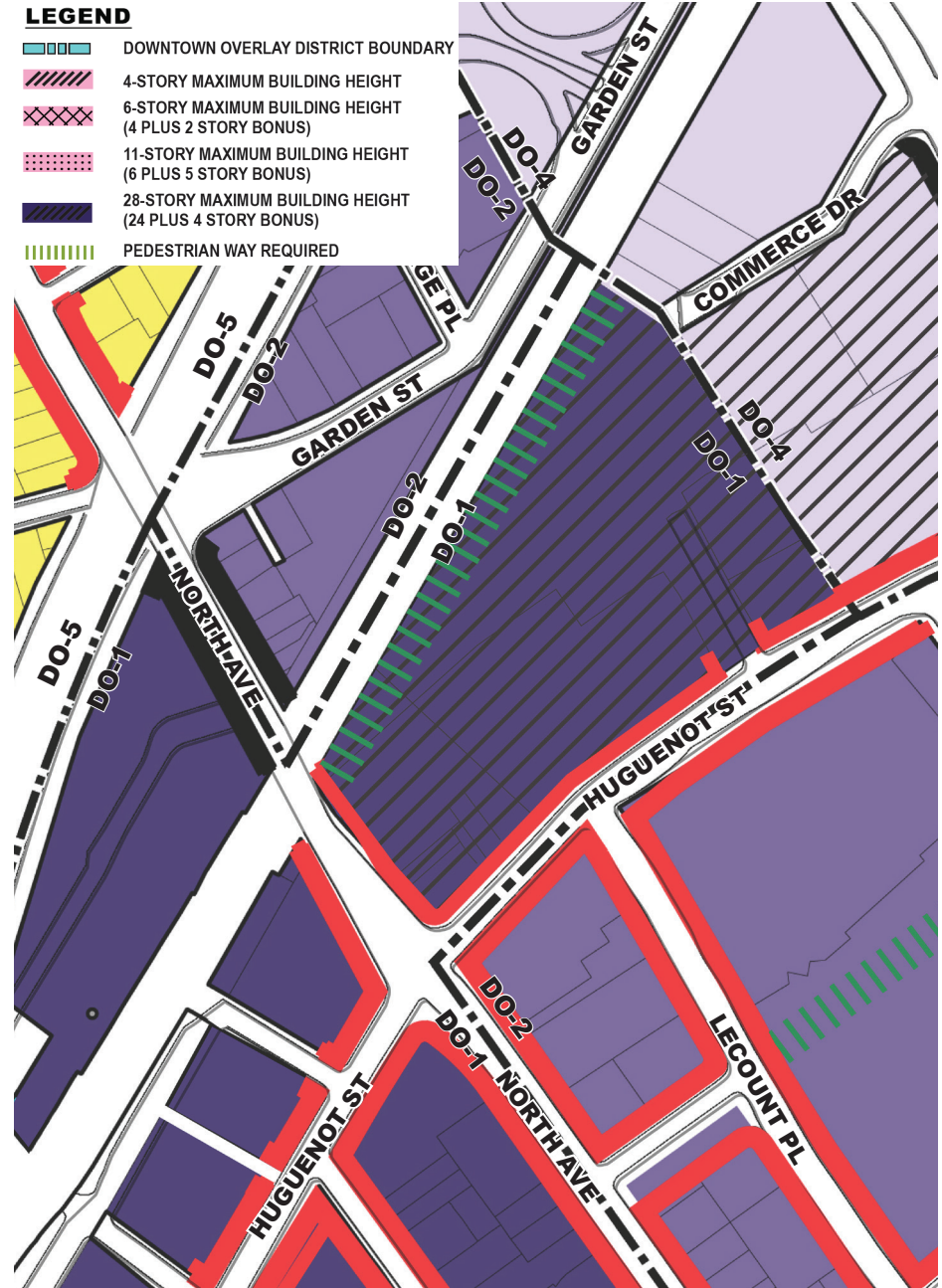


EXISTING

Source: City of New Rochelle, Westchester County GIS, BfJ Planning.

**LEGEND**

-  DOWNTOWN OVERLAY DISTRICT BOUNDARY
-  4-STORY MAXIMUM BUILDING HEIGHT
-  6-STORY MAXIMUM BUILDING HEIGHT (4 PLUS 2 STORY BONUS)
-  11-STORY MAXIMUM BUILDING HEIGHT (6 PLUS 5 STORY BONUS)
-  28-STORY MAXIMUM BUILDING HEIGHT (24 PLUS 4 STORY BONUS)
-  PEDESTRIAN WAY REQUIRED









PROPOSED

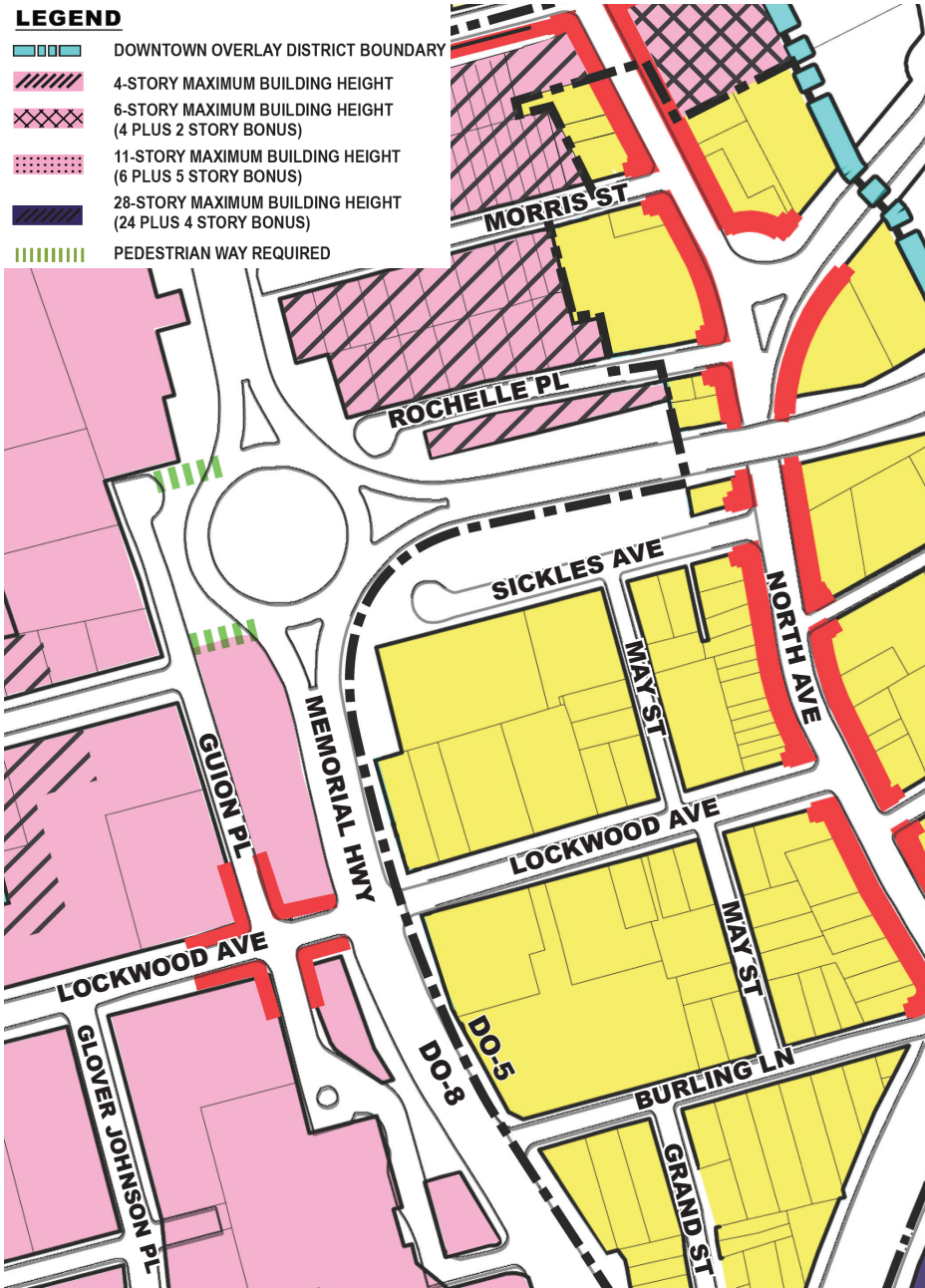
Figure 3: Existing and Proposed Downtown Overlay Zone (DOZ) Boundaries



5. **Permitted Civic Space Types:** Amend Zoning Code §331-175.10E. PERMITTED CIVIC SPACE TYPES to add: “(2) All Civic Spaces shall provide Contiguous Public Frontage.”
6. **DO-5 to DO-8 Remapping:** Remap a portion of the DO-5 district bounded by Memorial Highway to the west, Sickles Avenue to the north, May Street to the east, and Burling Lane to the south to DO-8 (see Figure 4: Existing and Proposed Downtown Overlay Zone Boundaries). This area will have a new cross hatch with a note that says: 11-STORY MAXIMUM BUILDING HEIGHT (6 PLUS 5 STORY BONUS).
  - a. Within this area, Development Standard 2 will be changed to 5 stories as-of-right with up to an additional 4 stories under the Community Benefits Bonus (CBB) (maximum height 105 feet).
  - b. Within this area, Development Standard 3 will be allowed up to 6 stories as-of-right with up to an additional 5 stories under the CBB (maximum height 120’).
  - c. The CBB Fee shall be increased to \$50/sf ft of bonus-able space for both Development Standards 2 and 3.
7. **DO-5 to DO-8 Remapping:** Remap a portion of the DO-5 district to the DO-8 district bounded by Morris Street to the north, North Avenue to the east, and Rochelle Place to the south (see Figure 4: Existing and Proposed Downtown Overlay Zone Boundaries).
8. **DO-8 Boundary Extension:** Extend the western boundary of the DO-8 district east along Washington Street to the mid-block between Webster Avenue and Warren Street and north to Sickles Place to Sickles Avenue (see Figure 5: Existing and Proposed Downtown Overlay Zone Boundaries). Proposed Zoning Map Detail). The four-story maximum height area hatch will extend along the Washington Street frontage and along the edge of the extended DO-8 boundary to mitigate impacts to lower density development along western edge of the expanded district. The hatches from the area previously representing the western boundary of the district will be removed.
9. **Site Development Standards:** Amend Zoning Code §331-175.11B. Site Development Standards and Incentives to remove §331-175.11B (1)(b) related to DO-7 density standards.
10. **Large Retail Occupancy Standard:** Replace Zoning Code §331-175.11E(5)(e) with: “Large Retail Occupancy Standard: Where a site requires either Frequent Entryways or Storefronts and where a single retail occupancy is provided for 20,000 SF or greater the architectural design for the ground floor street level shall provide frequent entryways no further than 150 feet from the end of the building at the Street Wall and the edge of each entryway shall be no greater than 150 feet from a consecutive entryway as measured along the Build-To-Line.”
11. **Other DOZ Changes:** Other minor updates to the DOZ code are proposed to support missing middle housing and to better support a focused retail core. Active storefront requirements may be removed in non-core areas in favor of allowing ground floor residential townhome formats.
12. **Parking:** Adjustments to the parking credit for valet parking are proposed to decrease the incentive for providing valet parking in buildings.

**LEGEND**







-  DOWNTOWN OVERLAY DISTRICT BOUNDARY
-  4-STORY MAXIMUM BUILDING HEIGHT
-  6-STORY MAXIMUM BUILDING HEIGHT (4 PLUS 2 STORY BONUS)
-  11-STORY MAXIMUM BUILDING HEIGHT (6 PLUS 5 STORY BONUS)
-  28-STORY MAXIMUM BUILDING HEIGHT (24 PLUS 4 STORY BONUS)
-  PEDESTRIAN WAY REQUIRED

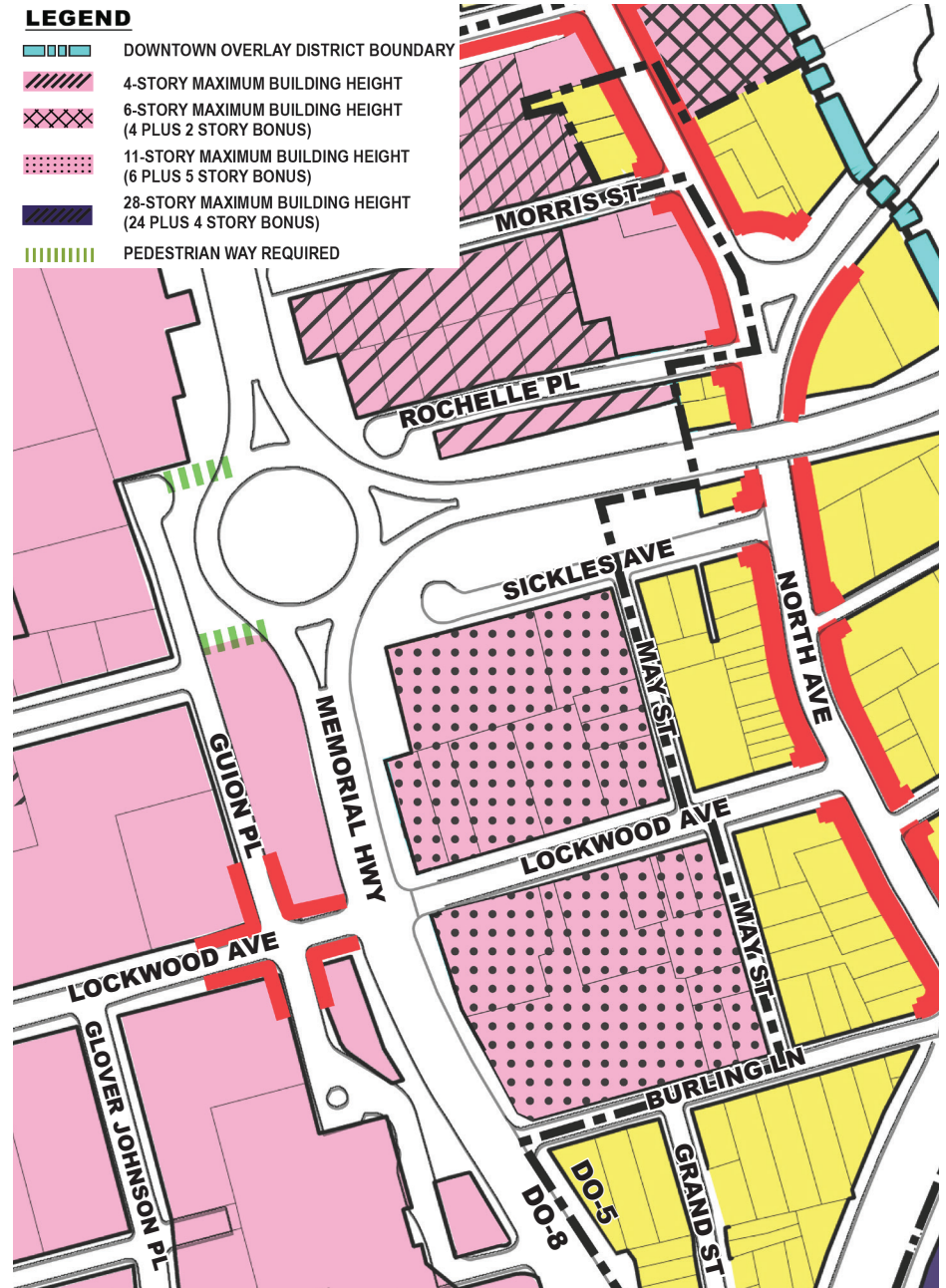


EXISTING

Source: City of New Rochelle, Westchester County GIS, BfJ Planning.

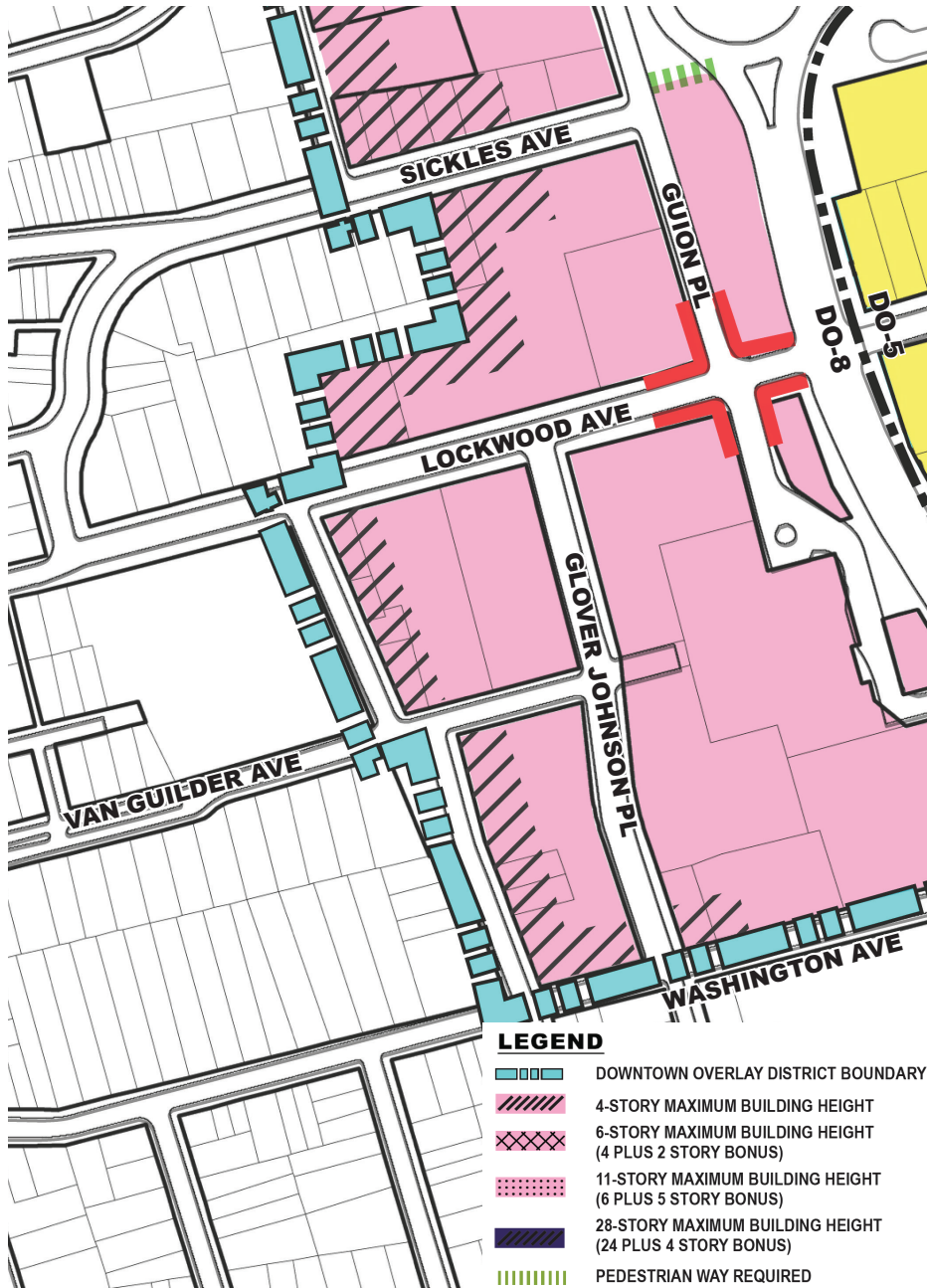
**LEGEND**

-  DOWNTOWN OVERLAY DISTRICT BOUNDARY
-  4-STORY MAXIMUM BUILDING HEIGHT
-  6-STORY MAXIMUM BUILDING HEIGHT (4 PLUS 2 STORY BONUS)
-  11-STORY MAXIMUM BUILDING HEIGHT (6 PLUS 5 STORY BONUS)
-  28-STORY MAXIMUM BUILDING HEIGHT (24 PLUS 4 STORY BONUS)
-  PEDESTRIAN WAY REQUIRED



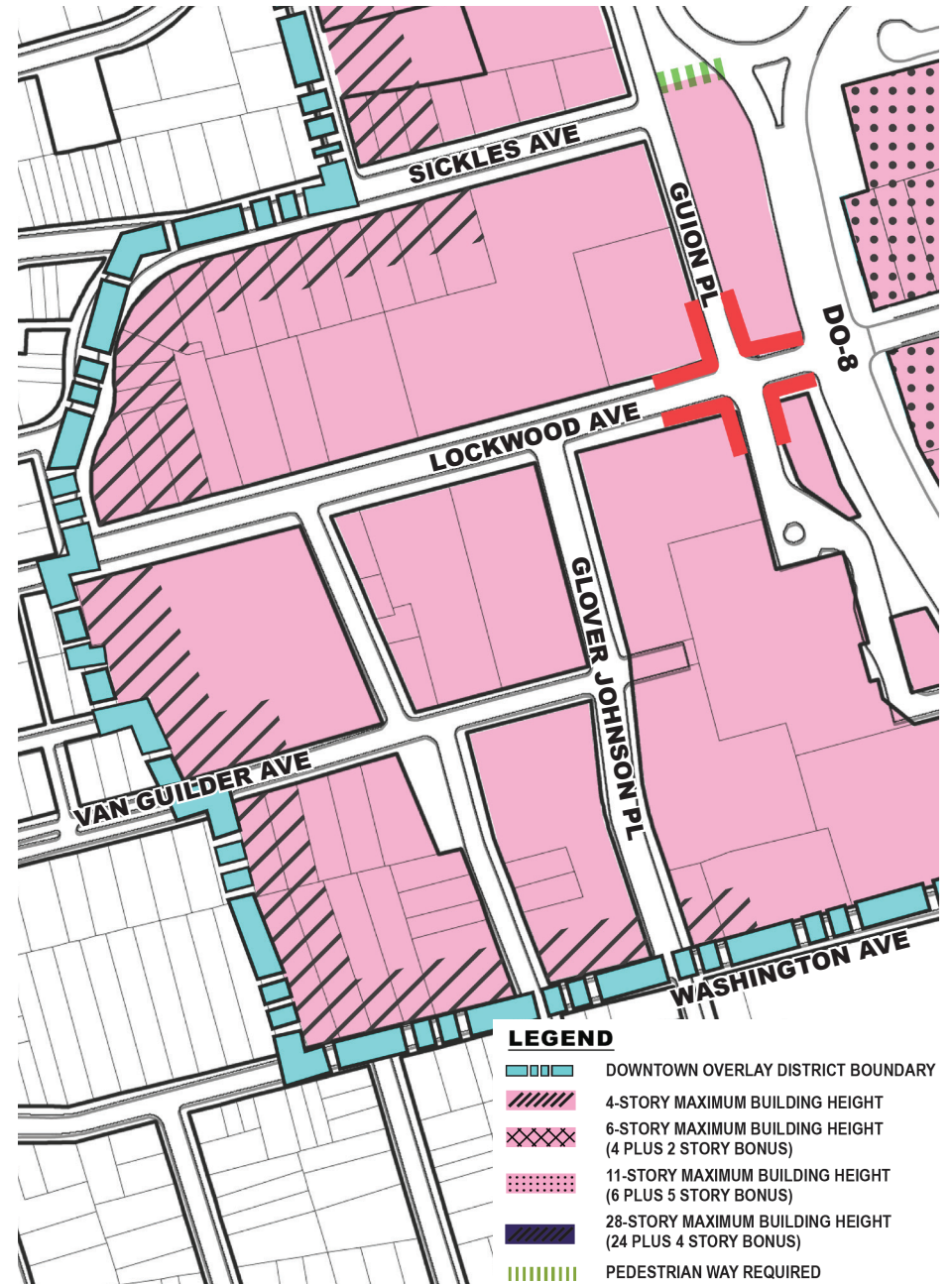
PROPOSED

Figure 4: Existing and Proposed Downtown Overlay Zone (DOZ) Boundaries



EXISTING

Source: City of New Rochelle, Westchester County GIS, BfJ Planning.



PROPOSED

Figure 5: Existing and Proposed Downtown Overlay Zone (DOZ) Boundaries

**Proposed Amendments to the Adopted Theoretical Development Scenario**

The proposed update to the DOZ TDS reflects the City’s experience implementing the 2015 framework and the outcomes documented to date. Since adoption of the DOZ, New Rochelle has facilitated construction of more than 4,500 new housing units, with approximately 6,500 additional units in the pipeline, resulting in a substantial increase in the City’s multifamily inventory while helping to moderate rent growth relative to the broader region and attracting significant private investment to the downtown.

These results, together with associated community benefits such as infrastructure improvements, affordable housing, and enhanced public amenities funded in part through development activity and fair share mitigation funds, demonstrate that the DOZ’s residential program is functioning as intended and remains strongly aligned with regional housing needs. At the same time, market conditions for non-residential uses—particularly office and certain types of retail—have shifted materially due to long-term changes in work patterns, consumer behavior, existing stock, and real estate demand. Accordingly, the City is proposing to rebalance the DOZ program by increasing the residential development potential (+2,800 units) and reducing the theoretical buildout for other uses, to better reflect current and reasonably foreseeable market conditions, maintain the economic feasibility of development within the DOZ, and continue advancing the City’s land use, housing, and economic development objectives.

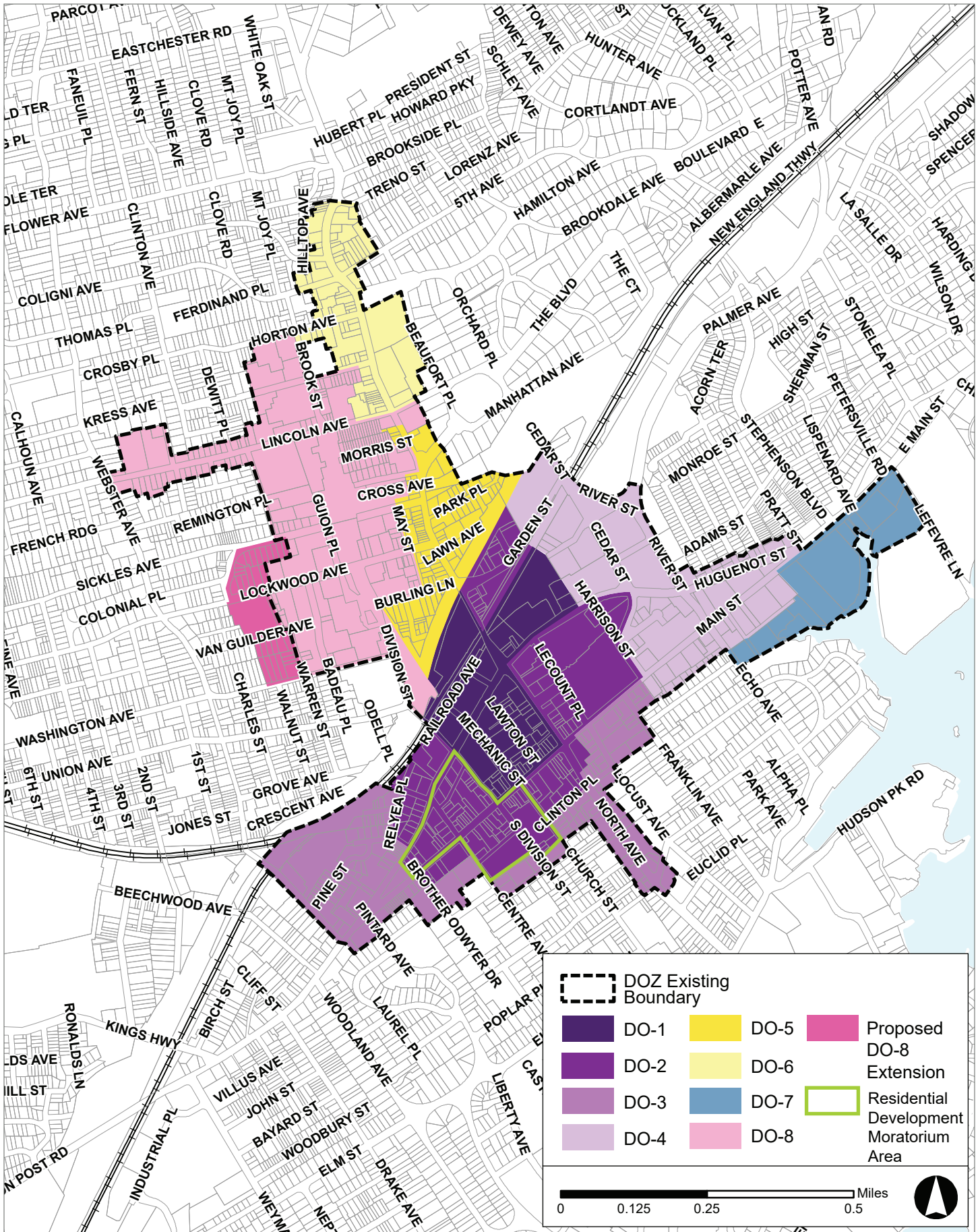
**Table 1: Proposed 2026 Theoretical Development Scenario**

Overlay District	Retail (SF)	Restaurant (SF)	Office Non-medical (SF)	Medical Office (SF)	Hotel (rooms )	Residential Units (DU)	Residential Condominium Units (DU)	Student Housing/ Supportive Housing	Adult Care (SF)	Independent Units (DU)	Institutional (SF)
DO-1	75,000 (-25,000)	40,000 (-14,000)	100,000 (-200,000)	55,000	300	3,130 <sup>1</sup> (+1,500)	300	-	-	-	35,000 (-15,000)
DO-2	100,000 (-100,000)	22,000 (-10,400)	100,000	65,000 (-217,500)	-	6,464 <sup>1,2</sup> (200)		-	-	-	40,000 (-20,000)
DO-3	30,000 (-9,000)	5,400	25,000 (-25,000)	-	-	776 (+200)		100 (-100)	100,000	200	40,000 (-65,000)
DO-4	150,000 (+50,000)	21,400	50,000 (-50,000)	26,000	-	772 (+400)		-	-	-	-
DO-5	21,500	5,400	50,000 (-50,000)	50,000 (-55,000)	100	332 (+100)		200 (-100)	100,000 (-72,000)	-	60,000 (-80,000)
DO-6	25,000 (+3,500)	5,400	31,000	21,000	-	326 (+200)		-	50,000 (-28,000)	-	35,000
DO-7	60,000	40,000 (-20,000)	25,000	25,000	200	700	100	-	-	-	23,000
DO-8	16,000	27,000 (+12,000)	-	30,000	-	847 (+300)	100	200	20,000	-	30,000
<b>TOTAL</b>	<b>477,500</b>	<b>166,600</b>	<b>381,000</b>	<b>272,000</b>	<b>600</b>	<b>13,347</b>	<b>500</b>	<b>500</b>	<b>270,000</b>	<b>200</b>	<b>263,000</b>
<i>Proposed Change</i>	<i>(-80,500)</i>	<i>(-29,400)</i>	<i>(-325,000)</i>	<i>(-272,500)</i>	<i>(0)</i>	<i>(+2,800)</i>	<i>(0)</i>	<i>(-200)</i>	<i>(-100,000)</i>	<i>(0)</i>	<i>(-180,000)</i>

**Notes:**

<sup>1</sup> The City intends to reserve for a period of time, 800 Units in DO-1 and 700 Units in DO-2 for the future development of City-owned properties (see 2021 RAP Addendum).

<sup>2</sup> Moratorium on Residential Development: No new residential units are allowed in DO-2 within the area bounded by Division Street to the east, Huguenot Street to the north, Main Street to the west and south, and Centre Street to the west – see Figure 6: DO-2 Residential Development Moratorium Area.



Source: City of New Rochelle, Westchester County GIS, BfJ Planning.

Figure 6: DO-2 Residential Development Moratorium Area

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

**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.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: Proposed zoning amendments and TDS changes may incentivize new development patterns impacting land use.		<input type="checkbox"/>	<input checked="" 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)  NO  YES  
*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	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)  NO  YES  
*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	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"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

**4. Impact on groundwater**  NO  YES

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. (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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>The Proposed Action may result in a potential increase in water demand from Veolia and potential impacts to water distribution infrastructure.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

**5. Impact on Flooding**  NO  YES

The proposed action may result in development on lands subject to flooding. (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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" 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 checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
----------------------------------	-------------------------------------	--------------------------

**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)

NO

YES

*If "Yes", answer questions a - f. If "No", move on to Section 7.*

	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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) 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.)

NO

YES

*If "Yes", answer questions a - j. If "No", move on to Section 8.*

	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"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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**  NO  YES

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.)  
*If "Yes", answer questions a - g. If "No", go to Section 10.*

	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 checked="" 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 checked="" 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 checked="" type="checkbox"/> <input checked="" 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 checked="" type="checkbox"/> <input checked="" type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**10. Impact on Historic and Archeological Resources**  NO  YES

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)  
*If "Yes", answer questions a - e. If "No", go to Section 11.*

	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 or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", 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"/>

<b>11. Impact on Open Space and Recreation</b>			
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 checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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"/>

<b>12. Impact on Critical Environmental Areas</b>			
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 checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 checked="" 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 checked="" 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.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - g. If "No", go to Section 14.*

	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 checked="" 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 checked="" type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" 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 checked="" type="checkbox"/>
e. Other Impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

<b>16. Impact on Human Health</b> 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>17. Consistency with Community Plans</b> 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The potential development program outlined in the Full EAF Part 1 has the potential to result in an increase in the resident and visitor populations in and around New Rochelle's Downtown and proximate neighborhoods. This increase in residential development potential along with the corresponding increase in population is balanced by a decrease in the development potential of non-residential use. This balancing limits the potential for new significant adverse impacts not previously analyzed in the 2015 Generic Environmental Impact Statement (GEIS) and Findings Statement for the Downtown Overlay Zone, the 2021 Supplemental GEIS (SGEIS) for the 2021 DOZ Amendments and DO-7 District, and the 2024 SGEIS for the DO-8 District and "Linc" project; however, the proposed zoning amendments and changes to the Theoretical Development Scenario do have the potential to result in impacts to land use, certain water and sewer infrastructure, the New Rochelle School District and New Rochelle Police and Fire Departments, visual resources, transportation networks and capacity, energy demand, generation and disposal of solid waste, growth inducement, and community character. Specifically, Part 2 of the Full EAF identified potential moderate to large impacts that may result from adoption and implementation of the Amended Downtown Overlay Zone and revised Theoretical Development Scenario (TDS), in the following categories:

- Impact on Land (moderate to large impact)
- Impact on Groundwater (moderate to large impact)
- Impact on Flooding (moderate to large impact)
- Impact on Aesthetic Resources (moderate to large impact)
- Impact on Transportation (moderate to large impact)
- Impact on Energy (moderate to large impact)
- Consistency with Community Character (moderate to large impact)

Given the additional density contemplated in the Full EAF Part 1 and the potential environmental impacts that could occur upon implementation of the updated TDS and proposed zoning amendments, the New Rochelle City Council finds that the moderate to large impacts identified above have the potential to result in one or more significant adverse impacts not previously analyzed in the 2015 GEIS and Findings Statement, the 2021 SGEIS and Findings Statement for the 2021 DOZ Amendments and DO-7 District, and the 2024 SGEIS and Findings Statement for the DO-8 District and "Linc" project. As such, a SGEIS analyzing the impacts from the proposed amendments to the DOZ and the updates to the 2026 TDS, must be prepared to further assess these potential impacts. The SGEIS must also include possible mitigation measures for the identified impacts, identify specific conditions or criteria under which future actions will be undertaken or approved (including requirements for any subsequent SEQR compliance), and explore alternatives to avoid or reduce identified significant impacts.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:       Type 1                       Unlisted

Identify portions of EAF completed for this Project:     Part 1               Part 2               Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information 2015 GEIS and Findings Statement, the 2021 SGEIS and Findings Statement for the 2021 DOZ Amendments and DO-7 District, and the 2024 SGEIS and Findings Statement for the DO-8 District and "Linc" project

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the City of New Rochelle City Council \_\_\_\_\_ as lead agency that:

- A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.
- B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

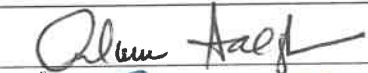
- C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Proposed 2026 Downtown Overlay Zone (DOZ) Amendments and Updated Theoretical Development Scenario

Name of Lead Agency: City of New Rochelle City Council

Name of Responsible Officer in Lead Agency: Adam Salgado

Title of Responsible Officer: Commissioner of Development

Signature of Responsible Officer in Lead Agency:  Date: 1/8/26

Signature of Preparer (if different from Responsible Officer)  Date: January 8, 2026

**For Further Information:**

Contact Person: Adam Salgado, Commissioner of Development

Address: 515 North Avenue, New Rochelle, NY 10801

Telephone Number: (914) 654-2185

E-mail: [asalgado@newrochelleny.com](mailto:asalgado@newrochelleny.com)

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**City of New Rochelle**  
Development

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Adam Salgado, Development Commissioner  
**Subject:** PROPOSED LEGISLATION RE: 662 MAIN STREET - EDPL - Resolution authorizing the City Manager or designee to submit a written offer and to take all actions necessary to acquire 662 Main Street (Section 2, Block 460, Lot 46) pursuant to New York State Eminent Domain Procedure Law.

---

**Background: BACKGROUND:**

On September 17, 2024, the City Council authorized the commencement of proceedings pursuant to the New York State Eminent Domain Procedure Law (the “EDPL”) to acquire 662 Main Street (the “Property”) for the purpose of maintaining the existing building thereon as a historic landmark while repurposing it for a culture-oriented public use. A public hearing regarding the acquisition was duly conducted on May 9, 2023, and September 10, 2024. Following these proceedings, the City issued a Determination and Findings for the Property in accordance with Article 2 of the EDPL.

The Main Street Property consists of one parcel described as follows:

Parcel 2-460-0046: Currently improved with a two-story and basement office building, containing 12,440 square feet of gross building, with a parking lot. The building was originally constructed in 1913 and is the former Carnegie Library of New Rochelle, designated as local historic landmark in June 2016. The property is the home to a now closed newspaper with accompanying fixtures, along with a job placement agency tenant. The property is located at the southwest corner of Main Street and Pintard Avenue. The land is approximately 32,670 square feet.

**ACQUISITION PROCESS:**

Pursuant to EDPL §303, the City is required to make a written offer to acquire the Main Street Property for one hundred per centum (100%) of the valuation established by the approved appraisal prepared in December 2025. The total appraised valuation for the Property is \$2,000,000. Additionally, the building located on the Property contains certain trade fixtures,

which are separately compensable under the EDPL. The valuation for the trade fixtures has been established by an approved appraisal prepared in September 2025. The total appraisal valuation for the fixtures is \$24,300.

Pursuant to EDPL § 514 and General Municipal Law § 3-a(2), the City is required to pay interest in the amount of 6% per annum from the date of acquisition to the date of payment. Three months interest has been calculated for each valuation as follows:

- Real Property: \$2,000,000, plus \$30,000 in interest
- Trade Fixtures: \$24,300, plus \$364.50 in interest

Upon issuance of the written offer and pursuant to EDPL §304, the condemnee may either: (a) accept the offer as full and final payment for the Main Street Property, or (b) reject the offer as final payment and instead elect to accept the offer as an advance payment, reserving the right to seek additional compensation through judicial proceedings. Regardless of the condemnee's election, the City will proceed with filing a Vesting Petition, together with other required pleadings, pursuant to Article 4 of the EDPL to acquire title to the Main Street Property through its powers of eminent domain. Upon the granting of the Petition and the Court signing the acquisition order, the City will then file its acquisition map and file and serve a Notice of Acquisition. Once the afore-described process is complete, title to the property will vest in the City, enabling the advancement of the public project.

**RECOMMENDATION:**

The Department of Development recommends that the City Council authorize the City Manager, or a designated representative, to:

1. Submit a written offer to the owner of 662 Main Street for the real property in accordance with EDPL Article 3, based on the appraised valuation.
2. Submit a written offer to the owner of 662 Main Street for the trade fixtures in accordance with EDPL Article 3, based on the appraised valuation.
3. Take all other actions necessary and appropriate to effectuate the acquisition of the Main Street Property pursuant to the EDPL.

**ACTION REQUESTED:**

Approval of the resolution authorizing the City Manager or designee to proceed with the issuance of the initial condemnation award and to take all actions necessary to acquire the 662 Main Street Property in accordance with the provisions of the EDPL. Funding is through account 6989H-20000-25065.

**Attachments:**

None

---

## LEGISLATION

---

RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SUBMIT A WRITTEN OFFER AND TO TAKE ALL ACTIONS NECESSARY TO ACQUIRE THE PROPERTY LOCATED AT 662 MAIN STREET (SECTION 2, BLOCK 460, LOT 46) PURSUANT TO EMINENT DOMAIN PROCEDURE LAW.

WHEREAS, on September 17, 2024, the City Council authorized the commencement of proceedings pursuant to the New York State Eminent Domain Procedure Law (“EDPL”) to acquire the property commonly known as 662 Main Street, New Rochelle, New York (the “Property”), for the purpose of preserving the existing building as a historic landmark and repurposing it for a culture-oriented public use; and

WHEREAS, the Property consists of one parcel designated on the City tax map as Parcel No. 2-460-0046, located at the southwest corner of Main Street and Pintard Avenue, containing approximately 32,670 square feet of land and improved with a two-story and basement office building containing approximately 12,440 square feet of gross building area, together with associated parking; and

WHEREAS, the building on the Property was originally constructed in 1913, is the former Carnegie Library of New Rochelle, and was designated as a local historic landmark in June 2016; and

WHEREAS, public hearings regarding the proposed acquisition were duly conducted on May 9, 2023, and September 10, 2024; and

WHEREAS, following said hearings, the City Council approved the Determination and Findings for the acquisition of the Property in accordance with Article 2 of the EDPL; and

WHEREAS, pursuant to EDPL § 303, the City is required to make a written offer to acquire the Property for one hundred percent (100%) of the valuation established by an approved appraisal; and

WHEREAS, an approved appraisal prepared in December 2025 establishes the fair market value of the real property at \$2,000,000; and

WHEREAS, the Property contains certain trade fixtures that are separately compensable

under the EDPL, and an approved appraisal prepared in September 2025 establishes the value of such trade fixtures at \$24,300; and

WHEREAS, pursuant to EDPL § 514 and General Municipal Law § 3-a(2), the City is required to pay interest in the amount of 6% per annum from the date of acquisition to the date of payment, with three months of interest calculated as follows:

- Real Property: \$2,000,000, plus \$30,000 in interest; and
- Trade Fixtures: \$24,300, plus \$364.50 in interest; and

WHEREAS, pursuant to EDPL § 304, the owner of the Property may elect either to accept the City’s written offer as full and final payment or to accept such amount as an advance payment while reserving the right to seek additional compensation through judicial proceedings; and

WHEREAS, regardless of such election, the City must proceed with the filing of a Vesting Petition and related pleadings pursuant to Article 4 of the EDPL in order to acquire title to the Property and advance the public project; and

WHEREAS, the Department of Development has recommended that the City Council authorize the City Manager, or a designated representative, to issue the required written offers and proceed with the initial condemnation awards in accordance with the EDPL.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Rochelle that the City Manager, or a designated representative, is hereby authorized and directed to submit a written offer to the owner of the property known as 662 Main Street, New Rochelle, New York (Section 2, Block 460, Lot 46) for the acquisition of the real property pursuant to Article 3 of the New York State Eminent Domain Procedure Law in the amount of Two Million Dollars (\$2,000,000), together with applicable statutory interest, and to submit a written offer for the acquisition of compensable trade fixtures located on said property pursuant to Article 3 of the EDPL in the amount of Twenty-Four Thousand Three Hundred Dollars (\$24,300), together with applicable statutory interest; and

BE IT FURTHER RESOLVED, that the City Manager, or a designated representative, is hereby authorized to take all actions necessary and appropriate to effectuate the acquisition of the property pursuant to the EDPL, including, but not limited to, proceeding with the issuance of the initial condemnation award, filing a Vesting Petition and all related pleadings under Article 4 of the EDPL, filing the acquisition map, serving and filing a Notice of Acquisition, and executing and filing any and all documents required to vest title to the property in the City.

City of New Rochelle  
Development

---

MEMORANDUM

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Adam Salgado, Development Commissioner  
**Subject:** PROPOSED LEGISLATION RE: 625 NORTH AVENUE PROPERTY- EDPL - Resolution amending Resolution No. 2025-24, adopted February 18, 2025, to revise and correct the appraised valuations for 625 North Avenue, the adjacent Treno Street Lot, and 637 North Avenue (Section 3, Block 998, Lots 17, 19 and 23), and to authorize the issuance of initial condemnation awards pursuant to New York State Eminent Domain Procedure Law

---

**Background:**  
**BACKGROUND:**

On September 17, 2024, the City Council authorized the commencement of proceedings pursuant to the New York State Eminent Domain Procedure Law (the “EDPL”) to acquire 625 North Avenue, the adjacent Treno Street Lot, and 637 North Avenue (collectively the "North Avenue Property" or the “Properties”) for the purpose of establishing a multi-generational community programming center and intergenerational housing, thereby providing public access and enhancing community development. A public hearing regarding the acquisitions was duly conducted on May 9, 2023, and September 10, 2024. Following these proceedings, the City issued Determination and Findings for the Properties in accordance with Article 2 of the EDPL.

The North Avenue Property consists of a three-parcel assemblage owned by two separate entities, as follows:

- **Parcel 3-998-0017:** Currently improved with an asphalt parking lot supporting Parcel 3-998-0019. The property is bordered by North Avenue to the west, Treno Street to the south, and single-family homes to the east. The land area is approximately 0.160 acres.
- **Parcel 3-998-0019:** Currently a vacant, free-standing retail building (formerly a CVS), with small parking lots on both sides of the structure. These parking areas, totaling approximately 37 spaces, are not part of this parcel but have historically been used in conjunction with Parcels 3-998-0017 and 3-998-0023 as one economic unit. The property

is bordered by North Avenue to the west, Brookside Place to the north, and single-family homes to the east. The land area is approximately 0.200 acres.

- **Parcel 3-998-0023:** Currently improved with an asphalt parking lot supporting Parcel 3-998-0019. The property is bordered by North Avenue to the west, Brookside Place to the north, and single-family homes to the east. The land area is approximately 0.290 acres.

**ACQUISITION PROCESS:**

Pursuant to EDPL §303, the City is required to make a written offer to acquire the Properties for one hundred per centum (100%) of the valuation established by the approved appraisals prepared in December 2025. The total appraised valuation for the North Avenue Property is \$2,640,000, as allocated below. Pursuant to EDPL § 514 and General Municipal Law § 3-a(2), the City is required to pay interest in the amount of 6% per annum from the date of acquisition to the date of payment. Three months interest has been calculated for each valuation as follows:

- **Parcels 3-998-0017 and 3-998-0019:** \$1,375,000, plus \$20,625 in interest<sup>[1]</sup>
- **Parcel 3-998-0023:** \$1,265,000, plus \$18,975 in interest

Upon issuance of the written offers and pursuant to EDPL §304, the condemnees may either: (a) accept the offers as full and final payment for the Properties; or (b) reject the offers as final payment and instead elect to accept the offers as an advance payment, reserving the right to seek additional compensation through judicial proceedings. Regardless of each condemnees' election, the City will proceed with filing Vesting Petitions, together with other required pleadings, pursuant to Article 4 of the EDPL to acquire title to the Properties through its powers of eminent domain. Upon the granting of the Petitions and the Court signing the acquisition orders, the City will then file its acquisition maps and file and serve Notices of Acquisition. Once the afore-described process is complete, title to the North Avenue Property will vest in the City, enabling the advancement of the public project.

**RECOMMENDATION:**

The Department of Development recommends that the City Council authorize the City Manager, or a designated representative, to:

1. Submit a revised written offer to the owner of 625 North Avenue and the Treno Street Lot in accordance with EDPL Article 3, based on the appraised valuations.
2. Submit a revised written offer to the owner of 637 North Avenue in accordance with EDPL Article 3, based on the appraised valuation.
3. Take all other actions necessary and appropriate to effectuate the acquisition of the North Avenue Property pursuant to the EDPL.

**ACTION REQUESTED:**

Approval of the Resolution authorizing the City Manager or designee to proceed with the issuance of the proposed condemnation awards, in connection with the acquisitions of 625 North Avenue, the Treno Street Lot, and 637 North Avenue in accordance with the provisions of the

EDPL. Funding is through account 6989H-20000-25065.

□ Note that the original valuation of these two lots (the CVS Parcel) was erroneous in that it improperly included the value of Block 998 Lot 23, which is under separate ownership. As a result, the advance payment offer of 2,298,000 previously conveyed to Cuno Realty by the City’s former outside counsel was based on incorrect information and is invalid and of no force and effect. In addition, the appraisals underlying the offer are stale, having been prepared more than a year ago, and therefore, do not reliably reflect current fair market value. Accordingly, pursuant to EDPL §304(F), which permits a condemnor to adjust or revise a written offer to correct an error or miscalculation, the City is authorized to withdraw the prior offer and issue a revised advance payment offer in the amount of \$1,375,000 (exclusive of interest).

**Attachments:**

None

---

## **LEGISLATION**

---

RESOLUTION AMENDING RESOLUTION NO. 2025-24, ADOPTED FEBRUARY 18, 2025, TO REVISE AND CORRECT THE APPRAISED VALUATIONS FOR THE PROPERTY LOCATED AT 625 NORTH AVENUE AND THE ADJACENT TRENO STREET LOT (SECTION 3, BLOCK 998, LOTS 17 19) AND 637 NORTH AVENUE (SECTION 3, BLOCK 998, LOT 23), AND AUTHORIZING THE ISSUANCE OF INITIAL CONDEMNATION AWARDS PURSUANT TO THE EMINENT DOMAIN PROCEDURE LAW

WHEREAS, on September 17, 2024, the City Council authorized the commencement of proceedings pursuant to the New York State Eminent Domain Procedure Law (“EDPL”) to acquire certain properties known as 625 North Avenue, the adjacent Treno Street lot, and 637 North Avenue (collectively, the “North Avenue Property”) for the public purpose of establishing a multi-generational community programming center and intergenerational housing; and

WHEREAS, public hearings regarding the proposed acquisitions were duly conducted on May 9, 2023, and September 10, 2024; and

WHEREAS, following these proceedings, the City approved the Determination and Findings for each acquisition in accordance with Article 2 of the EDPL; and

WHEREAS, the North Avenue Property consists of a three-parcel assemblage owned by two separate entities, identified on the City tax map as Parcels 3-998-0017, 3-998-0019, and 3-998-0023; and

WHEREAS, Resolution No. 2025-24 included appraised valuation figures intended to reflect the fair market value of the North Avenue Property; and

WHEREAS, subsequent review determined that the valuations set forth in Resolution No. 2025-24 were calculated in error due to the inadvertent inclusion of value attributable to Block 998, Lot 23, which is under separate ownership; and

WHEREAS, additionally, the prior valuations are now stale, having been prepared more than a year ago; and

WHEREAS, corrected approved appraisals prepared in December 2025 establish the

revised fair market value of the North Avenue Property, in a total amount of Two Million Six Hundred Forty Thousand Dollars (\$2,640,000), allocated as follows: (i) Parcels 3-998-0017 and 3-998-0019 in the combined amount of \$1,375,000, and (ii) Parcel 3-998-0023 in the amount of \$1,265,000; and

WHEREAS, pursuant to EDPL § 514 and General Municipal Law § 3-a(2), the City is required to pay interest at the rate of six percent (6%) per annum from the date of acquisition to the date of payment, with three months of interest calculated as follows: (i) \$20,625.00 for Parcels 3-998-0017 and 3-998-0019, and (ii) \$18,975.00 for Parcel 3-998-0023; and

WHEREAS, the Department of Development recommends that the City Council amend Resolution No. 2025-24 to revise and correct the valuation figures while otherwise reaffirming the authorizations previously granted.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of New Rochelle that Resolution No. 2025-24, adopted February 18, 2025, is hereby amended to revise and correct the appraised valuation of the North Avenue Property to reflect a total fair market value of Two Million Six Hundred Forty Thousand Dollars (\$2,640,000), allocated as follows: (i) Parcels 3-998-0017 and 3-998-0019 in the combined amount of One Million Three Hundred Seventy-Five Thousand Dollars (\$1,375,000), together with applicable statutory interest, and (ii) Parcel 3-998-0023 in the amount of One Million Two Hundred Sixty-Five Thousand Dollars (\$1,265,000), together with applicable statutory interest; and

BE IT FURTHER RESOLVED, that the City Manager, or a designated representative, is hereby authorized and directed to submit written offers pursuant to Article 3 of the EDPL to the owner of 625 North Avenue and the adjacent Treno Street lot, and to the owner of 637 North Avenue based upon the revised and corrected appraised valuations set forth herein; and

BE IT FURTHER RESOLVED, that the City Manager, or a designated representative, is further authorized to take all actions necessary and appropriate to effectuate the acquisition of the North Avenue Property pursuant to the EDPL, including, but not limited to, proceeding with the issuance of condemnation awards, filing Vesting Petitions and all related pleadings under Article 4 of the EDPL, filing acquisition maps, serving and filing Notices of Acquisition, and executing and filing any and all documents required to vest title to the North Avenue Property in the City; and

BE IT FURTHER RESOLVED, that except as expressly amended herein, Resolution No. 2025-24 shall remain in full force and effect.

**City of New Rochelle**  
Public Works

---

**MEMORANDUM**

**To:** Honorable Mayor and City Council  
**Thru:** Wilfredo Melendez, City Manager  
**Date:** January 20, 2026  
**From:** Alvaro Alfonso-Larrain, Public Works Commissioner  
**Subject:** PIN 8758.99 PELHAM ROAD TRAFFIC SIGNALS- SUPPLEMENTAL AGREEMENT No. 2 to D031768 - Resolution authorizing the implementation, and funding in the first instance 100% of the Federal-Aid and State "Marchiselli" Program-Aid eligible costs, of a Transportation Federal-Aid Project, and appropriating funds therefore.

---

**Background:** Supplemental Agreement No. 2 for the Pelham Road Traffic Signal Replacement project is required to authorize reimbursement of construction funding for the project.

**Attachments:**

1. PIN 8758.99 SUP 2 D031768

---

## LEGISLATION

---

RESOLUTION AUTHORIZING THE IMPLEMENTATION,  
AND FUNDING IN THE FIRST INSTANCE 100% OF THE  
FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-  
AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-  
AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Pelham Road Traffic Signals in the City of New Rochelle, Westchester County, identified as PIN 8758.99 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of New Rochelle desires to advance the Project by making a commitment of 100% of the non-federal share of the costs for the construction and construction inspection work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of New Rochelle hereby approves the above-subject project; and

BE IT FURTHER RESOLVED, that the New Rochelle City Council hereby authorizes the City of New Rochelle to pay in the first instance 100% of the federal and non-federal share of the cost of the construction and construction inspection work for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$4,255,961 (\$4,430,961 minus previous \$175,000) is hereby appropriated from account 3310H-20180-2505 [or, appropriated pursuant to] and made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the New Rochelle City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Manager thereof; and

BE IT FURTHER RESOLVED, that the City Manager of the City of New Rochelle be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of New Rochelle with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's

first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that in addition to the City Manager, the following municipal titles: Commissioner of Public Works, City Engineer, City Finance Commissioner, are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Sponsor: **City of New Rochelle**  
PIN: **8758.99** BIN: **N/A**  
Comptroller's Contract No. **D031768**  
Supplemental Agreement No. **2**  
Date Prepared: **1/13/2026** By: **GC**  
Initials

Press F1 for instructions in the blank fields:

**SUPPLEMENTAL AGREEMENT No. 2 to D031768** (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State")  
and

**City of New Rochelle** (the Sponsor)  
Acting by and through the **City Manager**  
with its office at **515 North Avenue, City Hall, New Rochelle, NY 10801.**

This amends the existing Agreement between the parties in the following respects only:

Amends a previously adopted Schedule A by (check as applicable):

- amending a project description
- amending the contract end date
- amending the scheduled funding by:
  - adding additional funding (check and enter the # phase(s) as applicable):
    - adding phase **C/CI** which covers eligible costs incurred on/after **7/1/2021**
    - adding phase \_\_\_\_\_ which covers eligible costs incurred on/after   /  /
  - increasing funding for a project phase(s)
  - adding a pin extension
  - change from Non-Marchiselli to Marchiselli
  - deleting/reducing funding for a project phase(s)
  - other (\_\_\_\_\_)

Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)

Amends a previously adopted Agreement by replacing the Appendix A dated October 2019 with the Appendix A dated June 2023.

Amends a previously adopted Agreement by adding:

- Appendix B M/WBE/SDVOB.
- Retention Exhibit.
- Other: \_\_\_\_\_

Amends the text of the Agreement as follows (insert text below):

Sponsor: **City of New Rochelle**  
PIN: **8758.99** BIN: **N/A**  
Comptroller's Contract No. **D031768**  
Supplemental Agreement No. **2**  
Date Prepared: **1/13/2026** By: **GC**  
Initials

Press F1 for instructions in the blank fields:

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

SPONSOR:

SPONSOR ATTORNEY:

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF NEW YORK

)ss.:

COUNTY OF **WESTCHESTER**

On the \_\_\_ day of \_\_\_\_\_ in the year 20\_\_, before me the undersigned personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**APPROVED FOR NYSDOT:**

**APPROVED AS TO FORM:  
STATE OF NEW YORK ATTORNEY GENERAL**

BY: \_\_\_\_\_  
For Commissioner of Transportation

By: \_\_\_\_\_  
Assistant Attorney General

Agency Certification: In addition to the acceptance of this contract I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

**COMPTROLLER'S APPROVAL:**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
For the New York State Comptroller  
Pursuant to State Finance Law ' 112

**SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements**  
**NYS DOT/ State-Local Agreement - Schedule A for 8758.99**  
**PIN**

<b>OSC Contract #:</b> <u>D031768</u>	<b>Contract Start Date:</b> <u>7/24/2008</u> <small>(mm/dd/yyyy)</small>	<b>Contract End Date:</b> <u>12/31/2029</u> <small>(mm/dd/yyyy)</small> <input type="checkbox"/> Check, if date changed from the last Schedule A
<b>Purpose:</b> <input type="checkbox"/> Original Standard Agreement <input checked="" type="checkbox"/> Supplemental Schedule A No. 2		
<b>Agreement Type:</b> <input checked="" type="checkbox"/> Locally Administered Municipality/Sponsor (Contract Payee): City of New Rochelle <input type="checkbox"/> State Administered Other Municipality/Sponsor (if applicable): <small>List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.</small> <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share <input type="checkbox"/> Municipality: % of Cost share		
<b>Authorized Project Phase(s) to which this Schedule applies:</b> <input checked="" type="checkbox"/> PE/Design <input checked="" type="checkbox"/> ROW Incidentals <input type="checkbox"/> ROW Acquisition <input checked="" type="checkbox"/> Construction/CI/CS		
<b>Work Type:</b> HWY SIGNALS	<b>County</b> (If different from Municipality): Westchester County	
<small>(Check, if Project Description has changed from last Schedule A):</small> <input type="checkbox"/>		
<b>Project Description:</b> Pelham Road Traffic Signals, City of New Rochelle, Westchester County		
<b>Marchiselli Eligible</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

<b>A. Summary of Participating Costs FOR ALL PHASES</b> <small>For each PIN Fiscal Share below, show current costs on the rows indicated as "Current". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.</small>							
PIN Fiscal Share	"Current" or "Old" entry indicator	Funding Source (Percentage)	TOTAL Costs	FEDERAL Funds	STATE Funds	LOCAL Funds	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
8758.99.121	Current	CMAQ (80%)	\$146,000.00	\$116,800.00	\$15,000.00	\$14,200.00	\$0.00
	Old	CMAQ (80%)	\$146,000.00	\$116,800.00	\$15,000.00	\$14,200.00	\$0.00
8758.99.221	Current	CMAQ (80%)	\$1,961.00	\$1,569.00	\$294.00	\$98.00	\$0.00
	Old	CMAQ (80%)	\$29,000.00	\$23,200.00	\$1,500.00	\$4,300.00	\$0.00
8758.99.321	Current	CMAQ (80%)	\$4,283,000.00	\$3,426,400.00	\$642,450.00	\$214,150.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL CURRENT COSTS:</b>			\$4,430,961.00	\$3,544,769.00	\$657,744.00	\$228,448.00	\$ 0.00



**APPENDIX A**

**STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS**

**PLEASE RETAIN THIS DOCUMENT  
FOR FUTURE REFERENCE.**

**TABLE OF CONTENTS**

	<b>Page</b>
1. Executory Clause	3
2. Non-Assignment Clause	3
3. Comptroller's Approval	3
4. Workers' Compensation Benefits	3
5. Non-Discrimination Requirements	3
6. Wage and Hours Provisions	3-4
7. Non-Collusive Bidding Certification	4
8. International Boycott Prohibition	4
9. Set-Off Rights	4
10. Records	4
11. Identifying Information and Privacy Notification	4
12. Equal Employment Opportunities For Minorities and Women	5
13. Conflicting Terms	5
14. Governing Law	5
15. Late Payment	5
16. No Arbitration	5
17. Service of Process	5
18. Prohibition on Purchase of Tropical Hardwoods	5-6
19. MacBride Fair Employment Principles	6
20. Omnibus Procurement Act of 1992	6
21. Reciprocity and Sanctions Provisions	6
22. Compliance with Breach Notification and Data Security Laws	6
23. Compliance with Consultant Disclosure Law	6
24. Procurement Lobbying	7
25. Certification of Registration to Collect Sales and Compensating Use Tax by Certain State Contractors, Affiliates and Subcontractors	7
26. Iran Divestment Act	7
27. Admissibility of Contract	7

## **STANDARD CLAUSES FOR NYS CONTRACTS**

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, “the contract” or “this contract”) agree to be bound by the following clauses which are hereby made a part of the contract (the word “Contractor” herein refers to any party other than the State, whether a contractor, licenser, licensee, lessor, lessee or any other party):

**1. EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

**2. NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State’s previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller’s approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor’s business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State’s prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

**3. COMPTROLLER’S APPROVAL.** In accordance with Section 112 of the State Finance Law, if this contract exceeds \$50,000 (or \$75,000 for State University of New York or City University of New York contracts for goods, services, construction and printing, and \$150,000 for State University Health Care Facilities) or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$25,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller’s approval of contracts let by the Office of General Services, either for itself or its customer agencies by the Office of General Services Business Services Center, is required when such contracts exceed \$85,000. Comptroller’s approval of contracts established as centralized contracts through the Office of General Services is required when such contracts exceed \$125,000, and when a purchase order or other procurement transaction issued under such centralized contract exceeds \$200,000.

**4. WORKERS’ COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers’ Compensation Law.

**5. NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment, nor subject any individual to harassment, because of age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status or because the individual has opposed any practices forbidden under the Human Rights Law or has filed a complaint, testified, or assisted in any proceeding under the Human Rights Law. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

**6. WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor’s employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in

accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

**7. NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

**8. INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2 NYCRR § 105.4).

**9. SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

**10. RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, the "Records"). The Records

must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

**11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.** (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

**12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.**

In accordance with Section 312 of the Executive Law and 5 NYCRR Part 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "(a), (b) and (c)" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not

apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this clause. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

**13. CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

**14. GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

**15. LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

**16. NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

**17. SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

**18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.** The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this

law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in § 165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

**19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.** In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

**20. OMNIBUS PROCUREMENT ACT OF 1992.** It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
Division for Small Business and Technology Development  
625 Broadway  
Albany, New York 12245  
Telephone: 518-292-5100

A directory of certified minority- and women-owned business enterprises is available from:

NYS Department of Economic Development  
Division of Minority and Women's Business Development  
633 Third Avenue 33rd Floor  
New York, NY 10017  
646-846-7364  
email: [mwbebusinessdev@esd.ny.gov](mailto:mwbebusinessdev@esd.ny.gov)  
<https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp>

The Omnibus Procurement Act of 1992 (Chapter 844 of the Laws of 1992, codified in State Finance Law § 139-i and Public Authorities Law § 2879(3)(n)-(p)) requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority- and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

**21. RECIPROCITY AND SANCTIONS PROVISIONS.** Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively, codified in State Finance Law § 165(6) and Public Authorities Law § 2879(5)) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 2023, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii.

**22. COMPLIANCE WITH BREACH NOTIFICATION AND DATA SECURITY LAWS.** Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law §§ 899-aa and 899-bb and State Technology Law § 208).

**23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.** If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4)(g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

**24. PROCUREMENT LOBBYING.** To the extent this agreement is a “procurement contract” as defined by State Finance Law §§ 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law §§ 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

**25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.**

To the extent this agreement is a contract as defined by Tax Law § 5-a, if the contractor fails to make the certification required by Tax Law § 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law § 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

**26. IRAN DIVESTMENT ACT.** By entering into this Agreement, Contractor certifies in accordance with State Finance Law § 165-a that it is not on the “Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012” (“Prohibited Entities List”) posted at: <https://ogs.ny.gov/iran-divestment-act-2012>

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law § 165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

**27. ADMISSIBILITY OF REPRODUCTION OF CONTRACT.** Notwithstanding the best evidence rule or any other legal principle or rule of evidence to the contrary, the Contractor acknowledges and agrees that it waives any and all objections to the admissibility into evidence at any court proceeding or to the use at any examination before trial of an electronic reproduction of this contract, in the form approved by the State Comptroller, if such approval was required, regardless of whether the original of said contract is in existence.