



Environmental, Planning, and Engineering Consultants

34 South Broadway
Suite 300
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

ENGINEERING, TRAFFIC, & PLANNING REVIEW

Village of Port Chester, N.Y.

TITLE OF REVIEW: **44 BROAD STREET**
SITE PLAN APPLICATION
44 BROAD STREET (SEC.142.22, BLOCK 3, LOTS 69-76)

ORIGINAL PLAN DATE: February 8, 2022

LATEST REVISION DATE: June 6 and June 7,
2022

DATE RECEIVED FROM PLANNING & ZONING: June 7, 2022

DATE OF MEMO: **June 23, 2022**

Forward to the Department of Planning & Economic Development

COMMENTS AND RECOMMENDATIONS:

1. Scope of Work Description:

The Project Site is within the CD-6T District. The Applicant proposes to construct a 15-story mixed-use building with approximately 10,370 sf of ground-floor commercial space, 336 residential units and associated amenity spaces (including a penthouse), and 322 off-street parking spaces within three levels of parking structure, two of which would be below grade. The parking structure would be accessed from Pearl Street, which street would also provide access to an off-street loading area. Pedestrian entrances to the commercial spaces would be on Broad Street and Irving or Pearl, while the pedestrian entrance to the residential building would be on Irving Street.

2. Documentation Submittals:

- a. The Applicant made a site plan application on February 8, 2022, supplemented on March 8, 2022, April 5, 2022, and May 3, 2022. AKRF provided review memoranda on those submission, dated February 24, 2022, March 24, 2022, April 22, 2022, and May 19, 2022.
- b. On June 7, 2022, the Applicant provided supplementary site plan application materials, including the following:
 - i. Comment Responses prepared by Zarin & Steinmetz, dated June 7, 2022;

- ii. Architectural Site Plans prepared by Lessard Design, revised June 6, 2022;
- iii. Engineering Site Plans prepared by Bowman Consulting, revised June 7, 2022;
- iv. Rock Removal Memorandum prepared by SESI Consulting Engineers, dated June 7, 2022; and
- v. Willingness to Serve letter from Suez, dated May 12, 2022.

3. **Engineering Comments:**

Provided by: Justin Seeney, PE & John Montgomery, PE

a. Stormwater

- i. The Applicant has revised the plans and proposed a single stormwater connection at Broad Street. The Applicant shall provide an updated SWPPP which demonstrates that peak flow rates conveyed to Broad Street are not being increased from pre- to post-development conditions.
 - ii. The Applicant has proposed a hydrodynamic separator for water quality treatment. The Applicant should provide an updated SWPPP which includes the following:
 - Water quality volume (WQv) and water quality flow (WQF) calculations for the proposed hydrodynamic separator (HDS).
 - Demonstrate a minimum of 75% of the overall site WQv is treated by the HDS.
 - Demonstrate the max treatment rate for the HDS exceeds the WQF rate for the contributing drainage area.
 - Demonstrate the internal-bypass flow capacity for the HDS exceeds the 25-year peak flow rate for the contributing drainage area.
 - Roof level drainage plans that depict the total area conveyed to the water quality device.
 - iii. Storm drainage connections to sewer main should be made using manhole structures (instead of catch basin).
 - iv. Applicant to provide updated inverts for proposed storm sewer connections following verification existing sewer main location/elevation.
 - v. Applicant to revise plans to eliminate “private” storm/sanitary manholes from the public right-of-way to the extent possible.
- b. Sanitary: Applicant has provided data from completed sanitary flow monitoring. AKRF understands the Applicant is currently working to analyze said data to assess its project’s effects on public sanitary sewer infrastructure. Additional comments regarding sanitary will be forthcoming upon receipt of analysis.

c. Grading

- i. Coordinate proposed elevations at parking ramp and loading zone shown on grading plan with elevations shown architectural ground floor plan (A-103).
- ii. Applicant shall provide proposed grading information at northeast corner of Irving Avenue and Broad Street once additional survey is obtained.

d. General

- i. Loading dock depth has been reduced to 27.5-ft to accommodate the transformer room. Applicant to clarify that vehicles using the loading dock will not block the sidewalk.

4. **Traffic Comments:**

Provided by Michael Beattie, PE, PTOE & Elaine Du, PE

- a. No additional traffic comments, save the comments above.

5. **Planning Comments:**

Provided by Peter Feroe, AICP

- a. General Zoning Compliance: AKRF has reviewed the application for conformance with the Village's Zoning Code.

- i. The Applicant has applied to the Zoning Board of Appeals for variances with respect to the number of curb cuts (two proposed on Pearl St), the width of the loading zone curb cut (26 feet), and the location of the rolldown gate (within 20 feet). The Planning commission, as SEQRA lead agency must issue a determination of significance prior to the ZBA acting on the variance applications. The Planning Commission may not take action on the Site Plan until the variances are granted, or conforming plans are presented.

b. SEQRA

In January 2021, the Board of Trustees adopted the CD-6T zoning district. As part of their review of that action, the BoT served as the SEQRA Lead Agency for both the rezoning of the Project Site and a Conceptual Site Plan. The Planning Commission was an involved agency in that SEQRA review. The BoT concluded the SEQRA review of the rezoning and conceptual site plan with the adoption of a Negative Declaration. Pursuant to SEQRA regulations, the Planning Commission is bound by the BoT's determination of significance.

The Planning Commission is, however, undertaking a SEQRA review of the current, detailed, Site Plan Application. Where potential environmental impacts of the Site Plan are equal to or less than those evaluated by the BoT, there is no further SEQRA role for the Planning Commission. Where potential environmental impacts of the Site Plan are greater than what was evaluated by the BoT, the Planning Commission will evaluate the incremental difference during its SEQRA review. Please see table at end of memorandum for a comparison of the Site Plan Application to the Conceptual Rezoning Plan. The table also includes information on items required to be evaluated by Commission pursuant to the BoT's Negative Declaration. A few specific items are discussed below:

- i. Rock Removal – The Applicant's geotechnical engineer stated that construction of the Project would require the removal of between three and 20 feet of competent

bedrock. The geotechnical engineer stated that line drilling and hydraulic hammering are anticipated, while blasting is not anticipated.

- ii. Dewatering – In addition to the comments above, any dewatering would subject to requirements set forth pursuant to the NYS Brownfield Cleanup Program.
- iii. Subsurface Environmental Conditions –

Subsequent to the BoT's Negative Declaration on the Conceptual Site Plan, the Site was entered into the NYS Brownfield Cleanup Program. Based on subsurface environmental analyses performed by the Applicant, there is evidence of the following contamination on Site:

- Soil - Petroleum contamination (Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (SVOCs), associated with a reported spill at 44-46 Broad Street (former gas station); Metals contamination, mainly lead, present in fill material on-Site.
- Groundwater – Petroleum VOCs, chlorinated solvent VOCs, SVOCs, Metals, and PFAS
- Soil Vapor – TCE and PCE exceeding NYSDOH matrices

This is BCP site, which means the owner has a legal contract with the state to investigate and remediate the site in accordance with NYSDEC and NYSDOH requirements to be protective of human health and the environment. The BCP Remedial Investigation Plan, which is a state-approved plan to conduct additional environmental testing of the Site, includes the drilling of 23 soil borings, 7 groundwater monitoring wells, and 7 soil vapor points. The BCP is a public program, so the public and the Village will have opportunities to submit comments to NYSDEC at phases of the project.

The Proposed Project includes excavation from the entire footprint of the redevelopment site to a depth of at least 25 feet below grade. The BCP will required a Remedial Action Work Plan (RAWP) to identify and handle all soil and groundwater contamination that will be encountered during redevelopment. This applies to groundwater that will be required to be removed during construction. All remediation work is required to be conducted in accordance with a Health and Safety Plan to protect on-site personnel, and a Community Air Monitoring Plan to protect the surrounding community. The excavation depth will encapsulate the documented contamination area and can be considered a best-case scenario for a remediation approach as it removes the contamination from the Site. NYSDEC/NYSDOH will require engineering controls (e.g., vapor barrier, site cap, venting systems) if any contamination will remain on-site.

RESUBMISSION GUIDELINES

Revised submissions should be made to both the Port Chester Department of Planning & Economic Development and to AKRF.

- Electronic copies are to be sent to:
 - The Village Planning Department at planning@portchesterny.gov and/or via Village Dropbox (pre-arranged with Village); AND
 - AKRF at portchester@akrf.com.
- Hard copy submissions should be sent to:
 - The Village Planning Department (ten complete copies); and
 - AKRF, as follows:
 - One copy of plans, letters, SWPPP, Sewer/water studies to Justin Seeney at AKRF, 440 Park Avenue South, 7th Floor, NY, NY 10016
 - One copy of plans, letters, non-engineering reports, Traffic impact studies and parking analyses to Peter Feroe at AKRF, 34 South Broadway, Suite 300, White Plains, NY, 10601.

Submissions are due twenty (20) days prior to the Planning Commission meeting. Failure to follow the submission guidelines may result in an inability of Village staff and consultants to review the submission and, potentially, an inability to appear on the Planning Commission agenda.

Please note that upon submission of revised documents, further review and comment may be provided. Subsequent submissions should be accompanied by a letter from the Applicant including itemized responses to each comment. Omission of said letter may result in an inability to review subsequent submissions.

The above comments represent our professional opinion and judgement, but may not necessarily, in all cases, reflect the opinion of the Planning Commission.

**44 Broad Street Site Plan Application
Comparison to Conceptual Plan & SEQRA Review**

Parameter	Proposed Project	Conceptual Zoning Plan	Notes
Development Program	286 Apartments 78 studio 169 1-bedroom 39 2-bedroom 12,600 sqft retail 209 parking spaces	336 Apartments 98 studio 168 1-bedroom 70 2-bedroom 10,370 sqft retail 332 parking spaces	
Population	503	606	
School-Age Children	28	41	Mitigated through Fair Share contribution to schools
Height	15-stories + Penthouse 13 residential stories PH roof @ el. 199'	15-stories + Penthouse 14 residential stories PH roof @ el. 197.5'	
Traffic	85/95 peak hour trips	89/98 peak hour trips	Revised Traffic Impact Study provided
Water/Sewer	28,370 gpd	45,790 gpd	Sewer flow monitoring completed; I&I contribution; Water upgrades per Suez
Construction Traffic/ Peds	Sidewalk closure plan (5/3/22)	@ Site Plan	Plan provided on 5/3/2022 and discussed in AKRF memo
Construction Noise	Initial mitigation measures (5/3/22)	@ Site Plan	See Applicant's June 2022 submission and AKRF summary re: rock removal
Construction Period Air Quality	Per SWPPP	@ Site Plan	Fugitive dust mitigation, per SWPPP and ESCP
Subsurface Environmental	In NYSDEC BCP Program	No state oversight of remediation	See summary of conditions in June 2022 AKRF Memo
Development Review Cmte	To be scheduled	@ Site Plan	To be scheduled
Electric Improvements	During building permitting		Pending detailed mechanical design
HVAC Air Quality Impacts	During building permitting		Pending detailed mechanical design
Façade sound attenuation	During building permitting		Pending detailed architectural design
Photo-document Hauxwell & Smith building	Prior to Demolition		