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December 7, 2017

Robert Goodman, Chair
Village of Rye Brook Planning Board
938 King Street
Rye Brook, NY 10573

Re: 900 King Street
Revisions to Proposed Local Law

Honorable Chair and Members of the Planning Board:

This firm represents the owner of the property located at 900 King Street. The purpose of this letter is to submit an updated proposed Local Law containing the zone text amendments we are requesting.

The proposed Local Law has been revised in response to the memorandum, dated December 1, 2017, from your planning consultant. That memorandum discussed a number of provisions of the Local Law that would have allowed a slightly larger project than that being proposed. The suggestion was made that the Local Law be brought more into conformity with the proposed project. In addition, the memorandum from your planning consultant noted that several controls on density, specifically the maximum permitted floor area per acre and the measurement of height in stories as well as feet were not included in the proposal.

To address those issues, we have revised the proposed Local Law. A redlined version of the revised Local Law is attached. The revised Local Law includes the following changes:

- Inclusion of a 4 story limitation on height, in addition to the 45 foot limitation;
- Incorporates maximum floor area per gross square acre;
- Reduces the maximum number of dwelling units and assisted living facility units to more closely correspond with the proposed project;
- Increases the minimum lot size from 15 to 17 acres;
- Increases the minimum yard setbacks to more closely reflect the proposal;
- Decreases the proposed maximum gross land coverage from 45% to 40%.

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This version of the Local Law supersedes prior versions and should form the basis for the Village's review of the proposed project.

Thank you for your courtesy and cooperation.

Very truly yours,

VENEZIANO & ASSOCIATES

By: 

Mark P. Miller

MPM/kj

cc: Village Board of Trustees
Christopher J. Bradbury, Village Administrator
Edward Beane, Esq., Village Attorney
Jennifer Gray, Esq., Village Attorney
Marilyn Timpone Mohamed, Village Planner
Michael Izzo, Village Building Inspector
Michal Nowak, Village DPW Superintendent

**PROPOSED LOCAL LAW AMENDING CHAPTER 250
OF THE VILLAGE CODE**

A LOCAL LAW to amend chapter
250 of the Code of the Village of
Rye Brook regarding Zoning.

BE IT ENACTED by the Board of Trustees of the Village of Rye Brook as follows:

Section 1: Chapter 250, Section 7, Subsection (E), Item (6) is hereby added as follows:

(6) 900 King Street Planned Unit Development. The following regulations shall apply within the 900 King Street Planned Unit Development.

(a) Permitted Uses:

[1] Senior living facilities, excluding nursing homes, providing for a range of living accommodations, personal care services, and support facilities, provided that at least one person in each dwelling unit is at least 55 years of age. No senior living facility shall exceed 45 feet or 4 stories in height, calculated by utilizing the weighted average of the building height measured from the finished grade adjacent to the exterior walls of the building, and provided that such building is at least 175 feet from a state road. In recognition of the generally lower impacts from such facilities, the maximum density for senior living facilities shall be as follows: up to 26,000 square feet of floor area per gross acre, but in no case shall the total number of ~~for~~ dwelling units, exceed ~~11-10.4~~ units per gross acre; nor shall the total number of ~~for~~ assisted living ~~facilities~~, facility units exceed ~~5-4.8~~ units per gross acre. The following accessory uses shall be permitted in a senior living facility:

[a] Indoor and outdoor recreation facilities, libraries, food preparation facilities, dining facilities, laundry and linen service facilities, specialty care services, examination rooms, treatment rooms, nursing services, housekeeping services, security facilities, administrative offices, staff facilities, storage and maintenance, chapels, temporary guest lodging facilities, parking facilities, barbershops and beauty parlors, facilities for the sale of sundries, personal articles, newspapers, food and similar convenience products to the residents and such other uses as are customarily associated with and subordinate to the principal permitted uses, excluding nursing homes.

(b) Bulk and Area Requirements for new site plans:

- [1] Minimum Lot Size: ~~15~~17 acres.
- [2] Minimum Yard Dimensions in Feet:
 - [a] Front: ~~35~~42 feet;
 - [b] Side: ~~75~~90 feet;
 - [c] Rear: ~~25~~30 feet;
- [3] Maximum Gross Land Coverage (percentage of land area covered by the combined areas of all buildings, structures, and paved areas): ~~45~~40%.
- [4] Parking Requirements for senior living facilities:
 - [a] Townhouses (attached and detached single-family and two-family dwelling units): Two spaces per dwelling unit, plus one-half space per dwelling unit for guests;
 - [b] Multi-Family: One space per dwelling unit;
 - [c] Assisted Living Facilities: One-half space per dwelling unit.
- [5] Exterior lighting or other illumination shall be permitted, provided that the light source shall be shielded from any adjacent residence district or public street.
- [6] A detailed specified planting plan to buffer adjoining properties shall be submitted as part of the site plan application.

Section 2: This local law shall become effective immediately upon filing with the Office of the Secretary of State.