

**CITY OF NEW ROCHELLE, NEW YORK  
DEPARTMENT OF DEVELOPMENT  
PLANNING BOARD**

Members Present:	Brown, Deane, Dodds-Brown, Lipow, Masi
Members Absent:	Smith
Introduced:	June 28, 2016
Adopted:	June 28, 2016
Moved By:	Lipow
Seconded By:	Deane
Opposed:	None
Abstained:	None
Passed:	Unanimously

**PB 13-16  
Site Plan  
Approval**

**RESOLUTION NO. 47-2016**

**164 and 172 Union Avenue and 176 Webster Avenue Block 1267, Lots 37, 39, and 42**

**WHEREAS**, an application has been filed by **Quintessential Land Development, LLC**, for site plan approval to construct a mixed-use building with commercial space at street level, and 75 residential units above at **164 and 172 Union Avenue and 176 Webster Avenue** (Block 1267, Lots 37, 39, and 42), in an NB-H zoned district; and

**WHEREAS**, it has been determined that this site is not located in a Critical Environmental Area, and is a Type II Action under the State Environmental Quality Review (SEQRA) process; now, therefore, be it

**RESOLVED**, the New Rochelle Planning Board does hereby approve the site plan subject to the following conditions:

1. *Connection to the City's catch basin will require a DPW permit and indemnify agreement.*
2. *Proposed sewer or drainage piping within the City street must consist of XHCI or DIP.*
3. *Project must comply with all life safety and fire protections systems and requirements.*
4. *Applicant shall provide granite curbing along the municipal right-of-way per City standards.*
5. *As necessary, the applicant shall provide inflow and infiltration improvements to the sanitary sewer service to the satisfaction of the City Engineer prior to the issuance of a certificate of occupancy.*  
*If Westchester County requires off-site mitigation in terms of Inflow and Infiltration (I & I) of off-site sanitary sewers, such work shall be completed to the satisfaction and acceptance of DPW prior to the issuance of a Certificate of Occupancy.*
6. *The applicant shall satisfy the code requirement for recreation and open space as set forth in Section 331-118G of the code.*
7. *The applicant shall satisfy the requirement for private art betterments in accordance with Section 331-120.1.*
8. *The applicant shall comply with the City's affordable housing requirements in Section 331-152 of the municipal code.*

9. The applicant shall comply with the City's requirement for off-street bicycle parking facilities in Section 331-126.1, or, alternatively, in Section 331-126.2.

**RESOLVED**, that in accordance with General City Law Subsection 27-a (7), the Applicant's engineer or architect, prior to the issuance of any type of building permit for construction, shall submit to the Building Official an estimate of the costs of all required site infrastructure and improvements associated with this site plan approval, which estimate shall be verified by the Building Official as adequate to cover all such site infrastructure and improvements. Thereupon, the Applicant shall provide to the City Bureau of Buildings a performance bond or other security acceptable to Corporation Counsel, in an amount and for a period of time acceptable to the Building Official, all in accordance with Section 27-a, Subsection 7 and Section 33, Subsection 8 of General City Law; and, be it further

**RESOLVED**, that in accordance with the Zoning Code, prior to issuance of the final Certificate of Occupancy, The Applicant shall provide to the City Bureau of Buildings all necessary maintenance bonds or other security acceptable to Corporation Counsel, in an amount and for a period of time acceptable to the Building Official for any proposed landscaping and, if applicable, for any oil/grit separators; and, be it further

**RESOLVED**, that in accordance with Section 331-123 of Chapter 331 (Zoning) of the New Rochelle City Code, such approval for any construction shall expire if a building permit is not issued within one (1) year from the date of approval and if all construction work is not completed within two (2) years of the date of issuance of such permit. Upon application to the Planning Board, extensions totaling a maximum of twelve (12) months may be granted to each of these time periods, for appropriate cause; and, be it further

**RESOLVED**, that the applicant and all successors/assignees are hereby informed that in accordance with Section 331-140 of the zoning code; Penalties for Offenses, if any element of an approved site plan is amended without knowledge or approval by the Planning Board, a fee shall be assessed to return to the Planning Board so as to formally file a site amendment, and be it, further

**RESOLVED**, the Planning Board Clerk is authorized to grant an extension of one (1) month beyond the first year site plan approval date, for any or all of the following conditions: if the applicant can demonstrate that reasonable progress has been made in satisfying the Planning Board's conditions of approval, if the Applicant needs the extension during the Planning Board's annual vacation period, or if other extenuating conditions have occurred, which the Planning Board Clerk considers reasonable for the granting of the additional one (1) month extension. If the Applicant has not obtained the required building permit within this one month extended approval period, the Applicant may apply to the Planning Board to extend the site plan approval for the remaining eleven (11) months.

Dated: July 11, 2016

  
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Kevin A. Kain, PP, AICP Planning Board Clerk

Filed City Clerk's Office July 11, 2016

  
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City Clerk