

PUBLIC HEARING NOTICE
PETITION FROM IONA COLLEGE
RE: PROPOSED AMENDMENT TO ORD. NO. 81-2002 –
NUMBER OF STUDENTS PERMITTED IN
DORMITORY BUILDINGS ASSOCIATED WITH THE COLLEGE

NOTICE is hereby given that the Council of the City of New Rochelle, New York, will hold a Public Hearing pursuant to Chapter 331 of the Code of the City of New Rochelle, Section 237-m of the General Municipal Law of the State of New York, and Sections 277.61 and 277.71 of the County Administrative Code, on Tuesday, February 6, 2018, at 7:00 P. M., in the Council Chamber, City Hall, 515 North Avenue, New Rochelle, New York, on a proposed amendment to the City's Zoning Code, Chapter 331, as indicated in the following petition:

PETITION (ATTACHED) FROM IONA COLLEGE RELATIVE TO A PROPOSED AMENDMENT TO ORDINANCE NO. 81 OF 2002 (NUMBER OF STUDENTS PERMITTED TO RESIDE IN DORMITORY BUILDINGS ASSOCIATED WITH THE COLLEGE).

All persons interested are invited to attend said Public Hearing or submit written communications to the City Clerk at or before the Public Hearing.

By order of the City Council dated January 16, 2018, pursuant to Resolution No. 16.

BENNIE F. GILES, III,
CITY CLERK

Added/Suppl. 16



ZARIN &
STEINMETZ

David J. Cooper
Jody T. Cross •
Katelyn E. Ciolino •
Michael J. Cunningham •
Marsha Rubin Goldstein
Helen Collier Mauch •
Zachary R. Mintz •
Daniel M. Richmond
Kate Roberts
Brad K. Schwartz
Lisa F. Smith •
David S. Steinmetz •
Edward P. Teyber
Michael D. Zarin

• Also admitted in D.C.
• Also admitted in CT
• Also admitted in NJ

January 10, 2018

Via Electronic Mail (bgiles@newrochelleny.com)

Bennie F. Giles, III
City Clerk
City of New Rochelle
City Hall
515 North Avenue
New Rochelle, NY 10601

Re: Petition for Amendment to Ordinance 81 of the City of New Rochelle

Dear Mr. Giles:

On behalf of Iona College, enclosed is a Petition to the City Council for an amendment to Ordinance 81 of the City of New Rochelle, together with a Short Environmental Assessment Form for the proposed action. We respectfully request that the Petition be distributed to the City Council via electronic mail and placed on the next agenda of the City Council for commencement of review.

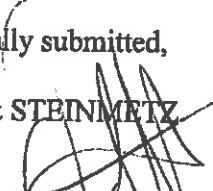
Please advise on how many physical copies the City requires the College to deliver for disbursement, as well as the required application fee.

Thank you for your consideration. If you have any questions with respect to this request, please do not hesitate to contact me.

Respectfully submitted,

ZARIN & STEINMETZ

By:



David S. Steinmetz
Daniel M. Richmond
Kate Roberts

Enclosures

cc: Luiz C. Aragon, Commissioner of Development
Darius Chafizedah, Esq.
Iona College

Added/Suppl 16.

CITY COUNCIL: CITY OF NEW ROCHELLE
COUNTY OF WESTCHESTER: STATE OF NEW YORK

In the Matter of the Application of

IONA COLLEGE,

**PETITION FOR
AMENDMENT
TO CITY ORDINANCE**

For Amendments to Ordinance 81, Section 3 of the City of New Rochelle to temporarily extend the occupancy level for dormitory buildings located on Lot 158, Block 1556 to that which is permitted by all applicable local and state regulations.

Petitioner IONA COLLEGE ("Petitioner" or "Iona" or the "College"), by its attorneys Zarin & Steinmetz, respectfully petitions the City Council ("City Council") of the City of New Rochelle, New York ("City") as follows:

THE PROPOSED AMENDMENT

1) This is a Petition pursuant to Article III, Section 15 of the City Charter, which empowers the City Council to vote on an ordinance at a public meeting once introduced to the Council "in written or printed form," and/or Sections 331-141-142 of the City's Code, which empowers the City Council to "amend, supplement, repeal or change the regulations and districts established under this chapter [331]" on petition from an applicant,¹ to amend Ordinance 81 of 2002 ("Ordinance 81").

¹ Pursuant to City's outside counsel, the procedures of the City of New Rochelle §§ 331-141-142 et. seq must be followed when an applicant is seeking to propose an amendment to an existing law, such as the College's request to amend Ordinance 81. Such procedures require the filing of a petition. Thus, while New Rochelle City Code Sections 331-141 and 331-142 only pertain to proposed amendments to "the regulations and districts established under" Section 331 of the City Code (the City's "Zoning Ordinance"), and Ordinance 81 is not a regulation or district under the Zoning Ordinance, but rather a local law, we respectfully file this Petition. In any event, this Petition constitutes an introduction of the amended ordinance to the Council "in written or printed form," as required pursuant to Charter Article III, Section 15.

2) This Petition is designed to promote the health, safety and welfare of the College's students, Iona's neighbors, and the greater New Rochelle community. Iona recognizes that the health of the City of New Rochelle directly affects the health of the College, and that the health of the College affects the health of the City.

3) The College strives to be a good neighbor and citizen, and wants to continue to work cooperatively with the City staff and officials to enrich the quality of life of all who live and work in New Rochelle and to support the local economies to enable them to grow and thrive.

4) The current Ordinance 81 permits "a maximum number of students as permitted by applicable local and state regulations" to reside in the dormitory buildings associated with the College located on Lot 158 in Block 1556 (the "Dormitory Buildings"). See Ordinance 81 Section 2(a). However, this occupancy level expires "on the five-year anniversary of the expiration of Ordinance 163 of 2011." See Ordinance 81 Section 3. At that time, which upon information and belief, the College understands to be in September of 2018, the occupancy level for the Dormitory Buildings will return to a maximum of 696 students (not including Resident Assistants).

5) The College now petitions the City Council to amend Ordinance 81, Section 3 to temporarily extend the occupancy level for the Dormitory Buildings at the "maximum number of students as permitted by applicable local and state regulations" to September 30, 2020 (the "Proposed Amendment") (i.e. two (2) years from the current expiration date of September 2018).² Annexed hereto as Exhibit "A" is the Proposed Amendment to Ordinance 81.

² While the College is currently petitioning for a two (2) year extension on maximum occupancy, nothing in this Petition or accompanying documents prevents the College from filing another petition

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6) The Proposed Amendment would not result in increased College enrollment. Rather, it would allow the College's students to continue to have guaranteed, on-campus housing.

7) Currently, the College has applications pending before the City's Planning Board and Zoning Board of Appeals for matters unrelated in any way to the occupancy of the Dormitory Buildings. The Planning Board, as Lead Agency under the State Environmental Quality Review Act ("SEQRA") for those applications, has issued a positive declaration and is requiring the College complete a Generic Environmental Impact Statement ("GEIS"). As part of the GEIS, notwithstanding the fact that occupancy of the Dormitory Buildings at the maximum level permitted by applicable State law poses no potential significant adverse environmental impacts, the College is nevertheless being required to study the environmental impacts of permanently setting occupancy for the Dormitory Buildings at the maximum level permitted by applicable State law.

8) The Proposed Amendment, temporarily maintaining the maximum occupancy level permitted by State law, would allow the College to continue to offer its students on-campus housing while the Planning Board studies the environmental impacts of permanently setting occupancy at that level.

9) The temporary occupancy extension currently in place has provided the opportunity for more students to remain living on campus in their sophomore, junior and senior years, thereby ensuring greater student engagement and retention.

10) Decisions to select campus housing begin as early as November for the following academic year. Room selection of returning students must make their choices with

with this City Council related to Ordinance 81. The College explicitly reserves its right to file a petition at any time requesting that the City Council permanently increase allowable occupancy.

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respect to housing for the following academic year in the previous Spring Semester, typically in March (i.e. in March 2018 students will make their housing choices for the 2018-2019 academic year, and in March 2019 students will make their housing choices for the 2019-2020 academic year). The College must know how many spots they have available in their dormitories in order for students to make this decision.

11) Pending the outcome and completion of the Planning Board's SEQRA review, the College will petition the City Council to permanently set the occupancy level for the Dormitory Buildings at the maximum number permitted pursuant to local and state regulations.

12) Maintaining maximum occupancy of these college-owned, college-controlled dormitories is highly desirable for the City and the College's neighbors. A College has the unique ability to both manage and control the student residents in a college-operated residence hall. Adoption of the Proposed Amendment would continue to allow more students to remain in on-campus housing, which in turn would cause less disruption to the surrounding neighborhoods (which, without this amendment, would presumably be home to the College's students), and allow the College to maintain control over student behavior through enforcement of its Code of Conduct and supervision by full-time Resident Directors and Resident Advisors.

13) Iona respectfully submits that it is unaware of any reason reasonably related to the morals, health, welfare or safety of the community that would require occupancy of the Dormitory Buildings to be any less than is currently allowed, and which is allowed by the generally applicable local and state regulations. See Cornell Univ. v. Bagnardi, 68 N.Y.2d 583, 593-94, 510 N.Y.S.2d 861, 866 (1986).

PETITIONER

14) Iona College is a Christian Brothers-affiliated four-year college, with an address at 715 North Avenue, New Rochelle, NY 10514. The College was established in 1940 as a college in the tradition of the Christian Brothers and American Catholic higher education.

15) As both a religious and educational user of land, Iona College should be granted leniency in its application to this Council.³

16) The College owns Lot 158, Block 1556, which is located on North Avenue between Summit Avenue and Mayflower Avenue (the "Site"), across from the College's main campus.

17) Currently, the Site houses three (3) existing Dormitory Buildings: Loftus Hall, Hales Hall and Conese Hall. Conese and Hales Hall are both six-floor buildings comprised of co-ed floors with single sex suites that house either six (6) or nine (9) students. Loftus Hall is a 10-floor building comprised of co-ed floors with single-sex suites housing either five (5) or six (6) students.

³ It is well established in New York State that requests made by educational providers should be examined and processed more leniently, and that such educational uses should be afforded special treatment. Cornell, 68 N.Y.2d. While the Court of Appeals noted that the inherent benefits of educational uses must be carefully balanced against their potential for impacts to the community, here it is clear that the benefits of the educational use in having its students reside on its campus far outweigh any negative effects to the community. Id. at 597 (expansion must be taken into consideration with "the possible ill effects the proposed uses may have on the surrounding area" and further the expansion may be conditioned by special permit on conditions "that would mitigate any deleterious effects on the surrounding community"). In fact, having more students live on the College's campus would have a positive effect on the community, as set forth above.

Furthermore, "greater flexibility is [also] required in evaluating an application for a religious use than an application for another use and every effort to accommodate the religious use must be made." Rosenfeld v. Z.B.A. of Ramapo, 6 A.D.3d 450, 774 N.Y.S.2d 359 (2d Dept. 2004), quoting Genesis Assembly of God v. Davies, 208 A.D.2d 627, 628, 617 N.Y.S.2d 202 (2d Dept. 1994). "It is incumbent upon a local [government] to suggest measures to accommodate the proposed religious use while mitigating the adverse effects on the surrounding community to the greatest extent possible." Genesis Assembly, 617 N.Y.S.2d at 203.

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18) No renovations or changes to the existing Dormitory Buildings are proposed and/or necessary as a result of the Proposed Amendment.

19) Over the past five (5) years, since the occupancy level rose to that permitted by State law (i.e. the Dormitory Authority of the State of New York ("DASNY")), the College has averaged approximately 95% occupancy in the Dormitory Buildings.

20) Upon information and belief, the previously allowed 696 occupancy level is 70% of the total allowable occupancy pursuant to DASNY regulations.

21) Furthermore, limiting occupancy allowed in the Dormitory Buildings will cause significant negative and otherwise avoidable financial stress on the College.

22) Reducing the occupancy from the current allowable occupancy (maximum allowable pursuant to state law), to the previously allowed 696 students, will impact the College's net revenue negatively by over \$2 million per year. This would have a detrimental financial impact on the College potentially creating an operating deficit and reduction of scholarships the College is able to offer its students.

23) As the City Council should be aware, Iona has an overall economic impact to the community of over \$258 million dollars. Iona College is also the second largest employer in the City.

24) Students who reside in College-operated residence halls are required to participate in the College's meal plan. However, reducing occupancy would force the College to reexamine the meal plan program in general and possibly force the College to no longer allow meal plans to be used at North Avenue vendors.

25) Minimizing occupancy, and thus the number of on-campus students paying room and board, below the maximum allowable, may result in employment reductions

Addl Supp. 16.

and instability to the North Avenue business corridor, which the College played a major role in stimulating. The College certainly wants to remain a major contributor to the vibrancy of the City.

26) Clearly, any financial stress to the College will undoubtedly have a negative impact on the greater New Rochelle community.

27) Accordingly, the Petitioner respectfully submits that Ordinance 81 be amended to temporarily allow the "maximum number of students as permitted by applicable local and state regulations" to reside in the dormitory buildings located on Lot 158 in Block 1556.

CONCLUSION

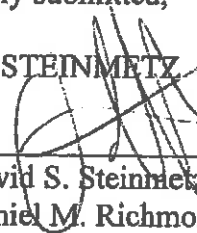
WHEREFORE, Petitioner respectfully requests that the City Council amend Ordinance 81 to extend occupancy in the dormitory buildings located on Lot 158 in Block 1556, to allow a "maximum number of students as permitted by applicable local and state regulations" for an additional two (2) years, until September 30, 2020.

Dated: January 10, 2018
White Plains, New York

Respectfully submitted,

ZARIN & STEINMETZ

By:



David S. Steinmetz
Daniel M. Richmond
Kate Roberts

Added Suppl. 16.

EXHIBIT "A"

Added/Suppl. 16.

City of New Rochelle, N.Y.

Introduced On:

Introduced By:

Held:

Adopted:

No. 115

~~Council Members Louis J. Frangucci,
Albert A. Tarantino, Jr., Jared R. Rice,
(and) Ivar Hyden, Barry R. Ferfel,
Seconded: Shari B. Rackman and Mayor Noam Bramson~~

Dist	Member	Yea	Nays	Abstain	Absent
1 st	Frangucci	✓			
2 nd	Tarantino	✓			
3 rd	Rice	✓			
4 th	Hyden	✓			
5 th	Ferfel	✓			
6 th	Rackman	✓			
Mayor	Bramson	✓			

Approved As To Form: [Signature]

Rev. 5-2
2.1.1.

SUBJECT }
OR }
TITLE }

ORDINANCE AMENDING ^{Corporation Council} ORDINANCE #81 OF 2002,
AS AMENDED IN 2012, BY REVISING THE SITE-
SPECIFIC CONTROLS PREVIOUSLY ADOPTED BY
CITY COUNCIL WHICH ~~WILL NOW GOVERN ALL~~
DEVELOPMENT ON BLOCK 1556, LOT 158.

BE IT ORDAINED by the City Council of the City of New Rochelle:

Section 1. The Zoning Map, forming part of the 1955 New Rochelle Zoning Ordinance of the City of New Rochelle, and amended in 2001, is hereby further amended so that the property described on the Official Tax Assessment Map of the City of New Rochelle as Lot 158 in Block 1556, bounded by North Avenue, Mayflower Avenue and Summit Avenue, is hereby changed "NB-NEIGHBORHOOD BUSINESS" TO CR-1 COLLEGE AND COLLEGE RELATED USES"

Section 2. The following site specific restrictions and conditions um hereby imposed upon Lot 158 in Block 1556 in furtherance of specifically implementing particular site controls within a CR-1, College and College Related Uses zoning classification.

- a. Uses allowed by Right: Lot 158 in Block 1556 shall he used for dormitory buildings, housing a maximum number of [696] students as permitted by all applicable local and state regulations, [without] not including resident advisors, and classrooms, auditoriums, faculty offices laboratories and lecture halls, off-street parking and recreation.
- b. Maximum Floor Area Ratio: 1.45
- c. Maximum Height of Building: 100 Feet (Roof shall not exceed 100 Feet above average curb grade at North Avenue)
- d. Maximum Length of Building: 300 Feet
- e. Maximum Coverage Qf Lot: 29.10%

f: Lot Dimensions: Lot dimensions of Lot 158 on Block 1556

Added / Suppl. No.

shall remain as currently configured.

- g. Minimum Side Yard: 5 Feet, except when abutting a C-1 Zone, in which case, 0 Feet
- h. Minimum Rear Yard: Not applicable
- i. Minimum Front Yard: 0 Feet
- J. Minimum off-street parking: 150 spaces, at grade on campus
- k. Open Space /Buffers: Exhibit B, (West Campus Plan) shall control in terms of building location, rear buffer zone, bulk and dimensions, parking lot locations, dimensions and access.

Exhibit B shall serve as basis for site plan application

l. Iona College shall work with the City of New Rochelle to adjust the signal timing at the intersection of North Avenue at Fifth Avenue/Coligni Avenue, so as to provide one second of additional green time to the eastbound/westbound phase, as described in the DEIS. All expenses involved in implementing this mitigation measure shall be borne by Iona College.

m. Iona College shall submit a site plan application to the City of New Rochelle Planning Board to expand the Beechmont Avenue parking lot by 115 parking spaces (resulting in a net increase of 87 spaces in the on-campus parking capacity, when accounting for the loss of 28 existing spaces at the new dormitory site). The Beechmont Avenue parking Lot expansion, if approved by the City Planning Board, shall be placed into operation prior to the opening of the new dormitories. This parking lot shall be restricted to use by Iona College faculty and staff, as enforced by means of suitable controlled access measures.

n. Iona College shall implement and enforce a policy whereby freshman and sophomore students living on-campus are prohibited from bringing motor vehicles to the campus. This policy shall remain in effect indefinitely into the future. The penalties for violation of this policy shall be sufficiently severe so as to effectively deter infractions, and shall include, but shall not be limited to the following:

i. Disciplinary Reprimand. Verbal or written warning that additional violations may result in more severe disciplinary action.

ii. Disciplinary Probation. Assigned through a specific period; future violations while on probation may result in dismissal from Residential Life. This is a period of time where the individual must prove they can live in a community without

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violating policy, Any violation of policy that occurs while one is on probation, is a violation of the sanction,

iii. Suspension of Privileges, Specific privileges (i.e. guest privileges) are revoked for an assigned period of time, usually ranging from two weeks to the entire semester of academic year.

iv. Fine. Fines up to \$500 may be imposed for various infractions, and must be paid by a specified date,

v. Suspension from the Residence Halls, Requires that the resident temporarily remove himself from all residence halls within 24 hours for an assigned period; alternate housing must be secured without the assistance from any College office. No portion of a resident's room and board fees or security deposit is refundable, if suspended from Residential Life,

vi. Permanent separation of the student from Iona College.

o. Iona College shall undertake suitable measures to encourage alternative travel, other than by private vehicle, including, but not limited to, the provision of bicycle storage racks at the new dormitories and measures to encourage the use of mass transit

p. The exterior building materials used in the new dormitories shall be compatible with the existing Loftus and Science buildings immediately to the rear of the project site,

q. The cantilevered bays on the new dormitories shall be painted in a suitable subdued color, consistent with the masonry on these buildings and the exteriors of nearby buildings on the campus,

r. A continuous barrier to pedestrian passage, in the form of a chain suspended from a series of bollards or other suitable means, shall be placed along the street frontage of the subject property on North Avenue so as to direct pedestrian traffic to intersection crossings and discourage jaywalking.

s. The project site shall be attractively landscaped to enhance aesthetic appeal. Particular attention shall be paid to installing and maintaining appropriate landscaping along the North Avenue frontage, on the south side of the south dormitory building, and in the central plaza area.

t. A continuous row of suitable street trees shall be placed along the sidewalk on North Avenue in front of the subject property, so as to enhance the aesthetic quality of this street frontage at the new dormitory buildings. The replacement of existing street trees shall be funded by Iona College, at an agreed-to amount, to be determined and acceptable to the Commissioner of Development, prior to the issuance of a building permit for construction.

u. Iona College shall make a significant financial contribution to the proposed North Avenue streetscape program, where North Avenue fronts Iona's two campuses.

Added/Suppl. 16.

This contribution shall be at an agreed-upon amount, to be determined and acceptable to the Commissioner of Development, above and beyond the required mitigation specified above with respect to the street trees and pedestrian barrier in front of the new dormitories.

v. Iona College shall submit an application to the City of New Rochelle Planning Board to amend the previously approved College entry way site plan, so as to incorporate the adjacent "as-built" courtyard plan, and to agree to a condition of not allowing any building expansion or new buildings to be constructed within that courtyard for a minimum of 10 years.

w. In order to ensure the safety of pedestrians traveling between the new dormitories and the main campus of Iona College on the opposite side of North Avenue, Iona College shall, at its own expense, provide a pedestrian crossing guard at the intersection of North Avenue at Summit Avenue and the main entrance to Iona College during the hours of 9:00 a.m. to 2:00 p.m. when classes are in session. This measure shall be employed by Iona College in perpetuity, unless rescinded or amended in writing by the City of New Rochelle.

x. Suitable measures shall be implemented during construction to minimize impacts to the surrounding community and ensure public health and safety. The required measures shall include, but not necessarily be limited to, measures to ensure pedestrian safety, on-site storage and staging of trucks and heavy equipment, and limiting construction to normal work day hours and avoiding construction on weekends.

y. Appropriate measures shall be implemented during construction to ensure that disturbed soils are not eroded and transported onto adjacent roadways or neighboring properties. The effectiveness of erosion and sediment control measures shall be continuously monitored, especially after significant rainfall events, and ensured through timely maintenance as necessary.

z. The College shall maintain funding of an off duty police officer in perpetuity to patrol the area in and around the new dormitory buildings, covering Thursday, Friday and Saturday evenings from 12 Midnight to 4:00 a.m., unless the funding of such services proves to be cost prohibitive in the future. In that case, the College will explore with the City Police Department alternative measures to ensure the safety of Iona's staff and students and such alternatives will be presented to the Council for acceptance, which acceptance shall not be unreasonably withheld. Iona College shall continuously evaluate the effectiveness of its security program, including the area in and around the new dormitory buildings, and shall enhance security as needed in order to ensure the safety of its own staff and students and to minimize the impacts to the surrounding communities caused by the activities of the College and its staff and students.

aa. Iona College has represented to the City and the public that the proposed dormitory expansion project will not result in an increase in the college's student population, but rather is intended to attract higher quality students by augmenting

Added / Suppl. 16

opportunities for on-campus living. Given that the environmental impact analyses in the DEIS and FEIS were based on the current student population, the Findings of these analyses would be void if occupation of the new dormitory buildings caused a significant increase in the student population. Therefore, Iona College shall not allow its undergraduate student population to increase more than five (5) percent from its present level without submitting to supplemental environmental review under SEQRA. For the purposes of this Statement of Findings, the current student population is defined as being approximately 2,796[672] undergraduate students, which is specified by the DEIS (page 42) as the total number of new freshmen, sophomores, juniors and seniors enrolled at Iona College at the beginning of the fall 2000 semester.

Section 3. Section 2.a, as amended herein, shall expire on the 30th day of September, 2020—on the five year anniversary of the adoption of the expiration of Ordinance 163 of 2011. Upon such expiration, the original Section 2.a and all other provisions shall remain as adopted in 2002, with the exception of the amendment to Section 2.aa, which is a correction to a typographical error.

Section 4. — This Ordinance shall take effect upon the approval of a final report by at least eight members of the College City Community Planning Committee established in 2011 to examine student housing and College development issues, provided such final report includes a recommendation for the extension described in Section 3.

Authenticated and certified)
this 17th day of July, 2012)

NOAM BRAMSON, MAYOR
BENNIE F. GILES, III, CITY CLERK

Added / Suppl. 16.

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.


Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Iona College Dormitory Hall Occupancy Extension							
Project Location (describe, and attach a location map): Block 1556, Lot 158, which is located on North Avenue between Summit Avenue and Mayflower Avenue							
Brief Description of Proposed Action: Iona College is petitioning to amend Ordinance 81, Section 3 to temporarily extend the occupancy level for the Dormitory Buildings to the "maximum number of students as permitted by applicable local and state regulations" to September 30, 2020 (i.e. two (2) years from the current expiration date of September 2018).							
Name of Applicant or Sponsor: Iona College		Telephone: (914) 633-2468					
		E-Mail: kmcalroy@iona.edu					
Address: 715 North Avenue							
City/PO: New Rochelle		State: NY	Zip Code: 10801				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%;"><tr><td style="width: 50%; text-align: center;">NO</td><td style="width: 50%; text-align: center;">YES</td></tr><tr><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input checked="" type="checkbox"/></td></tr></table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%;"><tr><td style="width: 50%; text-align: center;">NO</td><td style="width: 50%; text-align: center;">YES</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres							
b. Total acreage to be physically disturbed? _____ n/a acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Institutional/Public Assembly</u> <input type="checkbox"/> Parkland							

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5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	

Added / Suppl. 16.

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>David Steinmetz, Esq. on behalf of Iona College</u> Date: <u>1/10/17</u>		
Signature: 		

City of New Rochelle, N.Y.

Introduced On: 1/16/18

Introduced By:

Held:

Adopted: 16

No.

Council Members Louis J. Trangucci,
 Moved: Albert A. Tarantino, Jr., Jared R.
 (and) Rice, Ivar Hyden, Barry R. Fertel,
 Seconded: Elizabeth M. Fried, and Mayor Noam Bramson

Dist	Member	Yeas	Nays	Abstain	Absent
1st	Trangucci	✓			
2nd	Tarantino	✓			
3rd	Rice	✓			
4th	Hyden	✓			
5th	Fertel	✓			
6th	Fried	✓			
Mayor	Bramson	✓			

Approved As To Form: 

Added/Suppl.
16.1.

SUBJECT }
OR }
TITLE }

RESOLUTION SCHEDULING A PUBLIC HEARING ON THE PETITION FROM IONA COLLEGE RELATIVE TO A PROPOSED AMENDMENT TO ORDINANCE NO. 81 OF 2002 (NUMBER OF STUDENTS PERMITTED TO RESIDE IN DORMITORY BUILDINGS ASSOCIATED WITH THE COLLEGE) ("PROPOSED ACTION").

BE IT RESOLVED by the City Council of the City of New Rochelle:

This Council shall hold a public hearing on February 6, 2018 at 7:00 P.M. in the Council Chambers, 515 North Avenue, New Rochelle, New York, on the proposed action:

RESOLUTION REQUESTING THE PLANNING BOARD TO REVIEW AND REPORT ON THE PETITION FROM IONA COLLEGE RELATIVE TO A PROPOSED AMENDMENT TO ORDINANCE NO. 81 OF 2002 (NUMBER OF STUDENTS PERMITTED TO RESIDE IN DORMITORY BUILDINGS ASSOCIATED WITH THE COLLEGE).

and, be it further

RESOLVED that the proposed amendment and project are hereby referred to the New Rochelle Planning Board and Westchester County Planning Department for its review and recommendation; and, be it further

RESOLVED that the City Clerk give due notice of said public hearing in accordance with the provisions of Section 331-146 of the New Rochelle Zoning Code, Section 239-M of the General Municipal Law of the State of New York, and Section 277.61 and 277.71 of the County Administrative Code.



Authenticated and certified)
 this 16th day of Jan., 2018)

NOAM BRAMSON, Mayor
 BENNIE F. GILES, III, City Clerk

Authenticated and certified this

16th day of January, 20 18 ^{05/5}

1/12/18


 Mayor

 City Clerk