

FREDERICK P. CLARK ASSOCIATES, INC.

Planning/Development/Environment/Transportation
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MEMORANDUM

To: Christopher Bradbury, Village Administrator

Date: October 8, 2010

Subject: **Open Space Zone Study**

The Village requested that we perform a review and analysis of open space and recreation facilities in Rye Brook to provide certain elements of a study to consider the creation of open space zoning district. The work was performed in conjunction with Keane & Beane, P.C., who provided background legal analysis regarding the creation of such a zone in a separate memorandum dated October 21, 2009.

Introduction

Our work generally involved the completion of two tasks in support of the legal analysis performed by Keane & Beane: 1) identification, inventory and mapping of all Village-owned open space, parks and recreation facilities; and 2) identification, inventory and mapping of non-Village-owned open space, recreation facilities or other properties the Trustees may want to further regulate, preserve or protect as recreational open space or for environmental reasons.

From data provided by the Village Parks and Recreation Department and aerial photographs, we catalogued, in report format, a facility inventory for all open-space properties currently utilized for Village recreational programs or for unstructured active or passive recreation. These properties were catalogued and reviewed along with information gathered from the Town of Rye Tax Assessor's records regarding open space owned by the Village or other entities, which the Trustees may want to consider preserving or protecting by inclusion in an open space zone or by other means. Using GIS-based mapping, we created inventory layers visually cataloging the locations, information and general environmental attributes of all properties, which were used to create two inventory and analysis maps. A third map illustrates the natural drainage basins within the Village.

Map 1, "Proposed Open Space Zone Properties," which illustrates the documents "Survey of Parks and Currently Utilized Recreation Facilities" and "Survey of Open

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Space and Other Recreation Facilities” appended to this report is a visual inventory of all properties included in this study. The map presents the current zoning, ownership, and acreage of each property.

Map 2, “Environmental Conditions,” presents general environmental conditions on each property related to wetlands, flood plains and steep slopes. Map 2 illustrates “Item B. Environmental Conditions” of the document “Current Zoning and Environmental Conditions of Properties,” appended.

Map 3, “Drainage Basins,” locates and identifies the four drainage basins within the Village that contribute to the larger Long Island Sound drainage basin.

Preliminary research into environmental, planning, and/or engineering studies regarding the properties, the Blind Brook, or the Rye Brook portion of the Long Island Sound drainage basin, was conducted to determine if any of the properties included in the study were ever analyzed or included in specific recommendations that evaluated preservation and protection. The following reports were reviewed:

1. Rye Brook Recreation Study, Frederick P. Clark Associates, 1987
2. Memorandum to the Village of Rye Brook Planning Board entitled “Recreation Zone Concept – Board of Trustees’ Request for Planning Board Review and Report, Frederick P. Clark Associates, September 4, 1998
3. The Village of Rye Brook Vision Plan, 2000
4. Report of the Open Space and Land Use Committee, Rye Brook, 2001
5. Stormwater Analysis, East Branch Blind Brook, Dolph Rotfeld Engineering, P.C., 2002
6. Rye Brook MS-4 Annual Report, 2005
7. Summary Report of Existing Information for the Blind Brook Watershed Management Plan – Final Report, U.S. Army Corps of Engineers, April, 2007
8. Project Report, Flood Mitigation Study, Bowman Avenue Dam Site and Lower Pond, prepared for the City of Rye and The Village of Rye Brook by Chas. H. Sells, Inc., 2007
9. Section 905B Reconnaissance Study Westchester County Streams, Westchester County, N.Y. and Fairfield County, C.T., U.S. Army Corps of Engineers, New York District, 2008

Report and Recommendations

The preservation of open space in its natural condition maintains the character and the quality of life in the Village. Preservation of existing open space (typically in its natural condition and present state of use) has generally been found to enhance the present and potential value of abutting and surrounding properties and to enhance the conservation of natural and scenic resources, the preservation of the ecology and character of the community, and quality of the environment. Most of the properties included in the study are underdeveloped under the current regulations of the districts in which they are located. All of the properties are located within the Blind Brook portion of the Long Island Sound regional drainage basin and 12 are located in the Scenic Roads Overlay District (SROD). (See Maps 1 and 3.)

The location of these properties within the higher elevations of four significant drainage basins contributing to waters entering Long Island Sound make the properties, collectively, ecologically important to the preservation of the water quality of the Sound, which affects local wildlife, and the recreational opportunities of residents of the region.

Twenty-four Village and non-Village-owned properties were identified and studied. The parcels, encompassing a total of approximately 406 acres, include open space on undeveloped and developed land, and recreational and other uses that contribute to the visual, environmental, recreational and open space resources of the Village.

The Village owns 12 of the 24 properties. The other 12 properties are privately owned, or are owned by public agencies or municipalities. (See “Current Zoning and Environmental Conditions of Properties.”)

Village-Owned Properties

Rye Brook currently owns, maintains and operates 12 open space and recreational properties, a total of approximately 69 acres. Three properties are located in the SROD contributing to the open space and scenic quality of the roads on which they are located.

Most of the properties, by virtue of the fact that they are mostly vegetated open space, help reduce stormwater runoff and improve the quality of the water ultimately flowing into Long Island Sound. Five properties, Bellefair Parkland, Rye Brook Athletic Fields, Meadowlark Park, Rich Manor Park, and Roanoke Park, include constructed or natural stormwater management areas that contribute to the Village stormwater handling

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capabilities. Five properties contain environmentally sensitive wetlands, flood plains and/or steep slopes.

Village-owned parks and recreational facilities host a variety of athletic and other recreational programs for Village residents. These venues are augmented by utilization of several non-Village-owned properties that expand the number of venues available for programs. (See “Survey of Parks and Currently Utilized Recreation Facilities” and “Survey of Other Recreation Facilities and Open Space.”)

Although commercial or residential zoning district regulations would allow more intense development of the Village-owned properties, local ownership and current use afford these properties a measure of protection against further development and impacts to the environmentally sensitive areas they contain.

Non-Village-Owned Properties

Twelve properties included in the study, a total of approximately 337 acres, are privately owned, or owned by public agencies, or other municipalities, specifically the Town of Rye and the City of Rye. These properties include undeveloped land, developed parks, underdeveloped privately owned recreational facilities and underdeveloped properties utilized for municipal or public agency purposes. Nine properties are within the SROD, contributing to the open space and visual quality of scenic roads in the Village.

Eleven properties contain wetlands, floodplains, or steep slopes, and five properties currently provide recreational facilities and open space that are utilized as venues for Rye Brook athletic and recreational programs. (See “Current Zoning and Environmental Conditions of Properties” and “Survey of Parks and Currently Utilized Recreation Facilities.”) As with the Village-owned properties described above, most of the properties, by virtue of the fact that they are mostly vegetated open space, help reduce stormwater runoff, contributing to the stormwater handling capabilities of the Village and the quality of water flowing into Long Island Sound.

All of the properties are within residential or commercial zoning districts that would allow significant development if current uses were to cease operation. Additional development of certain properties would impact the visual and environmental resources of the Village and potentially the region, and would reduce the number of recreational facilities available to residents.

Preliminary Review of Existing Planning and Technical Studies

As noted earlier in this report, nine existing reports relating to recreation planning and environmental and stormwater issues in the Village were briefly reviewed to determine if one or more of them provides enough detailed planning and/or technical analysis to support limiting or precluding development of any of the properties, in particular those that are privately owned.

The nine studies reviewed were completed between 1987 and 2008. The reports look into various issues including recreation facility planning, formation of a recreation zone, vision planning, open space and land use, stormwater management and flood mitigation. All the issues taken up by the earlier studies are related to potential preservation and protection of the properties included in this study; however, the earlier technical studies appear to be too general in their analysis and recommendations, in our opinion based on our brief review and the Keane and Beane findings of October 21, 2009, to support inclusion of specific properties in an open space zone.

The earlier planning studies, although also general in nature, do in some measure, support the need for the public and privately owned recreational facilities in the Village; however, the studies are out of date and do not analyze the impacts of the loss of existing facilities, or the environmental cost of the loss of open space, which would give support to the preservation of properties, particularly those that are privately owned.

Comments and Recommendations

Based on the information gathered and analysis presented in this report we make the following comments and recommendations:

1. Village-owned recreational and open space properties that contain sensitive environmental areas and recreational resources are already afforded a measure of protection against development by virtue of municipal ownership, regardless of whether or not they are included in an open space zone or are protected by other measures. However, adding these properties into an open space zone could be an easily accomplished “first step” after creation of such a zone.
2. There are certain vacant or underdeveloped environmentally sensitive properties owned by public agencies or municipalities that may be additionally protected by inclusion in an open space zone through negotiation with these agencies or municipalities without additional planning analysis or technical study, if such a

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zone were to be created. Addition of these properties into an open space zone could constitute a “second step” after creation of such a zone.

3. There are vacant and underdeveloped non-Village-owned properties in Rye Brook that contain sensitive environmental areas including wetlands, streams, ponds, flood plains of the Blind Brook and the East Branch of the Blind Brook, headwaters of significant drainage basins, and steep slopes that, if developed under current zoning may result in loss of visual, recreational, and environmental resources, potentially impacting the capability of the Village stormwater management system to handle runoff, ultimately affecting the ecology of Long Island Sound and the character of the Village. However, the nature and the extent of the potential losses or impacts that may be caused by such development or the extent to which individual properties contribute to the resources of the Village and the water quality of the region is not specifically documented. Therefore, we recommend further review of existing planning and engineering documents related to these matters to verify our preliminary findings and determine what additional technical or planning study would be required to support preservation and protection efforts that may include zoning changes to limit or preclude development of particular properties.

Marilyn Timpone-Mohamed, ASLA, AICP
Senior Associate/Planning/Environmental

Attachments

cc: Mayor Feinstein and the Board of Trustees
Nicholas Ward-Willis, Esq., Village Counsel

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PROPOSED OPEN SPACE ZONE PROPERTIES

- Existing Parks, Parkland, Recreation Centers or Open Space Owned by Rye Brook
- Existing Open Space and Recreation Facilities not Owned by Rye Brook

EXISTING ZONING DISTRICTS

RESIDENTIAL DISTRICTS

- R-25 One-Family Residential
25,000 Sq. Ft. minimum
- R-20 One-Family Residential
20,000 Sq. Ft. minimum
- R-15/
R-15A One-Family Residential
15,000 Sq. Ft. minimum
- R-12 One-Family Residential
12,500 Sq. Ft. minimum
- R-10 One-Family Residential
10,000 Sq. Ft. minimum
- R-7 One-Family Residential
7,500 Sq. Ft. minimum
- R-5 One-Family Residential
5,000 Sq. Ft. minimum
- R2-F Two-Family Residential
5,000 Sq. Ft. minimum
- RA-1 Restricted Multi-family
10 Acres minimum
- P.U.D. Planned Unit Development
30 Acre minimum

OFFICE DISTRICTS

- OB-1 Campus/Office Building
15 Acre minimum
- OB-2 Office Building
5 Acre minimum
- OB-3 Office Building
5 Acre minimum
- OB-S Office Building & Business District
3 Acre minimum

RETAIL BUSINESS DISTRICTS

- C1-P Planned Neighborhood Retail
1 Acre minimum
- C1 Neighborhood Retail
13,000 Sq. Ft. minimum
- H-1 Hotel
12 Acre minimum



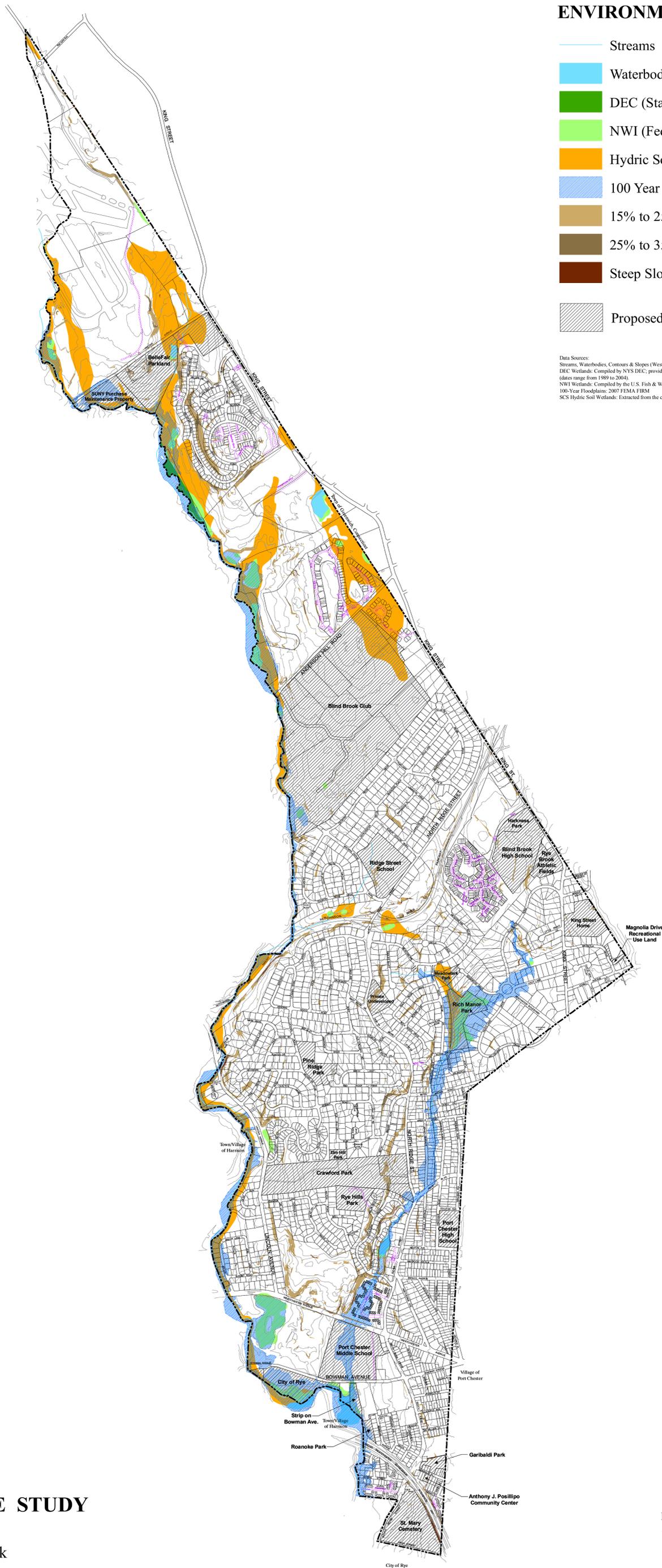
MAP 1
OPEN SPACE ZONE STUDY
Village of Rye Brook
Westchester County, New York
July 2010



ENVIRONMENTAL CONDITIONS

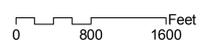
-  Streams
-  Waterbodies
-  DEC (State) Wetlands
-  NWI (Federal) Wetlands
-  Hydric Soils
-  100 Year Floodplain
-  15% to 25% Steep Slopes
-  25% to 35% Steep Slopes
-  Steep Slopes Greater Than 35%
-  Proposed Open Space Zone

Data Sources:
 Streams, Waterbodies, Contours & Slopes (Westchester County GIS)
 DEC Wetlands: Compiled by NYS DEC; provides a definitive inventory of state designated wetlands greater than 12.4 acres (dates range from 1989 to 2004).
 NWI Wetlands: Compiled by the U.S. Fish & Wildlife Service; information varies for each 7.5' quad (dates range from 1981 to 2003).
 100-Year Floodplains: 2007 FEMA FIRMS
 SCS Hydric Soil Wetlands: Extracted from the county-wide soils coverage (1992 Westchester County Soil Survey).



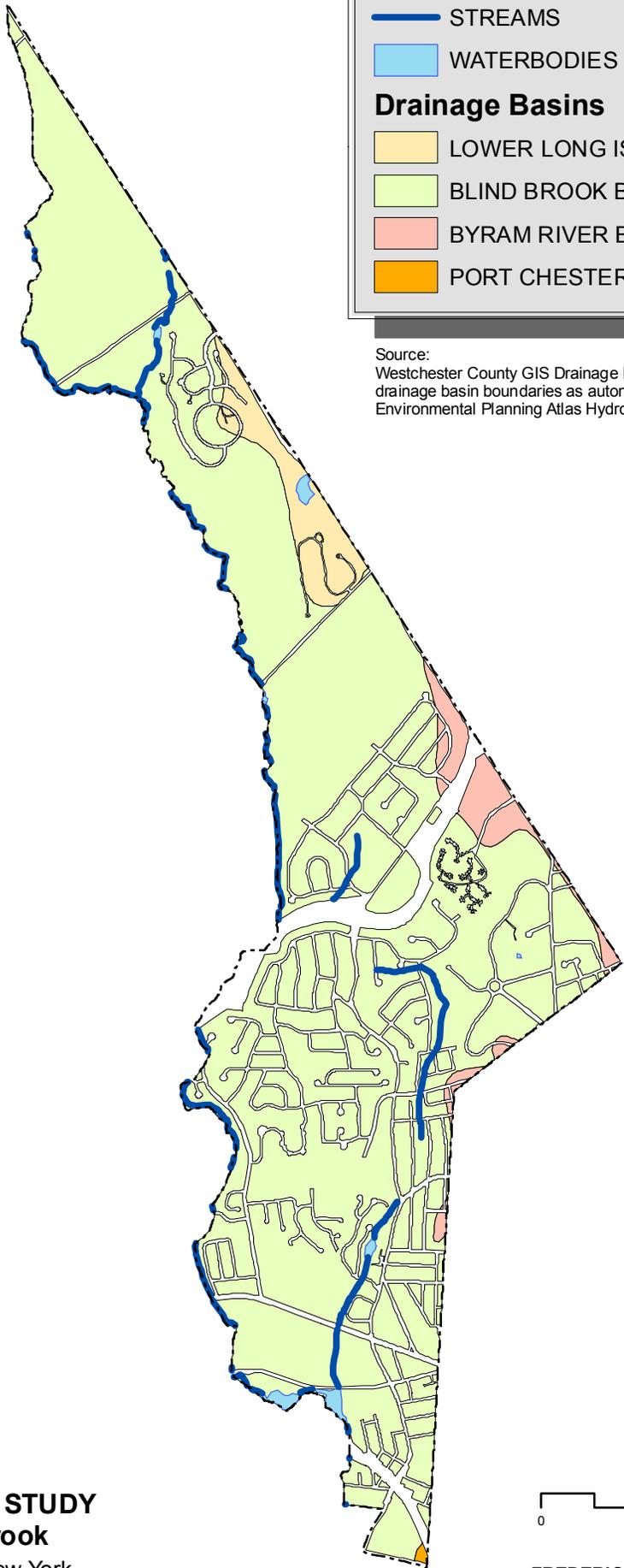
MAP 2
OPEN SPACE ZONE STUDY
Village of Rye Brook
 Westchester County, New York
 July 2010

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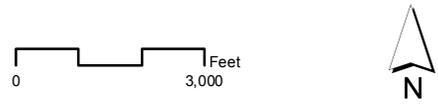


— STREAMS
 WATERBODIES
Drainage Basins
 LOWER LONG ISLAND SOUND BASIN
 BLIND BROOK BASIN
 BYRAM RIVER BASIN
 PORT CHESTER HARBOR BASIN

Source:
 Westchester County GIS Drainage Basins layer contains county-wide drainage basin boundaries as automated 1992 from Westchester County Environmental Planning Atlas Hydrologic Features Map.



MAP 3
OPEN SPACE ZONE STUDY
Village of Rye Brook
 Westchester County, New York
 July 2010



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Rye Brook Open Space Zone Study

Current Zoning and Environmental Conditions of Properties With Map Descriptions

January 2010, Last revised July 2010

A. Current Zoning

Based on the 2009 Official/Zoning Map Update, **Map 1, Proposed Open Space Zone Properties** includes the following properties that may be considered for inclusion in a new Open Space Zone sorted by ownership. The list under each ownership category notes the current zoning of each property:

Owner: Village of Rye Brook

1. Bellefair parkland – PUD, SROD
2. Harkness Park – PUD, SROD
3. Rye Brook Athletic Fields - R-20, R-15, PUD, SROD
4. Meadowlark Park - R-20, R-25
5. Rich Manor Park – R-10, R-25
6. Pine Ridge Park – R-12, R-15
7. Elm Hill Park – R-12
8. Magnolia Drive recreational use land – R-15
9. Rye Hills Park – R-12
10. Roanoke Park – R2-F
11. Garibaldi Park – R2-F
12. Posillipo Community Center – R2-F

Owner: Another Entity (private, public agency, or municipal as noted, with current use)

1. Crawford Park, Town of Rye, currently used as a park – R-12, SROD
2. Strip on Bowman Avenue, K&M Reality Group and Westchester County Airport, currently being developed as a Rye Brook park – C1, SROD
3. Blind Brook Club, privately-owned golf course – R-20, SROD
4. R-10 property on Bowman Avenue, City of Rye, currently undeveloped open space – R-10, SROD
5. SUNY Purchase Property west of the BelleFair park land, NYS Housing Finance Agency/SUNY Purchase, maintenance facility – OB-1
6. Blind Brook High School, Blind Brook-Rye Union Free School District - R-15, R-20, SROD

7. Ridge Street School, Blind Brook-Rye Union Free School District - R-15, SROD
8. Port Chester Middle School, Port Chester Union Free School District – OB-2, SROD
9. Port Chester High School, Port Chester Union Free School District - R-7
10. Residential Property on North Ridge Street, Ridgeland Group – R-15, SROD
11. St. Mary Cemetery, Church of Our Lady of Mercy – R2-F
12. King Street Home, King Street Home, Inc. – R-15, SROD

B. Environmental Conditions

Based on the 2009 Official/Zoning Map Update and the latest GIS wetlands, surface waters, flood plains and steep slopes data, **Map 2, Environmental Conditions** includes the parks, park land, recreation centers, open space and other facilities that were included in Map 1. The list under each category notes the property owner and a general environmental profile of each property:

Owner: Village of Rye Brook

1. Bellefair parkland - wetlands, flood plain, steep slopes
2. Harkness Park – no environmentally sensitive areas
3. Rye Brook Athletic Fields - no environmentally sensitive areas
4. Meadowlark Park – wetlands, flood plain, steep slopes
5. Rich Manor Park - wetlands, flood plain, steep slopes
6. Pine Ridge Park - no environmentally sensitive areas
7. Elm Hill Park - no environmentally sensitive areas
8. Magnolia Drive recreational use land - no environmentally sensitive areas
9. Rye Hills Park - no environmentally sensitive areas
10. Roanoke Park – flood plain
11. Garibaldi Park – steep slopes
12. Posillipo Community Center - no environmentally sensitive areas

Owner: Another Entity (private, public agency, or municipal as noted, with current use)

13. Crawford Park, owned by the Town of Rye – flood plain, steep slopes
14. Strip on Bowman Avenue, under development as a park, currently owned by K&M Reality Group and Westchester County Airport – wetlands, pond, flood plain, steep slopes
15. Blind Brook Club, privately-owned golf course – wetlands, flood plain, steep slopes

16. R-10 property on Bowman Avenue, City of Rye, currently undeveloped open space – wetlands, flood plain
17. SUNY Purchase Property west of the BelleFair park land, NYS Housing Finance Agency/SUNY Purchase, maintenance facility – wetlands, flood plain
18. Blind Brook High School, Blind Brook-Rye Union Free School District – steep slopes
19. Ridge Street School, Blind Brook-Rye Union Free School District – wetlands, steep slopes
20. Port Chester Middle School, Port Chester Union Free School District – wetlands and flood plain
21. Port Chester High School, Port Chester Union Free School District - no environmentally sensitive areas
22. Residential Property on North Ridge Street, Ridgeland Group – steep slopes
23. St Mary Cemetery, Church of Our Lady of Mercy – steep slopes
24. King Street Home, King Street Home, Inc. – steep slopes

Rye Brook Open Space Zone Study

**Survey of Parks, and Currently Utilized
Recreation Facilities**

Data from Rye Brook Parks and Recreation Department
and Town of Rye Tax Maps

January 2010, Last revised July, 2010

All parks, open space and facilities owned by the Village of Rye Brook, unless otherwise noted.

Garibaldi Park

2.20 acres

Existing Facilities

2 basketball courts
1 baseball field
1 playground
1 tennis court
2 water fountains
2 bathrooms
1 storage shed
irrigation system
blacktop path from
parking lot to
basketball court

Current Programs

Minor League Baseball
Minor League Softball

Needs

Posillipo Community Center

0.66 acres

Existing Facilities

Meeting Room
Crafts Room
TV Room
Pool Room
Full Basement

Current Programs

Teen Center
Senior Citizen Program
Country Line Dancing
Broadway Dance
Ballroom dance
Quilting
Piano Classes

Needs

Pine Ridge Park

7.29 acres

Existing Facilities	Current Programs	Needs
4 tennis courts 2.5 basketball courts 1 playground 2 baseball fields 1 storage shed 1 tennis wall 1 sand box 1 walking path 2 bathrooms 3 water fountains irrigation system	Major League Baseball Major League Softball BBHS Girls Softball Youth Tennis Inst. Rosensweig Tennis	parking

Harkness Park

3.92 acres

Existing Facilities	Current Programs	Needs
4 tennis courts drinking fountains	Women's Tennis Team	additional tennis court basketball court

Magnolia Drive Recreational Use Land

0.82 acres

Existing Facilities	Current Programs	Needs
2 lawn areas		

Rich Manor Park

10.42 acres

Existing Facilities	Current Programs	Needs
brook and wetlands open field path to Woodland Drive		

Roanoke Park

1.45 acres

Existing Facilities

Current Programs

Needs

open lawn

BelleFair Park Land

29.05 acres

Existing Facilities

Current Programs

Needs

wetlands
natural open field
Village composting

walking
trails
dog park
adult
softball field

Rye Brook Athletic Fields

5.75 acres

Existing Facilities

Current Programs

Needs

Soccer Field
Football Field
Softball Field
bathrooms
handicapped parking
walking path
storage garage
concession stand

HS Football
HS Soccer
HS Softball
Travel Soccer
Little League
Men's Softball
Camp
Adult Soccer

Rye Hills Park

7.00 acres

Existing Facilities

Current Programs

Needs

walking trail
basketball court
2 game tables
2 drinking fountains
story circle
belvedere

Camp
Party Rental

pool
portable
hockey rink
drainage
facilities

Elm Hill Park

1.45 acres

Existing Facilities

undeveloped
storage containers

Current Programs

Needs

camp pool
walking path
from Elm
Hill to
Crawford
Park

Meadowlark Park

2.15 acres

Existing Facilities

undeveloped, approved as
a stormwater management
facility with recreational
lawn areas

Current Programs

Needs

Crawford Park

Town of Rye, 36.67 acres

Existing Facilities

softball field
small soccer field
picnic pavilion
historic home and gardens
multi-purpose fields
parking area
caretaker's house

Current Programs

Men's Softball
T-Ball
Day Camp

Needs

Strip on Bowman Avenue

Private Owner, 2.12 acres; Westchester County Airport, 0.03 acre; Total 2.15 acres

Existing Facilities	Current Programs	Needs
Under construction, approved park		

Ridge Street School

Blind Brook-Rye Union Free School District, 14.99 acres

Existing Facilities	Current Programs	Needs
baseball field soccer field softball field playground basketball courts 2 gymnasiums multi-purpose room cafeteria classrooms	Men's Softball Instructional Soccer Youth Basketball Ice Skating meeting area Floor Hockey Co-Ed Volleyball Baseball/Softball Ratings Men's Flag Football Mid Day Kinderplay	

Blind Brook High School

Blind Brook-Rye Union Free School District, 21.09 acres

Existing Facilities	Current Programs	Needs
soccer field baseball field 2 gymnasiums auditorium	8th-9th Grade Basketball Indoor Soccer HS Basketball Clinics HS Baseball Clinics Youth Basketball Games Soccer Clinics Men's Basketball	

Port Chester Middle School

Port Chester Union Free School District, 23.99 acres

Existing Facilities	Current Programs	Needs
1 baseball field night time field lights 1 soccer field 1 play field 2 gymnasiums 2 cafeterias	Men's Softball	

Port Chester High School

Port Chester Union Free School District, 5.94 acres in Rye Brook

Existing Facilities	Current Programs	Needs
1 soccer/football field 1 baseball field 2 softball fields 1 running track 1 gymnasium 1 cafeteria		

**Summary of Needs as recommended by the
Parks and Recreation Advisory Committee**

- Teen Center/gymnasium
- Baseball/Softball Fields
- Community Pool
- Soccer Field

Rye Brook Open Space Zone Study

Survey of Open Space and Other Recreation Facilities

Data from Town of Rye Tax Maps

Frederick P. Clark Associates
January 2010, Last Revised July 2010

Blind Brook Club
Private Owner, 161.40 acres

Existing Facilities	Current Programs	Needs
golf course club house		

Undeveloped R-10 Property on Bowman Avenue
City of Rye, 11.05 acres

Existing Facilities	Current Programs	Needs
undeveloped open space		

SUNY Purchase Maintenance Property
New York State Housing Finance Agency/SUNY Purchase, 25.7 acres

Existing Facilities	Current Programs	Needs
maintenance facility and undeveloped open space		

Residential Property on North Ridge Street
Ridgeland Group, 4.02 acres

Existing Facilities	Current Programs	Needs
residence and undeveloped open space		

St. Mary Cemetery
Church of Our Lady of Mercy, 18.08 acres

Existing Facilities	Current Programs	Needs
cemetery		

King Street Home
King Street Home, Inc., 9.65 acres

Existing Facilities	Current Programs	Needs
nursing home and undeveloped open space		