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COUNSEL**

December 1, 2017

Honorable Mayor Michael J. Volpe
and Members of the Board of Trustees
Village of Pelham
195 Sparks Avenue
Pelham, NY 10803

Re: Site Plan Application
101 Wolfs Lane

Dear Mayor Volpe and Members of the Board of Trustees:

This firm represents MatriArch Development (the "Applicant"), the proposed developer of two tax parcels, identified as lots 163.44-1-2 ("Lot 1") and 163.43-1-3 ("Lot 2") on the Town of Pelham Tax Map, and identified together as 101 Wolfs Lane (collectively, the "Property"), in connection with its application for Site Plan approval. Lot 1, which is level with Wolfs Lane, is located in the Business-1 Zoning District, and Lot 2 is located in the M-1 Residential Zoning District. Both are vacant.

In addition to Site Plan approval, the Applicant is requesting that the Board of Trustees apply the Business District Floating Zone to the Property, to allow for fuller development of the site. Finally, the Applicant requests that the Board grant the necessary easements for access to the proposed garage over the Village's existing parking lot in the rear of the Property; and accept a pedestrian access easement from Wolfs Lane to the existing Village parking lot through the Property. In addition to this critical pedestrian link, the Applicant has also offered the Village up to 3,000 square feet of ground floor space in the new proposed building for the relocation of Village Hall.

Directly north and south of the Property, along Wolfs Lane are several mixed use buildings with residential units above retailers, restaurants, and other commercial uses. To the west of the Property is a large parking area, some Village-owned facilities, and a private manufacturer (Pico Electronics). The Applicant is requesting the Village grant an easement for access rights to a portion of the parking area for its use. The Applicant will improve the parking area with landscaping. To the east, across Wolfs Lane is landscaped park land that serves as a buffer between the commercial area and single-family homes. The Pelham Metro North Station is also just around the corner on 1st Street, and is only a one-minute walk from the Property.

The Applicant is proposing to construct a new, attractive, pedestrian-friendly mixed use Transit Oriented Development (“TOD”) building with residential units and related amenities, including a pool, fitness center, courtyard, roof garden, laundry room, bicycle storage, concierge desk, package room, additional storage, court yard, and terraces for the residents of the building, together with commercial uses and other site improvements. The proposed development will consist of a total of five stories on Lot 1. The first two stories will extend fully to the front property line, while the third, fourth, and fifth stories will be stepped back so as to reduce visual impacts and massing. The portion of the building on Lot 2 will be five-stories and will include two levels of below grade parking and storage below. The development will include 58 residential units split between Lots 1 and 2, and approximately 4,370 square feet of commercial space and 3,000 square feet of office space, which may be provided to the Village for Village Hall use on Lot 1.

The existing parking area adjacent to the Property will be modified and restriped to increase the number of parking spaces, and will receive updated landscaping. Pursuant to Section 98-106.3 of the Village Code, the Applicant is requesting a parking waiver for 12 spaces from the Board of Trustees for the non-residential uses. However, it is anticipated that the 71 proposed spaces will provide adequate parking for the proposed uses, as there is significant on-street and public parking available, and the contemplated TOD building is intended to attract young professional commuters and empty nesters. It is expected that these households will be less reliant on personal vehicles.

Included herewith as an exhibit to our EAF is a Traffic Impact Study, prepared by Provident Design Engineering, PLLC, dated November 17, 2017. The study found that, “The minimal traffic associated with the proposed Project will not have an adverse impact upon the adjacent roadway network. Further, safe and efficient traffic operating conditions will be provided for through traffic as well as traffic destined to and from the site.” An analysis of potential impacts on public schools, prepared by BFJ Planning, dated November 17, 2017, has also been included in the EAF. This analysis shows that any school children added by the new development will be minimal (only two to four), and they will be vastly outweighed by the taxes generated by the project.

This proposal represents a significant improvement to the Property. The Applicants are seeking to install a new, attractive development that will revitalize the area around the MTA station, provide a crucial pedestrian link, and make use of a site that is underutilized. Moreover, the proposed improvements will serve the goals of the recently-created Business District Floating Zone, which sets out to “encourage property owners to develop mixed-use commercial, office, retail and housing projects within the Village’s downtown core”. Pelham Zoning Ordinance § 98-106.3.

In support of this application, we are pleased to submit ten (10) copies of the following materials:

1. Completed and signed Site Plan Application and Declaration of Intent to Develop
2. Affidavit of Owner’s Authorization
3. Full Environmental Assessment Form, prepared by BFJ Planning, dated November 30, 2017, which is supplemented with the following materials:
 - a. Introduction, Project Location, Description of the Proposed Action, Project Compatibility, and Analysis of Impacts on Land Use and Zoning
 - b. Public School Children and Fiscal Impact Analysis memorandum, prepared by BFJ Planning, dated November 30, 2017
 - c. Traffic Impact Study, prepared by Provident Design Engineering, PLLC, dated November 17, 2017
 - d. DEC Correspondence
4. List of all owners of properties within 200 feet of the Property
5. Site Plan drawings and floor plans, prepared by Peter Gisolfi Associates, last updated December 1, 2017

Kindly place this matter on the December 12, 2017 Board of Trustees agenda, for consideration of the application, referral out to other agencies, and for the Board to declare its intent to serve as the Lead Agency under SEQRA. If you have any questions or require additional information, please do not hesitate to contact my office. Thank you for your consideration.

Very truly yours,



Seth M. Mandelbaum

SMM:sw

Enc.

- cc: MatriArch Development
BFJ Planning
Provident Design Engineering, PLLC
Langan Engineering
Nanette Bourne
Robert Spolzino, Esq.

Michael J. Volpe
Mayor



Robert A. Yamuder
Administrator

Site Plan Application And Declaration Of Intent To Develop

Note: A Pre-submission Conference will be required with the Planning and Architectural Review Boards in compliance with Section 79 of the Code of the Village of Pelham.

Pelham Building Department, Building Inspector, Leonard M. Russo

Contact Information: Phone (914) 738-2015 Fax (914) 738-7381 E-Mail: Pelhamvillage@aol.com

IDENTIFICATION OF PROPERTY(IES):

A. Street Address(es) of Property (ies) 101 Wolfs Lane

B. Identifying Title: _____

C. Tax Designation: SBL: _____ Section X Block _____ Lot: _____

(if more than one block, list) 163.44-1-2, 163.43-1-3

D. Nature of proposed activity: Redevelopment of property with mixed-use Transit-Oriented Development and parking updates.

E. Zoning Schedule: Residential M-1, Business-1 (with proposed Business District Floating Zone)

* Applicant must supply complete Zoning Schedule, including District(s), and all required yards, setbacks, heights, etc., as per the District(s).

** A Zoning Schedule must be provided for every structure and zone.

Zoning District:		
Zoning Item	Required:	Proposed:
Use	Mixed use	Mixed use
Lot Area	4,000 SF	29,193 SF
Lot Width	40'	103'
Lot Coverage	23,354 SF (80%)	+/-21,220 SF
Front Yard	N/A	N/A
Side Yards	N/A	N/A
Rear Yard	N/A	N/A
Building Height	60' / 5 stories	≤60' / 5 stories
Lot Area per dwelling Unit	500 SF	+/- 503 SF
Parking Spaces	83	71
Street Frontage	N/A	

* Attach additional information as necessary

- F. Street which property(ies) abut: Wolfs Lane
- G. Does property connect to or contiguous to a State or County road? No
- H. Is the property contiguous to a Critical Environmental Area? (See WC Code.) No
- I. Is site within 500 feet of Village Boundary? No If yes, list bordering municipality(ies): N/A
- J. Existing building size: N/A New/additional building size +/- 122,060
- K. Existing parking spaces N/A New parking spaces 71
- L. Number and proximity of hydrants to serve the structure(s) TBD

SITE PLAN:

Primary Contact/Representative: Lester Kravitz
 Owner: Pelpark LLC
 Address: 4550 Boston Post Road, Pelham, NY 10803

Street address	City	State	Zip Code (+4)
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Telephone #: 914-738-7777 Fax: _____

Applicant: MatriArch Development
 (If different from Owner, attach affidavit of owner's authorization)
 Address: 4550 Boston Post Road, Pelham, NY 10803

Street address	City	State	Zip Code (+4)
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Tel. #: 914-738-0101 Fax: _____
Residential M-1 & Business-1 (with proposed Business District Floating Zone)

Architect/Engineer: Michael L. Tribe, AIA, LEED AP, BD + C, Peter Gisolfi Associates
 Address: 566 Warburton Avenue, Hastings-on-Hudson, NY 10706

Street address	City	State	Zip Code (+4)
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Tel. #: 914-478-3677 Fax: _____

Designate to whom correspondence is to be sent: Seth M. Mandelbaum*

Note: If applicant is "Contract Vendee", please attach a copy of the contract summary with financial and other confidential terms deleted, along with affidavit of owner's authorization to make application.

Section 79-8 of the Code of the Village of Pelham requires the following:

*McCullough, Goldberger & Staudt, LLP, 1311 Mamaroneck Ave., Suite 340, White Plains, NY 10605
 Phone: 914-949-6400 Email: smandelbaum@mgslawyers.com

§ 79-8. Submission requirements.

The information to be submitted and which, in total, constitutes a site plan, is listed below. All maps must be at a scale of not less than 30 feet to the inch.

A. Legal data.

(1) The lot, block, section number, street, street number of the property and the names of all owners of record of adjacent properties located within 200 feet of the extreme limits of the subject property, all as shown on the village's official assessment maps.

(2) A current survey of the boundaries of the property tied to at least two permanent monuments not less than 300 feet apart showing all lengths in feet and decimals of a foot and all angles given to the nearest minute or closer if deemed necessary by the surveyor so that the error of closure will not exceed one to ten thousand (1:10,000).

(3) The location of all required building or setback lines and lines of existing streets and lots as shown on the village's official assessment maps. Any relevant existing deed restrictions or covenants, reservations, easements and areas dedicated to public use, if known, shall be noted.

(4) A map showing the area within 500 feet from the perimeter of the site, at a scale of not more than 50 feet to the inch, showing:

(a) Existing zoning and special district boundaries; and

(b) Location of traffic safety devices and directional flow of traffic.

(5) The location of all existing structures on the subject lot and on all lots having a common boundary therewith.

(6) A copy of any proposed covenants or deed restrictions that are intended to cover all or any part of the tract.

(7) Location of existing water mains, culverts and drains on or serving the property, with pipe sizes, grades and direction of flow.

B. Topographic data.

(1) Existing contours and proposed grade elevations at intervals of two feet or less, referred to a datum satisfactory to the Board, showing retaining walls, if any, and methods to be used to retain, stabilize or replant regraded areas.

(2) Location of existing watercourses, wetland areas, intermittent streams, wooded areas, rock outcrops, single trees with a diameter of eight inches or more, measured three feet above the base of the trunk, and other significant existing features.

C. Development data.

(1) Title of development, date, North point, scale, name and address of record owner or owner or of the individuals holding the controlling interest if the owner is a corporation; and the name and address of the engineer, architect, land planner or surveyor preparing the site plan.

(2) The proposed use or uses of land and buildings and location, height and design of all existing and proposed buildings. Any proposed subdivision of the property and any division of any building or structure into units of separate occupancy shall also be shown. [Amended 3-20-1990 by L.L. No. 3-1990]

(3) All means of vehicular ingress and egress to and from the site onto public streets and the location of all existing and proposed public and private roads, drives and walkways on the site.

(4) The location and layout of all proposed off-street parking and loading areas.

(5) The location and intended use of any proposed outdoor storage area.

(6) The proposed method of storage and disposal of solid waste.

(7) The size and location of all proposed waterlines, valves and hydrants and all sewer lines or of alternative means of water supply and sewage disposal and treatment.

(8) The location, direction, intensity and time of operation of proposed outdoor lighting.

- (9) The location, dimensions and design of all existing and proposed signs.
- (10) A planting plan, prepared by a qualified landscape architect, showing all proposed screening and landscaping, fences or dividers. [Amended 3-20-1990 by L.L. No. 3-1990]
- (11) The proposed stormwater drainage system, prepared by a licensed professional engineer and furnished under his seal.
- (12) Any proposed easements and public areas.
- (13) Building materials to be used on all structures and landscaping. [Added 3-20-1990 by L.L. No. 3-1990]
- (14) Current photographs of the site showing adjacent properties. [Added 3-20-1990 by L.L. No. 3-1990]
- (15) Elevation of adjacent properties. [Added 3-20-1990 by L.L. No. 3-1990]
- D. Financial data. [Added 3-20-1990 by L.L. No. 3-1990]
 - (1) Current taxes on the site. (Copy of current bill.)
 - (2) Proposed taxes after site improvement.
 - (3) Current employment and/or occupancy on the improved site.
 - (4) Projected employment and/or occupancy on the improved site.

APPLICATION FEE:

(make check payable to the: Village of Pelham)

(Fees are included in the Village of Pelham Fee Schedule. Contact the Administration Office or the Building Department for the most current fee schedule.)

AMOUNT PAID: _____ DATE PAID: _____

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:

- 1. 20 copies of all correspondence and plans submitted to the Village Board, ARB, Planning Board and Building Committee. If application requires zoning variances, 7 more copies are required.
- 2. Updated Land Survey and Site Plan showing property boundary(ies) § 79-8. A. (2)
- 3. Floor Plans and Elevations
- 4. Environmental Assessment Form: () Short Form (x) Long Form () Part 3 with attach.

STATE OF NEW YORK
COUNTY OF WESTCHESTER ss:

Seth M. Mandelbaum, as attorney being duly sworn, deposes and says: that
(Print Name: of applicant, agent owner, corporate officer)
Matri Arch Development is the (strickethrough those not applicable)
~~owner, agent, corporate officer~~ of the premises to which this application applies; that the applicant is duly
authorized to make this application; and that the statements obtained here are true and made to the best of the
applicant's knowledge and belief.

Sworn to before me this 1 day of December, 2017.

Douglas Sul
Notary Public

Seth M. Mandelbaum as attorney
Signature of Applicant

DENISE SCIRBONA
Notary Public, State of New York
No. 01SC6029178
Qualified in Westchester County,
Commission Expires August 9, 2021

Affidavit of Owners' Authorization

State of New York)

County of Westchester) ss: Lester Kravitz, being duly sworn, acknowledges that he is the Managing Member of Pelpark LLC, owner of the premises for which the annexed Site Plan Application and Declaration of Intent to Develop is submitted, and that the owner authorizes Matriarch Development Company to submit the within application


LESTER KRAVITZ

Sworn to me this

13 day of July, 2017

JOAN DAVY
No. 01DA6144868
Notary Public, State of New York
Qualified in Westchester County
My Commission Expires June 8, 2018



Notary Public