



October 9, 2015

**Via Hand Delivery**

Hon. Brian Smith, Mayor  
and Members of the Board of Trustees  
Village of Irvington  
85 Main Street  
Irvington, New York 10533

David J. Cooper  
Jody T. Cross ●  
Marsha Rubin Goldstein  
Jeremy E. Kozin  
Helen Collier Mauch ▲  
Matthew R. Pisciotta  
Daniel M. Richmond  
Brad K. Schwartz  
Lisa F. Smith ●  
David S. Steinmetz ■  
Krista E. Yacovone  
Michael D. Zarin

---

■ Also admitted in D.C.  
● Also admitted in CT  
▲ Also admitted in NJ

**Re: Petition of DeNardo Capital Corp.  
Clarifications to MF District Regulations**

Dear Mayor Smith and Village Trustees:

As you know, this firm represents DeNardo Capital Corporation (“Petitioner”), in connection with its Petition for a Zoning Text Amendment to update certain aspects of the Village’s MF District Regulations consistent with modern trends in attractive multifamily townhouse design. We are submitting this letter and the attached materials in advance of our next meeting with your Board scheduled for October 14, 2015.

During our last meeting on September 21, 2015, your Board asked that Petitioner revise its proposed Zoning Text Amendment by reducing the maximum permitted building coverage to eighteen (18%) percent, and include an exception for the adaptive reuse of buildings of local historic significance for fair and affordable housing. Provided with this letter is a revised draft of Petitioner’s proposed Zoning Text Amendment (“Revised Draft”) consistent with this request, including a provision designating the Planning Board as the body responsible for determining whether a structure constitutes a building of local historic significance. Pursuant to the request of the Village Attorney, Petitioner also renumbered the Subsection under which the building coverage provision would be inserted so as to remain consistent with the other uses in the MF District Regulations. Petitioner also eliminated the reference to the Village’s Resource Protection Ordinance in the Revised Draft.

Petitioner has also revised the Long Environmental Assessment Form, as well as its Site Traffic Volumes and Estimated Number of School Children Report submitted in this matter pursuant to the New York State Quality Review Act (“SEQRA”). The revisions reflect the Revised Draft, as well as several comments we have received from your consultants. These

documents are provided with this letter.

Finally, during the September 21, 2015 meeting, Trustee Gilliland asked that Petitioner provide a breakdown of the building coverage calculation for the 27-unit conceptual redevelopment plan at 30-40 South Broadway, distinguishing between the portions of the site located on 40 South Broadway and 30 South Broadway. Petitioner is providing two tables with the requested breakdown for informational purposes only. As discussed on September 21<sup>st</sup>, Petitioner's redevelopment concept involves combining the two existing lots on 30-40 South Broadway in order to pursue a townhouse development consistent with the zoning regulations set forth in the Revised Draft.

We look forward to appearing before your Board on October 14, 2015 to review the Revised Draft, and hopefully advance the SEQRA process to a determination of significance in the form of a Negative Declaration. Should your Board require any further information prior to our meeting please feel free to contact us.

Respectfully Submitted,

ZARIN & STEINMETZ

By: \_\_\_\_\_

David S. Steinmetz  
David J. Cooper

Encs.

Cc (via e-mail):

DeNardo Capital Corporation  
John Meyer Consulting, PC  
Marianne Stecich, Esq.  
Graham L. Trelstad, AICP  
Larry Schopfer