

VILLAGE OF HAVERSTRAW

Local Law #6 -2025

245-21.4 Broadway North Revitalization Planned Unit Development Overlay District

A. Creation of district and zoning objectives. There is hereby created a new overlay district, to be called the “Broadway North Revitalization Planned Unit Development Overlay District (BNR)”. Planned unit development districts are expressly permitted by section 7-703-A of the New York Village Law, and the BNR is enacted pursuant to such authorization. The BNR allows for the development of the former “Louis Hornick/Blue Beverage” factory property using Planned Unit Development concepts in accordance with Sections 4.3.2 and 5.2.2 of the Village Comprehensive Plan:

- (1) A mix of non-polluting, job-generating uses such as sound stage, set design and building, offices, workshops, green infrastructure and technology, incubator/flex space, warehouses, distribution centers, and other light industrial uses reusing and expanding the existing structures at the center of the site and with coverage incentives for green job creation.
- (2) Residential multifamily including energy efficient housing and affordable housing over some commercial over structured parking along Broadway and Samsondale Avenue.
- (3) Improvements to the Broadway and Samsondale frontages fostering complete streets improvements, and improvements to the safety and functioning of the intersection.

B. Permitted land uses and land use controls. Except as otherwise set forth in this § 245-____, all of the use, bulk and dimensional regulations and off-street parking requirements for the BNR, including, without limitation, those regulating the height, density and arrangement of buildings, shall be applied on an overall basis to the total area of the BNR and shall not be applied to any individual lots or parcels within said District, notwithstanding the subdivision of the land within said District into two or more separate lots, parcels or development sites and/or the separate ownership of such lots, parcels or development sites and notwithstanding the construction of improvements with said District in two or more stages or phases, provided that no development within the BNR may take place except in accordance with a concept development plan approved by the Board of Trustees of the Village as set forth in subsection C, below, and approved site plans. The permitted land uses, bulk and dimensional regulations and off-street parking requirements for the BNR are set forth below.

(1) Uses permitted by right and permitted density of development. In keeping with the planned unit development concept of the BNR, any development within the said district may contain one or more permitted principal and accessory uses.

a. Light industrial uses, including, but not limited to, sound stage, set design and building, offices, workshops, green infrastructure and technology, incubator/flex space, warehouses, distribution centers, and other light industrial uses.

b. Multiple residences, with not more than 25 units per acre as measured against the entire area of the BNR.

c. Retail uses, subject to approval by the Board of Trustees.

d. Medical and dental offices and clinics

e. Medical testing laboratories.

(2) Permitted accessory uses. Permitted accessory uses shall be all uses customarily accessory to uses permitted by right, including but not limited to off-street parking and loading facilities and home occupations in multiple dwelling units subject to § 245-14F of this Zoning Chapter.

(3) Bulk and dimensional requirements. In keeping with the planned unit development concept of the BNR, bulk and dimensional requirements shall be determined by the Board of Trustees in approving a Master Development Plan ("MDP"), as set forth in subsection C below.

C. Application Procedure and Approval Process.

(1) Application for development within the BNR shall be made to the Board of Trustees, and shall consist of an application for approval of a Site Master Development Plan ("MDP"). The MDP shall comply with the requirements of section 2 below, and shall be accompanied by supporting documentation and studies as set forth in section 3 below. Approval of the MDP by the Board of Trustees shall also constitute application of the BNR overlay to the subject site. Until such approval is granted, the subject site shall retain its underlying zoning. Approval of the MDP and application of the BNR overlay to the subject site shall be considered a zoning map amendment, and is subject to the discretion of the Board of Trustees. Adoption of these code provisions is intended to provide direction to potential applicants on an acceptable process and suggested design parameters in seeking approval of a possible mixed-use redevelopment in this location. The Board of Trustees is not willing to entertain such a development without consideration of an MDP as outlined herein. Adoption of these code provisions separate from an approved MDP should not be construed as a determination that development beyond the existing underlying zoning is acceptable or appropriate.

(2) The applicant shall submit an MDP, containing the following information:

- a. The MDP shall be signed and sealed by an architect, engineer or land surveyor licensed in the State of New York.
- b. The MDP shall be drawn to an engineering scale and contain the date of last revision, north arrow and graphic scale.
- c. The interior road or driveway system of all existing and proposed rights-of-way and easements shall be provided and indicated as to whether public or private ownership is proposed.
- d. A conceptual footprint for each proposed structure shall be drawn in plan view indicating the use of each building, including the floor area and number of tenancies for non-residential uses, the number of dwelling units, bedrooms, form of ownership of proposed residential dwelling units, and the square footage of spaces accessory to residential dwelling units including recreational areas, assembly spaces, storage spaces outside individual dwelling units, utility areas, laundry, etc.
- e. Areas of proposed use outside of structures, including areas for surface parking, recreation, public plazas, walkways, and utility areas shall be designated, and any uses identified.
- f. Proposed common open spaces shall be outlined on the MDP and a narrative provided indicating how open spaces are to be owned and maintained, whether they are to be accessible by the public, and the permissible uses contemplated for the open spaces.
- g. Proposed bulk requirements applicable to designated use areas of the site, including building heights, setbacks and yards from proposed site roadways or external existing Village roadways, coverage restrictions, FAR calculations, separation between buildings, and any other bulk constraints necessary to ensure site plans for component use areas are consistent with the plan portrayed in the MDP.
- h. The proposed water, storm and sanitary sewer systems shall be shown and how they are proposed to be connected to the system of adjoining areas shall be indicated.
- i. Environmental characteristics of the project site shall be shown, including topography, areas of slope in excess of 30%, soils, flood zones, rock outcrops, streams, swamps, lakes, ponds and other wetlands and all proposed alterations of said environmental characteristics.
- j. If the development is to be phased, the MDP shall provide a clear indication of the phasing process at the time of application. Dates of anticipated commencement and completion of the same shall be identified prior to approval.

k. If the applicant is proposing off-site improvements, plans for installation of the off-site improvements shall be provided, and/or a narrative describing the extent and types of off-site improvements being offered.

l. Conceptual elevations of proposed buildings in each use area, and identification of general architectural or site design features necessary to ensure compatibility with the character of the surrounding neighborhood.

m. A vicinity map showing all tax lots within 1,000 feet of the boundaries of the Site, the road network serving the area, and the existing zoning districts surrounding the area depicted.

3. To assist the Board of Trustees in its evaluation of the merits of the proposed MDP, the following supporting materials shall be provided:

a. A narrative description of the proposed project, including a showing that the proposal is consistent with the official planning objectives of the Village as described in the Comprehensive Plan and LWRP.

b. Estimates of the projected population including the school-age population.

c. Estimates of proposed vehicular traffic to be generated at the site.

c. A completed New York State SEQR Full Environmental Assessment Form, (FEAF) Part 1.

d. Such other information as the Board of Trustees deems appropriate.

4. Every application shall be accompanied by an application fee consistent with the published fee schedule of the Village of Haverstraw.

5. Upon finding the application to be complete, the Board of Trustees shall declare its intent to be lead agency under a coordinated review pursuant to the New York State Environmental Quality Review Act ("SEQRA"). The Village of Haverstraw Planning Board shall be deemed an involved agency for all SEQRA purposes. Prior to approving the MDP, and subsequent to the granting of a negative declaration or accepting a Draft Environmental Impact Statement, as the case may be, the Board of Trustees shall refer the application to the Planning Board for its review and recommendations. Such referral shall include the proposed MDP and all supporting materials submitted by the applicant that the Board of Trustees deems relevant to such referral. The Planning Board shall review the MDP against the criteria in subsection A, the purposes and objectives of the MDP, the Comprehensive Plan and the LWRP in making their recommendation regarding approval of the MDP. The Planning Board shall also review the layout of the MDP as well as the scale and intensity of proposed development. The Planning Board shall recommend whether the MDP should be approved, approved with modifications or denied and is encouraged to provide recommendations for how the MDP could be improved in order to incorporate best practices of sustainable land development. The Planning Board shall provide its

recommendations within 60 days of the request unless extended by consent of the Board of Trustees.

7. At the same time that it refers the MDP application to the Planning Board for its review and recommendations, the Board of Trustees shall refer the petition for review and comment to local, state, county, regional and federal agencies having jurisdiction, for their review, including referrals pursuant to the General Municipal Law.

8. Prior to approving any MDP application, the Board of Trustees shall set a date and conduct a public hearing for the purpose of considering approval of the MDP. This hearing shall also serve as the SEQRA hearing, when any DEIS is required.

9. Upon approval of the MDP by the Board of Trustees, the application shall be submitted for site plan and subdivision (if necessary) review and approval by the Village Planning Board consistent with the approved MDP, and with the Village Site Development Plan Rules and Regulations for those details and elements not specifically addressed in the MDP.

10. If an application for site plan approval for the MDP Site is not received by the Planning Board within twelve months of the date of approval of the MDP by the Board of Trustees, or if no building permit application is received by the Village for construction of an approved site plan within 12 months of approval of an MDP-based site plan by the Planning Board, the MDP approval shall be deemed to have expired and the site shall revert back to the underlying zoning which existed prior to the approval of the BNR and MDP, unless an extension is requested by the applicant and granted by the Planning Board.

D. BNR Site Design Standards

1. Minimum site area. The minimum site area for a development within the BNR shall be ten (10) acres. Nothing herein shall be deemed to prohibit the assemblage of contiguous parcels to meet the minimum required site area.

2. The following bulk standards shall apply to the BNR:

a. Residential Density. The permissible base residential density shall be no more than 25 residential dwelling units per gross acre of the Site.

(i) Green Building Density Bonus - A density bonus of 20% of the base density may be applied for units that are located within a proposed structure eligible for Leadership in Energy and Environmental Design (LEED) Green Buildings rating system Gold certification, Three Green Globes certification by the Green Building Initiative, HUD Green Mortgage Insurance Premium Reduction Certification, or equivalent standard promulgated by a reputable green building certification service at the sole discretion of the Village Board. The Village Board

may hire a qualified professional to review the green building technologies being incorporated into the project to verify eligibility of the standard, and the applicant does not necessarily need to receive certification prior to approval of the MDP.

b. Maximum Height.

(i) The maximum height for multiple residence buildings shall be 4 stories/48 feet, as measured from the average grade along the wall of the building facing the nearest public street, excluding cut-outs for entrances to below-grade parking structures; however 5 stories/60 feet may be permitted under limited appropriate conditions as determined by the Village Board, such as for architectural towers located at property corners, or where, due to setback, the higher portion of the structure would not be apparent to views from the street. Parking below the first residential floor shall not be counted toward height.

(ii) The maximum height for all other buildings shall be 3 stories/36 feet.

c. Maximum Development Coverage (percent) shall be 90% of the net lot area.

d. All other bulk requirements shall be as determined by the Board of Trustees in approving the MDP.

3. On-site Parking Requirements

a. For multiple residences: 1.25 parking spaces for each efficiency or one-bedroom unit; 2.0 parking spaces for each two- or three-bedroom unit.

b. For warehouses or distribution centers: 1 parking space for each 2,000 square feet of gross floor area.

c. For retail uses: one parking space for each 150 square feet of gross floor area, plus one space for each employee.

d. For medical and dental offices and clinics: one parking space for each 250 square feet of gross floor area.

e. For medical testing laboratories: one parking space for each 300 square feet of gross floor area, plus one space for every two employees.

f. For all other allowable uses: 1 parking space for each 300 square feet of gross floor area.

4. Other Design Standards

a. There shall be a maximum of 100 feet of building length without interruption or articulation or landscape treatment.

b. Robust plantings and landscaping shall be required along streets and property lines and internally when appropriate, as determined by the Planning Board.

10. Site Infrastructure, Storm Water Management and Parking

- a. Storm water quantity and quality measures, consistent with State and Village requirements, shall be applied to any project within the BNR.
- b. All electric, telephone, cable television, internet and similar distribution lines shall be installed underground.
- c. The developer shall provide all necessary fire hydrants, refuse disposal facilities, water and sewer facilities, storm drainage, paved road access, paved parking and loading facilities and off-street lighting, making reasonable provision for utility service connections with adjoining properties in other ownerships.
- d. Parking and loading areas, refuse disposal facilities and other accessory uses within the BNR development shall be located to be compatible with nearby residential uses. Such uses shall be adequately screened where adjacent to residential development. Entrances to parking areas shall be located in a manner so as to be not visually obtrusive to the public right-of-way
- e. All utilities and drainage facilities shall be built to the approval of the Village Engineer.

11. Transportation and Traffic

- a. The right-of-way and pavement widths for internal roads of the Site, off the frontage street, shall be determined from sound planning and engineering standards to be adequate and sufficient in size, location, and design to accommodate the maximum traffic, parking and loading needs and the access of fire-fighting equipment and police or other emergency vehicles.
- b. If a Traffic Impact Study (TIS) is required as part of the environmental review process, then the MDP shall include any necessary traffic improvements identified in the TIS; and/or funds and land dedications to allow others to provide such improvements, that may be needed to mitigate any moderate or large traffic impacts identified through the SEQRA process.
- c. Sidewalks should be provided along existing streets and on each side of any internal street or parking area where residences or nonresidential buildings are proposed.

12. Governance. The Board of Trustees may require the creation of an entity or entities to govern the Site or discrete portions thereof. Any such formation documents shall be subject to the review and approval of the Village Attorney. Such review shall be limited to ensuring that the conditions of approval are maintained on an on-going basis and shall not include Village approval of any other matters not directly related to the approval conditions of the MDP. Such formation documents shall include the

right of the Village to enforce compliance with conditions of approval should the governing entity fail to do so.

13. Performance guarantee. The Planning Board shall require that site improvements be secured by a performance guarantee consistent with 245-16C(3).

I, Isabel Gonzalez-Soto, Clerk of the Village of Haverstraw, New York, do hereby certify that the above law was adopted at a Regular Meeting of the Board of Trustees held on November 17, 2025, and is on file and that said law has not been altered, amended, or revoked and is in full force and effect.

DATE: November 18, 2025
Haverstraw, New York


Isabel Gonzalez-Soto

Seal of Municipality

