Village of Brewster
Blight Determination Study

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Prepared for:
Village of Brewster
50 Main Street,
Brewster, New York

Prepared by:
Ferrandino & Associates Inc.
Planning and Development Consultants
Three West Main Street, Suite 214
Elmsford, New York

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VILLAGE OF BREWSTER

Mayor
James J. Schoenig

Deputy Mayor/Trustee
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Tom Boissonnault

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Joseph Szilagyi

Police Chief
John Del Gardo

Village Counsel
Anthony Molé, Herodes & Molé, PC

Legal Consultant
Thomas J. Kelly, Esq., Gilberti Stinziano Heintz & Smith, P.C.

Village Engineer
John Folchetti, J.R. Folchetti & Associates

Assessor (Town of Southeast)
Laurie Bell

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1.0 INTRODUCTION

Pursuant to its Comprehensive Plan vision of a more densely urbanized, mixed-use and pedestrian and transit-oriented Village Center[1], the Village of Brewster Board of Trustees voted to prepare a blight study for anticipated and desired development and redevelopment in a core area of the Village. The Village identified potential incidences of blight in the central downtown core and mass transit corridor (also referred to by the Village as the *Planned Action Area*), hereinafter referred to in this report as the "Study Area". The Study Area includes properties fronting on Main Street from Peaceable Hill Road to Michael Nuener Drive, both sides of North Main Street to the edge of the Village and Marvin Avenue (Figure 1).

To explore the potential for redevelopment, the Village retained Ferrandino & Associates Inc., hereinafter referred to as the Consultant, to undertake a blight determination study to survey and analyze the Study Area to determine if the area is underperforming and to identify properties that may constitute blight under Articles 15 and 15A of the New York General Municipal Law. The findings of this report will serve to determine if an Urban Renewal District or Districts should be created.

1.1 Purpose

The purpose of this blight determination study is to document the extent of blight in the Study Area or portions thereof. If evidence is found to support a finding of blight, this study will facilitate the rehabilitation and/or potential property acquisition by the Village for purposes of advancing redevelopment in a subsequent urban renewal plan.

[1] *The Brewster Plan*, February 2004.

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Figure 1: Blight Determination Study Area

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1.2 Establishment of Urban Renewal Project Area(s) in the Downtown

The NYS General Municipal Law Section 504 (Site Designation) provides that:

An area shall be designated by the governing body, or by the commission [planning commission] where so authorized to act by the governing body, on its own initiative or on petition of the owners in fee of not less than fifty-one percent of the land (excluding publically owned land) or upon recommendation of the agency, upon a finding that such area is appropriate for urban renewal as defined in subdivision three of section five hundred two of this article [General Municipal Law Article 15]. Such designation may be accompanied by a recommendation of the commission as to the predominant reuse and such other planning criteria as it may deem appropriate for the general renewal of the area.

NYS General Municipal Law Section 502.3. provides the definition of urban renewal, which reads as follows:

3. "Urban Renewal." A program established, conducted and planned by a municipality for the redevelopment, through clearance, replanning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreational and other facilities incidental or appurtenant thereto, pursuant to and in a accordance with article eighteen of the constitution and this article, including those programs authorized by and to effectuate the purpose of title one of the housing act of nineteen hundred forty-nine and section three hundred fourteen of title three of the housing act of nineteen hundred fifty-four, whether such programs and contracts pursuant thereto were in process on or before June sixteenth, nineteen hundred sixty-eight and all federal laws amendatory and supplementary thereto. The terms "clearance, replanning, reconstruction and rehabilitation" shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term "program" may mean or include and be interchangeable with the term "project."

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An area appropriate for urban renewal is defined in NYS General Municipal Section 502.4.

4. "Substandard or insanitary area." The term "substandard or insanitary area" shall mean and be interchangeable with a slum, blighted, deteriorated or deteriorating area, or an area which has a blighting influence on the surrounding area, whether residential, non-residential, commercial, industrial, vacant, or land in highways, railway and subway tracks, bridge and tunnel approaches and entrances, or other rights of use necessary for the use and development of such air rights, to be developed as air rights sites for the elimination of the blighting influence, or any combination thereof and may include land, buildings or improvements, or air rights and concomitant easements or other rights of user necessary for the use and development of such air rights, not in themselves substandard or insanitary, the inclusion of which is deemed necessary for the effective undertaking of one or more urban renewal programs.

1.3 Methodology

In June-August of 2011, the Consultant conducted field reconnaissance and exterior inspection/observation of existing land and buildings in the Study Area, and reviewed and analyzed tax assessment data and outstanding code violations on the properties to make a blight determination. Additionally, the Consultant reviewed demographic and crime data in the Village. The Consultant also conferred with Village of Brewster and Town of Southeast officials (refer to Appendix A). The purpose of this research was to document the physical condition of existing structures and properties as well as to determine the extent of blight in the area or areas as a prelude to potentially declaring the area or areas as appropriate for urban renewal under Articles 15 and 15A of the New York General Municipal Law.

The following generally accepted criteria were used to evaluate the physical conditions of the subject properties:

***Good*:** Buildings rated in "good" condition are those buildings which have been well maintained and which provide adequate shelter. These structures contain either no observable physical defects or slight physical defects that are correctable by normal maintenance.

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***Fair*:** Buildings in this category contain deficiencies resulting from lack of maintenance and gradual deterioration. These physical deficiencies would require corrective action beyond the scope of normal maintenance. These structures generally contain one or more defects of an intermediate nature, but do not exhibit structural damage.

***Poor*:** These buildings show exterior signs of damage that could only be corrected at considerable cost. Such buildings also may have prior violations on record.

***Deteriorated*:** Buildings in this category have deteriorated to such a degree that they pose a hazard to health and safety, and rehabilitation is not economically feasible. Buildings that have suffered extensive fire or water damage or have large portions of essential structural members missing or severely damaged would be included in this category. These buildings are likely to have previous building violations on record.

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2.0 STUDY AREA

The following describes conditions in the Study Area:

2.1 Land Use and Zoning

Land Use

The principal uses within the Study Area include a variety of residential, commercial and office, mixed-use, public facility and institutional, industrial, parking uses as well as the Metro North train station (Figure 2). The majority of uses in the Study Area are residential comprised of single-family, multi-family and apartment buildings. Additionally, there are several properties with residential units situated above ground-floor retail.

Commercial uses in the Study Area are concentrated along Main Street, east of the train station, and north along the east side of North Main Street. The commercial uses include restaurants, delis, a small supermarket, office buildings, liquor stores, gas stations and auto repair shops.

The Study Area also contains institutional land uses including a number of churches and religious establishments, municipal and other offices, a museum and library. Very few of the properties surveyed included industrial use or vacant land.

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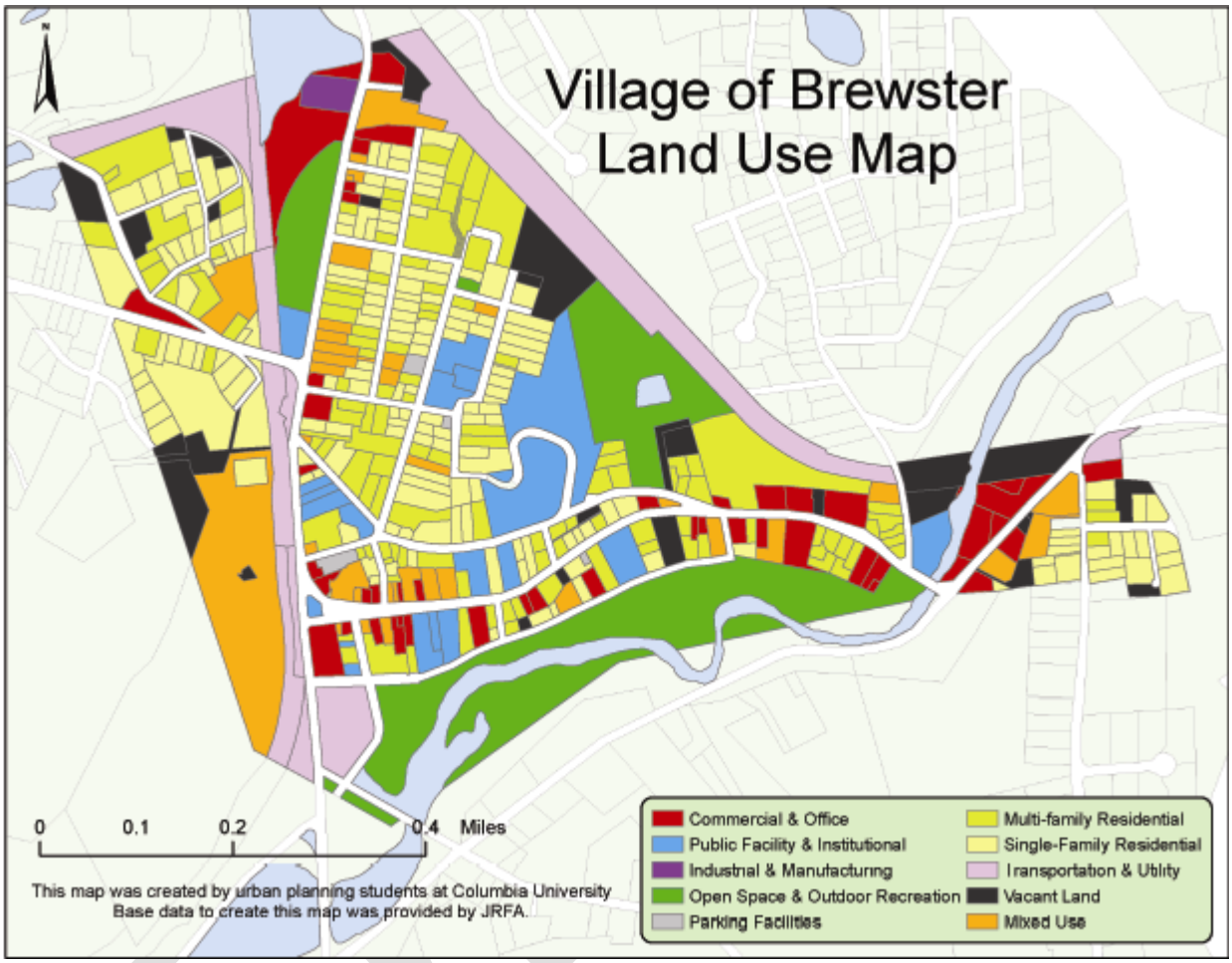

Figure 2: Village of Brewster Land Use Map

Source: *The Brewster Plan*, February 2004.

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Zoning

The principal zoning along Main Street in the Study Area is B1-Business 1 district, followed by B3- Business 3 and R20-Residential. The properties in the Study Area along North Main Street are zoned PB-Professional Business, B1-Business, LMW-Light Manufacturing and Wholesale and C-Conservation. Most of the properties north of Marvin Avenue are zoned B1-Business 1, and the properties to the south of Marvin Avenue are zoned C-Conservation (Figure 3).

While reviewing land use and zoning during the property survey, the Consultant noted several inconsistencies between the existing land uses and the type of development permitted in zoning districts, primarily due to zoning code amendments adopted subsequent to land use development. These are spread throughout the Study Area and primarily constitute legal non-conforming uses.

2.2 Socio-economic Conditions

Demographics

As of 2010, the Village of Brewster has a population of 2,390, with a median age of 32.7 years. The racial composition indicates 75.7 percent of the population is White, 2.9 percent Black, 0.6 percent American Indian and Alaska Native, 3.4 percent Asian, 0.5 percent Native Hawaiian and Other Pacific Islander and 12.8 percent are some other race. About 1,338 or 56 percent of the Village population (any race) is Hispanic or Latino. The total population in the Village increased 10.6 percent from 2,162 in 2000 to 2,390 in 2010. The percentage of White population in the same decade decreased from 78.8 percent to 75.7 percent; the percent of Hispanic or Latino population increased from 32.1 percent to 56 percent.[2] It is assumed that since Census survey responders have a choice to identify themselves as Non-Hispanic Whites (subset of Whites), 56 percent Hispanic is subsumed in Whites (estimated overall at 75.7 percent in 2010).

[2] U.S. Census Bureau, 2010 Census; 2000 Census.

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Crime

Based on crimes reported in the Village in 2010, the Study Area was affected by typical urban area crimes including assault, criminal mischief, burglary, robbery and larceny. About 10 crimes were committed and reported within the Study Area in 2010.[3]

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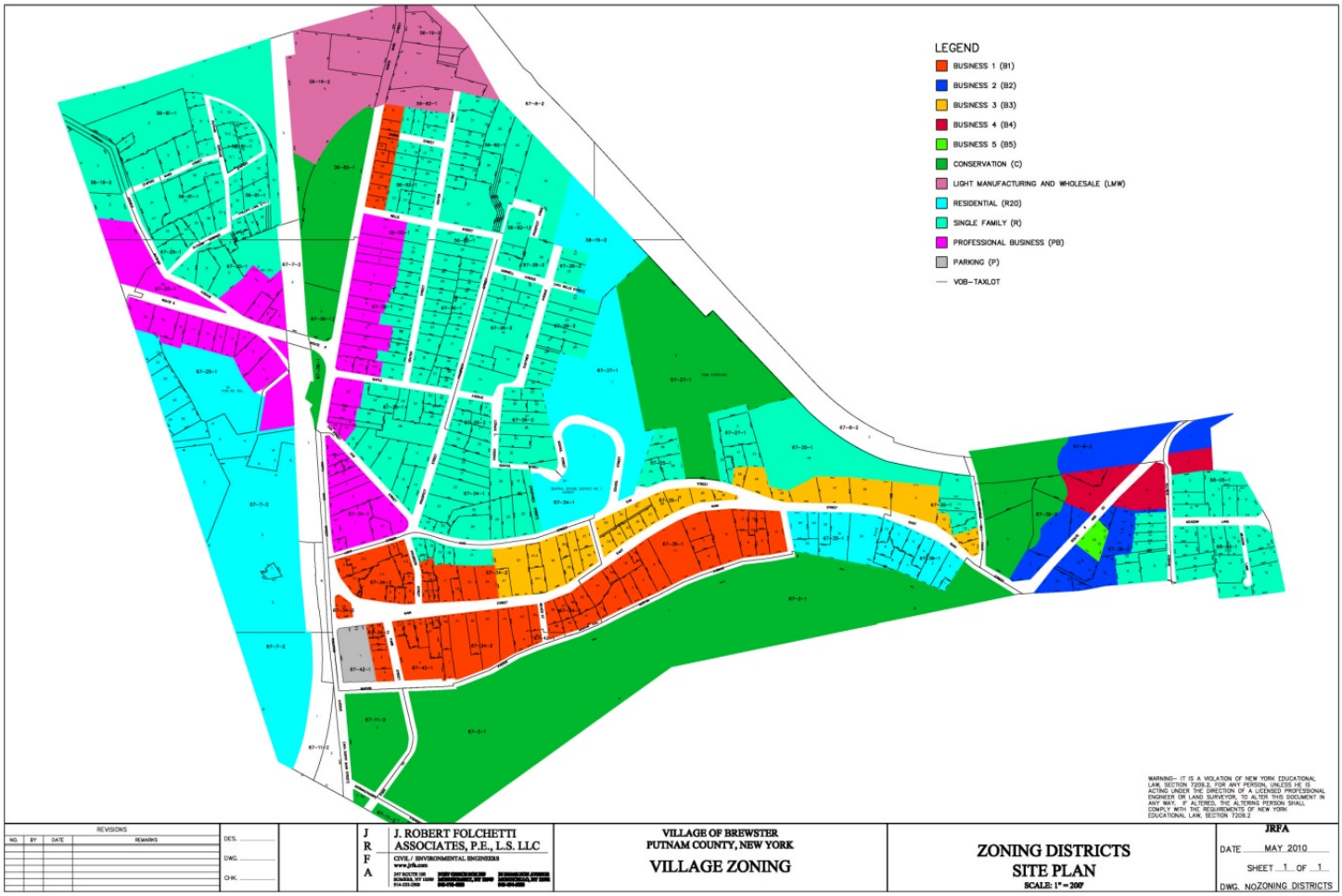
[3] Village of Brewster Police Department.

Figure 3: Village of Brewster Zoning Map



Source: Village of Brewster Zoning Map, May 2010.

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3.0 Blight Determination

3.1 Property Condition/ Assessment

The Consultant conducted a survey of the exterior condition of all properties within the Study Area between June and August, 2011[4]. A total of 150 properties were surveyed in the Study Area (Figure 1) and ranked according to the criteria described in *Section 1.3* of this report. The findings of the survey are discussed in the following section. The detailed data sheets for each property surveyed are included in Appendix B.

A summary of conditions of the properties surveyed is included in Table 1 below:

Table 1: Summary of Property/Building Conditions

Building & Land Condition	# Vacant Land[5]	# Building & Lot	Total	Percent of total
Good	4	57	61	41
Fair	1	65	66	44
Poor	1	20	21	14
Deteriorated	0	2	2	1
Total	**6**	**144**	**150**	**100**
Blighted	***1***	***22***	***23***	***15***

Source: Ferrandino & Associates Inc., June-August 2011.

Of the 150 total properties surveyed, 61 properties are rated in "good" condition, 66 properties in "fair" condition, 21 properties in "poor" condition and 2 properties in "deteriorated" condition. Of the poor and deteriorated properties, a total of 23 are considered blighted[6]. The location and condition ratings of all properties in the Study Area are depicted in Figure 4[7].

[4] The Consultant photographed and evaluated land and the exterior of buildings and relied on Village code enforcement data for interior conditions.

[5] Two parking lots and one park are classified in this Table under vacant land.

[6] Of the 150 properties surveyed, 9 are publically owned and they fall under a "good" and "fair" condition rating. No publically owned property is rated blighted.

[7] For properties that have a different condition rating for building and lot, the worst of the two is depicted in Figure 4.

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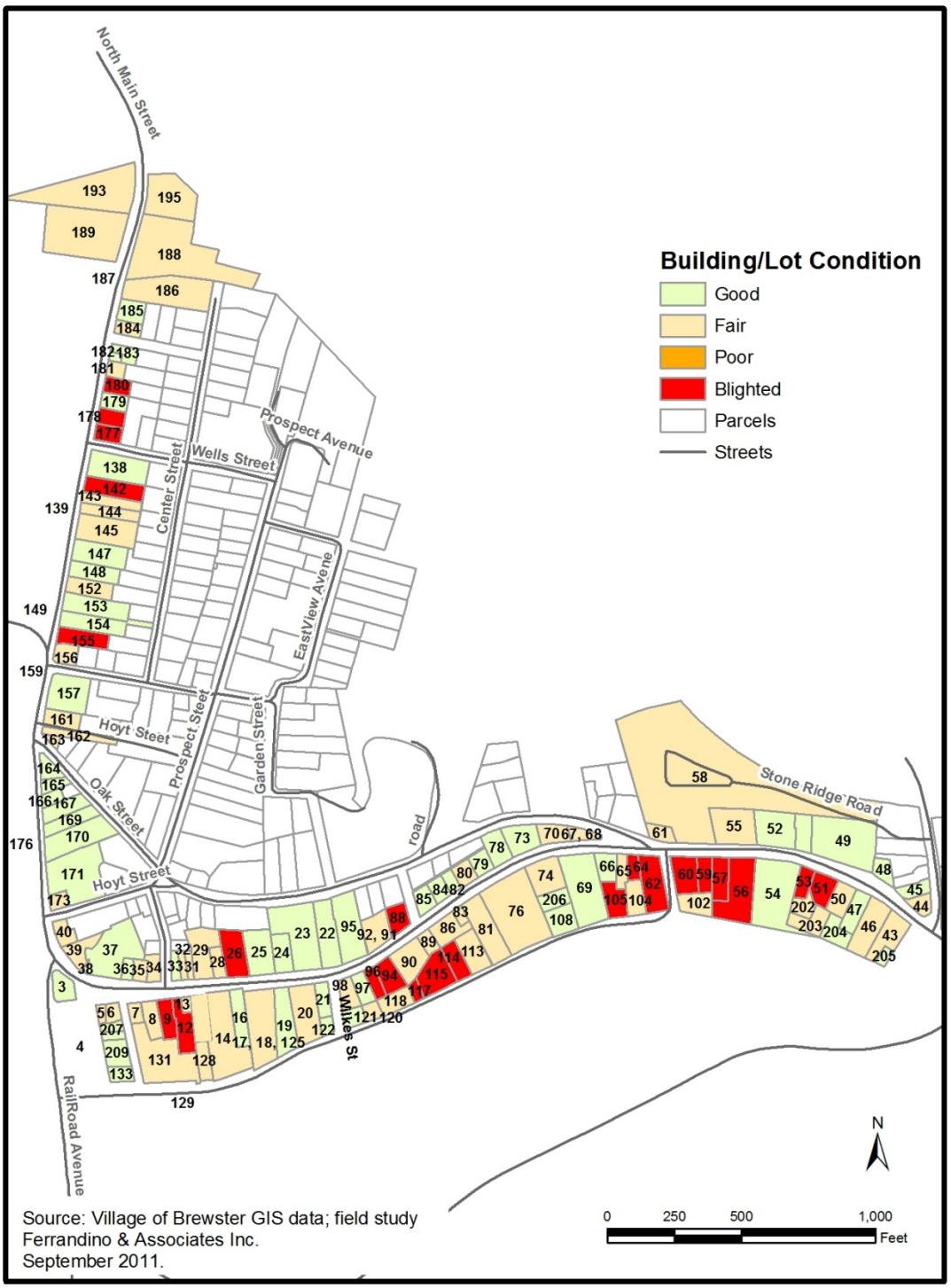
Figure 4: Summary of Blight Determination



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3.2 Findings and Recommendations

Based on the property conditions' assessment, 15 percent of all properties in the Study Area are considered blighted. This study found the largest concentration of blighted properties and land to be in four sectors of the Study Area. Based on the concentration of blight, these four areas may be appropriate for urban renewal pursuant to NYS General Municipal Law Article 15. These potential urban renewal areas are depicted in Figure 5 on the following page and are discussed further in the sections that follow.

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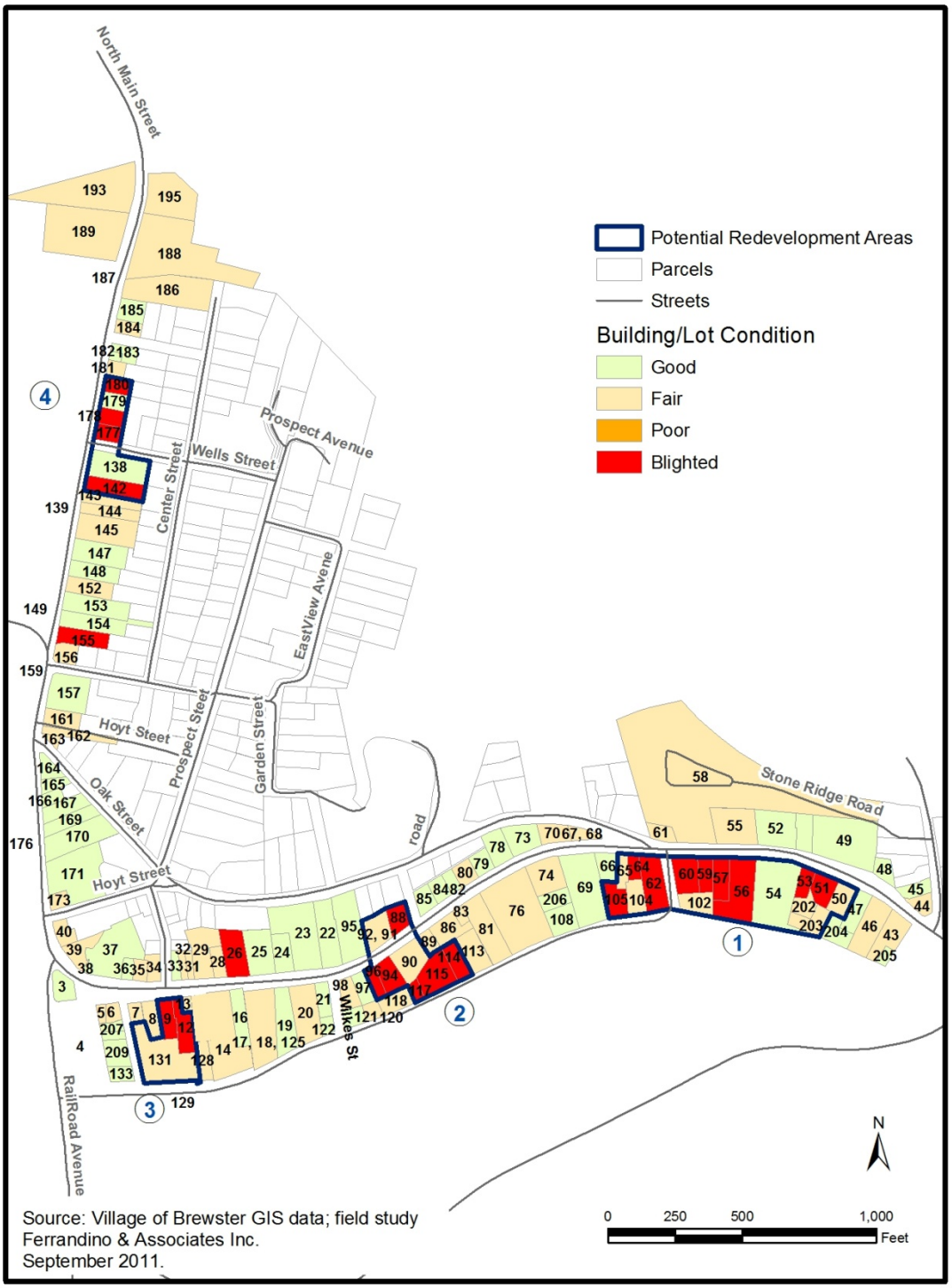
Figure 5: Potential Urban Renewal Areas



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Potential Urban Renewal Area No.1

Potential Urban Renewal Area No. 1 (Figure 6) is comprised of sixteen properties, of which nine properties or 56 percent are blighted. This area has a majority of residential land uses, with a few commercial and mixed use properties, and one vacant property. With the exception of one property, all properties in this area are rated fair, or poor and blighted.

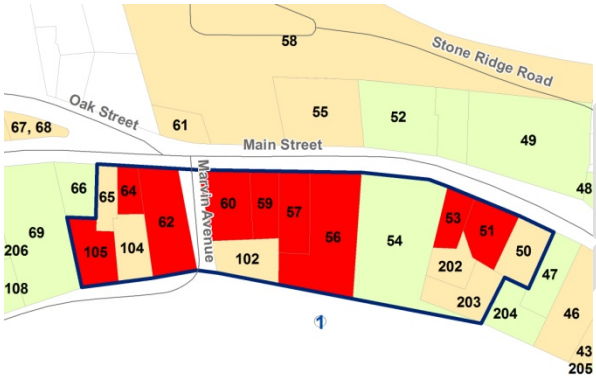

Figure 6: Potential Urban Renewal Area No. 1.

Potential Urban Renewal Area No. 2

Potential Urban Renewal Area No. 2 is comprised of nine properties, of which six properties or 67 percent are blighted (Figure 7). Primary land use in this area is residential, with one light industrial use and one commercial business.

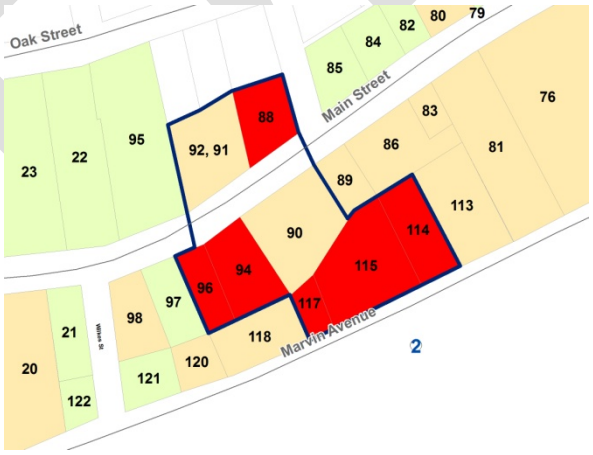

Figure 7: Potential Urban Renewal Area No. 2.

Potential Urban Renewal Area No. 3

Potential Urban Renewal Area No. 3 is comprised of three properties, of which two properties or 67 percent are blighted (Figure 8). The area includes one vacant movie theatre property, one mixed use property and one residential property.

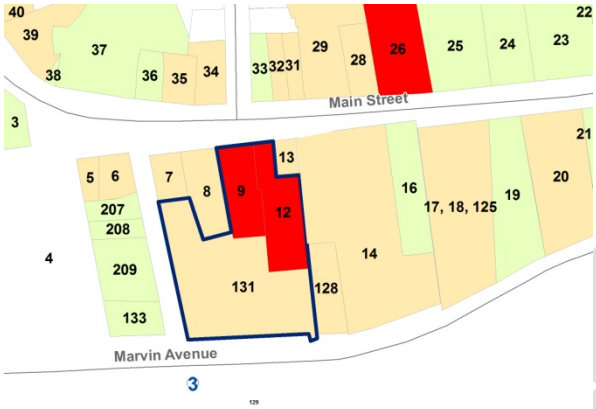

Figure 8: Potential Urban Renewal Area No. 3.

Potential Urban Renewal Area No. 4

Potential Urban Renewal Area No. 4 is comprised of six properties, of which four properties or 67 percent are blighted (Figure 9). Four of the properties in this area are residential, one property is an office building and one property is a restaurant.

Figure 9: Potential Urban Renewal Area No. 4.

Conclusion

This study finds that the current conditions of blighted properties described in the preceding section, if left unattended, would continue to impair and impede the economic return and growth in the overall Study Area. Economic deterioration in these areas can be reversed through the urban renewal process (combining acquisition and clearance of blighted properties, with rehabilitation of non-blighted properties), thereby improving the overall character and vitality of the Village. Implementation of a redevelopment plan for the recommended areas may identify additional information that will further support the blight findings made in this report.

It is the Consultant's recommendation to divide the larger Study Area into the aforementioned sub-areas for the purposes of establishing urban renewal districts.

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APPENDIX – A: SOURCES CONSULTED

N.Y.S. General Municipal Law Articles 15 and 15A.

Village of Brewster Clerk
Village of Brewster Building Department, code violations data
Village of Brewster Police Department, crime data

Town of Southeast Tax Assessor

Village of Brewster Comprehensive Plan, *The Brewster Plan*, February 2004.
Village of Brewster Niche Marketing Plan, March 2009.

Putnam County Main Street Partnership Planning Study, Chapter 3 - Village of Brewster Main Street, Spring 2009.

Putnam County Planning Department and GIS data online
http://putnamcountyny.com:8081/Freeance/Client/PublicAccess1/index.html?appconfig=eParcel_v21
Putnam County Property Tax Assessment Information online
http://putnam.sdgnys.com/search.aspx?advanced=true

Field research and photographic survey conducted by Ferrandino & Associates Inc., Planning and Development Consultants.

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APPENDIX – B: PROPERTY SURVEY DATA SHEETS (150)

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