

June 5, 2012

Mr. Kyle C. McGovern, Esq.
Lyons McGovern LLP
399 Knollwood Road
White Plains, New York 10603

RECEIVED

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BUILDING DEPT.
VILLAGE OF SLEEPY HOLLOW

Re: Phelps Memorial Hospital Master Plan
Sleepy Hollow, New York

Dear Mr. McGovern:

In response to your inquiry regarding the zoning status of the "Master Plan" parking supply on the Phelps Memorial Hospital campus, we offer the following:

1. Divney Tung Schwalbe has served as Phelps's planning consultant since the submission of its "Master Plan 2004" application for site plan approval to the Village of Sleepy Hollow Planning Board in March, 2004.
2. At the time of the Master Plan 2004 application, the Phelps campus contained approximately 870 parking spaces that served the existing hospital and associated uses, including the 777 Medical Office Building, James House and Robin's Nest day care facility. Although this number of spaces was estimated to exceed the zoning requirement for the hospital site at the time, Phelps elected to calculate its additional parking requirement based solely on the proposed Master Plan 2004 program additions on the campus.
3. Under Master Plan 2004, Phelps proposed to make certain improvements within the hospital site, including relocating the Emergency Department, constructing a Medical Services Building to house hospital functions as well as physicians' offices, and expanding the child care facility. As the Sleepy Hollow zoning code requirement for hospital parking is "2 spaces per patient bed," and the number of patient beds at Phelps was to remain unchanged, no new spaces would be required by zoning for the hospital improvements.

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While 203 spaces were required by the zoning code for other proposed improvements (200 for the offices and 3 for the child care expansion), 435 spaces were to be constructed, exceeding the zoning requirement by 232. See attached Zoning Compliance Table from the March, 2004 application. The Planning Board issued its site plan approval for the Master Plan 2004 proposal in November, 2004.

4. Phelps subsequently obtained approvals for amendments to the Master Plan 2004 site plan approval that further increased the amount of parking on the campus without changing the Master Plan program, including the 2005 amendment that permitted the construction of the 750-space parking garage and the elimination of certain surface parking areas. The attached Zoning Compliance Table from the December, 2008 amendment application shows 203 spaces required and 663 spaces proposed, exceeding the zoning requirement by 460.
5. In its recent 2012 application to the Planning Board for a site plan amendment related to the Robin's Nest building and site improvements, Phelps increased its parking requirement under the zoning code for the Master Plan 2004 program by one to 204 (200 for the offices and 4 for the child care expansion). As part of this amendment, it subsequently obtained approval to construct approximately 32 additional parking spaces in the Robin's Nest area, which when completed would bring the total Master Plan 2004 spaces on the campus to 695, exceeding the zoning requirement by 491.

Please contact me should you have any questions or require further documentation of the applications or approvals described herein.

Very truly yours,

DIVNEY TUNG SCHWALBE, LLP



Andrew V. Tung, ASLA, Esq., LEED AP
Partner

Enclosures

cc: Vincent Forgione, Phelps Memorial Hospital Center

Phelps Memorial Hospital Center
Sleepy Hollow, New York

ZONING COMPLIANCE TABLE

Reference*	H (Hospital) District Requirement	Required/Permitted	Proposed
Table; Schedule of Regulations, Part II	<u>Minimum Lot Size</u>	10 acres	61.2 / 68.6 acres
Table; Schedule of Regulations, Part II	<u>Minimum Lot Width</u>	400 ft.	1,150 ft.
Table; Schedule of Regulations, Part II	<u>Maximum Lot Coverage</u>		
	- Permitted Principal Uses	15 %	8.3%
	- Permitted Accessory Uses	15 %	14.7%
	- Maximum Total Lot Coverage	25 %	23.0%
Table; Schedule of Regulations, Part II	<u>Required Yards and Open Space - Hospital Principal Use</u>		
	- Front	300 ft.	900 ft.
	- One Side	300 ft.	300 ft.
	- Both sides	600 ft.	700 ft.
	- Rear	300 ft.	800 ft.
Table; Schedule of Regulations, Part II	<u>Required Yards and Open Space - Hospital Accessory Use</u>		
	- Front	300 ft.	300 ft.
	- One Side	50 ft.	50 ft.
	- Both sides	100 ft.	150 ft.
	- Rear	300 ft.	600 ft.
Table; Schedule of Regulations, Part II	<u>Maximum Height</u>		
	- Hospital Principal Use	100 ft.	70 ft.
	- Hospital Accessory Use	50 ft.	20 ft.
Section 62-14E	<u>Required Parking Spaces</u>		
	- Hospital: 2 per patient bed	0 (no new beds) x 2 = 0	
	- Office Building: 1 per 300 sf	60,000** sf / 300 = 200	
	- Nursery: 1 per 10 students accommodated	30 students / 10 = 3	
	<u>Total</u>	<u>203</u>	435

* Zoning, Chapter 62, Village of Sleepy Hollow Code (January 2002)

** Medical Services Building, Floors 3, 4 and 5

(from March 4, 2004 application)

Phelps Memorial Hospital Center
Sleepy Hollow, New York

ZONING COMPLIANCE TABLE

Reference*	H (Hospital) District Requirement	Required/Permitted	Proposed
Table; Schedule of Regulations, Part II	<u>Minimum Lot Size</u>	10 acres	68.5 acres
Table; Schedule of Regulations, Part II	<u>Minimum Lot Width</u>	400 ft.	1,150 ft.
Table; Schedule of Regulations, Part II	<u>Maximum Lot Coverage</u>		
	- Permitted Principal Uses	15 %	8.4%
	- Permitted Accessory Uses	15 %	12.1% (a)
	- Maximum Total Lot Coverage	25 %	20.5%
Table; Schedule of Regulations, Part II	<u>Required Yards and Open Space - Hospital Principal Use</u>		
	- Front	300 ft.	900 ft.
	- One Side	300 ft.	300 ft.
	- Both sides	600 ft.	700 ft.
	- Rear	300 ft.	800 ft.
Table; Schedule of Regulations, Part II	<u>Required Yards and Open Space - Hospital Accessory Use</u>		
	- Front	300 ft.	300 ft.
	- One Side	50 ft.	50 ft.
	- Both sides	100 ft.	150 ft.
	- Rear	300 ft.	600 ft.
Table; Schedule of Regulations, Part II	<u>Maximum Height</u>		
	- Hospital Principal Use	100 ft.	70 ft.
	- Hospital Accessory Use	50 ft.	40 ft. 6 in.
Section 62-14E	<u>Required Parking Spaces</u>		
	- Hospital: 2 per patient bed	0 (no new beds) x 2 = 0	
	- Office Building: 1 per 300 sf	60,000** sf / 300 = 200	
	- Nursery: 1 per 10 students accommodated	30 students / 10 = 3	
	<u>Total</u>	203	663 (b)

* Zoning, Chapter 62, Village of Sleepy Hollow Code (February 2003)

** Medical Services Building, Floors 3, 4 and 5

(a) Includes Robin's Nest overflow parking area.

(b) Does not include Robin's Nest overflow parking area.