Planning Board
Village of Tarrytown
Regular Meeting 7 pm
November 27, 2023

PRESENT: Chair Raiselis, Members Friedlander, Aukland, Gaito, Counsel Zalantis; Village Engineer Pennella; Planner Galvin, Secretary Meszaros

ABSENT: Member Mendez-Boyer, Alternate Member Mezey

Ms. Raiselis opened the meeting at 7:05 p.m. She announced that the public will be given the opportunity to address the Board on agenda items only. Each speaker will be given 3 minutes during the public comment period. The Board welcomes public written comments emailed to lmeszaros@tarrytowngov.com or mailed to the Village of Tarrytown, Planning Dept. - 1 Depot Plaza, Tarrytown, NY 10591, and should be received no later than the Friday before the meeting, in order to be distributed to the Board and the applicant in advance of the meeting.

APPROVAL OF MINUTES - August 28, 2023
There was no quorum to approve these minutes. They will be considered at the next regular meeting.

APPROVAL OF MINUTES - October 23, 2023
Mr. Aukland moved, seconded by Dr. Friedlander, to approve the minutes of the October 23, 2023 meeting, as submitted.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

ADJOURNMENTS:
Ms. Raiselis announced the following two adjournments:

Gotham Design Planning and Development
25 South Washington Street
Site plan approval for the redevelopment of the property to include the razing of the existing two-story single-family home and 1½ story detached garage in order to construct a new three-story primary structure with 3 dwelling units.

Joseph G. Thompson Architect, PLLC
93A Highland Avenue
Site plan approval for the construction of a single-family home.

CONTINUATION OF PUBLIC HEARING -First Korean Methodist Church of NY
500 South Broadway - Site Plan approval for the construction of a parking lot with site improvements to include stormwater and ADA accessibility.

Joseph Riina, RA, the project architect, appeared and advised that they have received approval of the variances from the Zoning Board and have revised the plans to satisfy the village landscape architect, and the Village Engineer, and have submitted a final SWPPP.

There were no comments or questions from the Board. Village Engineer Pennella advised that he is satisfied with the final submitted plan and the stormwater improvements will be inspected and monitored annually as part of the MS-4 NYSDEC program requirements.

Ms. Raiselis asked if anyone in the public wished to comment on this application. No one appeared.

Mr. Riina inquired about the possibility of adding EV charging stations to the plan. Mr. Pennella advised that adding an EV charging station to the parking lot in the future would require an amendment to this application.

Mr. Gaito moved, seconded by Mr. Aukland, to close the public hearing.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

Mr. Gaito read through portions of the draft Resolution and noted that a copy will be provided to the applicant and the entire Resolution will be recorded in the minutes of this meeting as follows:

RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted November 27, 2023)

Application of Korean First Methodist Church
Property: 500 South Broadway (Sheet 1.180, Block 104, Lots 7, 3 and 2 and Zone R-7.5)

Resolution of Site Plan Approval

Background

1. The Applicant requests site plan approval for the construction of a new 13 space parking area in the northwest corner of the property at 500 South Broadway. The proposed new parking area will eliminate the Church's existing parking spaces off of Walter Street near South Broadway. The proposed parking area is now outside of the wetland buffer.

2.The Planning Board determined on August 22, 2022, that the proposed action was an Unlisted action under SEQRA. The Planning Board issued a Notice of Intent (NOI) to be lead agency for the environmental review. The Planning Board assumed lead agency status on October 24, 2023. The Planning Board referred the application to the Westchester County Planning Department under GML and received comments on August 26, 2023. During the course of the Planning Board's review, there were numerous changes to the original plans with a new plan dated September 8, 2023. The Planning Board issued a Negative Declaration on September 26, 2023.

3.The Planning Board opened a duly noticed public hearing on August 22, 2023, and continued on October 24, 2022, February 27, 2023, September 26, 2023 and November 27, 2023, at which time all those wishing to be heard were given the opportunity to be heard.

4.The Planning Board has carefully examined the Application including the Applicant's Engineer (Site Design Consultants) *Narrative* dated September 11, 2023 describing the revised site plan showing the elimination of the parking lot off of Walter Street and the construction of the new lot in the northwest corner of the Church's property. The Planning Board also reviewed the *Environmental Clearance Form* and the numerous options prepared by Site Design Consultants for review by the Planning Board. The Planning Board also conducted a site visit to the subject property on September 11, 2022. The Planning Board reviewed the comments made by Westchester County Planning, the SWPPP dated April 2023 developed by Site Design Consultants and the ZBA resolution relating to the approval of the applicant's area variances. The Planning Board received comments and recommendations from the Consulting Village Planner in memoranda dated 11/15/22, 3/13/23, 5/12/23, 9/12/23 and 11/13/23, a denial letter from the Vil1age Engineer dated June 8, 2022, and a landscape review from the Village Landscape Consultant dated November 9, 2023, which the Planning Board has considered.

5.The Zoning Board of Appeals reviewed the Applicant's request for an area variance for a setback from South Broadway and rear yard and side yard setbacks related to construction of the parking lot, sidewalk and ramp for ADA accessibility at a public hearing held on November 13, 2023. The Zoning Board of Appeals closed the public hearing on November 13, 2023 and approved the requested variances on that date.

6.The Planning Board closed the public hearing on November 27, 2023. After closing the public hearing, the Planning Board deliberated in public on the Applicant's request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval is granted subject to the conditions set forth below.

I. Findings

The Planning Board finds that the Planning Board has considered the standards set forth in the Village of Tarrytown Zoning Code ("Zoning Code") Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

The Planning Board has reviewed the Applicant's site plan and the submitted plans. The construction of the new 13 space parking area has been relocated at the northwest corner of the property, outside of the wetland buffer. The proposed new parking lot will eliminate the Church's existing parking spaces off of Walter Street. Access to the new parking lot will be from a proposed 18' wide entrance from Walter Street with a trench drain. This will result in the elimination of the existing parking spaces which were parked head-on from Walter Street, bringing about safer vehicular circulation from the Church. The proposed parking plan provides a 13-space porous asphalt parking lot and permeable pavers including one ADA space in front of the church. The area of 2,581 S.F. under the parking spaces will be utilized to capture stormwater through the use permeable pavement, a reduction of impervious area in comparison to the existing. The Plan shows the reconstruction of a 4' concrete sidewalk along Walter Street. There will also be a 5' wide asphalt walkway along the west side of the Church with handicapped access at the rear of the Church. There will be installed a 2' rain garden along the west side of the Church. The ADA ramp at the rear of the Church is elevated with details shown on the plans. The location of the proposed parking lot outside of the wetland buffer avoids the need for mitigation for this parking area. Applicant's Engineer has satisfied the Village Engineer's comments regarding the sidewalk detail along Walter Street and the rain garden.

A stormwater management system has been designed for the new parking lot. Almost the entire disturbance for the parking lot will be kept out of the wetland buffer. The total disturbance for the site will be 5,300 sf. This disturbance will be managed during construction by implementing this stormwater management plan to control stormwater runoff and related erosion potential. During construction, erosion and sediment control measures will be installed and maintained. After construction is completed, trench drains will collect stormwater runoff and then discharge it to a 12" deep gravel reservoir under the parking lot. Most of the undeveloped area on the property remains a combination of lawn and onsite wetland. . The proposed ADA ramp will also be located within the wetland buffer however in an area already improved with lawn and sidewalk / stairs. It will be an elevated wood structure resting on posts and 12" diameter footings, therefore, requiring minimal disturbance to construct. Additionally, the ramp will not be totally impervious since there will be spaces between the planking allowing rainwater to flow through. Also, as with the sidewalk the topography from the area of the proposed ramp will direct surface runoff toward South

Broadway and not the wetland. Neither of these two improvements will have a negative impact on the wetlands or create any additional flooding of the wetlands.

Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board.

Civil Engineering Plans developed by Site Design Consultants and prepared for *First Korean Methodist Church, 500 South Broadway* dated 4/7/22 and last revised 11/27/23, unless otherwise noted entitled as follows:

- 1 0f 6 *"Site Plan"*
- 2 of 6 *"Existing Conditions"*
- *3 of 6* *"Erosion & Sediment Control Plan"*
- 4 of 6 *"Improvement Plan"*
- *5 of 6* *"Site Details"*
- 6 of 6 *"Detention Details"*

Stormwater Prevention Pollution Plan (SWPPP) prepared by Site Design Consultants, April 2023

(the "Approved Plans")

III. General Conditions

1. The Planning Board's approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.

2. If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Village Engineer, they shall also be considered "Approved Plans."

3. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

4. Force and Effect: No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the Final Site Plan is signed by

the chair of the Planning Board and (3) the Final Site Plan signed by the Planning Board Chair has been filed with the Village Clerk

5. Field Changes: In the event the Village Engineer/Building Inspector agrees that, as a result of conditions in the field, field changes are necessary to complete the work authorized by the Approved Plans and deems such changes to be minor, the Village Engineer/Building Inspector may, allow such changes, subject to any applicable amendment to the approved building permit(s). If not deemed minor, any deviation from or change in the Approved Plans shall require application to the Planning Board for amendment of this approval. In all cases, amended plans shall be submitted to reflect approved field changes.
6. Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.

IV. Specific Conditions

a) Prior to the issuance of a building permit, a *Stormwater Management Agreement* for the maintenance and inspection of the stormwater management facilities related to the First Korean Methodist Church construction of new parking lot at 500 South Broadway, in a form satisfactory to the Village Engineer and Village Attorney, shall be fully executed and submitted to the Building Department with proof that the Agreement has been filed for recording in the Westchester County Clerk's Office.

Mr. Aukland moved, seconded by Ms. Raiselis, to approve this Resolution.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

CONTINUATION OF PUBLIC HEARING – Hudson Harbor Station LLC– 29 S Depot Plaza

George Distefano appeared, representing the applicant, Hudson Harbor Station, LLC. Lucille Munz, with JMC Site Development Consultants, the project design engineers and landscape architects, and John Canning, PE, the project Traffic Engineer, with Kimley Horn, were also present to answer any questions.

Ms. Raiselis advised that Rachel Beer, PE, PTOE, with Sam Schwartz Engineering DPC, will briefly go through her findings related to their review of the Traffic Impact Study submitted by the applicant for this project. The village had requested an independent review of the traffic impacts as part of the SEQRA process.

Ms. Beer briefly went through each item in the report which is attached as "Exhibit A-1". She advised that they do not think this project will have a major impact to the traffic in the area and briefly went over some suggestions as outlined in their report. One suggestion was to expand the study area to the intersection to the east where there may be some queuing, which may show a larger picture. She noted a slight discrepancy in the peak hour numbers in the study, but she does not believe it changes the results. She would like to see a description of concerns, based on the applicant's observation when they did the count, i.e., outlining existing conditions, queuing issues, etc. She noted that this is a very difficult intersection to analyze with many moving parts and there is also software limitation with regard to showing the impact to the south outer roadway. They do not expect the results to change with the south outer roadway, but they recommend that the applicant do a quick simulation to show a more accurate picture of how the intersection operates with regard to the two stop controls and two free roadways. Based on the review of the material provided, they can confirm that the Edge on Hudson project was accounted for in the study, along with other sites. They would like to have updated information based upon the occupancy and updated program of the Edge, which has changed, for backup purposes. They believe that the volumes in the study appear to be representative.

Ms. Beer had two comments on the civil drawing set in her report. The first is to also raise the crosswalk in the middle of the roadway, in addition to the other two raised crosswalks, for added safety since the walk is adjacent to the ADA spaces. The second comment is related to drainage which could be improved by having more of crown at the center of the road to allow water to drain to the sides and prevent pooling.

Ms. Beer concluded that there are no major traffic issues with the proposal. The site is located next to the train to encourage mass transit use and they align with the methodology and analysis that the applicant used in their study.

Ms. Raiselis asked Ms. Beer to quickly go over additional considerations that would improve the area.

Ms. Beer thought that it would be helpful to monitor traffic after the development is built. Given that the site driveway is close to where buses stop, she suggested the possibility of moving the existing driveway further to the Franklin Towers site and connecting the 2 parking lots off site for cars to gain access to 29 S. Depot Plaza through Franklin Towers. Another consideration, which is a big lift, would be to install a roundabout which only allows for right turns. Generally, roundabouts can improve safety by reducing traffic confusion, but this location would have to be further studied. Additional wayfinding signs could also be added to promote walkability and the use of the park area across the tracks.

Dr. Friedlander asked Ms. Beer to elaborate more on the traffic impacts of the other developments. Ms. Beer advised that The Edge and other developments were accounted for in the study. The 2005 FEIS was done a while back and adjustments have been made; they don't have the detail and backup information to verify the adjustments. Dr. Friedlander thought that it would make sense to further review this matter. He does not feel that the 2020 through 2023 numbers are the reality of the traffic situation. Ms. Beer noted that if additional information is received, they can review that. Dr. Friedlander confirmed with John Canning that 390 units are occupied now at the Edge, out of 1177 proposed.

Mr. Gaito was concerned about the safety of pedestrians and cars making unsafe left turns. Ms. Beer said a roundabout would be safest, but it is very expensive. The striping improvements proposed by the applicant will certainly help and adding a left turn bay also helps separate the traffic. She added that what is proposed is better than what is currently there today. In the longer term, however, something bigger is worth considering.

Ms. Raiselis believes that if a roundabout is the way to go, then it should be explored if the project results in more traffic. Ms. Beer said further study would be needed to see if it is even feasible. There may be some limitations and encroachments into the right-of-way to accommodate the turning radius.

John Canning, the project engineer, appreciates Ms. Beer's review. He noted that the project will generate 33 trips per hour which is 9 trips over the existing. The driveway also serves the recycling facility, the MTA and Village lots and it is not going away. Roundabouts are good at certain locations but can be complicated for pedestrians since they have to cross multiple legs. The large buses will not be able to maneuver in the existing roadway and would require a larger area which could include taking a portion of the village hall lot and Metro North property; or land on the other side. Ms. Raiselis said these considerations will not hold this project up but if it is something that will improve the situation maybe they should be looking at this in tandem. Mr. Canning noted that they have provided their analysis which shows limited impacts during this SEQRA process and there have been prior SEQRA reviews as well at this site. The intersection at White and Franklin was studied and 90% make a right turn and there is no traffic impact to cars coming from the

Portugese Club; peak hour volumes are 10 vehicles and there are no queuing issues. He again noted that the driveway is not going away and his client will not object to any improvements at this intersection and will engage in future discussions should the village move forward with any improvements. He does not feel that the additional considerations discussed this evening should be tied to this project.

Ms. Raiselis said if it becomes more difficult once built, then the roundabout is something to explore. Mr. Canning said it is unlikely that the impacts will be much different than what they are now and the existing driveway will not preclude any future improvements.

Mr. Galvin suggested the applicant conduct a post construction review after the development is built. Mr. Canning said they could verify if the same level of activity that was projected is in fact accurate. He also advised that they will be implementing the left turn lane which will be an improvement. The Police Chief and DTS Provident (currently working with the Village) also liked this suggestion. He noted that the SIM traffic analysis was done and those results were conservative. Dr. Friedlander asked about the wait time for people going up Franklin Street to Broadway. Mr. Canning said it can be busy there; they did not study that, but, if this project is effectively replacing the former use of the warehouse with more or less the same traffic, then there will not be any adverse impact to the traffic at that location.

Mr. Aukland thanked Ms. Beer for her report. The key point is that there is nothing that has caused him to question the applicant's traffic findings for the purposes of considering the Negative Declaration this evening. He believes that in the future, the suggestions, such as the roundabout, can be revisited.

There were no more questions from the Board or staff.

Mr. Distefano came up and advised that he has no formal presentation this evening. He noted that they have added a bathroom on the ground floor as requested by the Board at the last meeting and also included an rendering view and additional information in the SEQRA review for flood mitigation, and a breakdown of the school age children. A discussion was held with Rose Noonan, with the Housing Action Council, and there may be an opportunity to include the 9 artist workspaces as affordable units, with possible funding through a grant, and they will continue that conversation. He noted that similar affordable units have been funded in Peekskill and New Rochelle. Mr. Galvin advised that this would double the number of affordable units proposed for the project from 9 to 18 units. Mr. Distefano advised that Kimley Horn and JMC will respond to the comment letter from Sam Schwartz which Ms. Beer presented this evening.

A brief discussion took place regarding the impact to the school district. Dr. Friedlander feels that the numbers are not really representative. He believes that there should be consideration for the worst-case scenario, given that there are 20- 2 bedroom units proposed. He believes that, post covid, people are leaving the city and coming to the suburbs, and there is a stronger likelihood of people coming to Tarrytown, since it is a good school district. He does not believe the numbers take this into consideration and they could be higher than 6 or 7 children. He would like a column added to include a break-even number, rather than a surplus, indicating that anything above that break-even number would be a loss in revenue to the district. He wants the children to come, they are valuable to the community, but he thinks the schools should be prepared to handle the increase. He noted that the distribution and mix of students by age also affects the school budget.

Mr. Galvin mentioned the "Urbanomics Study", which was done for better performing school districts. In that study, he noted that the numbers did not get up any higher than 10 students, and even at the 8 or 10 range, the school district may not be losing money.

Mr. Distefano referred to a 2016 study from Fairfield Connecticut, a district similar to Tarrytown, which also had a number of 7 students. He does not know of any other sources to use. Mr. Galvin confirmed with the applicant that they looked at the school enrollment in Tarrytown over the past 5 years. Mr. Aukland believes the assessment is convincing. He asked if the School District commented on this. Mr. Galvin noted that they were given the opportunity to comment on the application. Mr. Galvin referred to a recent article that was published, which indicated only a minor loss of students in the Tarrytown School District.

Ms. Raiselis said that she is comfortable with the school numbers and the research provided by the applicant.

Ms. Raiselis asked if anyone in the public wished to comment on this application. No one appeared.

Ms. Raiselis read the description of action into the record. The entire SEQRA document is posted on the website and is attached as "Exhibit A-2" to these minutes:

The proposed action consists of the redevelopment of a transit-oriented development on the 1.39-acre industrial property which includes of Lot 37 (0.21-acres) and Lot 38 (1.18-acres). The subject property is located to the south of Depot Plaza with direct access to the Metro North Railroad's (MNR) Tarrytown station. The proposed redevelopment plan would provide a new four-story building with 88 residential units and approximately 2,984-sf of artist workspace/storage, 3,823-sf of amenity space and 1,500 sf of art gallery space. Site improvements include the development of an adjacent 3,800 sf landscaped pedestrian plaza at the foot of the stairs to the train platform. Parking will include 55 covered spaces in a garage under the building, 13 surface parking spaces on Lot 37 and 33 spaces in the MTA parking lot

opposite the building. The other 30 spaces in the MTA lot will remain dedicated for MTA employees. Applicant will provide landscaping and dark sky compliant lighting to improve the MTA parking lot. There will be a Mobility Hub provided on Lot 37 that will feature a metal frame canopy structure, EV Charging stations and offer e-mobility bike and scooter share options for the public.

Zoning Compliance and Modifications - The Project fully meets the requirements of Section 305-41(10) for the development of a Transit-Oriented Project in the Industrial zone. Specifically, the Project application has been the subject of multiple revisions during the Planning Board site plan review to clarify and comply with all use and dimensional requirements (including, but not limited to height, bulk, setbacks, etc.).1) The Applicant has been able to reduce the overall height of the building to an absolute maximum height of 48'-0" as specified in the Code.The 48'-0" measurement begins at elevation +5.24' which is the "average grade plane" of the project as defined by the Village Code. The elevations show that the highest point of the building is located at or below +53.24' (or 48'-0" above the average grade plane). Applicant has removed the stair bulkheads and provided access to and from the roof using a low roof hatch and alternating tread device. Elevations show a minimal elevator overrun that will be screened by the parapet wall around the building perimeter. Applicant has located all HVAC condenser units toward the center of the rooftop limiting sight lines from around the project. Condensers will be screened by the parapet wall. 2) Ground Floor Activation - 50% of ground floor space is required to be non-residential. Applicant has met this requirement by increasing the original 295 sf of retail space to 1,500 sf and transforming this space into "Art Gallery" space. These two spaces will be devoted to the presentation of art by resident and guest artists, as well as other arts organizations located in the Village and the wider community. This will provide a venue for "popup" and rotating exhibitions sponsored by the Applicant or in partnership with community organizations. Additionally, the Applicant has created nine individual "Artist Workshop" spaces on the sidewalk area. The intent is that these spaces can be used by residents living in the building. The goal is to create a community of artists living, working, creating and exhibiting their work on site. 3) Massing and Facade - No façade shall exceed 150' in length without architectural features designed to break up the visual effect of the building and avoid a box like appearance. Applicant has made design changes to the facade in order to provide a more residential feeling. Applicant's architect has provided more variation around the building in terms of stepping and material variation to help mitigate the scale. Façade alternated with brick cladding and metal panel attempts to have the building read like a collection of smaller buildings. The width of the windows has been reduced for a more residential scale rather than the previous wider windows. Added detail to the facade including subtle relief around the brick window heads, horizontal lines on the metal panel portions, and metal canopies punctuating the entry storefront, parking garage entrance, access door at the southern end of the building. ARB provided a positive preliminary review on 9/20/23 and was supportive of the arts component.

Ms. Raiselis referred to Sustainability Standards (page 3 of the continued Neg Dec) and noted the applicants commitment to create an environmentally responsible, healthy and sustainable community for the future residents by implementing smart Growth and sustainable development principles by using the existing concrete slab foundation, installing a Mobility Hub to include EV charging, bike/scooter storage to promote other

transportation options, proposing an all-electric building and a rooftop solar array to help offset traditional energy supply; introducing water-saving fixtures and sustainable landscaping to ensure efficient water use and management within the development; proposing recycled or reclaimed materials, low VOC paints and energy insulation and minimizing construction waste and encouraging recycling facilities for the residents.

Mr. Aukland moved, seconded by Mr. Gaito, that this project will not result in any significant adverse environmental impacts that would rise to the level of significance required for a Positive Declaration.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0 – Negative Declaration issued

CONTINUATION OF PUBLIC HEARING – Benjamin and Julie Green – 25 Rosehill Avenue

Darias Chafizadeh, ESQ, with the law firm of Harris Beach PLLC, appeared before the Board, representing the applicant. He advised that his new to the application but has been brought up to speed and will rely on the expertise of his professionals. His client is before the Board for some time to request a steep slope waiver. The Board has asked for a reduction in the project to lessen the impact on the steep slope. He referred to the November 3, 2023 letter to the Board. They believe the alternate plans and design changes proposed are not feasible and will create more safety hazards and impact to the steep slopes which they will discuss this evening. They believe the plan proposed is the best plan. He acknowledged Mr. Pennella's November 27, 2023 memo to the Board regarding the safety issues and they believe they can work these issues out with the engineering department. There has also been discussion with regard to meeting the standard criteria for a steep slope waiver. He noted the long history of this Board granting steep slope waivers and referred back to the most recent project in 2017, which granted a waiver for 12,000 s.f. of disturbance of steep slope. He noted that their project proposes a little over 3,000 s.f., which is a minor disturbance; and they believe they meet the criteria to grant this waiver. He advised the Board that they will walk through the technical issues and answer any questions this evening.

David Verespy, Landscape Architect, with Rock Spring Design Group, appeared and introduced David A. Goessl, PE, the project engineer. The applicant, Benjamin Green, was also present. They have once again sharpened their pencil and have revisited the analysis of the existing conditions analysis that was provided, discussed at the work session, which

requires an explanation. He advised that the original slope analysis was a combination of information taken from a prior approved application and from information obtained through the county. It was much more conservative in its approach. He has since reviewed this information and identified areas that have been incorrectly shown as steep slopes at the bottom of the slope where the rain garden is proposed, and a few areas toward the top of the slope. Based upon these changes, they have recalculated the impact to the steep slopes. There was also a question about additional concessions with regard to the size of the pool, the scope, and the client program. Mr. Verespy advised that they have already reduced the disturbance by one-third and have taken out complete areas of the project. Mr. Chazifadeh asked Mr. Verespy to explain to the Board why it is not feasible to construct the walls any further in and closer to the building. Mr. Verespy explained that if the walls were moved in, the design will increase the intensity of the slope disturbance by requiring the chipping of rock and creating a less stable and safe design solution. They believe the walls have been placed in the most stable locations that create the safest design solution. Moving the walls in will create more disturbance, more impact on the site, more impact on the steep slope, more impact to the neighborhood, and will increase the design complexity of the project and reduce the overall safety.

Mr. Verespy briefly went over the two alternative designs that the Board requested. The first design turned the pool 45 degrees toward the house. A coping elevation of 250 would require 6 feet of excavation to get from the coping, through the pool, the pool shell, and the gravel underlay. The location of where that would work, in terms of cross section, would push everything down the hill and create a rock removal operation across a broader area of the site, impacting the steep slope even more. In addition, a point of the project would also jut out deeper into the site. It would also require additional walls to be able to step down to get to the elevation where it would make sense. Overall, it is not a good design solution in terms of functionality for the client and the flow of the project. Keeping the pool orthogonal to the building allows them to tuck it in and nestle it into the site instead of pushing it out.

The second design solution was incorporating curves into the plan. Curves are inherently less efficient in the use of space. More area is needed to achieve the same program, and, as a result, you have the same amount of disturbance, but pushed farther out toward the rock wall. Mr. Verespy advised that both solutions did not have a net effect of reducing the slope. It either kept it the same, or made it more, and made the project more complex and difficult to build. Mr. Verespy introduced David Goessl, the project engineer, to go over the engineering design safety factors of the walls.

David Goessl, the project engineer, noted that they submitted an alternate design, as requested by the Village Engineer, to look at the possibility of using a poured concrete wall which would eliminate one of the tiered walls. He explained that a concrete poured wall was not a favorable model solution for this site. It would require modification of the rock, pinning

and drilling. In addition, staging of the concrete pours would disturb the neighbors and could also impact the foundation of the home. With regard to the recent wall failure in Ossining, he understands the Board's concern about safety. He referred to this November 20, 2023 letter to the Board which explained the safety factors in detail for this project. Mr. Goessl explained that they used two acceptable standards and scales in their modeling. He would like to sit down with Mr. Pennella to go over their model in comparison with the design standards outlined in Mr. Pennella's memo so that they can come up with a scale conversion factor to evaluate the safety factor to see how their numbers compare to Mr. Pennella's numbers. Mr. Goessl noted that their modeling assumed a conservative soil bearing factor of 2 tons/s.f. A geotechnical bearing capacity analysis was done and if those number are applied, he believes the safety factor will be higher. He again advised that there are different standards and you need to compare apples to apples. He would be happy to meet with Mr. Pennella to make sure they meet or exceed the safety factor.

Mr. Pennella said he believes the Board is looking for a comfort level to prevent a catastrophic failure of the wall sliding out to the bottom of the hill. He would like some preventative measures put in place. He thinks they could achieve this by going deeper into the ground, especially for the lower wall, which is the most critical. Some possible solutions were discussed. Mr. Chafizadeh suggested a meeting with the engineer and Mr. Pennella to come up with a solution. His client has a 6 and 8-year-old and they certainly don't want the wall to fail. Ms. Raiselis said it would be a good idea for them to meet but this discussion is good because it allows the Board to see that there may be solutions. This is a very sensitive project considering the location of the property and big piece of water that is going on top of it.

Mr. Pennella said we just have to establish a base and get to a design which is closer to the factor of safety that the Board is comfortable with. Mr. Goessl said if you apply the conversion factors, he believes they are close to the numbers that are in Mr. Pennella's memo. He did some quick calculations before the meeting and noted that they are at 2.45 v. 1.47, 2.28 v. 1.37, 2.38 v.1.43, and 2.34 v 1.41.

Counsel Zalantis added that Mr. Pennella was concerned with redundancy. Mr. Pennella suggested an alarm system of some type be installed to indicate water leaks behind the walls. Mr. Verespy wanted to confirm that that the redundancy would be to prevent water from saturating the soil behind the walls and causing them to slide out. They will explore this with the pool companies who have monitoring/alarm systems. Mr. Pennella also suggested anchoring the pool to the bedrock so that it doesn't slide out down the hill. He also noted that the profile does not show the neighboring wall, section DD. They are very close to the property line on the north side. Mr. Verespy said that is more of a pile of rocks than a wall but they will show it on the plan. Mr. Pennella wants to make sure that an area like that

doesn't fail as well. He advised that if the Board feels the numbers he presented in his memo are satisfactory, then he will sit down with the engineer to go over the modeling.

Ms. Raiselis asked the Board Members to comment.

Mr. Aukland said, from the beginning, his position has been that he does not see a basis for granting a waiver in this case. The code is clear that the Board should restrict new construction with the aim of preserving the steep slopes. Mr. Chazifadeh interrupted and noted that the Board has routinely granted waivers. Ms. Raiselis asked Mr. Chazifadeh to please let Mr. Aukland finish commenting. Mr. Aukland continued that the Board is permitted to grant a waiver for the minimum relief necessary for the extraordinary hardship established by the applicant. He has not seen extraordinary hardship in this case. What he would look for is any public good that would benefit the village, for instance, by reducing stormwater issues on the street. He has not heard anything about that. The Board has had requests for waivers in order to shore up a building or structure or expanding an access road which there is a need for public safety. He has seen nothing of this kind. He is sure that this proposal adds risk, and there has been a discussion about the degree of risk, and he sees no reason, given the code and discussion to grant a waiver in this case.

Mr. Gaito said the Board is requesting this safety factor to prevent worst-case scenario of a failure. While the technical and structural solutions can be accomplished, the pool and walls are separate issues. The pool is a floating bathtub. The fact that the applicant has a lower level area helps them. The applicant is improving their property in terms stormwater collection, stabilization and tree mitigation, but because the project borders a public street and the neighbors, the safety factors have to be looked out from a public safety standpoint.

Dr. Friedlander had no comment at this time.

Ms. Raiselis said she looked up at the site from Neperan Park and her main concern is the safety issue. If they can't get to a place that is rock solid safe, it will be extremely difficult for her to grant this waiver.

Mr. Goessl said there are ways to improve the safety factor. They may have to disturb the slope a little more. Safety is paramount to them. Ms. Raiselis advised the applicant that they should keep in mind that if they have to disturb 95% of the backyard to keep it safe, that is not going to work either.

Mr. Goessl agreed and noted that there is a balance here. They want to keep it as close to the house as possible. There is a lower plateau but they want to keep that lower area which will be improved with forest and stormwater management which will benefit the public. Ms. Raiselis understands the improvements.

Dr. Friedlander asked if the applicant reforested the slope to absorb more water would that be for the public good. Mr. Goessl said that is the goal of the Forest Management Plan. Mr. Verespy clarified for Mr. Aukland and Dr. Friedlander that there are public benefits to this project. They have provided the public benefits in prior submissions and presentations. They will be reducing the stormwater runoff off of the site and implementing a plan for erosion control. Currently there is no understory or shrub layer on the property and the tree roots are exposed. They will be replanting native trees, shrubs, over time, which will stabilize the slope. The most stable slopes have trees, shrubs, and herbaceous ground cover which will provide a variety of root structure to hold the slope. The Forest Management Plan will create a better habitat and improved forestry and will help with reducing runoff, which are all public benefits. They are not required to do this but his client feels strongly about improving the property and it is a direct public benefit. The rain garden that they are proposing is also not required. They can model the stormwater on site without a rain garden. The rain garden, that the Village Engineer suggested, provides an ecological habitat with stormwater mitigation, water filtration, and water quality improvements. These are direct public benefits that are not required and they believe that the benefits they are providing offset some of the impacts. The Forest Management Plan will remove invasive species which displace native plants and wildlife because they lack habitat or food, and will replace them with native species that are beneficial to the wildlife and environment. Mr. Chazifadeh asked Mr. Verepsy if these items were in a submission to the Planning Board. Mr. Verespy advised that they have been submitted to the Board and presented at a public hearing.

Mr. Aukland stated that the benefits Mr. Verespy has proposed could be offered without disturbing the steep slope. It is not an argument in his book. The applicant could replace the tree canopy and address the stormwater runoff by doing something down the hill. It does not have to be done where they are proposing to disturb the steep slope. He is not convinced. Mr. Verespy noted they would still be impacting the steep slope if they were to improve the drainage condition at the bottom of the hill. Mr. Goessl added that it also protects the house.

Mr. Aukland stated that you don't need to put in a pool to get these benefits. He asked Mr. Pennella if the village has an interest in improving stormwater in this area. Mr. Pennella said the village has not undertaken any studies on Neperan Road to do any improvements. Mr. Aukland asked if the village is looking at this property to do something to avoid a stormwater runoff issue. Mr. Pennella noted that the applicant has to comply with §305-50 for self-controlled drainage. They are putting in measures on-site but not off-site. The rain garden proposed on site was in lieu of installing an underground system due to concerns of soil saturation underground and failure. The rain garden will allow for slower percolation downstream. Mr. Pennella confirmed with Mr. Aukland that the applicant could maintain stormwater issues without installing a pool.

Mr. Gaito asked Ms. Raiselis about a timeline for Mr. Goesll to meet with Mr. Pennella. Ms. Raiselis said there needs to be a discussion because the Board is not there yet. Counsel Zalantis clarified to the Board that, absent a project, the village cannot make a property owner install stormwater mitigation measures unless it is creating some kind of hazardous condition. Mr. Pennella stated that he is not aware of any hazards and nothing has been reported to him.

Mr. Aukland again stated that the stormwater issues could be addressed with disturbing the steep slopes.

Ms. Raiselis said it is a difficult issue and we are not comfortable with it. They are struggling, as the applicant is. She would like to get to a place to offer some work to be done by the applicant. She can't see where this is going to go. The pool is a concern to her. Mr. Chazifadeh asked her if it is a safety issue for the pool. Mr. Raiselis said primarily, it is the safety of the pool, and secondly, it is also an understanding of what the steep slope law is.

Mr. Chazifadeh said we can work on the safety issues with Mr. Pennella. Ms. Raiselis said we think we can work on it, but if the slope disturbance is increased, it not going to happen. Mr. Chazifadeh said they believe it is safe now, but if the Village Engineer requires more safety, more redundancies, they will do them, within reason. They are providing benefits with this project and he noted that this Board has repeatedly approved steep slope permits under the sections. He has looked through the minutes and the one benefit that the Board looks at is improving stormwater issues. Less stormwater runoff is exactly what this Board has approved in the past and this is what they are proposing. The safety issue they can handle. They will be back next month. They meet all the standards. He referred to a bunch of approvals in the minutes which most of this Board approved. His client wants to improve his property and is going to improve the stormwater runoff. If one property in the village can be improved, in terms of water quantity and quality, it is a win-win for the village. if his client can maintain and handle the runoff on their property, how is that not a benefit to the village? Anyone can build a rain garden on their property, but if someone is proposing a project, the benefit that this Board always looks at, in all of the minutes, which he can read, is the stormwater runoff. Ms. Raiselis said she understands what Mr. Chazifadeh is saying. For this project, the safety factor makes her queasy, and until she has the factor of safety satisfied in her heart, she is going to have a difficult time signing off.

Mr. Chazifadeh said that they think they are there now with regard to the safety and they will show the numbers. He wants to make sure the Board, the Village Engineer, and his client are comfortable because they don't want the slope to fail either. This village is full of

retaining walls and noted a project just two houses away from this property that was approved by this Board.

Dr. Friedlander asked Mr. Chazifadeh to address Mr. Aukland's statement about extraordinary hardship. Mr. Chazifadeh said he has reviewed prior approvals and there is no definition of extraordinary hardship in the code and it has never been analyzed under any standard, ever. He read a portion of the 2018 Board minutes which stated, "*In addition, in accordance with Zoning Code § 305-67(F) (2) (c), the waiver is the minimum relief necessary to relieve the extraordinary hardship established by the applicant.*" This is the conclusion of the Board. The hardship is that his client wants to build this project and they can't without getting a steep slope waiver. The minimum relief is that the engineers don't want to go into the rock since it will be less stable so the wall has to be down away from the rock. This project is a little over 3,000 s.f. impact on the slope. He referred to minutes from the December 28, 2017 project at Castle Heights, where there was disturbance of 12,000 s.f., approved by this Board. Mr. Pennella said the purpose of the Castle Heights project was to build a retaining wall for access and egress to the back of the building. Mr. Chazifadeh said they wanted to improve their property. Mr. Chazifadeh noted another project for the EF School that was granted a steep slope waiver in May 22, 2017. The project was approved by this Board, including Mr. Aukland, and stormwater runoff was the benefit that was considered. He advised the Board that safety is key, but the benefit of reducing stormwater runoff is what the Board always looks at, and there is no definition of hardship.

Dr. Friedlander asked if the native trees proposed will improve the stormwater runoff. Mr. Verespy explained that tree for tree, native vs. non-native, it is a one for one, in terms of water. With regard to water quality and water uptake, the proposed planting of the native species will allow the understory to come back and a shrub layer will improve the water uptake two-fold since there will be more plants with more roots to stabilize the slope. He noted the large area from the stone wall down to Neperan Road where they will be replacing trees over time resulting in a much healthier ecosystem improving water uptake because there is more vegetation. Ms. Raiselis said the reason for planting over time is not to wipe out all the trees at once which would destabilize the soil. Mr. Verespy said that grass and shrubs cannot grow around the Norway Maples on the north side of the property, resulting in a wash out of the slope. There are a lot of exposed roots on that slope and replacing these trees over time will improve the condition.

Mr. Chazifadeh said the proposed improvements are designed for the benefit of other properties downhill from the project to control stormwater runoff from the existing site and to minimize erosion on site. These are benefits to the public and, yes, they could fix this tomorrow with a permit, but they are building a project and improving the stormwater runoff which is a huge benefit to the community.

Ms. Raiselis understands but they are adding risk that need a safety factor that is higher than the norm. Mr. Aukland said it does not require a pool to fix the stormwater issue.

Mr. Chazifadeh said the pool seems to the be the "X" factor here. It will be safe. You don't need to build a house or add onto a house either to improve stormwater but people do it all the time. He has been before many planning boards and if someone wants to do something on their property, whether it is a pool, addition, house or a tennis court, it doesn't matter, every planning board looks at the benefits of the project to the community. Every planning board in this county and state looks at stormwater quality and quantity. If the analysis here is that you never have to build anything, just have everyone fix the drainage issues on their property, then that will never happen. That is why the Board is here and why they are here, to seek approval for this project. It has to be safe, but to ignore that the stormwater improvements are not a huge benefit to the community, is not looking at this project with open eyes. They will address the engineering issues next month and believe the Board will be satisfied.

Mr. Galvin asked Ms. Raiselis if her comfort level will be increased if an independent engineer reviewed the project. Ms. Raiselis agrees that an independent review would be helpful.

Mr. Green, the applicant, came up and responded to the concept of hardship. He has done a lot of research and there is no definition of hardship as it relates to land use. The closest he came were hardships related to commercial entities/investment properties that detract from the value of a property or can no longer be used for what they were intended due to code changes. For residential properties, he found no standardized definition, so answering this question was challenging for him. With regard to his hardship, he noted that there is exposed foundation. Photos can be provided for the record, but this has been discussed. He noted that during the site walk, a majority of the Board Members were concerned about walking the site due to the conditions of the slope on the property. He can't let his 6-year-old play on the property; there have been too many bloody lips and injuries, and his friend's children have also slipped into a tree, or chased a ball and cut themselves on exposed glass. His kids can't use the wagons and cars that their grandfather sends them and they can't play with balls. It is hard. He knows that the way it impacts him is not a technical definition of a hardship because that is such a loose concept to define, but he believes that not having a living space is a hardship. He would like to have a living space. They have established that the walls have to be where they are due to specific engineering reasons, not because they want to maximize the property. If that were the case, then the walls would be down to Neperan Road. The proposed walls begin where the exposed grass and dirt begins. The Village Arborist visited the site and was very supportive of the Forest Management Plan which is a benefit to the community. With

the foliage gone, you can see a mostly barren forest with Norway Maples, going up to a dirt slope, with exposed foundation. He is struggling to see where any detraction is to the community. They are building retaining walls; the entire village is built on steep slopes with retaining walls. Whether or not a pool is installed, it won't be seen. If the Board is comfortable with the engineering, with checks and balances in place to ensure safety, then he does not see a concern. At that point, it comes down to this Board deciding whether or not he can utilize his property to live on. Whether or not he can really have some outside living space, because he doesn't. The Board walked the site and there is not a flat speck of land. When he bought the house, to be honest, he looked around and he saw the retaining walls and terracing throughout the village and he saw the potential. The house (formerly St. Christopher's home) was old and collapsing when they bought it. They have done everything they can to honor the history of the house and they are asking to continue to do that. If the pool is the obstacle, they can have a conversation, but the reality is that the pool is not adding to the disturbance since the walls have to be where they are, from an engineering standpoint. So, then it comes down to whether or not the Board thinks he should have a pool, and if they don't, that is a personal opinion. At the end of the day, they are asking this Board for the ability to have some outside living space. They have established that there are substantial benefits with the Stormwater and Forest Management Plans, and it detracts nothing. They will work on the numbers for the safety factor. They want the Board to be comfortable.

Ms. Raiselis moved, seconded by Mr. Gaito, to continue the public hearing.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

CONTINUATION OF PUBLIC HEARING – Dr. R.N. Bhargava- 220 White Plains Road

Danielle DeVito, the project architect, with Pencil Projects Architect Studios, appeared with her client, Dr. Bhargava, CEO and founder of Integrated NanoMagnetics, Inc. They were here in October to request site plan approval to lease space to covert a portion of an existing office suite to a professional office with a laboratory use for research and development purposes. Ms. DeVito advised the Board that they have received a Compatible Use Permit from the Board of Trustees to allow this project to move forward on Monday, November 20, 2023.

There were no comments from the Board or staff.

Ms. Raiselis asked if anyone in the public would like to comment on this application. No one appeared.

Mr. Aukland moved, seconded by Ms. Raiselis, to close the public hearing.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

Mr. Aukland read through portions of the draft Resolution and noted that a copy will be provided to the applicant and the entire Resolution will be recorded in the minutes of this meeting as follows:

RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted November 27, 2023)

Application of Dr. R.N. Bhargava
Property: 220 White Plains Road (Sheet 1.201, Block 122, Lot 7 and MU Zone)

Resolution of Site Plan Approval

Background

1. The Applicant is seeking site plan approval for the conversion of professional office space to general office space as a principal use and the conversion of the existing central conference room into a research and development laboratory as an accessory use. The Applicant is the current tenant of the approximately 4,000 sf office suite 585. This office space is on the fifth floor in the office building at 220 White Plains Road.

2. The Research and Development firm conducting the activities in the laboratory will be Integrated Nano-Magnetics Inc. The proposed laboratory use will be 975 sf or 25% of the total tenant space of approximately 4,000 sf. and less than 1% of the overall building sf. The laboratory space will require a *Compatible Use Permit* (CUP) from the Village Board of Trustees. All of the renovations will be interior with no exterior work. The applicant will also require an air emissions permit from Westchester County Department of Health for the proposed use.

3. The Planning Board on October 23, 2023, determined this to be a Type II Action under NYS DEC 617.5 (c)(18) *"reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not*

meet or exceeds any of the thresholds in section 617.4 of this Part". Therefore, no further SEQRA review is necessary.

4. The Planning Board has conducted a duly noticed public hearing on October 23, 2023 and November 27, 2023, at which time all those wishing to be heard were given the opportunity to be heard. There was no public made at the public hearing.

5. The Planning Board has carefully examined the Site Plan Application including the cover letter from the Applicant's Architect, Pencil Projects dated October 1, 2023. The cover letter provides background on the R&D firm and the laboratory activities, site conditions, Environmental Clearance form, floor plans and describes the minimal alterations for the conversion of the conference room to the research & development laboratory. The Planning Board has also reviewed the Consulting Village Planner's memorandum dated October 12, 2023 reviewing the CUP standards for the proposed use per § 305-35 B (9) and comments from the Village Engineer, which they have considered.

6. The Village Board of Trustees held a public hearing on November 20, 2023, and reviewed the proposed application, the CUP standards for the proposed use and the letter of recommendation from the Planning Board dated October 4, 2023. The Village Board closed the public hearing on November 20, 2023, and approved the CUP for the application.

7. Applicant received the required Compatible Use Permit (CUP) for the proposed use from the Village Board of Trustees at a public hearing on November 20, 2023.

8. The Planning Board closed their public hearing on November 27, 2023. After closing the public hearing, the Planning Board deliberated in public on the Applicant's request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval is granted subject to the conditions set forth below.

I. Findings

The Planning Board considered the standards set forth in the Village of Tarrytown Zoning Code ("Zoning Code") Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

The Planning Board has reviewed the Applicant's site plan and application. The firm is a nanotechnology company, which has synthesized a new magnetic material for permanent magnets from transition metals in water-based chemistry. The INM's 'Green' nanotechnology proposes to displace the toxic Chinese Rare-Earth Permanent Magnet. INM's patented technology uses impurity (dopant) controlled spin control for powerful magnets.

The R&D activities of Magnetic Nano-Magnetics will be performed at the laboratory with no generation of any toxic waste or production of any toxic particulates in the exhaust system. The firm is

currently privately funded and currently negotiating grants from the National Science Foundation. The Planning Board has reviewed the application's submission and related materials for site plan approval. Applicant's plans for the conversion of the existing central conference area into a laboratory have been reviewed by the Planning Board. There is no medical use of the facility and no overnight stays. The laboratory is designed for testing and research purposes. Applicant will only do interior renovations within the building space as shown on the submitted drawing. The Applicant has provided an Environmental Clearance form which shows no environmental impacts since alterations are interior with no impact to the exterior.

The existing Office Park consists of two office buildings which have significant vacancy rates. The Applicant's proposed operation will occupy a small space within an existing building. The existing parking area and access roads have been designed for full occupancy of the office buildings. The roads and parking are more than adequate to accommodate the anticipated usage of Applicant's proposed operation Applicant is only proposing interior renovations with no exterior lighting or other changes. There will be no ground disturbance and no impact on drainage. The proposed facility is on the 5th floor. The proposed use in this location is consistent with the Village's Comprehensive Plan (2018) to encourage research and development opportunities along the Route 119 corridor.

The Planning Board has reviewed the compliance of the proposed use with the standards set forth for a Comparable Use Permit in §305-35 B (9). All uses in the Mixed -Use district require a CUP from the Board of Trustees. The Planning Board has reviewed the following conditions per § 305-35 B (9) to permit the accessory use of the proposed laboratory at the premises in 220 White Plains Road use:

(a) The processing or assembling requires the participation of the technical staff of the laboratory. (This condition applies to and is met by the application)

(b) Such assembled or experimental processed units shall consist of only small quantities of test or trial products, models, or prototypes of newly developed or redesigned products. (This condition applies to and is met by the application.)

(c) Such assembly or processing facility shall not occupy an area of greater than 10% of the total lot area. (The laboratory is 975 sf less than 1% of the overall building sf. (This condition applies to and is met by the application.)

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plan submitted to the Planning Board and approved by the Planning Board as follows:

Pencil Projects Architectural Studio prepared Architectural Plans for Integrated Nano-Magnetics Inc. Project Information, 220 *White Plains Road, Suite 585, Tarrytown, NY* dated October 1, 2023 unless otherwise noted entitled:

- T-100 "Project Information"

(the "Approved Plans").

III. General Conditions

1. Requirement to Obtain Approvals: The Planning Board's approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies including an air emissions permit from the Westchester County Department of Health without material deviation from the Approved Plans.

2. Changes to Approved Plans: If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Village Engineer, they shall also be considered "Approved Plans."

3. Force and Effect: No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) this Final Site Plan resolution is signed by the chair of the Planning Board and (3) the Final Site Plan resolution signed by the Planning Board Chair has been filed with the Village Clerk.

4. Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.

5. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

Mr. Aukland moved, seconded by Mr. Gaito, to approve this Resolution.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

The Board congratulated Dr. Bhargava's colleague for being awarded the Nobel Prize for his work in chemistry and wished him success with his research.

NEW PUBLIC HEARING – Gabrielle Salman - 81 N Washington Street

Ms. Raiselis read the following public hearing notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, November 27, 2023**, at **7:00 p.m**. at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Gabrielle Salman, RA
467 Bedford Road- Ste 169
Pleasantville, NY 10570

For site plan approval for the change of use and legalization of a non-conforming four-unit multi-family dwelling, documented as a two-family dwelling.

The property is located at 81 North Washington Street, Tarrytown, NY and is shown on the tax maps as Sheet 1.40, Block 12, Lot 8, located in M 1.5 Zoning District.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals and the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros
Secretary to the Planning Board

DATED: November 17, 2023

The mailing receipts were received and the signs were posted.

Gabrielle Salman, RA, the project architect appeared before the Board, representing her client, Mr. Torres. She presented the site plan and noted that the building is 100 years old. Her client purchased the property 20 years ago with several apartments there and has found out that only two of the apartments are legal. They have settled with the village court on this matter and would like to go through the process to legalize the building to be used as a 4-unit multifamily dwelling, which is permitted under the zoning code for this property which is located in the M 1.5 Zone.

Mr. Aukland moved, seconded by Mr. Gaito, to designate this as an Unlisted Action for SEQRA purposes.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

Mr. Aukland moved, seconded by Mr. Gaito, to set an escrow amount of $5,000 for this application.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

Ms. Salman showed the site plan and indicated that they can provide 5 parking spaces on site. They require 10 spaces in accordance with the code so they will be seeking a variance for 5 spaces. They will pave the parking lot with permeable pavers and will provide for stormwater runoff for the parking area.

Mr. Gaito asked if there are any air conditioning units or condensers on the property. Ms. Salman said there is no central AC system; there are a few window units. Mr. Gaito asked about the recycling location. Mr. Torres, the owner, said that the recycling is kept in the back by the end of the driveway. Ms. Salman showed that they will create space near the garage.

Mr. Gaito asked where the access is to enter all of the units. Ms. Salman said the ground floor is accessed from the back yard and the front entrance. The first floor, second floor, and attic are accessed from the front. The ground floor has 2 bedrooms, the first floor has 3 bedrooms, the second floor has 3 bedrooms and the attic has one-bedroom.

Mr. Gaito asked if the parking spaces block any entrances. Ms. Salman confirmed on the plan that no entrance will be blocked by parking. Ms. Salman showed the existing pavers with asphalt on the driveway and confirmed that the entire driveway will be permeable pavers. Ms. Raiselis said the house is nicely maintained and she is glad they are moving forward with legalizing it.

Mr. Pennella advised the Board that the village court closed the matter out so they can proceed with the Planning Board process. Mr. Pennella advised that the applicant will need to provide a sprinkler system for the building and will require a state variance for proximity to the neighboring property lines which he outlined in his denial letter.

Mr. Galvin asked about the driveway being moved. Ms. Salman said they are extending the driveway; the pavers will stay. It is not being moved.

Mr. Aukland said the extension is to allow for the 4 parking spaces in the rear.

Ms. Raiselis confirmed that the entire back area will be permeable pavers with a cultec system installed.

Mr. Aukland noted that if you don't need to use all the spaces, you could leave grass there and landbank them. Ms. Raiselis said most likely they will need to use them. Mr. Gaito said they could install an underground grass structure/plastic material which could save some grassy area. Ms. Salman said she will research options.

Counsel Zalantis advised that a SEQRA review will need to be undertaken because they are proposing 4 units. The potential impacts will need to be studied. Ms. Raiselis advised the applicant that if they reduce the number of units to 3, there is no SEQRA review required, it will reduce the variances, and also the amount of time before the Boards, but it is up to the applicant. The applicant advised that they will like to move forward with legalizing the 4 units. Counsel Zalantis said that a full SEQRA review will be needed to determine the impacts of this project. Mr. Galvin would like to see the maneuverability on the plans for the cars in the lot and it does not look like the driveway needs to go all the way to the back.

Mr. Aukland moved, seconded by Mr. Gaito to declare this Board's intent to be lead agency with proper notification to all involved and interested agencies along with notification to the Westchester County Planning Department for review under GML.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

Mr. Aukland moved, seconded by Mr. Gaito, to continue the public hearing.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

NEW PUBLIC HEARING
Catalyze Tarrytown White Plains Road Microgrid, LLC – 120 White Plains Road

Ms. Raiselis read the following public hearing notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, November 27, 2023**, at **7:00 p.m**. at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Robert Stickney/Catalyze Tarrytown White Plains Road Microgrid, LLC
287 Bowman Avenue- Ste 226
Purchase, NY 10577

For site plan approval for the installation of an electrical substation.

The property is located at 120 White Plains Road, Tarrytown, NY and is shown on the tax maps as Sheet 1.140, Block 94, Lot 5.2, located in OB Zoning District.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals and the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros

Secretary to the Planning Board

Dated: November 17, 2023

The mailing receipts were received and the signs were posted.

David Kenny, attorney with the law firm of Snyder and Snyder, LLP, appeared before the Board, representing the applicant. The application is for the installation of an electrical substation in the rear of the property, which is part of the Con Edison power distribution grid. The substation is needed to store energy and distribute it to the grid when needed most. The application requires some variances from the Zoning Board of Appeals. Jeremy Smith, with Waldron Engineering of NY PC, and Robert Stickney representing Catalyze Tarrytown White Plains Road Microgrid will present the application this evening and answer any questions that the Board or public may have.

Jeremy Smith, the project engineer, with Waldron Engineering, introduced himself and presented a PowerPoint presentation which is attached as "Exhibit B" to these minutes. He introduced Robert Stickney who will present the project. Mr. Stickney came up and explained the need and benefits for the project. This project will store energy that will be released during peak hour when it is needed most. This will cut down costs to the consumer to maintain and invest in the distribution system (infrastructure) and provide some mitigation for brown outs during the summer months. Electricity is not generated on site. It is stored and discharged when peak hits.

Mr. Aukland asked if the storage aspect is what distinguishes this from the traditional electrical substation, which is a distribution point.

Mr. Kenny came up and noted that they feel that this use falls within the definition of an electrical substation in the code, and, to the extent that there is any ambiguity in the code, the court of appeals cases have stated that the ambiguity has to be resolved in favor of the applicant. Mr. Kenny noted that they did submit an application and the Building Inspector's determination is that they did meet the standard for an electrical substation.

Mr. Pennella advised the Board that every reference in the application documents referred to the project as an electrical substation; there was no mention of batteries in the application. He would like the applicant to explain how the system works so that everyone understands what is being proposed.

Mr. Smith explained that since the conversion to AC (Alternating Current), the grid has been expanded and substations were built. These substations can be composed of a combination of transformers, switches, capacitors, grounding systems, electrical filtration systems and battery energy storage systems, which form the grid. All of these components have traditionally been in the grid. This particular substation will have 4 hours of energy storage that can come back into the system which is a benefit to the community.

Mr. Galvin asked if the capacity was higher than 600 kilowatts. Mr. Smith said it is a

4-megawatt level system which is much more than 600 kilowatts. Mr. Smith said this site will be able to store enough electricity to power 2,000 homes at peak level for 4 hours with the lithium battery storage system they are proposing.

Mr. Pennella confirmed with the applicant that this was a battery storage system using lithium batteries. This is not what he understood the project to be. The application indicated that it was an electrical substation. Mr. Aukland asked if the code precludes batteries. Mr. Pennella said the code does not talk about batteries since these systems didn't exist when it was written.

Mr. Kenny asked Mr. Pennella if the distinction is that this type of use uses a battery which is different from how electrical substations have operated in the past. Mr. Pennella said yes. Mr. Kenny advised that there is no definition of an electrical substation in the code and Mr. Smith made some analogies earlier that batteries have been used historically as part of their electrical grid system, and substations are an integral part of the power distribution network. He advised that this is not an electrical power generation station. It is a substation that will store and release energy when it is needed most at a lower cost.

Mr. Galvin asked the applicant to provide a narrative of how this use fits in the village code. Mr. Smith said they will provide a letter from their company engineers.

Dr. Friedlander asked if the substation will be controlled by Con Ed. Mr. Smith confirmed that Con Ed will control the flow of energy and Mr. Kenny noted that they have agreements with Con Ed for this type of proposal.

Dr. Friedlander asked about blackouts in the past. Mr. Kenny said this type of substation is really to reduce peak energy costs. It stores energy bought and releases it when it is needed most.

Mr. Pennella asked what the loss is when you send the energy back out. Mr. Smith said they only lose between 4% during the transition, which is incredibly efficient as far as ability to move energy from one form to another.

Dr. Friedlander asked how much space it will take up. Mr. Smith said there are 5 batteries, 28 feet long by 5 feet wide. There are also 2 transformers, an electrical switch, and a separate metering cabinet.

Mr. Gaito asked how they determine the number of containers needed. Mr. Smith said Con Ed determines the need and identifies critical locations that need additional support; there are different set of rules for different sized projects.

Dr. Friedlander asked about other substations they have in the area. Mr. Smith said there are a number throughout Westchester, some in Long Island. He is currently working on 13 new 5-megawatt projects in New York City in addition to two larger facilities in upstate New York.

Dr. Friedlander asked how far the project is from the Wetland. Mr. Smith said they are a considerable distance away from the wetland. There is a brook and the storage components are a good 100 feet away from the brook. The wetland is on the other side.

Dr. Friedlander asked if they have any concerns about flooding. Mr. Smith said the units will be elevated to protect them from any water. The elevation is at 144 at the baseline of the units. The elevation of the waterway is about 20 feet lower.

Ms. Raiselis said so let's call it a battery storage system because that is what it is. She has no problem with trying to update the infrastructure and improving the grid. She confirmed that there are no solar panels that they will be drawing from. Ms. Raiselis referred to the BESS guidelines and pointed out that there is no village code for this use. She has concerns about the permitting and inspection process to make it the safest possible situation for fire and police but there is nothing in the code.

Mr. Pennella advised that he will have to revise the denial letter since based on the discussion, this is a battery storage station, and not an electrical substation. The applicant could ask for an interpretation regarding this use from the Zoning Board, since it is not a permitted use. Mr. Smith referred to the Fox Hill electrical substation in Staten Island and others substations in New York City, which are all recognized by Con Ed which include, switches, transformers, and battery energy storage.

A brief conversation took place about having 2 principal uses on one property which Counsel advised is not permitted by village code. Mr. Kenny said it is not an accessory use because it is not supporting the building but noted that this was not one of the issues included in the Denial Letter that was issued. Ms. Raiselis said that a new denial letter will be issued now that there is a better understanding of the project. Mr. Kenny said the definition of an electrical substation is not defined in the village code, and historically, battery energy storage systems, have been fitting within the umbrella of an electrical substation. They are integral to the distribution of power, they take power and store it to the grid which meets the definition. They have made the argument that they are a substation and if there is ambiguity in the code, it has to be resolved in favor of the applicant.

Mr. Gaito said they will seek advice of Counsel for the ambiguity issue. They would like to understand the merits of the project and how it works and they will parse that with the code.

Dr. Friedlander asked about safety fence to protect the public from entering. Mr. Smith said that Con Ed requires a 7-foot barrier to surround all substations. Dr. Friedlander asked if these systems are installed in residential areas since this site could possibly one day become residential. Mr. Smith said this site is considerably away from the primary structure. In the city, he is usually only about 20 to 30 feet away from structures and are installed in residential districts. Dr. Friedlander asked about the noise that the batteries would generate. Mr. Smith said it is about 60 decibels. They are 100 feet away from any other buildings. Mr. Kenny noted that the noise from 287 would dominate any noise coming from this project.

Mr. Pennella asked about the service connection. Mr. Smith showed the metering cabinet near the road which connects to the Con Ed pole. The pole is on the north side. They will cut through the lot, cross the brook at the bridge with a 4-inch conduit. The units will be fully enclosed with their own cooling system. Mr. Aukland noted that this is essentially a passive site. Mr. Kenny agreed and said there are no workers or technicians coming in on a daily basis and there is a negligible traffic impact.

Ms. Raiselis asked about the possibility of catching fire. Mr. Smith noted that there have been several incidents reported in the news recently but there are thousands of units that work perfectly. Ms. Raiselis asked about training the Firefighters. Mr. Smith said the client will provide a training program and will work with the village on a fire safety plan. A site manual would be created with an emergency response plan with a walk-through video for first responders and will be updated as necessary. Mr. Kenny noted that these batteries are different from the batteries that you find in electric vehicles and they will work to make sure that the village is comfortable with the safety plan.

Mr. Pennella asked about the life span. Mr. Smith advised that the batteries will lose 23% of their capacity value over a 10-year plan and, at that time, they will determine if the facility would be decommissioned or updated.

Counsel Zalantis asked if there was any thought to seek a text amendment to allow code to be amended to allow the use of a battery storage facility. She has seen this done in other municipalities. Rather than trying to fit it into a use that it isn't, a code provision may be a better route to address this.

Mr. Kenny said a text amendment is purely objective, and it will be a longer process. They believe they are already here with permitted use application. They walked in this evening believing that it was a permitted use as an electrical substation and they strongly believe that it is an electrical substation; however, it is something they could explore.

Mr. Pennella referred to his email to the applicant on October 27th asking for a clarification of the type of system proposing since the ZBA application referenced a battery system which is not a permitted use. The purpose of this hearing is to get a better understanding of the project.

Mr. Kenny believed that the village thought it fit in as an electrical substation. Mr. Smith said there are different types of storage. Mr. Smith said there are capacitors which are different from the battery storage. This is an electrical substation because it takes energy directly to Con Ed and transfers it back to Con Ed.

Dr. Friedlander asked Counsel about the next steps. What can be done to protect the village and have this project move forward. Counsel Zalantis advised that other municipalities have adopted legislation specifically for battery energy storage systems. There is a model code which includes commissioning and decommissioning plans. Ms. Raiselis said there are safety issues to be looked out.

Mr. Kenny believes that they fit into the code as an electrical substation and other municipalities have approved these projects. The same safety concerns would be addressed during the SEQRA process and you do not need a code for that. Ms. Raiselis said she does not believe it meets the code. She asked what the differences are between BESS and capacitor stations in terms of how the Board protects the village from things that can go wrong. Mr. Smith said a full training and safety manual will be created.

Dr. Friedlander asked for the differences between the battery and capacitor in technologies. Ms. Raiselis said it stores the energy in the battery and holds it for 4 hours. Capacitors do not store the energy. Mr. Pennella said the capacitor only uses AC current, coming in and out, and does not store energy. With battery storage, the energy comes in as AC, is converted to DC, and converted back to AC when it goes back out.

Mr. Pennella asked if other stations can be proposed nearby. Mr. Smith said once a substation is installed, there would be a need for another one. Mr. Kenny said this is speculative and they are getting away from the specific review of this project.

Dr. Friedlander is concerned about the environmental impacts of this battery project. He is not familiar with the technology. Mr. Kenny said the impacts will be studied during the SEQRA process. Mr. Galvin advised that the model law, even without the amendment, will use the same criteria to study it. Mr. Kenny agreed and said there is nothing that prohibits this Board from looking at the model law as a guide.

Mr. Gaito asked how old the technology is. Mr. Smith said the technology has been around since 2011; he started his first project in 2018. Dr. Friedlander asked how an explosion or

fire would impact the neighborhood. Mr. Smith said a battery fire could burn for 3 or 4 days which would be more impactful to the area with a small amount of toxic discharge. The batteries are no worse than a car fire. Mr. Kenny said a traditional substation admits the same type of toxin that a capacitor station would. Mr. Kenny noted that the project is located far away from the building.

Dr. Friedlander said 287 is very close and it is a major throughway. It would be closed down if there was an explosion since people can't drive through fire and smoke. Mr. Pennella said the visibility issues alone would be problematic.

Ms. Raiselis believes there needs to be a code interpretation. Counsel Zalantis believes that there is still an issue with the two principal uses. She suggested that the Board make a recommendation to the Board of Trustees supporting a text amendment for battery storage to be allowed as an accessory use to a principal use. She asked Mr. Smith what Tier system this would be. Mr. Smith advised that it is a Tier 3 since it is 5 megawatts. Counsel Zalantis also suggested adding an overlay to the existing code to allow it as a secondary use. Mr. Kenny said they chose this property due to the proximity to the Con Ed line so there are technical limitations.

Mr. Aukland likes the project and noted there are SEQRA issues which can be dealt with. He would like to know what the benefits are for Tarrytown. Mr. Smith said it is part of Tarrytown's grid and this installation will solve a problem on the main feeder. There are severe voltage spikes that can ruin the use of TV and other electronic devices over time and lessen their life expectancy, for example.

Ms. Raiselis asked if a recommendation for this use be made to the BOT. Counsel Zalantis advised that the Planning Board could be lead agency on this matter for the SEQRA review, but the BOT would have to approve the text amendment.

Counsel Zalantis said Mr. Pennella will have to determine whether or not this use is permitted under the code and also address the issue of 2 principal uses on one site. If the denial letter states that it is not permitted, the applicant can appeal to the Zoning Board for an interpretation which will also take time. Or the Planning Board could make a recommendation to the Board of Trustees to amend the code to allow for a battery energy storage facility. Mr. Pennella first needs issue a new denial letter.

Mr. Kenny said we can't control the outcome of the Board of Trustees. He feels that they have a strong argument that they meet the definition of an electrical substation. He asked the Board what they need to protect the village that can't be done under the SEQRA review. It is a public utility project that is needed. It will add to the grid resiliency and lower costs.

Ms. Raiselis asked if anyone wished to comment on this project.

PUBLIC COMMENT

Dennis Noskin, Managing Partner of 100 White Plains Road, is in favor of the project. He has spent a significant amount of money on his lawn and would like to make sure it is protected and that the same species of grass seed be planted during restoration. He also wants to ensure that the metering cabinet is adequately landscaped. Mr. Kenny advised that he does not know the exact dimensions of the metering cabinet since they come from Con Edison, but it will be adequately screened. Mr. Smith said the metering cabinet has to be within 25 feet of the Con Ed pole. It will be olive green and about 8 feet tall.

END OF PUBLIC COMMENT

Ms. Raiselis asked about the next steps. Counsel Zalantis said the Board should declare their notice of intent for Lead Agency for this application since they need variances. If a determination is made by the Building Inspector that it is not zoning compliant, the applicant can appeal for an interpretation from the Zoning Board and/or a variance to allow two principal uses on the site.

Mr. Aukland moved, seconded by Mr. Gaito, to designate this an unlisted action, and declare this Board's intent to be lead agency with proper notification to all involved and interested agencies along with notification to the Westchester County Planning Department for review under GML.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

Mr. Aukland moved, seconded by Mr. Gaito, to set an escrow amount of $10,000 for this application.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

Mr. Aukland moved, seconded by Mr. Gaito, to continue the public hearing.

The secretary recorded the vote:

Chair Raiselis:	Yes
Member Friedlander:	Yes
Mr. Aukland:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 4-0

ADJOURNMENT

Dr. Friedlander moved, seconded by Mr. Gaito, to adjourn the meeting at 10:55 p.m.
All in favor. Motion carried. 4-0

Liz Meszaros, Secretary

Exhibit A-1

Hudson Harbor Station LLC– 29 S Depot Plaza

Traffic Review Comment Letter – Sam Schwartz

Sam Schwartz
322 Eighth Avenue, 5th Floor
Ney York, NY 10001
(212) 598-9010
samschwartz.com

Sam Schwartz
A TYLin Company

Memorandum

RECEIVED
NOV 15 2023
BUILDING DEPARTMENT

To: Village of Tarrytown
From: Rachel Beer, PE, PTOE
Date: November 15, 2023
Re: 29 South Depot Plaza – Traffic Impact Study Review

Dear Client,

At the Village's request, Sam Schwartz has performed a detailed review of the 29 South Depot Plaza Traffic Impact Study (TIS) dated July 2023, as prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C. The TIS considers the proposed redevelopment of the subject parcel located to the south of Depot Plaza and directly east of the Metro North Railroad's (MNR) Tarrytown station in Tarrytown, New York. The proposed redevelopment plan would provide a new four-story building containing 88 residential units and approximately 1,179 square feet of artist space. The site is currently occupied by two vacant buildings totaling approximately 30,000 square feet. Proposed access for the subject redevelopment would be provided by the existing full-access driveway to Depot Plaza located approximately 350 feet west of Depot Plaza's intersection with Franklin Street.

To support the Village in their review of this proposed redevelopment project, Sam Schwartz has identified the following review comments and observations for consideration by Village staff.

TRAFFIC IMPACT STUDY COMMENTS

1. Page 3: The study includes a single analysis intersection at the existing site driveway to Depot Plaza. Consideration should be given to widening the study area to include at least the intersection of Depot Plaza and Franklin Street, which is located approximately 350 feet east of the site driveway. Turning movement counts at this intersection provided in the 2016 Tarrytown Area Traffic Study performed by VHB indicate heavy eastbound right-turning traffic during both peak periods that could create high level of delays and/or queuing that impacts upstream intersections.
2. Page 6: The morning and evening peak hours selected for analysis are identified as 7:15 – 8:15 AM and 5:30 – 6:30 PM. Based on a review of raw count data, the 5:15 – 6:15 PM hour appears to have incrementally higher volumes. We recognize that the difference in the two PM peak hours would not result in a substantial change to the analysis results and TIS conclusions; therefore, no changes to the analysis are recommended at this time unless the Village is interested in analyzing the 5:15 – 6:15 PM peak hour. Sam Schwartz agrees with the selection of the morning peak hour.
3. Page 6: The existing conditions section does not include a discussion of existing traffic operations or vehicle queuing behavior on Depot Plaza near the site driveway based on observations. As such, no conclusions can be drawn regarding the impact of site traffic on vehicle queuing or safety operations outside of those modeled in Synchro at the subject intersection. It is recommended that a description of the existing traffic operations, vehicle queuing behavior, and any applicable existing issues at the study intersection is added to the TIS.
4. Figure 2 and Tables 3-4: The modeling of the site access driveway is oversimplified with respect to the south outer roadway utilized by buses and does not account for the fact that there are four intersection legs, or that eastbound traffic is stop controlled. This configuration and methodology may provide conservatively high levels of delay on the northbound approach; however, it does not provide an estimate for the delay on the south outer roadway approach. If delay and/or queuing on the south outer roadway approach is a concern for

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NOV 15 2023
BUILDING DEPARTMENT

the Village, it is recommended that the consultant re-model this intersection using SimTraffic or other comparable software.

5. Based on our review of the Edge FEIS and information provided, we cannot verify the No Build generated volumes used by Kimley Horn in this 29 South Depot Plaza TIS. In this TIS, the volumes generated by the Edge development were based off the Edge FEIS and reportedly include adjustments used to reflect the Edge's current occupancy. If a thorough review of background volumes is desired, additional information related to the specific adjustment factors and calculations from the Applicant team will be required.

CIVIL DRAWING SET COMMENTS

6. It is recommended that the middle crosswalk along the driveway internal roadway be converted to a raised crosswalk, similar to the other two crosswalks proposed, given this middle crosswalk is located adjacent to the ADA parking spaces. Alternatively, the middle crosswalk could be removed, and the ADA spaces could be relocated to the south, adjacent to the two other raised crosswalks proposed.
7. To accommodate drainage for the parking lot and better utilize the existing roadway drainage, it is recommended that the crown of the roadway be proposed at a higher grade than the edges of the roadway (2% slope in either direction). Based on the drawings, the proposed roadway crown is at a lower grade than the edges of the roadway, so water will pool in the middle of the roadway. Ideally, the roadway should be paved to create a crown in the middle of the roadway to provide better drainage with water flowing towards the curbs. With the presence of the raised crosswalks, this creates a safety concern as water will be flowing to the middle of the roadway, which can lead to slippery conditions, possible hydroplaning by vehicles, etc. Per the above comment, please note that if a third raised crosswalk is included, the drainage plan must be adjusted to consider the new grades at the raised crosswalk.

ADDITIONAL CONSIDERATIONS

Based on our review, the following modifications are provided for consideration to improve conditions around the site driveway:

8. Perform traffic monitoring after the completion of the proposed development
    a. Post-opening, conduct peak hour traffic observations to monitor traffic operations at the site driveway and at adjacent intersections.
9. Explore the potential for cross-access with adjacent properties
    a. The property immediately east of the subject property (Franklin Towers) provides an existing access driveway to Depot Plaza approximately 150 east of the subject property's driveway. If a cross-access agreement can be reached, vehicles would enter and exit the subject property further downstream of the bus/vehicle mixing zone, which would help reduce the number of conflict areas.
10. Install a roundabout
    a. Based on a preliminary analysis, the available space and roadway widths in this area would be sufficient to install a roundabout configuration to eliminate left-turn conflicts and improve safety conditions.
    b. More analysis and design work would need to be completed to implement.
    c. This improvement would require significant infrastructure modifications but could improve safety by reducing the number of vehicle conflicts, reducing driver routing confusion, and maintaining efficient traffic operations.
11. Install wayfinding signs near MNR station stairways and the bus depot instructing pedestrians to use stairways/overpass bridge to access Pierson Park/RiverWalk Park and the tennis/basketball courts.

Exhibit A-2

Hudson Harbor Station LLC– 29 S Depot Plaza TOD

NEGATIVE DECLARATION

FILED 12.6.2023
VILLAGE CLERKS OFFICE

Agency Use Only [IfApplicable]

Project: Hudson Harbor Station 29 S. Depot TOD

Date: 11/9/23

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Description of the Action
The proposed action consists of the redevelopment of a transit-oriented development on the 1.39-acre industrial property which includes of Lot 37 (0.21-acres) and Lot 38 (1.18-acres). The subject property is located to the south of Depot Plaza with direct access to the Metro North Railroad's (MNR) Tarrytown station. The proposed redevelopment plan would provide a new four-story building with 88 residential units and approximately 2,984-sf of artist workspace/storage, 3,823-sf of amenity space and 1,500 sf of art gallery space. Site improvements include the development of an adjacent 3,800 sf landscaped pedestrian plaza at the foot of the stairs to the train platform. Parking will include 55 covered spaces in a garage under the building, 13 surface parking spaces on Lot 37 and 33 spaces in the MTA parking lot opposite the building. The other 30 spaces in the MTA lot will remain dedicated for MTA employees. Applicant will provide landscaping and dark sky compliant lighting to improve the MTA parking lot. There will be a Mobility Hub provided on Lot 37 that will feature a metal frame canopy structure, EV Charging stations and offer e-mobility bike and scooter share options for the public.

Zoning Compliance and Modifications - The Project fully meets the requirements of Section 305-41(10) for the development of a Transit-Oriented Project in the Industrial zone. Specifically, the Project application has been the subject of multiple revisions during the Planning Board site plan review to clarify and comply with all use and dimensional requirements (including, but not limited to height, bulk, setbacks, etc.). 1) The Applicant has been able to reduce the overall height of the building to an absolute maximum height of 48'-0" as specified in the Code. The 48'-0" measurement begins at elevation +5.24' which is the "average grade plane" of the project as defined by the Village Code. The elevations show that the highest point of the building is located at or below +53.24' (or 48'-0" above the average grade plane). Applicant has removed the stair bulkheads and provided access to and from the roof using a low roof hatch and alternating tread device. Elevations show a minimal elevator overrun that will be screened by the parapet wall around the building perimeter. Applicant has located all HVAC condenser units toward the center of the rooftop limiting sight lines from around the project. Condensers will be screened by the parapet wall. 2) Ground Floor Activation - 50% of ground floor space is required to be non-residential. Applicant has met this requirment by increasing the original 295 sf of retail space to 1,500 sf and transforming this space into "Art Gallery" space. These two spaces will be devoted to the presentation of art by resident and guest artists, as well as other arts organizations located in the Village and the wider community. This will provide a venue for "popup" and rotating exhibitions sponsored by the Applicant or in partnership with community organizations. Additionally, the Applicant has created nine individual "Artist Workshop" spaces on the sidewalk area. The intent is that these spaces can be used by residents living in the building. The goal is to create a community of artists living, working, creating and exhibiting their work on site. 3) Massing and Facade - No façade shall exceed 150' in length without architectural features designed to break up the visual effect of the building and avoid a box like appearance. Applicant has made design changes to the facade in order to provide a more residential feeling. Applicant's architect has provided more variation around the building in terms of stepping and material variation to help mitigate the scale. Façade alternated with brick cladding and metal panel attempts to have the building read like a collection of smaller buildings. The width of the windows has been reduced for a more residential scale rather than the previous wider windows. Added detail to the facade including subtle relief around the brick window heads, horizontal lines on the metal panel portions, and metal canopies punctuating the entry storefront, parking garage entrance, access door at the southern end of the building. ARB provided a positive preliminary review on 9/20/23 and was supportive of the arts component. (See attached for continuation of Long Form Environmental Assessment Part 3)

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
West County Planning GML 7/14/23; MTA GM, 7/7/23; Kimley Horn Traffic Impact Report, 7/6/23; Sam Schwartz Assoc. Traffic Review, 11/9/23; Kimley Horn, Trip Generation Artist Lofts, 7/6/23; Applicant's Visual Impact Analysis, 9/7/23; ARB Review, 9/20/23; JMC Memo re: Stormwater Mgt. & Utilities, 9/7/23; Applicant's Supplemental SEQRA, 9/7/23; Memo, Affordable Units, 9/7/23; JMC Construction Staging Plan, 9/7/23, PDA SEQRA Memo, 3/6/20.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Village of Tarrytown Planning Board as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Hudson Harbor Station TOD			
Name of Lead Agency: Village of Tarryton Planning Board			
Name of Responsible Officer in Lead Agency: Joan Raisells			
Title of Responsible Officer: Chairperson			
Signature of Responsible Officer in Lead Agency:		Date:	11/27/23
Signature of Preparer (if different from Responsible Officer) Robert Galvin, AICP		Date:	11/9/23

For Further Information:

Contact Person: Lizabeth Meszaros, Secretary to the Planning Board

Address: One Depot Plaza, Tarrytown, NY 10591

Telephone Number: (914) 631- 1487

E-mail: lmeszaros@tarrytowngov.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

29 South Depot TOD Project

Zoning Compliance and Modifications (continued)

4) ***Sustainability Standards*** - Project will comply with sound sustainability standards. The following sustainable features will be incorporated into the Project. These features will be an integral part of the Applicant's commitment to creating an environmentally responsible, healthy, and sustainable community for future residents:

1. **Smart Growth and Sustainable Development**: Most importantly, this Project will embrace smart growth principles and sustainable development strategies to create a community with efficient land use, walkability, and easy access to public transit and amenities. The project's location directly adjacent to the Tarrytown Metro North Station helps to reduce sprawl and reduce the need for long, carbon-intensive commutes.

2. **Adaptive Reuse**: The project will incorporate adaptive reuse strategies to repurpose existing structures and materials – mainly, the use of the large concrete foundation and slab below the existing warehouse structure. This will help to reduce the need for large amounts of new carbon intensive concrete.

3. **Mobility Hub**: A fully integrated mobility hub will be a centerpiece of the development, offering multiple transportation options, such as public transit, EV-Charging, bike/scooter storage, and pedestrian-friendly pathways, to reduce the reliance on personal vehicles and promote sustainable transportation choices.

4. **Renewable Energy**: The project will be entirely electric and feature a rooftop solar array to help offset traditional energy supply.

5. **Water Stewardship**: The Applicant will implement comprehensive water stewardship measures, including water-saving fixtures and sustainable landscaping, to ensure efficient water use and management within the development.

6. **Sustainable Building Materials and Specifications**: The proposed plan will prioritize ecofriendly building materials, such as recycled or reclaimed materials, low-VOC paints, and energy-efficient insulation, to reduce the environmental impact of the project.

7. **Waste Reduction**: The Applicant is committed to minimizing construction waste and encouraging waste reduction among residents through thoughtful design and recycling facilities within the community.

5) Building Coverage/Setbacks – The underlying ID zone provides the standards for the building coverage and setbacks for the front yard and side yards. The proposed zoning overlay text provides for a zero rear yard setback if abutting the railroad tracks. ***Building Coverage*** in the underlying ID zone is 75 percent. The Village Engineer has reviewed this and determined that the project as constituted would have a building coverage of 47 percent. Even if the entire portion of South Depot Plaza were exempted from this calculation, the resulting building coverage would be 60% - still below the maximum coverage of 75 percent. ***Side Yard Setbacks*** in the underlying zone are 10' for each side yard. The Project's side yard on the north side of the building is 48' with the landscaped plaza. Project's side yard on the south side meets the 10' setback. ***Front Yard Setback,*** the Project complies with the 10' front yard setback in the zoning code.

Consistency with the Village Comprehensive Plan

Tarrytown Connected is the Village's Comprehensive Plan adopted in 2018. With regard to the Station Area, the Plan states that the area, "*represents a significant opportunity to leverage sustainable land use policies and expand transit-oriented development east of the railroad tracks. New spaces for working and living must be integrated with improved strategies for commuter parking that alleviate congestion around Depot Plaza.*" Based on the foregoing, the Plan supports the future development of transit- oriented development or mixed-used developments featuring increased residential density within the Station Area. Development of this type is described as a development type that will support sustainable growth. It is noted that the proposed development includes market rate apartment units, and nine affordable housing units (as is required), 1,500 sf of Art Gallery Space, 2,984 sf of artist workshops and 3,823 sf of amenity space. Transit-oriented development places a critical mass of new residents in close proximity to existing and future commercial uses thereby promoting pedestrian activity. The proposed project complies with the new TOD zoning and has been designed to beautify the gateway to the Village by replacing blighted buildings with a Transit-Oriented Development integrated with the Station Area.

GML Referral – Westchester County Planning and MTA/MNR

The Village of Tarrytown provided GML referrals to Westchester County Planning and the MTA/MNR on 6/13/23. Both the Westchester County Planning Board and the MTA/MNR have provided a response indicating that they are in support of this Project. The Applicant has prepared detailed response memorandums dated 9/7/23 to the review letters issued by the Westchester County Planning Board and the MTA/MNR, copies of which are attached hereto as Exhibits A-1 and A-2, respectively.

Westchester County Planning - County Planning provided a GML review on 7/14/23 which found the project to be consistent with the County's *Comprehensive Plan* because it would direct new residential development where public transportation can be provided efficiently, and where redevelopment can enhance economic vitality. The Applicant has responded to County Planning's recommendation by providing a pedestrian circulation plan around the building and complete sidewalk connectivity between the site and the surrounding neighborhoods. Applicant has provided specifics of green building and other sustainable technologies. The Applicant has provided for recycling and bicycle parking and a Mobility Hub in the center of the project. The Applicant is taking into account changes to the Hudson River flood

hazard maps. The developer will consider the incorporation of universal design in the Project which will also be fully ADA compliant.

MTA/MNR – The agency's review letter was received 7/7/23. The Applicant has provided a written response dated 9/7/23 confirming that the Project will comply with all of the requirements of the MTA/MNR and satisfies the RR's safety requirements including the placement of a 6' chain link fence between the Project and the train tracks. The Applicant has incorporated the requested information into the plans and will coordinate the lighting plan with the agency. The Applicant will also provide the necessary insurance documentation to the MTA/MNR. The Applicant has provided the requested information on the existing fuel tank. The fuel tank in question is the property of and utilized by the neighboring property owner. As the fuel tank partially encroaches onto the Applicant's land, the Applicant will seek to negotiate with the neighboring property owner to have the fuel tank relocated. Based on visual observation, the tank is above-ground, and the Applicant believes that #2 Fuel Oil is stored in the tank.

Evaluation of Impacts and Mitigation Measures

MTA Parking Agreement – The Applicant is currently engaged in negotiations with the MTA in order to enter into a long-term agreement in a form that is acceptable to the Village and Village Attorney. The form of the agreement, either 49-year lease agreement with two 15-year options and no termination option or, alternatively, a perpetual easement agreement, will be similar in form to the agreement negotiated by the previous applicant. In order to obtain site plan approval, Applicant will have to be able to provide the written lease and the Village Attorney will need to be satisfied that the parking will be available for use by the tenants on a long-term basis.

Parking Impacts - Total number spaces for the project have increased to 101 spaces. Of this total, 33 spaces are MTA spaces under Agreement for the Project's exclusive use. Another 13 spaces are available on the Applicant's Lot 37 and 55 spaces are in the garage under the proposed building for a total of 101 spaces. Given that the multi-family residential will be part of the Transit-Oriented Development as well as a mixed-use development with opportunities for shared parking, the required parking ratio for the residential units is 1.05 spaces per unit or 92 parking spaces. Parking for the Community Art space is provided at rate of 1 pace per 300 sf plus one employee or 6 spaces. The Parking rate for the artist storage space which are live/work duplex units is calculated at 1 space per 1,000 sf or 3 parking spaces per 2,984 sf. This results in a potential of 9 shared parking spaces on a shared basis with total parking of 101 spaces. There is also one loading space available for the building. In addition to the 33 spaces available in the MTA lot for the new building, there are another 30 potentially shared parking spaces in the MTA employee lot. The Applicant will be landscaping the MTA parking lot and coordinating with the MTA the installation of lighting in this lot. The Planning Board can reduce the width of parking space to 8 ½' which is the criteria used by MTA for their parking lots.

Traffic Generation – the Kimley Horn Traffic Impact Report dated 7/6/23 projected that the proposed development will generate just 33 vehicles per hour. This is equivalent to one vehicle every two minutes.

Currently permitted uses at the building were calculated to generate 24 vehicles per hour. Consequently, the proposed action represents an increase of just 9 vehicles per hour, or 1 vehicle every 6 minutes. The 33 project trips reflect just 3 percent of future traffic volumes that will be passing through the intersection of the Site driveway (South Depot Plaza) with Depot Plaza. The incremental increase of 9 trips (compared to current uses) reflects less than 1% of future traffic volumes that will be passing through the intersection of the Site driveway with Depot Plaza. Table 4 of the Traffic Impact Study, which presented future traffic operating conditions (with traffic included from the Edge-on-Hudson Development) revealed that the longest delay at the intersection of the Site driveway with Depot Plaza (experienced by vehicles exiting the site) will be increased by just 0.4 seconds from 15.2 seconds to 15.6 seconds.

The engineering analysis submitted for this application and summarized above indicates that the proposed redevelopment of the property for artist and residential uses, as opposed to warehouse purposes, will not have a significant adverse impact on traffic operating conditions at the intersection of concern. However, at the Planning Board's urging, the Applicant developed signing and striping improvements that would improve safety and efficiency at the subject intersection. These improvements were vetted through input from the Village of Tarrytown Chief of Police. Even though the technical analysis indicates that the project will not have a significant traffic impact, the Applicant has committed to implementing the improvements that it and the Village's consultant have developed.

The Applicant has revised the plans to show that the entry street (South Depot Plaza) has been reconfigured to virtually eliminate the curve to the greatest extent possible. The entry street has also been reconfigured to provide a landscape buffer between the 5' pedestrian sidewalk and street. The proposed street trees have also been relocated east of the sidewalk as recommended by the Planning Board. Previously, the head on parking along South Depot Plaza had been eliminated from the west side of the street. At the suggestion of the ARB, Applicant has added bollards between the street and pedestrian sidewalk at the main entry plaza to provide an additional layer of safety.

The Village retained a traffic consultant, Sam Schwartz Associates, to review the traffic impact analysis and provide additional recommendations as needed. The Village's traffic consultant generally agrees that the Applicant's *Traffic Impact Study* and drawings are appropriate. While the consultant did not find any major issues, there were several items identified for further consideration, including: 1) converting the middle crosswalk along the driveway's internal roadway to a raised crosswalk, similar to the other two crosswalks proposed; 2) to accommodate drainage for the parking lot and better utilize the existing roadway drainage, it is recommended that the crown of the roadway be proposed at a higher grade than the edges of the roadway; 3) conduct traffic monitoring after the completion of the proposed development; 4) .Explore installing a roundabout - the available space and roadway widths in this area would be sufficient – a roundabout would eliminate left-turn conflicts and improve safety conditions. More analysis and design would be needed; 5) install wayfinding signs near MNR station stairways and bus depot instructing pedestrians to use stairways and overpass bridge to access Pierson Park/Riverwalk Park.

Pedestrian Circulation & Connectivity

The Applicant caused its engineer, JMC, to prepare and submitted on July 6, 2023 an illustrated pedestrian circulation plan for the Project, which shows safe pedestrian access within the property and provides for connectivity to adjacent properties, the Mobility Hub, the MTA rail line and the

neighboring Franklin Courts development. Pedestrian sidewalks will link Franklin Court to the train station, train platform, and to the waterfront and park, and ease of access for the new project residents to the train platform, the waterfront, and park. Proposed ramp access to the train platform, new 5' sidewalk along the driveway, proposed sidewalk access adjacent to the building, extending the length of the building. See the latest version of the plan on sheet PCP-1 of the Civil Engineering Drawing Set prepared by JMC dated September 6, 2023.

Lighting

Applicant previously included JMC's lighting plan in the Applicant's 9/7/23 submission. Lighting is dark sky compliant. Wall-mounted lighting on the building is downlit. No exterior light fixtures proposed along the west façade of the building facing the rail tracks and platforms. The streetlights proposed along South Depot Plaza and in the Lot 37 parking area, will be mounted at a height of 18'. The lighting plan shows that the plan avoids light spillage beyond the property lines, particularly towards the western boundary. The lighting plan has been coordinated with the MTA.

Landscaping

The Applicant has continued the proposed sidewalk along the building past the parking lot/drive entrance. Updated the drawings to more clearly illustrate this proposed sidewalk in front of the drive entrance, and an additional note has been provided. Plantings have been updated to include narrower form species and lower shrubs such as low growing sumac and various grasses to keep from overgrowing adjacent properties. To prevent the current proliferation of invasive vines, Applicant will develop an invasive species management plan to be included as part of the overall site management plan.

On Lot 37, the plants have been moved to the perimeter of the lot to allow for snow storage. A 3' lawn strip has been provided on the east border of the parking lot to allow for snow storage, and (3) parking spaces (that do not count towards the zoning requirement) will be designated for additional snow storage. The landscape plan and plant species have been updated to better reflect snow loading and winter road salting. The location of the trees in the parking lot have been modified so as not to conflict with the light fixture locations. The landscape plan updated at the south end of the building to triple the amount of upright sweetgum trees from (5) to a total of (15) and reduce the number of upright junipers from (20) to (12) with a 6' privacy fence.

Stormwater Management

Based on DEC regulations, the Applicant is required to prepare and submit a SWPPP which will be reviewed by the Village Engineer. The project is also defined as a redevelopment project. Applicant's engineer, JMC, has prepared and submitted on September 7, 2023, a detailed Memorandum on Stormwater Management, which is attached hereto as Exhibit B. It should be noted that the Project reduces the amount of impervious surface within the project area and ultimately, reduces the stormwater runoff. In addition, a hydrodynamic structure is proposed in order to capture and treat runoff from a 90th percentile rain event. The Engineer has indicated that the reduction in impervious surface will be accomplished by adding a number of landscaped areas throughout the project area. The Proposed project will reduce the percentage of impervious surface including on Lot 37, Lot 38 and the

rehabilitated portion of the MTA lot 90 percent to approximately 85 percent. A total of approximately 160 trees will be planted on the landscaped islands, along sidewalks and along the perimeter of the properties. In accordance with the SPDES General Permit GP-0-20-001 a hydrodynamic structure is proposed on an existing 36" storm pipe in South Depot Plaza to capture and treat the runoff from the 90th percentile rain event. The Village Engineer will review the JMC proposed stormwater system.

Sewer/Water/Utilities

The Applicant caused its engineer, JMC, to prepare and submitted on September 7, 2023, a detailed Memorandum on Utilities including proposed mitigation measures, which is attached hereto as Exhibit C. The applicant's engineer has estimated that the proposed project will have water and sanitary demands of approximately 12,000 gallons per day. The existing building is served by an 8" water service which is connected at the southwest corner of the building. As discussed with the Village Engineer, due to the age and condition of the existing service, Applicant proposes to abandon the existing service and construct a new water service extending from the existing main in Depot Plaza to the southern end of the building which will include two fire hydrants.

A proposed storm drainage pipe will convey the runoff to a proposed hydrodynamic structure for water quality treatment in South Depot Plaza. This structure will outlet to existing 36" storm drain pipe. This pipe has a hydraulic capacity of approximately 206 cubic feet per second, which is adequate to accommodate the runoff from the proposed project.

Construction Staging Plan

The Applicant caused its engineer, JMC, to prepare and submitted on September 7, 2023, a construction staging plan in order to safeguard County and Village infrastructure during construction. This construction staging plan is included in the revised Site Plan Submission package submitted on September 7, 2023 (see Sheet CPP-1 of the Civil Engineering Drawing Set prepared by JMC dated September 6, 2023). The Applicant will coordinate and incorporate any necessary revisions with the Village Engineer. The Village Engineer will review appropriate bonding or letter of credit to ensure the timely completion of the sewer/water/utilities and stormwater management in accord with the approved plan specifications.

Flooding / FEMA Regulations

The Applicant caused its engineer, JMC, to prepare and submitted on September 7, 2023, a detailed Memorandum on how the Project complies with all applicable FEMA regulations, which is attached hereto as Exhibit D.
In addition to the JMC memorandum referenced above, the Applicant puts forth the following information related to flood hazards and FEMA regulations on the site.

- The Project site is located outside the 100-year flood zone (Zone X per FEMA's 2007 FIRM) with a 0.2 percent (500-year) Annual Chance Flood Hazard.

- Regardless of the current Flood Hazard status of the site, the Applicant is keenly aware of the increasing risks of climate change and the impact it will have on the Project site.

- The FEMA Preliminary Flood Insurance Rate Map maps indicate that in the future, the Project site will be located within the AE Hazard Zone.

- The Applicant actively participated in the 2022 Climate-adaptive Design Studio (CaD) with Cornell University and the Village of Tarrytown, recognizing increasing flood risks due to climate change. It should be noted that at least one representative from the Applicant's team attended every CaD meeting and workshop as one of the only private development stakeholders participating in the effort.

- The Applicant has voluntarily designed the Project to adhere to the more conservative Base Flood Elevation of 9 feet (from the Preliminary FIRM), incorporating the following flood mitigation measures:

  - ✓ The majority of the ground floor is designed above the Preliminary BFE of 9'. This includes all utility rooms that are critical to the building's infrastructure.

  - ✓ The lowest residential units will be located well above the minimum elevation of 11 (BFE of 9+2 feet).

  - ✓ Spaces located below elevation 9 will utilize a combination of dry-floodproofing and wet floodproofing measures. These include using flood-resistant materials, allowing floodwaters to enter and exit the structure without causing significant damage, and ensuring rapid drying and easy cleanup after a flood event.

- The CaD report outlines a key theme of *Design with Nature: "...use nature-based techniques for erosion control and storm water management"*. In line with this goal, the site plan integrates green infrastructure by substantially increasing the number of trees to reduce thermal heating and decreasing the amounts of impervious surfaces to reduce runoff.

- At the suggestion of the Village Engineer, the Applicant has created a new direct emergency connection between the upper lobby level in the building and the 8' exterior ramp with railings to the MTA station platform.

In conclusion, the design of the Project aims to exceed current site requirements for flood hazard mitigation while maintaining an inviting, accessible, and activated ground floor, in alignment with the Applicant and Village's objectives.

Fiscal Impacts

Fiscal

The existing taxes for the subject property, both Lots 37 and 38, total $124,643.52 annually and are summarized below in ***Table 1***.

Jurisdiction	Lot 38 (29 South Depot)	Lot 37 (28 South Depot)	Combined Total
Public Schools of Tarrytown	67,463.74	11,836.56	79,300.30
Village of Tarrytown	26,317.53	4,617.42	30,934.95
Town / County	12,257.65	2,150.62	14,408.27
Total	**106,038.92**	**18,604.60**	**124,643.52**

Of this total, the Village receives $30,934.95; the School District is provided with $79,300.30 while the Town / County receive $14,408.27.

The projected total yearly taxes for the Project including the residential and minor retail component is estimated to be $466,940.78, an increase of $322,297.26. The Village would realize $113,863.75, an increase of $82,928.76. The Tarrytown School District would receive $281,853.00, an additional $202,552.70 in annual taxes while the Town/County would receive annual taxes of $51,224.03, an additional $36,815.76 in annual taxes. This projection is summarized below in ***Table 2***.

Jurisdiction	Tax Rate Per $1,000		Taxes
Public Schools of Tarrytown	15.74	$	281,853.00
Village of Tarrytown	7.9625	$	113,863.75
Town / County Taxes			
Town of Greenburgh	0.42	$	6,006.00
County	2.8521	$	40,785.03
County Refuse	0.31	$	4,433.00
Subtotal		**$**	**51,224.03**
Total		**$**	**446,940.78**

Note: This Project does not include a commercial component

School Impacts

The TOD development is anticipated to result in a significant surplus to the Tarrytown School District. The Proposed Project is anticipated to provide a minimum surplus to the School District of **$148,319.16**, based upon the public-school age child generation rate used herein, which results in a conservative estimate of 4 school age children generated. (Based upon the Public Schools of Tarrytown 2023 – 2024 Budget, it costs approximately $33,383.46 per year to educate one student. Therefore, it is estimated that the Proposed Project will cost the School District approximately $133,533.84 per year. This figure

netted from the estimated $281,853.00 in taxes to the Tarrytown School district results in the above surplus.) It is anticipated that the contribution in taxes will be higher because of the relatively few, if any, public school age children anticipated from the Project.

Based upon regional and national multipliers, as further defined herein, for common configurations of standard housing types for school aged children by housing type, approximately 4 school aged children would be expected to be generated by the Project (see ***Table 3*** below). These 4 new school aged children would be distributed among the various grades with approximately 2 children expected in grades K – 6, one in grades 6-8 and one in High School.

Unit Type	Total Per Unit Type	Multiplier	# School Aged Children
Studio	33	0.00	0.0
1BR	35	0.04	1.4
2BR	20	0.13	2.6
Total	**88**		**4.0**

It should be noted the ***Table 3*** represents an average of school children generation multiplier rates from four separate sources. These specific sources are as follows and are further detailed in ***Tables 4-a, 4-b, 4-c and 4-d***:

Source 1 (Table 4-a): SCCOG Residential Demographic Multipliers in Connecticut (2016 Data Update)

Source 2(Table4-b): Rutgers University's Center for Policy Research; Residential Demographic Multipliers, June 2006

Source 3(Table4-c): Rutgers Center for Real Estate - White Paper Series. Davis, Frame, Ladall & Tanteleff. July 2018

Source 4(Table4-d): RPA Kearny, NJ Vision Plan ("What About Our Schools?" Urbanomics and Edison Exchange. March 2008)

Unit Type	Total Per Unit Type	Multiplier	# School Aged Children
Studio	33	0.00	0.00
1BR	35	0.03	1.05
2BR	20	0.28	5.60
Total	**88**		**6.65**
		Rounded to	**7**

Unit Type	Total Per Unit Type	Multiplier	# School Aged Children
Studio	33	0.00	0.00
1BR	35	0.07	2.45
2BR	20	0.16	3.20
Total	**88**		**5.65**
		Rounded to	**6**

With respect to the above source, it should be noted "In 2006, the researchers acknowledged that their multipliers tended to overstate the number of new school age children in new developments. The Rutgers University Center for Real Estate updated the 2006 study in 2018 when it published School Age Children in Rental Units in New Jersey: Results from a Survey of Developers and Property Managers. One objective of this update was to provide more realistic multipliers for multifamily developments"

Robert W. Burchell, Ph.D. *Residential Demographic Multipliers, Estimates of the Occupants of New Housing)*. Therefore, the updated multiplier rates used in ***Table 4-c*** are more likely more appropriate.

Unit Type	Total Per Unit Type	Multiplier	# School Aged Children
Studio	33	0	0
1BR	35	0.013	0.455
2BR	20	0.089	1.780
Total	**88**		**2.235**
		Rounded to	**2**

Unit Type	Total Per Unit Type	Multiplier*	# School Aged Children
Studio	33	0	0
1BR	35	0.017	0.595
2BR	20	0.017	0.340
Total	**88**		**0.935**
		Rounded to	**1**

**** TOD Multiplier***

The 4 sources are summarized and averaged below in ***Table 4-e:***

Source	K-12 School Aged Children
Source 1: SCCOG Residential Demographic Multipliers In Connecticut (2016 Data Update)	7
Source 2: Rutgers University's Center for Policy Research; Residential Demographic Multipliers, June 2006	6
Source 3: Rutgers Center for Real Estate - White Paper Series. Davis, Frame, Ladall & Tanteleff. July 2018	2
Source 4: RPA Kearny, NJ Vision Plan ("What About Our Schools?" Urbanomics and Edison Exchange. March 2008)	1
AVERAGE	**4**

This represents a conservative estimate. In actuality, according to data from the National Center for Educational Statistics (NCES), the percentage of school-aged children in Westchester County, New York, who attended private schools in the 2021-2022 school year was approximately 10%. Additionally, this percentage may have changed in more recent years, and there may be variations in private school enrollment by grade level, socioeconomic status, and other factors. In addition, and as discussed below in the subsection entitled "Changes in Household Size & Lifestyle", there have been several trends in household sizes and composition.

In order to evaluate the potential impacts of a project on a school district, it is important to understand enrollment trends for the district. With respect to capacity, according to the New York State Department of Education[1], the Tarrytown School District has experienced a small decline of 5.7 percent or 156 students from 2012 -13 to 2023-24. In 2012-13, the student population was 2,734. The total enrollment for the Public Schools of Tarrytown for the 2023-2024 School Year based on the submitted budget is projected to be approximately 2,687 including Grades K-12. The estimated current enrollment is essentially similar to the 2022-23 enrollment.[2] As a result, no significant adverse impacts on the school district are anticipated. The Project has been designed with over 77 percent studio units and one- bedroom units, thereby, substantially mitigating potential adverse impacts.

Changes in Household Size & Lifestyle

In the United States, and especially in the Northeast, there have been a number of trends in household composition over the years. One notable trend has been a decrease in the average household size, which has been driven in part by a decline in the number of children per household.

[1] New York State School Report Card Accountability and Overview Reports for the Tarrytown School District: https://data.nysed.gov/profile.php?instid=800000035289

[2] http://www.tufsd.org/our-district/budget-information.

According to the U.S. Census Bureau's American Community Survey, in 2020, approximately 28 percent of all households in the United States did not have any children under the age of 18 living at home. This percentage has been increasing over time, reflecting a trend towards smaller households.

Other notable trends in household composition in the United States include an increase in the number of single-person households, which have grown as a share of total households from about 13 percent in 1960 to over 28 percent in 2020. There has also been an increase in the number of households headed by unmarried partners or same-sex couples, reflecting changes in societal norms and legal recognition.

Additionally, there has been a decline in the number of households made up of married couples with children, which have fallen from over 40 percent of all households in 1970 to around 19 percent in 2020. This shift is due to a combination of factors, including changes in social attitudes towards marriage and family, delayed marriage and childbearing, and an increase in the number of single-parent households.

Overall, these trends suggest that households in the United States are becoming smaller and more diverse in terms of family structure, with a greater proportion of households being made up of individuals or couples without children.

Affordable Fair Market Housing (AFMH)

The Applicant has identified nine (9) units as shown on the attached Exhibit E. The unit mix consists of 33 studios, 35 one-bedroom units and 20 two-bedroom units. The AFMH units will be reflective of the unit mix of the development and their locations are spread throughout the building. The Project will comply with the Village of Tarrytown Affordable Housing requirements as per Section 305-130 of the Village of Tarrytown Zoning Code. The Applicant has had preliminary discussions with Rose Noonan of the Housing Action Council to discuss strategies and funding opportunities to increase the percentage of Affordable units in the Project.

Recreation Fee

The transit-oriented development will provide approximately $1,062,776 in recreation fees to the Village Recreation Fund based on the 88 units proposed @ $12,077 per unit.

View Shed Analysis

During the Rezoning, the interested agencies reviewed significant information to support the absence of impacts to views for the then-proposed 60'-0", 5-story building, which is approximately 12' and 1-story higher than the Project. The Rezoning reduced the maximum height of any improvements at the site to 48' and 4 stories. The Project complies with this requirement.

Nonetheless, at the Planning Board's request, the Applicant has compiled a series of exhibits and analyses outlining a visual impact study of the site. The primary objective of this submission is to highlight both

existing and proposed conditions from critical points of view, analyze the potential impacts (both positive and negative) on the surrounding context, and establish measures for any necessary mitigation. At the request of the Planning Board, the Applicant has included an additional rendering showing the Project from the Green Street South parking lot ("Lot F") – just north of Losee Park and east of the riverwalk. The basis for this analysis was established by the *"Evaluation of Impact on Aesthetic Resources"* provided by PDA as part of the Rezoning.

This Visual Impact Analysis is attached in full as Exhibit F.

SEQRA Determination of Significance – Based on the Planning Board's review of the LEAF, an analysis of Part 2 and a review of zoning compliance for the Project, Applicant's submitted information including parking and traffic studies, fiscal analysis, view sheds, school children generation, green technologies, the Westchester County Planning and MTA/MNR GML reviews, the Planning Board has determined that the proposed site plan for the proposed TOD redevelopment of the 29 South Depot property is not expected to result in any significant adverse environmental impacts that would rise to the level of significance required for a Positive Declaration.

EXHIBIT A-1

Response Memorandum to Westchester County Planning Board Letter dated July 14, 2023

MEMORANDUM

To:	Village of Tarrytown Planning Board
From:	Hudson Harbor Station LLC (the "Applicant")
Project:	29 South Depot Plaza, Tarrytown, NY (the "Project")
Re:	Response to County of Westchester Comment Letter dated July 14, 2023
Date:	September 7, 2023
Cc:	Village of Tarrytown Building Department & Planning Consultants

The Applicant has received and reviewed the County of Westchester Review Letter dated July 14, 2023 and provides the following in response.

1. **Consistency with County Planning Board Policies**

   The Applicant is pleased that the County recognizes that the proposed Project is consistent with the County Planning Board's long-range planning policies including locating new, higher density residential development near a train station and locating redevelopment so as to enhance economic vitality.

2. **Affirmatively Furthering Fair Housing**

   The Applicant confirms that it will be marketing 10% of the units (10% of 88 units being 9 units) in the Project as affordable AFFH residences.

3. **County Sewer Impacts**

   As required by the Village of Tarrytown, the Applicant will work with the Village to identify potential mitigation measures to offset the expected increase in sewage flow from the Project.

4. **Stormwater Management**

   As the County points out, the Project is reducing the impervious area and also takes into account potential changes to the Hudson River flood hazard maps.

   The Project is currently proposing to utilize the existing stormwater management system that flows into the Village storm drains and will review other stormwater management solutions as detailed in the Stormwater Management Memorandum prepared by JMC dated September 6, 2023.

5. **Mobility Hub & Bicycle Parking**

The Applicant will be incorporating a "Mobility Hub" into the Project. This "Mobility Hub" will integrate sustainable transportation options by co-locating these services in close proximity to the Tarrytown Train Station. These will include bicycle and scooter sharing / rental services as well as EV charging stations. The goal of the Mobility Hub is to decrease reliance on cars by providing easier access to on-demand "green" transportation options. The Applicant is engaged in discussions with the MTA regarding this initiative.

Bicycle racks will be located in appropriate numbers deemed appropriate and signage will be utilized if necessary. The Applicant will review where a bicycle room or bicycle racks could be incorporated into the interior of the building.

It should be noted that given the risk of fire associated with e-mobility devices, the Applicant does not anticipate permitting them in the Project at this time.

6. **Pedestrian Infrastructure**

The Applicant is pleased that the County recognizes that the proposed Project seeks to provide full pedestrian connectivity throughout the site and to neighboring properties, including the MTA train platform.

7. **Recycling Provisions**

The Applicant will provide sufficient space within the Project in order to implement a building-wide recycling program.

8. **Green Building Technology**

In addition to the proposed installation of rooftop solar panels as recognized by the County, the Applicant will seek to include as much sustainable building technology as feasible within the Project including the "Mobility Hub" discussed above, provision of EV charging stations, use of "green" building materials and other such technologies.

9. **Universal Design**

The Applicant will consider the incorporation of principles of universal design in the Project. It should be noted that the Project will fully comply with all ADA requirements.

EXHIBIT A-2

Response Memorandum to MTA/MNR Review Letter dated July 7, 2023

MEMORANDUM

To:	Village of Tarrytown Planning Board
From:	Hudson Harbor Station LLC (the "Applicant")
Project:	29 South Depot Plaza, Tarrytown, NY (the "Project")
Re:	Response to MTA Review Letter dated July 7, 2023
Date:	September 7, 2023
Cc:	Village of Tarrytown Planning & Zoning Department & Planning Consultants

The Applicant has received and reviewed the County of Westchester Review Letter dated July 14, 2023 and provides the following in response.

1. **Due to the proximity of the site to Metro-North's active rail operations and right-of-way, entry permits from Metro-North will be required for construction. Additionally, the construction means and methods as well as storm water, drainage, site preparation and other plans must be reviewed and approved by Metro-North. Entry permit and insurance requirements can be obtained by contacting Richard Ramkeesoon, Assistant Director, I&C at Ramkeesoon@mnr.org and Richard Webster, Assistant Director Specifications and Standards at RWebster@mnr.org.**

   The Applicant confirms that it will comply with the above during the course of the construction including applying for the required permits and providing the necessary insurance documentation.

2. **In reviewing the Civil and Architectural Plans that were received, scalable drawings with dimensions are required to show the clearance between the proposed mixed-use building and Metro-North's infrastructure including the shortest distance between the existing station platform on the side closest to the proposed structure (fire separation distances), centerline of track, the active rail operation and parking facilities (both customer and employee). Metro-North will need to confirm that the clearances allow for safe operations and meet Metro-North's minimum requirements.**

   The Applicant has added dimensions to the plans as requested above. See Sheet C-100.

3. **For areas where the development contemplates use of Metro-North property, dimensions are required on plans that need to show the extent of Metro-North owned property and within it, the portions of the parcel that the development contemplates needing as well as circulation plans for those parcels.**

The Applicant has added dimensions to the plans as requested above and circulation plans have also been added. See the Site Plan Drawing on Sheet C-100 and the Pedestrian Circulation Plan on Sheet PCP-1.

4. **Section D.2.(Project Operation) section n (page 8 of the SEQRA EAF) indicates that there will be new down-mounted outdoor lighting associated with the development. The lighting plan will need to be coordinated with Metro-North to ensure that the active railroad operation is not negatively impacted by additional lighting in the area.**

   The Applicant confirms that it will coordinate the lighting plan with Metro-North.

5. **Section D.2.(Project Operation) section p (Page 8 of the SEQRA EAF) indicates that there will not be any bulk storage of petroleum or chemical products. Additional detail is needed on the fuel tank that is shown in the Civil plans adjacent to the active railroad Right-Of-Way. What type of fuel product is proposed to be stored at that location? Is the tank above or below ground? Again, distances from Metro-North's property are required to be shown on the plans.**

   The fuel tank in question is the property of and utilized by the neighboring property owner. As the fuel tank partially encroaches onto the Applicant's land, the Applicant will seek to negotiate with the neighboring property owner to have the fuel tank relocated. Based on visual observation, the tank is above-ground, and the Applicant believes that #2 Fuel Oil is stored in the tank.

EXHIBIT B

Memorandum re: Stormwater Management prepared by JMC dated September 6, 2023

JMC

Site Planning
Civil Engineering
Landscape Architecture
Land Surveying
Transportation Engineering
Environmental Studies
Entitlements
Construction Services
3D Visualization
Laser Scanning

September 7, 2023

Chair Joan Raiselis and Members of the Planning Board
Village of Tarrytown
One Depot Plaza
Tarrytown, NY 10591

RE: JMC Project 23002
Hudson Harbor Station
29 South Depot Plaza
Village of Tarrytown, NY

Proposed Stormwater Management

Dear Chair Joan Raiselis and Members of the Planning Board:

The proposed project will reduce the amount of impervious surfaces within the project area and thus reduce the rate of runoff from the site. This will be accomplished by adding a substantial number of landscaped areas throughout the project area. The proposed project will reduce the percentage of impervious surfaces on the project area (Lot 37, Lot 38 and rehabilitated portion of MTA lot) from 90% to approximately 85%. A total of approximately 160 trees will be planted in the curbed landscaped islands, along sidewalks and along the perimeter of the properties, which besides reducing stormwater runoff, will provide shade and reduce thermal heating.

In accordance with SPDES General Permit GP-0-20-001 and the New York State Stormwater Management Design Manual, dated January 2015, a hydrodynamic structure is proposed on an existing 36-inch storm pipe in South Depot Plaza to capture and treat the runoff from the 90th percentile rain event. The enclosed worksheet calculates the water quality volume flow from the project area to be 2.36 cubic feet per second (cfs). The Contech Cascade Separator (see enclosed flier) model CS-6 has been selected, which provides 4.05 cfs of water quality treatment flow. The Cascade Separator will be inspected and maintained by Hudson Harbor Station in accordance with the manufacturer's Inspection and Maintenance Guide (enclosed). Should you have any questions, please do not hesitate to contact our office.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

David P. Lombardi, PE
Senior Project Manager

cc: Mr. George Destefano

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PROPRIETARY PRACTICE WORKSHEET

JMC Project:	**23002**
Design Point:	
Drainage Area:	

Continuous Deflective Separation Unit

Rainfall Distribution Type: **III**

Coefficients for the equation unit peak [$R = I_a / P$] [$C_i = A \times R^2 + B \times R + C$]		A	B	C
	C_0	-1.774	0.3301	2.4577
	C_1	1.8622	-0.7397	-0.4627
	C_2	-0.0648	0.2276	-0.1932

Site Data for Drainage Area to be Treated by Practice			
DESCRIPTION	*SYMBOL*	*VALUE*	*UNITS*
Design Storm [90% Rainfall Event Number]	P	1.5	In
Impervious Area	I	1.76	Ac
Area	A	2.06	Ac
Percent Impervious	%I	85.44	%
Runoff Coefficient [0.05 + 0.009 x %I]	R_V	0.82	CF
TOTAL VOLUME Required [$WQ_V = (P \times R_V \times A) / 12$]	WQ_V	**9,186**	CF

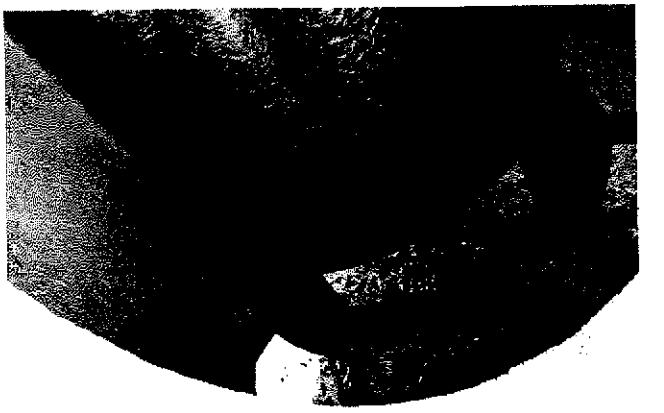
Water Quality Peak Flow Calculation			
DESCRIPTION	*SYMBOL*	*VALUE*	*UNITS*
Water Quality Volume	WQ_V	9,186	CF
Design Storm [90% Rainfall Event Number] or [1-yr Storm Depth]	P	1.5	In
Time of Concentration	t_c	0.0833	Hr
Runoff Volume [$Q = WQ_V / (A \times 3630)$]	Q	1.23	In
Curve Number [$CN = 1000 / (10 + 5P + 10Q - 10 \times (Q^2 + 1.25\ QP)^{1/2}$]	CN	97.47	
Curve Number	CN	97	
Initial Abstraction [$I_a = 200 / CN - 2$]	I_a	0.05	In
Ratio [$R = I_a / P$]	R	0.03	
$C_0 = A \times R^2 + B \times R + C$	C_0	2.47	
$C_1 = A \times R2 + B \times R + C$	C_1	-0.49	
$C_2 = A \times R2 + B \times R + C$	C_2	-0.19	
Unit Peak Discharge	q_u	596.44	$cfs/mi^2/in$
Peak Discharge [$Q_p = q_u \times A \times Q / 640$]	Q_p	**2.36**	cfs

Proposed Device			
DESCRIPTION	*SYMBOL*	*VALUE*	*UNITS*
Water Quality Peak Flow Provided	Q_p	**4.05**	cfs
Water Quality Volume Provided [$WQ_V = 640 \times 3600 \times Q_P / q_u$]	WQ_V	**15,645**	CF
Model Designation; Cascade Separator		**CS-6**	

Date Printed: 9/6/2023

CASCADE
separator®

The Cascade Separator®



Advanced Sediment Capture Technology

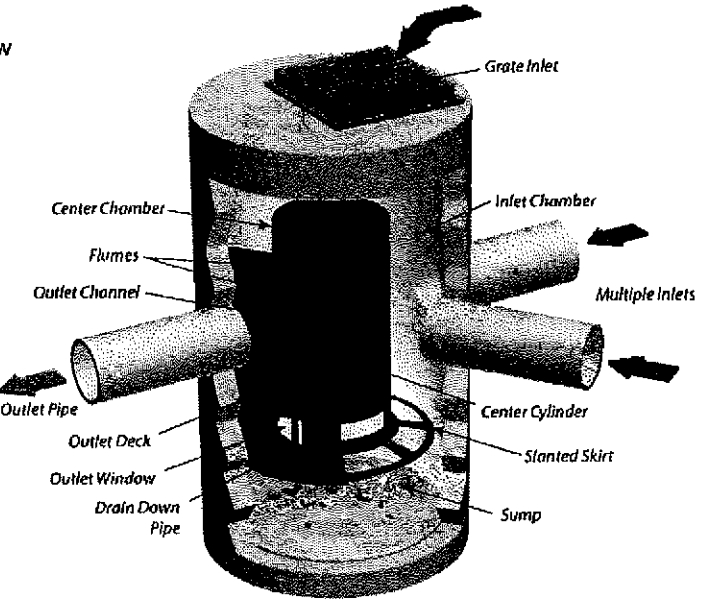
The **Cascade Separator®** is the newest innovation in stormwater treatment from Contech. The Cascade Separator was developed by Contech's stormwater experts using advanced modeling tools and Contech's industry leading stormwater laboratory.

This innovative hydrodynamic separator excels at sediment capture and retention while also removing hydrocarbons, trash, and debris from stormwater runoff. What makes the Cascade Separator unique is the use of opposing vortices that enhance particle settling and a unique skirt design that allows for sediment transport into the sump while reducing turbulence and resuspension of previously captured material. These two factors allow the Cascade Separator to treat high flow rates in a small footprint, resulting in an efficient and economical solution for any site.

Learn More:
www.ContechES.com/cascade

FEATURE	BENEFIT
Unique skirt design & opposing vortices	Superior TSS removal; reduced system size and costs
Inlet area accepts wide range of inlet pipe angles	Design and installation flexibility
Accepts multiple inlet pipes*	Eliminates the need for separate junction structure
Grate inlet option*	Eliminates the need for a separate grate inlet structure
Internal bypass	Eliminates the need for a separate bypass structure
Clear access to sump and stored pollutants	Fast, easy maintenance

** NJDEP testing based on Cascade Separator with one inlet pipe and no grate inlet*



CASCADE MAINTENANCE

Cascade provides unobstructed access to stored pollutants, making it easy to maintain using a vacuum truck, with no requirement to enter the unit.

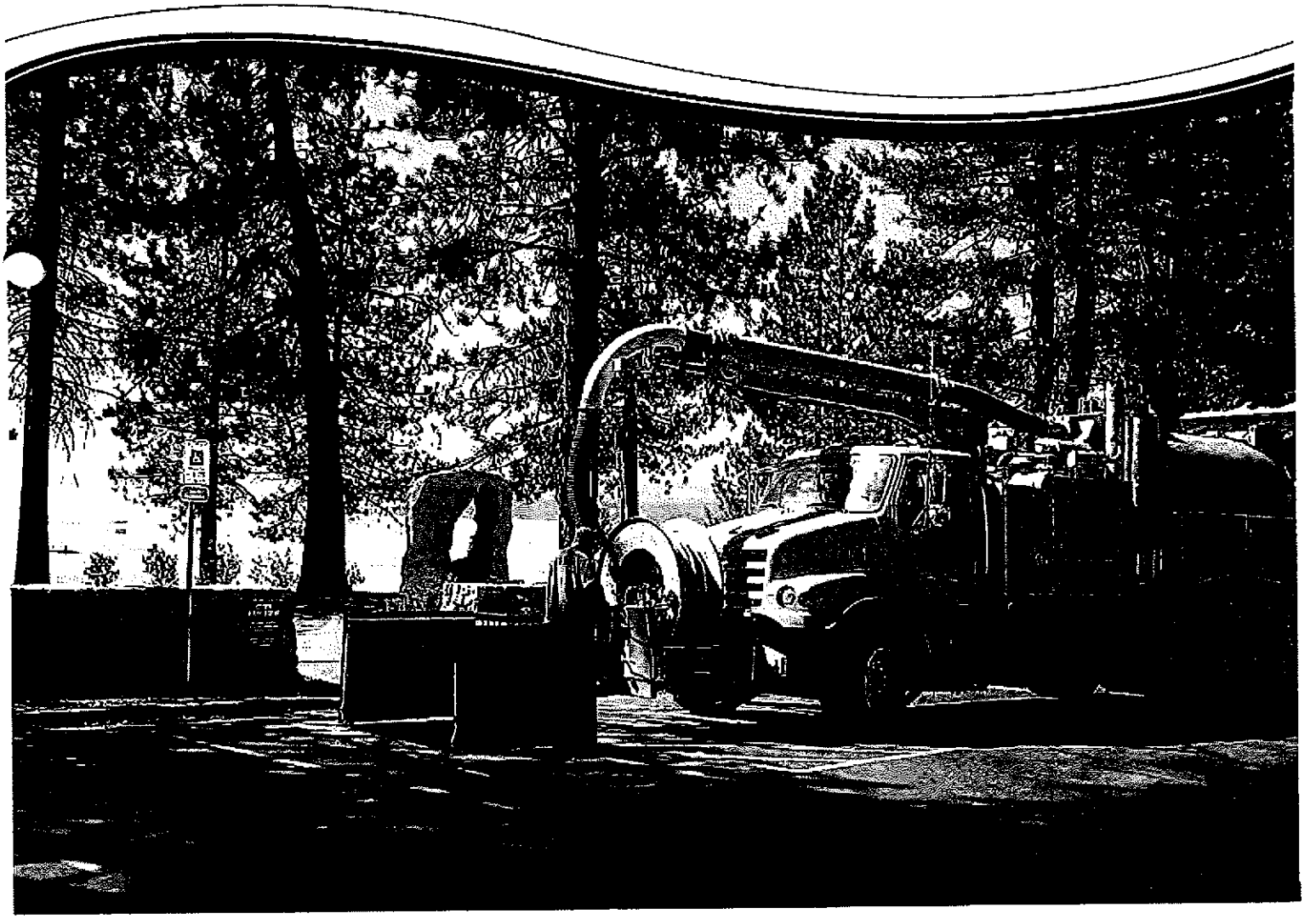
The Cascade Separator has received New Jersey Department of Environmental Protection (NJDEP) Certification*

An efficient and economical solution

CONTECH ENGINEERED SOLUTIONS

CONTECH®
ENGINEERED SOLUTIONS

Cascade Separator® Inspection and Maintenance Guide



CASCADE
separator®

Maintenance

The Cascade Separator® system should be inspected at regular intervals and maintained when necessary to ensure optimum performance. The rate at which the system collects sediment and debris will depend upon on-site activities and site pollutant characteristics. For example, unstable soils or heavy winter sanding will cause the sediment storage sump to fill more quickly but regular sweeping of paved surfaces will slow accumulation.

Inspection

Inspection is the key to effective maintenance and is easily performed. Pollutant transport and deposition may vary from year to year and regular inspections will help ensure that the system is cleaned out at the appropriate time. At a minimum, inspections should be performed twice per year (i.e. spring and fall). However, more frequent inspections may be necessary in climates where winter sanding operations may lead to rapid accumulations, or in equipment wash-down areas. Installations should also be inspected more frequently where excessive amounts of trash are expected.

A visual inspection should ascertain that the system components are in working order and that there are no blockages or obstructions in the inlet chamber, flumes or outlet channel. The inspection should also quantify the accumulation of hydrocarbons, trash and sediment in the system. Measuring pollutant accumulation can be done with a calibrated dipstick, tape measure or other measuring instrument. If absorbent material is used for enhanced removal of hydrocarbons, the level of discoloration of the sorbent material should also be identified during inspection. It is useful and often required as part of an operating permit to keep a record of each inspection. A simple form for doing so is provided in this Inspection and Maintenance Guide.

Access to the Cascade Separator unit is typically achieved through one manhole access cover. The opening allows for inspection and cleanout of the center chamber (cylinder) and sediment storage sump, as well as inspection of the inlet chamber and slanted skirt. For large units, multiple manhole covers allow access to the chambers and sump.

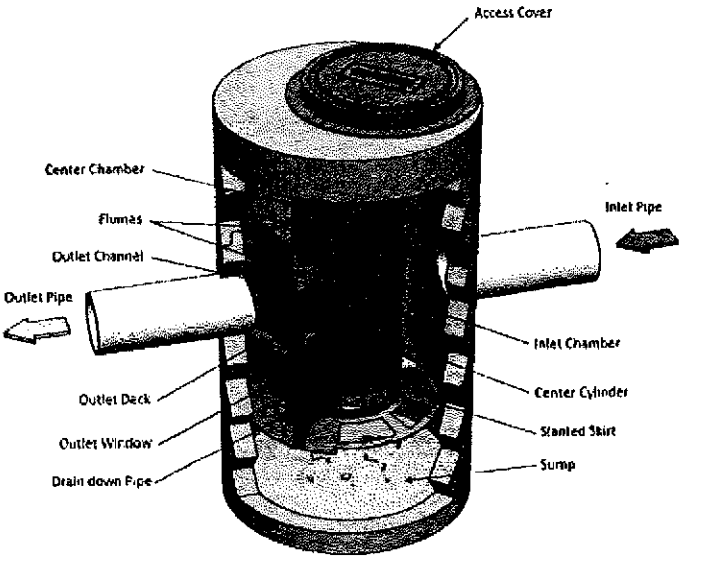
The Cascade Separator system should be cleaned before the level of sediment in the sump reaches the maximum sediment depth and/or when an appreciable level of hydrocarbons and trash has accumulated. If sorbent material is used, it must be replaced when significant discoloration has occurred. Performance may be impacted when maximum sediment storage capacity is exceeded. Contech recommends maintaining the system when sediment level reaches 50% of maximum storage volume. The level of sediment is easily determined by measuring the distance from the system outlet invert (standing water level) to the top of the sediment pile. To avoid underestimating the level of sediment in the chamber, the measuring device must be lowered to the top of the sediment pile carefully. Finer, silty particles at the top of the pile typically offer less resistance to the end of the rod than larger particles toward the bottom of the pile. Once this measurement is recorded, it should be compared to the chart in this document to determine if the height of the sediment pile off the bottom of the sump floor exceeds 50% of the maximum sediment storage.

Cleaning

Cleaning of a Cascade Separator system should be done during dry weather conditions when no flow is entering the system. The use of a vacuum truck is generally the most effective and convenient method of removing pollutants from the system. Simply remove the manhole cover and insert the vacuum tube down through the center chamber and into the sump. The system should be completely drained down and the sump fully evacuated of sediment. The areas outside the center chamber and the slanted skirt should also be washed off if pollutant build-up exists in these areas.

In installations where the risk of petroleum spills is small, liquid contaminants may not accumulate as quickly as sediment. However, the system should be cleaned out immediately in the event of an oil or gasoline spill. Motor oil and other hydrocarbons that accumulate on a more routine basis should be removed when an appreciable layer has been captured. To remove these pollutants, it may be preferable to use absorbent pads since they are usually less expensive to dispose than the oil/water emulsion that may be created by vacuuming the oily layer. Trash and debris can be netted out to separate it from the other pollutants. Then the system should be power washed to ensure it is free of trash and debris.

Manhole covers should be securely seated following cleaning activities to prevent leakage of runoff into the system from above and to ensure proper safety precautions. Confined space entry procedures need to be followed if physical access is required. Disposal of all material removed from the Cascade Separator system must be done in accordance with local regulations. In many locations, disposal of evacuated sediments may be handled in the same manner as disposal of sediments removed from catch basins or deep sump manholes. Check your local regulations for specific requirements on disposal. If any components are damaged, replacement parts can be ordered from the manufacturer.



Cascade Separator® Maintenance Indicators and Sediment Storage Capacities

Model Number	Diameter		Distance from Water Surface to Top of Sediment Pile		Sediment Storage Capacity	
	ft	m	ft	m	y^3	m^3
CS-3	3	0.9	1.5	0.5	0.4	0.3
CS-4	4	1.2	1.5	0.5	0.7	0.5
CS-5	5	1.3	1.5	0.5	1.1	0.8
CS-6	6	1.8	1.5	0.5	1.6	1.2
CS-8	8	2.4	1.5	0.5	2.8	2.1
CS-10	10	3.0	1.5	0.5	4.4	3.3
CS-12	12	3.6	1.5	0.5	6.3	4.8

Note: The information in the chart is for standard units. Units may have been designed with non-standard sediment storage depth.

A Cascade Separator unit can be easily cleaned in less than 30 minutes.

A vacuum truck excavates pollutants from the systems.

Cascade Separator® Inspection & Maintenance Log

Cascade Model:			Location:		
Date	Depth Below Invert to Top of Sediment[1]	Floatable Layer Thickness[2]	Describe Maintenance Performed	Maintenance Personnel	Comments

1. The depth to sediment is determined by taking a measurement from the manhole outlet invert (standing water level) to the top of the sediment pile. Once this measurement is recorded, it should be compared to the chart in the maintenance guide to determine if the height of the sediment pile off the bottom of the sump floor exceeds 50% of the maximum sediment storage. Note: to avoid underestimating the volume of sediment in the chamber, the measuring device must be carefully lowered to the top of the sediment pile.
2. For optimum performance, the system should be cleaned out when the floating hydrocarbon layer accumulates to an appreciable thickness. In the event of an oil spill, the system should be cleaned immediately.

SUPPORT

- Drawings and specifications are available at www.ContechES.com.
- Site-specific design support is available from our engineers.

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EXHIBIT C

Memorandum re: Utilities prepared by JMC dated September 6, 2023

JMC

Site Planning
Civil Engineering
Landscape Architecture
Land Surveying
Transportation Engineering

Environmental Studies
Entitlements
Construction Services
3D Visualization
Laser Scanning

September 7, 2023

Chair Joan Raiselis and Members of the Planning Board
Village of Tarrytown
One Depot Plaza
Tarrytown, NY 10591

RE: JMC Project 23002
Hudson Harbor Station
29 South Depot Plaza
Village of Tarrytown, NY

Proposed Utility Services

Dear Chair Joan Raiselis and Members of the Planning Board:

On behalf of Hudson Harbor Station, LLC, we have prepared the enclosed drawing C-200 "Grading Utilities and Erosion & Sediment Control Plan," last revised 09/07/2023, which depicts the proposed water, sanitary sewer and storm drainage services for the proposed building.

We have estimated that the proposed project will have water and sanitary demands of approximately 12,000 gallons per day based on expected hydraulic loading rates provided in "New York State Design Standards for Intermediate Sized Wastewater Treatment Systems". The existing building is served by an 8-inch water service which is connected at the southwest corner of the building. As discussed with the Village Engineer, due to the age and condition of the existing water service, the Applicant proposes to abandon the existing service and construct a new water service extending from the existing 8-inch water main in Depot Plaza to the southern end of the building, which will include two fire hydrants.

The existing building is served by a 4-inch sanitary sewer service. This sanitary sewer service will be abandoned and a new sanitary sewer service is proposed from the northern end of the building to an existing Westchester County Department of Environmental Facilities (WCDEF) sewer manhole in South Depot Plaza, which discharges to the County trunk sewer. The WCDEF has confirmed that the County trunk sewer, pump station and treatment plant have adequate capacity to serve the proposed project.

Stormwater runoff from the roof of the proposed building will be conveyed to the north end of the building. A proposed storm drainage pipe will convey the runoff to a proposed hydrodynamic structure, for water quality treatment, in South Depot Plaza. This structure will outlet to an existing 36-inch storm drain pipe. A preliminary calculation indicates this pipe has a hydraulic capacity of approximately 206 cubic feet per second, which is adequate to accommodate the runoff from the proposed project.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

David P. Lombardi, PE
Senior Project Manager

cc: Mr. George Destefano

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EXHIBIT D

Memorandum re: Flood / FEMA Impacts prepared by JMC dated September 6, 2023

JMC

Site Planning
Civil Engineering
Landscape Architecture
Land Surveying
Transportation Engineering

Environmental Studies
Entitlements
Construction Services
3D Visualization
Laser Scanning

September 7, 2023

Chair Joan Raiselis and Members of the Planning Board
Village of Tarrytown
One Depot Plaza
Tarrytown, NY 10591

RE: JMC Project 23002
Hudson Harbor Station
29 South Depot Plaza
Village of Tarrytown, NY

Flood Hazard Areas

Dear Chair Raiselis and Members of the Planning Board:

The subject site is located in a Shaded X Flood Hazard Zone according to the Flood Insurance Rate Map (FIRM) for panel 36119C0253F, effective 09/28/2007. Shaded Zone X has a 0.2% (500-year) Annual Chance Flood Hazard and is therefore outside of the 100-year flood zone. The subject site is located in an AE Flood Hazard Zone with a Base Flood Elevation (BFA) of 9 according to the Preliminary Flood Insurance Rate Map (PFIRM) for panel 36119C0253G, issued 12/08/2014. Zone AE has a 1% (100-year) Annual Chance Flood Hazard. Please refer to the enclosed Comparison of Flood Hazard. Although the PFIRM has not been adopted yet, the building will be conservatively designed based upon an AE Flood Hazard Zone with a BFA of 9. The proposed parking, artist storage/workshop, south utility room and upper lobby will be above the BFA of 9. The lower lobby, art galleries, trash room and north utility room will be at elevation 5.45, and therefore the walls and doors will be flood proof. The residential units will be at elevation 19.40 which is above the minimum elevation of 11 (BFA of 9+2 feet of freeboard) for residential units.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

David P. Lombardi, PE
Senior Project Manager

cc: Mr. George Distefano

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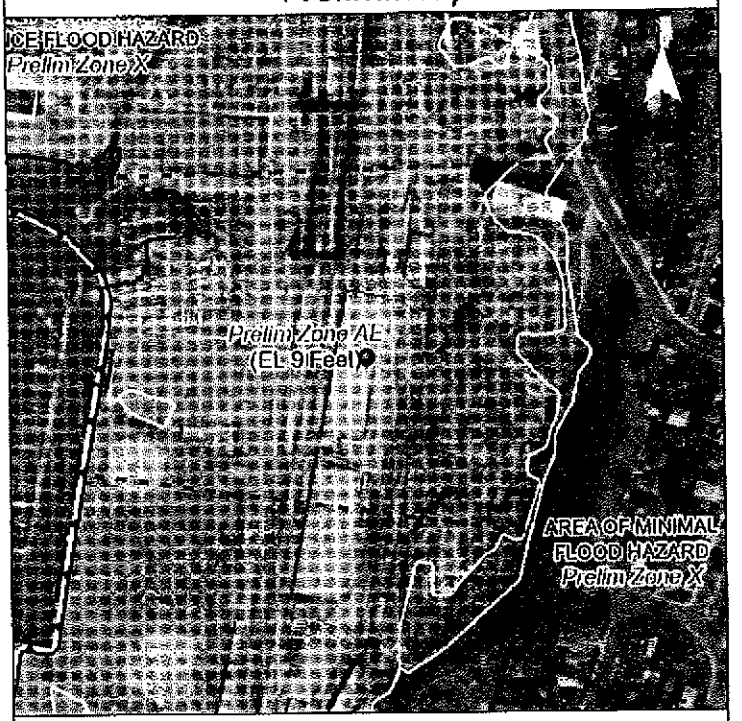
Comparison of Flood Hazard

FEMA

Effective & Preliminary Flood Hazards

Effective

Preliminary



Effective	
POI Longitude/Latitude	-73.8648, 41.0747
Effective FIRM Panel	36119C0253F
Effective Date	9/28/2007
Flood Zone	X
Static BFE*	Not Available
Flood Depth	Not Available
Vertical Datum	Not Available

Preliminary	
POI Longitude/Latitude	-73.8648, 41.0747
Preliminary FIRM Panel	36119C0253G
Preliminary Issue Date	12/8/2014
Flood Zone	AE
Estimated Static BFE*	9.0 Feet
Estimated Flood Depth	Not Available
Vertical Datum	NAVD88

* A Base Flood Elevation is the expected elevation of flood water during the 1% annual chance storm event. Structures below the estimated water surface elevation may experience flooding during a base flood event.

Hazard Level	Flood Hazard Zone
High Flood Hazard	**AE, A, AH, AO, VE and V Zones.** Properties in these flood zones have a 1% chance of flooding each year. This represents a 26% chance of flooding over the life of a 30-year mortgage.
Moderate Flood Hazard	**Shaded Zone X.** Properties in the moderate flood risk areas also have a chance of flooding from storm events that have a less than 1% chance of occuring each year. Moderate flood risk indicates an area that may be provided flood risk reduction due to a flood control system or an area that is prone to flooding during a 0.2% annual chance storm event. These areas may have been indicated as areas of shallow flooding by your community.
	Unshaded Zone X. Properties on higher ground and away from local flooding sources have a reduced flood risk when compared to the Moderate and High Flood Risk categories. Structures in these areas may be affected by larger storm events, in excess of the 0.2% annual chance storm event.
Low Flood Hazard	**Insurance Note:** High Risk Areas are called 'Special Flood Hazard Areas' and flood insurance is mandatory for federally backed mortgage holders. Properties in Moderate and Low Flood Risk areas may purchase flood insurance at a lower-cost rate, known as Preferred Risk Policies. See your local insurance agent or visit https://www.fema.gov/national-flood-insurance-program for more information.

Disclaimer: This report is for informational purposes only and is not authorized for official use. The positional accuracy may be compromised in some areas. Please contact your local floodplain administrator for more information or go to msc.fema.gov to view an official copy of the Flood Insurance Rate Maps.

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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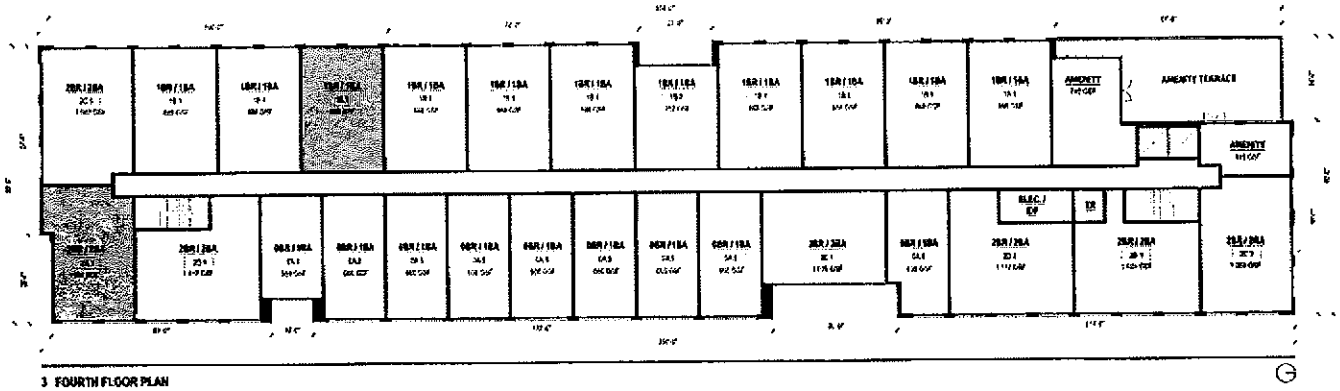
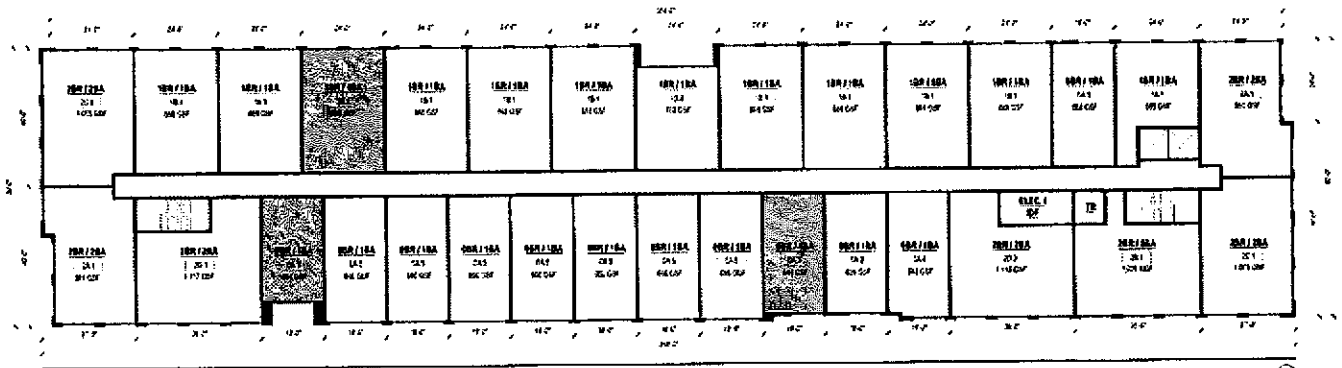
EXHIBIT E
Affordable Units

EXHIBIT E
Affordable Unit Distribution

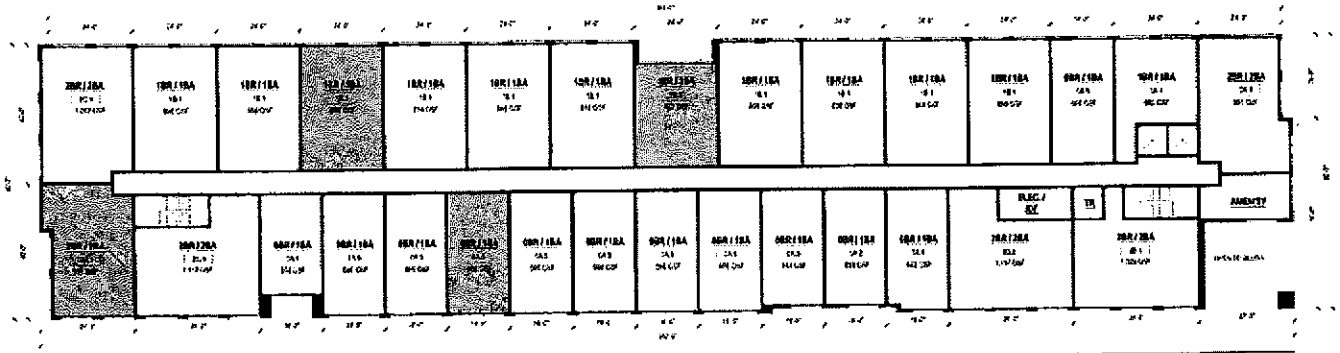
Proposed Unit Mix:		**Affordable Units (10%):**	
Total Units:	**88**	Total Units:	9
0BR Units:	33 (37.5%)	0BR Units:	3 (37.5%)
1BR Units:	35 (39.8%)	1BR Units:	4 (39.8%)
2BR Units:	20 (22.7%)	2BR Units:	2 (22.7%)



3 FOURTH FLOOR PLAN



2 THIRD FLOOR PLAN



1 SECOND FLOOR PLAN

EXHIBIT F

Viewshed Analysis

MEMORANDUM

To:	Village of Tarrytown Planning Board
From:	Hudson Harbor Station LLC (the "Applicant")
Project:	29 South Depot Plaza, Tarrytown, NY (the "Project")
Re:	Visual Impact Study
Date:	September 7, 2023
Cc:	Village of Tarrytown Building Department & Planning Consultants

During the Rezoning, the interested agencies reviewed significant information to support the absence of impacts to views for the then-proposed 60'-0", 5-story building, which is approximately 12' and 1-story higher than the Project. The Rezoning reduced the maximum height of any improvements at the site to 48' and 4 stories. The Project complies with this requirement.

Nonetheless, at the Planning Board's request, the Applicant has compiled a series of exhibits and analyses outlining a visual impact study of the site. The primary objective of this submission is to highlight both existing and proposed conditions from critical points of view, analyze the potential impacts (both positive and negative) on the surrounding context, and establish measures for any necessary mitigation.

This basis for this analysis was established by the *"Evaluation of Impact on Aesthetic Resources"* provided by PDA as part of the Rezoning.

1. **Visual Impact on Station Area:**

   a. The site directly abuts the Metro-North Hudson Division commuter rail lines, offering high visibility to commuters and station area visitors. Additionally, residents using Village recreational facilities on the rail lines' western side will have partial views of the proposed building. The Applicant asserts that constructing the Project will have no negative impact on the current neighborhood. In fact, the redevelopment of the current industrial site, featuring older industrial structures, and undeveloped parking / roads, will be replaced with a modern, mixed-use building, new roads, parking, extensive landscape and a new pedestrian plaza, thereby significantly enhancing the visual and aesthetic appeal of the Station area. Please refer to Exhibit F-1. for a series of photos showing the existing site conditions.

2. **Visual Impact on Franklin Courts Development:**

   a. The Planning Board has requested an evaluation of potential impacts to the adjacent Franklin Courts community. Exhibit F-2 (included in this submission) provides a series of photos from the existing common spaces within Franklin Courts. From the photos, it is evident that there is no existing view of the Hudson River or the far shore. Therefore, the Project will have no impact on river views from these community spaces.

   b. It should be noted that the Franklin Courts development is currently in the planning stages of a redevelopment proposal. Therefore, the visual impacts from the Project are likely to be minimized even further in the future due to the potential of increased height of buildings and topography.

3. **View from Franklin Court/Franklin Street Intersection:**

   a. The Planning Board has requested an evaluation of potential impacts to the view shed from the intersection of Franklin Court and Franklin Street. Exhibit D outlines the previous analysis provided in the *"Evaluation of Impact on Aesthetic Resources"* as part of the Rezoning as well as a new version of the study showing the view of the Project from this location. There are three key points to consider when analyzing the visual impact from this view corridor:

      i. Seasonal Tree Cover: One critical factor to consider is the seasonal variability of the Project's visibility. The development becomes most visible during the winter when the surrounding trees shed their leaves. However, during the rest of the year, when these trees are in full bloom, they act as a natural shield, effectively concealing the development from this intersection and significantly reducing the visual impact of the project on the neighborhood.

      ii. Architectural Mitigations: The proposed east elevation of the Project, which is the primary vantage point for visibility, has been thoughtfully designed to minimize its bulk. This is achieved through a deliberate and varied approach, which includes breaks, setbacks, and the use of varied facade materials. By alternating brick, metal panels, and more transparent portions of window-wall, the building's appearance is differentiated, reducing the perception of a monolithic structure and contributing to a more visually appealing streetscape.

      iii. Future Changes to Franklin Courts: It's worth noting that the vantage point from this specific intersection may change in the near future. The neighboring Franklin Courts development is slated for redevelopment,

and depending on the masterplan for the community, the current view corridor may no longer be available. Therefore, any visual impact experienced during this transitional period is likely to be temporary and subject to change.

4. **Visual Impact on Main Street, west of Windle Park and MacArthur Lane:**

   a. The *"Evaluation of Impact on Aesthetic Resources"* included as part of the Rezoning outlined the analysis of potential view impacts on Main Street (west of Windle Park) as well as on MacArthur Lane. That analysis concluded the following based on a building height of 60'-0" and 5 stories:
      i. Given the location of the proposed building with intervening buildings, topography and vegetation, there would not be any potential adverse impact from the Main Street west of Windle Park location.
      ii. The *"Evaluation of Impact on Aesthetic Resources"* included a photograph looking northwest from the end of MacArthur Lane. It is evident that there is extensive vegetation impeding the views from this location and therefore no negative impacts on view sheds.
   b. The Project currently in front of the Planning Board is approximately 12'-0" lower and 1 story less than the previously analyzed proposal and, therefore, will have no significant impact on the view shed from either of these locations.

5. **Massing & Façade Considerations to Mitigate Visual Impact:**

   a. While the Proposed Action has little to no visual impact on the surrounding context based on the analysis above, the Applicant has worked with the Planning Board to incorporate several massing and façade strategies to help mitigate the bulk of the project. The Project is conceived as a series of distinct volumes differentiated along the length of the building. It achieves this with various setbacks (ranging from 3 – 9' typically, and 24' at the northwest corner) and material shifts, primarily featuring red brick to relate to the surrounding context. Additionally, light gray metal panel is used to create visual interest and contrast. Darker metal accents and brick details are strategically placed at window headers and ground floor canopies, enhancing the overall aesthetic and adding an additional level of scale. The ground floor also features a series of expressed pilasters and "voids" to add variety along the streetscape.

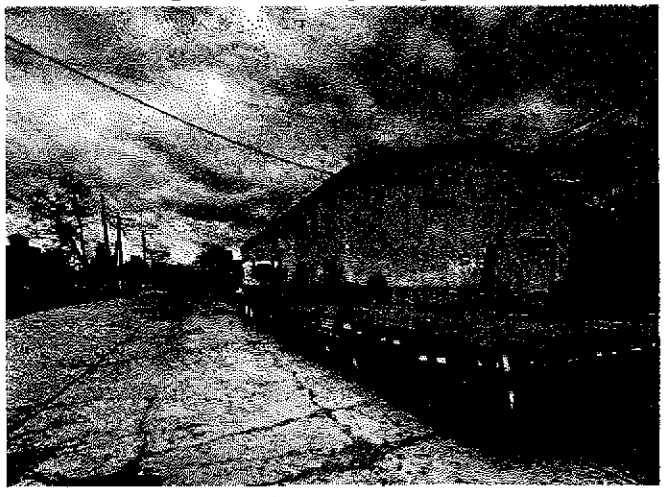
EXHIBIT F-1

Existing Site Conditions Photos

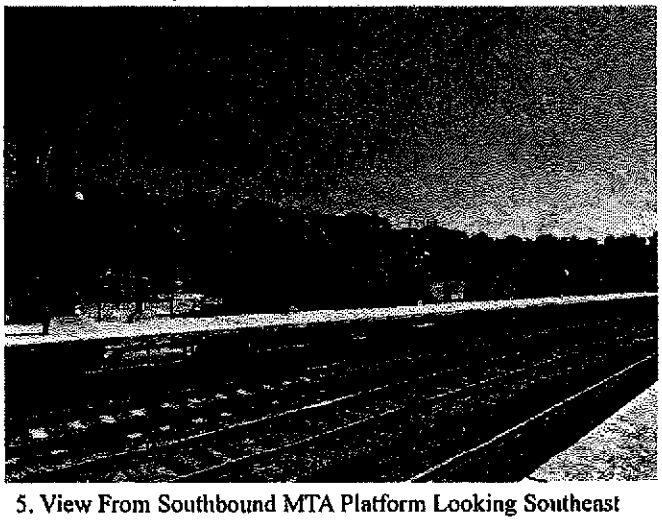
1. View Looking South Along S. Depot Plaza from Site Entry

2. View Looking Southwest Along S. Depot Plaza

3. View Looking South From Village/MTA Lot North of Site



4. View Looking North Along S. Depot Plaza

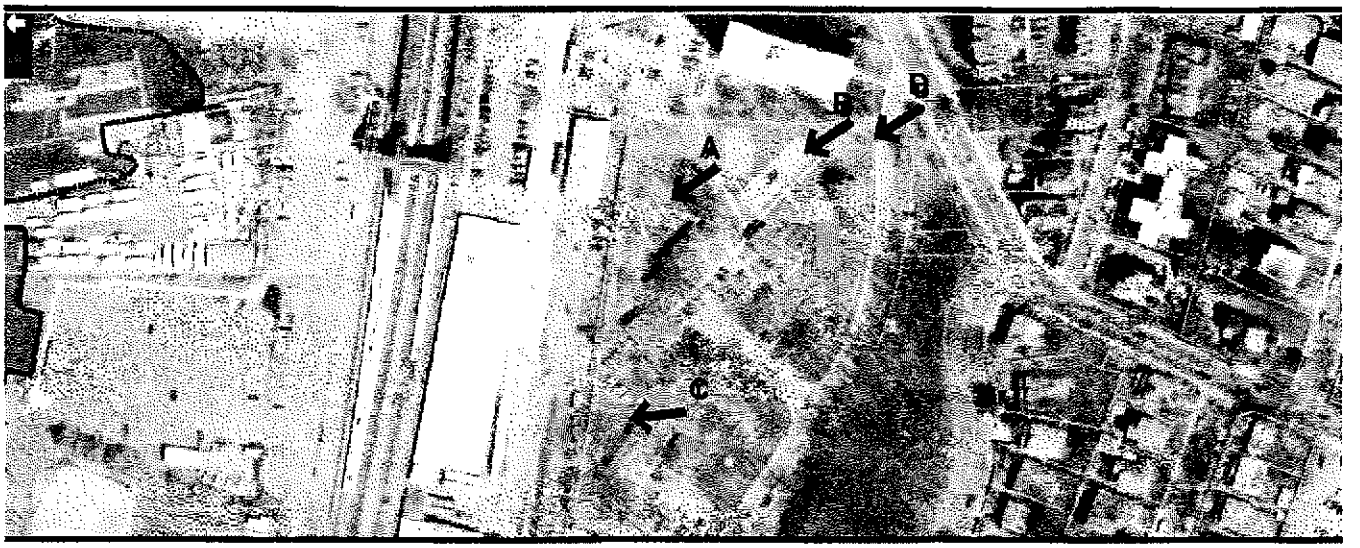


5. View From Southbound MTA Platform Looking Southeast

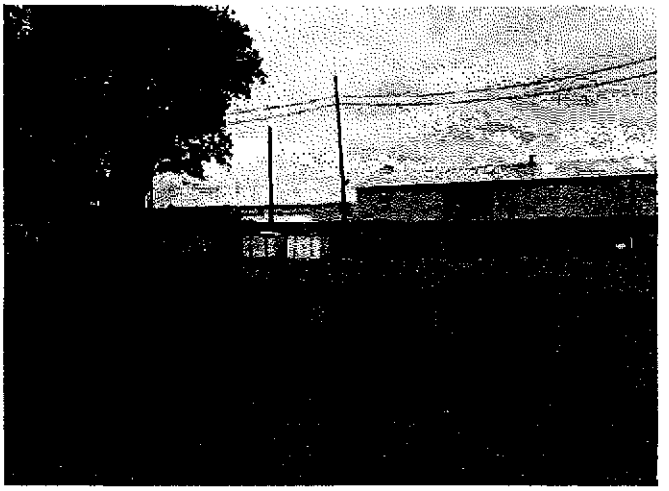
6. View From Southbound MTA Platform Looking Northeast

Existing Views from Franklin Courts

EXHIBIT F-2

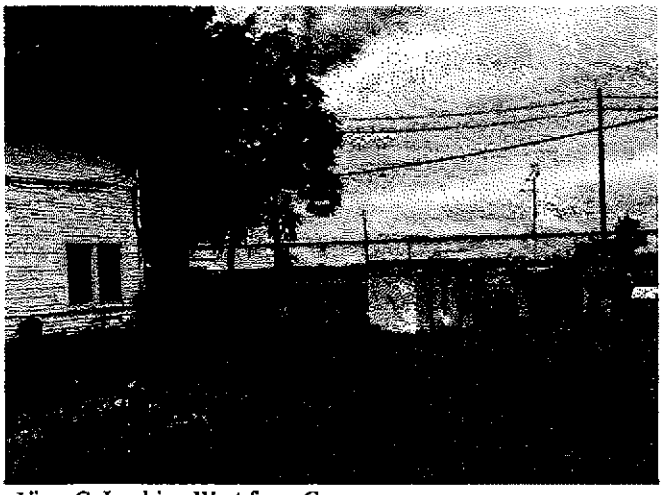


1. View Looking South Along S. Depot Plaza from Site Entry

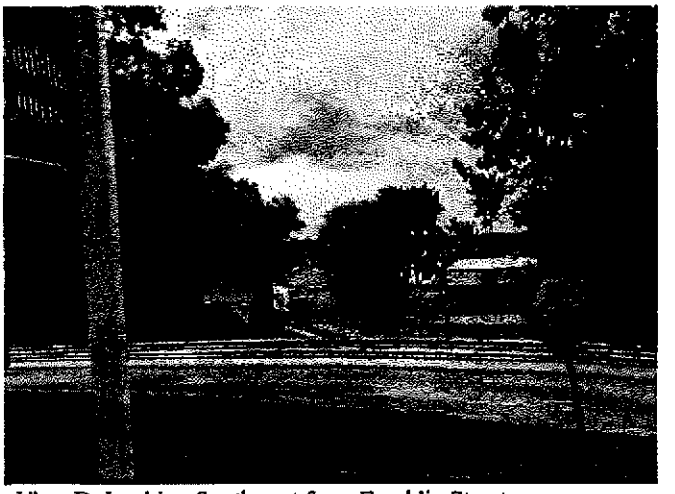


View A: Looking Southwest from Common area

View B: Looking Southwest Across Common area



View C: Looking West from Common area



View D: Looking Southwest from Franklin Street

EXHIBIT F-3

View Shed Analysis from Franklin Court/Franklin Street Intersection

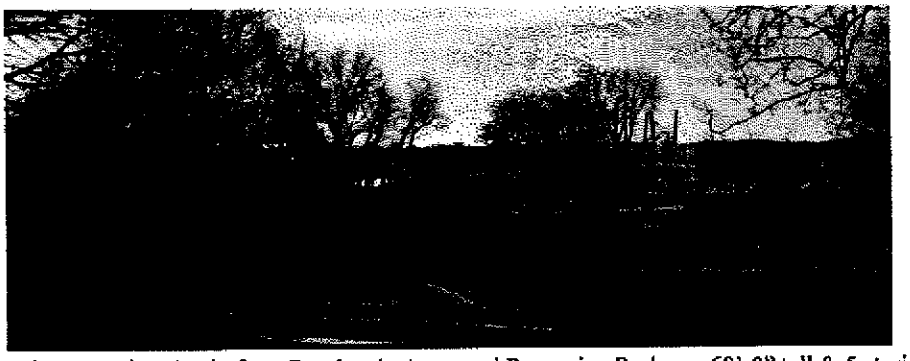


Figure 1. View Study from Previously Approved Re-zoning Package; 60'-0" tall & 5 stories high

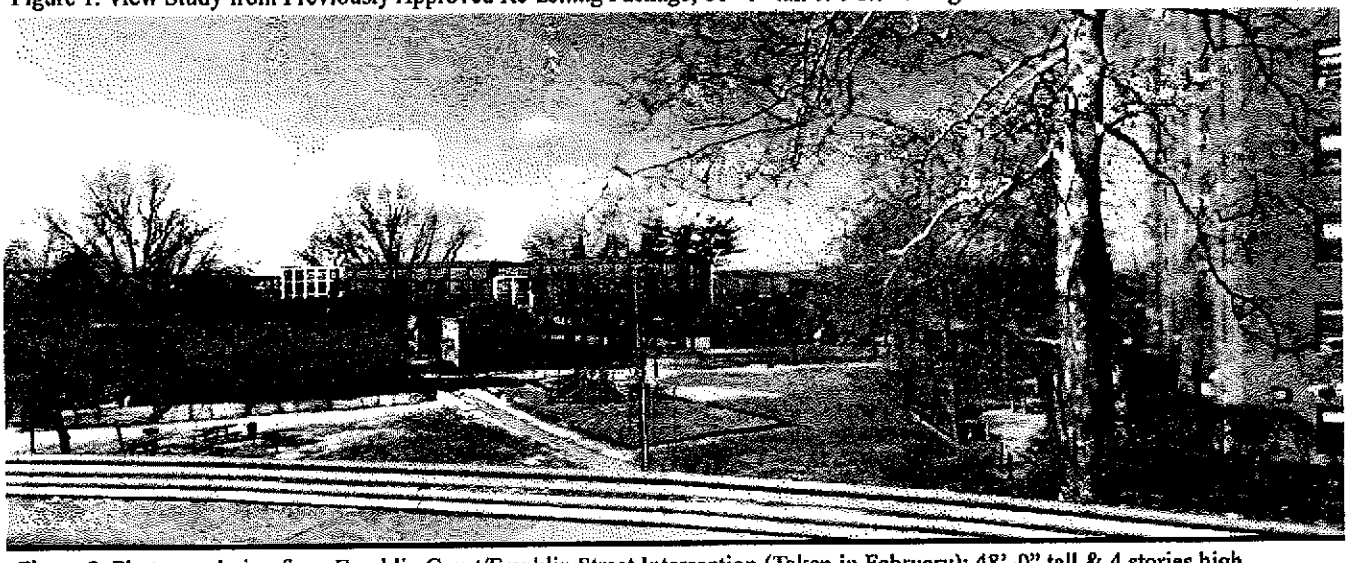


Figure 2. Photo-rendering from Franklin Court/Franklin Street Intersection (Taken in February); 48'-0" tall & 4 stories high

Figure 3. Photo-rendering from Franklin Court/Franklin Street Intersection (Taken in September); 48'-0" tall & 4 stories high

Exhibit B

Catalyze Tarrytown White Plains Road Microgrid, LLC
120 White Plains Road

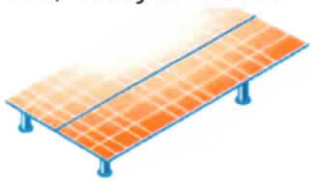
Applicant Presentation

CATALYZE

Transforming Commercial & Industrial (C&I) Real Estate with

Smart Energy Infrastructure

120 White Plain Rd, Tarrytown NY



EV CHARGING **SOLAR** **STORAGE**

November 2023

Existing Zoning

Site is located in the OB District

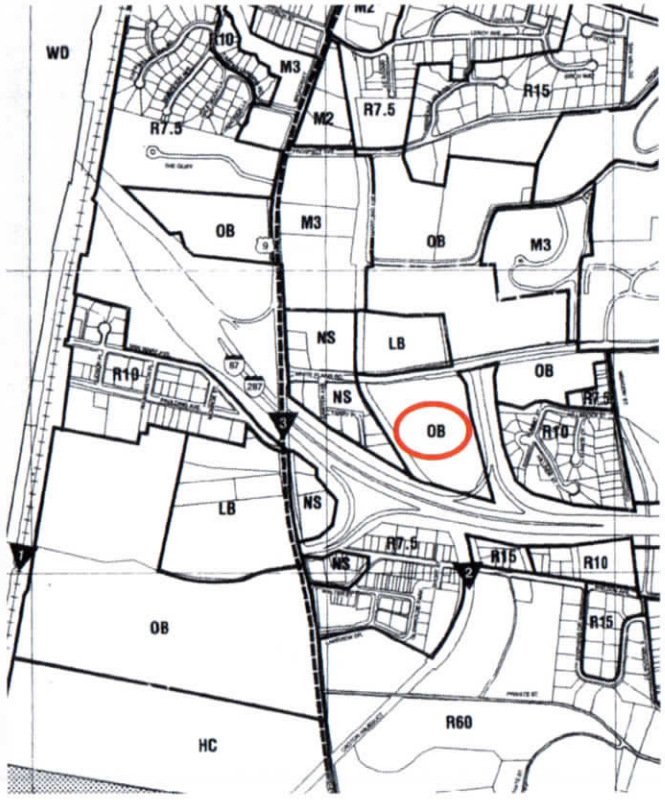
-Building Permit Application submitted on 07/25/2023

-Received Building Permit Denial Letter on 08/23/2023

We received confirmation from the Village of Tarrytown that the proposed use is permitted in the OB zoning district pursuant to Chapter 305 Attachment 7 upon issuance of site plan approval by the Planning Board per section 305-34.

The electrical substation proposed to be installed by this project has already been submitted to the Building Department and has been issued a letter of denial referring to the Planning Board, ZBA, and Ach. Board of Review.

-Site Plan Application submitted on 11/08/2023

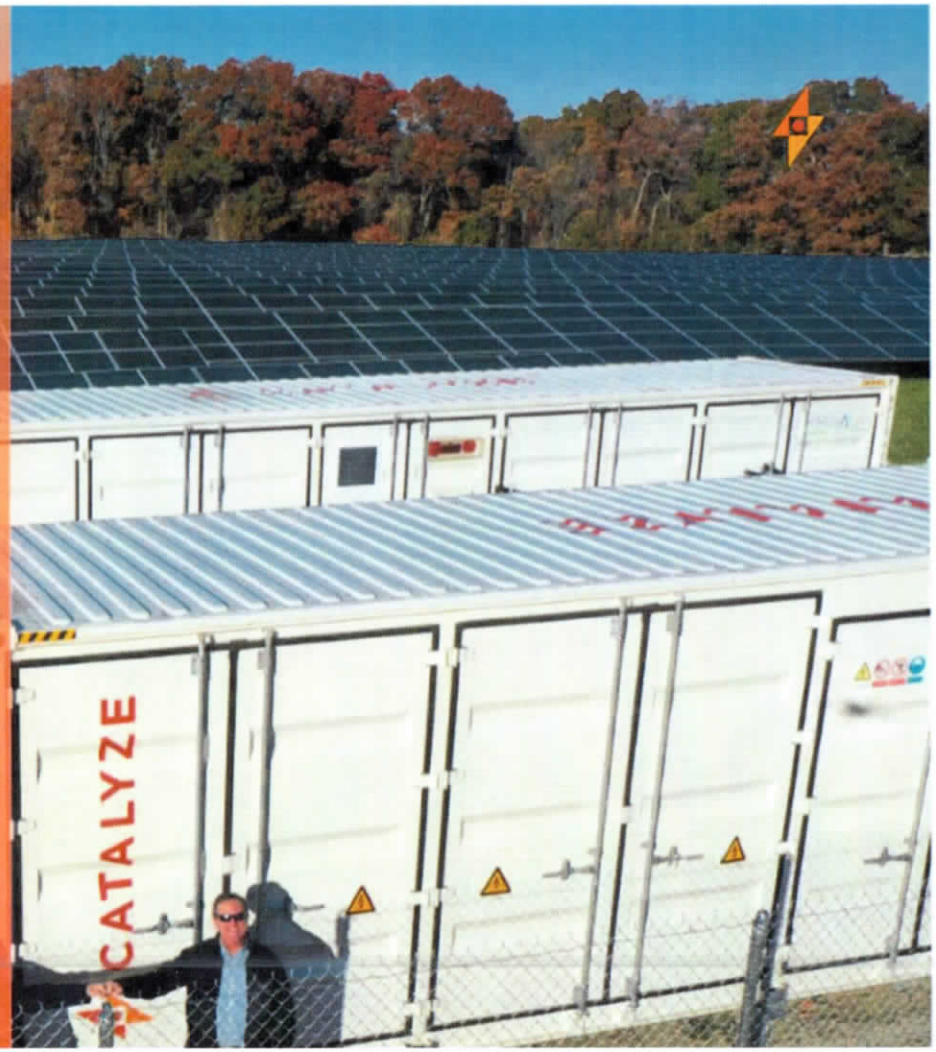


OUR SOLUTIONS

BATTERY ENERGY STORAGE SYSTEM (BESS)

Benefits:

- SUPPORTS NEW YORK STATE ROADMAP TO 6GW OF CLEAN ENERGY STORAGE BY 2030 WHICH IS 20% OF PEAK ENERGY LOAD.
- REDUCE THE NEED FOR EXPENSIVE ENERGY FROM PEAKER PLANTS
- REDUCE THE COST OF CON ED UPGRADES WHICH REDUCES ELECTRICITY COSTS FOR EVERYONE
- LOWER CARBON EMISSIONS BY REDUCING THE NEED FOR GAS AND COAL PLANTS
- REDUCE BROWN-OUT/BLACK-OUT CONDITIONS



CATALYZE Confidential

120 WHITE PLAINS RD

IX Approval/Timeline

IX Submission

Application submitted on 06/10/2022

CESIR

Positive CESIR results received on 12/05/2022

IX Agreement/Upgrades

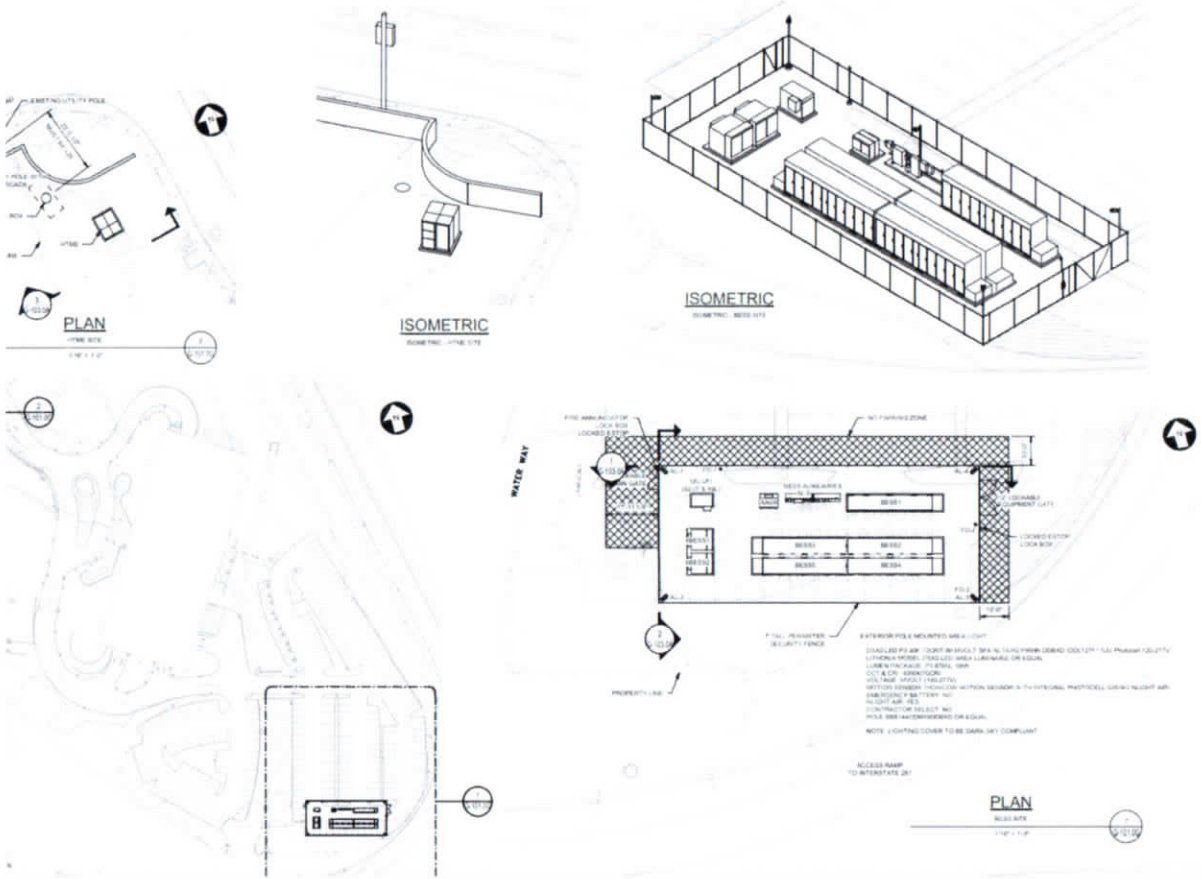
IX Agreement executed with ConEd on 6/13/2023. 100% of upgrades paid.

Plot Plan

CATALYZE

Confidential

Site and Lighting Plan: 5,000W/20,000 kW hrs BESS

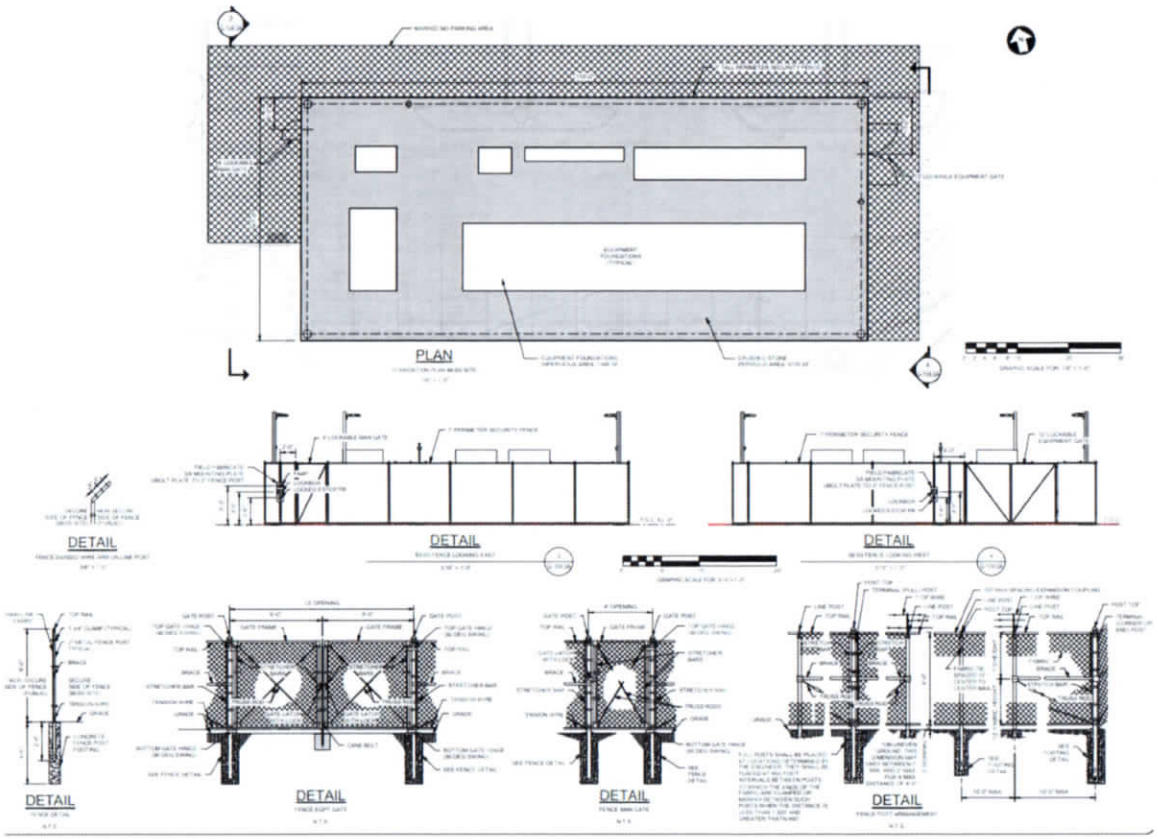


CATALYZE

Confidential

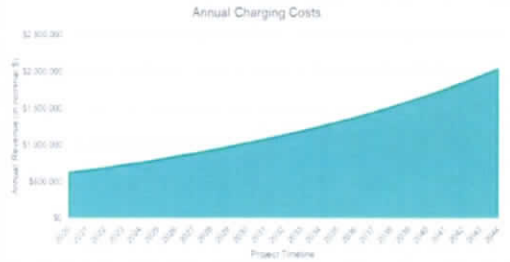
Approx. 5,000 Square Feet

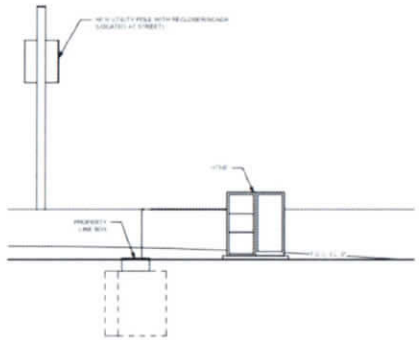
Foundation Plan and Fence Details



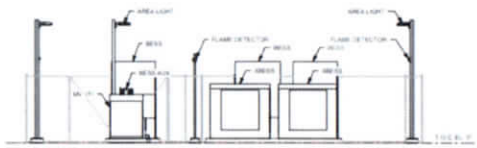
Project Details and Elevation Study

YEAR	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044
NET ANL ELECTRIC COSTS FROM STORAGE OPERATION - CHARGING + DECHARGING																									
DEMAND CHARGES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CONTRACT DEMAND CHARGES	40780	51,480.7	53,874.3	56,608.7	59,230.4	62,431	65,883.6	69,613.8	73,664	78,038.6	78,126.8	83,592.7	88,044.6	93,675.1	97,949.3	103,928	114,661	117,957	126,883	134,558	142,698	151,331	157,364	164,488	171,115
KWH CHARGES	12928.4	13,950.7	14,947.8	15,984	16,287.6	19,537	21,417.6	23,552	25,938.7	28,597.4	27,346.8	32,679	33,634.2	34,621.9	35,611	37,443.1	39,212.2	39,884.3	37,971.3	37,933.9	34,996.7	36,038.9	36,875.4	34,933	34,413.3
OTHER CHARGES	5,601.2	5,934.3	6,311.8	6,677	7,194.2	7,538.3	7,941.7	8,343.3	8,744.8	9,208	9,674.1	10,163.8	10,677.8	11,118.1	11,755.8	12,282.1	12,58.7	13,886.8	14,508.5	15,085.2	15,646.3	16,602.2	17,452.1	18,277.9	19,017.8
TOTAL CHARGING COSTS	53,301.4	71,167.4	75,133.9	79,269.8	82,712.2	89,506.3	93,883.4	101,509.4	108,348.4	115,843.4	122,150	131,435	137,357	139,415	144,867	151,653	157,462	173,809	180,524	187,596	193,696	197,934	198,003	198,707	203,606
CHARGING COSTS	53,301.4	71,167	75,134	79,270	82,712	89,506	93,883	101,509	108,348	115,843	122,150	131,435	137,357	139,415	144,867	151,653	157,462	173,809	180,524	187,596	193,696	197,934	198,003	198,707	203,606
NET VALUE	53,301.4	71,167	75,134	79,270	82,712	89,506	93,883	101,509	108,348	115,843	122,150	131,435	137,357	139,415	144,867	151,653	157,462	173,809	180,524	187,596	193,696	197,934	198,003	198,707	203,606

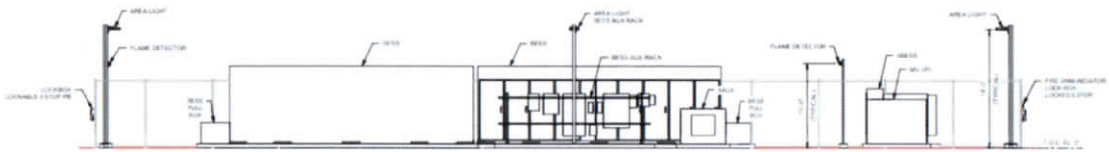




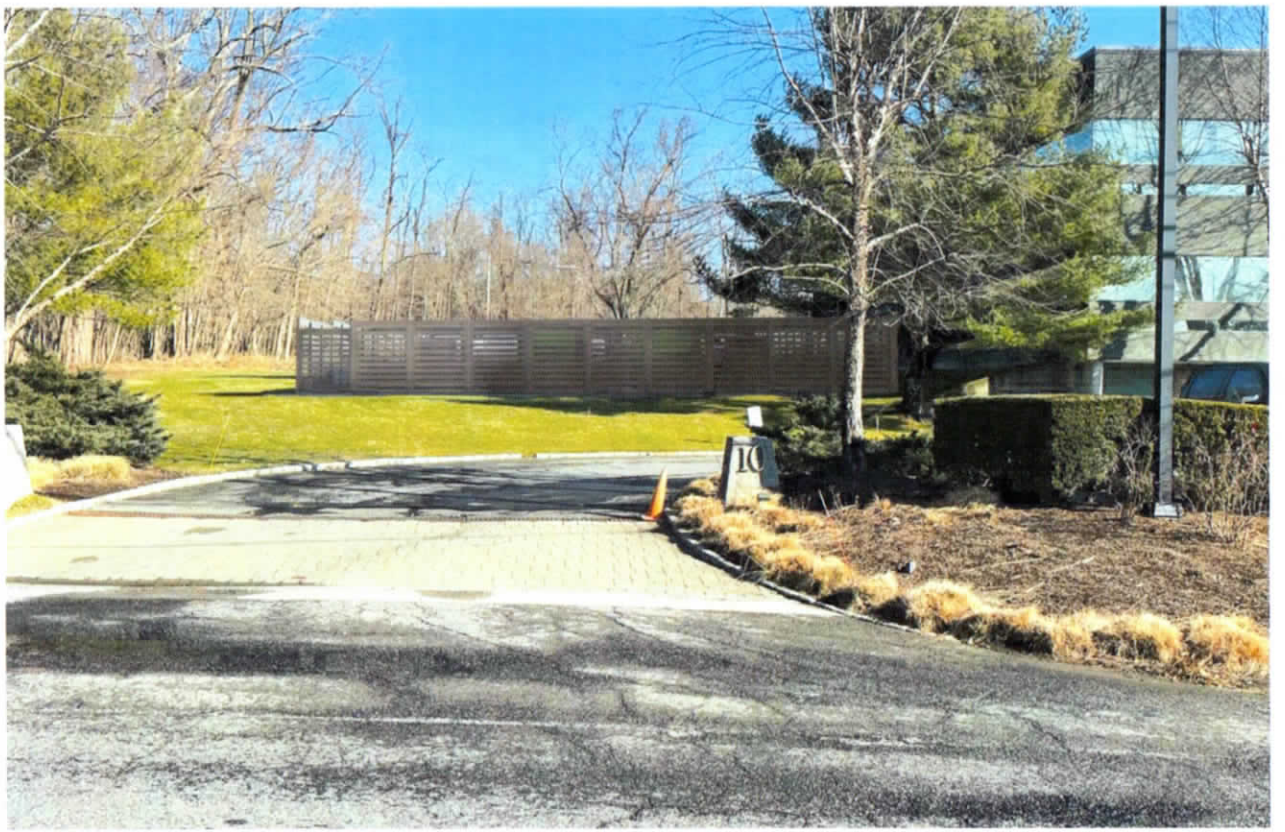
ELEVATION



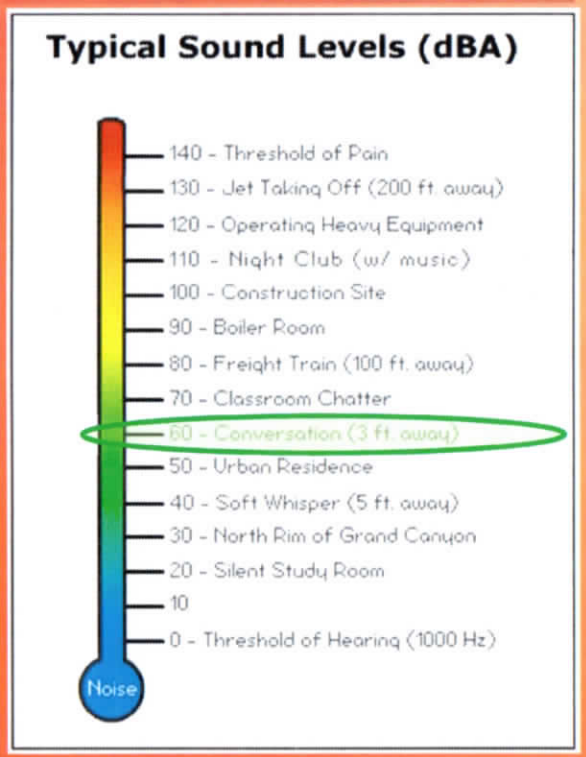
ELEVATION



Example Rendering



Noise Decibel Level

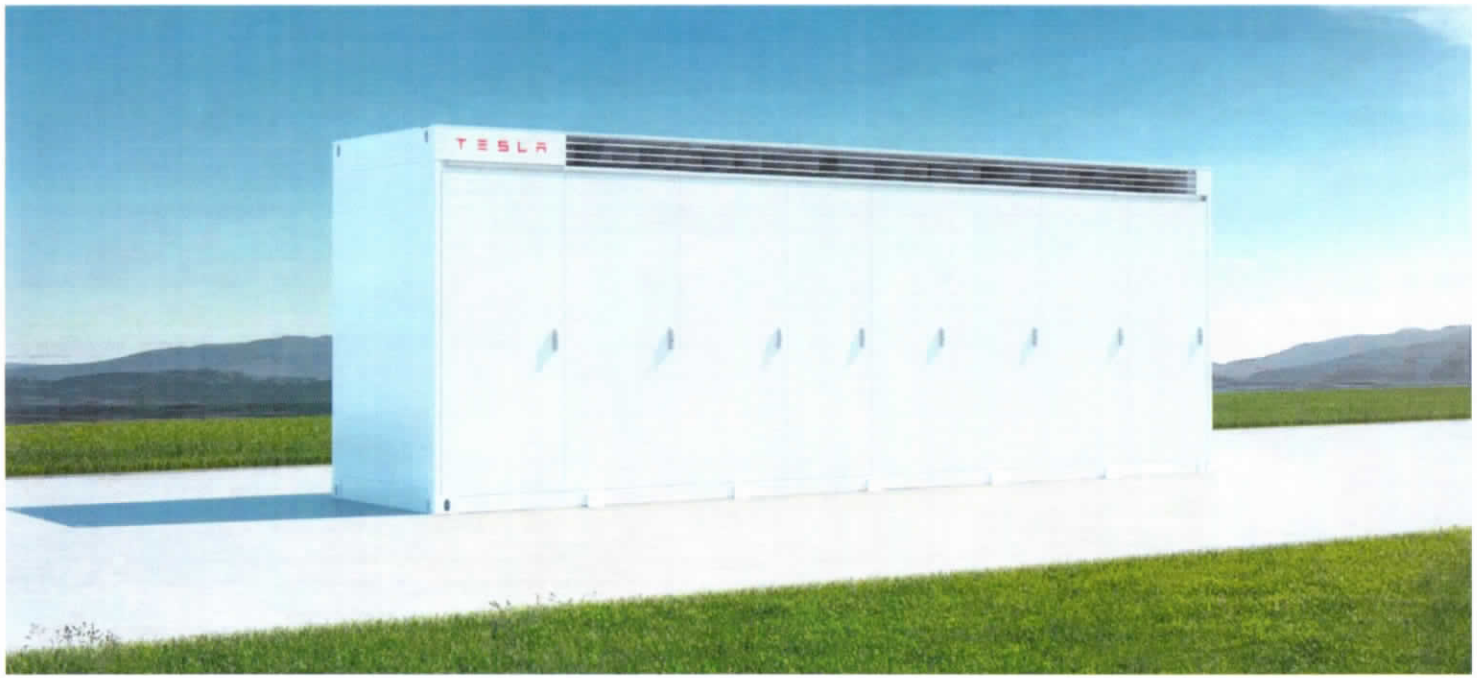


CATALYZE Confidential

Standard decibel level for battery equipment in operation is 67 dBA- Equivalent to hearing a normal conversation from 3ft away.

A Sound Study will be conducted to determine the exact noise emission level and understand its impact on the surrounding environment.

TESLA MP2 XL



Enclosure Dimensions W: 7168 mm (282 1/4 in) D: 1659 mm (65 1/4 in) H: 2522 mm (99 1/4 in)

TESLA MP2 Improved Safety Features

Safety as a Top Priority: Tesla's unwavering commitment to safety guides every aspect of Megapack design.

Comprehensive Safety Design: Tesla conducts comprehensive safety design and testing at all levels, ensuring a high degree of safety.

Cell Quality and Inspection: Each cell is individually inspected and tested for flaws to maintain high-quality standards.

Electrical Isolation: Battery modules are equipped with individually-fused cells and dedicated power electronics to isolate batteries, reducing on-site risks.

Parallel Module Architecture: The parallel module design enhances safety and performance, reducing the risk of cascading failures.

Sealed Battery Modules: Battery modules are sealed to prevent access to internal components and minimize exposure to hazards.

Inherent Safety Design: Tesla's products are designed to be safe without the need for costly additional safety measures.

Early Detection: The use of third-party multispectrum IR cameras for early thermal runaway detection is recommended.

Next Steps

- Tarrytown submits NOI to declare lead agency in SEQRA process
- Submit ZBA application for requested variances
- Provide follow up information requested from today's discussion.
- Support Tarrytown approval process

OUR MISSION

To accelerate the large-scale transition to clean, renewable energy, by making it easy and profitable to integrate smart energy resources into our existing infrastructure.