

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:15 P.M.
WEDNESDAY, NOVEMBER 14, 2018
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York**

Board of Trustees Concerns

Executive Session

- A. Discussion – Police Chief re PBA
- B. Discussion – Duncan's Abbey Lease
- C. Code Enforcement Officer Candidate
- D. Assistant Village Administrator
- E. Organization Meeting

Open Session

- 1. Local Law – Architectural Review Board
- 2. Amendment Village Code re Additional Business Parking Permit Location
- 3. Resolution for Village to Act as Grant Funding Recipient – Music Hall
- 4. Proposed Amendment to Site Plan and SEQRA Findings – HH River House
- 5. NCPA (National Cooperative Purchasing Alliance)
- 6. Sidewalks – Conditions, Responsibility

LOCAL LAW ____ - 2018

A local law to amend Chapter 9 of the Code of the Village of Tarrytown entitled Architectural Review Board to amend the review of certain building permit applications by the Architectural Review Board

Section 1. Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows (Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

Section 2. Chapter 9, Section 4. (A) “Referral of applicants for building permits” shall be amended read as follows:

Except where an application for a certificate of appropriateness must be submitted to the Architectural Review Board pursuant to the Landmark and Historic District Act (Chapter 191, Historic Districts and Landmarks), every application for a building permit ~~shall be referred by the Building Inspector to the Architectural Review Board, provided that:~~

- ~~(1) There will be construction, reconstruction or alteration of any building or structure that affects the exterior appearance of the building or other structure and is visible from any public street;~~
- ~~(2) The proposed plans include construction, reconstruction or alteration of any deck or uncovered porch that affects the exterior appearance of the building or other structure, is visible from any public street and exceeds 25 square feet, including steps;~~
- ~~(3) The proposed plans include construction, reconstruction or alteration of existing/new windows or security grills that affect the exterior appearance of the building or other structure and are visible from any public street; or~~
- ~~(4) The proposed plans include construction, reconstruction or alteration of any fence or wall exceeding three feet in height or 20 feet in length that is visible from any public street.~~ **involving any of the following shall be referred by the Building Inspector to the Architectural Review Board:**

ARB review is required for applications requiring Planning Board approval, including:

- 1. Construction of a new building**
- 2. Additions that increase the existing building footprint by 25% or more;**
- 3. Fences that are in the front yard or front-yard set back**

4. **Standalone walls**
5. **Applications for signage or awnings;**
6. **Applications for a property within the Restricted Retail RR Zone or commercial properties outside the RR Zone involving:**

(a) Construction, reconstruction or alteration of any building or structure that affects the **portion of the** exterior appearance of the building or other structure that is visible from any public street, except applications involving only fences, retaining walls, steps, and /or sidewalks;

(b) Construction, reconstruction or alteration of any deck or uncovered porch that affects the exterior appearance of the building or other structure, is visible from any public street and exceeds 25 square feet (such size calculation shall include any steps); or

7. (c) Construction, reconstruction or alteration of existing/new windows or security grills that affect the exterior appearance of the building or other structure and are visible from any public street.

4. **B. Exceptions – applications that are excepted from ARB review include**

1. **additions that increase the existing building footprint by less than 25%**
2. **fences that are only in the rear yard or side yard set back**
3. **retaining walls**
4. **steps, and/or sidewalks**

Section C: Supersession of other laws.

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All laws, ordinances, rules and regulations of the Village are modified and superseded by this article with respect to their application to parking and enforcement.

Section D: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section E: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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TARRYTOWN POLICE DEPARTMENT
OFFICE MEMORANDUM

DATE: September 11, 2017

FROM: Lt. Budnar (GB)

TO: Chief Barbelet

CC: Lt. Daly

SUBJECT: Village Code Change: Additional Business Permit Location

Currently the Village code reads as follows (amendment request in underlined italic print):

§ 291-48. Business permit. [Amended 9-19-2011 by L.L. No. 8-2011; 12-3-2012]

Upon submitting to the Village Treasurer a properly completed signed application and upon payment of a fee as set by resolution of the Board of Trustees, the Village Treasurer shall consider said application as valid and complete for the issuance of a business permit, subject to applicable parking limitations. Such permit shall only be issued to the owner of a passenger or suburban vehicle who is not a resident of the Village of Tarrytown, but who is a merchant, store employee, office worker, business or professional person or other person gainfully employed within the Village of Tarrytown. One permit may be issued for up to four vehicles per parking permit, but in no case may the permit be used on more than one vehicle at a time and shall not be considered a valid permit for the parking of more than one vehicle at a time. Such permit shall be valid for a period of not more than one year and shall expire, in any event, on May 31 of each year. Business permits are valid in the following municipal parking lots, subject to specific restrictions where applicable:

A. McKeel Avenue Parking Lot.

B. South Broadway Parking Lot.

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C. West Elizabeth Street Parking Lot (metered parking spaces).

[Amended 3-21-2016]

The proposal for the addition to the code would read as follows:

D. Cortlandt St (metered parking spaces 4050 through 4061).

The reason for this proposed change is to increase the availability of "Business Parking" for merchants, store employees, office workers, business or professional persons or other persons gainfully employed within the Village of Tarrytown. This change will also help generate revenue in an on street metered area of the Village which is significantly under-utilized by the general public, thus generating revenue through permit proceeds. Please see the attached charts and stall report displaying the current under-utilization.

*Data reflects Pay By Phone and Pay Station Parking.

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EXPIRED STALL REPORT

Stall Range: 04060 - 0414

1

Sep 07, 2017 10:55

Setting

LOT 8

Mach Name:

DEPOT PLAZA

Mach ID : 6

S/N # : 520014100230

EXPIRED

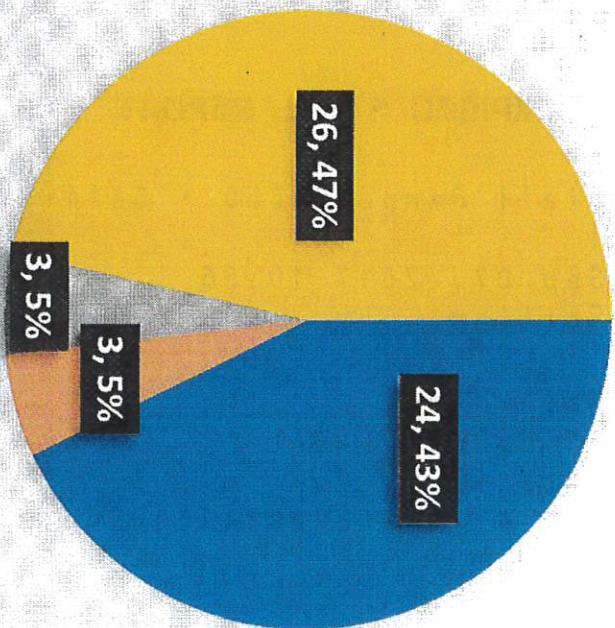
STALL

EXPIRED AT

| | | |
|-------|-------|----------|
| 04060 | 16:40 | Jan17/17 |
| 04061 | 16:42 | Jan17/17 |
| 04062 | 16:44 | Jan17/17 |
| 04063 | 16:46 | Jan17/17 |
| 04064 | 16:46 | Jan17/17 |
| 04065 | NEVER | OCCUPIED |
| 04066 | NEVER | OCCUPIED |
| 04067 | NEVER | OCCUPIED |
| 04068 | 18:19 | Jun22/16 |
| 04069 | 22:54 | May31/17 |
| 04060 | 21:16 | Jun22/16 |
| 04061 | 13:50 | Oct21/16 |

PARKING RECEIPT PARKING RECEIPT PARKING RECEIPT PARKING RECEIPT PARKING RECEIPT

Cortlandt St Parking Space Occupancy As of September 7, 2017



■ Space Last Occupied Within 0-10 Days

■ Space Last Occupied Within 11-20 Days

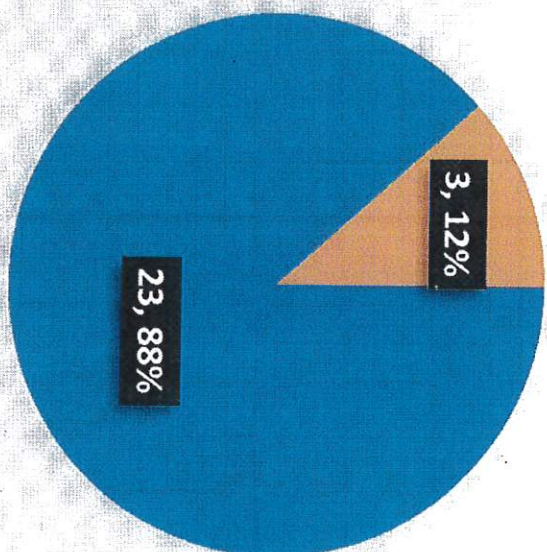
■ Space Last Occupied Within 21-30 Days

■ Space Last Occupied 31 Days ago or More

Total Spaces : 56

2

Spaces Unoccupied For More Than 30 Days As of September 7, 2017



- Meters North of The Walgreens Souther Driveway
- Meters South of The Walgreens Southern Driveway

Total Spaces : 26

Storm Street

Mechanics A.V.

Linden PJ

| | | | |
|-----|--|-----|-----|
| 318 | | 319 | 320 |
|-----|--|-----|-----|

Cottage Place

Walgreens

Cortlandt Street

Valad

Impound Lots



210 North Central Avenue, Suite 310
Hartsdale, NY 10530
914-948-5166; Fax: 914-948-5197
www.wcf-ny.org

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October 30, 2018

Mayor Drew Fixell
Village of Tarrytown
One Depot Plaza
Tarrytown, NY 10591

Dear Mayor Fixell:

It is my pleasure to inform you that a grant of \$10,000 has been authorized, effective immediately, to the Tarrytown Music Hall in support of free and low-cost family-friendly concerts in Tarrytown. A copy of my letter to Mr. Bjorn Olsson is enclosed for your information.

It is my understanding that the Village of Tarrytown has agreed to administer the funds for the Tarrytown Music Hall.

You will note in my letter to Mr. Olsson that a fiscal accounting of grant expenditures is to be submitted to us with the final report due Nov. 1, 2019. It is understood that any funds not used for the purposes described in these letters will revert to the Westchester Community Foundation.

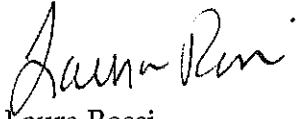
This grant is subject to financial audit upon our notification during or immediately following the grant period. A separate bank account is not required, but it is necessary that a separate accounting of this grant be maintained.

The grant will be given in one payment of \$10,000. A check will be issued shortly after we received the complete signed original of this letter, as well as the signed original of the grant award letter addressed to Mr. Olsson.

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We appreciate your assistance in the administration of this grant.

Sincerely,



Laura Rossi
Executive Director

AFFIRMED AND ACCEPTED:

VILLAGE OF TARRYTOWN

By: _____

Title: _____

Date: _____

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Kathy Deufemia

From: Carol Booth
Sent: Friday, November 02, 2018 10:23 AM
To: Kathy Deufemia
Subject: Music Hall Resolution

BOT Adopted 11/20/17

AUTHORIZING THE VILLAGE OF TARRYTOWN TO ACT AS THE GRANT FUNDING RECIPIENT AND TRANSFEROR ACCEPTING A GRANT FROM THE WESTCHESTER COMMUNITY FOUNDATION AND PROCESSING THE PAYMENT TO THE TARRYTOWN MUSIC HALL

Trustee Brown moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved:
Approved: 6-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the Village of Tarrytown to act as the grant funding recipient and transferor accepting a grant from the Westchester Community Foundation to process the payment to the Tarrytown Music Hall and disburse them to the Tarrytown Music Hall in accordance with the terms of the grant. There will be no Village of Tarrytown funds nor other financial obligation will be expended through this financial partnership; and

BE IT FURTHER RESOLVED, that the Board of Trustees does hereby authorize the Village Administrator to sign the necessary and appropriate agreement to the satisfaction of the Village Attorney, and authorizes the Village Treasurer to accept these funds from the Westchester Community Foundation and disburse them to the Tarrytown Music Hall.

Best Regards,

Carol A. Booth
Village Clerk
Village of Tarrytown
One Depot Plaza
Tarrytown, New York 10591
914-631-1652
fax: 914-631-8770
cbooth@tarrytowngov.com

HH RIVER HOUSE II LLC

485 West Putnam Avenue
Greenwich, Connecticut 06830

November 2, 2018

VIA PERSONAL DELIVERY

Village of Tarrytown Board of Trustees
Village Planning Board
Village Architectural Review Board
c/o Village Building Department
One Depot Plaza
Tarrytown, New York 10591



***Re: Lots 18.H310, 18.H311, 18.H312 and 18.H313 (collectively, the "Property")
Amendment to Site Plan and SEQRA Findings***

Dear Mayor and Members of the Village Board of Trustees,
Planning Board and Architectural Review Board,

HH River House LLC (the "Applicant") hereby submits this application for purposes of a limited amendment to the approvals for the Property to permit a five foot (5') increase to the forty-five foot (45') height limit¹ for the four (4) units comprising the Property, Units 310, 311, 312 and 313 at Lighthouse at Hudson Harbor, for purposes of a stairway bulkhead that provides rooftop access for the Property.

The purpose for this application is (i) to enable safe access to the approved roofdeck portion of the Property, and (ii) to facilitate construction of a higher quality of design, allowing for more aesthetically pleasing architectural elements to be included in the construction at the Property.

The original plan for access to the roofdeck for the Property was an exterior, spiral staircase from the second-floor balcony. This design proved to be potentially dangerous and, unfortunately, unsuitable for use by our largest buyer demographic, which are empty-nesters, and an alternate plan was devised and constructed. The bulkhead that was constructed is approximately eight feet (8') tall and includes finished siding consistent with the remainder of the building. The Applicant is prepared to replace the existing siding with glass features, as shown in the enclosed plans. It should be noted that the Applicant has received no comments since the bulkheads were constructed.

¹ Average finished grade is 11.69'.

4.

Furthermore, reference is made to Village Zoning Code Section 305-48, which provides, in pertinent part, that "[S]tair and elevator bulkheads...that are less than 10% of the roof area and less than 5% of the bulk area [of the building to which these elements are appurtenant] *may exceed the normal height limit* only by the prevailing design standards normative to the industry, but in no case greater than 10 feet" (emphasis added). The stair bulkheads that are the subject of this application (i) are less than 10% of the roof area of the building, (ii) are less than 5% of the bulk area of the building, (iii) are less than 10 feet in height and (iv) exceed the height limit by prevailing design standards normative to the industry.

As such, please let this serve as the Applicant's request for:

1. An amendment to the site plan approval issued by the Planning Board by resolution dated September 8, 2015;
2. An amendment to the approved issued by the Architectural Review Board and Planning Board dated October 7, 2015; and
3. An amendment to the Amendment to the Findings Statement dated November 23, 2015.

Enclosed herewith please a complete site plan amendment application for the Property, including plans prepared by Lessard Design Inc. P.C., the architect of record.

Sincerely,
HH RIVER HOUSE II LLC

By: _____
Name: Joseph Cottel
Title: President

Enclosures.



About NCPA

NCPA (National Cooperative Purchasing Alliance) is a leading national government purchasing cooperative working to reduce the cost of goods and services by leveraging the purchasing power of public agencies in all 50 states. NCPA utilizes state of the art procurement resources and solutions that result in cooperative purchasing contracts that ensure all public agencies are receiving products and services of the highest quality at the lowest prices.

NCPA's Process

NCPA works with a public agency, who as Lead Agency competitively solicits national master procurement contracts for use by all public agencies. These contracts are established using the following process:

- The Lead Agency issues a competitive solicitation for a product or service on behalf of NCPA and all public agencies.
- The solicitation is advertised nationally for a minimum of four (4) weeks. You can view our current solicitations on our website.
- The solicitation includes language that makes the contract accessible nationally to public agencies in states whose laws allow for intergovernmental contract use (sometimes called "piggybacking" or "adopting")
- Vendors respond to the solicitation with sealed responses that are recorded and publicly opened.
- The Lead Agency evaluates the responses and awards contracts.

Who Can Use NCPA's Contracts

There are over 90,000 agencies nationwide from both the public and nonprofit sectors that are eligible to utilize NCPA's cooperative purchasing contracts. These include, but are not limited to the following agency types:

- School Districts (including K-12, Charter schools, and Private K-12)
- Higher Education (including Universities, Community Colleges, Private Colleges, and Technical / Vocational Schools)
- Cities, Counties, and any Local Government
- State Agencies
- Healthcare Organizations
- Church/Religious
- Nonprofit Corporations

State Statutes

Want to see your state's laws on cooperative purchasing? Click here to view [your state's laws on cooperative purchasing](#).

the work which required the excavation, but in no case shall the excavation remain open for more than 30 days.

§ 259-32. Permit fee. [Amended 5-6-1991 by L.L. No. 5-1991]

The fee for each permit hereunder shall be as adopted by resolution of the Board of Trustees.¹⁰

§ 259-33. Issuance of permit. [Amended 5-6-1991 by L.L. No. 5-1991; 12-2-2013 by L.L. No. 14-2013]

Upon approval by the Superintendent of Public Works of the construction specified in the application and of the competency of the contractor to construct the same and upon payment of the fee therefor, the Superintendent of Public Works or the General Foreman shall issue a permit therefor to the owner of the abutting property. Work associated with a permit so issued shall be commenced and be completed within 30 days of the date of issuance of the permit. Should the work not commence and be completed within the thirty-day period, the permit shall automatically be deemed null and void and the permit fee shall be retained by the Village and not refunded to the permit applicant or the person who paid the fee for the permit. A new permit shall be applied for and a new permit fee paid for the work declared null and void.

§ 259-34. Warnings.

Every person who constructs a sidewalk or curb shall guard any excavation or work by guardrails, red signal lights or by any other suitable means as may be necessary to warn pedestrians and others of the danger to be approached.

ARTICLE XII

Repairs to Sidewalks and Curbs

§ 259-35. Maintenance required.

It shall be the duty of every property owner or occupant to keep the sidewalk and curb adjoining his premises in safe, passable condition.¹¹

§ 259-36. Failure to make repairs. [Amended 5-6-1991 by L.L. No. 5-1991]

For failure, upon notice by the General Foreman of not less than 24 hours, to make such repairs as are specified as to place and manner, the Board of Trustees may cause the same to be done and may assess the expense thereof upon the adjoining land.

10. Editor's Note: Such fee is on file and available for inspection in the office of the Village Clerk during regular office hours.

11. Editor's Note: See Article XVII, Sidewalk Replacement Policy, for incentives available to property owners.

