

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, JANUARY 27, 2021**

Location: Zoom Video Conference – For Information on How to Join
Visit <https://www.tarrytowngov.com/home/events/33051>
Any questions prior to the meeting may be emailed to administrator@tarrytowngov.com.

Brief Presentation – Materials Pending – Revised Plans for 29 So. Depot Plaza

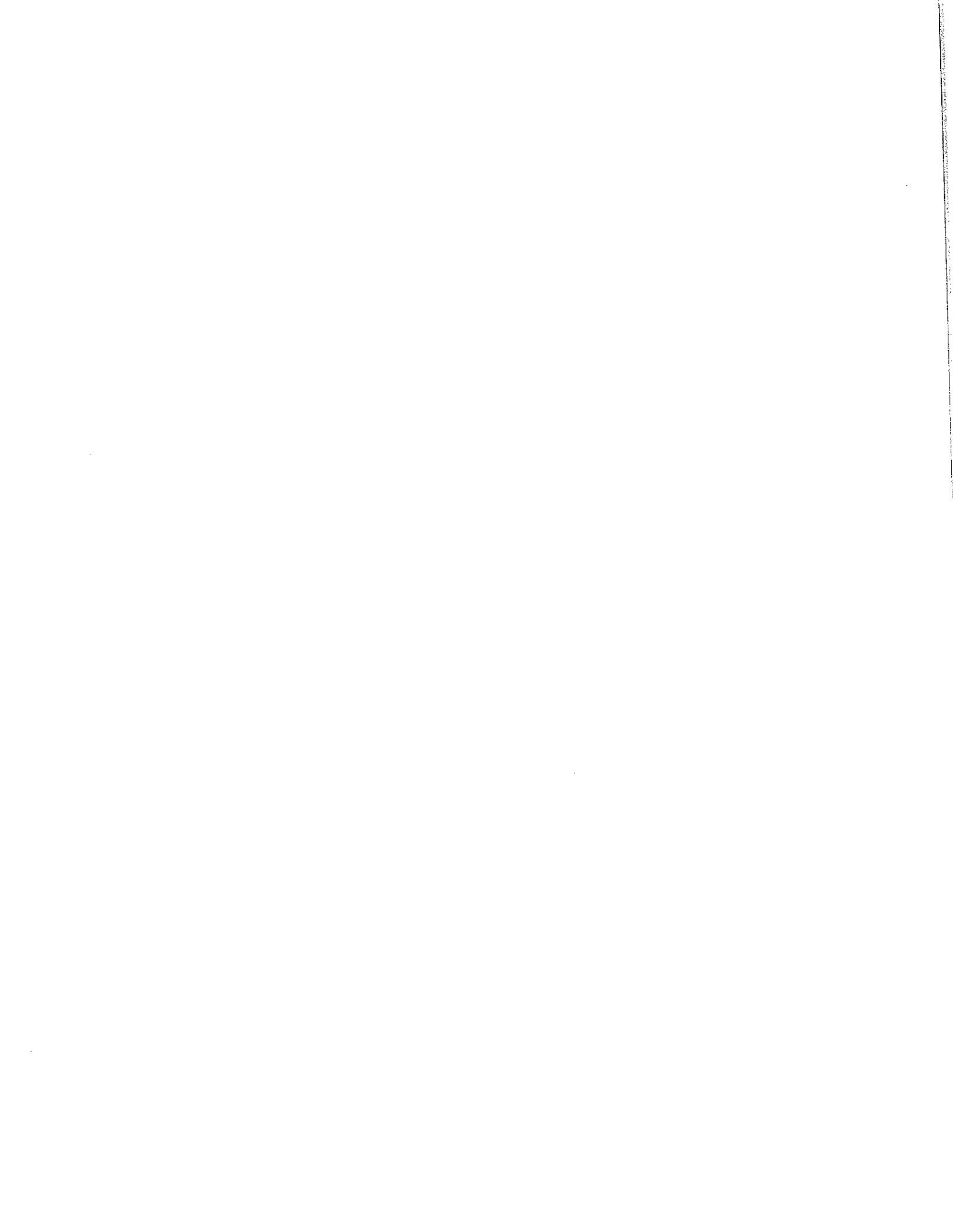
Board of Trustee Concerns

Open Session

1. Discussion – Accessory Dwelling Unit (Sadie McKeown, Housing Affordability Task Force Chairwoman to Attend)
2. SAO and Viewshed Discussion (George Janes to Attend)
3. Parking Task Force Recommendations
4. Protests, Demonstrations, and Rallies Local Law
5. Transit Oriented Development Amendment for Mixed Uses in the “ID” Zoning District
6. Fireman’s Association of New York State – Request for Tarrytown to Host 150th Anniversary Dress Parade in 2022
7. Review of Police Reform and Reinvention Public Comments
8. Brief Discussion – Tentative Budget 2021-2022
9. Quotes for Architectural Services to Develop Bid-Ready Plans for Repairs to the Riverside Hose Firehouse
10. Surplus Equipment
11. Discussion – Review of Past and Current Traffic Studies

Executive Session

- A. Protests, Demonstrations, and Rallies Local Law
- B. Transit Oriented Development Amendment for Mixed Uses in the “ID” Zoning District
- C. Additional Appointment to Boards and Committees



Kathy Deufemia

From: Joshua Ringel
Sent: Wednesday, January 13, 2021 9:23 AM
To: Kathy Deufemia
Cc: Richard Slingerland
Subject: for next work session

Per Housing Affordability Committee

Title: Discussion – Accessory Dwelling Unit

They would like a little direction from BOT as to whether the BOT would be open to the prospect of expanding Accessory Dwelling Units in the Village of Tarrytown. An accessory dwelling unit (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone single-family home. ADUs go by many different names, including accessory apartments and in-law flats. ADUs can be converted portions of existing homes (internal ADUs), additions to new or existing homes (attached ADUs), or new stand-alone accessory structures (detached ADUs). ADUs have the potential to increase housing affordability (both for homeowners and tenants), create a wider range of housing options within the community, enable seniors to stay near family as they age, and facilitate better use of the existing infrastructure in established neighborhoods.

We will have someone (likely Sadie) to briefly go over what the committee intends to do. We just want an OK to proceed before sinking time and effort into this issue.

Josh Ringel
Assistant Village Administrator
Village of Tarrytown
One Depot Plaza
Tarrytown NY, 10591

(914)-631-1785

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LOCAL LAW __ - 2021

A local law to amend Chapter 305 of the Code of the Village of Tarrytown entitled "Zoning", to add additional requirements to Chapter 305

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. Amending Existing Provision. Chapter 305, Section 6 entitled "Districts Enumerated" add "**SAO Station Overlay**" to the first column of the list of districts and "**SAO**" to the second column of the list of districts.

Section 3. Amending Existing Article Heading. Chapter 305, Article IX entitled "Special Waterfront Zones" to read "Special Waterfront Zones **and Other Special Zone**"

Section 4. Amending Existing Article. Chapter 305, Article VI entitled "Special Waterfront Zones" (to be amended per Section 3 above) to add new section 305-43.1 entitled "Station Area Overlay Zone SAO" as follows:

§ 305-43.1 Station Area Overly SAO

A. Intent and Purpose

The intent and purpose of the Station Area Overlay District (SAO) is to create a built environment that implements the goals and objectives for the station area as detailed in the Tarrytown Comprehensive Plan. The SAO is designed is to allow exceptional and signature developments that are consistent with the Comprehensive Plan along with a level of flexibility that will allow different types of uses and forms while still protecting the Village's interests. The purpose and goal of the SAO is to: promote sustainable development and growth; improve local mobility and regional access; reduce dependence on personal vehicles; foster greater connectivity in the village; expand housing options for a diverse, multi-generational community; protect natural resources; enhance open space resources; strengthen connections to the Hudson River; reduce greenhouse gas emissions; and, minimize local impacts of climate change.

B. Definitions and Word Usage

Unless defined herein in the general definitions in Chapter 305, the following definitions apply.

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Affordable Housing
Reference § 305-130.

Blue / Green Strategies
Refer to Blue Roofs and Green Infrastructure below.

Blue Roofs
Rooftop systems that control the discharge of stormwater into a municipal system by detaining stormwater on a roof and until the peak rate of discharge is reduced. (Source: adapted from New York State Department of Environmental Conservation

Cooperative Housing, Collective Housing, Cooperative Living, or Share Housing
A shared living arrangement in a multi-unit building where certain facilities are shared between building occupants, for example kitchen, living, or toilet/bathing facilities.

Green Infrastructure
Green infrastructure includes a wide array of practices at multiple scales to manage and treat stormwater, maintain and restore natural hydrology and ecological function by infiltration, evapotranspiration, capture and reuse of stormwater, and establishment of natural vegetative features. On the local scale green infrastructure consists of site- and neighborhood-specific practices and runoff reduction techniques. (Source: NYSDEC, Stormwater Management Design Manual)

LEED
Leadership in Energy and Environmental Design (LEED) is a rating system devised by the United States Green Building Council (USGBC) to evaluate the environmental performance of a building and encourage market transformation towards sustainable design. (Source: U.S. Green Building Council)

LEED Certification
A designation given to projects that demonstrate adherence to prerequisites and earn credits across nine measurements for building excellence from integrative process to indoor environmental quality. Based on the number of credits achieved, a project earns one of four LEED rating levels: LEED Certified, LEED Silver, LEED Gold or LEED Platinum. The LEED rating systems work for all buildings at all phases of development and are meant to challenge project teams and inspire outside-the-box solutions. (Source: U.S. Green Building Council)

Live-Work Space or Live/Work Unit
A building or space within a building used jointly for commercial and residential purposes. (Source: American Planning Association / Planning Advisory Service)

Passive House Standards
Passive House building is an internationally recognized, performance-based energy standard in construction that comprises a set of design principles used to attain a

quantifiable and rigorous level of energy efficiency within a specific quantifiable comfort level. A passive building is designed and built in accordance with these five building-science principles:

- 1) **Employs continuous insulation throughout its entire envelope without any thermal bridging.**
- 2) **The building envelope is extremely airtight, preventing infiltration of outside air and loss of conditioned air.**
- 3) **Employs high-performance windows (typically triple-paned) and doors.**
- 4) **Uses some form of balanced heat- and moisture-recovery ventilation and a minimal space conditioning system.**
- 5) **Solar gain is managed to exploit the sun’s energy for heating purposes in the heating season and to minimize overheating during the cooling season
(Source: Passive House Institute US)**

Shared Parking

A land use/development strategy that optimizes parking capacity by allowing complementary land uses to share spaces, rather than producing separate spaces for separate uses. In effect, shared parking makes spaces publicly accessible rather than reserved for a particular tenant or property owner. Parking may be privately constructed and operated, depending on a contractual agreement, but should remain within the government’s jurisdiction for long-term transport planning purposes. (Source: Institute for Transportation and Development Policy)

Transit-Oriented Development (TOD)

A land use strategy that focuses development around locations that are well served by transit, and that typically includes a mix of land uses, and a more dense development pattern. (Source: Westchester County Planning)

Workforce Housing

One or more dwelling units made available to households earning between 60 and 120 percent of Westchester Area Median Income. (Source: adapted from Urban Land Institute)

Acronyms

MDP Master Development Plan

MNR Metro-North Railroad

MHW Mean High Water

SAO Station Area Overlay

SLR Sea-Level Rise

C. Boundaries of the Station Area Overlay District

The boundaries of the SAO District are shown on the SAO District Map at Attachment 305k.

D. Authority

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The Village Board has the authority to grant eligible parcel(s) an SAO designation as set forth below in §305-43.1(E) "Eligibility" and §305-43.1(F) "Procedure for SAO Designation".

1. The decision to approve or decline a parcel for SAO designation is purely a legislative determination entirely within the legislative discretion of the Village Board. The Village Board shall have the right to reject any parcel for SAO designation at any stage of the process
2. A parcel located within the mapped SAO District must receive an SAO designation and Master Development Plan approval by the Village Board prior to the Planning Board determining whether or not to grant Site Plan approval.

E. Eligibility

Any parcel located within the boundaries of the SAO District as shown on the SAO District Map is eligible for SAO designation by the Village Board. The criteria in this section are separate and distinct from site plan and subdivision requirements which address more specific site layout and design requirements.

F. Procedure for SAO Designation

An SAO designation can only be granted by the Village Board subject to the following procedure.

1. Pre-application conference. The applicant must, prior to formal submission of their SAO designation application, meet in a pre-application conference with the SAO review staff made up of Village Staff and one member of the Planning Board, to review the requirements and procedures and discuss the planning concepts for the proposed development. The Applicant will pay the pre-application meeting fee (as established by the Village Board).
2. Submission of an application package for a SAO designation to the Village Clerk: The application package shall contain the following required documents and fees:
 - a. an SAO Designation Application Form.
 - b. A conceptual plan.
 - c. Long-form Environmental Assessment Form.
3. Preliminary Village Board action. At its sole discretion, the Village Board will determine whether to consider or not consider the SAO designation application. If the Village Board decides to consider the SAO designation application, it shall refer it to the Planning Board for their recommendation and continuing review as set forth below.
4. Village Board Referral to the Planning Board. If the Village Board determines that the application may continue and refers it to the Planning Board, the Applicant is required to submit a Master Development Plan consistent with § 305-43.1 (I) and a site development application in accordance with Article XVI, including all required forms, plans and

documents, as well as, required fees and escrow, but Is not required to submit building permit fees at this stage.

5. Master Development Plan and Site Development Plan review by the Planning Board: The Planning Board shall begin the Site Development Plan review, review the Master Development Plan based upon the Performance Criteria set forth in § 305-43.1 (J), and schedule a public hearing on Master Development Plan and Site Development Plan application in accordance with the requirements set forth in Article XVI. During this step, the Village Board will receive periodic updates from the Planning Board as part of the coordinated review.
 - a. As soon as practicable, the Planning Board shall complete the scoring process and recommend a score based upon the Station Area Overlay Scorecard (SAO Scorecard), which is a programed spreadsheet that can be found on the Village's website. The SAO Scorecard will be used by the Planning Board in electronic form to provide any proposed development within the SAO area described in a Master Development Plan with a score. Upon completing the SAO Scorecard electronically, the Planning Board shall advise the Village Board of the total score.
 - b. The Village Board can accept the Planning Board recommended score or modify the score as it deems appropriate.
 - c. The Master Development Plan must receive a passing score by the Village Board to proceed. A passing score is 85.
6. Upon the Village Board assigning a passing score but prior to determining whether to grant or deny Site Development Plan approval, the Planning Board shall issue a written report to the Village Board recommending that the SAO designation be granted, with or without conditions, or denied and its reasons for such recommendation ("SAO Recommendation"). Before issuing its SAO Recommendation and/or taking any action, the Planning Board shall fully comply with SEQRA.
 - a. While the Village Board is considering the Planning Board's report, any public hearing before the Planning shall be adjourned and held open until such time as the Village Board makes a determination on the proposed SAO designation.
7. Decision of Village Board. Upon the Village Board's receipt of the Planning Board's SAO Recommendation, along with Master Development Plan, if the Village Board elects to proceed it shall schedule a public hearing on the proposed SAO designation and following said hearing, may by resolution, act either to approve, approve with modifications and/or conditions, or disapprove the SAO designation and Master Development Plan. The Village Board shall fully comply with SEQRA prior to issuing any designation.
8. Completion of Land Use Review Process. If the Village Board determines to approve the SAO designation (including to approve with modification and/or conditions) and Master Development Plan, the Planning Board will place the application on its first available agenda and will continue with its Site Development Plan review and any other required land use approvals (such as

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preliminary and final subdivision review). The Applicant shall not be able to apply the SAO designation unless and until the Planning Board grants Site Development Plan approval.

G. Use Regulations

1. Pre-existing Uses and Buildings.

Any building permit or Site Development Plan approval issued before the date of adoption of this Section shall remain in effect for the underlying zone that the parcel is located within until a project is granted an SAO designation by the Village Board as set forth in § 305-43.1(E) Eligibility. Buildings existing before the date of adoption, or subsequent amendment, of this Section are allowed to expand and modify as permitted under the underlying zoning unless they have previously received an SAO designation. Once a parcel receives an SAO designation, the parcel is governed by the use, dimensional and other provisions of the SAO zoning regulations and SAO zoning replaces the existing zoning, but the parcel's development is project specific and limited to the approved Master Development Plan.

2. Permitted Uses

Any principal use permitted in any district in the Village of Tarrytown or any combination of such uses is a use permitted in the SAO provided the proposed use's Master Development Plan receives a receive a passing score by the Village Board on the SAO Scorecard as described in § 305-43.1 (D)(3).

H. Density/Development Regulations

1. Building Height Measurement in SAO

Building height for buildings permitted in the SAO district is measured from the average elevation of the existing (predevelopment) grade of the property, or from a plane formed by the Base Flood Elevation from the Federal Emergency Management Agency's 2014 preliminary Flood Insurance Rate Map (pFIRM), or subsequent revisions, plus three feet, whichever is higher. Building height is the vertical distance from the higher of these points to the highest point of the roof for flat roofs, to the decline of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

2. Maximum Building Height.

1. The maximum height permitted for all buildings in the SAO District is five stories or 60 feet, whichever is less. The height of building shall be determined as defined under "Definitions" (Section 305-5, "HEIGHT OF BUILDING").
2. Rooftop obstructions, including but not limited to parapets, stairs, elevator bulkheads, cooling towers, water tanks, mechanical equipment, skylights or other daylighting devices, decking and other surfaces for recreational activities, planting boxes, soil and drainage systems, arbors,

trellises, water collection devices and sun control devices, shall not exceed the maximum height of buildings of five stories or 60 feet, whichever is less.

I. Master Development Plan and SAO Scorecard

For any Applicant seeking SAO designation, the applicant shall prepare a Master Development Plan (MDP). The MDP shall be consistent with the adopted Tarrytown Comprehensive Plan and Tarrytown’s adopted Local Waterfront Revitalization Plan (if applicable, currently N/A). The purpose of an MDP is to provide additional information so that the proposed use and development can be evaluated based upon the Performance Criteria set forth in § 305-43.1 (J) and assigned a score based upon the SAO Scorecard found on the Village’s website.

1. Master Development Plan.

At minimum, an MDP shall include the following drawings and materials: (a) site plan that complies with the requirements of Article XVI; (b) Landscape plan; (c) Streetscape plans and elevations; (d) Parking plan; (e) Preliminary Infrastructure Analysis; (f) Preliminary Fiscal Analysis; (g) Affordable Housing Plan (if applicable); and (h) Phasing plan, if the project is to be built in phases

The MDP must also include a discussion of required utilities and a plan for the supply of water and wastewater disposal, which must include a discussion of the current condition and capacity of all public utilities that the development will be required to use. The MDP must also show how any development in the SAO will be resilient to periodic storm events, long-term sea level rise, and how it incorporates energy, graywater, and other sustainability measures. The MDP must also include a view impact analysis and photosimulations for any new structure or building that may impact Important Public Views in accordance with Chapter 147, Section 17. The MDP shall also contain such other information as the Planning Board deems necessary to demonstrate how the proposed development performs against the Performance Criteria found in § 305-XX(10)

2. Review of MDP

The Planning Board shall review and evaluate the MDP according to Performance Criteria identified in § 305-XX(10). The Planning Board, may refer the Master Development Plan to a planner, attorney, engineer, landscape architect, environmental expert or other professional necessary to enable it to review such application. Fees for such services will be paid in accordance with § 305-138(B) and § 305-138(C).

3. Scoring the MDP

The Planning Board and the Village will use the SAO Scorecard to evaluate a MDP’s performance against the Performance Criteria outlined in the SAO Scorecard. The scores an MDP receives on each component of the performance criteria will be initially determined by the Planning Board, as assisted by

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professional staff and experts working on their behalf, but ultimately determined by the Village Board.

1. Passing Score: Using the SAO Scorecard and a 100-point scale, a score of 85 is a passing score. A zero in any component capable of obtaining a zero score shall result in an automatic failing score.
2. Bonus Points: An MDP that obtains a minimum score of at least 75 points on the eight Performance Criteria is eligible for bonus points of up to 25 points, which bonus points are added to the score, so it is possible to exceed a score of 100. An MDP that does not obtain a minimum of 75 points on the eight Performance Criteria is not eligible for consideration of any bonus points.
3. Requirement for Passing Score: A passing score is a condition to the granting of SAO designation by the Village Board and Site Development Plan approval by the Planning Board. An MDP that does not receive a passing score by the Village Board will not be eligible for SAO Designation and an MDP that receives a failing score from the Village Board will not be referred by the Village Board to the Planning Board for further review.

J. Performance Criteria

Master Development Plans are evaluated against eight Performance Criteria. Performance Criteria and their Components are categories of public concern identified in the Village of Tarrytown Comprehensive Plan against which all MDPs are evaluated. Performance Criteria are made up of Components, which are implemented through the SAO Scorecard. A score of zero in any component category capable of being awarded a zero, results in a zero for the entire criteria and as a result, an automatic failing score. .. There are eight Performance Criteria, each with their own Goals and Components as set forth below:

1. Land use

a. Goals:

The mix of land uses in the Station Area will help create a dynamic, transit-oriented neighborhood that anchors the area around the Metro-North Railroad (MNR) Station. This land use mix will promote the village as a regional hub and destination, while serving Tarrytown's residential population through the provision of neighborhood amenities, as well as broadening the local economy and growing the tax base. Any residential component should include a mix of housing unit sizes and models that will serve the needs of a wide range of living needs and incomes. Office spaces may include co-working, incubator spaces, and live-work.

b. Components:

- The MDP incorporates the mix of uses reflecting the goals of the area. Retail uses will be planned to support the other proposed uses of the SAO and not supplant the existing downtown retail.
- The MDP shows workspaces that are flexible and expand the range of offerings within Tarrytown.

- The MDP shows no uses that are contrary to the goals of the Comprehensive Plan and the SAO District

2. Mobility & Access

a. Goals:

All developments will prioritize pedestrian safety and access within the SAO. All developments and their pedestrian, vehicle, and bicycle access will be coordinated with the street network, connect to each other and facilitate access to the waterfront, the Station, the adjacent downtown area, and encourage access to Tarrytown and nearby destinations beyond the Station Area.

b. Components:

- The MDP shows Complete Streets, defined as roadways planned and designed to consider the safe, convenient access and mobility of all roadway users of all ages and abilities.¹
- The MDP improves connections between new facilities and all transit modes at Depot Plaza.
- The MDP provides access to new and existing parks.
- The MDP demonstrates that every unit has a direct pedestrian route to the MNR station, including through a building, provided public access is maintained, or to an intersection that has a direct pedestrian route to the train station.
- The MDP provides features to alleviate congestion in the Station Area specially and Tarrytown in general.
- Where applicable, the MDP improves the connection between the MNR Station and downtown.

3. Transportation & Parking

a. Goals:

All developments will support the transit-oriented goals for the Station Area while providing parking types and levels sufficient for the land uses proposed.

b. Components:

- The MDP demonstrates how all parking needed by residents, workers, customers, and visitors will be provided. Solutions may be shared or separate, structured on-site, off-site, above ground, or below ground. Any parking facilities must include car share, bicycle parking, and electric vehicle / electric bike charging infrastructure.
- All parking solutions should minimize surface parking lots.

¹ As discussed in Chapter 398 of the Laws of the State of New York. Information about Complete Streets is distributed by NYS DOT here: <https://www.dot.ny.gov/programs/completestreets>. The Planning Board may update or replace these guidelines as necessary.

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- The MDP demonstrates how it will accommodate different modes of transportation, which may include bicycles, bike share, ride share, and transit.
 - Any commuter parking that is displaced will be replaced in a structure within the SAO.

4. Affordable Housing

a. Goals:

Any residential component of developments within the SAO will expand the supply of permanently affordable housing and offer alternative models of housing within Tarrytown in order to serve a range of resident incomes and household types. The minimum requirement for the affordable component will follow § 305-130, although it is highly desirable to exceed the quantity and/or level of affordability provided by the code minimums.

This criteria is not applicable for projects with fewer than 10 dwelling units. For non-residential development, the SAO Scorecard proportionally increases the importance of the remaining seven criteria

b. Components:

- The MDP includes a mix of unit types, sizes, and price points. These may include workforce housing, live/work units, and cooperative housing.
- The MDP includes residential units for both renters and owners.
- The MDP should include units that are managed as permanently affordable housing.² All affordable units should be integrated within mixed-income buildings.
- The MDP includes a provision for senior housing in the Station Area. Innovative siting of senior housing, such as it being located near or within the same building as day-care or other intergenerational uses, is encouraged.

5. Neighborhood Character

a. Goals:

Development in the SAO will create a sense of place and arrival at the train station, completing the waterfront neighborhood. Development east of the tracks will maintain a scale and block structure that supports street-level activities and enhances the transition from the waterfront, to the Station Area, and to the village downtown. Development in the SAO will not impact public scenic views of the Hudson River and Palisades.

b. Components:

- The MDP shows development that respects Tarrytown's architectural legacy.

² Reference § 305-130.

- The MDP shows uses that are consistent with residential and recreational uses (e.g. MDP demonstrates no impacts to air quality, water quality; the MDP does not describe uses that introduce significant noise and vibrations).
- The MDP contains active and transparent ground floor uses designed for pedestrian access and circulation with building orientation planned to improve wayfinding, access, and contribute to a sense of arrival at the train station.
- The MDP shows a development that is designed primarily around the pedestrian and not the automobile.
- The MDP's landscape plan is complete and includes native plantings, street trees and full-cutoff, non-polluting light fixtures to encourage dark sky lighting. The landscape plan must be coordinated with any village street furniture.

6. Infrastructure

a. Goals:

All developments will minimize their impact on existing infrastructure.

b. Components:

- The MDP includes an infrastructure plan providing for stormwater capture as per code and incorporates blue / green strategies, including for example: green roofs, blue roofs, detention tanks, green infrastructure, and permeable surfaces within or under the development site inclusive of roads and sidewalks. All streetscapes must include green infrastructure.
- The development shall not result in a net increase in infrastructure costs to the Village.
- The MDP utilizes onsite renewable sources to meet its energy requirements
- The MDP places new infrastructure below grade as feasible and necessary for resiliency plans.

7. Open Space

a. Goals:

All developments will improve access to and continuity between existing public open spaces and the Hudson River.

b. Components:

- The MDP identifies public and private open spaces within all developments.
- The open space provided should be programmed for active uses.
- Where applicable, the MDP preserves public view corridors and respects a development buffer of 50 feet from shoreline as measured by the Mean High Water (MHW) line along the Hudson River, except where the use of water is an integral part of such structure.
- Facades shall not exceed 150 feet in length.

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8. Sustainability & Resiliency

a. Goals:

All developments will promote human health and safety and minimize resource consumption, including water and energy, waste, and greenhouse gas emissions. Development should incorporate renewable energy systems, adaptability to a changing climate, and resiliency to extreme weather events.

b. Components:

- The MDP demonstrates holistic consideration for the environmental performance of sites and buildings, which may be satisfied through building and site design that achieve LEED Silver or higher ratings,³ or conform to / exceed Passive House Standards,⁴ or equivalent standards in effect at the time of application.
- The MDP is designed to account for sea level rise, as described in 6 NYCRR Part 490, and to be adaptable to changing projections. The MDP must demonstrate that it does not worsen the potential for flooding within the SAO. The base level(s) of any building must be designed to enable adaptation for sea level rise, including retrofit for wet flood proofing.
- The MDP site and buildings are designed to moderate the impacts of extreme heat and rain events.
- Greywater is captured to irrigate landscaping, gardens or parks.

9. Bonus Points

a. Goals:

Bonus Points are to be applied or awarded in accordance with 305-43.1(I)(3).

b. Components:

- The MDP provides a contribution to an infrastructure fund that benefits the Station Area, or provides a developer performed public amenity. The score for this component is based upon the amount of the contribution, or provided public amenity, relative to the overall project cost. The overall project cost refers to total construction costs as well as all infrastructure costs related to the MDP and site plan.
- The MDP benefits Tarrytown's municipal finances.

³ <https://new.usgbc.org/leed-v4>

⁴ https://www.passivehouse-international.org/index.php?page_id=150

K. Expiration, Revocation, and Enforcement

1. An SAO designation shall expire if the SAO designated use or uses cease for more than 24 consecutive months for any reason, if the applicant fails to obtain the necessary Building Permits or fails to comply with the conditions of the site development plan approval as described in § 305-143.

2. An SAO designation may be revoked by the Village Board of Trustees if the permittee violates the conditions of the site development plan approval or engages in any construction or alteration not authorized by the site development plan. Any such unauthorized or unapproved construction or alteration will immediately trigger a suspension of all work on site and fines as established by the Village Board of Trustees.

Section 5. Amending Existing Attachments. Chapter 305, Attachments shall be amended to add a new attachment as attached hereto and entitled "Attachment 305k".

Section 6: 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 7: 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.

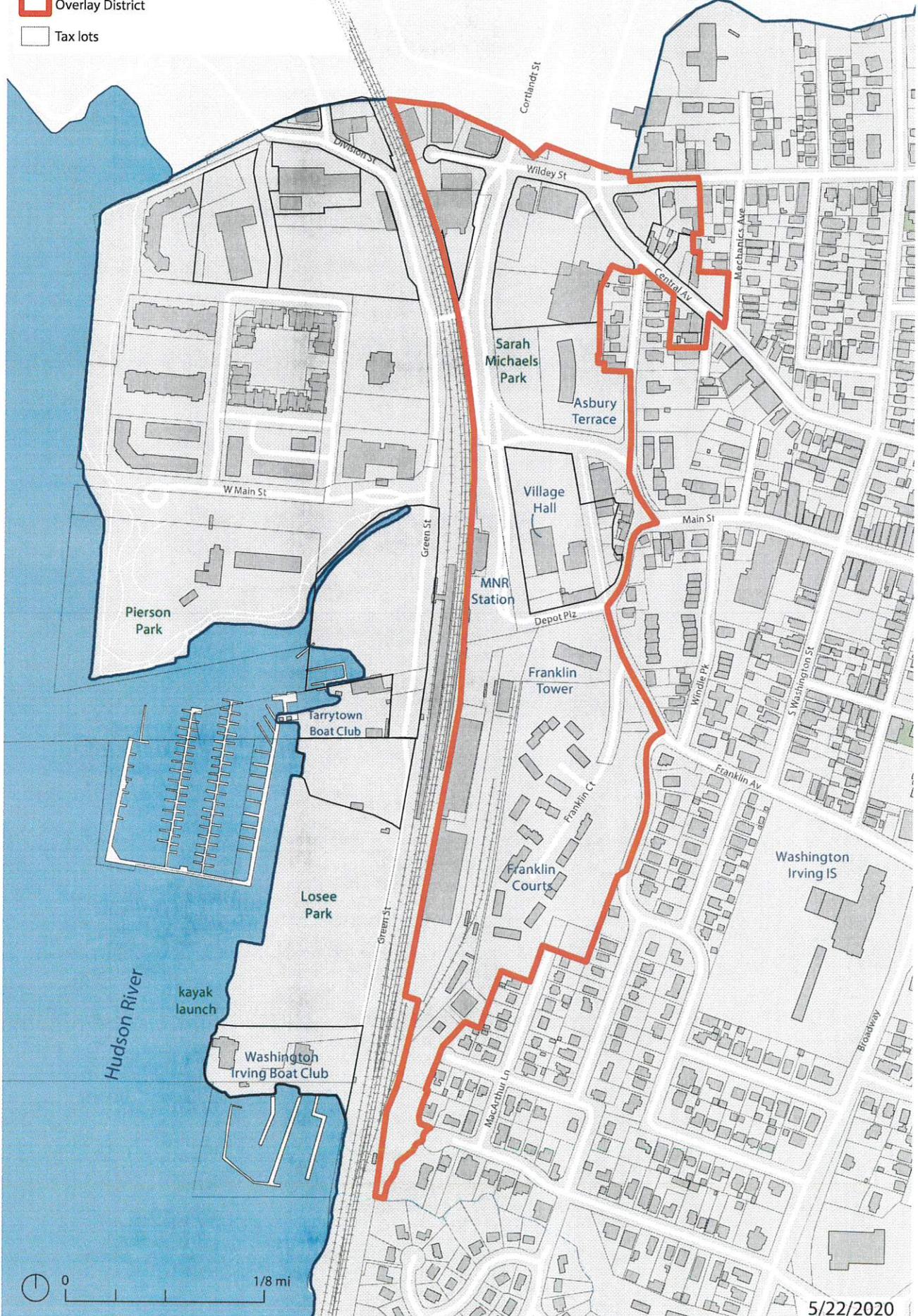
ZONING
305 Attachment 11

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Tarrytown Station Area Overlay District

-  Overlay District
-  Tax lots

Sleepy Hollow



Existing Conditions photograph from an Important Public Viewpoint, taken with a 50mm lens equivalent, leaf-off conditions, clear atmosphere. The size of this photograph is 1.0 or 100%



Existing Conditions photograph with views to the Hudson River marked in red. The area of the river visible from this viewpoint is 5.67% of the existing conditions photograph, or **0.0567**.



Photosimulation of hypothetical proposed conditions.



Photosimulation with views to the Hudson River marked in red. The area of the river visible from this viewpoint in simulated conditions is 4.91% of the photograph, or **0.0491**.



To calculate the significance of the impact on this viewpoint divide the area of the Hudson River visible in the photosimulation by the area of the Hudson River visible in the existing conditions photograph

$$\frac{0.0491}{0.0567} = 0.866 \text{ or } 86.6\%$$

Since the quotient is less than 1.0 or 100% **there is an impact**

Since the quotient is less than 0.95 or 95% the photosimulation shows a **significant impact**

Existing Conditions Photograph South Broadway at Church Street



Existing Conditions Photograph South Broadway at Park Ave



Existing Conditions Photograph South Broadway at Benedict



Existing Conditions Photograph South Broadway at Washington Irving Intermediate School



Existing Conditions Photograph South Broadway at West Franklin



Existing Conditions Photograph North Broadway at Dixon



Existing Conditions Photograph North Broadway at Widley



Existing Conditions Photograph Main Street, east of Baylis Court



Existing Conditions Photograph Cottage Place, just north of Main Street



Existing Conditions Photograph Neperhan at Altamont



Existing Conditions Photograph Altamont between Neperhan and Fairview (view 1)



Existing Conditions Photograph Altamont between Neperhan and Fairview (view 2)



Existing Conditions Photograph Benedict at Rosehill



Existing Conditions Photograph Martling overlooking the Hitachi facility



Neighborhood Character

Number of valid components
(enter 1, 2, 3, 4, or 5)

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Components	Score	Explanation
Architectural legacy	3	<p>1=No special design features related to Tarrytown's architectural legacy</p> <p>3=Design is reflects Tarrytown's architectural legacy</p> <p>0=Neither active nor transparent</p> <p>1=Active uses or transparent</p> <p>2=Active uses and transparent</p> <p>3=Active uses and transparent designed for pedestrian access and circulation with building orientation to improve wayfinding, access and contribute to a sense of arrival at MNR</p>
Ground floor uses	2	<p>0=Design is auto-dependent: with many curb cuts, buildings setback from the street, parking in front</p> <p>1=Design is auto oriented: curb cuts minimized, parking in building or in rear</p> <p>2=Design is pedestrian oriented: buildings at or near the streetline, curb cuts minimized</p> <p>3=Design is pedestrian dependent: prioritizes pedestrians and non-motorized travel over vehicles</p>
Design	2	<p>0=Landscape plan not complete and/or acceptable</p> <p>1=Acceptable, and includes native plantings and street trees</p> <p>2=Excellent and includes native plantings and street trees and full-cutoff, non-polluting light fixtures for dark sky lighting</p> <p>3=Excellent and includes native plantings and street trees and full-cutoff, non-polluting light fixtures for dark sky lighting. The landscape plan designed with appropriate village street furniture</p>
Landscape plan	2	<p>0=Proposed uses not compatible with residential and recreational uses</p> <p>1=Proposed uses marginally compatible with residential and recreational uses</p> <p>2=Proposed uses substantially compatible with residential and recreational uses</p> <p>3=Proposed uses entirely compatible with residential and recreational uses</p>
Uses	1	

Total Neighborhood Character Performance

Possible	15
Achieved	10
Normalized to 12.5 scale	8.33

LOCAL LAW ___ - 2021

A local law to rename Chapter 147 of the Code of the Village of Tarrytown and to amend Chapter 305 of the Code of the Village of Tarrytown entitled "Zoning" to repeal provisions and to amend Chapter add additional requirements to Chapter 305

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. Renaming Chapter 147 entitled "Environmental Quality Review": Chapter 147 entitled "Environmental Quality Review" shall be renamed as follows:

Chapter 147 Environmental ~~Quality Review~~

Section 3 Repealing Chapter 305, Article XI entitled "Environmental Regulations" sections §§ 305-66 and 305-67 and renumbering and amending those sections: Chapter 305, Article XI entitled "Environmental Regulations" sections §§ 305-66 and 305-67 shall be repealed and renumbered as part of Chapter 147 and amended as follows:

Article ~~XI~~ **IV Environmental Regulations**

§ ~~305-66~~ **147-15**. Environmental issues; compliance with other provisions required.

All lots or open lands, whether or not proposed for use, reuse, development or redevelopment, shall be subject to review in accordance with the environmental review procedures established in ~~the following Village of Tarrytown local laws:~~ Chapter 173, Freshwater Wetlands;^[1] Chapter 191, Historic Districts and Landmarks; Chapter 169, Flood Damage Prevention; Chapter 281, Trees; and Chapter 147, Article I, Environmental Quality Review Actions; and any other **code provisions local laws** relating to matters regulating the natural or built environment which may be presently in effect or placed in effect at some future date. All matters requiring Planning Board or other Village agency review pursuant to **Chapter 305 this chapter** and also pursuant to **local laws the chapters** noted in this section, including but not limited to the preparation and/or review of environmental assessments and draft or final environmental impact statements and their review, as such may be requested by the Village, shall be paid for by the applicant within the fee structure as established by Chapter 147, Article I, Environmental Quality Review Actions, known as the "New Environmental Quality Review Act."

[1] Editor's Note: Former Ch. 173, Freshwater Wetlands, adopted 8-31-1976 by L.L. No. 10-1976, was superseded 12-15-2003 by L.L. No. 13-2003. For current

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regulations regarding freshwater wetlands, see Ch. 302, Wetlands and Watercourses.

§ ~~305-67, 147-16~~. Visual character and environmentally sensitive areas.

A. The purpose of this section is to define and quantify particular environmental and aesthetically sensitive characteristics of the Village of Tarrytown in order to preserve and safeguard those features that identify its landscape: steep slopes, areas of high ground, hilltops and vegetation. Toward this end and in the course of subdivision, site development plan, compatible use permit or any other regulatory procedure embraced by this chapter or other local laws, codes or ordinances of the Village of Tarrytown, the Planning Board shall restrict new construction and/or vegetation removal in such designated areas.

(1) The restrictions are designed to achieve the following objectives:

- (a) Minimizing erosion and sedimentation, including the loss of topsoil;
- (b) Preventing habitat disturbance;
- (c) Protecting against possible slope failure and landslides;
- (d) Minimizing stormwater runoff and flooding;
- (e) Providing safe and stable building sites;
- (f) Protecting the quantity and quality of the Village's surface water and groundwater resources
- (g) Protecting important scenic vistas, slopes, rock outcroppings and mature vegetation;
- (h) Preserving the Village's attractive aesthetic character and property values; and
- (i) Otherwise protecting the public health, safety and general welfare of the Village of Tarrytown and its residents.

(2) The restrictions are intended to encourage preservation of the following areas:

- (a) Steep slopes: a grade of 25% or more.
- (b) High ground: 300 feet or more above sea level.
- (c) Hilltops: In areas of high ground (at least 300 feet above sea level), a roughly circular area defined by a radius of 100 horizontal feet from the highest point of a hill. A hill shall be defined as a landform that rises at least 10 feet above the average elevation for the circumference of the circular area with a radius of 100 feet from that highest point.

(d) Wetlands: as defined by the New York State Environmental Conservation Law, regulations and maps and by the Village of Tarrytown Chapter 173, Freshwater Wetlands.^[1]

[1] *Editor's Note: Former Ch. 173, Freshwater Wetlands, adopted 8-31-1976 by L.L. No. 10-1976, was superseded 12-15-2003 by L.L. No. 13-2003. For current regulations regarding freshwater wetlands, see Ch. 302, Wetlands and Watercourses.*

(e) Significant amounts of existing vegetation, as follows:

[1] Any tree designated for preservation and protection by Chapter 281 of the Tarrytown Municipal Code, which requires a tree removal permit process for all trees exceeding four inches in diameter at a height of four feet six inches; and prohibits any removal of 12 listed "specimen" trees unless the Tree Commission determines that they are a danger to persons and property, or are diseased and cannot be saved.

[2] Screening vegetative ground cover, including saplings, shrubs and bushes.

(f) Watersheds and watercourses.

B. The Planning Board, the Zoning Board of Appeals and the Building Inspector of the Village of Tarrytown shall ensure that those portions of sites under review which contain wetlands or steep slopes shall be excluded from use in the construction of principal or accessory uses permitted within the district in which said sites are located. Fifty percent of said wetlands and steep slope areas shall be excluded from any and all density calculations pertaining to minimum lot size, coverage and other density calculations. The Planning Board may permit the use of said wetlands or steep slopes for flood control and other land protection and management practices and/or uses considered to be of a similar beneficial nature by the Planning Board.

C. The Planning Board, the Zoning Board of Appeals and the Building Inspector of the Village of Tarrytown shall ensure that on portions of the sites under review which are within the area defined as high ground in Subsection A(2)(b), 25% of said area of high ground be excluded from all density calculations pertaining to minimum lot size, coverage and other density calculations. However, if the maximum height of any structure or building in the area of high ground is limited to 30 vertical feet as measured on the easterly side of the structure or building erected on the easterly slope of the area of high ground or measured on the westerly side of any structure or building erected on the westerly slope of the area of high ground, from the natural slope, the twenty-five-percent reduction in density calculations shall not apply.

D. No new structures or buildings may be erected on the hilltop as defined in Subsection A(2)(c).

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E. Slope map requirements. For the purpose of determining the amount and location of land falling into the above-noted slope provisions, the applicant shall submit to the Planning Board at the time of application a base topographical map of the site, prepared by a registered civil engineer or land surveyor. Such a map shall have a scale of not less than one inch to 200 feet and a contour interval of not more than two feet, provided that the contour interval may be 10 feet when the slope is more than 20%. Slope bands in the range of 0% to 24% and 25% or greater shall be shown on the map. The applicant shall provide an image-capture computer simulation of the proposed structure or building and the site.

F. Steep slopes waiver provision.

(1) Justification for grant of waiver.

(a) Any aggrieved person may apply to the Planning Board for a waiver from the steep slope provisions of this chapter. Such request may be granted only if the applicant establishes that there is a compelling public need for development of the parcel in question based upon one of the following:

[1] The proposed development will serve an essential health or safety need of the municipality such that the public benefits from the proposed use override the importance of the protection of the slope area as established in this chapter; that the proposed use is required to serve existing needs of the residents; and that no feasible alternatives exist outside the slope area to meet such established public need; or

[2] The proposed development constitutes an adaptive reuse of an historic, ecological or scenic resource and said reuse is necessary to ensure the integrity and continued protection of the resource.

(b) In the alternative, a waiver may be granted if the applicant establishes that the benefit to the applicant outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Planning Board will also consider the following:

[1] Whether an undesirable change will be produced in the character of the neighborhood;

[2] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a steep slopes waiver;

[3] Whether the waiver will result in a change which will be materially detrimental or injurious to other properties or improvements in the area in which the subject property is located, increase the danger of fire or flood, endanger public safety or result in substantial impairment of a slope area;

[4] Whether the waiver will be inconsistent with the purposes, objectives or the general spirit and intent of this chapter.

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(2) Additional findings required. An application for a waiver to permit development on or near a slope area may be approved only if the Planning Board specifically finds that:

(a) The proposed development will not be materially detrimental or injurious to other properties or improvements in the area in which the subject property is located, increase the danger of fire or flood, endanger public safety or result in substantial impairment of a slope area;

(b) The waiver will not be inconsistent with the purposes, objectives or the general spirit and intent of this chapter; and

[5] (c) Whether the ~~The~~ waiver is the minimum relief necessary for the application to achieve the benefit sought to relieve the extraordinary hardship established by the applicant.

(23) When a steep slopes waiver is sought for an applicant under a subdivision application, the Planning Board shall not grant a steep slopes waiver unless the applicant can show that a subdivision application for the number of lots requested could be achieved without a steep slopes waiver. Furthermore, in the case of a subdivision application, the Planning Board must find that there will be a greater overall environmental benefit to granting the subdivision with the steep slopes waiver than it would be to grant a subdivision approval without a steep slopes waiver.

(34) A waiver granted under the provisions of this section does not constitute an approval of the entire development proposal nor does it constitute a waiver of any other requirements contained within any other applicable local, county or state laws or ordinances or regulations.

Section 4: New Section of Chapter 147: A new section of Chapter 147 shall be added to this chapter as follows:

147-17. Preservation of Public Views of the Hudson River.

A. Purpose. The purpose of this section is to define important public views of the Hudson River and to protect and preserve those views.

B. Terms defined. Unless otherwise expressly stated, the following terms, for the purpose of this section, shall have the meanings herein indicated.

Important Public Views

Important public views of the Hudson River are defined as follows:

Broadway Views

South Broadway at Church

South Broadway at Park

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South Broadway at Benedict
South Broadway in front of Washington Irving Intermediate
School

South Broadway at West Franklin
North Broadway at Dixon
North Broadway at Wildey

Main Street Views
Main Street east of Baylis Court
Cottage Place near Main Street

Upland Views
Neperhan at Altamont
Altamont between Neperhan and Fairview (2 views)
Benedict at Rosehill
Martling overlooking the Hatachi facility

Existing Conditions Photographs of Important Public Views

Existing conditions photographs were taken from each Important Public Viewpoint on January 18, 2021. These may be used in the Photosimulations described in the next section.

The Building Inspector of the Village of Tarrytown may direct applicants to take their own Existing Conditions Photographs of Important Public Views for Photosimulations. These photographs must be:

- (i) taken from a location at the Viewpoint that provides the largest view of the Hudson River at eye level;
- (ii) taken with a 50mm (or equivalent) lens, also known as a Normal Lens, with an aspect ratio of either 4:3 or 3:2;
- (iii) taken in landscape orientation; and
- (iv) taken during the day in clear atmospheric conditions and show leaf-off, no snow conditions.

Photosimulations

Photosimulations are visual representations of the proposed building or structure superimposed on an Important Public View to demonstrate the proposed building's or structure's impact on views of the Hudson River. Photosimulations must be produced using a technique that merges an Existing Conditions Photograph:

- (i) with the elevated computer model of the proposed building or structure produced using the same lens and location as the photograph used to take the existing conditions photograph; and

- 2
- (ii) with references that exist in both the Existing Conditions Photograph and 3D model.

Significant View Impact

A significant view impact occurs if the area of the Hudson River visible after the View Impact Analysis set forth in Section C demonstrates that the new structure's or building's impact is less than 100% of the area of the Hudson River visible in the Existing Conditions Photograph.

C. View Impact Analysis

(1) Calculation. For any new structure or building that may impact Important Public Views, a View Impact Analysis must be conducted to assess the impact of any new structure of building on Important Public Views by calculating the view impact of the proposed building or structure on the Important Public View as follows:

- (a) **Measure the amount of the Hudson River visible in the Existing Conditions Photograph, ignoring all vegetation but not buildings or other structures. The size of the Hudson River visible is measured in relation to the size of the photograph, where the size of the photograph is 1, and the size of the amount of the Hudson River visible is a relative fraction of 1. For example, if the Hudson River was visible in half the photograph, the size of the Hudson River that was visible would be 0.5 or 50% of the photograph.**
- (b) **Measure the amount of the Hudson River visible in the Photosimulation in the same manner as the Existing Conditions Photograph.**
- (c) **A view impact occurs if the area of the Hudson River visible in the Photosimulation is less than the area of the Hudson River visible in the Existing Conditions Photograph.**
- (2) **Illustrative Example. An illustrative example of how to calculate the View Impact is included as Appendix 147a to provide clarity on the mechanics of the View Impact Analysis.**
- (3) **If an Important Public View has no view of the proposed building or structure, the View Analysis does not need to include a Photosimulation. Instead, the View Impact Analysis shall demonstrate there is no view from the Important Public Viewpoint.**
- (4) **The Planning Board or the Building Inspector of the Village of Tarrytown may conduct an audit of the Photosimulations and calculations in Section C to ensure that proper methods have been used, the Photosimulations are accurate and the calculation of changes in the view to the Hudson River are accurate. Should an audit be undertaken and any materials found to be in error, the Planning Board or the Building Inspector shall inform the applicant of the error and allow the applicant the opportunity to correct the**

materials.

D. Prohibition. No new structures or buildings that have Significant View Impacts on one or more Important Public Views, as demonstrated by a View Impact Analysis set forth in in section C, may be erected.

E. Waiver.

(1) Standards. For structures or buildings that have Significant View Impacts, any aggrieved person may apply to the Planning Board for a waiver of the view preservation provisions of this chapter. The Planning Board may grant a waiver if the applicant establishes that the benefit to the applicant and the Village outweighs the public's loss of views to the Hudson River. In making such determination, the Planning Board will also consider the following:

[a] The amount of the view of the Hudson River the View Impact Analysis shows as blocked;

[b] The quality of the view, the number of people who experience the view, and the typical duration people experience the view;

[c] Offsetting actions, such as removing or otherwise mitigating discordant elements of the view;

[d] Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue;

[e] Whether the waiver will be inconsistent with the purposes, objectives or the general spirit and intent of this chapter;

[f] Whether the waiver is the minimum relief necessary for the application to achieve the benefit sought.

(2) Compliance. A waiver granted under the provisions of this section neither constitutes an approval of the entire development proposal, nor does it constitute a waiver of any other requirements contained within any other applicable local, county or state laws or ordinances or regulations.

Section 5: 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 6: 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.

Village of Tarrytown Police Department
Memorandum

To: Chief John Barbelet
From: Lt. Gregory Budnar
Date: January 14, 2021
RE: Village Code 291-41 (Maximum Parking Time Limit; exceptions)

Currently Village Code 291-41 (Maximum Parking Time Limit; exceptions) regulates the maximum parking time limit in metered spaces on public streets. Section (4) regulates the 15 minute spaces and reads as follows;

§ 291-41 Maximum parking time limit; exceptions.

[Amended 10-5-1998; 2-7-2000;12-3-2001; 6-16-2003; 8-18-2003 by L.L. No. 11-2003; 10-5-2005; 2-21-2006; 12-18-2006; 8-16-2010 by L.L. No. 7-2010]

- A. On-street parking meter zones. The maximum parking time limit in parking meter spaces in parking meter zones on public streets shall be two hours, except:
 - (4) The maximum time limit at the following meter spaces so designated by signs and or markings on Main Street, North Broadway and South Broadway shall be 15 minutes:
 - a) Spaces so designated by yellow colored parking meters
 - b) One space on North Broadway, west side, 50 feet south of Central Avenue
 - c) One space on South Broadway, west side, 50 feet south of Main Street
 - d) One space on Main Street, south side, 10 feet east of John Street
 - e) One space on Main Street, north side, 50 feet west of North Washington Street

A review of the code has revealed that not all of the current 15 minute metered spaces are indicated specifically in the code, but instead they are covered by "(a) spaces so designated by yellow colored parking meters." **This is more appropriate for the code and specific locations of 15 minute meters should be removed from the code.** Currently the existing 15 minute spaces in the Village of Tarrytown are located on;

- Main Street- Spaces 218 (In front of 18 Main Street)
- 229 (S Wash Lot Entrance)
- 269 (In front of 47 Main Street)
- 247 (In front of 62 Main Street)
- N Broadway- Space 313 (In front of 21 N Broadway)
- S Broadway- Space 212 (In front of 5 S Broadway)

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Village of Tarrytown Police Department
Memorandum

In addition to the existing spaces The Parking Task Force has recommended adding the following 15 minute spaces;

- Main Street- Spaces 301 (In front of 3 Main Street)
- 296 (In front of 13 Main Street)
- 284 (In front of 17 Main Street)
- 2690 (In front of 39 Main Street)
- 268 (In front of 49 Main Street)
- N Broadway- Space 334 (In front of 53 N Broadway)

NOTE: One additional space was requested in front of 1 North Broadway, however since the recommendation the parking space has been removed and is now a "no parking" area.

After review and discussion, the following code change to VC 291-41 is being recommended; (changes in bold italic print, language to be removed is double struck)

- (4) The maximum time limit at the following meter spaces so designated by signs and or markings on Main Street, North Broadway and South Broadway shall be 15 minutes:
 - a) Spaces so designated by yellow colored parking meters
 - ~~b) One space on North Broadway, west side, 50 feet south of Central Avenue~~
 - ~~c) One space on South Broadway, west side, 50 feet south of Main Street~~
 - ~~d) One space on Main Street, south side, 10 feet east of John Street~~
 - ~~e) One space on Main Street, north side, 50 feet west of North Washington Street~~

Additionally, should the Village Board of Trustees approve the additional 15 minute spaces I will prepare a work order for the Department of Public Works directing that the standard meters in the approved locations are replaced with yellow colored parking meters and the appropriate signage.

**Village of Tarrytown Police Department
Office Memorandum**

To: Chief John Barbelet
From: Lt. Gregory Budnar
Date: December 18, 2019
RE: Village Code Amendment (Section 291-91 Schedule XXVI: Off-Street Metered Parking Lots)

Section 291-91 of the Village Code states "The areas described below shall constitute off-street metered parking lots. A full description of such lots is available in the office of the Village Clerk, where it may be examined during regular office hours."

Currently the uptown off-street metered lots are identified in the village code by lot names, i.e. Neperan Rd Lot, McKeel Av Lot, etc. The commuter off-street lots are identified by letters, i.e. Lot A, B, C, etc. Below is the current layout and language.

**291-91. Schedule XXVI: Off-Street Metered Parking Lots.
[Amended 2-7-2000; 6-23-2003; 3-19-2012; 12-3-2012;
3-21-2016; 11-21-2016; 1-7-2019]**

The areas described below shall constitute off-street metered parking lots. A full description of such lots is available in the office of the Village Clerk, where it may be examined during regular office hours.

Name of Lot

- McKeel Avenue Parking Lot
- 31 South Broadway Parking Lot
- South Depot Plaza; south area under lease from the
New York Central Railroad Lot B
- South Washington Street Parking Lot West
- South Washington Street Parking Lot
- West Elizabeth Street Parking Lot
- Resident Lot Lot A
- Green Street North (north of tennis courts) Lot C
- West Main Street Lot Lot D
- Green Street South (north of Losee Park) Lot F
- Losee Park South and Green Street along Losee
Park fence line Lot G
- Neperan Road Lot

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Village of Tarrytown Police Department Office Memorandum

The Parking Task Force is requesting that the parking process be simplified, by changing the uptown-metered parking lot locations from "names" to "numbers." The following amendment and format change to VC 291-91 is being made on behalf of the Parking Task Force (new language in bold italic print, format is also changed but utilizes existing language);

§ 291-91 Schedule XXVI: Off-Street Metered Parking Lots.

[Amended 2-7-2000; 6-23-2003; 3-19-2012; 12-3-2012; 3-21-2016; 11-21-2016; 1-7-2019]

The areas described below shall constitute off-street metered parking lots. A full description of such lots is available in the office of the Village Clerk, where it may be examined during regular office hours.

Name of Lot	<i>Lot Location</i>
<i>Lot 1</i>	31 South Broadway
<i>Lot 2</i>	Neperan Road
<i>Lot 3</i>	South Washington Street (East Side)
<i>Lot 4</i>	South Washington Street (West Side)
<i>Lot 5</i>	McKeel Avenue
Lot A	Depot Plaza
Lot B	South Depot Plaza
Lot C	Green Street (North)
Lot D	West Main Street
Lot F	Green Street (South)
Lot G	Losee Park South and Green Street along Losee Park fence line

Included in this change is the removal of West Elizabeth Street lot (effective 1/31/20120). This change will also help clean up the existing format in the Village Code making it uniform to the uptown lot proposed language. The Parking Task Force recommends keeping the long-term commuter lots identified by "letters" to provide distinction between the two types of lots.

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**Village of Tarrytown Police Department
Office Memorandum**

To: Chief John Barbelet
From: Lt. Gregory Budnar
Date: December 18, 2019
RE: Village Code Amendment: Business Parking Permits, Section 291-48)

Section 291-48 of the Village Code describes and regulates business parking permits. Currently the Village Code does not allow business permits to be utilized in the South Washington Street Lot. The Parking Task Force is requesting that the South Washington Street lot be added to the list of locations where business permits may be utilized. The Parking Task Force believes that allowing business permit parking in the lot will help free up premium on-street parking spaces along Main Street that may have been otherwise occupied by business owners or employees. The following Village Code amendment is being requested. This language also includes the Parking Task Force's request to identify the uptown lots by numbers and also the removal of the West Elizabeth Street Parking Lot which becomes effective on 1/31/2020 (new language in bold 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.~~
- ~~C. West Elizabeth Street Parking Lot (metered parking spaces).
[Amended 3-21-2016]~~
- ~~D. Cortlandt Street (metered parking spaces 4050 through 4061).
[Added 12-3-2018]~~
- ~~E. Neperan Road Parking Lot (formerly known as the "Citibank
Parking Lot") (Village parking spaces). [Added 9-3-2019]~~

- A. Lot 1 (31 South Broadway)**
- B. Lot 2 (Neperan Road)**
- C. Lot 3 (South Washington Street, East Side)**
- D. Lot 4 (South Washington Street, West Side)**
- E. Lot 5 (McKeel Avenue)**
- F. Cortlandt Street (metered parking spaces 4050 through 4061).**

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**Village of Tarrytown Police Department
Memorandum**

To: Chief John Barbelet
From: Lt. Gregory Budnar
Date: January 14, 2021
RE: Village Code 291-46 (Resident Parking Permits)

Currently Village Code 291-46 (Resident Parking Permits) regulates how a resident parking permit is obtained and utilized. The code reads as follows;

§ 291-46 Resident parking permits.

[Amended 3-16-2015 by L.L. No. 1-2015; 3-21-2016]

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 issue to any owner of a passenger or suburban vehicle who is a resident of the Village of Tarrytown a resident parking permit consisting of a numbered permit. Such permit shall be valid for a period of no more than one year and shall expire, in any event, on May 31 of each year. Regardless of the number of license plates listed on the permit, the permit shall only be valid on one vehicle at a time.

The Parking Task Force has is recommending the creation of a downtown resident parking permit for the business district lots. This recommendation would help accommodate those residing within the business district who do not have dedicated off-street parking but available to all residents of Tarrytown. These new permits would be priced the same as a "Business Permit" (VC 291-48). In order to accommodate this request a new section of the Village Code should be created and named;

§ 291-46.2 Downtown resident parking permits.

In order to accommodate this request, the following code change to VC 291-46 is being recommended; (changes in bold italic print)

§ 291-46.2 Downtown resident parking permits.

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 issue to any owner of a passenger or suburban vehicle who is a resident of the Village of Tarrytown a downtown resident parking permit consisting of a numbered permit. Such permit shall be valid for a period of no more than one year and shall expire, in any event, on May 31 of each year. Regardless of the number of license plates listed on the permit, the permit shall only be valid on one vehicle at a time. Downtown resident parking permits are valid in the following municipal parking lots, subject to specific restrictions where applicable:

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**Village of Tarrytown Police Department
Memorandum**

- A. Lot 1 (31 South Broadway)**
- B. Lot 2 (Neperan Road)**
- C. Lot 3 (South Washington Street, East Side)**
- D. Lot 4 (South Washington Street, West Side)**
- E. Lot 5 (McKeel Avenue)**

LOCAL LAW __ - 2020

A local law to amend Chapter 218 of the Code of the Village of Tarrytown, entitled "Parades"

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. Amending Existing Chapter Heading. The title of Chapter 218 entitled "Parades" shall be amended to read as follows: "Parades, **Special Events and Demonstrations**"

Section 3. Existing Provisions Repealed. Chapter 218, Section 1 entitled "Authorization required" and Chapter 218, Section 2 entitled "Penalties for offenses" are repealed.

Section 4. Amended Existing Chapter. Chapter 218, Sections 1 and 2 shall be replaced and Chapter 218 further amended as follows:

§ 218-1 Definitions

For purposes of this Chapter, the following terms shall have the following meanings:

(a) A "parade" is any procession or race, which consists of a recognizable group of 50 or more pedestrians, vehicles, bicycles or other devices moved by human power, or ridden or herded animals or combination of the foregoing proceeding together upon any public street, roadway or public area.

(b) "Demonstration" shall mean a group activity or congregation including, but not limited to, a meeting, assembly, protest, rally or vigil, moving or otherwise, which involves the expression of views or grievances, involving more than 50 people.

(c) "Special event" shall mean "a group activity or congregation including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more than 12 people or a group activity or congregation involving less than 12 people for which specific space is requested to be reserved by the Village for the special event to the exclusion of the general public.

(d) "Applicant" shall mean the person or entity that applies for a permit under this Chapter to hold a parade, demonstration or special event. Any person or entity responsible for organizing a parade, Demonstration or special event, or any person or entity that publicizes a parade, or demonstration or special event through advertisements or other means of mass communication, including but not limited to social media, is authorized to act as the Applicant.

(e) "Large Event" is a special event or demonstration with anticipated attendance over 500 people or a special event or demonstration with 500 people or more.

(f) "Medium Event" is a special event of demonstration with anticipated attendance of between 101 and 499 people or a special event or demonstration of between 101 and 499 participants.

(g) "Small Event" is a special event or demonstration with anticipated attendance of less than 100 participants or a special event or demonstration with 100 people or less.

§ 218-2. Parades

A. Applications.

(1) Applications for parade permits must be received by the Village Clerk at least 30 days prior to the requested date for the parade.

(2) Applications must be submitted to the Village Clerk by completing the form available at the Village Clerk's office and on the Village's website in writing either by mail or email and will be considered in the order in which they are received.

B. Permits.

A parade shall be permitted upon any street or in any public place in the Village of Tarrytown only after a written permit therefor has been obtained from the Village Administrator. The Village Administrator shall, after due investigation of such application, including but not limited to consultation with the Police Department, Fire Department and Department of Public Works, grant such permit subject to the following restrictions:

1. The Village Administrator shall not grant a permit where the Village Administrator has objective reason to believe that the proposed parade will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;
2. Except as otherwise provided herein, the Village Administrator shall not grant a permit for the use of any street or any public place, or material portion thereof, which is ordinarily subject to substantial congestion or traffic or is chiefly of a business or mercantile character, except, upon those federal holidays or when places of business along the proposed route are closed, or on other days between the hours of 6:30 and 9:00 PM, except if such street which is subject to substantial congestion or traffic is fully shut down to motor vehicles.
3. Each such permit shall designate specifically the route through which the parade shall move and include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;
4. Permits for parades for occasions of extraordinary public interest, not annual or customary, or not so intended to be, may be granted by the Village Administrator for any street or public place, and for any day or hour, with the written approval of the mayor;
5. The Applicant of a parade for which a permit is granted by the Village Administrator shall be responsible for the strict observance of all rules and regulations included in said permit by all participants.
6. The granting of a parade permit by the Village does not absolve the applicant from any additional permitting requirements from State or Federal agencies, including but not limited to obtaining permits from the New York State Department of Transportation.

C. Exemptions. This section shall not apply:

1. To the ordinary and necessary movements of the United States army, United States navy, national guard, Village or other municipal police department and Village or other municipal fire department; or
2. To funeral processions where no streets are sought to be fully or partially closed.

§218-3. Special Events and Demonstrations.

A. Applications.

- (1) Applications for special event permits must be received by the Village Clerk at least 30 days prior to the requested date for the special event.
- (2) Applications for demonstration permits must be received by the Village Clerk at least 15 days prior to the requested date for the demonstration. Notwithstanding this requirement, the Village Clerk will accept all applications for demonstrations involving the expression of viewpoints on topical issues whenever submitted and process such applications as soon as it is feasible to do so, considering the magnitude of the event and the resources of the Village and its police department.
- (3) Applications for special event and demonstration permits to take place in Pierson Park, Patriots' Park and Losee Park must be received by the Village Clerk no less than two (2) months nor more than nine (9) months before the date of the proposed event. However, applications for a demonstration permit made less than two (2) months before the proposed event where the Applicant can demonstrate exigent circumstances prevented timely application shall be accepted by the Village Clerk for review by the Village Administrator, provided that the limitation on the number of events in subsection G of this section has not already been reached
- (4) Applications must be submitted to the Village Clerk by completing the form available at the Village Clerk's office and on the Village's website in writing either by mail or email and will be considered in the order in which they are received.

B. Permits and Timing

(1) Permits. A special event or demonstration on any street, sidewalk or in any public place in the Village of Tarrytown may only be held after a written permit has been issued by the Village Administrator, which permit may include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;

C. Denial of Permit; Alternative.

- (1) The Village Administrator, after consultation with the Police Department and any other Village Departments, may deny a permit if:
 - (a) the location sought is not suitable because of landscaping, planting, or other environmental conditions reasonably likely to be harmed by the proposed event;
 - (b) the location sought is not suitable because it is a specialized area including, but not limited to, proximity to the Hudson River or other environmentally sensitive area, to public recreation areas, including but not limited to, tennis courts and a swimming pool, or because the proposed event is of such nature or duration that it cannot reasonably be accommodated in that location;
 - (c) the date and time requested have previously been allotted by permit;
 - (d) within the preceding two years, the applicant had been granted a permit and did, on that prior occasion, violate a material term or condition of the permit, or any applicable law, ordinance, statute or regulation;
 - (e) the event would interfere unreasonably with the enjoyment of the public space by other users;
 - (f) the Village Administrator has objective reason to believe that the proposed

special event or demonstration will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;
(g) the limitations contained in subsection (G) of this section are not complied with.

(2) If the permit has been denied pursuant to subsection (C)(1) of this section, the Village Administrator shall state the reasons for the denial in writing and, to the extent practicable, employ reasonable efforts to offer the applicant suitable alternative locations and/or times and/or dates for the proposed event.

D. Appeals

(1) After a permit application is denied or approved with conditions objected to by the Applicant, the applicant may appeal the determination in writing to the Village Clerk.

(2) The designated appeals officer shall be the Mayor who may reverse, affirm, or modify the original determination and provide a written explanation of his or her finding.

(3) Timing of Appeal. An appeal must be submitted in writing to the Village Clerk within ten days of the Applicant's receipt of the determination or if there is less than ten days between the date the Applicant receives the determination and the proposed special event or demonstration, at least two business days before the event.

E. Revocation or Suspension of Permit

(1) After notice and an opportunity for the Applicant to be heard, the Village Administrator may alter or add terms and conditions to a permit, or revoke a permit, based upon the criteria set forth in subsection (C)(1)(a) through (g) of this section.

(2) If the Village Administrator revokes or alters a permit prior to the date of the event, the permittee may appeal the revocation or alteration, subject to the time limitations set forth in subsection (D)(3) of this section.

(3) During the course of an event, the Village Administrator may suspend a permit where exigent circumstances exist in the vicinity of the location for which such permit has been issued or circumstances have changed such that the criteria set forth in subsection (C)(1)(a) through (g) of this section apply.

F. Limitations on Permits

(1) The granting of a permit does not give the permittee the right to sell or offer for sale any articles, tickets, or refreshments within or adjacent to any park area or to operate motor vehicle in any park areas. To do this requires a separate Peddler Permit issued by the Village.

(2) Permits are not transferable.

G. Pierson Park, Patriots Park and Losee Park.

(1) The following conditions apply to applications for permits for special events and demonstrations in Pierson Park:

(a) Large Events. In any calendar year, there will be a maximum of two permits granted for Large Events in each of Pierson Park, Patriots Park and Losee Park.

(b) Small Events and Medium Events. Small Events in Pierson Park, Patriots Park and Lossee Park are not subject to the limitation contained in paragraph (1) of this section.

Medium Events are subject to subparagraphs (d) and (g) below.

(c) Attendance at Large Events may not exceed **3,000** persons.

(d) Permitted special events and demonstrations in Pierson Park, Patriots Park and Losee Park are subject to cancellation or postponement by the Village Administrator due to inclement weather and/or soil and turf conditions. Factors the Village Administrator will take into consideration in determining whether to cancel or postpone an event in Pierson Park, Patriots Park and Losee Park shall include: (i) the possibility of lightning or other extreme weather condition; (ii) rainfall (including forecasted, current, or cumulative rainfall); (iii) soil saturation levels or other risks to turf health; and (iv) any other field conditions that might lead to significant damage to Pierson Park or the surrounding landscapes or hazardous conditions for the attendees of the demonstration or special event.

(e) The permit application for Large Events must include a plan acceptable to the Village Administrator and Police Chief to ensure (i) the orderly flow of attendees through park landscapes on appropriately designated areas; and (ii) the attendees will not damage adjacent landscapes. In addition, in the case of Large Events), the plan must ensure the maximum number of persons attending does not exceed **3,000** persons and is in compliance with all restrictions. In determining whether the Applicant's plan is acceptable such that a permit may be granted, the Village Administrator shall take into consideration, among other relevant factors, any evidence that the applicant has efficiently and safely executed event productions and audience management in the past.

(f) An applicant seeking to hold a Large Event shall post a cash bond in an amount sufficient to pay for any anticipated damage to Pierson Park, Patriots Park and Losee Park in connection with the scheduled event and made payable to the Village of Tarrytown. The amount of the bond will be determined by the Village Administrator based upon the following factors: (i) the length of the event; (ii) the time of year of the event; (iii) the nature of the event, including but not limited to, the type of equipment that will need to be brought into Pierson Park, Patriots Park or Losee Park, the location of such equipment, and the use of any vehicles in Pierson Park, Patriots Park or Losee Park; (iv) the number of people attending the event; (v) the Applicant's experience regarding any prior events of the same or a similar nature; and (vi) whether the event or any activities associated with the event present a high risk of property damage. In addition, for Large Events, the applicant must provide satisfactory proof of insurance naming the Village as an additional insured. However, the Village Administrator shall have the authority to waive the bond required by this subsection where the applicant is able to demonstrate that such bond cannot be obtained without imposing an unreasonable hardship on the applicant. Any request for a waiver of the bond required by this subsection shall be addressed in the permit application. The burden of demonstrating unreasonable hardship shall be on the applicant and may be demonstrated by a showing that the cost of obtaining the bond for the event exceeds twenty-five percent (25%) of the applicant's budget for the event. The budget for the event must include not only cash, but also the actual value of any materials and services to be used by the applicant for the event.

(g) For Medium Events, the applicant must provide satisfactory proof of insurance naming the Village as an additional insured.

H. Other areas. Parking lots on the west side of the train station are available for Small Events, Medium Events or Large Events. The requirements of subsection (G)(1)(c) through (f) apply to Large Events held on the west side of the train station.

I. Passive Recreation Areas only. Wilson Park and the Tarrytown Lakes Parks and Field are reserved solely for passive recreation and the Losee Park ballfields and Wilson Park Soccer Field are reserved solely for athletic events and passive recreation. The Village Administrator shall not grant any permits for special events or demonstrations in Wilson Park, the Tarrytown Lakes Parks, Losee Park ballfields or Wilson Park Soccer Field.

J Funeral Demonstrations

A Permit in accordance with this section shall be required for any demonstration within one thousand feet of a funeral event and during or within one hour before or after such funeral event. For purposes of this subsection, a "funeral event" shall mean a wake, funeral, burial or memorial service conducted within thirty days after the death of the person who is the subject of such demonstration.

§ 218-4. Permittees' Obligations

For any permit issued under the Chapter:

- (1) Permittees are subject to the rules and regulations of the Village, the specific terms and conditions of the permit, and to all applicable Village, County, State, and Federal laws.
- (2) Permittees must have the permit in their possession at the time and site of the event, as well as any other permits or documentation for the event required by the Village or any other governmental agency.
- (3) Permittees must confine their activities to the locations and times specified on their permit. The Village Administrator may establish specific guidelines for certain designated parks or park locations.
- (4) Permittees are responsible for cleaning and restoring the site after the event. The cost of any employee overtime incurred because of a permittee's failure to clean and/or restore the site following the event will be borne by the permittee.
- (5) Permittees shall be held liable for any and all damages or injuries to persons or property that may occur or be caused by the use of the permit. By accepting a permit, permittees agree to indemnify and hold harmless the Village of Tarrytown and its officers and employees from any and all claims whatsoever that may result from such use.
- (6) Permittees shall be responsible for the procurement of and payment for any electrical energy used during the event. Permit applications must indicate whether electrical energy is required for the event.

§ 218-5 Violations and Penalties.

A, It shall be a violation of these rules to advertise any special event or demonstration requiring a permit under this Chapter via posting, print media, radio, television, or the internet prior to obtaining a permit. There shall be a rebuttable presumption that any person or organization whose name, telephone number or other identifying information appears on any

advertisement and who has not obtained a permit has violated this subdivision by either (1) illegally advertising an event or (2) directing or permitting a servant, agent, employee or other individual under such person's or organization's control to engage in such activity; provided, however, that such rebuttable presumption shall not apply with respect to criminal prosecutions brought pursuant to violations of this Chapter.

B. Violations.

1. Any person participating in any parade for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.
2. Any person participating in any special event or demonstration for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.

Section 5: 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 6: 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.

LOCAL LAW ___ OF 2020

A LOCAL LAW Amending Chapter 305 Zoning to add provisions for transit oriented development mixed use in the ID Zoning District

Be it enacted by the Board of Trustees of the Village of Tarrytown as follows:

Section 1. Section 305-41.A. is amended to add new subsection (10) as follows:

(10) Multi-family residential facilities over first floor non-residential uses as transit oriented development, provided the following criteria are met.

(a) Applicability. Multi-family residential over first floor non-residential uses shall only be permitted on parcels that are:

[1] a minimum of one-acre lot area;

[2] located within 100 linear feet from direct access to a platform for the Metro-North Train Station;

(b) Uses and standards. Where not modified herein, the requirements of the ID District shall apply.

[1] a minimum of 50% of the total first floor square footage shall be dedicated to non-residential uses permitted in the ID District which shall be limited to those identified in 305-41.A(1), (8), and (9) above, with at least 5% of the floor area being those uses listed in 305-41.A(8) or (9);

[2] Any portion of the first floor facing towards the closest public road or walkways extending from the train station shall contain uses listed in 305-41.A(8) or (9) or an entry lobby are for the residential use, so that same shall appear open and inviting to the public.

[3] The applicant shall provide a pedestrian circulation plan showing connections to the existing walkways and any adjacent related uses and access to and from adjacent streets and the train station/platform.

[4] For any property directly abutting the railroad tracks, the rear yard setback may be reduced to 0.

[5] To allow for multi-family residential development, the maximum height may be increased to 60 feet and 5 stories, provided that the maximum height of 60 feet shall be absolute and the provisions of Section 305-48.A allowing for parapets, mechanical equipment, stair and elevator bulkheads and cooling towers to exceed the maximum height shall not be applicable.

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[6] Parking requirements: given that the multi-family residential will be part of a transit-oriented development, as well as a mixed use development with opportunities for shared parking, parking requirements for the residential use shall be 1.05 spaces per residential unit. The width of a parking space may be reduced to 8 ½ feet. Required parking can be provided on-site or on an adjacent property, provided that the applicant has a long term agreement for parking satisfactory to the Village Attorney. The parking requirement for non-residential uses may be provided through shared parking as may be approved by the Planning Board. For commercial storage uses two loading spaces shall be provided.

[7] The number of residential units shall not exceed 75 units per acre and shall include a mix of studio, one and two-bedroom units.

[8] The maximum floor area ratio for the residential use excluding entry lobby and amenity spaces shall not exceed 1.75.

[9] The applicant must show that all new sewer, water and traffic impacts generated from the proposed project can be mitigated so as to not negatively impact the existing network. Efforts shall be made to incorporate green infrastructure to reduce impacts.

[10] The applicant shall provide a pedestrian circulation plan showing safe pedestrian access within the property and connecting to the community.

[11] The project shall comply with all FEMA regulations and the regulations set forth in 6 NYCRR Part 490 so as to address issues of sea level rise and not worsen potential for flooding in the area.

[12] Buildings shall be designed such that no façade shall exceed 150' in length without architectural features acceptable to the Planning Board to break up the visual effect of the building and avoid a box like appearance, which may be accomplished through the use of variations in height and with offsets, projections, balconies, setbacks and other distinctive architectural elements.

[13] The project shall comply with sound environmental sustainability standards including for example, but not limited to the following:

- a. Use of solar panels for electric usage
- b. Use of geothermal sources to power heat pumps and airhandlers
- c. Utilize WaterSense plumbing fixtures, drip irrigation and water submeters to reduce water usage
- d. Utilize energy star appliances, low VOC products, high efficiency filters, UV treatment for air handling units

e. Utilize materials that have environmental product declaration as well as health product declaration and sound construction waste management

f. The project will achieve an energy-efficient rating better than 15% of ASHRAE 90.1 standards

Section 2. The Schedule of Regulations referred to in Section 305-11.A and listed as Attachment 305b Zoning Schedule Column 2 is amended to add new item C(6) under Industrial District (ID) as follows:

(6) Multi-family residential over first floor non-residential uses as transit oriented development, subject to the criteria set forth in Section 305-41.A(10).

Section 3. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 4. 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 VILLAGE ADMINISTRATOR

October 29, 2020

Village of Tarrytown
Attn: Richard Slingerland
One Depot Plaza
Tarrytown, New York 10591-3199

Dear Mr. Slingerland:

The Firemen's Association of the State of New York (FASNY) is a 501c3 that is committed to supporting the volunteer fire and emergency medical service personnel throughout New York State. We are 43,000 members strong! FASNY is proud to announce our 150th Anniversary will be in August of 2022. The Anniversary celebration will be held in the Village of Tarrytown on August 10-13, 2022.

In August of 2021, several hundred emergency responders, from across New York State, will be joining FASNY in Tarrytown for our Annual Convention. The convention consists of our Annual Business Meeting, Memorial Service, Training Seminars, and most importantly our Annual Hero Awards Program. The Hero Awards Program is where FASNY honors those individuals who have gone over and above the call of duty since our last convention. All of our FASNY events are held in conjunction with the Ladies Auxiliary of the Firemen's Association of the State of New York (LAFASNY). LAFASNY will also be bringing in their membership to hold the Annual Business Meetings, Memorial Service, and their Annual Installation Dinner.

We have been in contact with the Tarrytown Fire Department and asked if they would host our 150th Anniversary Dress Parade in conjunction with their Annual Firefighter's Parade. FASNY will work with the Tarrytown Fire Department and assist them with the parade.

On behalf of the Firemen's Association of the State of New York, we are asking for your approval in allowing the Tarrytown Fire Department to be the proud host of our 150th Anniversary Firefighter's Dress Parade on Saturday, August 13, 2022.

Please feel free to contact Donald Farrell, Chair of Convention Committee at dfarrell@fasny.com with any questions. Thank you for your consideration and support!

Sincerely,

John P. Farrell, Jr.

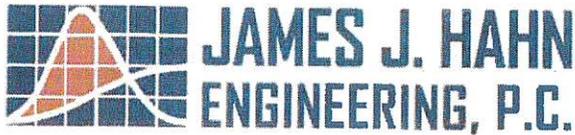
President

The Firemen's Association of the State of New York

REVISED

1974

REVISED



Putnam Business Park
1689 Route 22
Brewster, NY 10509

Tel: 845-279-2220
Fax: 845-279-8909
jhahn@hahn-eng.com

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December 4, 2020

BY MAIL AND E-MAIL (dpennella@tarrytowngov.com)

Mr. Donato Pennella, P.E.
Village Engineer
Building Department
One Depot Plaza
Tarrytown, NY 10591-3199

Re: Tarrytown Riverside Firehouse Kitchen Addition
120 Franklin Street
Tarrytown, NY

Dear Mr. Pennella:

Thank you for this opportunity to provide professional engineering services for the referenced project.

As discussed, the Tarrytown Riverside Firehouse requires some improvements as outlined in a Limited Structural Assessment from Chazen Engineering, dated May 20, 2020. This proposal is to prepare bid documents to complete the project.

More specifically, the specifications will consist of a standard front end including bid, insurance, contract documents and technical specifications and sketches if necessary. These bid documents will include the scope of work to complete the tasks in the Chazen report.

We anticipate the amount of time to visit the site, prepare bid specifications, and bidding the project to take 60 to 70 hours. The cost to complete these services will be billed on an hourly basis, as shown on the attached Salary Schedule, with an estimated upset cost of \$9,500.00.

If additional work is required due to unforeseen circumstances and upon your approval to perform the work, services will be billed on an hourly basis subject to the same Salary Schedule.

If the above satisfactorily sets forth your understanding of the arrangement between us, please sign the space provided below.

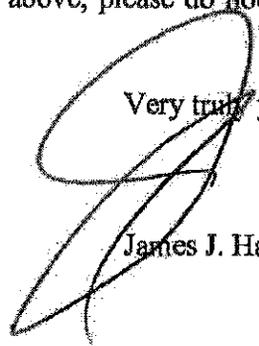
ENVIRONMENTAL AND CIVIL ENGINEERING
STUDIES • REPORTS • DESIGN

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Mr. Donato Pennella
Tarrytown Riverside Firehouse Assessment
December 4, 2020
Page 2

If there are any questions concerning the above, please do not hesitate to contact me at your earliest convenience.

Very truly yours,



James J. Hahn, P.E.

JH:dh

Enclosure

Accepted & Approved By:

Dated: _____

Donato Pennella

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Mr. Donato Pennella
Tarrytown Riverside Firehouse Assessment
December 4, 2020
Page 3

SALARY SCHEDULE

TARRYTOWN RIVERSIDE FIREHOUSE KITCHEN ADDITION

VILLAGE OF TARRYTOWN

	<u>Salary/Hour</u>
Principal	\$225.00
Vice Principal	\$200.00
Project Manager	\$175.00
Project Engineer	\$150.00
Engineer	\$125.00
Chief Designer	\$135.00
Senior Inspector	\$120.00
Inspector	\$115.00
AutoCAD Operator	\$115.00



December 7, 2020

Sent via first class mail and e mail to DPennella @ tarrytowngov.com

Donato R. Pennella, P.E.
Village Engineer
Village of Tarrytown Engineering Department
One Depot Plaza
Tarrytown NY 10590 – 3199

Re: Preparation of Bid Documents
Riverside Hose Company – Engine 80
120 Franklin Street
Village of Tarrytown, NY

Dear Mr. Pennella:

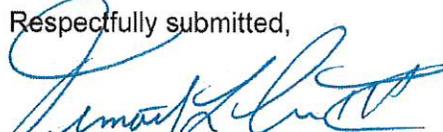
Cronin Engineering is pleased to provide the Village of Tarrytown with our proposal to prepare plans for the technical portion of the contract specifications to be prepared to address the structural deficiencies at the above referenced location. The work will address the items outlined in the report entitled 'Limited Structural Assessment of the Kitchen Addition at the Riverside Hose Company', prepared by Chazen Companies and issues May 20, 2020.

As part of preparing the documents required to address the deficiencies, we will also meet with Village staff and Firehouse representatives and perform site inspections as necessary. Additionally, we will also address any questions or issues that come about during the bidding process. As construction progresses, we will also assist the Village in administering the contract, reviewing payment requisitions and reviewing any change orders.

The fee to be charged by Cronin Engineering to perform the tasks outlined will be \$8,750.00.

If you have any questions or require additional information, please do not hesitate to contact me at the above number.

Respectfully submitted,


Timothy L. Cronin III
Professional Engineer



Dan Pennella, P.E.
Village Engineer
Village of Tarrytown
One Depot Plaza
Tarrytown, NY 10595

*Re: Professional Services Proposal
Tarrytown Firehouse
176 Franklin St, Tarrytown, New York
Chazen Proposal #PM19-148*

Dear Mr. Pennella:

Chazen appreciates the opportunity to submit this proposal for extension of professional services associated with the recommendations outlined in our "Limited Structural Assessment of the Kitchen addition at the Riverside Hose Company Engine 80 Firehouse" report dated May 20, 2020.

Project Understanding

We understand that you would like us to prepare construction documents to support the repairs as recommended in the report noted above.

This generally includes the following:

- Reinforce or replace the center girder and associated piers and footings.
- Add blocking and inject adhesive at sill plates.
- Provide insulation, venting, and vapor barrier details to increase performance the crawl space regarding control of moisture. This may include one of two options to be determined during the design process:
 - Ventilate the crawl space and add insulation below / within the kitchen floor joists.
 - Insulate / condition the crawl space by adding a vapor barrier along the crawl space floor and walls (adding pea stone or rat slab to protect the barrier), and insulate the crawl space walls. This may require additional registers to thermally connect the crawl space and the conditioned space above.

We assume other items in need of repair are not intended to be part of our scope of work such as hanging a new door at the kitchen, repairing aesthetic cracks in the sheet rock and detailing repairs to finishes such as flooring etc. (We can include this scope of work for the contractor on the documents for bid, however detailed finish plans are not anticipated). We assume the kitchen floor will be removed and replaced in its entirety and may be practical to replace the entire kitchen. If so, we assume the kitchen layout will be by others.

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Scope of Services

The following scope of services represents the tasks that you have requested and that Chazen believes are necessary to accomplish your objectives.

Task 02 – Crawl Space Repair Plans

Scope – Chazen will prepare Construction Documents to support the planned expansion as described in the project understanding. We envision that this scope of work will include approximately four (4) 24-inch x 36-inch sheets including:

- Title sheet
- General notes / inspection requirements
- Demolition plan
- Crawl space repair plan
- Sections

Deliverables – Chazen will provide you with a digital copy of our Construction Documents in portable document format (PDF).

Task 03 –Construction Phase Services

Scope –Chazen will provide professional services to help administer the construction phase (Construction Administration, CA) of the project. These services will include:

- Review of submittals and shop drawings such as material datasheets and other contractor submittals.
- Review and respond to construction-related requests for information (RFIs) related to clarifying our scope of work.
- Perform one site visit to verify the construction is in general conformance with construction documents.

Limitations – The following limitations and exclusions apply to this envisioned scope:

- Sampling for hazardous materials, abatement design, or air monitoring is not included.
- Design of retrofits, repairs, or additional structural components or systems that may be required during construction for unforeseen field conditions or other variables outside of our control. We can provide additional design services on a time and expense basis;

Chazen proposes to provide these services on a time-and-expense basis, as required for the successful completion of the project.

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Professional Services Fee Schedule

Chazen proposes to bill each task as indicated in the following Fee and Time Schedule Summary. Invoices will be issued monthly for all services performed during that month, and are payable upon receipt.

Fee Schedule Summary

Tasks		Fee Estimates		Proposed Schedules
Task No.	Task Description	Lump Sum Fee Bill	Time and Materials Estimate ⁽¹⁾	Projected Start / End Dates ⁽²⁾
02	Crawl Space Repair Plans	\$4,850	-	Start: upon Authorization Duration: 8 weeks
02	Bid and Construction Phase Services	-	\$2,750	As required
Total Professional Service Fee Estimate		\$7,600		

¹ Chazen will bill for actual hours spent on the task and reimbursable expenses occurred, but not beyond the not-to-exceed limit that is agreed upon at the start of the work without authorization from the Client. An estimate of services is provided here for planning purposes.

² Projected start and end dates are subject to change and are based on date from authorization to proceed and receipt of all final design documents that we require to perform our work. Because certain aspects of the project are outside of Chazen's control, Chazen cannot guarantee completion of the project within these proposed schedules. If any deviation is required, Chazen will immediately notify you of the condition and our revised schedule for your review.

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Authorization

The Contract Agreement was previously executed under the original proposal PM19-148 dated March 5, 2020. If the above stated scope and fee is acceptable, please sign and return a copy of this proposal for extension of professional services under the terms and conditions of our original agreement as our formal authorization to proceed. This proposal is valid for 60 days from the date issued.

Closing

Please feel free to contact me directly at (518) 266 - 7329 if you have any questions or require clarification of the proposed scope of services offered. Chazen looks forward to the opportunity of working with you on this project.

Sincerely,



Lanson A. Cosh, P.E., NYSCCEO
Manager, Structural Engineering Services

Client Authorization Signature

Client Name Printed

cc: Joseph M. Lanaro P.E.; Joseph M. Fuscillo P.E.



Proud to Be Employee Owned

Engineers
Land Surveyors
Planners
Environmental & Safety Professionals
Landscape Architects

*Limited Structural Assessment
of the Kitchen addition at the
Riverside Hose Company Engine 80 Firehouse*
**120 Franklin Street
Tarrytown, NY 10591**



Issued: May 20, 2020



Prepared by:

Chazen Engineering, Land Surveying &
Landscape Architecture Co., D.P.C.
1 North Broadway, Suite 803
White Plains, NY 10601
914.997.8510
www.chazencompanies.com

Chazen Project No. 82020.00

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APPENDICES

Appendix A: April 28, 2020, Photographic Documentation

1.0 INTRODUCTION

The Chazen Companies (Chazen) was engaged by the Village of Tarrytown (Client), to prepare a limited structural assessment of the kitchen addition (subject structure) located at the rear of the Riverside Hose Company Fire house, specifically the floor system, located at 120 Franklin Street in the Village of Tarrytown, Town of Greenburgh, Westchester County, New York (project site).

This report was prepared at the request of the Client to assess the condition of the structural systems of the subject structure with the primary goal of identifying deficiencies in need of repair or maintenance. The assessment provides a description of the general condition of the subject structure including our observations, assessments and recommendations with concept level repair or replacement to address any identified or suspected deficiencies. An assessment of the adjacent canopy structure and primary firehouse building was not completed, however, a recommendation regarding the canopy is included herein.

Chazen performed a limited visual assessment of the subject structure on Tuesday, April 28, 2020. A photographic log of our observations is attached in Appendix A of this report.

Our observations and assessments were limited to those portions of the structural systems and components that were visible and accessible at the time of our visit. No destructive testing or sampling was performed, no laboratory testing was performed, and no finishes were removed unless where explicitly described in this report.

2.0 GENERAL BUILDING AND SITE DESCRIPTION

A general description of the project site, subject structure, reported history, and use are provided herein.

2.1 Project Site

The project site is located at the Village Hall building complex which is bound by Depot Plaza to the west and south, Main Street to the north and Franklin Street to the east. The Firehouse is located in the south east corner of the complex, bound by parking areas to the north and west and by Depot Plaza and Franklin Street to the south and east respectively.

The firehouse is comprised of the original 2-story brick masonry structure to the east, a kitchen addition (subject structure) constructed to the west of the original building and an L-shaped canopy / covered storage area to the west and south of the subject structure. The project site is relatively flat but slopes to the west (toward the Hudson River).

An overview photograph (aerial view) of the project site is provided in Figure 1.

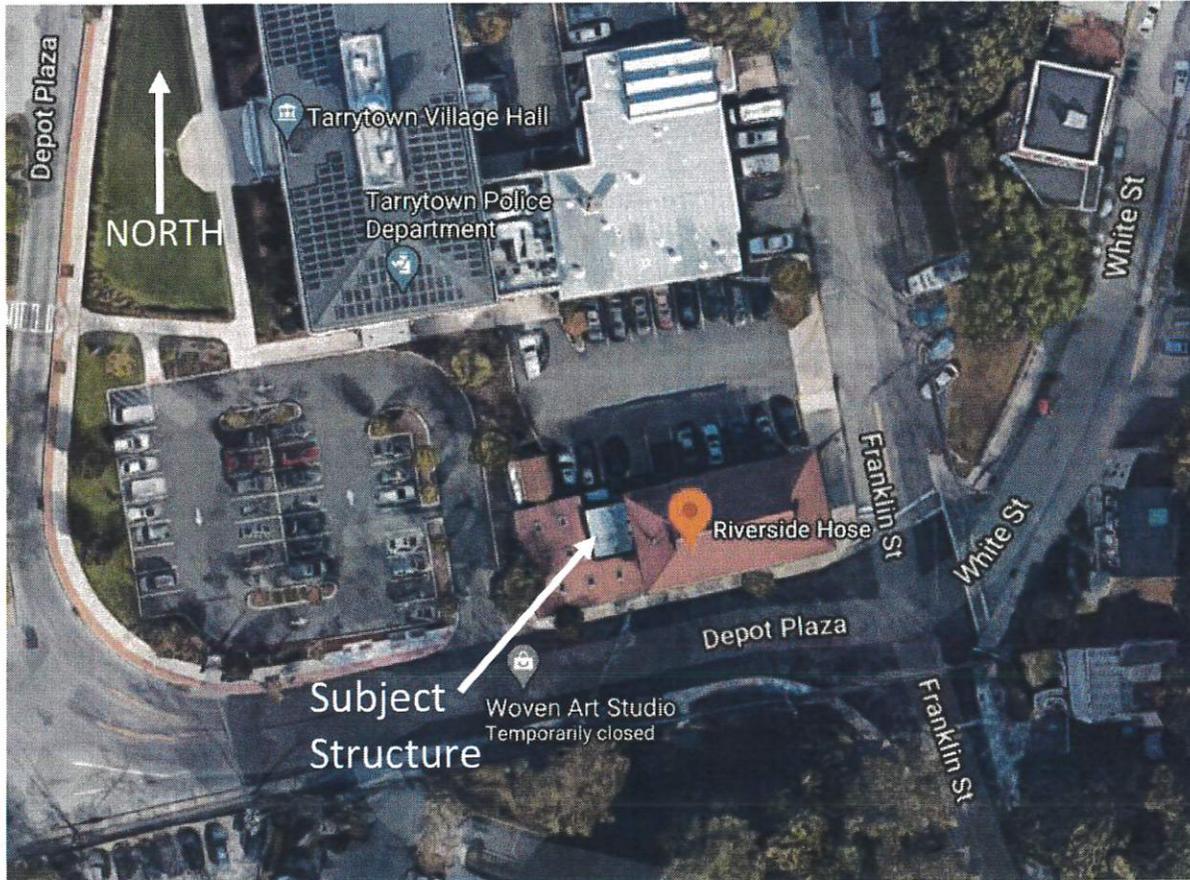


Figure 1: Aerial View of the Project Site
(Aerial Photograph taken from google.com/maps)

2.2 Subject Structure

The subject structure appears to have been constructed in the mid-1900s. The addition appears to have been built in the mid-1900s.

The single-story subject structure includes a crawl-space and is comprised of conventional wood framing with brick veneer on CMU foundations. The crawl space is just below the exterior grade level and does not have a slab or vapor barrier and does not appear to be vented. The floor is insulated with what remains of batt insulation between floor joists.

The first floor is comprised of 2x10 joists that span north to south. The joists are supported on the foundation walls at the north and south end of the building and by a center girder running east-west. The

girder is supported by the foundation wall at the west end, a CMU pier at mid-span, and by a CMU pier at the east end.

Footings could not be directly observed but are likely comprised of shallow cast-in-place concrete strip and spread footings. It is not clear if the CMU piers are founded directly on soil or on a footing.

3.0 OBSERVATIONS AND ASSESSMENTS

A photographic record of our visual observations is provided in **Appendix A**.

In general, the subject structure is in sound condition with no evidence of global stability or settlement issues. Exceptions include potentially undersized center girder, poorly supported girder bearing points and deteriorated sill plate bearing.

Interior finishes are dated, but generally in fair condition for their age.

We observed the following conditions and offer the following assessments:

1. The building is generally in fair condition. Reference Photographs #1-4 for general views of the building exterior.
2. We were asked to assess the jog in the wall between the subject structure and original firehouse along the north elevation as part of the assessment as there was concern the wall may be leaning and be evidence of an underlying structural deficiency. Reference Photograph #5-6. However, after further review, the walls appear to be relatively plumb. The subject structure exterior wall appears to have been built flush with the lower concrete portion of the wall which protrudes from the brick surface. Reference Photograph #8. No evidence of cracked masonry between the walls or other evidence of distress was observed.
3. Damaged brick masonry at the southwest corner of the subject structure was also a potential symptom of an underlying structural deficiency. Reference Photograph #9. However, it appears this masonry was either removed to install the steel beam (there is a slight overlap) and / or damaged due to movement of the canopy. The canopy structure does not have a defined lateral system (such as cross bracing or shear walls) and is therefore susceptible to excessive displacement (or failure) under extreme wind events or if impacted by a vehicle.
4. The interior of the kitchen is dated and likely last updated in the 1960s-1970s. The finishes are in relatively good condition considering the age. Minor cracks were observed in the sheetrock, but are not evidence of any underlying structural deficiencies. Reference Photographs #10-14. Buildings are constructed of organic materials that shrink and expand with the seasonal changes of temperature and humidity which can lead to minor aesthetic cracking over time.
5. There is a noticeable sag / low spot in the center of the kitchen. The floor is also somewhat "bouncy" underfoot. We accessed the crawl space and found the center girder is poorly supported, but otherwise the framing appeared sound (no evidence of distress or damage).

- a. The approximately 6"x8" girder is perhaps somewhat undersized, and is sagging due to wood's tendency to "creep" over time both of which are contributing to the poor performance of the floor system.
 - b. The girder is poorly supported by masonry shims / hollow CMU block piers at the mid-span and at the east end of the girder. However, this condition does not appear to be contributing to the poor performance of the floor. Reference Photographs #16-17. The girder is bearing on stone and masonry shims at the west end also, but appears more secure with full bearing than the other two bearing points. Reference Photograph #15.
 - c. It appears the sill plates were originally set onto a mortar bed on top of the CMU wall. The mortar has deteriorated in many locations, leaving some areas of sill plate supported only by discrete shims / pieces of remaining mortar. Despite this, there is no evidence of distress and this condition does not appear to be contributing to the poor performance of the floor system. Reference Photographs #18-19.
 - d. There is no vapor barrier or ventilation in the crawl space. Any moisture that enters the crawl space (whether from ground vapor or water infiltration) cannot easily escape and can accelerate deterioration of wood framing. Despite this, the wood framing appears to be in fair condition. Reference Photographs #18-19.
 - e. The insulation, which was intended to be secured between floor joists, was displaced throughout. This can contribute to water vapor entering the building envelope and lead to deteriorated finishes and poor indoor air quality. Reference Photographs #18-19.
6. The hollow-core wood exterior door at the kitchen is not seated properly and hinge screws appear stripped.

4.0 RECOMMENDATIONS

In order to correct observed deficiencies and extend the service life of the subject structure, we have the following recommendations (note removal of materials may require sampling, abatement design, abatement and disposal of hazardous materials):

1. Periodically monitor the jog in the wall on the north elevation. If the jog increases by more than $\frac{1}{4}$ ", corrective action may be needed. Further investigation would include the wood curb / blocking assembly at the roof which is partially exposed and may be deteriorating which could eventually lead to water infiltration and deterioration including freezing water pushing out on the brick veneer. If the brick veneer pulls away from the wood framing (there is no evidence that suggests this has happened), the brick can be tied back to the wood framing with helical masonry anchors such as "BowTie HD" made by Helifix at 36" o.c. horizontal spacing and 24" o.c. vertical spacing.
2. Consider a voluntary upgrade of the canopy lateral system to increase structural performance under high wind, seismic or impact events. This may include installing "X-brace" rods in one bay on along each of the column lines.

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3. The minor aesthetic cracks in the kitchen sheetrock can be repaired, but is not critical to the use or aesthetics of the space. The floor penetrations made to provide access to the crawl space should however be repaired by a professional contractor as they are currently not well supported or secured and pose a tripping hazard. Access to the areas over the penetrations should be restricted with caution tape or other visual barrier.
4. We recommend reinforcing (or replacing) and re-supporting the center girder. This includes removing and replacing the CMU piers with reinforced CMU piers on concrete footings. Alternatively, if the CMU piers are reinforced with footings, at least provide additional / full bearing with solid blocking at all three bearing points. An additional support point to reduce the span and / or adding 2x8 sisters to each side of the girder is recommended to increase the floor performance. It may be more practical to replace the girder which may help level the floor (as the existing girder's sag is likely permanent and can't be jacked up). Provide moisture break / gasket between any new wood and masonry.
5. We also recommend blocking between the sill plate and CMU foundation wall solid. This could be achieved with continuous pressure treated shim / blocking or with repair mortar. If a cementitious repair mortar is used, a moisture break such as poly-iso sheeting should separate wood from masonry.
6. To extend the building's useful service life, we recommend removing and replacing crawl space insulation and addressing the lack of ventilation. The crawl space should either be included in the building envelope (install insulation along the walls) or excluded (replace insulation between floor joists and add crawl space ventilation). We recommend installing insulation along the walls and conditioning the crawl space as this is closer to the original intent. In either case, a vapor barrier (and concrete rat slab or round ballast stone) should be installed on the floor of the crawl space to minimize ground water vapor infiltration to the building envelope. A sump does not appear to be necessary as the crawl space appeared to be dry / well-draining, but should be installed to relieve any flood water that may enter the crawl space (especially if the crawl space is included in the building envelope and a vapor barrier is added on the ground).
7. Replace the exterior door with new pre-hung door assembly.

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5.0 CONCLUSION

Based on our observations and experience with similar structures, the building is in fair condition, but the center girder and associated piers are in need of repair. Our rough order of magnitude opinion of probably cost (ROM OPC) for the structural repairs noted herein (recommendations #4-5) is likely in the \$20,000 range due to the limited access. This ROM OPC should be used for preliminary budgeting purposes only and is not a quote for contractor services. Insulating the crawl space (recommendation #6) would likely add another \$10,000 to the budget.

Closing: Chazen makes no express or implied warranties concerning the structural and building envelope systems. Chazen does not adopt the warranty of the manufacturer of the components of structure assessed, or the warranty of the Builder or Owner of the structure. This report constitutes the complete and exclusive expression of the opinions of Chazen.

Thank you for the opportunity to assist you in this matter. Please feel free to call me directly at (518) 266-7329 with any questions, comments or requests for further clarification.

Sincerely,



Lanson A. Cosh, PE, NYSCCEO-Manager, Structural Engineering Services

Attachments:

Appendix A: April 20, 2020, Photographic Documentation

cc. Joseph M. Lanaro, PE, M. ASCE; Edward P. Larkin, PE, NYSCCEO;file

Appendix A:
Photographic Documentation
April 20, 2020

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Photograph (1): General view of Firehouse. East elevation.



Photograph (2): General view of kitchen area addition. North elevation.



Photograph (3): General view of kitchen area addition. West elevation.



Photograph (4): General view of kitchen area addition. South elevation.

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Photograph (5): Reported displacement at kitchen addition.



Photograph (7): Reported displacement at kitchen addition (red arrow). Deteriorated wood curb / blocking (green arrow).



Photograph (8): Kitchen addition masonry aligned with lower concrete parge coat of main building. No evidence of significant displacement (leaning) after construction.



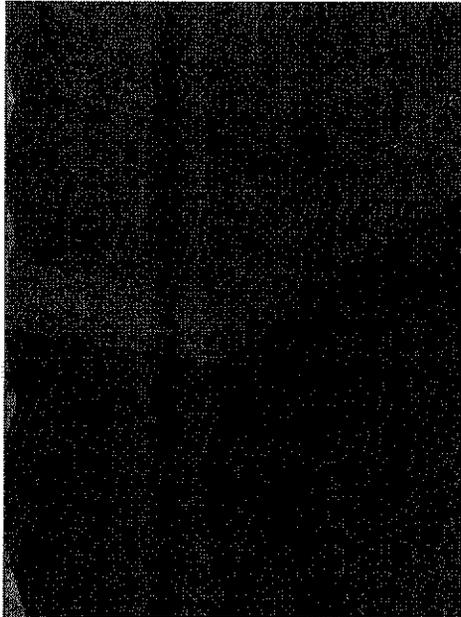
Photograph (9): Damaged brick masonry at canopy steel.



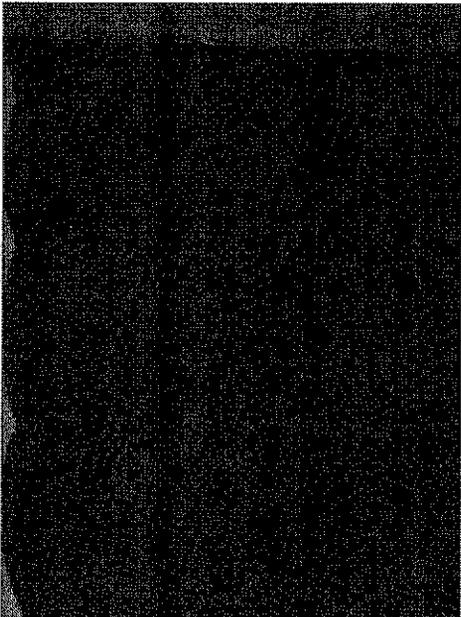
Photograph (10): General view of kitchen interior.



Photograph (11): View of reported cracked finishes (interior of Photograph #7).

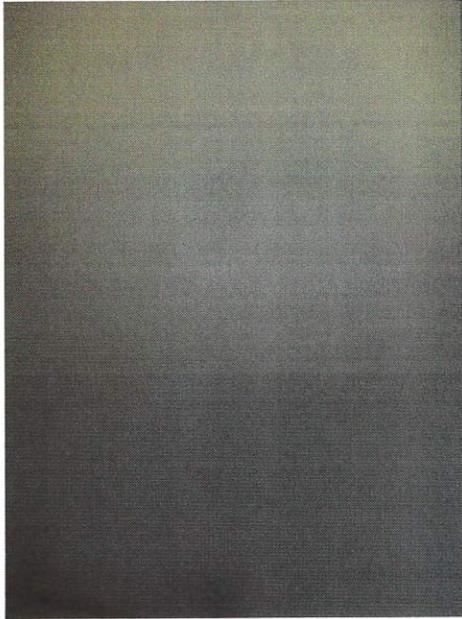


Photograph (12): Close up view of cracked finish (close up of Photograph #11)



Photograph (13): Cracked sheetrock at kitchen interior.

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Photograph (14): Cracked sheetrock at kitchen ceiling.



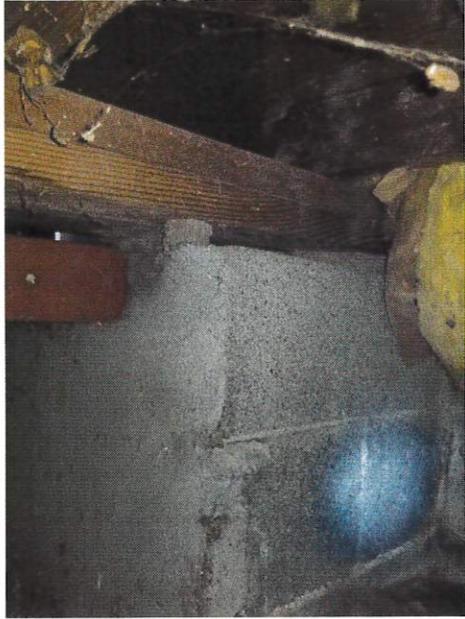
Photograph (15): Bearing condition of center girder (south end).



Photograph (16): Poorly supported bearing condition at center girder (mid-span).



Photograph (17): Poorly supported earring condition at center girder (north end).



Photograph (18): Poorly supported sill plate. Displaced insulation. Representative conditions.



Photograph (19): Poorly supported sill plate. Displaced insulation. Representative conditions.

Carol,

In lieu of having the vehicle taken away, we have decided to retain the vehicle for the purpose of recovering any usable parts and will dispose of the remnant part of the vehicle ourselves for salvage value. Therefore, this vehicle should be deemed as salvage equipment and removed insurance coverage.

DPW - 2009 Chevrolet Dump Truck VIN: 8369

Louis Martirano, CPII
Superintendent of Public Works
4 Division Street
Tarrytown, NY 10591
(914) 862-1819
CERTIFIED PUBLIC INFRASTRUCTURE INSPECTOR



