

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:15 P.M.
WEDNESDAY, FEBRUARY 12, 2020
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York**

Board of Trustees Concerns

Open Session

1. Bid Award – Office Cleaning Contract
2. Excavations in Streets Code Change
3. ARB Law
4. Fee Changes for Sidewalk Cafes, Peddlers & Solicitors, and Signs
5. Audubon International – Sustainable Communities Program
6. Art in Village Parks
7. Fire Department Service Award Program Annual Report
8. Landscape Architect Services – Pierson Park Circle

Executive Session

- A. Continued Discussion – Board and Committee Appointments

2



Chapter 256. Streets, Sidewalks and Public Places

Article II. Openings

§ 256-4. Permit required; fees and deposits to be paid.

[Amended 5-13-1980 by L.L. No. 1-1980; 3-14-1989 by L.L. No. 6-1989; 6-28-2016 by L.L. No. 2-2016]

No person shall open or cause to be opened the surface pavement or soil in any portion of the public right-of-way, public easement, park or other public place, without first securing a written permit from the Village Engineer. Prior to the issuance of a permit, the applicant shall pay the fees and deposits fixed by resolution of the Board of Trustees.

§ 256-5. Responsibility for repairs and restoration.

[Amended 5-13-1980 by L.L. No. 1-1980; 3-14-1989 by L.L. No. 6-1989; 6-28-2016 by L.L. No. 2-2016]

In the case of openings for sewers, drains, water, gas, telephone or other public utility purposes, the applicant for the permit is responsible for the temporary repair of the opening within the public right-of-way, public easement, park or other public place and must pay the fees and deposits fixed by resolution of the Board of Trustees. In such case, the Village Engineer, in his discretion, at the time of issuing the permit, may authorize the applicant for the permit to do all the work required for permanent restoration of any opening within said public right-of-way, public easement, park or other public place and pay the fees and deposits fixed by resolution of the Board of Trustees. In the event that the Village Engineer does not authorize the applicant for such permit to do any of the work required for the permanent restoration of the opening within the public right-of-way, public easement, park or other public place, the regular fees fixed by resolution of the Board of Trustees for this purpose shall apply.

§ 256-6. Multiple neighboring openings.

[Amended 5-13-1980 by L.L. No. 1-1980; 3-14-1989 by L.L. No. 6-1989]

In case two or more neighboring openings are made at one time, the Village Engineer may allow the same under one permit, charging therefor only one fee for issuing the permit but separate fees for the restoration and inspections.

§ 256-7. Replacement of concrete slabs.

[Amended 5-13-1980 by L.L. No. 1-1980]

Whenever a concrete slab is cut or broken, the area to be replaced shall include a full slab.

2

§ 256-8. Replacement of curbing.

[Amended 5-13-1980 by L.L. No. 1-1980; 6-28-2016 by L.L. No. 2-2016]

Any curbing removed by any person shall be reset or replaced. Any person failing to restore curbing to its original condition shall be required to pay an additional fee as fixed by resolution of the Board of Trustees. Any person constructing a new or substantially improved home may be required to install, replace or reset granite curbing along the edge of pavement adjacent to the entire property, as directed by the Village Engineer.

§ 256-9. Additional fees for macadam and concrete sidewalks.

[Amended 5-13-1980 by L.L. No. 1-1980]

In the case of openings made in macadam or concrete sidewalks, a fee as fixed by resolution of the Board of Trustees in addition to any other required fee shall apply.^[1]

[1] *Editor's Note: Current fees are available and on file in the office of the Village Clerk.*

§ 256-10. Limits on multiple openings.

[Amended 5-13-1980 by L.L. No. 1-1980]

In no case shall permits be granted to anyone other than a public service corporation for more than five openings to be made simultaneously.

§ 256-11. Fees and deposits.

[Amended 5-13-1980 by L.L. No. 1-1980; 2-8-2000 by L.L. No. 2-2000]

The following fees and deposits for restoration shall be fixed by resolution of the Board of Trustees pursuant to this section:

A. In the cases of openings in cinder or dirt roadways:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

B. In the cases of openings in macadam or similarly paved roadways:

- (1) For permit.
- (2) For restoration.
- (3) Inspection.

C. In the cases of openings in concrete roadways or roadways with a concrete base:

- (1) For permit.
- (2) For restoration.

2

(3) Inspection.

D. In case openings exceeding four square yards in area are made in the traveled or paved portion of roadways, additional fees for repairs shall be paid for areas in excess of four square yards, at a rate fixed by resolution of the Board of Trustees:

(1) In cinder or dirt roadways.

(2) In macadam or similarly paved roadways.

(3) In concrete roadways or roadways with a concrete base.

E. In the case of openings in macadam sidewalks.

F. In the case of openings in concrete sidewalks.

G. For failure to restore curbing to its original condition.

H. In the case of connections made to the Village sanitary sewer system.

I. In the case of connections made to the Village storm sewer system.

[1] *Editor's Note: Current fees are available and on file in the office of the Village Clerk.*

§ 256-12. Insurance.

[Amended 3-14-1989 by L.L. No. 6-1989; 3-9-2004 by L.L. No. 1-2004]

- A. For street openings, sidewalk openings or any excavation in a public place totaling 500 square feet or less, no permit shall be issued for any such opening until the person desiring to make such opening or the person for whom it is to be made shall furnish to the Village insurance, evidenced by a certificate of insurance naming the Village as additional insured, in form satisfactory to the Village Attorney, with limits for personal injury of not less than \$1,000,000 for any one person and not less than \$3,000,000 for any one accident and not less than \$100,000 for any one accident and \$500,000 in the aggregate for property damage, insuring the Village, its officers, employees and agents against any liability for personal injury or property damage, directly or indirectly resulting from or arising out of the granting of any such permit or any such opening or the method and manner of doing any work permitted or required by any such permit or under this article or any negligent act or omission in connection therewith on the part of the permittee, his employees or agents, provided that a public service corporation may, at its option, file an undertaking, in form satisfactory to the Village Attorney, to indemnify and save harmless the Village, its officers, employees and agents from any such liability, covering all openings made by it.
- B. For street openings, sidewalk openings or any excavation in a public place greater than 500 square feet, no permit shall be issued for any such opening until the person desiring to make such an opening or the person for whom it is to be made shall furnish to the Village a separate Owners and Contractors Protection Policy, in form satisfactory to the Village Attorney, with limits for personal injury of not less than \$1,000,000 for any one person and not less than \$3,000,000 for any one accident and not less than \$100,000 for any one accident and \$500,000 in the aggregate for property damage, insuring the Village, its officers, employees and agents against any liability for personal injury or property damage, directly or indirectly resulting from or arising out of the granting of any

2

such permit or any such opening or the method and manner of doing any work permitted or required by any such permit or under this article or any negligent act or omission in connection therewith on the part of the permittee, his employees or agents, provided that a public service corporation may, at its option, file an undertaking, in form satisfactory to the Village Attorney, to indemnify and save harmless the Village, its officers, employees and agents from any such liability, covering all openings made by it.

§ 256-13. Compliance required; requirements.

[Amended 3-14-1989 by L.L. No. 6-1989]

The person to whom the permit is issued shall see that the requirements contained in this article are observed.

- A. Any excavation, other than for paving, within the right-of-way shall be made by hand and not by power-driven equipment, unless by special permission of the Village Engineer.
- B. All excavations shall be by open cut, unless by special permission of the Village Engineer.
- C. All trenches shall be backfilled using K-Crete 50 in the traveled way or under sidewalks; trenches outside the traveled way shall be backfilled with K-Crete 50 or with soil tamped in layers not exceeding 12 inches in depth.
[Amended 6-28-2016 by L.L. No. 2-2016]

- D. All work done under any permit issued hereunder, whether directly by the permittee or by others to whom the work is contracted, shall conform to the requirements of the Village Engineer and shall be under full supervision of the permittee, who shall be solely responsible for the work done.
[Amended 6-28-2016 by L.L. No. 2-2016]

- E. The Village of Scarsdale reserves the right to hire a third-party inspection service/inspector to oversee the opening and restoration of any work performed in the public right-of-way, public easement, park or other public place. All fees associated with this service shall be paid by the applicant prior to the issuance of any permit by the Village Engineer.
[Added 6-28-2016 by L.L. No. 2-2016]

- F. At the request of the Village Engineer, the applicant must supply a detailed maintenance and protection of traffic (MPT) plan, as per New York State Department of Transportation standards, showing the area of proposed work, all signage to be installed, detour routes, location of traffic control personnel, proposed lane closures, or any other requirement specified by the Village Engineer. The use of Scarsdale Police Department personnel may be required for additional traffic control. The expense for such personnel usage shall be paid by the applicant. After the Village Engineer approves the MPT plan, the applicant must submit the approved MPT plan to all Village emergency service departments and agencies.
[Added 6-28-2016 by L.L. No. 2-2016]

§ 256-14. Temporary repairs.

[Added 5-13-1980 by L.L. No. 1-1980; amended 3-14-1989 by L.L. No. 6-1989; 6-28-2016 by L.L. No. 2-2016]

The permittee is responsible for the temporary repair of the trench. Temporary trench repair is

2

to consist of two inches of asphalt concrete placed on top of the K-Crete backfill and level with the existing road surface.

§ 256-15. Time limit for work; closing trench for noncompliance.

[Amended 3-14-1989 by L.L. No. 6-1989]

The Village Engineer may prescribe the time when the work shall be done and the length of time that any trench or other excavation may remain open. He may cause any such trench or opening to be filled up or closed at the expense of the person to whom the permit is issued in case of noncompliance with the terms of such permit or other conditions prescribed at any time by the Village Engineer.

§ 256-16. Permanent trench repair.

[Added 3-14-1989 by L.L. No. 6-1989; amended 6-28-2016 by L.L. No. 2-2016]

Temporary trenches shall be widened a minimum of one foot beyond the original cut or any crack developed from the adjacent pavement settling because of the excavation. Asphalt thickness and materials shall conform to the standard construction details maintained by the Village Engineer. All final pavement restoration limits shall follow the guidelines depicted in the minimum pavement restoration limits diagram as adopted by the Board of Trustees, and amended from time to time. The minimum pavement restoration limits diagram shall be maintained by the Village Engineer. The edges of all trenches shall receive a liberal application of asphaltic emulsion to seal edges.

§ 256-17. Protection around opening.

The person to whom the permit is issued shall maintain sufficient guards, barricades, lights or watchmen to protect persons and property against injury and damage by reason of any such opening.

2

Village of Tarrytown, NY
Friday, February 7, 2020

Chapter 259. Streets and Sidewalks

Article I. Excavations in Streets

§ 259-1. Permit required.

No person shall open up, alter the grade of, dig or excavate in the roadbed, pavement or gutters of any street whatever except upon compliance with the provisions herein, and no person shall tunnel under the roadbed of any street, in whole or in part, for any purpose.

§ 259-2. Permit application.

[Amended 5-6-1991 by L.L. No. 5-1991; 9-16-2019 by L.L. No. 9-2019]
Except as provided in § 259-9 hereof, not less than 24 hours prior to the proposed time for such digging or excavating, application shall be made to the Superintendent of Public Works or their designee for a permit therefor. Such application shall state:

- A. The name of the applicant.
- B. The fact that the applicant is either a contractor licensed by the Village or a utility corporation or a plumber or electrician licensed by the Village or a person engaged in some business or occupation whose work required such excavation to be made and whose name has been approved by the Board of Trustees and placed on file with the Superintendent of Public Works or their designee.
- C. The precise place where the applicant desires to dig or excavate, with the distance from the nearest street intersection or from the property abutting the street at the point proposed for excavation.
- D. The purpose of the excavation.

§ 259-3. Cash deposit.

- A. Each application shall be accompanied by a cash deposit with the Village Treasurer of a sum adequate to cover the cost of restoring the street and its pavement, curb and gutter to a condition which meets with the approval of the Superintendent of Highways, computed in accordance with the schedule of such costs from time to time adopted by the Board of Trustees.
- B. The Board of Trustees may dispense with said deposit in the case of any public utility company furnishing service in the Village.

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- C. Unless otherwise agreed upon between a public-service corporation and the Village, a public-service corporation may, in lieu of the deposit hereinbefore specified for street openings, file with the Village its agreement, approved as to form by the Village Attorney, good until terminated by said public-service corporation or the Village by resolution of its Board of Trustees, to pay the cost of restoration of the street and its pavement, curb and/or gutter, required by street openings made by said public-service corporation, to a condition which meets the approval of the Superintendent of Highways in accordance with the schedule of costs from time to time adopted by the Board of Trustees, promptly after bills therefor are submitted to said public-service corporation by the Village. The termination of such agreement shall not release said public-service corporation from its obligation therefor accrued thereunder.

§ 259-4. Insurance requirements.

- A. Each application shall be accompanied by a certificate of insurance, in form approved by the Village Attorney, of an insurance company authorized to do business in this state, running to the Village, guaranteeing that the applicant has provided public liability coverage as follows: for property damage, \$1,000,000 per individual and \$1,000,000 per occurrence; and for personal injury, \$1,000,000 per individual and \$1,000,000 per occurrence, to save the Village harmless from all claims, actions and proceedings brought by any person for death, bodily injury or property damage resulting from or occasioned by any fault or default by the person to whom the permit is issued or anyone acting thereunder on his behalf. The policy shall also protect the Village in the sum of \$1,000,000 for any damage to the street, sidewalks, curbs and/or gutters resulting from or occasioned by the deposit of the materials or the acts or operations carried on with respect thereto.
[Amended 5-6-1991 by L.L. No. 5-1991]

- B. A public-service corporation may, in lieu of the insurance hereinbefore specified for street openings, file with the Village Treasurer its agreement, approved as to form by the Village Attorney, good until terminated by said public-service corporation or by the Village by resolution of its Board of Trustees, to indemnify and save harmless the Village from claims, suits, actions, proceedings, losses, injuries, damages and costs of every and any description arising out of or resulting from any act or omission on the part of such public-service corporation under any permit granted to it or from any negligence or faults of such public-service corporation, its contractors, agents, servants or employees in connection with sidewalk, curb or driveway work or repairs or street openings or any work related thereto and to also defend at its expense on behalf of the Village any suits, actions or proceedings which may be instituted against the Village. The termination of such agreement shall not release the obligation of said public-service corporation to the Village theretofore accrued thereunder.

§ 259-5. Obligations of permittees.

- A. The following duties and obligations are imposed upon each person receiving a permit under the provisions of this article:
[Amended 4-4-2011 by L.L. No. 3-2011]
- (1) Immediately upon completion of the work and upon completion of the inspection and approval of the work, the permittee shall backfill the excavation with K-crete in conformance with the Village's typical trench detail.

- (2) The permittee shall not permit the excavation to remain open longer than is strictly necessary for the performance of the work which required the excavation, but in no case shall the excavation remain open for more than 30 days.

[Amended 12-2-2013 by L.L. No. 14-2013]

- (3) Should the permittee fail to properly secure the excavation to a condition acceptable to the Village Engineer and/or Superintendent of Public Works or his/her designee, and after two hours' notice to the permittee to correctly secure the excavation, the Village will secure the excavation at the expense of the permittee, said cost to be deducted from the deposit paid, and any deficiency remaining after such deduction shall be paid on demand by the Village to the permittee. Should the Village determine that the failure to properly secure the excavation poses an immediate danger to the health and safety of vehicles and/or pedestrians, the Village will secure the excavation at the expense of the permittee, said cost to be deducted from the deposit paid, and any deficiency remaining after such deduction shall be paid on demand by the Village to the permittee.

[Amended 12-2-2013 by L.L. No. 14-2013^[1]]

[1] *Editor's Note: This local law also redesignated former Subsection A(3) and (4) as Subsection A(4) and (5), respectively.*

- (4) While the excavation is wholly or partly open or when there exists a depression below the surrounding grade or an elevation higher than such grade because of excess backfill or for other reasons, the permittee shall provide adequate safeguards to the public by erecting a barrier or fence of distinctive type or color marking the outside limits of the affected area and bearing warning signs distinguishable by day and a barricade with flashing lights for the evening hours.
- (5) Should the permittee fail to restore the pavement to a condition acceptable to the Village Engineer and/or Superintendent of Public Works or his/her designee, and after 10 days' notice is provided to the permittee to correct the site of the restoration, the restoration of the pavement, curb and/or gutter to as good condition as it was in prior to the excavating shall be completed by the Village at the expense of the permittee, to be deducted from the deposit made, and any deficiency remaining after such deduction shall be paid on demand by the permittee.

- B. As a condition precedent to receiving a permit hereunder, the applicant shall sign an agreement, endorsed upon the permit, reading substantially as follows:

[Amended 9-16-2019 by L.L. No. 9-2019]

Applicant acknowledges that he has read the provisions of Chapter 259, Streets and Sidewalks, § 259-5, of the Code of the Village of Tarrytown, setting forth the duties and obligations imposed upon the permittee, and as a precedent condition to receiving this permit, applicant agrees to fully and faithfully perform and discharge each and every one of such duties and obligations.

- C. A public-service corporation shall be permitted to do the work of restoration of the pavement, curb and/or gutter to a condition which meets the approval of the Superintendent of Highways in connection with work done by said public-service corporation under any permit issued by the Village.

§ 259-6. Fees.

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The fee for each permit hereunder will be in accordance with the schedule of street-opening fees adopted by the Board of Trustees.^[1]

[1] *Editor's Note: Such fees are on file and available for inspection in the office of the Village Clerk during regular office hours.*

§ 259-7. Issuance of permit.

[Amended 12-2-2013 by L.L. No. 14-2013]

When there has been full compliance with the provisions herein stated and no other valid objections have appeared, the Superintendent of Highways will issue a permit to the applicant therefor. Work associated with a permit so issued shall be commenced and be completed within 30 days of the date of issuance of the permit. Should the work not commence and be completed within the thirty-day period, the permit shall automatically be deemed null and void, and the permit fee shall be retained by the Village and not refunded to the permit applicant or the person who paid the fee for the permit. A new permit shall be applied for and a new permit fee paid for the work declared null and void, pursuant to this section.

§ 259-8. Permit to be available at place of excavation.

Each person to whom a permit is issued hereunder must at all times have it available at the place of the excavation and, upon demand, show it to the representative of the Village.

§ 259-9. Emergencies.

A. Application.

- (1) In an emergency, such as the breaking of a main or the stoppage of a sewer line or other condition calling for immediate opening of a street to prevent loss or injury to property, application may be made to the Superintendent of Public Works or their designee or Building Inspector for an emergency permit, in person or by telephone, and authority shall be granted to proceed with the necessary work forthwith.

[Amended 5-6-1991 by L.L. No. 5-1991; 9-16-2019 by L.L. No. 9-2019]

- (2) In case of emergency due to the breakage of pipes or other cause, street openings may be made by a public-service corporation prior to obtaining a permit for a street opening; provided, however, that said public-service corporation shall have filed the required agreement in lieu of cash deposit and evidence of insurance or indemnity agreement as specified in §§ 259-3 and 259-4 of this article and provided further that said public-service corporation shall make application for the necessary street opening not later than 24 hours (Saturdays, Sundays and holidays not included) after said opening has been commenced.

B. Notifying police. If such emergency develops during hours when the Village office is closed, as during the night or on holidays, notification thereof shall be made to the Police Department, in person or by telephone, before proceeding with the street opening.

C. Duties thereafter. It shall be the duty of every person who undertakes to open a street under the provisions of this section to place warning signs, lights and barriers to protect the public and, upon the first day of resumption of regular business at the Village office, to comply with the provisions of §§ 259-2, 259-3, 259-4, 259-5 and 259-6 hereof, or to be held in violation of this article.

2

§ 259-10. Penalties for offenses.

[Amended 5-6-1991 by L.L. No. 5-1991; 12-2-2013 by L.L. No. 14-2013]

Except where otherwise noted, any person committing an offense against any provision of this chapter shall be guilty of a violation and upon conviction thereof shall be punishable for each offense by a fine of not less than \$250 for the first offense, \$500 for the second offense and no more than \$1,000 for each offense thereafter or by imprisonment for not more than 15 days, or both. Every violation of any provision shall be a separate and distinct offense, and in the case of continuing violations, every day that the violation continues shall be and is deemed to be a separate and distinct offense. In addition, for the infraction of any provision hereof, any permit may be canceled and permission to do similar work may be withheld from the offender for a period of three months from the time of such violation. This penalty is in addition to and not in derogation of or in substitution for, the general penalties provided in Chapter 1, General Provisions, Article II.

LOCAL LAW ____ - 2019

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

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

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

Chapter 9, Section 4. (A) shall be re-titled – Referral of applicants for building permits or other work for Architectural Review."

Section 3. Chapter 9, Section 4. (A) "Referral of applicants for building permits or other work for Architectural Review" shall be amended to read as follows:

Section 4. (A) Referral of applicants for building permits or other work for Architectural Review:

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

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

ARB review is required for applications requiring Planning Board approval, as well as other projects which are detailed as follows:

1. Construction of a new building
2. Reconstruction or rehabilitation of buildings with prior Architectural Review Board approval, which differs from that prior ARB approval;
3. Rehabilitation of buildings that involves more than replacement ^{of} materials (windows, doors, siding, or garage doors and roofing) that are not of the same kind, and which are visible from a public street. For example, while replacement of wood double-hung windows with vinyl double hung windows would not require ARB approval, replacement of double-hung windows with casement windows would.
exterior features
or style
4. All additions of any size for buildings built before 1929. For buildings built in 1929 or later, additions that increase the existing building footprint by 25% or more-.
5. Fences that are in the front yard (See Schematic Plan (1) or within the required minimum front yard set back (See Schematic Plan (2) and higher than thirty inches (30").
6. Walls, including retaining walls, that are in a front yard or within the required minimum front yard setback and are visible from a public street.
7. Walls, including retaining walls, that are over 30 inches (30") and that are within the required minimum side yard or rear yard setback.
8. Applications for signage or awnings;

9. Applications for a property within the Restricted Retail RR Zone or commercial properties outside the RR Zone involving:

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

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

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

(d) Painting using different colors than those that exist on the building, that affect the exterior appearance of the building or other structure and are visible from any public street.

4. B. Exceptions that apply in every zoning district except for the RR Zone, historic districts and historic designated structures— Since it is the intent of the Board of Trustees to provide a process for routine maintenance or changes and upgrades to buildings that do not result in major, detrimental departures from the original construction and design of a structure, applications that are excepted from ARB review include:

1. additions that increase the existing building footprint by less than 25% for buildings built after 1929 (see section 4. A. 45.)

2. fences that are only in the rear yard or side yard set back, less than 48" and not fronting on a street. (Finish of the fence must face the adjoining property.)

3. walls with Planning Board approvals. ~~under Planning Board Review.~~

4. Walls that are less than 30 inches (30") in height but not within the required minimum side yard or rear yard setback.

~~a. less than thirty inches (30") in height and not in the side and rear yard setbacks; and~~

~~within a required minimum front yard, side yard or rear yard setback.~~

5. steps, and/or sidewalks

6. painting a building or structure the same colors

7. painting a building or structure and changing colors from the existing colors, provided that the colors are in the Benjamin Moore Historical Color Chart, and the Benjamin Moore White and Off-White Color Charts, as they may be updated from time to time, maintained in the Building Department, or an equivalent color palette that has only slight variations in color hues.

8. Adding storm widows to existing windows without making further changes.

9. Replacement in kind of structures or fences that obtained prior building permit with ARB approvals.

Section 4: The current Section 9-4 (B), (C), and (D) should be renumbered to 9-4 (C), (D) and (E).

Section 5: Supersession of other laws.

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

Section 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

3

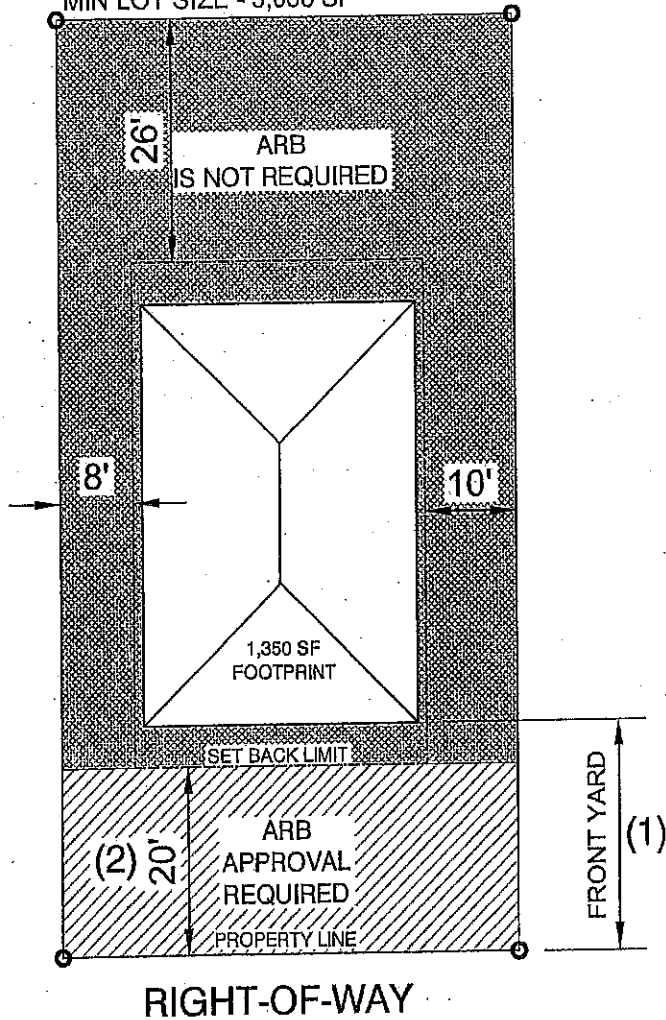
Section 7: Effective Date

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.

NOTES:

- (1) Indicates building front yard.
- (2) Indicates front yard setback.

EXAMPLE:
R-5 ZONE
MIN LOT SIZE - 5,000 SF



ROAD CENTERLINE

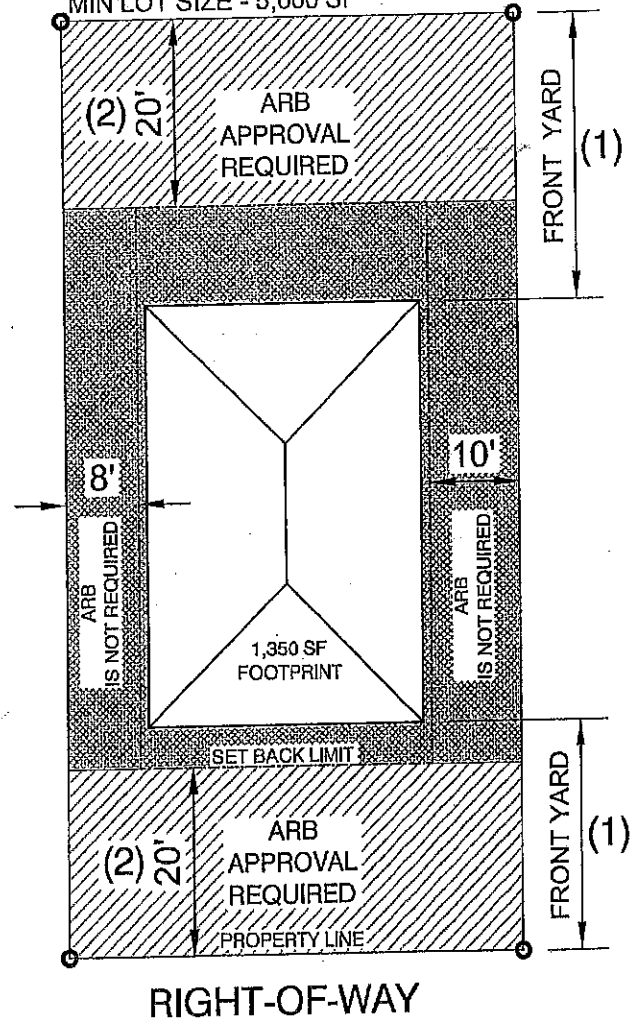
FRONTAGE ON SINGLE ROAD

ROAD CENTERLINE

CURB LINE

RIGHT-OF-WAY

EXAMPLE:
R-5 ZONE
MIN LOT SIZE - 5,000 SF



ROAD CENTERLINE

FRONTAGE ON TWO ROADS

SCHEMATIC PLAN

TYPE OF PERMIT	FEE	Date Amended
Daily Rate/fee per Resident - \$50 for pool card, plus \$10 per day per resident - Monday - Friday and \$15 per day per resident - Saturdays, Sundays and Holidays. No guests allowed		4/16/2018
For holders of the day passes		
Early Morning Lap Swim - Monday - Thursday; 5:30 a.m. - 8:30 a.m. and Sunday, 8:00 a.m. - 9:45 a.m. Pool Members - \$60/season - Non-Pool Members - \$100/season		6/19/2017
Paid By: Apr 30 Resident: \$310		2/4/2019
Paid By: Apr 30 Non-Resident: \$350		2/4/2019
Paid By: Apr 30 Scholarship: \$230		2/4/2019
Paid By: May 31 Resident: \$330		2/4/2019
Paid By: May 31 Non-Resident: \$370		2/4/2019
Paid By: May 31 Scholarship: \$250		2/4/2019
Paid By: June 30 Resident: \$350		2/4/2019
Paid By: June 30 Non-Resident: \$390		2/4/2019
Paid By: June 30 Scholarship: \$270		2/4/2019
Paid By: Apr 30 Resident: \$270		2/4/2019
Paid By: Apr 30 Non-Resident: \$320		2/4/2019
Paid By: Apr 30 Scholarship: \$190		2/4/2019
Paid By: May 31 Non-Resident: \$340		2/4/2019
Paid By: May 31 Scholarship: \$210		2/4/2019
Paid By: June 30 Resident: \$310		2/4/2019
Paid By: June 30 Non-Resident: \$360		2/4/2019
Paid By: June 30 Scholarship: \$230		2/4/2019
Scaffolding Permit	\$50	
Sanitary Sewer &	\$50 application fee + \$40/day for use of parking space	
Stormwater Connection	\$350 for connection for tap into manhole or catch basin	
	\$1,000 for tap into sewer line	
Shopping Carts Left on Streets	\$25	
Sidewalk Café	Café - \$100 plus \$3.60 s.f.	5/8/2019

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TYPE OF PERMIT	FEE	Date Amended
Business Commercial Parking Permit - Cortlandt Street (metered parking spaces 4050 through 4061)	\$375 per space semi-annual	12/3/2018
Pawnbrokers	\$100 per year	
Peddlers & Solicitors	\$125/annual - 1 - 5 people	8/19/2019
	\$250/annual - 6 - 10 people	8/19/2019
	\$375/annual - 11 - 15 people	8/19/2019
	\$500/annual - 16 - 20 people	8/19/2019
	\$35 / day per person for special events	8/19/2019
Planning Board	Site Plan = \$600 + \$30 per parking space + \$60 each dwelling	8/21/2017
Planning Board	Subdivision = \$1,000 + \$1,400/lot	
Planning Board	Recreation Fee (2018) = \$10,300.00/increases annually in January by CPI of past year	2018
Planning Board	Escrow = \$2,500 - \$10,000 as determined by Planning Board	
	Recreation Fee in lieu of providing park or recreation land	
Police Accidents Reports	\$8.00 per report	5/8/2019
Police Dept. FOIL	For minor FOIL requests, such as police reports, which are readily available - 25 cents per page. When a FOIL request requires significant effort - 2 hours or more - then the actual cost of the lowest paid employee who has the skill to fulfill the request as well as a fee based on the storage medium used shall be charged.	12/7/2009
Property Searches	\$150	5/8/2019
Recreation Programs		
Adult Basketball	Fall/Winter - \$1,400/team (inactive)	2/6/2018
Adult Softball	Summer Men's - \$1,500/team	2/19/2019
	Summer Coed \$1,500/team	2/19/2019
	Fall Men's - \$900/team	2/19/2019
Adult Volleyball	Adult Volleyball - \$650/team	2/6/2018

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TYPE OF PERMIT	FEE	Date Amended
Sidewalk Vending	Vending - \$260 Sandwich Boards only - \$105	5/8/2019
Sidewalk Musicians	\$10 annually (a maximum of 4 sidewalk musician permits issued per year)	10/21/2013
Sidewalk Closing	\$25 + \$40 per day for parking spaces + \$250 security deposit	
Sandwich Board Permits	\$105.00/year	10/21/2013
Sidewalk Opening Permit	\$3.00/square foot - Minimum Fee: \$100.00 - Security Deposit - \$1,000.00	12/16/2013
Signs	Single faced less than 25 sq. ft. - \$60	5/8/2019
	Single faced 25 sq. ft. or more - \$80	5/8/2019
	same as single	5/8/2019
Signs	Awning Sign - \$50	
	Illumination on Sign - \$25 add'l.	
Special Use Permit (Board of Trustees)	Floodlighting - \$30 per floodlight	5/8/2019
Steep Slopes Clearance Application	\$600	5/8/2019
Street Opening Permit	\$250	5/8/2019
	\$3.50/square foot - Minimum Fee: \$150.00 - Security Deposit - \$1,000.00	5/8/2019
Taxi/Livery	Business License \$250/year	
	Taxicab Fee \$100 each car	
Taxi Fares	\$5 within Village; \$1 each add'l person to same stop	12/1/2017
	Senior Citizens (62+) \$4 within Village; \$1 each add'l person same stop	12/1/2017
Reproduction of Westchester County Taxi &	\$10.00	10/15/2012
Towing License	\$300 Business License	5/8/2019
Towing Rates	Non-commercial vehicles within the Village of Tarrytown - \$125.00	12/19/2016
	Per mile outside a 2-mile radius of the Village line - \$5.00	8/16/2010
	Flat Bed Service - \$175.00	8/16/2010
	Road Service - \$75.00	8/16/2010

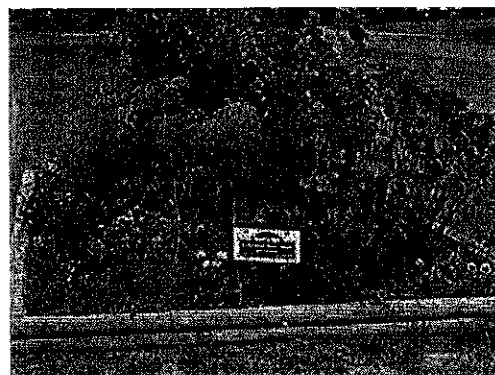


Fact Sheet

The Sustainable Communities Program

What is the Sustainable Communities Program?

The Sustainable Communities Program helps communities like yours—whether they are municipalities, large resorts, lake associations, planned communities, or college campuses—take steps to ensure that they are healthy, desirable and vibrant places in which to live, work and play, both today and tomorrow. This program is designed to support a community's previously identified priorities and build on the ongoing sustainability and planning efforts unique to each community.



How Does it Work?

Through the program, Audubon International helps communities establish measurable goals and objectives, develop a comprehensive plan, and take strategic action that leads to meaningful results that benefit community residents and visitors as well as the natural environment. Audubon International provides invaluable technical assistance and guidance along the way to help communities:

- become more economically efficient
- conserve natural and cultural resources
- improve land use planning efforts
- bolster ecotourism
- enhance their image and reputation
- promote citizen engagement
- strengthen community identity and a sense of place
- promote environmental awareness through education about a community's conservation efforts

The Three Stages

The SCP has three stages: Assessment, Planning and Implementation, which all must be completed to receive and maintain certification. Each Stage is designed to educate and engage your community members in the process of becoming a more sustainable community. The completion of each stage earns an award. In Stage 1, you'll establish a baseline assessment of your community focusing on environment, quality of life, and economic vitality, and this stage also requires a site visit by Audubon International staff. In Stage 2, you'll develop a goal-oriented vision plan with milestones toward success. In Stage 3, effecting and reporting progress earns you certification, verified with a final site visit by Audubon International staff. Communities that successfully complete the three-stages earn designation as a Certified Audubon Sustainable Community. To retain your certification, your community must maintain a membership in good standing with Audubon International and complete a re-certification process every two years. Certificates of Recognition, use of Audubon International's certified member logo, and press releases are issued to highlight your accomplishments.

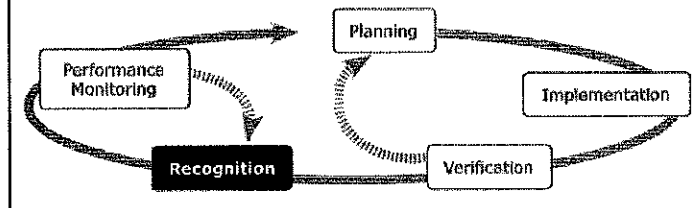
Results

The projects you undertake in this effort will provide wildlife habitat, beauty and distinction to your community. In addition, adopted conservation measures may result in financial savings from reduced maintenance costs. Finally, your care for the environment will set a positive example for others to follow and preserve a healthy, diverse and beautiful landscape for future generations.

Sustainability Focus Areas:

- Agriculture
- Economic Development & Tourism
- Education
- Environmental Issues
- Governance
- Public Health
- Housing
- Open Space and Land Use
- Planning, Zoning, Building & Development
- Population
- Public Safety & Emergency Management
- Recreation
- Resource Use
- Volunteerism & Civic Engagement
- Transportation

Our Adaptive, Results-Based Approach



For more information, please contact:

Jessica Latus
Audubon International
120 Defreest Drive
Troy, NY 12180
Ph: (518) 767-9051 x142

Audubon International



About the Sustainable Communities Program

The Sustainable Communities Program (SCP) is an international, science-based, third-party certification program that guides communities through a customized journey to become healthy and vibrant places in which to live, work, and play. That vision is founded in the three pillars of sustainability: a healthy local environment, quality of life for citizens, and economic vitality. The program is tailored to your community to ensure that its specific needs, priorities, resources, and challenges are addressed.

The certification process is a joint effort between your sustainability coordinator and an appointed Audubon International staff person. To create a more sustainable future for residents, businesses, and visitors, Your community will

- establish priorities
- develop a plan
- take action

Along the way, Audubon International provides tailored guidance, tools, and technical assistance. You will set the pace for addressing each of the fifteen broadly defined sustainability focus areas. Audubon International will help you share your community's successes with our international network.

This program works with both local governments, such as towns and cities, as well as resorts, property owners associations, and planned communities.

<https://auduboninternational.org/sustainable-communities-program/>

What is an Audubon International Certified Sustainable Community?

An Audubon International Certified Sustainable Community has a long-term, flexible framework to support its sustainable future. To verify that a community's approach to sustainability is effective, Audubon International ensures that each community completes all program requirements to become an Audubon International Certified Sustainable Community.

The certification program requires communities:

1. take actions that demonstrate sustainability principles are in place for all applicable focus areas and
2. institute plans and policies that ensure a long term, community-led commitment to a sustainability program.

While there are mandatory elements in both the action and process areas, every element has broad requirements that can be met in a wide variety of ways.

Most communities use Audubon International's three-stage process to achieve certification. Each stage educates and engages community members in the community's sustainability initiative. The process will be tailored to fit any steps your community has already completed.

Each step towards certification brings immediate, long-lasting benefits to the member community. Also, the community's progress through these steps is recognized by an award at the end of each stage. The first stage provides a simple starting point, establishing a baseline assessment of your community focusing on environment, quality of life, and economic vitality. Stage 1 is helpful for engaging a wide group of residents in discussing sustainability and identifying both community strengths and areas needing improvement. If the community decides to move through Stage 2, the community's sustainability goals will be incorporated into a long-term vision plan. This plan will be held to Audubon International's standards for planning. In Stage 3, the community will report initial implementation of the plan to earn certification.

An annual membership fee and progress reporting maintains certification and provides the community with continuing access to Audubon International's customized support and guidance. Whether through the three-stage process or the Fast Track, a community is certified as an Audubon International Certified Sustainable Community once it meets all program requirements as stated below.

A community is certified as an Audubon International Certified Sustainable Community once it meets all program requirements as stated below.

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Action Requirements - In addition to establishing an educational demonstration site and a sustainability policy for the community, members must show 50% of applicable best practices in every focus area. During Stage 1, a baseline checklist assesses how many applicable best practices are already in place, and in the planning stage, any actions needed to reach 50% practices in a focus area before certification are identified.

Process Requirements - Process requirements are elements that ensure that a community has institutionalized its commitment to sustainability and that plans for the future reflect a shared vision among residents.

Sustainable Community Focus Areas

Agriculture
Economic Development & Tourism
Education
Environmental Issues
Governance
Public Health
Housing
Open Space & Land Use
Planning, Zoning, Building & Development
Population
Public Safety & Emergency Management
Recreation
Resource Use
Transportation
Volunteerism & Civic Engagement



Benefits of Membership

Pursuing sustainability is an investment in your community – in the well-being of the people, the economy, the environment, and the future. In many ways, your participation in Audubon International's Sustainable Communities Program is the first deposit in that investment.

As a member of Audubon International's Sustainable Communities Program you will receive:

- The expertise of Audubon International's staff
- Step-by-step instructions to create or enhance your community's sustainability effort
- Tailored guidance in enhancing existing sustainability efforts, strategic planning, and establishing measures of success
- Tools for engaging and educating community members about sustainability
- Regular email updates with new resources and funding opportunities
- Fact sheets on common topics
- Access to a network of communities pursuing sustainability and facing similar issues
- Assistance with promoting your successes

Over time, you'll invest in other ways as well: with money, human capital, time, and effort that help to make your community a healthier, more desirable and more vibrant place in which to live, work, and play.

But what kind of return might you expect on that investment? In strict financial terms, some of your efforts will pay off immediately and start saving or earning you money. Other efforts will have an up-front cost, but will have a definite payback period. Others still will not be as easily measured in economic terms, but will pay off in other ways that are just as meaningful, tangible, and important.

In addition, by becoming a more sustainable community you can expect to see many of the following long-term results:

- Recognition as a leader in defining a future for your community
- Enhanced community pride and heightened cooperation among community members
- Improved environmental quality
- Improved quality of life and community safety
- Enhanced recreational opportunities
- Increased tourism and other economic development
- Financial savings through more efficient practices
- Increased desirability of your community for potential residents and increased property values

FREQUENTLY ASKED QUESTIONS

What will our community have to do once we join the program?

- First, you will host an Audubon International staff member on an initial site visit helping to reach out to the community and learn, first-hand, about your community. You will work with Audubon International to identify a "sustainability coordinator" to act as the main liaison to Audubon International staff and develop a steering committee made up of various stakeholders throughout the community.
- You'll need to answer a set of questions and gather some basic information (Community Baseline) about your community that Audubon International will use to provide recommendations for actions to help to "Green Your Community." These actions might include the management of your buildings, facilities and lands; building an outdoor education center; quantifying the number of public transportation sources for use in the community; or offering incentives for becoming more sustainable.
- Upon completion of the first stage, you will become eligible to receive the Audubon Green Community Award, which means you have made progress towards identifying past success and areas for improvement. The next step is to formulate a plan. For each indicator, Audubon International will work with you to identify specific ways you can take action to become more sustainable. To become certified, you must decide which indicators will be achieved, over what period of time. As progress towards meeting set goals is achieved, you will submit reports to Audubon International in order to be re-certified every other year.

Why should the community invest in this program and these services?

The Sustainable Communities Program is designed to begin a healthy dialogue among citizens and local government. Through dialogue, the program engages technical and educational partners to act on long-term ecologically-focused economic and social welfare development. The program charts a course towards a future that capitalizes on a community's existing valuable assets while addressing its problems and needs now and into the future. This is an accredited recognition of achievements which also assists communities with long-term sustainability planning.

Is this a "cookie-cutter" or "checklist-based" based program?

No. Sustainability is not a test or something that can be addressed with a checklist. It is a process, based on a set of Audubon International Principles for Sustainable Resource Management. Programs and efforts that identify environmental performance and sustainability programs by a set of graded questions have value and can be legitimate tools for progress. Audubon International believes place-based environmental education and performance-

5

measuring are the best way to change policies, practices, and people. So, the Sustainable Communities Program uses a set of principles, indicators, and a formal process to guide communities down a more sustainable path, but that path must be one that is developed and built by and for the community itself.

What are Sustainability Indicators?

“Sustainability” can have many different meanings. Audubon International has developed a specific set of sustainability indicators from successful community-based long-term plans and best practices. The Sustainability Indicators are specific measures that can be evaluated or calculated for a community. When you choose a representative sampling of indicators that are both appropriate for your community and representative of sustainability’s component categories, you then have a system of measures that allow you to assess your community’s progress towards sustainability. With Audubon International’s emphasis on place-based strategies and flexibility, each category of sustainable indicators below has greater or lesser importance for a particular community on a case by case basis.

- Agriculture
- Economic Development and Tourism
- Education
- Environmental Issues
- Governance
- Public Health
- Housing
- Open Space and Land Use
- Planning, Zoning, Building and Development
- Population
- Public Safety and Emergency Management
- Recreation
- Resource Use
- Volunteerism and Civic Engagement
- Transportation

How are sustainability indicators used?

During Stage 3 of the certification process, the community's Sustainability Coordinator works directly with Audubon International to choose the set of indicators that serve to measure the success of the sustainability goals chosen in Stage 2. When the time comes to shift from planning to taking action, it's crucial to ensure that your actions bring about the desired outcome for your community, and that you are realizing the goals you set out to achieve.

How are sustainability indicators chosen?

There are a number of factors to keep in mind when choosing indicators for your community. The chosen indicators should:

- be a representative sampling across sustainability's categories,
- relate directly to the individual elements of your plan,
- be reviewed by Audubon International to ensure that there are no omissions or oversights,
- be specifically tailored to the unique aspects of your community, local economy and environment,
- be kept to a manageable number. Twenty-five to one hundred indicators, depending on the size and complexity of your community, would be sufficient.



LARRY WEANER
landscape associates

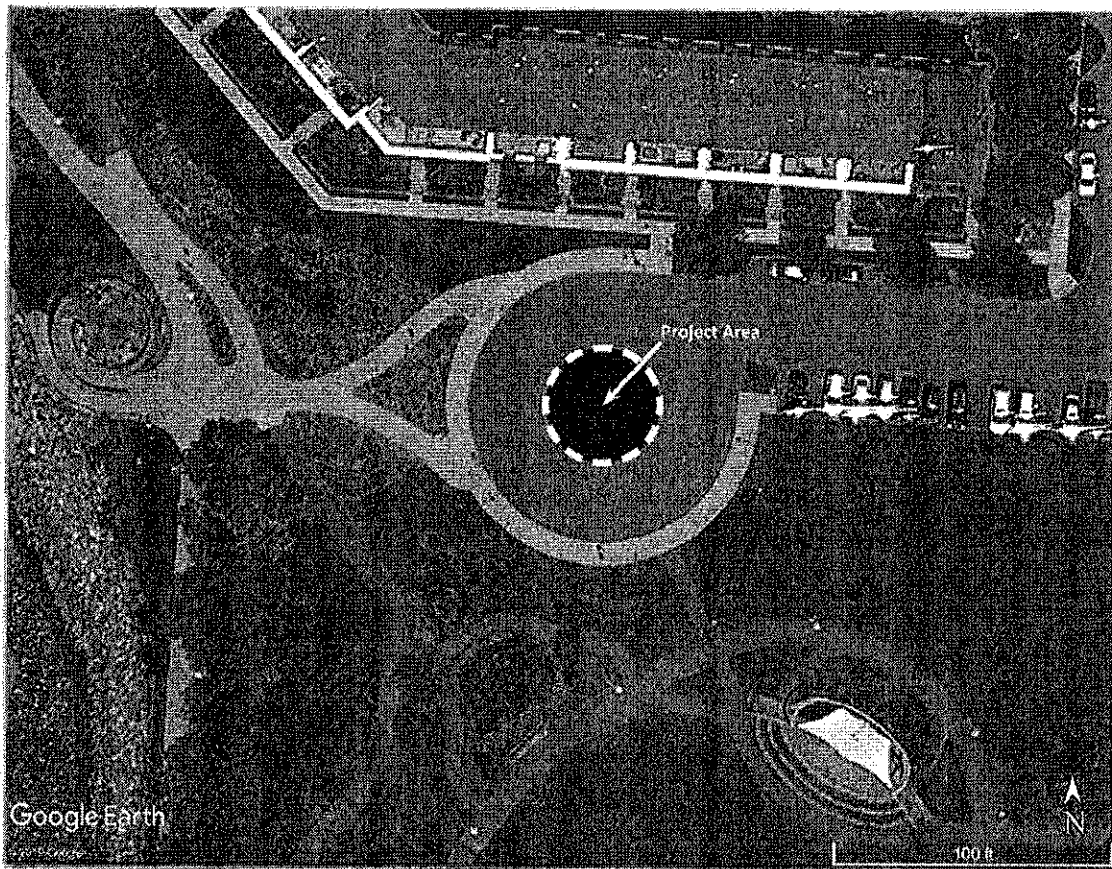
PROPOSAL FOR PLANTING DESIGN
Scenic Hudson Riverwalk – Entry Circle
January 16, 2020

Prepared for

Pat Jones Architect
16 Rivers Edge Drive – Apt 506
Tarrytown, NY 10591

Project Areas

Entry Circle planting bed, 1,275 sf approximately:





Project Scope

LWLA will design a planting for the entry circle that is commensurate with the pride of place of this planting area and responds to the existing plantings already established on-site.

Services To Be Provided by LWLA

Item 1: Planting Design

Site Analysis/Mapping

Conduct site analysis visit to review the current vegetative cover in the entry circle. Review the existing viewsheds associated with the circle with particular attention given to the importance of this planting's location for site entry and way finding. Make preliminary design notes and take photographs and necessary field measurements.

Conduct thorough review of existing relevant project documentation.

Note: FRW will provide any soils information they receive. If LWLA requests any additional soils information, FRW will provide these at their expense.

Schematic Design

Create a detailed initial diagram showing seed mixes, live plant compositions, and suggested woody plant species (and altered locations if needed).

Prepare customized, site-specific seed mixes.

Prepare initial live plant lists.

Select relevant photos to convey design intent.

Meet with the client to review the initial design (phone/web meeting).

Final Design

Incorporate revisions from the client meeting to produce a finalized planting plan. Will include final seed mixes and plant lists.

Final Design

Incorporate revisions from the client meeting to produce a finalized planting plan. Will include final seed mixes and plant lists.

Meet with the client to review all revised documentation (phone/web)

Design Deliverables

1. **Planting Plan** – A drawing overlay with the location and arrangement of all plants, and plant groupings. The plan will include:
 - a. **Plant List** – A schedule of live plants by common and botanical names and in recommended sizes and quantities.
 - b. **Seed Mixes** – Custom designed lists of species by common and botanical name, including amount of seed per species and specific sowing instructions.

8

- c. *Photography* – Images of comparable plantings and/or construction as needed to convey design intent.

Fee Schedule

TOTAL – All services and deliverables as described above.....\$2,500

Notes If changes in the scope of work require hourly charges in excess of this total, we will request a fee review; however, billings will not exceed the total unless reviewed and approved in advance.

 This fee includes 1 initial site visit, up to participation in 5 client review meetings (over the phone/web). Participation in additional meetings or on-site meetings will be provided on a time and materials basis upon request.

 LWLA will provide additional services, if requested and authorized in writing at the hourly rate of \$150 per hour. Additional services may include, for example, assistance with permit drawings, assistance with reviewing construction contracts, and preparation of as built drawings.

Terms The fee listed above is applicable for one (1) year from the date of this proposal.

 All payments should be submitted to:

Larry Weaner Landscape Associates
Attn: Accounts
2920 Mt. Carmel Ave
Glenside, PA 19038

Payment Schedule 50% retainer of items upon acceptance of this proposal.
 Balance billed monthly until completion of all proposed work.

8

Acceptance and Signature by Client

To accept this proposal, please sign and return this signature page electronically or via U.S. Mail. This signature page will serve as your agreement to the terms of this proposal and will authorize LWLA to proceed with the work as described in the proposal. Please keep a copy of this contract for your files.

Proposal for Planting Design, Scenic Hudson Riverwalk, January 16, 2020

I agree to the terms of the proposal listed above and authorize LWLA to proceed with the work as described therein.

Accepted For: (printed name of Client) _____

By: (printed name of authorized representative) _____

Title: _____

Signature: (handwritten or digital) _____

Date: _____

Deposit Payment: \$1,250 (Deposit check can be returned with signature page if signature page is not being submitted electronically.)

Total Project Value: \$2,500

Acceptance and Signature by Larry Weaner Landscape Associates



Larry Weaner, Principal

Larry Weaner Landscape Associates

January 16, 2020