

**VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
WORK SESSION 6:00 P.M.  
WEDNESDAY, FEBRUARY 15, 2017  
Tarrytown Village Hall  
One Depot Plaza, Tarrytown, New York**

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**Board of Trustees Concerns**

**Open Session**

1. AirBnB Proposal
2. Invasive Species Grant
3. Land Use Boards Training

**Executive Session**

- 1A. Proposed Zoning Text Amendment
- 2A. Illegally Parked Commercial Vehicles



January 24, 2017

Tarrytown Board of Trustees  
One Depot Plaza  
Tarrytown, NY 10591

***Subject: AirBnB proposal, benefits to Tarrytown***

Dear Mayor Fixell and the Board of Trustees:

We represent a small group of Tarrytown residents with a proposal for a community asset to help meet some of the business and tourism goals of Tarrytown's Comprehensive Plan and 2016 Tarrytown Economic Development Study, among other benefits.

At different times in 2016, we each listed space in our homes on AirBnB.com. We were under the assumption that, because we were the homeowners and sole occupants of our houses, this is legal under New York State law.

In time, we were all told that this was *not* in fact legal in the Village of Tarrytown, because language in the zoning code excludes what would be considered "bed and breakfast" accommodation. We have all removed our listings from the AirBnB site.

But we feel there is an opportunity here: for tourists and visitors with no accommodation options in the heart of the village; for the economic health of local shops, restaurants and attractions; for Tarrytown's reputation as an innovative, dynamic, and modern community offering authentic visitor experiences; for prospective residents eyeing Tarrytown from Brooklyn and Manhattan; for active transportation encouraged by the the village's many bike and walking routes; for promoting the Hudson River Greenway, and for the village to retain overnight tourists who may otherwise stay in Sleepy Hollow or Irvington AirBnBs.

We're sharing our experiences and visitor information gathered during our brief time on AirBnB. Attached is what we consider to be the benefits that might accrue to the Village of Tarrytown by allowing limited AirBnB listings.

We hope you'll consider taking up this issue, and we would be grateful for any opportunity to address the Board of Trustees.

Sincerely,

Mary Kohrherr  
Suzy Allman

## **AirBnB: Benefits to Village of Tarrytown**

We are asking the Board to consider enabling tourist accommodation within walking or biking distance of the train station. We hope you'll agree this is in line with the area's strategy to allow Tarrytown to promote itself as a single tourism destination for New York City residents on a weekend getaway, as well as visitors from around the world.

### **A "snapshot" of our previous guests:**

- **Most people who stayed with us came to visit Tarrytown**, not to have a convenient base to New York City. They visited Tarrytown's historic sites, shopped in town and ate in (or ordered delivery from) local restaurants. They attended concerts at the Music Hall, conferences at Stone Barns, Halloween and Christmas events, family get-togethers and celebrations.
- **Most didn't arrive by car.** They took the train; their reviews and comments show they value the walkability from the station almost above all else. They didn't add more auto traffic to town, but used public transportation, rode bikes, or walked to their destinations. Without cars, they confined their spending to local businesses.
- **They leaned on host recommendations**, so that we became de facto tourist information centers. Unlike most towns and villages in Westchester, Tarrytown offers more than a full day of attractions, shopping, dining and exploring, and we were happy to give our recommendations and develop itineraries for visitors.
- **They were mostly young couples.** Many said they only stay in AirBnBs when they travel.
- **Many were exploring the possibility of buying a home or renting in Tarrytown.** They wanted to know what it's like to live here, and chose to stay in with people who know the character of the local community.
- **They said they visit destinations in part based on how many AirBnB offerings are available.** Many visitors use AirBnB exclusively for their travel, and see an inventory of AirBnB offerings in a location as an indication of a site's attractiveness as a destination.
- **They LOVE Tarrytown!**

### **Benefits to Tarrytown Village:**

- **Overnight visitors spend money** in shops, restaurants, attractions, the local farmers market. Even when they're staying in, they're ordering food from local delivery.
- **AirBnBs fix the lack of overnight accommodation** for visitors to the village by creating a limited inventory of options well ahead of the opening of the Empire State Trail and the Tappan Zee Bridge shared-use path.

- **AirBnB listings could provide a valuable source of tourism market research**, especially as Tarrytown prepares to refresh its Comprehensive Plan. All bookings require guests to state the purpose of their visit, and this could be compiled for the benefit of comprehensive plan research and drafting.
- **Potential home buyers can explore what the village has to offer** by staying overnight and gaining insight into the village and neighborhoods and "test driving" the local vibe.
- **Tarrytown is seen to encourage active transportation** by allowing accommodation within walking distance of the train station, along the North and South County bike routes and near other pathways.
- **Tarrytown enhances its reputation as a weekend getaway** for New York City residents.
- **Tarrytown enhances its reputation as a destination for outdoor and authentic experiences**, in line with the growth of the TaSH Farmers' Market, the shared-use bike path across the Hudson, the limiting of "chain" stores in its business district, and its world-class historic sites and mansions.
- **Hosts play a role in promoting the village.** During our brief period as AirBnB hosts, we all took seriously our role in promoting the village. Free postcards, tourism brochures, menus from local restaurants, bike path maps, hiking maps, coupons from shops in town, rides to and from the train station, locally-roasted coffee all helped create a lasting impression of Tarrytown.
- **AirBnBs may help attract younger residents.** AirBnB offerings cater to the preferences of younger visitors, with proximity to outdoor activities, village nightlife, walkable neighborhood streets, and with lower nightly cost compared to large hotels outside the village.
- **Allowing AirBnBs would help prevent retail "leak"** to nearby villages. Sleepy Hollow allows AirBnB listings, and Irvington has moved to allow them in response to rising property taxes.
- **Allowing AirBnBs would address Tarrytown's last Comprehensive Plan recommendation:** as a "first step" and based on a Village-wide survey of 5700 households, amending the zoning code to allow B & B's by special permit:

**"B & B's:** There is no provision for B&B's in the zoning code, and this limits the variety of accommodation options for tourists. B&B's could be permitted as a special permit use, subject to certain conditions...A first step in increasing choice and options for tourists is for the Village to amend the zoning code to allow B & B's by special permit in a wider range of zoning districts than is currently permitted."

## HOW HOSTS CAN DO MORE

As an informal group of hosts, we've discussed what more we can do to benefit Tarrytown going forward, should the village allow the regulated hosting of out-of-town guests. We could:

- **Work with Tarrytown real estate agents** to offer discounted stays for their clients considering moving to Tarrytown;
- **Promote the bike paths** and new route across the Tappan Zee Bridge by offering maps, bike pumps and locks;
- **Ask to be recognized by the "Bike NY" certification program** from Parks and Trails NY;
- **Create annual "snapshots" of our AirBnB visitors**, showing visitor numbers and feedback;
- **Further promote area businesses**, and display merchandise, coupons, menus in our rooms.
- **Coordinate our efforts to ensure a seamless tourist experience in the village**, jointly promoting Tarrytown as a tourist destination.

## SURVEY OF OUR GUESTS

**All guests of AirBnB are required to let their hosts know the purpose of their visit; we thought the Board would like to see how this creates a kind of market survey for Tarrytown tourism:**

"We're a couple living in Brooklyn and just looking for a nice night away from the city. We've heard great things about Tarrytown and would love to explore it." -- Samantha Grossman, NY

"I will be a participant in the Stone Barns Center Beginning Farmer Conference, traveling from Cape Cod." Jamie Lombardo, Massachusetts

"My girlfriend, Robin, and I would like to spend a couple of nights for the holiday season. We think it would be lovely to get out of the city! Tarrytown is one of our favorite destinations!" Michael Hernandez, New York

"My boyfriend and I live in Brooklyn and are heading up to Tarrytown that day to do some fun Halloween things and enjoy the fall foliage for a brief getaway." Constance Fox, New York

"My husband and I are coming from North Carolina to hear 2 concerts put on by my uncle on Sunday and Monday at the Music Hall." Margaret Partridge, Cary NC

"I'll be in New York for a business trip, my wife Carrie will be with me. Thought I'd bring

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her out of the city for an early Christmas present romantic evening. Looking forward to it!" Scott Gerow

"Gotta get out of Brooklyn! We're coming up to do some biking for a couple of days and check out the restaurants." Lana Planns, Brooklyn

"Hi. Our son and girlfriend are visiting for the week and we don't have room here. We think they'd love to stay at your place! We are just down the hill in the Lyceum. So glad to see there are places listed in Tarrytown!"





- (4) DWELLING, GROUP — A group of two or more one-family, two-family or multifamily dwellings occupying a lot in one ownership and having a yard in common.
- (5) DWELLING UNIT — A building or portion thereof providing complete housekeeping and sanitary facilities for one family.

EASEMENT — Authorization by a property owner for the use by another and for a specified purpose of any designated part of his property.

ENGINEER or LICENSED PROFESSIONAL ENGINEER — A person licensed as a professional engineer by the State of New York.

EROSION CONTROL MANUAL — The most recent version of the New York Standards and Specifications for Erosion and Sediment Control Manual, commonly known as the "Blue Book."

ESTABLISH or ESTABLISHMENT — Any of the following:

- (1) The opening or commencement of any adult entertainment use business as a new business;
- (2) The conversion of an existing business, whether or not an adult entertainment use business, to any adult entertainment use business;
- (3) The addition of any adult entertainment use business to any other existing adult entertainment use business; or
- (4) ~~The relocation of any adult entertainment use business.~~

EXTENDED-STAY HOTEL — See "hotel."

FAA — The Federal Aviation Administration.

 FAMILY —

- (1) A family is:
  - (a) Up to three persons occupying a dwelling unit; or
  - (b) Four or more persons occupying a dwelling unit and living together as a traditional family or the functional equivalent of a traditional family.
- (2) It shall be presumptive evidence that four or more persons living in a single dwelling unit who are not related by blood, marriage, legal adoption or legal foster relationship do not constitute the functional equivalent of a traditional family.

- (3) In determining whether individuals are living together as the functional equivalent of a traditional family, the following criteria must be present:
- (a) The occupants must share the entire dwelling unit, including cooking facilities, and live as a single housekeeping unit. A dwelling unit in which various occupants maintain separate and locked sleeping facilities in which such occupants' separate personal property is contained therein may not be deemed to be occupied by the functional equivalent of a traditional family;
  - (b) The group is not transient or temporary in nature. Evidence of not being transient or temporary in nature may include but not be limited to proof that members of the household have the same address for purposes of voter's registration, driver's licenses, motor vehicle registration, and the filing of income taxes and/or other documentation of domicile; and
  - (c) Any other factor reasonably related to whether or not the group is the functional equivalent of a family.

FCC — The Federal Communications Commission.

FILLING STATION — Any area of land, including structures thereof, that is used for the sale of gasoline or other motor vehicle fuel and oil and other lubricating substances, including any sale of motor vehicle accessories, and which may or may not include facilities for lubricating, washing or otherwise servicing motor vehicles, but not including the painting thereof by any means or the making of other than minor repairs and adjustments.

FLOOR AREA RATIO (FAR) — The numerical value obtained by dividing the gross residential floor area of a building by the area of the lot on which the building is constructed.

FOUNDATION — The supporting substructure of a building or structure, including but not limited to basements, cellars, and basement garages, slabs, sills, posts or frost walls, inclusive of any windows.

FREESTANDING TOWER — Any structure that is specifically designed for the purpose of supporting a wireless telecommunications device. This definition shall include monopoles and self-supporting and guyed towers.

FRESHWATER WETLAND — Land and water of the Village of Tarrytown as shown on a Freshwater Wetland Map of the Village of Tarrytown and filed with the Village Clerk of the Village of Tarrytown by the NYSDEC and as further defined by § 24-0107 of the Environmental Conservation Law.

GARAGE, PRIVATE — An accessory building or part of a main building used only for the storage of motor vehicles as an accessory use for an owner or tenant.

GARAGE, PUBLIC — A building or part thereof, other than a private garage, used for the storage, care or repair of motor vehicles for remuneration, including any sale of motor vehicle accessories, or where any such vehicles are kept for hire.

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**Kathy Deufemia**

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**From:** Mike Blau  
**Sent:** Monday, January 30, 2017 8:12 AM  
**To:** Kathy Deufemia  
**Subject:** FW: Invasive Species Memo  
**Attachments:** InvasiveSpeciesFundingAlert.docx; InvasiveSpecies\_HighPriority.pdf

Next Work Session

**From:** Martin Schneider [<mailto:martyschneider01@gmail.com>]  
**Sent:** Friday, January 27, 2017 4:22 PM  
**To:** Mike Blau  
**Subject:** Invasive Species Memo

Hi Mike,  
Per your request, I have attached a memo for the Board to consider the Invasive Species Grant from NYS DEC-  
due March 24.  
Please let me know if you require any additional information.  
Marty

## GRANT OPPORTUNITY ALERT

### BRIEF SUMMARY:

The New York State Department of Environmental Conservation (DEC) is funding the Invasive Species Rapid Response and Control Grant Program. The primary goal of this grant is to assist municipalities in building their capacity to control and ultimately permanently remove plants or animals that meet the definition of invasive species or nuisance species (see attached List). An emphasis will be placed on projects that focus on early detection, rapid response and target invasive species deemed "high priority".

**FUNDING AMOUNT:** NYS DEC provides grants between \$11,000 to \$100,000. Grant funds are available for up to 50% of the requested budget.

**APPLICATION DUE:** March 24

### PROJECT TYPES:

#### **PHYSICAL & MECHANICAL REMOVAL – Hand pull, drawdown, and mechanical harvesting**

Terrestrial mowing and aquatic harvesting techniques, if done repeatedly and with proper timing and equipment, can be an effective method in controlling invasive vegetation. The unique phenology and physiology of the target species need to be carefully considered to ensure success. Some projects may be covered under the NYSDEC General Permit for Management of Invasive Species (GP-0-15-005) if implementing one of the permit's authorized activities.

#### **CHEMICAL TREATMENT- Herbicides and shading**

There are many chemical products (pesticides, herbicides, insecticides) registered by the EPA and NYS for use in controlling invasive species. Strict adherence to label requirements and dosage thresholds is required for any proposed project. Impacts to non-target species must be considered. Treatment using chemical products may only be performed by a certified pesticide applicator. All aquatic treatments will require an Article 15 Aquatic Pesticide permit from the regional NYSDEC office, as well as a completed Notice of Intent to obtain coverage under the SPDES Pesticide General Permit. Other permits may also be required, such as Article 24 Freshwater Wetlands permits for applications within regulated wetland areas.

#### **BIOCONTROL RELEASE- Grass carp and herbivorous insects**

The use of sterile grass carp (*Ctenopharyngodon idella*) to consume and control invasive submergent vegetation is an effective method if the site allows (i.e. barriers exist to prevent fish from escaping the target waterbody, etc). Proper ratios of fish to acre of water to plant density should be implemented and the presence of rare, threatened or endangered aquatic plants must be considered. A triploid grass carp Stocking Permit from the NYSDEC is required.

There are three insect species that are approved for use in New York State to control purple loosestrife (*Lythrum salicaria*) as biocontrol agents. A license to liberate *Galerucella californiensis*, *Galerucella pusilla* or *Hylobius transversovittatus* will be required from NYSDEC

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to release for the purpose of purple loosestrife control.  
<http://www.dec.ny.gov/permits/34089.html>

A stem-boring weevil, *Rhinocomimus latipes*, has demonstrated success as a biocontrol option for Mile a Minute (*Persicaria perfoliata*) in New York, following a thorough environmental assessment by USDA APHIS. A license from NYSDEC will be required to liberate these insects as well as other biocontrol for such invasive species as the hemlock woolly adelgid (*Adelgis tsugae*) and knapweed.

**ANTICIPATED PROJECT TIMELINE:** July 10, 2017 – July 9, 2020

**ELIGIBLE EXPENDITURES FOR GRANT FUNDING:**

Personal Service: staff salaries, including fringe, directly devoted to the project. Itemize salaries according to job title and roles/responsibilities on the project. Grantees will be required to document time worked, tasks, pay ratio and payment.

Contractual Services: The value of services provided by responsible, professional and technical personnel and consultants (i.e. engineering and architectural services, surveys, plans and specifications, research, design and development of a project, consultant and legal services directly related to a project, feasibility study for a facility, report writing, etc.

Travel: Directly required to implement the project.

Supplies and materials: directly necessary to implement the project.

Equipment: equipment that is directly necessary to implement the project.

## Appendix A- List of "High Priority" Invasive Species

### Aquatic:

#### Plants

- ✓ Brazilian waterweed (*Egeria densa*)
- ✓ Curlyleaf pondweed (*Potamogeton crispus*)
- ✓ Eurasian watermilfoil (*Myriophyllum spicatum*)
- ✓ European frogbit (*Hydrocharis morsus-ranae*)
- ✓ Fanwort (*Cabomba caroliniana*)
- ✓ Starry stonewort (*Nitellopsis obtusa*)
- ✓ Water chestnut (*Trapa natans*)
- ✓ Water primrose (*Ludwigia peploides*)
- ✓ Hydrilla (*Hydrilla verticillata*)
- ✓ Parrot-feather (*Myriophyllum aquaticum*)
- ✓ Broadleaf watermilfoil (*Myriophyllum heterophyllum*)

#### Animals

- ✓ Asian clam (*Corbicula fluminea*)
- ✓ Northern snakehead (*Channa argus*)
- ✓ Round goby (*Neogobius melanostomus*)
- ✓ Rusty crayfish (*Orconectes rusticus*)
- ✓ Tench (*Tinca tinca*)
- ✓ Bighead carp (*Hypophthalmichthys nobilis*)
- ✓ Silver carp (*Hypophthalmichthys molitrix*)
- ✓ Chinese mitten crab (*Eriocheir sinensis*)
- ✓ New Zealand mudsnail (*Potamopyrgus antipodarum*)

### Terrestrial:

#### Plants

- ✓ Japanese knotweed (*Reynoutria japonica*)
- ✓ Giant hogweed (*Heracleum mantegazzianum*)
- ✓ Phragmites (*Phragmites australis*)
- ✓ Purple loosestrife (*Lythrum salicaria*)
- ✓ Black swallow-wort (*Vincetoxicum nigrum*)
- ✓ Pale swallow-wort (*Vincetoxicum rossicum*)
- ✓ Japanese stiltgrass (*Microstegium vimineum*)
- ✓ Kudzu (*Pueria montana*)
- ✓ Mile a minute weed (*Persicaria perfoliata*)
- ✓ Oriental bittersweet (*Celastrus orbiculatus*)
- ✓ Wild parsnip (*Pastinaca sativa*)
- ✓ Slender false brome (*Brachypodium sylvaticum*)
- ✓ Japanese barberry (*Berberis thunbergii*)

#### Animals

- ✓ Asian longhorned beetle (*Anoplophora glabripennis*)
- ✓ Emerald ash borer (*Agrilus planipennis*)
- ✓ Hemlock woolly adelgid (*Adelges tsugae*)
- ✓ Southern pine beetle (*Dendroctonus frontalis*)
- ✓ Balsam woolly adelgid (*Adelges piceae*)

#### Pathogens

- ✓ Oak wilt (*Ceratocystis fagacearum*)

From Professor John Nolan regarding training for Village Land Use Boards by Pace University Land Use Center

Mike, have you decided whether you would like us to do a 4 hour training program on the role and functions of your land use boards, including any topics that the boards will be encountering over the next couple of years? We have some evenings free the weeks of Feb. 13<sup>th</sup> and Feb. 20<sup>th</sup> and then again the week of March 13<sup>th</sup> and March 20<sup>th</sup>. We could also do the training on a Saturday during those weeks. We provide certificates to board members that they have completed their state required training and can provide CLE credits for any attorneys who attend. Our usual fee is \$2,500.

We just completed a similar program for Clarkstown and can refer you to the planning director or corporation counsel as a reference. Charlene Indelicato, in Dobbs, can also be contacted for feedback.

