

Board of Trustees
Village of Tarrytown
Regular Meeting No. 4
Via Zoom Video Conference
January 19, 2021
7:00 p.m.

PRESENT via Zoom Video Conference: Mayor Butler presiding; Trustees: Brown, Hoyt, Kim, McGovern, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Attorney Kathy Zalantis; Village Treasurer Hart and Village Clerk Booth

The meeting began with the Pledge to the Flag.

Members of the Public interested in viewing the meeting should visit <https://www.tarrytowngov.com/home/events/32911> for instructions on how to join & participate.

Members of the public who wish to have an item "screen shared" (i.e. displayed during the meeting) during their public comment period, must submit their document(s) to Administrator@tarrytowngov.com no later than 12PM the day of the Board of Trustees Meeting

REPORTS

Fire Chief Meade reported that at approximately 10:20 a.m. on January 13, 2021, the Tarrytown Fire Department's fire boat was dispatched to the area of the RiverWalk by Lookout North for a report of a person in the Hudson River. Upon arrival, alarm 19 for Utility 61 responded to the scene to assist the Tarrytown Police Department to help remove the victim from the water. Immediately responding to the scene were Fire Chief's Murphy and himself, Deputy Fire Chief's Derivan Sr. and Weaver Sr., Captain Derivan Jr., Lieutenants Weaver Jr., Dominic Buono and Daniel Mosa and firefighters Miguel Valle and Jaime Valencia. Members were equipped with ring buoys, throw lines and an 8-ft. ladder and cold water rescue suits, instantly to begin extracting the victim from the water. Within a couple of minutes, they were able to secure webbing around the victim and pull her out to a waiting Tarrytown Ambulance crew. As Fire Chief of the department, he is beyond proud and grateful for the quick, efficient and safe removal of the victim within minutes of her entering the water. Water temperatures that day provided conditions of instant hypothermia, where minutes and seconds become a matter of life or death. He is especially thankful for the quick thinking of Lieutenant Weaver Jr., who donned the cold water rescue suit and was not told, rather asked the Chief if he should go into the water. That quick thinking and selfless act allowed for the third set of hands in the water needed to harness the victim for immediate response that helped save a life and prevented member of the rescue team from any injuries. Therefore, each member of that team will now receive a Unit Citation bar for a job well done. Further, the Lifesaving Citation bar will be presented to Lieutenant Scott Weaver Jr. for his actions and doing his part to protect the citizens of the Village we serve and protect. Congratulations all and keep up the great work.

Assistant Administrator Ringel presented the rescue footage that was captured by the police body worn cameras that were just launched last week.

Trustee Zollo reported that the video that everyone just saw is from the new police body cameras, which they just started wearing last week. Not all police officers have them, but you see how well they work. He acknowledged the two police officers that were getting out of the water was Sergeant Chris Caoili and Sergeant Detective Barosa. There was other Tarrytown Police Officers and a member from the Greenburgh Drug and Alcohol Task Force that are actually housed in the old Tarrytown Police Station. Also on site were the Westchester County Police Marine Unit, the Fire Department, the Greenburgh Advanced Life Support and Tarrytown Ambulance Corp. It was a great team effort, a great job and great footage by the new police body cameras.

Police Chief Barbelet reported that they had just rolled out the body cameras the day before. It was important to show how well they worked. As Trustee Zollo mentioned, two Tarrytown Police Officers entered the water in their civilian clothes and the water was 38 degrees, which is 38 minutes to hypothermia. There was an officer from Hastings, an officer from our Task Force, we had our detectives, and the officer you see riding his car is Police Officer Schettino, who on his first day with the body cameras was smart enough to know to turn it on while he was in his car on

the way to the scene. You can hear the call come in. He can't thank all of the people who were involved with the rescue. It shows that the first responders really care about helping people in our community and he thanked each and every one of those responders that were there that day. Good work.

Trustee Rinaldi noted that although he thanked everyone involved, he doesn't want this footage to be the advertisement for our body cameras involving this tragic incident. He knows and trusts that our first responders would do everything they could, body cams or not, but the one thing that the body cams showed him was it allowed him to hear more than see the real kindness and empathy in this situation. He deeply appreciates that. Good job.

Mayor Butler thanked the Police and Fire Chiefs for a job well done on behalf of the entire Board of Trustees and the entire Village. All members of both departments do outstanding work and you have our support. Job well done.

Administrator Slingerland thanked Police Chief Barbelet and Fire Chief Meade and all other agencies involved on an excellent job, saving a life and performing your duties with professionalism and courtesy. Thank you to all members of both departments.

ADMINISTRATOR'S REPORT

Update on Covid-19 Vaccine efforts

Administrator Slingerland noted that Governor Cuomo and the State of New York, opened up two phases, 1a and 1b, to allow people to be vaccinated. As of today, roughly a little over a million of the first doses were received and the number of first doses administered is about 835,000. A lot of people are experiencing difficulty registering for the vaccine. Right now it is due to a burgeoning demand. He asked everyone to be patient, and hope that the state and federal authorities and regulatory agencies will be able to accomplish getting more vaccine out there for everybody. We look forward to cooperating at every level that we can with that. We have had some conversations with a local medical facility and are looking into the possibility of becoming a public vaccination site in the Village of Tarrytown. It has not taken off yet, but if it happens, we will announce it.

Police Reform and Reinvention Report Distribution (postcards)

Administrator Slingerland noted there is a postcard that's going out to Village-wide to all the residents to notify them that the Village is holding a Police Reform and Reinvention meeting next Tuesday night, January 26th, from 7 to 9 p.m. via Zoom Video Conference. All are welcome. If necessary, we will hold a second meeting on Tuesday, February 9th, from 7 to 9 p.m. We are trying to accomplish something that the Board as policymakers are comfortable with and that the committee members who all participated are also comfortable with. He thanked all the volunteers on this committee who helped with this process. He feels that after the process that we go through over the next month or so, the Board should have something that is ready to adopt as the policy recommendations. Then we can send the report up to New York State sometime in March to meet the deadline of April 1st.

Treasurer Report

He will continue to work with Treasurer Hart reviewing all of our revenues and expenditures for the year. Right now, we are on track to continue to control our expenses and we are going to work with all the department heads to accomplish that. We do have a number of revenues that are low. One of the key ones is all of our Parking and Transportation revenues, which include commuter parking permits and on street parking meter fees. The coins are actually up because people are not purchasing parking permits. We have a million dollar gap between what we normally would collect for parking revenues, parking meter fees, parking commuter permit fees, but other revenues are remaining solid and positive like sales tax is good. Our estimate and projections are good. The mortgage tax is actually up because a lot of people are relocating and buying homes on the market. It is our goal that we will remain on budget and keep a balanced budget through the end of the fiscal year, which is May 31st. It's going to take a combined effort of working with the department heads and the Board of Trustees. As of right now, we have a swing gap of 1 to 2%, either way. Depending on revenues, depending on what the economic local benefits will be, we still haven't received our annual state aid. He asked Treasurer Hart approximately what the amount that would be. Treasurer Hart noted that the amount is \$82,000. We are still waiting for the Town of Greenburgh's Fire District funds. We are trying to manage everything and stay in line with the budget. He will keep

the public informed as to how we are doing with the budget. He thanked Treasurer Hart for his efforts on this front.

REPORTS – Continued

Trustee Brown noted that the TaSH Winter's Farmers Market had its first outdoor market a couple of weeks ago and they are holding another one this Saturday. Come out and get some great food and support TaSH.

Trustee Kim noted that the Trails Committee had a meeting last week. We were looking at Scenic Hudson, organizing a non-profit. The person in charge of the committee is drafting a scope on a multimodal commuting study. It's relative to the Tarrytown Train Station, Phillips Manor Train Station and the possible trolley route that was discussed in the Edge on Hudson. They want to scope a study for a consultant to study how Tarrytown and Sleepy Hollow can be connected and to provide more connections with three major trails that are going through our Village, mainly the Aqueduct Trail, the Riverfront Trail and the Empire State Trail which is in the very furthest away from our main part of both Villages. As the new liaison to the Zoning Board, he spoke to the Zoning Chairperson and discussed how they will move forward and considering a person for the alternate seat on the Zoning Board.

Deputy Mayor McGovern encouraged people to come out and visit the Tarrytown Fitness Center. The Tarrytown Seniors will not be holding meetings at the Senior Center yet, but the Seniors are holding a not in person Valentines luncheon where people can pick up the meal at the Senior Center, which will be held on Valentine's Day.

Mayor Butler noted that he asked Deputy Mayor McGovern to coordinate with the County, the Town and our Police Chief on getting information regarding the COVID vaccine. There's a lot of misinformation out there and it is not very well coordinated. This is to help our citizens of Tarrytown, especially the Tarrytown Seniors who are 65 years old and above to get the up to date information from the federal and state agencies. Deputy Mayor McGovern will be working together with the Police Chief and Administrator Slingerland to help centralize current and correct information out to our residents.

PRESENTATION VIDEO ON THE POLICE DEPARTMENT'S BODY WORN CAMERAS WITH FIELD FOOTAGE

Assistant Administrator Ringel presented a brief public service announcement video on the Tarrytown Police Department Body Worn Cameras to give the public an opportunity to learn about the body camera program.

ANNUAL ORGANIZATIONAL BOARD AND COMMITTEE APPOINTMENTS

RE-APPOINTMENT OF MEMBER OF THE PLANNING BOARD

Trustee McGovern moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Ron Tedesco as member of the Planning Board for a term to expire in December of 2025.

APPOINTMENT OF 1ST ALTERNATE MEMBER OF THE PLANNING BOARD

Trustee Kim moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Peter Gaito as 1st Alternate Member of the Planning Board for a term to expire in December of 2021

APPOINTMENT OF 2ND ALTERNATE MEMBER OF THE PLANNING BOARD

Trustee Brown moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint

Lissette Mendez-Boyer as 2nd Alternate Member of the Planning Board for a term to expire in December of 2023.

Trustee Brown thanked all volunteers and especially the volunteer members of the Planning Board. It is probably the hardest job in this Village and she thanked the members for taking on that responsibility.

RE-APPOINTMENT OF CHAIRPERSON OF THE ZONING BOARD OF APPEALS

Trustee Zollo moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Sally Lawrence as Chairperson of the Zoning Board of Appeals for a term to expire in December of 2021.

APPOINTMENT OF MEMBER OF THE ZONING BOARD OF APPEALS

Trustee Kim moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Sally Lawrence as member of the Zoning Board of Appeals for a term that will expire in December of 2025.

RE-APPOINTMENT OF CHAIRPERSON OF THE ARCHITECTURAL REVIEW BOARD

Trustee Zollo moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Jane Greenwood as Chairperson of the Architectural Review Board for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBER OF ARCHITECTURAL REVIEW BOARD

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Patricia Pinkney as member of the Architectural Review Board for a term to expire in December of 2023.

RE-APPOINTMENT OF MEMBER OF ARCHITECTURAL REVIEW BOARD

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Monique Barwicki-Kozlowski as member of the Architectural Review Board for a term to expire in December of 2023.

RE-APPOINTMENT OF CHAIRPERSON OF THE PARKS AND RECREATION ADVISORY COUNCIL

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Jim Desimone as Chairperson of the Parks and Recreation Advisory Council for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBER OF THE PARKS AND RECREATION ADVISORY COUNCIL

Trustee Rinaldi moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Shelly Colley as member of the Parks and Recreation Advisory Council for a term to expire in December of 2025.

RE-APPOINTMENT OF CHAIRPERSON OF THE ETHICS BOARD

Trustee Brown moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Frederic M. Mauhs as Chairperson of the Ethics Board for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBER OF THE ETHICS BOARD

Trustee Zollo moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Joseph G. Hynes as member of the Ethics Board for a term to expire in December of 2023.

Note to agenda – while the terms for the TEAC members are 2-year terms, we are introducing staggering to the membership so that all terms don't expire at the same time.

RE-APPOINTMENT OF CO-CHAIRPERSONS OF THE TARRYTOWN ENVIRONMENTAL ADVISORY COUNCIL

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Rachel Tieger and Dean Gallea as Co-Chairpersons of the Environmental Advisory Council (TEAC) for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Hoyt moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Rachel Tieger as member of the Environmental Advisory Council for a term to expire in December of 2022.

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Dean Gallea as member of the Environmental Advisory Council for a term to expire in December of 2021.

APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Mai Margules as member of the Environmental Advisory Council for a term to expire in December of 2022.

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL (one vacancy at this time)

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Martin Hauser as member of the Environmental Advisory Council for a term to expire in December of 2022.

APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Barbara Goodman Barnett as member of the Environmental Advisory Council for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Hoyt moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Catherine Ruhland as member of the Environmental Advisory Council for a term to expire in December of 2022.

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Brown moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Suzy Allman as member of the Environmental Advisory Council for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Jenny O'Connor as member of the Environmental Advisory Council for a term to expire in December of 2022.

RE-APPOINTMENT OF MEMBER OF THE ENVIRONMENTAL ADVISORY COUNCIL

Trustee Hoyt moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint James Carsey as member of the Environmental Advisory Council for a term to expire in December of 2021.

TARRYTOWN LAKES COMMITTEE MERGED WITH TARRYTOWN ENVIRONMENTAL ADVISORY COMMITTEE (TEAC)

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Tarrytown Lakes Committee has been merged with the Tarrytown Environmental Advisory Committee (TEAC) and is no longer an active committee of the Village of Tarrytown.

RE-APPOINTMENT OF CO-CHAIRPERSONS OF THE COMPREHENSIVE PLAN MANAGEMENT COMMITTEE (CPMC)

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint David Aukland and Joan Raiselis as Co-Chairpersons of the Comprehensive Plan Management Committee for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBERS OF THE COMPREHENSIVE PLAN MANAGEMENT COMMITTEE

Trustee Kim moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Sadie McKeown, JoAnne Murray and Thomas Mitchell as members of the Comprehensive Plan Management Committee for a term to expire in December of 2023.

RE-APPOINTMENT OF MEMBER OF THE TARRYTOWN MUNICIPAL HOUSING AUTHORITY

Trustee Brown moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Sharon Bryan-Morgan as member of the Tarrytown Municipal Housing Authority for a term to expire in December of 2025.

RE-APPOINTMENT OF MEMBER OF THE TARRYTOWN MUNICIPAL HOUSING AUTHORITY

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Jordan D. Becker as member of the Tarrytown Municipal Housing Authority for a term to expire in December of 2022.

APPOINTMENT OF CO-CHAIRPERSONS OF THE TREE COMMISSION

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Anne O'Brien and Martin Hauser as Chairpersons of the Tree Commission for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBER OF THE TREE COMMISSION

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Anne O'Brien as a member of the Tree Commission for a term to expire in December of 2023.

RE-APPOINTMENT OF MEMBER OF THE TREE COMMISSION

Trustee Zollo moved, seconded by Trustee Hoyt, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Deirdre Carsto as a member and Tree Warden of the Tree Commission for a term to expire in December of 2023.

APPOINTMENT OF CHAIRPERSON OF THE PARKING TASK FORCE COMMITTEE

Trustee McGovern moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint JoAnne Murray as Chairperson of the Parking Task Force Committee for a term to expire in December of 2021.

APPOINTMENT OF MEMBER OF THE PARKING TASK FORCE COMMITTEE

Trustee McGovern moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint JoAnne Murray as member of the Parking Task Force Committee for a term to expire in December of 2022.

RE-APPOINTMENT OF CO-CHAIRPERSONS OF THE TRANSPORTATION AND MOBILITY COUNCIL

Trustee Hoyt moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Tom Coughlin and Mitchel Chalsen as Co-Chairpersons of the Transportation and Mobility Council for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBERS OF THE TRANSPORTATION AND MOBILITY COUNCIL

Trustee McGovern moved, seconded by Trustee Brown, that the following resolution be approved: Motion carried, all voting "aye" with the exception of Trustee Hoyt who recused himself. Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Eleanor Ross, Donald Hoyt, Henry Molina and Scott Brown as members of the Transportation and Mobility Council for a term to expire in December of 2022.

APPOINTMENT OF MEMBER OF THE TRANSPORTATION AND MOBILITY COUNCIL

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Kelly Murphy as a member of the Transportation and Mobility Council for a term to expire in December of 2022.

RE-APPOINTMENT OF DAVID AUKLAND AS LIAISON TO THE GREENBURGH PLANNING BOARD

Trustee McGovern moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint David Aukland as liaison to the Greenburgh Planning Board, for a term to expire in December, 2021.

APPOINTMENT OF THE VILLAGE PLACEMAKING COMMITTEE

Trustee McGovern moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Joyce Lannert as member and Chair, Angela Langston (Schools), Angeline Montoya (TaSH), Barbara Goodman Barnett (TEAC), Michelle Szczapa, Thomas Mitchell (CPMC), Joanne Murray (Chamber of Commerce), Julia McCue (Chamber of Commerce), Maureen Petry Library Director, Rick Rose (Historian/Historic Society), Amy Wessan, Joe Arduino as Recreation Supervisor, Trustee Paul Rinaldi as Board Liaison, Richard Slingerland Village Administrator and Joshua Ringel as ex-officio members of the Village Placemaking Committee, all for a term to expire in December of 2021.

RE-APPOINTMENT OF MEMBERS OF THE ADVISORY TARRYTOWN SLEEPY HOLLOW TRAILS COMMITTEE

Trustee Zollo moved, seconded by Trustee Kim, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-appoint Susan Allman, Ian Colley, David Aukland and Dean Gallea as members of the Tarrytown Sleepy Hollow Trails Committee for a term to expire in December of 2021.

CONTINUATION INTO REGULAR MEETING

AGENDA ITEMS

PUBLIC HEARING – COMPATIBLE USE PERMIT - EF SCHOOL (adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on Tuesday, January 19, 2021, at the Regular Tarrytown Village Board Meeting to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause, to hear and consider a Compatible Use Permit application for the YMCA to house their school age remote learning and childcare programs at the EF School, 100 Marymount Avenue, Tarrytown, New York.

BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TARRYTOWN

Trustee McGovern moved, seconded by Trustee Brown and unanimously carried, that the hearing be opened.

There were no speakers.

Trustee Zollo moved, seconded by Trustee Hoyt and unanimously carried, that the hearing be closed.

Trustee McGovern moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved as amended: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve a Compatible Use Permit application for the YMCA to house their school age remote learning and childcare programs at the EF School, 100 Marymount Avenue, Tarrytown, New York.

WHEREAS, a notice of public hearing was published in the Journal News on January 7, 2021

WHEREAS, a public hearing was held on the proposed action on January 19, 2021; and
NOW, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt these changes as Local Law No. 1 of 2021.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

CONTINUATION OF A PUBLIC HEARING – CHAPTER 305 ZONING – NEW ARTICLE FOR THE STATION AREA OVERLAY (SAO) ZONE

Note: There is no new material for this meeting, the Board will adjourn the hearing and not hear public comment on the SAO tonight and will continue the hearing to the next regular Board of Trustees meeting on February 1, 2021.

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing on the draft proposed Station Area Overlay (SAO) Zone law to the Monday, February 1, 2021, Regular Meeting of the Board of Trustees at 7:00 p.m. for ongoing consideration and public discussion to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

CONTINUATION OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND THE VILLAGE CODE RELATING TO PROTESTS, DEMONSTRATIONS AND RALLIES AND RELATED PERMIT APPLICATIONS

Note: The Board of Trustees has advised the public comment period for this public hearing will be limited to one hour.

Village Attorney Zalantis noted the following on the proposed Local Law relating to protests, demonstrations and rallies and related permit applications:

- This proposed Local Law will be continued to the next Board meeting, so if you don't have time to speak tonight, there will be further time to speak at the next meeting.
- The goal of the proposed local law is not to prevent protests, but to have some kind of transparency and process. Right now in the Village, if somebody wanted to come with their 500 friends and have a Frisbee tournament and do that every Saturday, there would be no regulation prohibiting that or regulating that. And that's really what the Village wants to try to address. We want to balance the interests of preserving the parks for the Tarrytown residents and at the same time, give opportunity for protests and demonstrations. We took into account a lot of the comments that have been made, specifically the comments by the NYCLU and made revisions to the local law based on that.
- The following is a summary of changes in this local law since it was last discussed: 1) If the event is under 50 people, you don't need a parade or demonstration permit. If the event is 50 and over, you need a permit. If it is for a special event and it's more than 12, you do need a permit because you're seeking to use a specific space in the Village to the exclusion of the general public. 2) The time frames to submit for permit applications for a parade and before a special event is 30 days, and 15 days prior to the requested date of the demonstration, but there's exceptions for topical issues that come up. If you want to use one of the Village parks, it's not less than two months before or more than nine months before the date of the event. Again, there's exceptions for exigent circumstances. 3) a permit can never be denied based on the topic. The focus is safety. If it's denied, the Village has to offer an alternate location. There is an appeal process. 4) Park events, large events are all defined and that has been changed to over 500 people with a maximum of 3,000 people. The events over 500 people can only take place two per year. 5) For a special event or demonstration, you need a plan to show an orderly flow and prevent damage to adjacent landscapes. Somebody will need to put a cash bond and you will need insurance. For medium events, this is only for park events as defined

as between 101 and 499 people, there's no limitation on the number of special events or demonstrations. But there is a requirement for insurance, small events less than 100 people, no limitation on the number of special events or demonstrations. 6) With respect to the parking lots on the west side of the tracks, there's no limitation on the number of events or special number of events for parades or special events or demonstrations even for what's considered a large event. For large events only in those parking lots on the west side, you will need cash bond and insurance.

Administrator Slingerland noted that these changes were made after Wednesday night's work session, so a copy of the changes were not posted on the website. He noted that our goal is to have a fair and objective process and that we provide a fair standard that applies to all. We have had presentations, protests and demonstration rallies with people from differing points of view and they are exercising free speech. The police department has protected that and we're looking to continue to do that in a way that's reasonable and protective of the public safety.

Trustee Zollo moved, seconded by Trustee McGovern and unanimously carried, that the hearing be opened.

Verity Van Tassel Richards, Benedict Avenue, noted that the First Amendment in the United States is quite broad and it is very difficult to write laws that are in keeping with that constitutional right. She asked the Board to consider whether we need a law at all. She understands that this has been in reaction to some events that have happened in the last 12 months and she is sympathetic to that. She asked the Board to consider if they wanted to have some sort of demonstration, and they had to go through the application process and the law itself and consider how daunting it could be for someone to have to follow this.

Jill Sternberg, Altamont Avenue, thanked the Board for taking the time to listen to the public before passing what seems to her like a very draconian law. She quoted John F. Kennedy, "Those who make peaceful revolution impossible, will make violent revolution inevitable. People have the right to organize and to demonstrate. To require two weeks to get together to protest a timely issue is really absurd. If you force people underground, that's when bad things happen. To say that someone is responsible for somebody else violating a law is not appropriate and is not part of the First Amendment and she thinks that is going to create a lot of problems for the Village to hold people who apply for a permit be responsible for behavior of other people.

Sitara Herur Halbert, Loh Park, quoted from Martin Luther King Jr, "Property is intended to serve life and no matter how much we surround it with rights and respect, it has no personal meaning. It is part of the earth man walks on. It is not man." Property land use is at the fundamental center of this issue and the discussion as Tarrytown residents are able to use our public spaces in a manner that is a demonstration of our First Amendment rights, but also is in a manner that does not keep other Village residents from enjoying those. This law goes too far. It does not provide space for folks to exercise their freedom of speech. It was said that this law is an attempt to establish a fair standard for all. However, this fair standard is negligent of multiple historical and social inequalities. It is not fair to expect her to pay a cash bond to exercise this right, she should not have to do that and she can't afford to do that. Effectively, you are silencing your community. This provides an undue barrier and limit who can exercise free speech.

Laura Burk, 40 North Washington Street, asked if she wants to go to the park with 12 people, she would need a permit? She thinks that needs to be reconsidered. Due to the pandemic, teenagers are going to hang outside to be safe. Now, they will be breaking the law. She doesn't think we should be limiting the number of people who can hang out in the park. It is way too restrictive. She thinks this law will be challenged and it needs to be changed again.

Village Attorney Zalantis noted that a permit would be required for 50 people, not 13 people. If you had a special event which you and your family of 13 wanted to use a specific section of the park and exclude every other person from that, and exclude the general public from the park in that area, that's a special event. If you were having a birthday party for your family and it was only going to be that birthday party, that's a special event permit. But if you're having a demonstration, its 50 people and the bond requirements is for 500 people. That's the only time the bond requirement comes into effect.

Trustee Brown asked if someone wanted to rope off an area of Patriots Park to have an event, do we allow that?

Administrator Slingerland noted there's two different things that can happen, if people wanted to meet or gather and walk through together as a group in the park, that's one thing. But if people wanted to rope it off for their exclusive use, then we require a permit. We had a big event down in Pierson Park a couple of years ago, a fundraiser, to raise money for a not for profit. We required that entity to obtain a permit, get Board approval and they had to make payment for all of the Village services that were provided exclusively for their event.

Village Attorney Zalantis noted that if you wanted to go to the park with your family of 12, that's fine. That doesn't rise to the level of requiring a permit. If you want to rope off and exclude other people from the park in that area, that's a special event that requires a permit, because you are excluding people from an area of the park. We are not seeking to regulate the park. If 20 or 30 people want to gather and sit in the park, that's not a special event under our code, because you're not excluding other people from that area of the park.

Trustee Rinaldi noted that if people were in the park in their own little groups and did not apply for a permit and it may total 100 people, but it was organic with no organizer, a spontaneous gathering, where would that fall under.

Village Attorney Zalantis noted that if the groups were less than 50 people, it would fall under not requiring a permit. The intent of this proposed law was because there were complaints in the community that there wasn't a process and there wasn't transparency for some of these events. And this is the attempt to have some transparency and for people to disclose what the intention is, so that there can be better safety and regulations by the police department. The issue was that the police were accused of organizing one of the events and it turned out, they were just trying to get insight onto what the event was so that they could protect the public. If there's a process and application, everything is out in the open, there's transparency and that situation is avoided going forward.

Trustee Brown noted that maybe we can pull out the whole idea of demonstrations and protests. But we should have control over our parks for recreational use and commercial use and things like that. She can't see any good in trying to limit demonstrations.

Joe Cesarano, Main Street, noted that based on this draft, it would still represent the most significant restrictions on public protests and demonstrations in the entire County. If the Board passed this law, they would effectively be saying that demonstrations of free speech are less welcome within the Village of Tarrytown than anywhere else in Westchester. He still believes that provisions of this law, in particular, the notice requirements, cash bond and insurance requirements and restrictions of promoting events in advance of a permit being secured would represent unconstitutional intrusions on free speech. He also believes that restricting our access to public spaces to exercise this essential right would open the Village up to potential litigation. As already discussed, the law mentions an expedited process for the consideration of applications governing the expression of viewpoints on topical issues. But those spontaneous events would still require a permit to be secured. He asked if an event that a protest or demonstration is quickly organized and materializes in response to an event in the news and results in a substantial gathering of residents in one of our public parks, will those residents be subject to arrest and or penalties if they are unable to secure a permit in advance? He believes that such enforcement and prosecution would run counter to the values that we hold so dear in this Village and the rights that we hold so dear as Americans.

Robert Wingate, 42 North Broadway, noted that the Village Attorney just made mention that Board may adjourn into executive session for the discussion of this proposal a little bit further. If the Board opts to do that, it's best to try to advise the public as to specifically what the parameters would be of that executive session, because this is a discussion of a First Amendment rights project. He asked the following questions: 1) would this Board want to be the first one in the County to adopt a set of restrictions that are this restrictive? 2) As you proceed or consider how to proceed, has every Trustee fully read the opinion of the NYCLU as well as the document that has been proposed by the Village Attorney and compare the two of them? 3) If he chooses to organize a protest, and he does not know in advance that it may involve 49 or 50 or 51 people and he does not do the advanced registration, which most protests do not, then how would he know in advance whether he is in compliance with this particular set of new rules. He thinks that first amendment law according to the NYCLU is intended to promote free expression and not limit it. He has concern that this particular proposal is talking about limits.

Olivia Gerth, LeGrande Avenue, noted that she wanted to second the community members who have spoken tonight. It is clear that there is a lot of uncertainty and a lot that can be left to arbitrary enforcement. She urged the Board to reconsider what's being proposed tonight.

Ellen Paltiel, 24 John Street, noted that apparently there could be limits set based on safety concerns. Who would decide about whether there was a safety concern and what criteria they would use to make that decision.

Mike Love, Main Street, noted that the Village Board has restricted our voices, because of Zoom and because of the inconvenience you have how long it is. It seems like when you want to hear from the Village, you send out postcards for police reform or tree planting. Why doesn't the Village take that time and reach out to hear from the residents about projects in the town? If a flash mob shows up and it's 51 people and someone pulls out a sign that says make Tarrytown great again and other people join in, are you going to arrest that crowd or try to disperse it?

Katy Krider, 42 N. Washington Street, noted that she understands why the Board of Trustees wants to do something. A lot of people were scared and frightened on some of the protests. As we have seen what happened in Washington, it's frightening. However, she thinks it is a knee jerk reaction that we need to stop and think, we don't want to take away the freedom of all, because a few perhaps abused that freedom. She echoed what other people have said tonight. She doesn't think we need a change, we need to be more careful and vigilant. She doesn't think we should charge anybody for a protest and she doesn't think you can control if you think you are going to have 40 people and 500 show up. What are you supposed to do? She thinks the proposed law can't really be enforced properly and it needs to be reconsidered.

Lisette Mendez-Boyer, Grove Street, noted that it doesn't make sense to include protest, demonstrations and rallies in this law. These are first amendment rights and they shouldn't be stopped on the basis of timing or lack of money. That would impact the minority communities. Parades and special events makes sense because they are things that do take time to plan. She thinks people need to have the right to assemble freely in public spaces, without any restrictions, as long as they are being safe and peaceful.

John Stiloski, Stiloski Automotive, asked if there was not a petition that was formed by some of the people who spoke tonight in regards to having his first amendment rights taken away. He has the right to protest and rally just like everybody else. And now people are speaking about their first amendment rights being violated. He asked if there were any problems with his event. It went smoothly and nothing happened. Everybody made it into this big monstrous event that was going to happen. He believes that Trustee Brown was against his rally to go up Main Street and all of a sudden, she has a heart.

Trustee Brown noted that she never said that he should not have his rally. She said that the language that he used to promote the rally was provocative and did a disservice to this Village. She thought that the big trucks that you promoted as being big trucks shouldn't be rolling up Main Street. But no one tried to block your first amendment rights. You had your event and we all felt that you had the right to have your event.

Trustee Kim questioned whether the problem we are trying to resolve will be done by the proposed legislation.

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, February 1, 2021, at 7:00 p.m., at the Regular Tarrytown Village Board Meeting to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause, to add a Section to the Code of the Village of Tarrytown relating to Protests, Demonstrations and Rallies and Permit Application.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

PUBLIC HEARING ON A PROPOSED ZONING TEXT AMENDMENT TO ADD PROVISIONS FOR TRANSIT ORIENTED DEVELOPMENT MIXED USES IN THE "ID" ZONING DISTRICT

Note: After the presentation, the Board of Trustees has advised the public comment period for this public hearing will be limited to one hour.

Trustee Hoyt moved, seconded by Trustee McGovern and unanimously carried, that the hearing be opened.

David Barnett, 104 Main Street, noted that he doesn't believe most people in the Village have a problem developing and improving the area by the train station. But he does believe that most people in the Village have several problems with this specific proposal. The scale, height and density are at odds with what makes this Village so special. He knows why it's special for the developer to go from two stories of storage to five stories and the size of a football field is profit. Even the Comp Plan doesn't specifically justify the scope of this project. The need for transit oriented development isn't a top priority at the present time. Although he understands why Metro North would like to think otherwise. In an article in the New York Times recently, millions of Americans during the pandemic fled big cities in droves to escape the coronavirus pandemic and many of them are staying permanently. They are looking for housing, bigger space to work from home, remote learning for their children, space for their elderly parents and outdoor space. Seems to him this spells out less transit oriented development and less one and two bedroom apartments. He suggests to think carefully before you proceed and approve this new development without any major modifications because once you do, it is set in stone, concrete and steel.

Monica Shephard, 71 Miller Avenue, asked why people are so motivated to see this project get pushed through. She lives in Miller Park and the traffic is really heavy. It appears to her that stop signs are there merely as a suggestion, not mandatory. The speed bumps were helpful and she looks forward to those being a permanent installment. She believes that this proposed development will contribute to this traffic for grocery runs and if they get deliveries, the trucks will be on the roads. There's a chance to do something really cool down there. Do something that is really awesome that everyone will enjoy. She remembers when the Board had talks at Coffee Labs and the library and asked people what they wanted and they said they wanted parking, a place to gather and they wanted places that had open space. Nobody said they wanted a big, tall football sized field building down by the river.

Lisette Mendez Boyer, Grove Street, noted that this residential proposal is not going to add to traffic, the traffic issue is related to living near a bridge and living near a beltway highway and has nothing to do with having 88 more families living here. Having density next to the train station would actually help in the long run, so that we don't have additional traffic. It will provide new apartments for new modern families. Not everyone is married, not everyone has two kids. We have to provide new apartments for the new types of families in the 21st Century. The views are not going to be an issue. This building is located at the lowest part of the town, the height is not too high; it may be too long. The massing needs to be looked at, but it's not too high. The reason why it needs to be that amount of units is to allow people to get a more affordable rent price, not completely affordable, but more affordable for certain families and for young professionals. She does want the developers to be more transparent with those numbers so that people understand and keeping that information from the public does not help the developers. She hopes that during the site plan process that the developer does listen to the people who live here because the building needs to be magnificent. It needs to be an architectural piece, not just any ordinary building. It's going to be the face of our town at the train station and it needs to be at the level of the historic value of the town.

Administrator Slingerland read a letter that was received today and addressed to the Mayor and Board of Trustees by Michael N. Romita, President and CEO of the Westchester County Association regarding the Depot Plaza Project Proposal and Affordable Housing Needs. The following letter will be affixed to the official minutes of this meeting and available to the public. "Dear Mayor Butler, Members of the Westchester County Association's Real Estate and Housing Task Force have brought to my attention a series of new housing projects being proposed in your Village. In particular, there is a proposal for a mixed-use zoning amendment for new construction proposed in the industrial zone at Depot Plaza next to the MTA station. The Westchester County Association strongly supports the County's initiative to encourage private investment in new housing that is affordable and targeted to middle income tenants—especially in redevelopment

areas. LoHud recently published my OpEd on the subject. <https://www.westchester.org/wp-content/uploads/2020/10/lohud-oped-affordable-housing-100120.pdf>. Moreover, the *WCA Real Estate Policy Playbook* <https://www.westchester.org/policy-playbook/> developed in partnership with the Pace University Land Use Law Center has become a reliable source of practical guidance and best practices for local governments. It provides planning, regulatory and other strategies and resources to help local governments such as Tarrytown implement economically viable smart growth development. We support new development proposals which maximize offerings for new middle-income housing options in Tarrytown. Moreover, the redevelopment project referenced above will improve a deteriorated area through amendments currently under review to the industrial zones near the station. As a civic minded organization whose motto is "Driving Smart Growth" the WCA is committed to the economic growth of the County for the well-being of our citizens. Feel free to reach out to me to discuss at your convenience."

Dolf Beil, White Plains Resident, owner of 108 Main Street, read from Linda Whitehead's 12/31/20 letter. "We therefore do not anticipate the proposed building significantly impacting views of the bridge. Mr. Beil noted really, 65% obstructed and they understated the height. He saw the balloon test and knows it was done. I've asked for the results to be addressed. It hasn't been done. He would like to hear from the Trustees what they saw. The LWRP clearly indicates notable views at Franklin Street and Franklin Court along with the Tappan Zee Bridge. It also addresses the steep bluff that rises from the Hudson River. Clearly, the LWRP, which is a 170 page document, talks about that being significant. A spill closure was done back in May that indicated that tidal water was found 3 feet below ground level on the site. This was not presented and is a very significant environmental hazard. Initially we were told that they were going to reuse the foundation. After the neg dec, we find that they're going to do \$2 million worth of foundation work. There's unstable soil, there's tidal water three feet below the surface and the Hudson River is going to be impacted. This application needs to be returned to the Planning Board. A petition has been circulated with currently 244 people against this; clearly that's not 15 nut jobs who don't like this proposal.

Mike Love, Main Street, noted he really doesn't think the building needs to be that high for the benefit of the developer, when there's no true give back to the Village. People will not walk up the hill to Main Street. He thinks the height of this building should be kept to 48 or 45 feet and put some nice façade on it, some type of beautiful architecture. But, 60 feet is too high on the river. Tarrytown can do much better.

Trustee Rinaldi noted to be clear what is currently approved is a big box, 300 ft. long, 35 ft. high a 2-story self-storage facility. So a big box has already been approved for self-storage. He thinks we can all agree, we don't want a big giant box there.

Linda Whitehead, Attorney with McGullough, Goldberger & Staudt, LLP, representing the applicant, noted that she will respond to some of the comments that were made. There was a comment that the Planning Board has approved this project, the Planning Board has not approved this; all they did was make a recommendation to the Village Board. And they completed the SEQRA process. There's still an entire site plan process to go through. In response to Dolf Beil's comment on the spill, we have said that oil tanks were removed, there was a spill and it was closed. With respect to the foundation, we had explained in detail to the Planning Board that we are in part using the existing foundation which will actually serve as the foundation for the self-storage. But for the residential above, we do have to drill additional pilings and so some additional foundation work. It's not correct to say that the Planning Board was not aware of that, they were aware of that. Dolf Beil referred to the SAO units that this would open the door for, we are not utilizing the SAO zoning, this zoning would not open the door for any other site. She noted that Art Collins will speak next and will show the new design of the building later in the evening.

Art Collins, Collins Enterprises, Southwestern, Connecticut, applicant with Paul Ferraro to build the project. We wanted to make sure that the Board received the amended plans that we had sent. We are still working on it, but essentially, it reduces the building height and puts in some of the comments that were made at the last work session. We also met with Franklin Court people and they had basically 4 concerns about security, trespassing, property line buffers and concerns about Metro North cars idling next to their homes. We are going to continue to work with them through the site plan process. We are interested and actively concerned about trying to make this project possibly the gateway for Tarrytown. We want to work closely with the Board and the Planning Board to construct a building that everybody can be proud of. They want to build consensus with

the Village's land use boards. He looks forward for the opportunity to have an open dialogue and incorporate some of the items and issues that have been brought up.

Howard Smith, 87 Main Street, noted that the Comprehensive Plan doesn't define any parameters for healthier smart growth. He believes that the Village Administration should engage the public in the process of establishing some protective guardrails along the path of future development before you adopt significant changes in zoning, reflecting concepts like TOD or the SAO that don't have much of an established track record in small Village settings. A more prudent approach to developing a designated ID zone in the waterfront area might be to pursue application of relevant existing zoning code provisions such as the WGD zoning. WGD provisions restrict building height to 45 feet. However, they allow for both multiple family, residential buildings as permitted use and storage of finished products subject to issuance of a compatible use permit. Finally they allow for approval of development incentives, which in this case might involve increasing the permitted density level in exchange for public benefit features which include preservation of view corridors to the Hudson River. Meanwhile, a good starting point for more specific comprehensive master planning would involve the six sites in the station area, where forces are already in motion that will result in significant redevelopment over the course of the next few years. The three (3) Depot Plaza properties, the Tarrytown Marina, W.I. Boat Club and Franklin Tower and Court site. Why should we watch passively in this significant area evolves into a disconnected patchwork of independent projects developed without any sense of common purpose? Why not instead leverage the fact that the developers will all need approval of zoning amendments in order to proceed with what they will likely want to do. If the Village had taken a passive attitude toward each of the initially independently owned parcels in the area now encompassing Hudson Harbor, we would not have achieved the holistic and synergistic mix of housing and public amenities that exist there today. We should think of ourselves as activist and investors with a stake in the future of our community on par with the stake that majority shareholders have in private corporations. There are some lessons to be learned from the urban renewal approach to redevelopment in the 1960's. He's hoping we can avoid a scenario where 50 years from now, community members will be regretting the consequences of a failure in the 2020's to fully think through the capacity of the Village to accommodate the impact of large, high density residential buildings before adopting zoning changes permitting them. He suspects an objective analysis not driven by particularly agenda housing or otherwise, would support cautious experimentation with mixed use development, but not on the scale proposed for 29 S. Depot Plaza.

Colin Vanderhorn, LeGrande Avenue, noted that he again is opposing 29 S. Depot Plaza as it exists. In summary, worsening traffic, unreasonable density, unreasonable height that blocks public views, unattractive architecture and most importantly, the precedent that it will set. Dozens of people join these meetings, send out emails, write letters and have now started a petition that collected hundreds of signatures in three days. A vast majority of these interactions are against this project. He doesn't understand how these efforts can be brushed aside as 15 troublemakers who don't represent the majority. Do the Trustees really believe there is an unspoken majority of residents who want 60 ft. high 300 ft. wide apartment buildings on the waterfront with 70 plus units per acre? He respects the members on the Board, but that would be an unbelievable assumption. People like Monica with busy lives and kids are making time to attend these meetings and voice concerns. Yet her voice is being silenced in favor of people who send in letters who don't even live here. If the public continues to show massive disapproval of the project, he asked the Board to vote with the Villagers' best interests at heart. He is sure a middle ground can be reached. People have no problem with mixed use and would support an increased percentage of affordable units. Please don't dismiss the public. He appreciates Art's input and support your mixed use proposal. Look forward to seeing the proposal for a building of reduced height.

Olivia Gerth, LeGrande Avenue, noted that she would like to voice her opposition specifically to the zoning text amendment to allow 29 South Depot Plaza to be a 60 ft. project. She is not opposing affordable units or mixed use or any other issue that's being convoluted in this discussion, she is opposing the current zoning law being amended to allow a development that's 60 feet tall, rather than the current 45 foot zoning requirement. These developments were brought to her attention by her neighbors and she has the time to join the meetings. There are plenty of residents who don't have the time to join the meetings. People don't want to see the Village lose its historic charm to tall developments, whether it be on Broadway or down by the train station. If the Village is concerned that there's not adequate representation regarding community views during these meetings, she suggested the Village simply send out a survey. You can post it on the Village Facebook group, it can be emailed on the Village listserv, similar to survey sent out in the

past. It can be simply one question. The current text allows for buildings to be 45 feet tall. Would you support a developer's application to build 88 apartments with the height of 60 feet on South Depot across from the Tarrytown station, yes or no? The broad community is not in support of it.

Verity Van Tassell Richards, Benedict Avenue, noted that she is in favor of considering the zoning change. She thinks that the Depot area has a lot of potential. She decided to move to Tarrytown because of its character, diversity and walkability. Her understanding of this project so far is that generally it would help support those things. She also encourages everyone to take a close look at the plans as she will be doing and continue this conversation so that we can move forward as neighbors to support things like more dense housing. Westchester has a dark history of redlining and keeping out people of color, keeping out black people from certain communities and she thinks that we as the next generation of Westchester residents should think hard about what we can do to help right that wrong.

Katy Krider, 42 N. Washington Street, noted that Lissette said that there would be no cars added to this project and that concerns her because the Chazen report, which is our consultant, said that they expect at least 88 cars to be added. How do you add cars and not have extra traffic? It didn't make sense to her. She disagrees with the proposed zoning changes and thinks it can change the character of the town. She is shocked to hear how many people called to thank her or wrote to thank her for speaking out because fear of public speaking is one of the top fears people have. She believes there are a lot of people out there who are afraid of public speaking that you are not hearing from. She is speaking for people who can't and they are opposed to the zoning, she thinks the Board should reconsider it. She thinks there are safety concerns to think about too.

Joe Cesarano, Main Street, supports the comments made by Lissette and Verity. He generally is in support of this project because he supports affordable housing and the tremendous need for it in our community. He believes that diversity of housing really is needed and it leads to a far greater preservation of the diversity of our Village. The Village is becoming less affordable for working families and less diverse as a result of that. He thinks that one of the things that many of us find attractive about Tarrytown is its diversity. And given the history of redlining that Verity alluded to, he thinks it's important that the Village take action to preserve that diversity and to prevent that from happening in the future. He believes that the concerns about the height of the project could be alleviated through design changes. A lot of the architectural concerns can be alleviated through the architectural review process. He has faith that the Village can actually come up with a more acceptable proposal for a lot of these residents. It's very important that we have additional housing options that we don't currently have in the Village. For that reason, he supports this project.

Tori Weisel, 8 Washington Place, noted that Tarrytown Connected was the project that began years ago, where people came together to give their opinions. A lot of good things came out of that. And this project is part of that. We got to where we are because we are trying to carve out a way to create connection and work within the parameters of having people talk and give their opinions. She feels this is a positive exchange that people have come together to express their opinions. And their opinions are really not so far from what the Planning Board and the Village has in mind. Everyone seems to be very aware of wanting to keep the character of the town and to make architectural adjustments. She was thinking of the view from the river looking at the buildings. There are places that have repurposed warehouses all over the county that have large paintings depicting history of the town or people from the town, things that can go on the outside of the building. The height is a sticky wicket. Everyone is concerned about view shed, people are talking about diversity. This is coming from both sides. Both sides are not really far apart at all. The modern family is transit oriented. She has raised kids who are transit oriented. And to be able to live close to a train station. There are different structures and families and to have different pricing of homes is really essential, particularly in these times. To be able to clean up the Franklin Tower area and clean up the marshy area, clean up the garbage and make it a healthier environment, link it with parks and things that are associated with a building, it's really essential, but moreover, to be connected to the neighborhood that would be inside that building. This is not about just creating a massive box building, this is about deciding whether we're going to keep a warehouse as storage or whether we're going to take the opportunity to rezone so that you can have both storage and something that adds to a neighborhood and creates the very Tarrytown connected feel that has been on the table for years. We haven't strayed from it. We are trying to eke out the parameters of it and she thinks we are doing a really good job.

Mistrella Murphy, John Street, noted that she doesn't object to the development, she objects to the density and the zoning amendments and setting a new precedent for things we don't even begin to imagine could be requested in the future. The statements about this being compelling because of affordable housing. She would challenge these folks to look at the proposal, in her understanding of the 88 units, very few of them are in fact affordable. She asked for transparency in this process. It's quite challenging to spend 2.5 hours on a weeknight when you have children and a job for your voice to be heard. She lives on John Street, she absolutely drives, even though she lives right in the Village. You cannot haul groceries and do that on foot reasonably for a family. So, the idea that this will not add to traffic seems unrealistic. We chose to live in Tarrytown for a reason and she hopes the Trustees would be very mindful before setting new precedents for zoning that we can't go back on.

Miranda Jaffe, 89 Main Street, noted that the traffic on Broadway is already very congested. Any residential development on the west side of Broadway in Tarrytown will certainly add more congested traffic that is already near the saturation point. Imagine yourself or your loved one in a medical emergency trying to cut through that traffic to get medical attention is nearly impossible. It can really be potentially a life or death matter.

Peter Bartolacci, 67 Miller Avenue, noted that the Board has heard a lot of comments about this project. Most of them have been opposed to it. He doesn't think one person has said they are against developing and having mixed use in the station area. What everyone is opposing is the size and the scale. He hears comments about Tarrytown Connected and the Comp Plan. Nobody is saying we don't want to connect neighborhoods etc. There's ways to do it without building a 300 foot long 60 foot high five story 88 unit building. If that is our only option, then maybe we should go back to the drawing board. The 15 people who come to all of these meetings represent a lot of people, not everyone has time to come to these meetings. He thinks the Board needs to spend a little more time trying to understand the sentiments of the community rather than dismissing those of us who may represent a lot of people and who have the time to actually attend these meetings and voice our concerns. You heard about the petition. It keeps growing. He suggested the Board send out a survey monkey and ask people one question, are you in favor of a 60 foot high building in the station area. It's a simple yes or no question. And you can get a pulse very quickly. He hears comments that this project still has to go through the site plan process and ARB. But what everyone who makes those comments isn't considering is that by then it's too late. If you get to the site plan process that means the 60 foot height has already been approved. So it's really important for people to understand that, yes, there's going to be architectural review and yes, the Planning Board will do a great job with making sure this building is attractive. But by then it's too late, its 60 feet high and people do not want that.

Rob Senger, Miller Park, noted that he has spoken about his concerns for the density, precedent and the traffic impacts. He doesn't understand how we can propose more development without an investment and a real plan for our local transportation network and roads. He doesn't see how Broadway can remain two lanes for much longer, which I don't think anybody wants. He walked down to South Depot to look at the site and he was struck how worn down it was since he last was there. He tried to imagine what it would be like to live in a proposed new building here. He had a hard time imagining that it would be a place where people would want to pay the high rental prices to live here. Other than the 8 or 9 affordable units proposed, the other apartments are charging quite a premium compared to what he thinks most people would want to pay for that location. He agrees that we don't want to put just a storage unit down here. But instead, let's push for a building that's not as tall as what's being proposed. Let's make sure it looks nice. Let's make sure it allows for connectivity or green spaces, let's extend the RiverWalk. And let's have a real plan to address the traffic concerns of all of the residents before we add to the problem. You have to build the foundation before you build the building on top, for him, the roads are the foundation.

Sitara Herur Halbert, Loh Park, noted that she is in favor of the proposed amendment for 29 South Depot Plaza. Even at her current salary, she could not afford a home in Tarrytown. That's the reason why we need more affordable housing, we need to invigorate the community and allow people who are young professionals a space to live. She works in the city and doesn't drive and living near the train line would be perfect. There are ways to do that without contributing to traffic and while being more sustainable. She is really appalled at the xenophobic nature of several of the comments that have been said tonight and in previous meetings. The idea of wanting to keep people out and keeping Tarrytown as it is. Xenophobia, is a fear of outsiders. For many of our community members who are opposed to this, she questions why they feel like that.

Stew Schectman, Main Street, noted that if we are so concerned in Tarrytown about affordable and moderate rental housing, then maybe we should start with the Village owned 10 acres of commuter parking lots, which may never be fully utilized. He's sure that there are a lot less non-resident and resident parking permits sold. Maybe we need a healthy debate on open parks and open space and a lower density and attractive, affordable moderate housing. Developers might be interested. The current proposed site has problems. It's on a narrow dead end with regular large truck traffic. It's separated from the train tracks by a single busy platform, there's a County waste relay station there. It's the most unattractive site. Let's really think about how we can make rental affordable moderate incoming housing doable in Tarrytown. We may have to think outside the box in that area. He agrees with all the comments that oppose this proposal.

Mayor Butler thanked the public for their input and appreciated the tone of their comments. Some of the public are making assumptions on how the Board is thinking and the direction they that the Board is going. He finds that odd because he doesn't know what direction the Board is going. Tonight we will have a little discussion in terms of what the Board members are thinking and the direction of the Board. We will now have the applicant present the revised proposed drawings of the building.

Linda Whitehead noted that Art wanted to take this opportunity to present the new plan and discuss it a little bit how he's used the pitch roofs to create a lower average roof height.

Art Collins presented the revised drawings and noted that from the comments last week, we made the break in the building length bigger than it was, we brought down the roof lines, so the eaves are at the top of the 4th floor. So the building height as its defined is the midpoint of the roof, which is about 50 feet and then some of the gables will go above that up to 60 feet. We tried to continue to look at the textures and the materials and so forth as we move forward. He wants to build a consensus with the land use Boards and the Board of Trustees and some of the public who we've have talked to about putting together a project that Tarrytown can be proud of.

Mayor Butler opened it up to the members of the Board of Trustees to have a discussion based on what we heard tonight and what we've heard in the past.

Trustee Hoyt moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, February 1, 2021, at 7:00 p.m., at the Regular Tarrytown Village Board Meeting to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause to hear and consider a proposed amendment to the Code of the Village of Tarrytown, Chapter 305 Zoning, to add provisions for Transit Oriented Development in the "ID" Zoning District.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON ITEMS LISTED ON THE AGENDA, OTHER THAN PUBLIC HEARING ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES EACH TO ADDRESS THE BOARD OF TRUSTEES

There were no speakers.

VEHICLE AND TRAFFIC AMENDMENT – PARKING ON NORTH BROADWAY

Trustee Zollo moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

WHEREAS, Village Code 291-16 (Parking prohibited at all times) restricts parking at any time upon any of the streets or parts thereof described in Schedule XII (Section 291-77), and

WHEREAS, Village Code 291-77 (Schedule XII) lists and describes the streets and/or street parts where parking is prohibited in accordance with Village Code 291-16.

NOW BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Vehicle and Traffic Code of the Village of Tarrytown as part of the North Broadway Traffic Calming project to create a by-pass lane on North Broadway in the southerly direction. A fire hydrant has been relocated in front of #1 North Broadway (just north of Main Street) and the parking spaces are in the process of being removed to ensure compliance with NYS Vehicle and Traffic Law 1202-3B (No parking within 15’ of a fire hydrant). The following code change to Schedule XII (Section 291-77) will be amended: (changes in **bold print**).

Name of Street	Side	Location
Broadway, North	West	Main Street northerly for a distance of 62

RESOLUTION AUTHORIZING TAX CERTIORARIS

Trustee Zollo moved, seconded by Trustee Hoyt, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT HEREBY RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve settlement of the following tax certiorari cases as outlined in the Village Tax Certiorari Attorney’s correspondence dated January 5, 2021, in the total amount of \$463,272.65:

Address	Property ID Numbers	Amount of Refund	
Continental Manor Condominium 240 South Broadway	Section 1.100, Block 71, Lots 31.10A	\$32,505.22	
300 Sheldon Avenue	Section 1.200, Block 120, Lot 1	\$15,213.25	
H’Y2 Talleyrand/Talleyrand Realty 200 White Plains Road	Section 1.201, Block 122, Lot 4	\$207,778.59	
H’Y2 Talleyrand/Talleyrand Realty 220 White Plains Road	Section 1.201, Block 122, Lot 7	\$207,778.59	
	Total Refunds	\$463,272.65	

and, BE IT FURTHER RESOLVED, that the Board of Trustees hereby authorizes the Village Treasurer and the Village Administrator to make payment of these Tax Certiorari Refunds through the future issuance of debt.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

SCHEDULE A PUBLIC HEARING – ZONING TEXT CHANGES TO AMEND A/D FLOATING/OVERLAY ZONE AND SITE PLAN FOR 99 WHITE PLAINS ROAD

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Public Hearing for the regular meeting of Monday, February 1, 2021, at 7:00 p.m., to be held either via in-person meeting, or Zoom Video Conference, depending on the State’s directives about gatherings under NY on Pause to hear and consider a proposed amendment to the Zoning Code of the Village of Tarrytown to amend zoning text changes to the A/D Floating/Overlay Zone and Site Plan for 85 Units of Assisted Living and Memory Care Housing at 99 White Plains Road, Tarrytown, New York.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

APPROVAL OF THE MINUTES OF THE BOARD OF TRUSTEES REGULAR MEETING OF JANUARY 4, 2021

Trustee Zollo moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on Monday, January 4, 2021 as submitted by the Village Clerk.

APPROVAL OF THE MINUTES OF THE ORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 7, 2020

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the organizational meeting of the Board of Trustees held on Monday, December 7, 2020 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 13 of Audited Vouchers in the total amount of \$484,897.77 to be paid in the following amounts:

General	\$ 386,661.22
Water	\$ 77,271.91
Sewer Fund	\$ 0.00
Capital	\$ 5,685.38
Library	\$ 3,524.01
Trust & Agency	\$ 11,755.25
Total	\$ 484,897.77

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Number 2018016288. Motion carried. 6-0-1

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE THREE (3) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER

Robert Wingate, 42 N. Broadway, asked the Board of Trustees to continue providing support in relation to the presence of a hate group that entered into our communities a couple of months ago. He thanked all the different entities that have continued to provide support to leaders and a community who have been trying to find ways to build a firewall against a return of these individuals. He thanked all the community leaders and departments for their help and support because this has been a difficult time. If somebody sees an image or an incident of hate, please contact our local police department and also try to contact the Westchester County Human Rights Commission. Together, we can find ways to prevent hate from spreading. So anything that our community leaders can do to assist with sort of building that firewall and banding together and speaking out publicly, can help at this time, we all share a commitment that we will not tolerate hate in Tarrytown and Sleepy Hollow. He thanked all those of have worked hard to join with that sentiment.

Assistant Village Administrator reminded the public that we have the Police Reform Town Hall meeting coming up on the 26th of January and then there’s a Board of Trustee’s Work Session on the 27th of January.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee Zollo, the meeting was adjourned at approximately 10:32 p.m. by vote of seven in favor, none opposed.

Carol A. Booth
Village Clerk

FILED 2/8/2021
VILLAGE CLERKS OFFICE

Carol A. Booth

January 19, 2021

RE: TOD Zoning Amendment

The Comprehensive Plan does not define any parameters for healthy or smart growth. Consequently, I believe the Village administration should engage the public in the process of establishing some protective guardrails along the path to future development before you adopt significant changes in zoning reflecting concepts like a TOD or the SAO that do not have much of an established track record in small village settings.

Until that work is done, a more prudent approach to redeveloping a designated ID zone in the waterfront area might be to pursue application of relevant existing zoning code provisions, such as the WGBD zoning. The WGBD provisions restrict building height to 45 feet. However, they allow for both multiple-family residential buildings as a permitted use and “storage of finished products” subject to issuance of a compatible use permit. Finally, they allow for approval of development incentives, which in this case might involve increasing the permitted density level, in exchange for public benefit features, which include “preservation of view corridors to the Hudson River.” There are limited options for other kinds of public benefits on this site beyond view preservation. Given the challenges associated with developing this site, I would go further and suggest consideration of permitting reallocation of the required Recreation Fund payment for the express purpose of funding height and mass mitigation measures.

Meanwhile, a good starting point for more specific comprehensive master planning would involve the six sites in the Station Area where forces are already in motion that will result in significant redevelopment over the course of the next few years ... the 3 Depot Plaza properties, the Tarrytown Marina, the WI Boat Club, and the Franklin Tower and Courts site. Why should we watch passively as this significant area evolves into a disconnected patchwork of independent projects developed without any sense of common purpose? Why not instead leverage the fact that the developers will all need approval of zoning amendments in order to proceed with what they will likely want to do?

If the Village had taken a passive attitude towards each of the initially independently owned parcels in the area now encompassing Hudson Harbor, we would not have achieved the holistic and synergistic mix of housing and public amenities that exists there today. If we do not take the time now to try to engage the waterfront and station area property owners/developers in a more comprehensive approach to planning, we will lose a major once-in-several-generations opportunity to facilitate an integrated, mixed use approach to developing this high-profile area. We should think of ourselves as “activist investors” with a stake in the future of our community on par with the stake that majority shareholders have in private corporations.

There are some lessons to be learned from the urban renewal approach to redevelopment in the 1960s. I am hoping we can avoid a scenario where 50 years from now community members will be regretting the consequences of a failure in the 2020s to fully think through the capacity of the village to accommodate the impact of large, high density residential buildings before adopting zoning changes permitting them. I suspect that an objective impact analysis, not driven by a particular agenda (housing or otherwise), would support cautious experimentation

with mixed use development, but not on the scale proposed for 29 South Depot. I believe the public would be supportive of this approach as well.

Howard Smith

South Depot Lot 37

South Denot Lot 39

Washington Irving Boat Club – RFPs out for lease proposals

Franklin Court – TMHA plans to redevelop and expand housing

Is Anyone Listening?

12/31/20 Letter from Linda Whitehead

A comment was made regarding views of the new Governor Mario M. Cuomo Bridge being blocked. The bridge sits some distance to the south of the Property and at a higher elevation. We therefore do not anticipate the proposed building significantly impacting views of the bridge.

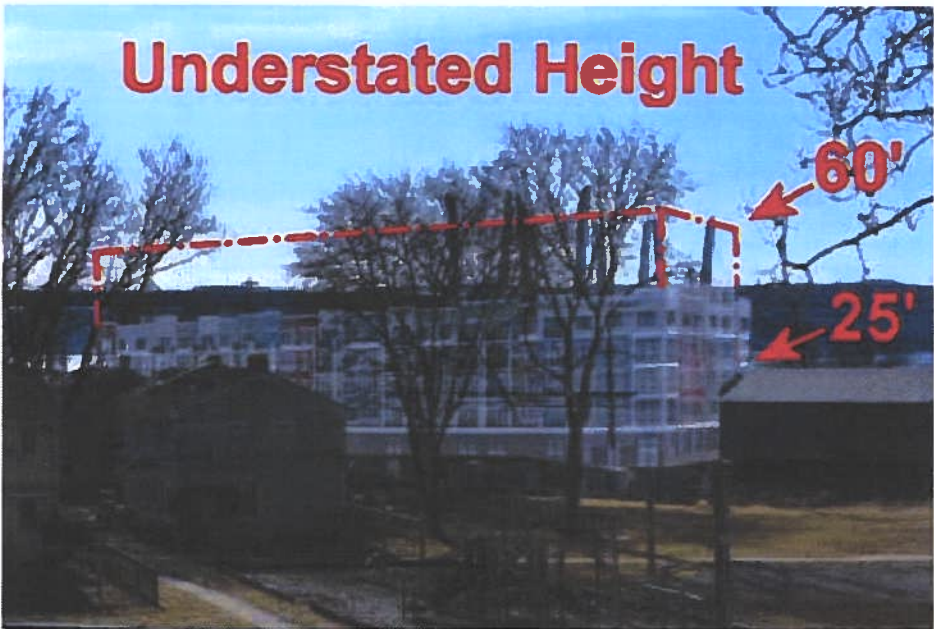
Really !

River View Obstruction Estimate



65% Obstructed

(Draft Regulation 305-67 (G) Calls 5% "Significant Impact")



Balloon Test

Does Anyone Care?



LWRP Significant View References

While the Hudson River cannot be seen from all points within Tarrytown, its presence is an important contributor to community character. Glimpses of the River from or across private land contribute to a sense of community connectedness to the River. Even when the River cannot be seen directly the promise of its presence around the next corner is an important element of community character and quality-of-life. Tarrytown is a true “River Town” with its history, its community identity, and its pride inexorably tied with Hudson River. Ensuring that views of the River are maintained is an important element of the LWRP.

An example of a view that merits protection is the historic view from Main Street out to the River after one turns the bend below Washington Street.

The top of the H-bridge in Tarrytown provides one of the most expansive views available to the public of the Tarrytown waterfront and the Hudson River beyond.

Notable views can be obtained at the following locations:

- the intersection of Franklin Street and Franklin Court
- the intersection of Main Street and Cottage Place

- the Tappan Zee Bridge

Views of Tarrytown will be enhanced by protection of the stretch of green of the steep bluff that rises from the Hudson River

Spill Closure Report

Barrier Contracting, LLC

PO 385

Tarrytown NY 10591

Phone: 914-760-2090 Fax: 888-482-2416



May 10, 2020

Spill Closure Report

SITE OWNER:

Tarrytown Self-Storage II, LLC

34 North Avenue

Bedford Hills, NY 10505

PROJECT LOCATION:

28-29 Depot Plaza

Tarrytown, NY 10591

NYSDEC Spill No's, 1812072, 1812073

PROJECT: Closure of NYSDEC Spill No's 1812072, 1812073

SITE DESCRIPTION:

The Site is located in a mixed residential / commercial area. The site is improved with two "Butler" building warehouses in a commercial area adjacent to Metro North train tracks and Tarrytown Train Station in the Village of Tarrytown, NY in the county of Westchester. The property is relatively flat and at street grade. The general topography of the area slopes to the west. Groundwater was found at 3 ± ft below ground surface (bgs) and flowing towards the Hudson River, located 400± ft to the west. The groundwater at the site is tidal, with fluctuations of several feet. Local subsurface soils and water are likely to have been impacted historically from railroad operations, urban filling and up-gradient sources.

The Story Changes

Agency Use Only [If Applicable]	
Project :	S. Depot Plaza TOD
Date :	September 22, 2020

Full Environmental Assessment Form

Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

In connection with the proposed development, the applicant seeks zoning text amendments to the Industrial District (ID) that would allow Transit-Oriented Development (TOD) as a permitted use in the ID zone for properties larger than one acre and located within 100 feet from direct access to the Tarrytown Metro North Train Station as well as a site plan approval for a proposed TOD development within the ID District. The applicant is proposing to use the foundation for the existing one-story metal warehouse building to construct the proposed mixed-use building. The subject property also abuts the Metro-North Hudson Line right of way as well as the Tarrytown Train Station, with access stairs for the train platform.

What Changed?

\$2 Million Foundation Work Needed

MAJOR Piles Sunk into “Unstable Soil”

Hudson River Tidal Water 3’ Below the Surface

HUGE Potential Hudson River Impact

Action Needed?

Return Application to Planning Board Based on Significant New Information

Who Cares About What?

1/4 BOT	
1/4/17 BOT Public Comment	
For	1
Against	19

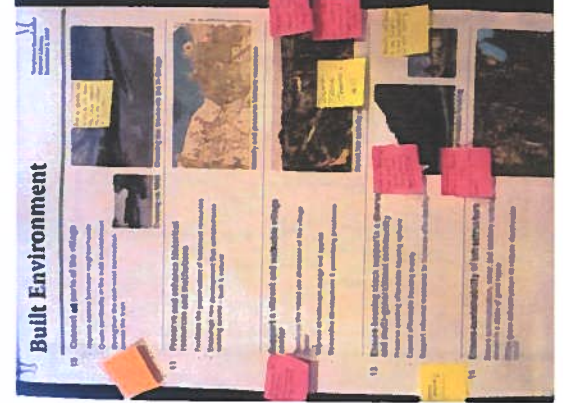
All Sessions	
For Self Storage	0
Against Self Storage	0

Petition

<<I believe zoning should protect our views. I do not support a change in zoning that would permit construction of buildings taller than 45 feet anywhere in the Station Area of Tarrytown.>>

10591 Petition Signers		
<u>Date</u>	<u>#</u>	<u>Total #</u>
1/16	24	24
1/17	72	96
1/18	87	183

Summary: Public Cares About Height and Viewshed!



No
TOD
Height
Density

Yes
Village Character
Connection to River
Open Space

Yes
Village Character
Connection to River
Open Space

TOD Zoning Text & “Observations”

(12/2/20 Agenda)

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

61’ Platform Extension

Qualifies Lot #39

“Box” Then is 60’ X 600’



[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.

60’ X 5 Stories is **BY RIGHT**

[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.

75 / Acre is **BY RIGHT**

[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.

300’ “View Box” Can Be Mitigated by “Features”

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.

Once Passed, Village Can’t Restrict the Law



SAO New Units *

<u>Site</u>	<u>Acres</u>	<u>Units</u>
Walgreen's	3.8	283
Village Hall	2.2	163
29 S. Depot Plz.	1.2	88
Am. Paper #39	1.5	115
Controlable		650
Franklin Court	6.7	496
Current		-70
Not Controlable		426
		=====
TOTAL	15.4	1,075

* @ 29 S. Depot Density

PB Minutes Re: 29 SDP

Available: www.tarrytownlegacy.org

<u>Date</u>	<u>Page</u>	<u>Status & Info</u>	<u>Mtg. Delta</u>
6/26/17	2	Initial Pres.	
7/24/17	10		
8/28/17	13		
9/25/17	20	Adjourned	
10/23/17	21		
11/27/17	24		
12/27/17	26	Adjourned	
1/22/18	27	Adjourned	
2/26/18	28		
3/26/18	31	Self Storage Approved	7
9/24/18	37		
11/26/18	40		
12/27/18	47	Adjourned	
1/28/19	48	46 Units / 40'	SS + 3
2/25/19	54		
3/25/19	57	Adjourned	
4/22/19	58	Adjourned	
5/29/19	60	Adjourned	
6/24/19	61	Adjourned	
7/22/19	62	69 Units / 52'	46 + 2
8/26/19	72		
9/23/19	80		
10/28/19	88	Adjourned	
11/25/19	89	Adjourned	
----- Trust Change Line -----			
12/16/19		BOT: SAO to 120'	
1/27/20	90		
2/24/20	97	88 Units / 60'	69 + 4
4/27/20	102		
5/27/20	107		
6/22/20	113		
7/27/20	134	Adjourned	
8/24/20	135		
9/30/20	145	Neg Dec = No Impact	88 + 4
10/26/20	162	Adjourned	
11/23/21	165	Neg Dec Approved	Draft + 1