Planning Board Village of Tarrytown Regular Meeting April 27, 2020 7 pm

PRESENT: Chairman Friedlander, Members Aukland, Birgy, Raiselis, Tedesco,

Alternate Member Lawrence, Counsel Zalantis, Village Engineer Pennella,

Village Planner Galvin; Secretary Meszaros

ABSENT: All Present

Chairman Friedlander called the meeting to order at 7:06 p.m. and announced that this meeting is being held via videoconference in accordance with the Governor's Executive Order issued in response to the Covid-19 Pandemic, that authorizes public meetings to be held in this manner. The public will be able to view the meeting through the Zoom application and be given the opportunity to speak during the public comment period for each application. The agenda is very long tonight so he asked the public to limit their comments so that the meeting can finish at an appropriate time. He thanked Mr. Ringel, the Assistant Village Administrator, for his assistance in coordinating the meeting and asked him to go over the process.

Mr. Ringel advised that when the Chair opens the public comment period for each application, he will ask the public to either press the "raise your hand" button on the Zoom application , or "*9" on the phone. He advised that public comment will be limited to 3 minutes per speaker. The public can speak but will not be shown on video for security purposes. The Q & A button in the Zoom application is only for technical questions, not for public comment.

Dr. Friedlander announced the following adjournment:

 Michael Degen- 86 Crest Drive Additions and Alterations to a single family home

CONTINUATION OF PUBLIC HEARING - Peter Bartolacci – 67 Miller Avenue

Removal of a railroad tie wall and construction of retaining walls and landscaping of rear yard.

Mr. Birgy recused himself from this application. Mr. Ringel removed him as a panelist during the discussion.

Suzanne Bartolacci, of 67 Miller Avenue, advised the Board that the waiver of steep slopes was submitted, as well as the landscaping plan. They will defer on answering any questions relating to the engineering plan until it is re-submitted.

Dr. Friedlander asked if any Board members had any questions.

Ms. Raiselis and Mr. Aukland had no comment.

Mr. Tedesco advised that they have received approval of the final landscape plan, and are waiting for the applicant to address specific items from Hahn Engineering. He asked Mr. Galvin if it would be prudent to move to authorize the preparation of the draft resolution once the engineering items have been approved. The Board has given this 2 years of thoughtful look and the applicant has responded and almost all consultants have weighed in. He thinks they are getting to a point where we need some kind of resolution.

Mr. Galvin advised that the information from Hahn Engineering is important and he feels that the Board should hold off until the work session when most likely the engineering information will be submitted. At that time, the Board can decide if a draft resolution can be prepared.

Mr. Tedesco thanked Mr. Galvin and asked Counsel Zalantis if she had anything for the record.

Dr. Friedlander asked if there is anyone who would like to speak. Counsel Addona advised that there may be some people in the audience who wish to comment.

Mr. Ringel advised that there are some people in the audience who would like to comment.

Kristen Wilson, partner with the firm of Blanchard & Wilson, representing Geraldine Baldwin, advised the Board that she appeared before them on this matter maybe 22 months ago at a public hearing. A lot of time has passed and there have been significant changes to the plan. She highlighted them in her letter submitted to the Board, and she would show some pictures, but she does not have video privileges. Ms. Baldwin has submitted pictures of what happened to the wall next door. She highlighted in the Hahn Engineering report, with regard to the slope stability, and the possibility of the wall overturning, which is a significant concern. There are about 22 unanswered questions and issues in this report. They are waiting for a response, prior to any resolution even being contemplated. The wall may not work here, the wall composition has changed drastically, and the size and type has changed drastically. She is not sure what actually can work here, if anything of this magnitude. She pointed out that the ZBA only looked at the mesa block wall application and specifically conditioned the variances on that application, so this is an application for which no variances have been granted and are still needed. In addition, the EAF needs to be re-done, or significantly amended since it does not reflect the current plan. It does not have two concrete walls. The steep slope analysis is exactly verbatim from what was submitted before. She does not know how much of a thoughtful review was given to it and it is still woefully insufficient under the village steep slope law.

With regard to the landscape plan, it is a significant step backward from the earlier plan submitted in March. It consists of only non-native trees of the same species; not a robust collection of what is typically found in residential Westchester.

She noted that she submitted two letters, the second letter deals with the Governor's Executive Order, and her request, given the public interest and the significant impact to several residents, that the Planning Board hold off on any final determination until they have the opportunity to review the plans in person back in Village Hall, when we return to a new normal.

Mr. Ringel announced Paul Berté, the project engineer, who would like to speak.

Mr. Paul Berté, PE, of Fusion Engineering, the project engineer, had two quick points: We have all heard comments over the past years and major changes to this wall design. The last wall in May was concrete with a finish that we've already supplied to that; the mesa wall was a few generations back. The biggest change is that they are reducing the elevation of the wall and reducing the height by 3 feet. So instead of two - 9.5 foot maximum high walls they are proposing two - 8 foot high walls and the elevation went from 198 to 195 by excavating the rear yard to the basement elevation. These are significant changes. The wall footings are reduced which will make the wall easier to construct in terms of the sliding and the overturning and slope stability. Part of the reason they have not returned sooner is that an extensive soil analysis was needed to understand exactly how the wall was going to be built. The proposal is to pin the entire westerly wall to bedrock thus eliminating any slope instability. The entire wall will be pinned to bedrock eliminating any overturning or slope failure due to a footing condition. So, the site plan has not changed, just the wall height. He is revising plans and has addressed all of Hahn's comments which will include detail changes for the westerly wall to show how they are stepping the footing up on both sides and he will provide them as soon as possible.

The other difference, Mr. Berte said was worth noting, is that the last plan required 462 yards of fill which they have reduced to 191 yards of fill by reducing the height of the backyard, which is over a 50% reduction in fill. He thanked the Board.

Mr. Ringel asked if anyone else would like to speak and if so, to press the raise your hand button or by pressing *9 on your phone.

Ms. Raiselis asked Mr. Pennella if he had any comments about the engineering differences and the EAF that was originally submitted. Mr. Pennella said he will have to take a closer look at it.

Ms. Raiselis agreed to discuss this at the next work session.

Dr. Friedlander asked Mr. Ringel if anyone else is raising their hand.

Dr. Friedlander moved, seconded by Ms. Raiselis, to continue the public hearing. All in favor. Motion carried.

Mr. Birgy was promoted back to a panelist and re-joined the meeting.

<u>CONTINUATION OF PUBLIC HEARING—Srs. of Sacred Heart of Mary—32 Warren Ave.</u> Driveway widening, construction of retaining walls, and demolition of existing structure.

John Folchetti, P.E., of J.R. Folchetti & Associates, the project engineer, appeared before the Board to seek site plan approval to widen the driveway in the back, replace a failing retaining wall, and demolish the structure at 90 Wilson Park Drive. He advised that he has addressed Mr. Pennella's comments, Mr. Hahn's engineering comments and Ms. Nolan's landscape comments. He is here to answer any questions that the Board or public may have.

Ms. Raiselis just wanted to confirm if Ms. Nolan's comments were addressed. Mr. Folchetti confirmed that the landscape plan is acceptable to Ms. Nolan.

Mr. Aukland, Mr. Tedesco, and Mr. Birgy have no further comment.

Dr. Friedlander asked if the public had any comment. Mr. Ringel advised that there is no one in the audience requesting to speak.

Dr. Friedlander asked if a draft resolution is prepared and if the Board will like to vote on this. Mr. Galvin said the Board could close the public hearing tonight but leave the public comment period open for 10 days. Ms. Raiselis asked that an explanation be given to the public why we are keeping the public comment period open for 10 days since it is not what we normally do.

Counsel Zalantis said since this is the first time we are conducting a meeting via zoom, we wanted to allow for public comment after closing the hearing in case there were any problems or issues with someone not being able to speak or comment to the Board at this meeting. This will allow someone to submit comments for the Board's consideration after this meeting. So, essentially, the Board will be closing the Zoom portion of the meeting, but leaving the public hearing open for 10 days in order to receive additional written comments, and deliberate at the May meeting, when you can consider a draft resolution.

Mr. Tedesco moved, seconded by Mr. Aukland, to close the Zoom public hearing, leave it open for an additional 10 days to allow for public comment. All in favor. Motion carried.

CONTINUATION OF PUBLIC HEARING - Artis Sr. Living - 153 White Plains Road

Don Walsh appeared before the Board, representing Artis Sr. Living and Crescent Associates LLC. for site plan approval for the construction of a 64 Bed memory care facility. There are 3 items he will discuss this evening.

First, with regard to Westchester County's suggestion to install the one remaining sidewalk link needed for pedestrian access from 155 White Plains Road, they have

found a consultant and will return with a design and it should be ready before the next work session, or the June work session.

Secondly, they have received the film for the sewer connection. They are reviewing it and will be meeting with Dan Pennella, hopefully before the next work session, to determine where to connect to the sewer.

Lastly, they have received comments from Ms. Nolan and Hahn Engineering which Mr. Williams will address.

Rich Williams, PE, of Insight Engineering, appeared and confirmed that the sewer video was received this Friday, which he will share with Mr. Pennella so that they can discuss connections and off site mitigation.

He is working on addressing the Hahn comments and he met with Suzanne Nolan virtually and noted her landscape comments. With regard to the walls on site, Ms. Nolan thought that the vines should be eliminated on the walls. Mr. Williams asked the Board if that is something that they would be in favor.

Ms. Nolan feels that the trees along and behind the existing stone wall, which they planned on preserving, are not the type nor the caliper and that they should be removed and replaced with a newer fresher streetscape. Mr. Williams liked this suggestion. He would like to know if this is the direction that the Board would like us to go in.

Mr. Aukland would welcome that change.

Ms. Raiselis asked Mr. Williams if Ms. Nolan would like the whole line of diverse trees removed in the area.

Mr. Williams said these trees are primarily Maple and Locust, and the Maple are the kind that are subject to disease, with vine growth, and they are not in good condition. Ms. Nolan did not think preserving these specific trees is the best solution.

Ms. Raiselis asked if Ms. Nolan's opinion on the vines is that they may be invasive. Mr. Williams said there are a lot of invasives and scattered trees that have vine growth. The type of trees are just not high quality.

Mr. Tedesco said that he trusts Ms. Nolan's judgment and he would like to see her report.

Mr. Walsh returned and said that with regard to the screening on Martling Avenue, they just want to be sure that everyone is on the same wavelength. There was a discussion to cover the retaining walls with vines and they really just need to know what direction to go in.

Mr. Williams suggested a little more time to meet with Ms. Nolan to discuss further and present options before the work session.

Ms. Raiselis suggested that Board Members drive by and look at the trees to see the trees and the vines.

There were no further comments from the Board.

Dr. Friedlander asked if there was anyone in the audience who would like to speak.

Nicholas Blume, who lives at 222 Martling Avenue, had some brief comments. He and his wife have viewed the renderings and they would like to see more of a three dimensional treatment of the building as it faces Martling. There is some kind of cap or pitch roof that kind of ends, or it's only the front facing Rt. 119. So, there's just a blank façade that faces Martling. In light of how prominent the building is going to be on the site, they would like to see that done differently. Maybe there could be something done with the windows to break up the monotony of the building itself. With regard to the landscaping, the natural environment on Martling is getting lost. There is a kind of coldness to it like an office park. So they would like the Board to consider the vines or other ways to make it look more natural. It looks like the walls will look prominent if there is nothing on them and they will really stand out.

Leann Blume, also of 222 Martling Avenue, is concerned about the idea of cutting more trees and she especially does like to hear that trees have no value, just because they are Maple. A 70 foot tree has value to her from an aesthetic, pollution and historical perspective. She is not opposed to the project, but she thinks that beauty matters and when you clear cut, it looks pretty dramatic. She would prefer to see fewer trees cut in the area. She also would not recommend a site visit now since it is very brown. Martling Avenue used to be a gorgeous wooded area. It has changed a lot and this is the very last piece of wooded area so it is a big deal to clear cut. She would encourage the Board to envision it in the summer when it's totally green and beautiful.

Mr. Tedesco thanked Ms. Blume for her concern about trees. He is a member of Tree Commission, along with Mr. Aukland, and the preservation of the canopy in the village is important to him and the Board. In the past, the owner did a wonderful job planting two rows of evergreens along Martling, up the hill from the medical center which provide a great deal of screening. The Planning Board members are all very conscious about the landscaping in this area and will do a good job. Don Walsh, who is here this evening, has also cooperated tremendously with this Board in the past.

Mr. Walsh came back and said there was no clear cutting done, they only cleared out the underbrush; there were no trees that were cut. It may have appeared that way only because of the visual aspect, but that was a different project for a different reason which was to create parking. Regardless, this is the kind of input that they treasure and will work with the Board on this.

Dr. Friedlander agrees that they want to preserve as may trees as possible in the village.

Mr. Birgy wanted to add that when there is a project like this in the village, it gives us the opportunity to look long term, future wise, with replanting trees that may be near the end of their useful life. If you miss an opportunity like this, usually it's very difficult to do substantial planting and tree replanting that would have the same effect. He feels that the trees that would be replaced long term would be favorable for Martling Avenue. It may seem like it is not caring, but they do care, and it may be better for the village in the long run.

Ms. Raiselis agrees that this is an opportunity. A Norway maple will cast its seeds; it is an invasive tree. We can clean up the damaging trees and plant some natives. Maybe we can get more comments from Suzanne Nolan to make it a better proposal.

Mr. Aukland agreed with Ms. Raiselis and he would also like to see better screening.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the public hearing. All in favor, Motion carried.

Counsel Zalantis said before we go on to the next application, there was just a technical question raised to Mr. Ringel about documents that were submitted for the Bartolacci application. For the record, Counsel wanted to note that the Planning Board did receive the two letters from Mrs. Baldwin's attorney in addition to the submission from Ms. Baldwin herself and that these documents will become part of the village record.

<u>CONTINUATION OF PUBLIC HEARING – E.F. Schools, Inc. – 25 Irving Avenue</u> Construction of a new single family home.

Anthony Rizzo Carnevalla, the project builder, appeared with Christian Miller, Director of Facilities at E.F School. Also present, Andrea Arakaki, the Director of E.F. Schools. Mr. Carnevalla said at the last meeting they were asked to look at the house and possibly re-orient it so that it faces Irving Avenue and has a better look. The Zoning Board also suggested that the house be rotated to face Irving Avenue.

Ms. Raiselis said there is a deck which is facing Neperan and the front is also to Irving. She asked Mr. Carnevalla if there is a way they can wrap the porch around to make it look like the same style of the house at the bottom of the hill on Sunnyside. This would pull the house together and unify the two faces. To her, the Neperan face looks like an afterthought. This house is extremely visible in this area. It sits like a mushroom in a big field. She would like more of a porch than a deck.

Mr. Rizzo said if we do that, they we will lose the deck. She said it is basically putting a roof on the deck. Mr. Rizzo said that is a big roof, about 20 x 16, which would cost about \$20,000 to \$25,000. Mr. Raiselis asked if the deck could be a little less deep then. She feels the plan could use a little more attention.

Mr. Tedesco said the variances were approved at 4/13/20 Zoning Board meeting and we are waiting for landscape plan to be submitted and reviewed.

Mr. Rizzo said that the landscape plan will be submitted soon.

Mr. Pennella advised that he will be reviewing the stormwater for this application and will provide comments shortly. He will work with applicant directly to get this addressed.

There were no comments from Mr. Aukland and Mr. Birgy.

Dr. Friedlander stated that while he sympathizes with Ms. Raiselis' comments, he does not think that the Board can design the house. The applicant did say that covering the deck would be costly. He thinks they should move along and he hope that they can do a better job on the deck.

Mr. Rizzo feels that the Board will be pleased with the house when it is done.

Dr. Friedlander asked Mr. Ringel if there were any comments from the public.

Mr. Ringel reminded the audience how to raise their hand and advised that there is no one in the public wanting to comment.

Mr. Galvin said that this application will go before the Architectural Review Board. The remaining items are stormwater and landscape review so he could prepare a draft resolution.

Counsel Zalantis said this can be discussed at the work session since this matter will be continued to the May meeting.

Mr. Tedesco moved, seconded by Mr. Aukland to continue the Public Hearing. All in favor. Motion carried.

<u>CONTINUATION OF PUBLIC HEARING – Hebrew Congregation- 25 Leroy Avenue</u> Construction of a 4,895 +/- s.f. two-story addition with renovations to the existing building and other related site improvements.

Dan Patrick, Attorney with the firm of Cuddy & Feder, appeared before the Board on behalf of the applicant. He introduced Ralph Peragine, of Provident Design Engineers, the project engineer, Mark Levin, of Levin and Brown Associates, the project architect, John Imbiano, of IQ Landsaping, the landscape architect, and Stuart Skolnick, on behalf of the applicant. He advised that they are returning for site plan approval for two story addition to the south east corner of the building which consists mostly of lobby and hallway space, a new elevator for ADA access, relocation of office space and the reconstruction and restriping of the parking lot which includes three handicapped accessible (ADA) parking spaces. New landscaping is also proposed with a new garden just outside the upper level entrance/exit. Mr. Patrick said it was important to note that

these improvements will not increase capacity or frequency of gatherings, they are simply to provide additional space to accommodate the current use of the site.

With regard to the "paper street" that runs through the property, he advised that they are still waiting for a title report which they will share with the Board once received. He also noted that this site has existed and has been used for 60 years without any issues. They are actually reducing the encroachment within the paper street. They also have been working on updated plans in response to public comment, Board comment and a comment from the Westchester County Planning Department. They have added a bike rack, have enclosed the trash area and have provided screening, have submitted updated lighting plans which show that the security lighting will be removed from the building. They have also provided illumination data and are hoping that this will address the lighting concerns of the neighbors.

The parking narrative was submitted which describes the operations of the site and the existing parking which they feel accommodates the typical uses and that no additional parking is necessary. They are currently before the Zoning Board and they have revised the plans to include the 6 spaces that were proposed to be removed. So, they are no longer removing any parking spaces and are not expecting an increase in the need for parking. Mr. Patrick said that the new layout will require a waiver from the Board, in accordance with section 305-136, for the design layout, since a landscaped island plan will not be provided, in order to provide for the parking and they will incorporate landscaping elsewhere. They will provide supplemental information with regard to this request.

They are also working on a map to direct the congregation where to park in the event that overflow is required and have been working with the police department to see if there are other ways to address the parking.

Westchester County provided additional comments with regard to improving the path currently going through the property or providing a new path in the paper street. They are still waiting for a title search of this area, however, they do not feel that it is feasible to include any type of path through the site based on a safety assessment from the police department who had concerns with access from the north. So instead, the applicant is proposing to place a fence there to restrict access to and from this site from the north.

Counsel Zalantis asked Mr. Patrick about the waiver he intended to submit. Mr. Patrick referred to Section 305-142 C (3) (f)[13] [d]. – a provision requiring landscaped islands. Counsel Zalantis questioned why this wouldn't be a variance and it something she will need to confer with the Building Inspector about. Mr. Patrick said the updated plans have not been submitted yet with regard to this matter.

Ralph Peragine, of Provident Design Engineering, the project engineer, presented the plan in response to comments from the Zoning Board and from the public at the ZBA meeting on 4-13-20. They originally took out 3 parking spaces and are now putting them back in around the circle. They have added a retaining wall in this area and a

concrete path for a bike rack to hold about 4 or 5 bicycles. They have also added a sidewalk coming into the site from Leroy which is on the opposite side of existing landing so that people walking down Leroy could cross and have better access to the building.

Ms. Raiselis commented that it seems more prudent to have a person walk all of the way down so that they can go to the west side of that piece and take the shorter route, rather than crossing over through vehicular traffic. She is trying to see a safer way for walkers to go without having to cross the entrance and the exit and hopefully someday there will be a sidewalk that goes along that property from Broadway. The entrance and exit is also excessive and she would like to see it more scaled for the neighborhood. Mr. Peragine said this is for fire access and turning radius in accordance with the NYS code requirements. Ms. Raiselis said if the fire department does not need this, she would like to see it safer for the pedestrian. Mr. Peragine said he will not narrow it if it makes it difficult on the fire department. Ms. Raiselis would like them to take a closer look to make it as safe as possible for the pedestrian especially since they may be encouraging public transportation to the site from Broadway which will bring more walkers.

He showed on the plan where they will be putting back a space and removing the island. In the back of the building, they have added 2 spaces for staff parking which will result in a slight increase in impervious surface. The existing shed has been moved a bit and is 15 feet from the property line and is zoning compliant. The trash has been fenced in and enclosed 6 foot high chain link fence with a double gate which should screen the garbage from the neighbors. They have also added a gate and 6 foot high green vinyl chain link fence in the rear.

These changes were made in an effort to address the concerns of the public made at the 4-13-20 Zoning Board meeting, in addition to the comments raised at the last Planning Board meeting.

Dr. Friedlander asked if any Board members had any comment.

Mr. Tedesco said that the Zoning Board will provide its comments on any environmental issues that it may identify after its May 11, 2020 meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, to assume lead agency status for this application. All in favor. Motion carried.

Mr. Aukland asked about the lighting plan and advised that the last time this property was before this Board, they were told that there was going to be zero light spillage. The Board has received photos indicating that there is indeed light spillage, even though we were told that there would not be. Mr. Aukland would like a narrative to explain that differences and assurance that this will not happen this time.

Ms. Raiselis asked Mr. Galvin if there will be a consultant to review the lighting plan.

Mr. Galvin has asked a consultant who deals specifically with lighting issues and has asked for a proposal to be submitted to the Village Administrator and Counsel Zalantis. In addition, Mr. Galvin has provided the Board with dark sky lighting guidelines. The photos that were shown at the ZBA meeting were wall mounted security lighting which the applicant has indicated will be eliminated with the new construction.

Ms. Raiselis said if we could get something started before the work session that would be great.

Mr. Levin would like to discuss the lighting issue. He showed the pole lights on the plan and the light pollution that is not coming from the pole lights themselves. He showed a light on the building that is creating hot spots across the street. He agreed it was annoying. He showed the lighting plan and the new building indicating that they will all be removed so there will be no lighting pointed out towards the street. He does not feel that this needs to be addressed by the consultant.

Mr. Aukland would like confirmation that photos from neighbors were in fact the security lights and not the pole lights.

Mr. Levin said he will get confirmation from the neighbors. Mr. Galvin pointed out that it may just be glare because it is not shielded lighting. Mark Levin said these lights were added during a security assessment. They realize the concerns of the neighbors and they will be coming down. There will just be down lighting at the soffits. There will be no lighting added to the outside of the new building.

Mr. Galvin said and all the wall mounted lights will be down lit and dark sky compliant. He pointed to the lights on the plan.

Mr. Galvin said the Board Members wanted that independently confirmed. It was his task to find someone but it is up to the Board what they want to do about it. Mr. Levin said that they can certainly provide the Board with the data for the lighting that they are proposing.

Ms. Raiselis feels that they owe it to the neighbors to make sure that this go around is a sure thing in terms of their comfort level.

Mr. Tedesco agrees with Ms. Raiselis and commends the applicant for the work they have done on this; however, he agrees that a second opinion is a good thing and in this case, he feels that a consultant should look at it.

Mr. Aukland would like to see the narrative and confirmation from the neighbors that the lighting is not from the poles, and beyond that, he is satisfied and does not feel that a consultant is needed but we should go ahead and identify a consultant.

Mr. Birgy said language in the approval to the effect that there shall be no securing lighting facing the neighbor's property would simplify it. Also, there could be lighting

placed at the perimeter of the property shining onto the building and not onto the neighboring properties.

Mr. Aukland said this is kind of what happened last time. Yes, but Mr. Birgy said if it is written into the approval then it can be enforced with a building violation.

Mr. Galvin said you can also have the lights dimmed to a level which could be remote controlled by the village. Mr. Galvin would like the narrative to determine what the issues are for the consultant so that they can do a shorter briefer more comprehensive review.

Dr. Friedlander said if security lights are taken off, what is being reviewed. Mr. Levin said the poles in the parking lot already exist. Corroboration from the neighbors as to which lights are problematic should help the Board make a decision.

Mr. Aukland said they know what lights are problematic since they have been submitted.

Mr. Levin said he will get those pictures and verify the submission from the neighbor.

Mr. Galvin asked for guidance.

Dr. Friedlander said you need to have a scope of services. If the existing security lights are being taken down, they the only concern is the parking lot lights and we have only heard from the neighbor with the photographs. So is that going to change with the new proposal or not? Mr. Levin said it was addressed at ZBA but there was no resolution.

Mr. Pennella said the lighting in the building may be illuminated from the tower and there was a discussion about the screening. Mr. Levin said that the landscaping that is proposed should shield this lighting. Very little of the building will be visible.

Mr. Pennella said the issue was the visibility from the second story which was a concern.

Mr. Levin showed the view of the tower and the landscaping which will block the lighting.

Ms. Raiselis said the deciduous tree in the winter will not block the light. Ms. Raiselis asked if this was an actual streetscape. Mr. Levin said it was. He suggested adding an evergreen in the area to reduce the lighting. Dr. Friedlander said that was a good idea.

Dr. Friedlander would like applicant to make attempt to look at photographs; have Mr. Galvin line up a consultant and the Board will spell out the scope of services at the work session. Mr. Tedesco agrees that if we narrow the scope at the work session, it may not be a huge endeavor.

Ms. Raiselis thought that Mr. Galvin would narrow down the scope pretty well. This can be addresses at the work session.

Mr. Galvin advised Mr. Levin to provide the narrative and it will be discussed at the work session.

Counsel Zalantis said there are public comments.

Dr. Friedlander opened up the meeting for public comment.

Mr. Ringel said there are some comments.

Rudi Ehrlich, of 161 Grove Street, shares a property line with the church that is divided by the alleyway that leads to the back of the building which provides the access for garbage pickup. He would like to re-iterate comments made from the meeting.

With regard to the lighting in the backyard, there is a motion detector security lighting over the dumpster that shines very brightly onto three of the homes on Grove Street. He is asking that this lighting in the back of the building be adjusted as well. It does shine into some of their bedrooms. He is also concerned about the downed trees and the brush not being cleared at top of the rise above the parking lot which has become quite an eyesore. He is very concerned about the fence they are proposing. They do not want to see the fence installed. They like the natural look of the trees and bushes. A 6 foot chain link fence is not what they want to see there. If a fence needs to be put in maybe it can be in the back and not at the top of the parking lot. They like the forestry look at the end of the block. Also, as noted at the last meeting, a tree fell which did some damage to his yard. There is some brush and some trees there that need some attention.

Fergus O'Sullivan, 153 Grove Street, asked if he could share a screen to show photos. Mr. Ringel advised that the public is not sharing screens tonight due to security reasons but that he could email them to the secretary. Mr. O'Sullivan is concerned about the backyard area and would like it cleaned up, as Mr. Erlich stated earlier, with better landscaping. There is no attention to the backyard. He also does not the chain link fence installed. He does not understand which the garbage access is from Grove Street. The garbage pickup should be in back of the parking lot. Now is the time to change it to the back of the parking lot, rather than from Grove. From a parking perspective, as long as there is access to the back of the temple where the staff park, putting up a fence makes absolutely no difference to staff parking on Grove Street. Putting up a fence instead of telling staff not to park on the street, seems to be the wrong way to approach the solution.

Ms. Raiselis asked Mr. O'Sullivan to send in a screen shot of what you are talking about along with the pictures that he will be emailing.

Lissette Mendez and Chris Boyer, 159 Grove Street, want to add to Fergus' and Rudi's comments. Someone had mentioned a fence but they were not expecting a fence as a solution. Adding the parking was great and addressing the garbage area by providing the screening. This may be an opportunity to have the garbage in the parking lot and have the existing area be a staff entrance. No fence is welcomed on Grove Street. It is a beautiful street and it wooded. There are no homes with chain link fences. If they propose a fence, having it at the bottom is okay. If it needs to be above, they would rather landscaping and not a fence.

Joyce Byrne, 30 Leroy Avenue, would like to see picture of street level further away from the entrance. She would like to see Leroy and the building. It looks like the patio is the height of the 3rd story. You can't really see what it is going to look like from the street.

Dr. Friedlander said there will be trees there. Ms. Byrne said she has not seen that in the plan. Dr. Friedlander said they will take that into consideration that the patio and circle needs to be screened.

Mrs. Byrne is also requesting a stop sign at the exit before coming out onto Leroy.

David Kim, 16 Independence Street, and also a member of the Zoning Board, said the addition to the Temple is welcomed. He wants to take this opportunity to improve the situation. He has safety concerns about walking to the Temple. The entrances are very wide, and as an architect, they could be narrowed to 12 feet and the fire code does allow that. The reason why people don't stop is because the driveway and road surface are the same. He would suggest a concrete apron with a sidewalk in anticipation of a future sidewalk on the street. New curbs have been installed from Broadway and the area is ready and waiting for a sidewalk. The site plan should anticipate that this will happen in the future. As you walk up from Broadway, he would suggest a walkway up to the main entrance along one side of that driveway, just like they were anticipating for the other side as well.

Cynthia Wills, 156 Grove Street, said she looks out at the greenery and fallen trees and would be upset about the chain link fence or any type of fence being installed in this area. This is an historic street. Her house is from 1865 and her property borders the Temple. They have been great neighbors, but she really objects to the fence. Many people from Loh Park on the other side walk through the Temple property and it is very common to walk to town. If a fence were installed she would be subjected to a massive flow of people walking right next to her house through her property. She does not want to be the only shortcut house and is concerned about having strangers passing through. She has lived here for 20 years and thinks green grass is fine. She has mowed and clipped this area for many years. She does not want anything for it but she does not want this fence.

Cynthia Weniger called in and agrees with everyone who has spoken about the fence. When you come down the street from Benedict the fence would be the first thing you see and it will really decrease the beauty of the block. They all maintain their houses

nicely in this area and use stone and natural materials. This type of fence would detract from the neighborhood. She also would like to know where the property line on the north side of the parking lot is and where the Temple property ends. She was wondering if at any time, they explored the possibility of additional parking on that area, perhaps with gravel.

Dr. Friedlander asked if anyone on the Board had any questions.

Ms. Raiselis said that maybe they should think about changing the chain link fence to a park bench or a picket fence or landscaping if a fence is in fact necessary. She would like this looked at more carefully.

Mr. Aukland has no comment.

Mr. Tedesco agrees with Ms. Raiselis, if there is a need for a fence they should explore the types of fences and he feels that a natural approach would be best.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the Public Hearing. All in favor. Motion carried.

CONTINUATION OF PUBLIC HEARING – LEXINGTON 202 GROUP LLC-29 S DEPOT PLAZA

Re-referral by Board of Trustees for review and recommendation of a petition for zone changes to allow for 88 residential units above a self-storage facility with parking.

Linda Whitehead, partner with the law firm of McCullough, Goldberger and Staudt, appeared before the Board representing Lexington 202 Group and Collins Enterprises with respect to the property located at 29 South Depot Plaza. They have returned from the Board of Trustees as requested, with a revised plan for self-storage on the first floor and 4 additional floors to consist of 88 residential units. The Village Board has required that the plans be revised to make 60 feet the maximum to include all features. The elevator and stair bulkhead have been taken off and the maximum height is 60 feet to the top of the parapet. The zoning text will provide that the maximum height is 60 feet for any features so that nothing can extend above the 60 feet. This was a condition made by the Village Board in order for the project to be referred back to the Planning Board. The Village Board also had concerns about the parking but agreed to also defer this to the Planning Board. They are ready to move forward with the village hiring a consultant in order to review the parking plan.

They have provided a detailed parking study including a detailed utilization analysis that shows that the parking is sufficient and it makes no sense for her client to build a project without the required parking. He can't finance it, or lease it.

They are continuing talks with the MTA who are supporting this project. She referred to studies submitted to this Board back in March to help with the SEQRA review which

included: an updated socio-economic analysis for the new additional units, a revised chart updating the parking analysis, a letter from JMC addressing the utilities and stormwater, and a conceptual plan and updated elevations and plans.

In addition, they have included information regarding the benefits of using the existing slab from an economic standpoint. They have also provided green building elements and information on how this project supports the comprehensive plan. Ms. Whitehead will be happy to show the updated elevations, along with the renderings, and answer any questions.

Dr. Friedlander advised that the Board Members will be visiting the site at individual times with Village Engineer Pennella tomorrow 4-28-20. This will give the members an opportunity to look at the site very carefully. He asked Mr. Pennella to bring the plans to the site. Mr. Friedlander said that that they have done a good job covering all of the elements. A site visit will be useful to allow the members to come back to the applicant with questions.

Ms. Whitehead was hoping that could get done before today. She advised that the cones are laid out and the actual travel way width, even with the parking is maintained at 26 feet wide down the entire road. The 26 feet is all on their property not on MTA property.

Dr. Friedlander asked if that allows for the parking cars against the building, and then the 26 feet. Mr. Whitehead said yes and it is very clearly laid out on the plan which Dan Pennella will have. Mr. Pennella said the last submission he has to the Board is dated April 8th. It shows building elevation and site plan labeled CLP-1. Ms. Whitehead said the location of the cones is also on this plan. She will double check but she feels that this plan should be helpful during the site visit.

Dr. Friedlander asked about the possibility of a balloon test to see the height. Ms. Whitehead said it is hard to put balloons up and have them stay the height; the wind blows them around. She had shown sections before that even with the 60 foot tall building that the top of the building is below the first floor ground of the homes on Windle Park. The roof at 60 feet tall is about 15 or 20 feet below elevation of Windle Park. This was a concern of the neighbors.

Ms. Whitehead showed photo renderings from different locations. She said that the building will be higher than the Franklin Courts Building, but so is the already approved self-storage facility.

Dr. Friedlander is concerned about the homes above Franklin Court running south into Tappan Landing. Ms. Whitehead said she can look at that. Dr. Friedlander is talking about the area directly east of Franklin courts and further south into Tappan landing.

Ms. Whitehead asked if he was talking about the homes on Riverview. She thinks they are also higher, but she will look into it.

Dr. Friedlander asked if they are using the 60 feet and why it is 15 feet per floor.

Ms. Whitehead said the existing slab is 4 feet up from grade. She showed the rendering plan and it was confirmed that there are 4 floors of residential, <u>not three floors</u>. There is one floor of self-storage and 4 floors of residential for a total of 88 units. The roof height is at 57 feet and the parapet is 3 feet, for a total height of 60 feet.

Dr. Friedlander asked if the Board had any questions.

Ms. Raiselis will hold off until after the site visit. Mr. Aukland has no questions.

Mr. Tedesco said when we pick up the materials we will have them at the work session.

Ms. Whitehead said that the Board should have hard copies that were submitted in March; the only difference to the current plan is that the bulkhead and elevator were taken out.

Ms. Raiselis said that she also received the most recent plans digitally.

Mr. Birgy confirmed with Ms. Whitehead that, where the car is to the top of the parapet wall is 60 feet. He also asked Ms. Whitehead to explain why they can't put balloons up. Ms. Whitehead said they can but the balloons don't stay up. Mr. Birgy said the wind will pause at some point. He feels it is critical to get a feel of what the actual height will be. It is quite an obstruction and would like a sense of the volume and height of the building. He would like the balloons put up.

Ms. Whitehead said she will try but 60 feet is a long way for a balloon to go up and stay there. Mr. Birgy said you can do it with a string and helium balloon. It has been done before and it is very helpful to see the volume and height.

Ms. Whitehead asked if the Board would like one balloon at each end of the building

Dr. Friedlander suggested one on each end and one in the middle.

Ms. Whitehead said she is not sure where they can get the helium balloons.

Mr. Tedesco said there is a store open next to CVS at Bridge Plaza.

Mr. Birgy said he will not be able to make any comment on this until he sees it. It does not have to be done tomorrow, but it will delay the process. Counsel Zalantis asked if a drone was acceptable. Dr. Friedlander said no. Ms. Whitehead agreed to the balloon test.

Ms. Whitehead asked Mr. Galvin about the status of the consultant for the parking. Counsel Zalantis said Mr. Galvin said it is under review.

Ms. Whitehead asked the Board if they have any questions about any of the material which has been submitted before.

Dr. Friedlander said that is the purpose of the site visit to see if we left anything out. If we have any serious concerns they will be conveyed as soon as possible.

Ms. Whitehead said they are just trying to be productive. Dr. Friedlander said we are being very productive and have gone out of our way for all of the applicants so when things pick up you will be ready to roll. He does not want to be rushed into making a decision prematurely. If they have questions, they will get them to her. The Board is working as expeditiously as possible on all of the applications before them.

Ms. Whitehead said she appreciates the Board's time. She is just trying to make sure that she has answered whatever questions that might be out there with regard to the materials submitted.

Dr. Friedlander asked if there is anyone in the public who would like to speak.

Mr. Elmo, of 20 Browning Lane, offered the use of his drone to map out the height.

Mr. Pennella said he is not sure how effective that may be but defers to the Board Members to make that decision. Mr. Birgy said the value of the balloons is that you can go from a distance and see what you are looking at. With a drone, there is limited sight ability to see at a distance. A video is not as good as seeing something you see in person. Mr. Birgy would strongly prefer going with the balloons and not the drone.

Mr. Tedesco moved, seconded by Aukland, to continue the public hearing. All in favor. Motion carried.

NEW PUBLIC HEARING – Washington Hill LLC -15 and 17 N. Washington Street

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, March 23, 2020 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

17 Washington Hill LLC P.O. Box 560 Mamaroneck, NY 10543

For site plan approval for the renovation of an existing three story warehouse building into three dwelling units to include the demolition and replacement of a small addition to allow access to the units. Site layout changes are proposed on the adjacent lot to accommodate associated parking.

The properties are located at 15 N. Washington Street and 17 N. Washington Street and are shown on the tax maps as Sheet 1.40, Block 14, Lots 4 and 5, respectively. The properties are located in the M-1 and GB zoning districts.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval is required by the Zoning Board of Appeals and a Certificate of Appropriateness from the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros Secretary to the Planning Board

DATED: March 13, 2020

The mailing receipts were received and the signs were posted and updated to reflect the zoom video conference meeting information.

Linda Whitehead, partner with the law firm of McCullough, Goldberger and Staudt, appeared before the Board for the properties located at 15 N. Washington Street and 17 N. Washington Street, owned by 15 Washington Hill LLC, and 17 Washington Hill LLC, respectively, (the same principal). She noted that 15 N. Washington Street is located in the M1 Zone and has a prior site plan approval for 3 units in the front house and one unit on the second floor of the other back building with parking provided on the first floor, 17 N. Washington Street is the old historic warehouse located in the GB Zone. There is no available parking on site. They are proposing to remove the 2 story addition at the rear of the building and convert the warehouse building into 3 residential units, one on each floor, and provide a terrace in the rear with 16 parking spaces. These properties share a common driveway. The 16 spaces are combined on the 2 properties with some additional spaces within the building on #15. Variances were approved at the April 13, 2020 Zoning Board meeting to allow for the use of the adjacent lot for parking, in addition to parking setbacks. The ZBA also approved the conversion of the warehouse building into 3 dwelling units since the building was deemed historic by the Board of Trustees. They have met the parking requirements and are before the Board for site plan approval. The applicant and architect are present to share the plans and answer any questions.

Ms. Whitehead also advised that they submitted photos of some other projects that the owner has undertaken. They have been working largely throughout the river towns in an effort to improve these areas. Dr. Friedlander was impressed by the photos submitted. He asked the Board Members if they had any questions.

Ms. Raiselis asked about the energy for the project.

Mr. Bsharat, the owner, said from a moratorium perspective, they are limited. The heating and cooling will be done through mini-split units which run on electric. He has

installed them in his 8 unit project in Mamaroneck. They are highly efficient and controlled on a per room basis.

Ms. Raiselis asked if they are going to make any electricity. Mr. Bsharat said they are exploring solar panels on the roof which is a viable solution. They are not using the top roof for anything else so they will look at this as a source of energy. Ron Hoina, the project architect, weighed in and said the load should allow for these solar panels. It is an opportunity to use them; they won't be enough to fully power the building will contribute.

Ms. Raiselis said she was pleased since the panels will be supporting the village comprehensive plan. Mr. Bsharat agreed it would be beneficial from a green perspective in both dollars and to the impact on the environment.

Dr. Friedlander asked if Mr. Pennella or Mr. Galvin have any comments.

Mr. Galvin said the stormwater review will need to be completed by Mr. Pennella, and before any building permit can be issued for this project, a legal instrument will need to be provided for the parking easements that the Zoning Board referred to.

Counsel Zalantis said would be a condition of the resolution.

Ms. Whitehead advised that at 17 N. Washington Street, they are reducing the total impervious area because the new paved areas and terrace with the covered parking actually covers a smaller area than the two story addition that is being removed.

Mr. Pennella said there were comments made at Zoning Board regarding the gutters that need to be addressed to eliminate flooding conditions in the backyards, which will be an improvement to what is there.

Ms. Raiselis asked if they would consider permeable pavers to alleviate the flooding.

Mr. Pennella said the property is elevated from the other properties so he would not suggest that. Mr. Hoina, the project architect, agreed with Mr. Pennella.

Mr. Tedesco and Mr. Aukland have no further comment.

Dr. Friedlander asked if anyone in the public would like to speak.

Mr. Ringel advised that no one is raising their hand.

Mr. Tedesco moved, seconded by Mr. Aukland, to declare this at Type II action with no further environmental review required under SEQRA. All in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the public hearing. All in favor. Motion carried.

Ms. Whitehead asked about the resolution. Mr. Tedesco said it will be discussed at the work session.

NEW PUBLIC HEARING - Theodora Pouloutides - 59 N. Washington Street

Dr. Friedlander read a portion of the Public Hearing Notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, March 23, 2020 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Theodora Pouloutides 6 Bracken Road Ossining, NY 10562

for site plan approval to permit a fifth dwelling unit in the basement.

The property is located at 59 North Washington Street and is shown on the Tax Maps as Sheet 1.40, Block 12, Lot 3 and is located in the M 1.5 zoning district.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals.

By order of the Planning Board.

Lizabeth Meszaros Secretary to the Planning Board

DATED: March 13, 2020

The mailing receipts were received and the sign was posted and updated to reflect the zoom video conference meeting information.

Taylor Palmer, attorney with the law firm of Cuddy & Feder, appeared with his associate, Dan Patrick, also with Cuddy & Feder, and Jim Miller, R.A., the project architect.

Mr. Palmer is before the Board for site plan approval to allow an existing multi-family dwelling unit on the property which requires a coordinated SEQRA review with the Zoning Board, since it has been determined to be an unlisted action. They have submitted material and feel that this application should be considered at a Type II action in relation to the building meeting certain building requirements.

Mr. Palmer briefly described the history of the property. The applicant, along with her late husband, purchased the property in 1974 and have operated the property as a multi-family for all of these years, including the fifth unit. It is their understanding that the fifth unit is existing non-conforming which is consistent with similar situated properties in this area with similar uses. As directed by the Building Inspector, the applicant submitted an application for relief of area variances in connection with the minor interior improvements for the basement unit in the multi-family structure.

He showed Exhibit B, which is an aerial view of the property and the surrounding properties. The property is zoned in the M-1 district. The applicant has received letters of support from property owners in the area included in the submission. The building has five apartments with five existing off-street parking spaces.

He showed the site plan and noted that the applicant is not proposing to expand the existing structure. They are only proposing interior modifications and upgrades to the fifth unit. They are only seeking a certificate of occupancy and are before this Board for a few reasons. Following a site visit on September 25, 2019, they sought relief from the Zoning Board for the number of units, minimum lot size and parking requirements. They have submitted a supplemental submission to the Board earlier this evening, and look forward to hearing back from the Board. They have reviewed Mr. Galvin's March 17th and April 13th memorandum and provided specific comments with regard to community character issue and showed a table listing the uses, the number of units and the number of parking of spaces. Most of the properties do not provide for off-street parking. Some provide one space but there are limited instances when multiple spaces are provided. They therefore submit that this property is consistent with the community character of the neighborhood. They are providing five parking spaces for five units, which is one to one ratio.

With regard to the parking area layout which he presented, he showed the four spaces provided in the lot and one space in the existing garage. The garage can hold two cars, but under the current zoning, it would be tight or tighter than what the code requires. The owner is using the garage for one car and the other side for storage. They looked at alternatives to provide parking straight on in the rear and determined that there was not a whole lot of changes that made the site more functional that would provide any additional value to the off-street parking. They felt that it potentially created a more dangerous condition for the vehicles to maneuver on site. In addition, the garage has sentimental value to the owner as it houses the workspace that was installed by her deceased husband and or father, for the daughter, who is listening this evening. The removal of the garage would not provide any environmental benefit since it is existing impervious and any parking spaces would have to be located along the rear lot line.

Lastly, regarding the drainage, they thought this was peculiar since they have letters of support from the adjoining property owners saying that they have not experienced any issues or drainage concerns. In addition, there was no drainage concern raised with the village engineer at the site visit on September 25, 2019. Since this is a SEQRA review, (although they think it is a Type II action if it were an uncoordinated review), there are

no exterior renovations proposed, they are proposing interior renovations which they contend have no impact whatsoever on the drainage. They are legalizing a unit that has been in the building. It is not an issue of trying to get away with an additional unit or hiding a dangerous unit. The building inspector has been to the site. The tenants on site each have confirmed that they have one car each which is a one to one ratio. He asked Jim Miller, the project architect, to go over the site plan.

Jim Miller, RA, the project architect, presented the site plan. He feels that they have provided the adequate parking with five spaces for five small apartments all while keeping the existing garage structure with storage in place. This ratio is better and similar to other properties and it does support the community character in that manner. They did explore alternative parking layouts without the garage in place and concluded that they would much prefer to keep the garage since there is no particular benefit in removing it since it would not result in creating additional parking. There is also a cost to this removal and the loss of storage which has been factored into the decision.

Dr. Friedlander asked if the Board has any questions or comment.

Mr. Aukland and Ms. Raiselis have no further comment.

Mr. Tedesco asked Mr. Galvin if he changed his opinion on whether or not this is an unlisted action with this Board being lead agency for the coordinated review.

Mr. Galvin confirmed along with Counsel Zalantis that this is an unlisted action under SEQRA. Mr. Palmer agreed.

Mr. Birgy has no comment.

Dr. Friedlander asked the size of the unit and number of bedrooms.

Mr. Miller said it is a one bedroom with 660 s.f. He showed the layout.

Dr. Friedlander asked if anyone in the public would like to comment.

Mr. Ringel said no one is raising their hand.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Board declare this an unlisted action with the Planning Board as Lead Agency for the coordinated review under SEQRA. All in favor. Motion carried.

Mr. Galvin advised that he received material from the applicant about 5 pm this evening and he has not yet reviewed it but will do so in the upcoming week. He asked Mr. Pennella to comment on the drainage issue. Mr. Pennella said that the building inspector received a complaint from the neighbor behind them that water is running off their driveway onto the property. The lot is entirely paved so they may want to install some permeable paving to mitigate the runoff. The parking on the site does not work. They will need to look at how they will maneuver the cars around.

Mr. Galvin said it is a matter of providing a parking lot layout that is code compliant 9 x 18 space with the best optimum circulation.

Mr. Palmer said, for the benefit of the Board, the comments that are being presented are an existing condition, the applicant is not changing any of these conditions or proposing any new use or changes to the site. It is generally for interior renovations to the building. From a SEQRA standpoint, these comments have been considered and they have submitted a supplemental submission directly responding to these comments. They believe that the existing condition and what is being proposed will not have any significant impact on the environment. Again, these are interior alterations, with no change in the driveway or the parking. They are actually seeking a variance from the Zoning Board for the total number of parking spaces on the site.

Mr. Galvin is asking if there is any way to improve the parking to make it work.

Mr. Taylor presented this is the supplemental submission which no one has seen yet. They looked at alternatives including parking spaces along the rear and removing the garage. They feel that this is a disproportionate requirement for an existing condition. The property is over parked as compared to other properties and provides sufficient parking for the tenants. They will show a visual of the vehicle turns for the existing five spaces. Again, they will ask this Board to consider that these are interior renovations to improve and legalize the existing fifth unit in the building and comply with zoning and is in the character of the neighborhood. He asked the Board to consider drafting or authorizing the preparation of a resolution this evening.

Mr. Galvin said that they will be in position to make a determination at the work session.

Counsel Zalantis said the first step in the process would be a SEQRA determination and while she understands that it is the applicant's position that these are just interior renovations, the Board will need to be confident with the parking analysis and, until that is submitted, the Board cannot move forward.

Mr. Palmer said they will show an alternative arrangement and the maneuverability on the plan.

Mr. Galvin also said that they should explore putting permeable pavement in a portion of the driveway to help to mitigate against runoff in the back.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the public hearing. All in favor. Motion carried.

NEW PUBLIC HEARING - Annsville Ventures Inc. - 15 Baylis Court

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, March 23, 2020 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Annsville Ventures Inc. 7 Corporate Drive Peekskill, NY 10566

For site plan approval for the construction of a new three family dwelling.

The property is located at 15 Baylis Court and is shown on the tax map as Sheet 1.40, Block 16, Lot 38 and is in the M-1 Multi-Family Residential Zoning District.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals and the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros Secretary to the Planning Board

DATED: March 13, 2020

The mailing receipts were received and the signs were posted and updated to reflect the zoom video conference meeting information.

Samuel F. Vieira, RA, the project architect, appeared before the Board to seek a reapproval of a site plan application for the construction of a three family dwelling at 15 Baylis Court. This same application was before the Board back in 2016. Since that time, ownership has changed and the site plan approval has also expired. The application was before the Zoning Board and received the same variances on 4/13/20. The plan remains the same except there was a change to the elevations during the ARB approval process when more detail was added to the front of the building. There has been a slight modification to the stairs that lead up from the street to the main level due to an easement that was created to guarantee the neighbor access around the side of the house since it a very tight area. This is outlined on the site plan. At the Zoning Board's request, the parking plan was revised to delineate the three parking spaces out in the front to get a better understanding of how the cars enter and exit.

They have responded to Suzanne Nolan's comments to the landscaping plan and have submitted revised plans.

He has submitted a letter to the Board, dated 4/23/20, requesting a waiver of steep slope at the front of the property where they will need to excavate for access into the lower level garage area.

Lastly, with regard to energy sources, at this point the plan is to go with the electric split systems. The house will be super insulated above and beyond energy code requirements and the roof will have as many solar panels as possible.

Ms. Raiselis was pleased with the about the renewables. The building will be more valuable in the long run.

Mr. Aukland, Mr. Tedesco, and Mr. Birgy still support the application.

Mr. Tedesco noted that this application remains a Type II action. He suggested that if they get Ms. Nolan's sign off on the landscaping plan, then they can authorize a draft resolution at the work session.

There was no public comment.

Mr. Galvin noted that the stormwater plan will also need to be reviewed. Mr. Vieira said that he has submitted to Mr. Pennella.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the public hearing. All in favor, Motion carried.

NEW PUBLIC HEARING – Azizi 25 South Broadway Realty LLC – 25 South Broadway

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday**, **March 23**, **2020 at 7:00 p.m**. at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Azizi 25 South Broadway Realty LLC 25 South Broadway Tarrytown, NY 10591

for site plan approval for the conversion of one-dwelling unit into two-dwelling units above a retail space.

The property is located at 25 South Broadway is shown on the Tax Maps as Sheet 1.70, Block 35, Lot 3 and is located in the RR zoning district.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals.

By order of the Planning Board.

Lizabeth Meszaros Secretary to the Planning Board

DATED: March 13, 2020

The mailing receipts were received and the signs were posted and updated to reflect the zoom video conference meeting information.

Samuel F. Vieira, RA, the project architect, appeared before the Board to seek site plan approval for 25 South Broadway, which is located on the west side of Broadway, north of the public parking lot. This building had a history of violations in the late 80's and early 90's and ultimately, Mr. Azizi purchased the property in 1994 and, it was decided that the south side of first floor would be commercial space; the north side would be a single dwelling unit. The second and third floor would combine to become one large apartment.

In 2000, Mr. Azizi expanded the first floor to accommodate more space for the Tailor Shop and the dwelling unit was eliminated and kept the one large apartment unit on the 2nd and 3rd floor. There was never any off-street parking provided since the building is landlocked and parking was never a problem since there was metered parking available. Mr. Azizi is proposing to convert the 2nd and 3rd floors into two separate units, which requires site plan approval for a change of use and for parking. In addition to interior alterations, a staircase tower will be installed in the back of the property and will not be visible from Broadway. This staircase will serve as a secondary means of egress for all levels, which will bring it up to code, and create a more efficient layout. They were before the Zoning Board and were granted variances for lot size and off-street parking variance for three parking spaces.

Dr. Friedlander asked the Board if they had any comments or questions.

Ms. Raiselis confirmed that this change will result in a reduction from 4 bedrooms to 3 bedrooms.

Mr. Vieira said the number of bedrooms has been reduced by 1. He believes that the Zoning Board basically concluded that having 2 separate units was no different than have 1 large unit with all the bedrooms, since there could be a family or a roommate situation where everyone has a car. They felt that there was enough parking overnight on Broadway and adjacent to the property as well, which is more important for overnight. Ms. Raiselis said they also can walk to the station from this area.

Mr. Aukland and Mr. Birgy had no comment.

Mr. Ringel indicated that there was no one in the audience. There was no public comment.

Mr. Tedesco moved, seconded by Mr. Aukland, to declare this a Type II action, with no further environmental review required under SEQRA. All in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue Public Hearing. All in favor. Motion carried.

NEW PUBLIC HEARING – Wilder Balter Partners, Inc. – 62 Main Street

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday**, **March 23**, **2020 at 7:00 p.m**. at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Wilder Balter Partners, Inc. 480 Bedford Road Chappaqua, NY 10514

for review of a Zoning Petition in connection with the proposed Family YMCA of Tarrytown redevelopment project, in order to make a recommendation to the Village of Tarrytown Board of Trustees regarding proposed amendments the zoning code to create a "Senior Community Floating/Overlay District" that would apply in the existing M1.5 zone, and proposed amendment to the zoning map to apply this new overlay district to the property described below. If the creation of this overlay district is recommended by the Planning Board, and adopted by the Board of Trustees, the applicant will seek site plan approval for the construction of a new age-restricted affordable, mixed-income, multi-family building in this newly created district.

The subject property is in the Village of Tarrytown, Westchester County (known as 62 Main Street, Tarrytown, NY Sheet 1.70, Block 33, Lots 23.1, 23.2), partially in the RR zone and M 1.5 zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Village of Tarrytown, Board of Trustees and the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros Secretary to the Planning Board

DATED: March 13, 2020

The mailing receipts were received and the signs were posted and updated to reflect the zoom video conference meeting information.

Bill Balter, principal, with Wilder Balter Partners, Inc., appeared before the Board for a new Public Hearing on this matter. He noted that they were last before this Board for a preliminary presentation back on February 24, 2020, and this evening they will present a PowerPoint presentation that they have prepared for the record which will be included in these minutes. He introduced the architect for the project, Laura Staines Giordano,

the project attorney, Diane Bulin Kolev, with the law firm of Delbello, Donnellan Weingarten Wise & Wiederkehr, LLP, and John Canning, the traffic consultant with Kimley & Horn.

Mr. Balter began the PowerPoint presentation, which is attached as "Exhibit A" at the end of these minutes. He noted that nothing has changed to the plan since the last meeting which was discussed in detail with the following highlights which he presented:

- They will preserve the existing 4 story building on Main Street and the two story on the right.
- They will providing a new 70 car municipal parking lot with access off of Washington Street. On top of the municipal area, there will be a green courtyard. In addition, 121 spaces will be provided for the residents, which is accessed on the other side of Windle Park.
- There will be 109 apartment; 80% of the apartments are age restricted to persons over 55 years of age.
- There will be an onsite management office with a live in superintendent.
- The building will LEED compliant.

He showed the plan with the existing buildings that will remain and the new addition that sits over the site, which is almost 100% impervious. He showed the aerial site plan and the parking lot on Washington Street that will add 70 municipal spaces with the green courtyard on top and the parking area for the residents which will be accessed from Windle Park which leads to the basement. The roof will have a solar array of 150 kW. With regard to affordability, rents will range from 40% to 80% of the County AMI. There will be 15 studios at 40% AMI, with monthly rents approximately \$840.00 and 94 1 bedrooms with rents ranging from \$900 to \$1805, based on the 2020 AMI.

The project will be funded through NYS, Westchester County and a local non-profit. The SRO which will remain, is in tough financial shape. This project will provide new sound housing for the existing residents in a financially sound development.

In response to a comment made at the last work session, they have revised the plan and have installed an ADA ramp that will allow access up the alley to Main Street and have relocated one of the elevators for better access.

Laura Staines Giordano, the project architect, explained the sequence to the parking plan showing access from the Washington Street lot to the first floor parking area with egress back out to Windle Park and Main Street. The residential parking is from Windle Park with two levels below that will provide 120 spaces for guest, tenant and ADA access to the lobby space. There may be minor adjustments for ventilation and the location of the mechanical equipment. There will be two primary entrances to the building on the first floor. The entrance on Main Street which has many steps and the ADA access along the side of the building which leads to double sided elevator and substantial lobby at the first floor. The entry vestibule will also have a library space for residents and guests which will feature a history wall of the YMCA to share the story and benefit of this building to the community over the years.

They have introduced a new stairwell that will connect to the old building to the new building. It does not connect to the parking lot, however, there will be a demising wall that provides access directly from the stairwell out to grade to provide a second means of egress. On the Windle Park side, they have added a lobby which will house the management/marketing office which will provide an accessible means of entry.

The elevator will provide access to the lobby that will be adjacent to a lounge, computer lounge and exercise facility with direct access to the courtyard. The elevator will also provide mid-level stops to provide an accessible route to all parts of the building since the floors of the existing building do not line up with the new building. Laundry facilities will also be provided for those who choose not to use the hookups in the units and each floor will have a common communal living. A larger lounge will be provided in the existing YMCA building.

The fourth floor of the building has been recessed back by about 8 feet to reduce the bulk that overlooks Windle Park and gives the impression of a lower scaled building. The balance of the building has relatively short legs so there is a minimal view of the building from any particular angle.

She showed the roof elevation with the solar panels and the landscaped garden area that the residences will be overlooking. The rendering looking northeast from Windle Park gives indication of how the street slopes from right to left which allows for the opportunity to enter the garage without constraining the public parking area. And the Main Street rendering looking south shows how limited the view is of the new building from Main Street to allow the existing building to retain its elegant vista.

John Canning, of Kimley Horn, the traffic engineer for the project, referred to his traffic study in the presentation. Currently, in the morning, the site generates about 70 trips and in the evening about 107 trips as of result of programs and childcare activities. The proposed facility will have 109 units consisting of 15 studios and one bedroom units. At least 80% will be rented to people over 55 years of age. So they conservatively project that the project will generate about 20 to 30 trips during the peak area, which will be a substantial reduction in the traffic activity. The new 70 municipal spaces will alleviate traffic by allowing people to go directly to park and on guieter days it will be more convenient for the for people going to businesses in the lower Main Street area. Their analysis indicates that traffic volumes at Main Street at Windle, Main Street at South Washington and South Washington and Main Street are all reasonably good during peak hours and delays will be reduced as the project comes online. The project will provide 120 spaces for the residents. Mr. Balter has done other studies for similar Wilder Balter projects and the average parking ratio is .69 per dwelling unit, so the proposed facility requires only about 75 cars. In his opinion, the municipal lot will be a big benefit the downtown area. Mr. Balter said they are providing 120 spaces for the residents and an additional 70 spaces for municipal parking. Mr. Canning said that is correct. It is a win-win for traffic and parking.

Diana Bunin Kolev, partner with the law firm of Delbello, Donnellan Weingarten Wise & Wiederkehr, LLP noted that the have submitted a zoning petition to the Village Board of Trustee in January. She showed the site plan which is 1.12 acres in size and it is split between 2 zones, the RR and the M 1.5. Neither district provides the zoning necessary to support the project. A zoning petition was referred to this Board by the Board of Trustees for a review and recommendation. They are proposing the adoption of a new Senior Community Floating/Overlay Zone that would apply to the M1.5 district, consisting of multi-family dwellings, where at least 80% of the units are occupied by one person age 55 and over. They are also seeking an amendment to the zoning map to allow the RR portion of the project to be zoned M 1.5, and then to apply to overlay zone to the entire site.

They have reviewed other sites within the village where this overlay could apply and found 5 sites which could potentially qualify. After review, it has been determined that the potential build out of these sites is limited since they have already been developed.

To conclude, the proposed re-zoning will be beneficial since it will permit an appropriate development of the site and meet the market demand for affordable housing in the community, which is in line with the village's adopted comprehensive plan. Therefore, they are seeking a recommendation from this Board to consider this rezoning with respect to SEQRA, so that they may return to the Board of Trustees to allow them to consider the rezoning. She would request that the Board declare themselves Lead Agency for this SEQRA review in response to the February 24, 2020 notice of intent, which was circulated.

Mr. Balter said this will be LEED Gold Building with a super-efficient building envelope. The goal is to have the building be 100% electric with a solar array of 150 kW on the roof.

In addition, he wanted to advise the Board that they have had several informal meetings with neighbors and the merchant association and they will continue to do so. Their goal is to get input from people not just through the public hearing process.

With regard to the residents that currently live at the YMCA, they are working on a relocation program with the Housing Action Council, which will provide for temporary housing during the construction period. This plan should be completed within the next month or so. This will allow the current residents to continue to afford to live here in a much nicer building with amenities as opposed to single bedroom units with common kitchens and bathrooms.

They will also be submitting an ARB application for either the May or June meeting, in order to get some more public feedback on the plan.

We have since received a letter from NYS Historic Preservation office that they are now okay with taking the gym down. In addition, Westchester County has also written a letter with some suggestions which they will be looking at and will get back to the Board next month.

Dr. Friedlander asked if anyone in the public had any comment.

Someone called in by the name of Magna but they could not connect. Mr. Ringel once again gave the audience directions on how to speak. Mr. Ringel showed information on the screen how to call in.

Ms. Raiselis said that she is pleased with the new entry from Main Street which is logical and promotes Main Street. She wanted to know you walk from public parking lot to Main Street.

Mr. Balter said you will be able to use the alley for access to Main Street. On the rendering looking southwest, it showed a gate on the garage. They are not sure if this gate is needed. They will talk with the village Board of Trustees about this.

Grace Morelli, of 28 Windle Park, owner of the building adjacent to the YMCA parking lot. From the plans, it looks like they are going to build a gigantic wall, blocking the whole side of her building and it will block sunlight and airflow and she is not happy about that.

When they look out the windows on the north side she sees light and air and trees and they are proposing to block it off the entire length of the property.

To her, it seems like a huge structure that does not mix in with what is here. The actual building is about 10 feet from her property and it is a gigantic wall. Right now she can see the trees in the front. Her biggest issue is the wall that will extend along the entire north side of the property.

Dr. Friedlander suggested a site visit to this area to look at the distance.

Mrs. Morelli said even if it is 20 or 50 feet, it is still going to be a large wall and it is practically the same height as her house.

Mr. Ringel advised that there is no one in the audience raising their hand to speak.

Dr. Friedlander asked if the Board has any more comments.

Mr. Aukland likes what he sees so far. Mr. Tedesco has no comment.

Dr. Friedlander asked about the five other properties that could be applied to this new overlay zone.

Ms. Bulin Kolev said this information was submitted. An analysis was done of the potential build out of these properties. John Canning interjected with the addresses: Tarry hall, The COC at the bottom of Wildey, Condos on the left side of Wood Court just before Tarry hall. There is a property in front of that which is 20,000 s.f and the remaining property is the Landmark condos.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Planning Board assume Lead Agency status for the zoning amendments and site plan. All in favor. Motion carried.

Dr. Friedlander asked if the Board Members know what time the site visits are for 29 S. Depot Plaza. The Board members confirmed their times to meet with Mr. Pennella.

Mr. Birgy left the meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the public hearing. All in favor. Motion carried.

ADJOURNMENT

Mr. Tedesco moved, seconded by Aukland, to adjourn at 11:10 p.m. All in favor. Motion Carried.

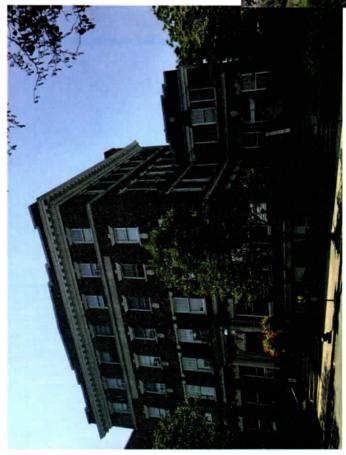
Liz Meszaros- Secretary

EXHIBIT"A"

Wilder Balter Partners Tarrytown YMCA

Planning Board Meeting

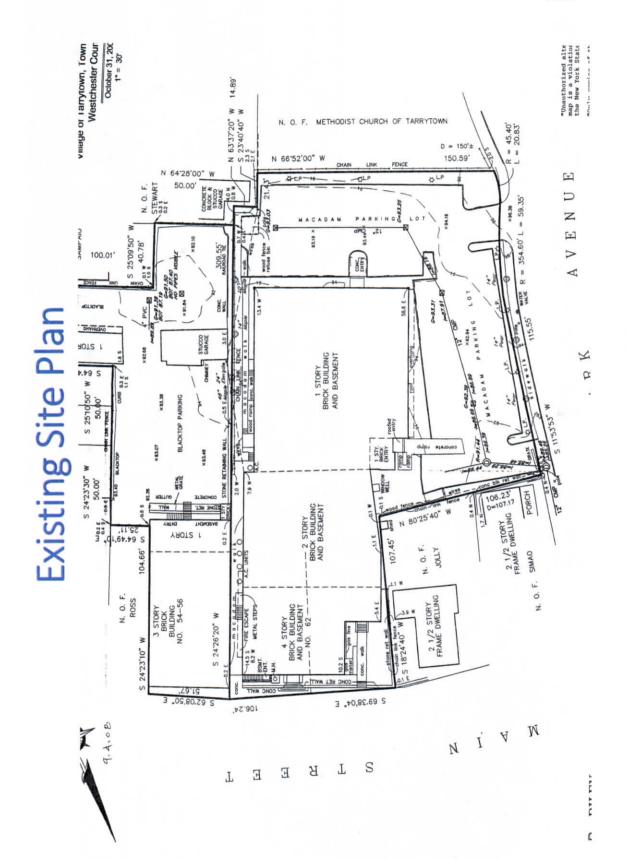
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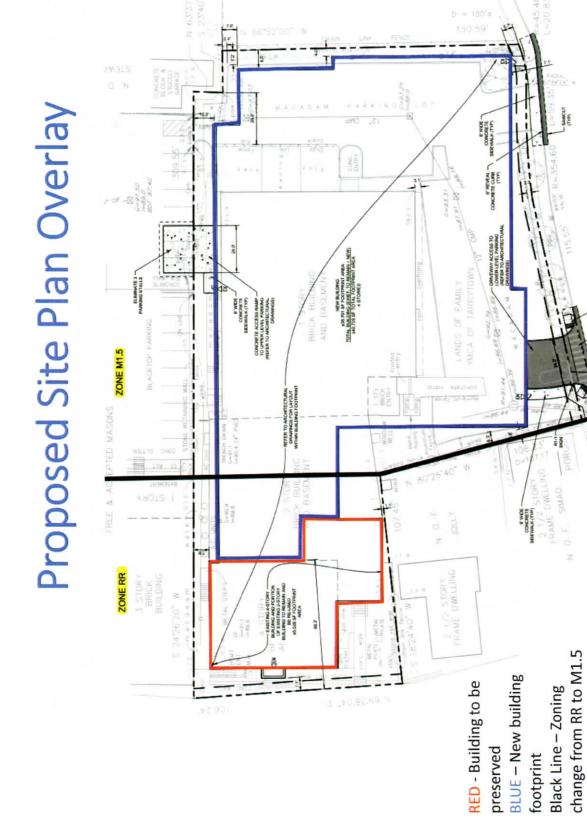
REDEVELOPMENT OF YMCA

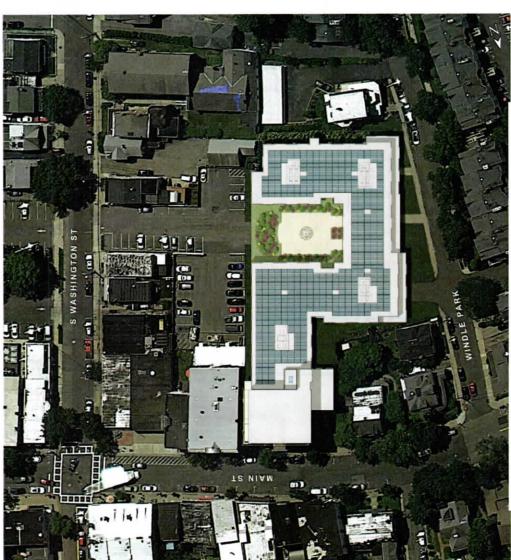
- Preserve Original 4 Story Main Street Building
 - 70 Car Municipal Parking Lot
- 109 Apartments, 80% Are Age Restricted
 - 121 On Site Resident Parking Spaces
 - **Green Roof Courtyard**
- On Site Management Office with Live-in Superintendent
 - LEED Gold with 150KW On Site Solar











Proposed Site Plan

- 109 Units
- 121 Resident Parking Spaces
- 71 Municipal Parking Spaces

WILDER BALTER PARTNERS
GLAPPAQUE, NEW YORK

M L&M DESIGN LLC
MAINTER ALL PLANSING BANK DESIGN
MAINTER ALL PLANSING BANK DESIGN

Apartment Program

80% restricted to households where one or more members is 55 or older

• Affordability: Rents ranging from 40% to 80% of Westchester Area Median Income (AMI) Fifteen (15) Studio homes at 40% AMI with monthly rents approximately \$840 (based on 2020 AMI)

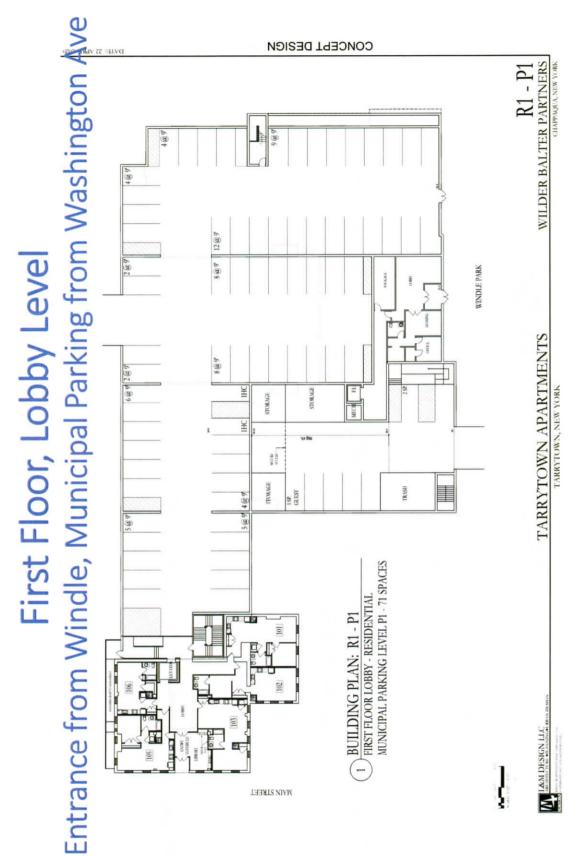
• Ninety-Four (94) One Bedroom homes with rents ranging from \$900 - \$1,805 (based on 2020

Made possible with funding from

- New York State
- Westchester County
- Local Non Profit





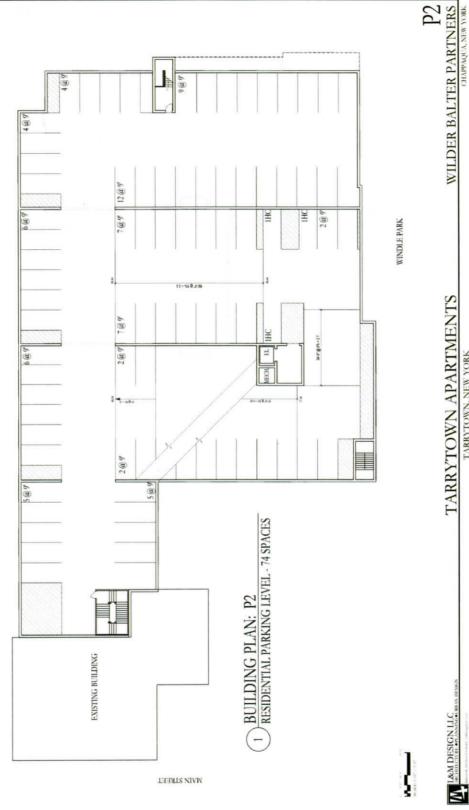




TARRYTOWN APARTMENTS

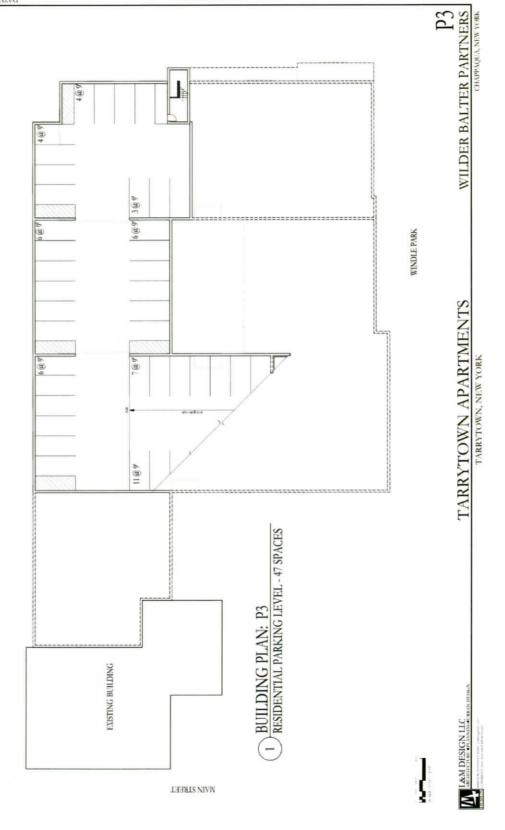
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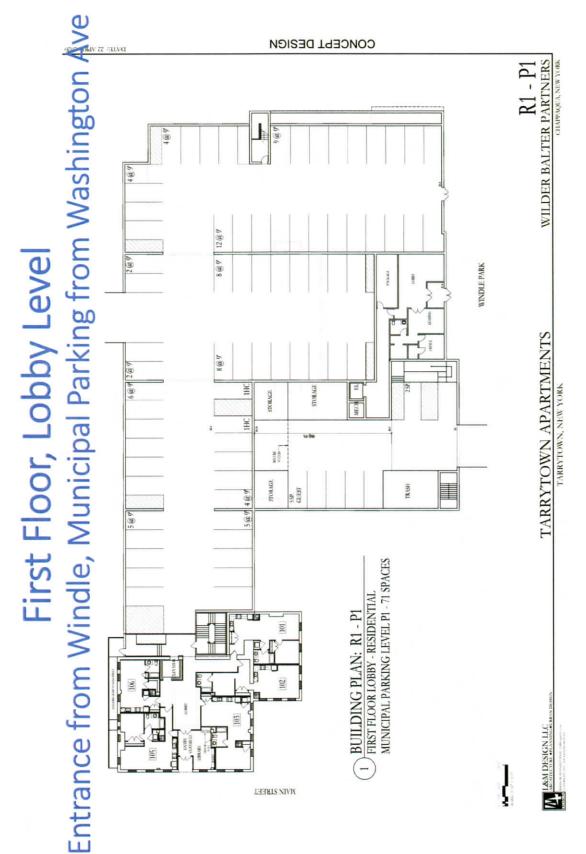




Lower Parking Level



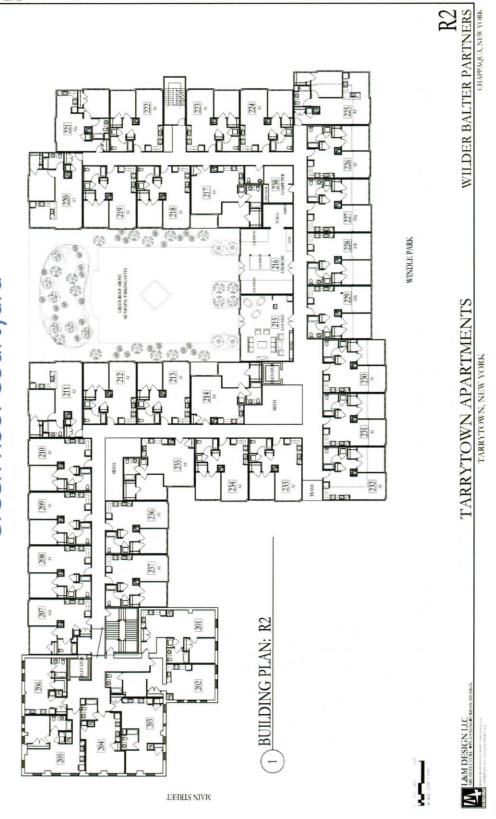




TARRYTOWN APARTMENTS TARRYTOWN, NEW YORK

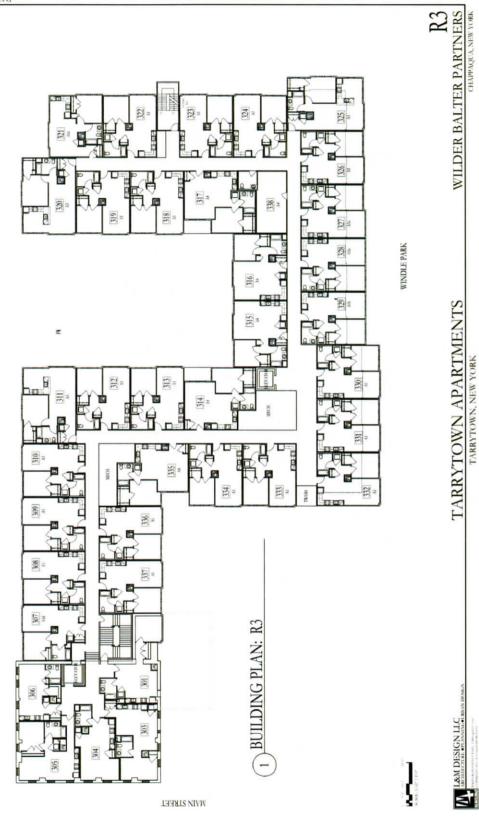
L&M DESIGN LLC

2nd Floor Residential **Green Roof Courtyard**



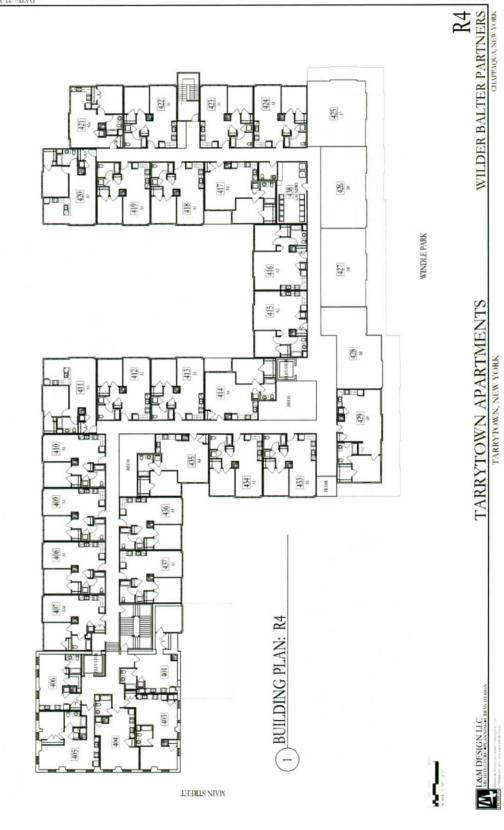


3rd Floor Residential





4th Floor Residential



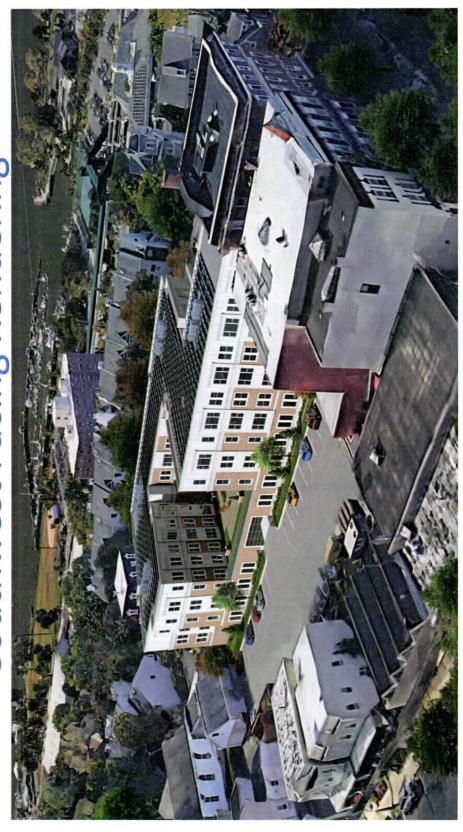


Roof Elevation





Southwest Facing Rendering



TARRYTOWN APARTMENTS South Washington Street ~ Aerial View Looking Southwest





TARRYTOWN APARTMENTS





TARRYTOWN APARTMENTS
Main Street ~ Looking South



TARRYTOWN APARTMENTS

South Washington Street ~ Aerial View Looking Southwest

Targeting LEED V4 Gold Certification

- Superior Building Envelope
- High Efficiency Air Source Heat Pump Heating and Cooling
 - LED lighting with smart Controls
- Solar Panels
- Energy Recovery Ventilation System
- Air Filtration
- Low Emitting Interior Finishes
 - Water Efficient fixtures and appliances
- Green Roofs and Stormwater Management
- Native and Adapted Non-Invasive Plantings
- End User Education in Green Building Practices
- Re-Utilizing pre-developed site within the village center located close to mass transit





Traffic Study

Existing vs. Project Generated Peak Hour Trips

	AM	PM
Existing YMCA Trips1	72	107
Project Generated Trips ²	22	29
Net New Vehicular Trips	-39	-78

- 1. Based on YMCA driveway and pedestrian doorway counts.
- 2. Based on ITE Trip Generation Manual, 10th Edition, with a 20% transit credit
- Less Traffic
- **Better Traffic Operating Conditions**
- Most Noticable on Windle Park

Tarrytown Apartments



Parking

		Wilder Bal	Wilder Balter Partners, Inc., Affordable Senior Communities	Inc., Afford	able Senior	Communitie	Se				
	Parking Sp	rking Space Actual Utilization for Hudson Valley and Long Island Portfolio From October, 2014	ization for Hud	son Valley and	1 Long Island	Portfolio From	October, 201	14			
		* parkir	parking count done at each property after 11 pm each night	at each proper	ty after 11 pm	n each night					
Property	Stone Hill	Jacobs Hill	Hearthstone	Creekside	Brookview	Woodcrest Estates	Hillcrest	Hughson	Stonecrest	Huguenot	Total
County	Orange	Westchester	Orange	Orange	Suffolk	Suffolk	Putnam	Putnam	Putnam	Putnam	
In a Downtown?	No	No	No	No	N _O	No	N _o	No	N _O	o _N	
Total Number of Apartments	104	103	92	64	208	256	92	94	136	24	1157
Total Parking Spaces	129	122	83	98	282	321	108	104	193	24	1452
Night 1										97000	
Cars Parked	71	69	59	40	156	183	52	09	91	19	800
Empty Spaces	58	53	24	46	126	138	26	44	102	2	652
Night 2											
Cars Parked	73	71	09	42	122	192	51	53	95	17	176
Empty Spaces	95	51	23	44	160	129	57	51	86	7	929
Night 3											
Cars Parked	7.1	73	23	42	169	190	51	99	96	17	822
Empty Spaces	58	49	56	44	113	131	57	48	46	7	630
Average actually used per unit:	69.0	0.69	0.64	0.65	0.72	0.74	0.68	09.0	0.69	0.74	69.0

Abundant Resident Parking Additional Community

Parking

TARRYTOWN APARTMENTS

