

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, November 16, 2022
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York**

Members of the public may attend in person or remotely. For those members of the public interested in viewing the meeting remotely visit:
<https://www.tarrytownny.gov/home/events/37676> for instructions on how to view via Zoom.

7 p.m. Discussion – Fire Department (1st Floor Main Meeting Room)

6 p.m. Open Session

1. Board of Trustees Concerns
2. 303 South Broadway
3. Discussion - ADU Legislation
4. New York State Program for Water Bill Assistance

Executive Session

- A. Traffic Impact Study
- B. NYS Parks, Recreation and Historic Preservation – Tarrytown Marina Historic Application
- C. Board and Committee Vacancies



**ZARIN &
STEINMETZ** LLP

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November 9, 2022

By Electronic Mail

Hon. Karen G. Brown
Mayor of the Village of Tarrytown
and Members of the Board of Trustees
One Depot Plaza
Tarrytown, NY 10591-3199

Re: AmTrust Realty - 303 South Broadway

Dear Mayor Brown and Members of the Board of Trustees:

Our firm, together with Perkins Eastman, JMC, and MPFP (landscape architecture and urban design), represents AmTrust Realty, the owner of 303 South Broadway, an approximately 7.4-acre site in the OB (Office Business) Zoning District ("Property").

We respectfully request placement on the BOT's November 16th Work Session Agenda for a conceptual discussion about the potential redevelopment of the Property as residential use (our client also envisions sustainable design features, green open space, areas that would be potentially available for programmed public use, including to complement the RiverWalk, and a restaurant). We will bring visual materials that evening to aid the discussion.

We know that a critical part of any potential rezoning and conversion of the existing office use will require a holistic "corridor study" of other OB sites in the area. We would like to begin discussing this too during the Work Session.

AmTrust Realty, a long-standing property owner in the Village, is committed to working cooperatively with the BOT and its neighbors to repurpose this underperforming office site in an attractive, cohesive, and beneficial fashion. We look forward to having a dialogue with the full Board on the 16th.

By: David Steinmetz

David Steinmetz
Brad Schwartz

cc: Richard Slingerland, Village Administrator
Donato R. Pennella, P.E.
Katherine Zalantis, Esq.
AmTrust Realty

LOCAL LAW #11 - 2022

A local law to amend Chapter 305 of the Tarrytown Code, add a new subsections to permitted accessory uses in all single-family residential districts of an Accessory Dwelling Unit

Section 1. Amending § 305-5 entitled "Word usage, terms defined" to add the following definition under subsection B:

ACCESSORY DWELLING UNIT or ADU

An accessory residential dwelling unit that provides independent living facilities for one or more persons, including a separate kitchen, bathroom, and sleeping area that is located wither within the same structure as, or on the same lot as, a primary dwelling unit.

Section 2. Amending § 305-14 entitled "Residential R-80 Zone" Section "B" entitled "Permitted Accessory uses" to add a new subsection making Accessory Dwelling Units a permitted accessory use:

(15) Accessory Dwelling Unit

(a) Intent: The Village seeks to legalize and control existing accessory dwelling units in single-family residential zones and regulate new conversions or new construction of accessory dwelling units in single-family residential zones; to diversify housing while ensuring single-family residential zones maintain their character; to ease single-family homeowners' financial burden by allowing a means of rental income, to provide for the health, safety and welfare of the Village of Tarrytown's residents and the occupants of accessory dwelling units.

(b) Required standards. The Building Department shall grant a permit for the creation, legalization or construction of an accessory dwelling unit (ADU): (a) within or as an addition to an existing one-family dwelling in all single-family residential zones (R-60, R-40, R-30, R-20, R-15, R-10, R-7.5 and R-5); (b) within an existing detached building in all single-family residential zones; (c) within a new detached building that meets the district's requirements for accessory buildings in the R-60, R-40, R-30, R-20, R-15 residential zones; and (d) within an existing detached building on a lot in the R-10, R-7.5 and R-5 residential zones, but there shall be no construction of a new building for an ADU in the R-10, R-7.5 and R-5 residential zones, subject to any applicable building and fire code standards and subject to these standards:

- 1) Number of ADUs per lot: There shall be no more than one ADU per lot.
- 2) Owner-occupancy. The owner of the single-family residence lot must reside as the owner's primary residence in either the main dwelling unit or the ADU.

Planning Board site plan approval under § 305-132(A)(3); and/or (ii) Architectural Review Board approval under § 9-4(A)(4).

(c) Penalties for offenses.

- 1) Any owner or builder, or any agent of either of them, who fails to secure a permit for a the construction of creation of ADU, who allows occupancy of an ADU without a certificate of occupancy for the ADU, or who constructs or causes to be constructed an ADU in violation of the provisions of this chapter shall be in violation of this chapter and subject to penalties under § 305-115 of this chapter.
- 2) It shall be unlawful to use, establish, maintain, operate, occupy, rent or lease any portion of any premises as an ADU in the Village of Tarrytown without first having obtained a permit and certificate of occupancy for the ADU from the Village of Tarrytown Building Department.
- 3) All ADU owners who have not previously obtained a permit and certificate of occupancy for an ADU located on their lots shall apply to the Building Department within six months following the effective date of this section (and if necessary, the Zoning Board of Appeals). If application is so made within said six-month period, the owner of the ADU shall not be deemed in violation of this section. If application is not made within said six-month period, the owner of the ADU shall be deemed in violation of this chapter and shall be subject to the penalties provided herein.

Section 3: Amending § 305-15 entitled "Residential R-60 Zone" Section "B" entitled "Permitted Accessory uses" to add a new subsection:

(15) Accessory Dwelling Unit in compliance with § 305-14(B)(15).

Section 4: Amending § 305-16 entitled "Residential R-40 Zone" Section "B" entitled "Permitted Accessory uses" to add a new subsection:

(15) Accessory Dwelling Unit in compliance with § 305-14(B)(15).

Section 5: Amending § 305-17 entitled "Residential R-30 Zone" Section "B" entitled "Permitted Accessory uses" to add a new subsection:

(15) Accessory Dwelling Unit in compliance with § 305-14(B)(15).



Office of Temporary and Disability Assistance

KATHY HOCHUL
Governor

DANIEL W. TIETZ
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

October 24, 2022

New York State
Office of Temporary and Disability Assistance
Low Income Household Water Assistance Program
99 Washington Avenue
Albany, NY 12210

Dear Tarrytown:

The New York State (NYS) Low Income Household Water Assistance Program (LIHWAP) is an emergency assistance program funded through the Consolidated Appropriations Act, 2021 and the American Rescue Plan Act of 2021 designed to ensure that vulnerable, low-income New Yorkers have access to clean, safe water in their homes to maintain healthy standards.

LIHWAP is administered through the NYS Office of Temporary and Disability Assistance (OTDA). Benefits are based on the amount of unpaid water and/or sewer arrears owed by applicants up to a maximum of \$2,500 per water or sewer vendor or \$5,000 if water and sewer services are combined, per applicant household. Benefits are paid directly to the household's water and/or sewer vendor(s).

To date we have been unable to meet the needs of vulnerable households in your water/sewer district who have had their water and/or sewer services terminated or are under threat of termination due to unpaid arrears because you have not entered into an agreement with the NYS OTDA. In order to remedy this situation OTDA will issue single payments on behalf of eligible residents directly to their water and/or sewer provider(s) in order to resolve the household's water and/or sewer arrears and forestall termination of their water and/or sewer services, or reestablish service.

Acceptance of LIHWAP benefits requires water and/or sewer vendors to adhere to the LIHWAP Supplemental Terms and Conditions 11h under Federal LIHWAP Assistance Listing No. 93.568(B) (with modifications based on P.L. 116-260). Additionally, by accepting LIHWAP benefits Tarrytown agrees to accept all LIHWAP benefits authorized on behalf of residential customers and without imposing any conditions precedent. "Residential customer" is defined in accordance with Title 16 of the New York Compilation of Codes, Rules and Regulations, Part 14.2(b)(18). Finally, the LIHWAP benefit single payment check issued to your water/sewer district on behalf of your customer must be deposited or returned to OTDA by the expiration date printed on the check.

If you have questions about LIHWAP payments or would like to sign a NYS LIHWAP Vendor Agreement, contact the NYS LIHWAP Vendor Unit at 518-473-1277 or NYSLIHWAP.Vendor@otda.ny.gov.

Thank you for your cooperation.

NYS LIHWAP

Account # 008811-000
Confirmation #:
AZ8RUM12N