

**VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
WORK SESSION 6:00 P.M.  
WEDNESDAY, DECEMBER 2, 2020**

Location: Zoom Video Conference – For Information on How to Join  
Visit <https://www.tarrytowngov.com/home/events/31986>  
Any questions prior to the meeting may be emailed to [administrator@tarrytowngov.com](mailto:administrator@tarrytowngov.com).

Board of Trustee Concerns

Open Session

1. Saw Mill River Coalition Renewed Memorandum of Understanding
2. Amendment to Village Code 243 (Sewers) – Staff Who Can Issue Violations
3. Proposal for Architectural Services – Riverside Hose Firehouse
4. NYS - Conducting Public Meetings and Public Hearings
5. Consideration for Two Planning Board Meetings a Month when Agenda is Heavy
6. Parking Task Force Recommendations
7. Transportation and Mobility Council Notes
8. Wilson Park Drive – No Parking from Beech Lane to Cobb Lane
9. LeGrande Avenue – No Parking Monday and Wednesday from 7 a.m. to 10 a.m.
10. Scooter and Motorcycle Parking
11. Rezoning – 29 South Depot Plaza
12. Fire Department Membership Changes

Executive Session

- A. DPW Appointments (MEO, Laborer)
- B. Elizabeth Mascia Child Care Center Lease
- C. Organizational Meeting Appointments



## Kathy Deufemia

---

**From:** Richard Slingerland  
**Sent:** Tuesday, November 24, 2020 9:36 AM  
**To:** Kathy Deufemia  
**Cc:** Joshua Ringel  
**Subject:** FW: Saw Mill River Renewed Memorandum of Understanding  
**Attachments:** Saw Mill River Coalition - 5-Year Action Plan - 2020.pdf; Hastings-on-Hudson.pdf; Village of Ardsley.pdf; Letter of Municipal Commitment - 2020.pdf

---

**From:** Richard Slingerland  
**Sent:** Thursday, November 12, 2020 11:19 AM  
**To:** Kathy Deufemia <KDeufemia@tarrytowngov.com>; Kathy Zalis <zalis@szlawfirm.net>  
**Cc:** Joshua Ringel <Jringel@tarrytowngov.com>; Oded Holzinger <oded@groundworkhv.org>; Dan Pennella <DPennella@tarrytowngov.com>  
**Subject:** FW: Saw Mill River Renewed Memorandum of Understanding

Kathy:

Please put this on the Work Session for the December 2<sup>nd</sup> Work Session (next Work Session).

I will ask Mr. Holzinger to attend the meeting and answer any questions that may arise.

Rich

Richard Slingerland  
Village Administrator  
Village of Tarrytown  
One Depot Plaza  
Tarrytown, New York 10591  
914-631-1785  
fax: 914-909-1208  
e-mail: [rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)

---

**From:** Oded Holzinger <[oded@groundworkhv.org](mailto:oded@groundworkhv.org)>  
**Sent:** Wednesday, November 11, 2020 7:24 PM  
**To:** Richard Slingerland <[rslingerland@tarrytowngov.com](mailto:rslingerland@tarrytowngov.com)>; Dan Pennella <[DPennella@tarrytowngov.com](mailto:DPennella@tarrytowngov.com)>  
**Subject:** Saw Mill River Renewed Memorandum of Understanding

**[EXTERNAL]** This email is from outside the Village of Tarrytown - Please use caution when opening links and attachments!

Dear Village Administrator Slingerland and Village Engineer Pennella,

I am reaching out regarding the effort to get Saw Mill Watershed Advisory Board (SWAB) municipalities to sign onto the Letter of Renewed Commitment to the Saw Mill River Memorandum of Understanding which was sent to the SWAB members in July. We are hoping to get all municipal partners to sign the letter before Christmas. The letter also requires each municipality to commit to 3 local actions that will benefit the Saw Mill River watershed, to be implemented by December of 2022.

Please find attached here the signed letters received from The Village of Ardsley and the Village of Hastings-on-Hudson for your reference.

Both Ardsley and Hastings-on-Hudson presented the letter, as well as the Saw Mill River Coalition 5-Year Action Plan, to their Boards of Trustees at their monthly meeting. In the case of Hastings-on-Hudson, they asked me to join the BoT monthly meeting and give a 10 minute presentation reviewing the structure of the Saw Mill River Coalition and the SWAB, the 5-Year Action Plan and the idea behind the renewed MOU. I found the opportunity to present to the BoT very helpful for all and I would be happy to do that with the Tarrytown BoT.

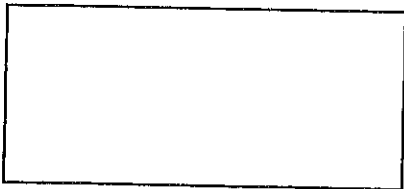
If possible, please provide an estimate of whether the letter could be signed by the BoT by the end of the year.

Please find attached the final version of the Saw Mill River Coalition 5-Year Action Plan as well as a copy of the Renewed Municipal Commitment Letter.

Looking forward to hearing from you.

Best,

Oded Holzinger  
Rivers and Trails Program Manager  
Groundwork Hudson Valley  
(914) 375-2151



## Kathy Deufemia

---

**From:** Richard Slingerland  
**Sent:** Tuesday, November 24, 2020 9:40 AM  
**To:** Kathy Deufemia  
**Cc:** Joshua Ringel  
**Subject:** FW: Saw Mill River Resolution from 2005

---

**From:** Carol Booth <CBooth@tarrytowngov.com>  
**Sent:** Tuesday, November 24, 2020 9:36 AM  
**To:** Richard Slingerland <rslingerland@tarrytowngov.com>  
**Subject:** Saw Mill River Resolution

The following was approved at the BOT 11/21/2005 Board Meeting:

RESOLUTION – CONSIDERATION OF A MEMORANDUM OF AGREEMENT REGARDING THE SAW MILL RIVER WATERSHED COALITION

Trustee Basher moved, seconded by Trustee Crucy Burkhardt, and unanimously carried that the following resolution be approved:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves a memorandum of agreement with respect to the Saw Mill River watershed (the full text of which will be annexed to the minutes of this meeting as part of the official record) and agrees to work together, with other members of the Saw Mill River Watershed coalition, to achieve mutually beneficial projects with respect to the watershed, and agrees that the cooperating municipalities will communicate regularly using the Saw Mill River Coalition as an organizing forum and means of communication, and to assess progress made in achieving the projects envisioned hereunder; and the cooperating municipalities agree that any cooperating municipalities have the right at any time to withdraw from this agreement upon written notice to the other parties.

Best Regards,

Carol A. Booth  
Village Clerk  
Village of Tarrytown  
One Depot Plaza  
Tarrytown, New York 10591  
914-631-1652  
fax: 914-631-8770  
[cbooth@tarrytowngov.com](mailto:cbooth@tarrytowngov.com)





# Saw Mill River Coalition

## 5-Year Action Plan

### 2020





## Acknowledgements

This Project has been funded in part by a grant from the New York State Environmental Protection Fund through the Hudson River Estuary Program of the New York State Department of Environmental Conservation and the Westchester Community Foundation.

This plan was developed by Groundwork Hudson Valley and the Sarah Lawrence College Center for the Urban River at Beczak with the support of:

Westchester County Board of Legislators – Saw Mill Watershed Advisory Board

Board Chair - County Legislator MaryJane Shimsky

City of Yonkers  
Village of Dobbs Ferry  
Town of Greenburgh  
Village of Elmsford  
Village of Pleasantville  
Town of New Castle

Village of Hastings-On-Hudson  
Village of Ardsley  
Village of Irvington  
Village of Tarrytown  
Town of Mount Pleasant

## Introduction

The Saw Mill River Coalition, a program of Groundwork Hudson Valley, was established in 2001 with a vision of revitalizing and protecting the Saw Mill River. Throughout the last two decades, the coalition has worked to promote the health of the river through community-based initiatives, such as organizing vine cutting and river cleanup events and supporting government led projects like the Saw Mill River Daylighting in Downtown Yonkers. However, there are still great challenges the river faces, as it runs entirely through highly developed suburban and urban areas. To face these challenges, it is important to develop a process which can ensure continuity of coalition work. In the past few years, the coalition chose to follow the path of other successful watershed alliances in the United States. A State of the Watershed Report was published in 2019, which along with municipal and community input, led to the development of this 5-Year Action Plan. Looking forward, the coalition aims to focus its efforts on developing, together with Westchester County, a comprehensive watershed management plan.

Just like every watershed has its unique characteristics, so does every watershed alliance. Therefore, this action plan not only outlines what we wish to see in the future, but also identifies existing assets and past achievements of our coalition. Such assets include active stewardship program, led by Groundwork Hudson Valley, a successful water sampling program, led by the Sarah Lawrence College Center for the Urban River at Beczak, a county supported advisory board as well as past plans and reports, municipal surveys, community input sessions and a renowned river daylighting project. This plan draws upon those assets and sets clear goals and objectives for further strengthening them.



## Plan Scope

In this plan, the coalition proposes to continue the ongoing work of our stewardship program, our water quality sampling program, community engagement efforts and the routine meetings of the Saw Mill Watershed Advisory Board, while also pursuing funding to complete a comprehensive watershed management plan. We see the development of a watershed management plan as a crucial step for moving towards implementation of large restoration projects, so this 5-Year Action Plan is designed based on the assumption that a proposal for funding for the development of a watershed management plan will be submitted in year 1, the work on developing the plan will start during year 2 and the plan will be completed by year 4. This aspirational timeline is dependent on our ability to secure significant funding.

The plan consists of six sections, focusing on the fields of stormwater management, water quality, habitat restoration, community engagement and stewardship, access and recreation and stakeholder coordination. It is important to note that the success of achieving the objectives of this plan is highly dependent on the ability to ensure continuous funding for the work of the coalition towards the planning and implementation of projects. The strategies, tasks and measurable outcomes detailed in the plan should be viewed as guidelines for efforts to be made by members of the coalition, local municipalities, and the county government to support the restoration of the Saw Mill River.

**Covid19** – This plan was developed throughout the spring and summer of 2020, in the midst of the Covid19 crisis. This crisis impacted the routine work of the Coalition, especially when it comes to hosting community engagement and stewardship events, which were substituted with virtual meetings or limited to fewer people to allow for social distancing. But more than all, the Covid19 crisis brought a lot of uncertainties when it comes to future availability of funding resources. In the coming year, as we begin stepping out of this crisis and having better clarity regarding funding resources, we will revise the Action Plan accordingly.

## Table of Contents

Stakeholder Coordination.....	4
Community Engagement and Stewardship.....	9
Stormwater Management.....	13
Water Quality.....	17
Habitat Restoration.....	21
Access and Recreation.....	25

## Acronyms

SMR – Saw Mill River

SMRC – Saw Mill River Coalition

SWAB – Saw Mill Watershed Advisory Board

GWHV – Groundwork Hudson Valley

CURB – Center for the Urban River at Beczak

WMP – Watershed Management Plan

GI – Green Infrastructure

## Link for Existing Plans, Agreements and Reports

[Saw Mill River Coalition Action Plan: 2004](#)

[Memorandum of Agreement with respect to the Saw Mill River Watershed \(2005-2006\)](#)

[Stormwater Reconnaissance Plan for the Saw Mill River – Pocantico River Watershed \(2012\)](#)

[Saw Mill River Recreation Area Plan \(2014\)](#)

[State of the Saw Mill River Watershed Report \(2019\)](#)



## Saw Mill River Coalition – 5 Year Action Plan

2020

### Stakeholder Coordination



Saw Mill River Coalition Community Engagement Meeting

*Like most environmental features, a river knows no human-made boundaries. When a wetland is paved in a particular town, increasing the flow rates of the rivers, the impact will be felt in communities further downstream. The power of a successful watershed alliance lies in its ability to bring different stakeholders from the private, public and nonprofit sectors to sit together and address issues of the river from a watershed-wide point of view. These connections are the foundation for collaboration between different stakeholders such as different municipalities, local developers who own property along the river and community-based organizations who work to restore its health. A strong stakeholder forum is also an important tool for securing funding for river restoration projects. The Saw Mill River runs through 12 municipalities, several commercial districts and residential neighborhoods. With the support of the Westchester County Board of Legislators, the Saw Mill River Coalition is helping to coordinate the work of the SWAB – the Saw Mill Watershed Advisory Board. Throughout the years the SWAB has been successfully promoting river restoration projects at the watershed-wide scale as well as coordinating restoration projects at the local level.*

## Year 1

Strategy	Tasks	Who's responsible	Examples/ measurable outcomes
Continue supporting municipal and community partners through the County's Saw Mill Watershed Advisory Board (SWAB)	Designate and train SWAB Coordinator	SWAB	Designated SWAB coordinator leads quarterly meetings
	Add new members to the SWAB from local community organizations	GWHV + CURB	6-8 new members added
	Routinely update SWAB members on coalition activities	GWHV + CURB	At least one SWAB update email between each quarterly meeting
	Coordinate local outreach activities with SWAB members	GWHV	Municipal partners promote and support SMRC outreach in local events
	Create a system for documenting data on SMR flood events to be updated based on municipal partners input	SWAB, GWHV	SMR Flooding map embedded on SMRC website
	Maintain quarterly SWAB Meetings	SWAB Coordinator	4 meetings per year with at least 8 out of 11 municipal partners present at each meeting
	Create a platform for SWAB and BRAB idea exchange	SWAB Coordinator	1 quarterly meeting per year to be combined with BRAB meeting
Renewed commitment from municipal partners	Designate official representatives from each municipality	SWAB Coordinator	List of official SWAB members posted on Westchester County Board of Legislators Website
	Revise 2004 Memorandum of Understanding with municipal partners committing to pursue up to 3 local SMR restoration actions	SWAB, GWHV	At least 10 out of 12 municipalities sign renewed commitment letter
	Work with Westchester County and municipal partners on securing funding for the development of a Watershed Management Plan	SWAB, Westchester County Planning, GWHV	Revised LWRP or equivalent grant application submitted in 2020



## Year 2-3

Strategy	Tasks	Who's responsible	Examples/ Measurables outcomes
Develop a Watershed Management Plan	Hire Watershed Management Plan Consultant	SWAB, Westchester County	Consultant hired
	Educate SWAB on Watershed Management Plan best practices	GWHV + SWAB coordinator	Bronx River Alliance staff present to SWAB their WMP process and lessons learned
Promote new collaborations with private sector stakeholders	Work with municipal partners to identify private landowners in the floodplain	SWAB	Contact list of commercial, residential and industrial owners
	Work with municipal partners to identify potential incentives for private commercial landowners	SWAB	Tax breaks for green infrastructures on commercial properties.
	Conduct outreach and invite private stakeholders to participate in SWAB and SMRC meetings	SWAB Coordinator + GWHV	SWAB meeting with commercial property owners  Personal outreach to residential property owners regarding SMRC meetings
Promote local municipal restoration actions	Meet with each municipal partner to coordinate support for local restoration actions	GWHV	Meeting with at least 8 out of 12 municipal partners
	Municipal partners present local restoration actions taken at SWAB meeting	SWAB	At least 5 projects presented  Site visit to 1-2 municipalities
	Map dumping "hot spots" along the river	SWAB, GWHV, CURB	Each municipality creates a list of dumping hot spots with details regarding source of dumping and potential actions to be taken
Continued municipal support in SMRC activities	SWAB members reach out to local elected officials for participation in stewardship/ community engagement events	SWAB	Each active stewardship group hosts local elected officials  Elected Officials participate in SMRC community meetings

## Year 2-3 (continued)

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Coordinate municipal partners and stakeholders' input for Watershed Management Plan	WMP consultant to meet with SWAB	GWHV, SWAB Coordinator	All 12 municipal partners present at meeting
	Organize a river tour for SWAB members and WMP consultant	GWHV, SWAB Coordinator	Visit potential restoration site in at least 4 municipalities
Prioritize projects for implementation	Develop stakeholder survey for project prioritization	Prioritize projects for implementation	Develop stakeholder survey for project prioritization
	Municipal partners prepare 1 pager documents for potential projects within their jurisdiction	Westchester County, SWAB municipal partners	Municipal partners prepare 1 pager documents for potential projects within their jurisdiction
Monitor local municipal restoration actions	Work with municipal partners on evaluating success of municipal actions	SWAB	Municipal members share progress and lesson learned with SWAB
	Measure success in treating dumping "hot spots"	County	Action (camera, signs, enforcement, letters to owners etc.) taken at least at half of all sites.

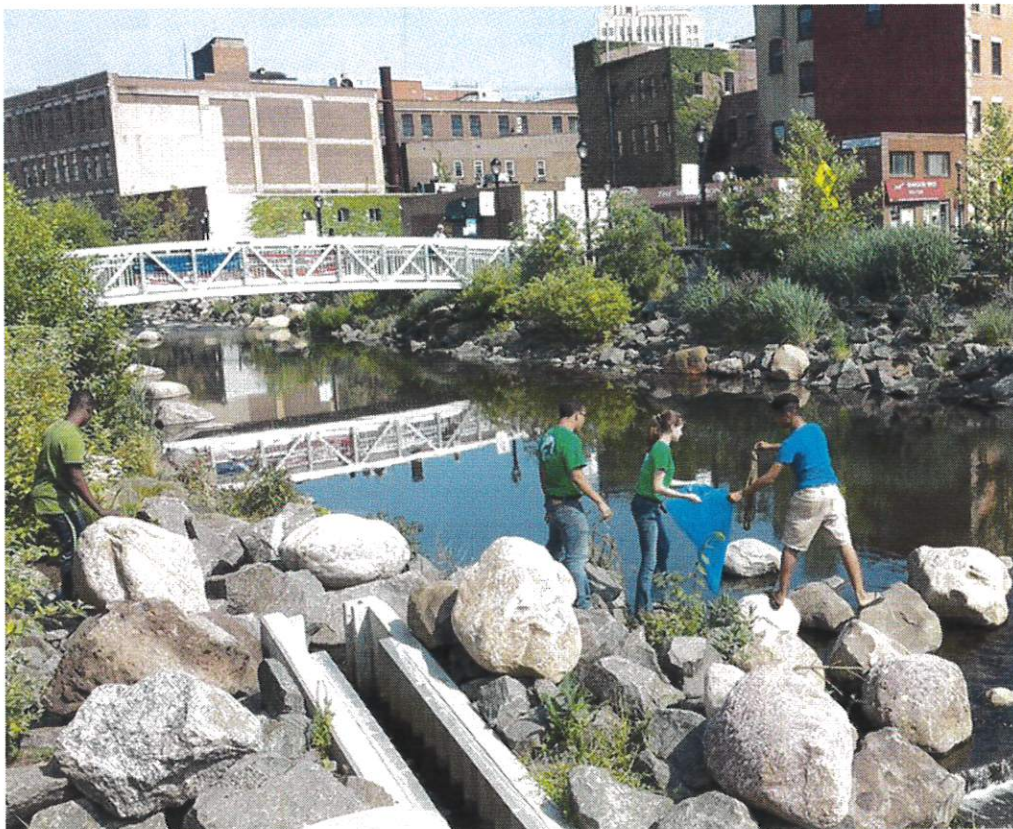
## Year 4-5

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Support the development of Watershed Management Plan	Selecting high priority sites for initial implementation	SWAB Coordinator, GWHV	5 priority sites agreed on by SWAB members
Secure implementation funding	Round one of fundraising for implementation of high priority projects based on WMP recommendations	Westchester County, Municipalities	Funding proposal for at least 2 sites submitted
Assess progress of 5-Year Action Plan objectives	Survey SWAB members on 5-Year Action Plan progress	SWAB, GWHV	Survey answered by all watershed municipalities
Promote completed WMP	Share and promote WMP with communities	SWAB	WMP published on all local websites and newsletters
	Present WMP to Elected officials of municipalities with highest priority sites	GWHV	Presentations to elected officials (City Council/ Board of Trustees) in at least 10 watershed communities
Evaluate restoration projects cost/benefit	Work with municipal and state partners to evaluate expenses of flood damage	SWAB, GWHV	Publish summary report of past and present expenses for emergency management and infrastructure repair
	Partner with an academic entity focusing on ecosystem services	GWHV, SMRC	Develop ecosystem services appendix to WMP

## Saw Mill River Coalition – 5 Year Action Plan

2020

### Community Engagement and Stewardship



Members of the Green Team during the Annual Great Saw Mill River Cleanup event at the Saw Mill River Daylighting site in Yonkers

*Having clear priorities and a well-educated grassroots constituency is the lifeblood of successful watershed alliances. The Saw Mill River Coalition seeks to expand and work more effectively in terms of its goals and objectives, more volunteers need to be involved in site-specific stewardship activities, and a greater understanding is needed across the watershed of the importance of the stream to local biodiversity and water quality protection.*



## Year 1

Strategy	Tasks	Who's responsible	Examples/ measurable outcomes
Increase and diversify community participation in coalition work	Develop an interactive, traveling Saw Mill River education roadshow, in both English and Spanish.	GWHV	Reach 100+ residents
	Conduct semiannual coalition public engagement meetings - one for lower watershed and one for upper watershed	GWHV+CURB	40+ participants
Increase online presence of coalition	Develop new website for coalition	GWHV	Reach 500+ residents
	Semiannual coalition newsletter	GWHV	Reach 500+ residents
SMR Heroes - Collect stories from residents who lived or worked in the Saw Mill River Watershed	Conduct outreach to identify potential testimonials	GWHV	At least 4 stories published on SMRC website and newsletters
Expand Stewardship Program	Open an upper watershed stewardship group	GWHV	2+ annual events reaching 50+ residents
	Open a lower watershed stewardship group	GWHV	2+ annual events in new restoration sites
	Develop Model Stewardship Guide	GWHV	Reach 100+ residents from at least 8 municipalities
	Expand the Great Saw Mill River Cleanup	GWHV	open at least 1 new cleanup site
Increase and diversify SWAB participation	Conduct outreach to community-based stakeholders to join SWAB meetings	GWHV + SWAB staff	6+ new SWAB members

## Year 2-3

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Promote Model Stewardship Guide	Conduct outreach to local sustainability advisory boards	GWHV, SWAB	Meetings with all Sustainability/ Conservation Advisory Boards
	Present Model Stewardship Guide to SWAB members	GWHV	Lead SWAB Meeting promoting municipal support in local stewardship groups.
	Present Model Stewardship Guide to residents	GWHV	Dedicate a full coalition community engagement meeting to presenting the Stewardship Program.
Continue expansion of stewardship program	Support new river stewardship groups based on Model Stewardship Guide	GWHV	At least 4 stewardship groups working according to a work schedule set in the beginning of the season including 2 annual group leadership meetings for planning.
	Expand Great Saw Mill River cleanup to Upper Watershed	GWHV, SMRC	Add 3 new sites north of Woodlands Lake
Educate students on SMR restoration	Promote SMR Daylighting Curriculum to teachers throughout the watershed	GWHV, SMRC	At least 100 teachers exposed to curriculum
Gather public input for Watershed Management Plan	Conduct Public Surveys	WMP Consultant + GWHV	100+ answered surveys
	Host public participation workshops	WMP Consultant	2 annual workshops

## Year 4-5

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Modify stewardship program around newly implemented restoration sites	Promote educational programs around restoration sites	GWHV	Community participation in development of interpretive signage
	Develop community/ participatory monitoring program for restoration sites	GWHV + CURB	Citizen Science monitoring program for water quality, flood events and invasive species
Educate students about SMR restoration	Develop watershed wide SMR Restoration educational curriculum	GWHV	Curriculum addresses issues such as climate change, stormwater management and water quality
WMP Outreach	Organize tours to the different project sites	GWHV + SWAB	2 annual tours. At least 40 participants per tour.
	Promote stories about WMP in local media outlets	GWHV, SMRC	Stories to be published at least 5 media outlets.
	Conduct public meetings to present WMP	GWHV + CURB	2 annual coalition meetings presenting the plan.
	Develop interpretive signage for restoration sites	GWHV + SWAB members	at least one sign per site explaining the work that has been done and the projected benefit.

## Saw Mill River Coalition – 5 Year Action Plan

2020

### Stormwater Management



Flooding along the Saw Mill River in Greenburgh, NY

*Stormwater management is a core issue in the effort to restore the health of the Saw Mill River. Not only is the issue of stormwater the direct cause for one of the most urgent problems impacting communities throughout the watershed, recurrent flooding events, but it also has a direct impact on issues such as water quality, habitat, and access. Improving stormwater management in the Saw Mill Watershed is even more crucial given the impact of climate change. More and more, extraordinary weather events are becoming the norm in Westchester County. Nor'easters, tropical storms and severe thunderstorms have deluged Westchester with greater frequency and intensity. With intense development throughout the Saw Mill Watershed, and specifically along the Saw Mill River floodplain, permeable surface is becoming rare, resulting in increasing flow levels in the river leading to more flooding, bank erosion, low filtration and deterioration of sewer utilities.*



## Year 1

Strategy	Tasks	Who's responsible	Examples/ measurable outcomes
River Bank Restoration	Remove invasive vines at selected stewardship sites: <ul style="list-style-type: none"> <li>- Yonkers – Executive Blvd</li> <li>- Dobbs Ferry – Chauncey Park</li> <li>- Pleasantville – McDonalds</li> <li>- Pleasantville – Grant St</li> </ul>	GWHV, SMRC	2 upstream invasive removal events 2 downstream invasive removal events Total 6 acres cleared of invasives
	Plant and maintain native vegetation in: <ul style="list-style-type: none"> <li>- Yonkers – Executive Blvd</li> <li>- Pleasantville – Grant St</li> </ul>	GWHV, SMRC Stewardship Groups	0.4 acres planted
Promote GI throughout watershed	Present GI best practices to SWAB	GWHV, CURB	Sample policy and design guidelines and their relation to the SMR are presented at SWAB meeting
	Work with municipal partners to include GI in local plans and infrastructure projects	GWHV, SWAB	Gather list of planned infrastructure projects within the watershed that may include GI elements  Municipal partners to sign letters of commitment for promoting GI projects
	Educate local communities on homeowner stormwater management tools	GWHV	Table at 5 community events  Teach stormwater management practices in public schools
Debris removal	Expand Great Saw Mill River Cleanup	GWHV	Add 9th cleanup site with at least 15 volunteers to currently existing 8 sites.
	Work with the City of Yonkers on developing solution for ongoing debris removal from Daylighting	GWHV	Quarterly review with the City of debris in Daylighting
	Organize additional cleanup events at stewardship program sites	SMRC	2 local cleanup events
	Work with SWAB to identify solutions around downed trees	GWHV	Present to SWAB best practices for wooded habitat management in urban areas

## Year 2-3

Strategy	Tasks	Who's responsible	Examples/ Measurables outcomes
Promote GI throughout watershed	Promote municipal efforts to get funding to create GI plans	GWHV, SWAB, municipalities	Develop model grant proposal for local GI project  Submit at least 1 GI grant proposal per year
	Develop a presentation of best practices for GI incentive tools for private sector	GWHV, SWAB	Municipal SWAB members present to City Councils/Boards of Trustees potential tools for GI Incentives for private developers
	Establish a consistent wetland buffer management policy	SWAB	Adoption of policy by majority of municipalities
Perform Baseline Watershed Assessment (as part of a watershed management plan)	Begin stream-flow gauge project on Saw Mill River	Westchester County Planning	Gauges installed in at least 3 locations
	Prepare an existing conditions hydrologic model	WMP Consultant	Model entire watershed based on permeability and land use
	Perform a comparative analysis of the sub-basins and select priority sub-basins	WMP Consultant	List of priority sub-basins created  3 priority sub basins identified
	Monitor pre and post storm flow rates	WMP Consultant	Establish average baseline flow rates of river before and after storm events
	Identify erosion hot spots	WMP Consultant	Top 10 erosion hot spots identified
	Identify flooding hot spots	WMP Consultant	10 most flood prone locations identified
Identify stream restoration sites for implementation	Map potential floodplain restoration sites	WMP Consultant	At least 10 potential floodplain restoration sites identified
	Prepare preliminary design documents for selected high priority restoration sites	WMP Consultant	20% design documents prepared for 2-3 potential restoration sites
	Raise necessary funds for floodplain restoration projects identified in WMP	Westchester County + Municipalities	Funding secured for at least 3 major projects

## Year 4-5

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Promote GI throughout watershed	Develop Homeowner Stormwater Management toolkit	GWHV, SWAB, SMRC	Toolkit sent to residents by all watershed municipalities  Toolkit hashtag created for sharing examples
	Implement local GI projects	GWHV, SWAB municipal partners	Amount of stormwater captured in watershed increased by at least 5%
Implement restoration activities at priority sites identified in year 3 based on watershed management plan	Install bank stabilization plantings and monitor	Westchester County, SWAB municipal partners	30% average erosion reduction at 3 top priority erosion hot spot sites
	Plant buffer strips	Westchester County, SWAB municipal partners	At least 0.5 acre of riparian buffer planted
	Implement stream-flow gauge project 2 <sup>nd</sup> round	Westchester County	2-3 additional gauges installed at priority sub-basins
Restoration site maintenance	Develop floodplain restoration maintenance plan for municipalities	Westchester County, SWAB municipal partners, SMRC stewardship groups	Maintenance plan completed for each site, involving county agencies, municipal DPWs and local stewardship groups
Monitor and document effects of restoration projects	Develop participatory science stewardship program for floodplain restoration monitoring	GWHV + CURB	A comprehensive dataset of river conditions collected at project sites after completion of restoration

## Saw Mill River Coalition – 5 Year Action Plan

2020

### Water Quality



Saw Mill River Coalition Volunteers sampling water in Hastings-on-Hudson

*The issue of water quality in the Saw Mill River has been an ongoing challenge. In the last decade, the County and the Saw Mill River Coalition have continued to monitor water quality in the watershed which has public health, aquatic habitat and recreational impacts that can limit the viability of the river as a local resource. With EPA funding, a 4-year water quality study was carried out with Manhattan College to assess 15 sites from the headwaters to the mouth of the river focusing on fecal coliform (bacteria), conductivity (road salt), total phosphorus (fertilizer), pH (acid), and turbidity (suspended sediments). In 2015, Coalition members Riverkeeper and the Center for the Urban River at Beczak (CURB) launched a new round of sampling at the same 15 sites. It focused primarily on Enterococcus (“Entero”), which is an indicator of fecal coliform. Prior studies were conducted by the USGS and the Army Corps as well. Using this existing data, and as part of the development of a comprehensive Watershed Management Plan, the County and the Coalition will narrow down the source of key pollutants and propose specific projects, policies, and programs to address them at “hot spot” sites.*



## Year 1

Strategy	Tasks	Who's responsible	Examples/ measurable outcomes
Continue baseline pollution monitoring	Train local high school students in water quality analysis and sampling	CURB	Continued hosting of both the Winter Water Academy and Blue Team at CURB
	Perform water sampling in selected sites	CURB	Seasonal sampling data collected at sites along the SMR
Consolidate existing water quality data and information	Transfer consolidated water sampling data to WMP consultant	CURB	Data transferred to WMP consultant
River bank Restoration	Expand Willow Planting Project to additional bank restoration sites	GWHV, stewardship groups	Additional Willows planted along banks of SMR

## Year 2-3

Strategy	Tasks	Who's responsible	Examples/ Measurables outcomes
Consolidate existing water quality data and information	Identify all past water quality data collected by USGS and Army Corps	WMP Consultant	A compilation of all historic water quality data is collected and document for future reference
Identify pollution prevention opportunities	Map pollution "hot spots"	WMP Consultant	Locations identified along the river that are prone to different pollutants using information collected
	Determine high priority pollution hot spots	WMP Consultant	Locations are prioritized based on the highest levels of needs
	Perform preliminary analysis of pollution source for high priority sites	WMP Consultant	Pollution sources are identified at high priority hot spots
Analyze non-fecal pollution levels - conductivity (road salt), total phosphorus (fertilizer), pH (acid), and turbidity (suspended sediments)	Perform water testing for non-fecal pollution	CURB	Additional water quality data points collected along the river during the sampling season
	Explore state and federal funding opportunities for non-fecal pollution cleanup, prevention and mitigation	CURB	Funding opportunities identified for the continued support and betterment of the water quality of the SMR
Water sampling reviewing and monitoring	Additional water quality sampling carried to confirm initial hot spot assessments	CURB	Sample at least 2 potential hotspot pre and post extreme rain event
	Consultant, Coalition, County staff review water quality hot spots together	GWHV	A trip to identified hot spots by group scheduled and completed
Work towards implementation of pollution prevention projects identified in year 1 and 2	Coalition and County staff finalize public access and water quality strategies	SMRC	List of projects and strategies created.
	Raise necessary funds for pollution prevention projects	Westchester County	Funds sought and obtained by county
	Work with municipalities on developing sewer leaks prevention program	Municipal partners	Sewer leaks prevention program created and implemented

## Year 4-5

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Implement restoration activities at priority sites identified in year 2	Fix high priority leaking sewer pipes	Municipalities + Westchester County	Water quality improvements.
Implement regulation for reducing non-fecal pollution	Work with municipalities, county and state to reduce the use of salt on roadways and impacts on the stream in the winter	SMRC, CURB	An alternative salt plan is developed and adopted by users along the SMR
	Re-evaluate monitoring for heavy metals, toxics, PCBs in sediments	CURB	Determined whether it is feasible to monitor for these additional parameters physically and financially
Monitor and document effects of restoration projects	Develop citizen science stewardship program for floodplain restoration monitoring	GWHV + CURB	Water quality improvements tracked

## Saw Mill River Coalition – 5 Year Action Plan

2020

### Habitat Restoration



Members of the Green Team planting Willow trees along the Saw Mill River in Yonkers

*The natural habitat of the Saw Mill River has been in decline throughout centuries of ongoing development throughout the watershed. This is a multifaceted problem. The Saw Mill River Parkway, which stretches along more than two thirds of the river, exposes much of its floodplain to direct sunlight, accelerating the spread of invasive species which have taken over much of the flood plain and pushed out native riparian vegetation, insect communities and aquatic animals. Sewer leaks throughout the watershed have led to poor water quality and with it a decline of native aquatic habitat. In the lower watershed, a rapid process of urbanization turned entire sections of the river into a concrete channel, which in much of Downtown Yonkers runs under the city streets. These channelized sections, a man-made dam in Great Hunger Memorial Park and rapid flow rates at some sections of the river due to mismanagement of stormwater create an obstacle for species that have been migrating up and down the Saw Mill River throughout history. The approach for mitigating this multifaceted problem must be multilayered itself. Many of the strategies offered in other sections of this plan will help to restore the natural habitat of the SMR. This section offers strategies and actions specifically focused on the issues of habitat restoration and biodiversity.*



## Year 1

Strategy	Tasks	Who's responsible	Examples/ measurable outcomes
Riparian habitat restoration	Conduct frequent removal of invasive vines at stewardship sites and monitor	SMRC stewardship groups	Significant reduction of invasive vine spread along a total of 0.6 miles of floodplain at 4+ sites
	Expand vine cutting program	GWHV, SMRC stewardship groups	Additional 0.5-mile strip of flood plain added to program for a total of...
	Maintain and monitor Yonkers willows site	GWHV, SMRC Yonkers stewardship group	75% survivability of willows and shrubs  50% reduction of Japanese Hops spread rate
	Expand native habitat planting program	GWHV, SMRC stewardship groups	At least 100 native trees planted  0.4 acre planted [or restored to seedling forest]
Develop best practices for community-based riparian habitat restoration	Test and monitor invasive vines reduction strategies at various sites	GWHV, SMRC Yonkers stewardship group	Clear determination of best practices most suited to Saw Mill River community-based bank restoration projects, with references to the testing sites, will be included in a SMR Model Stewardship Guide
	Publish SMR invasive vines control guidelines as part of Model Stewardship Guide	GWHV	Each SMRC stewardship group presents their long-term vine control plan

## Year 2-3

Strategy	Tasks	Who's responsible	Examples/ Measurables outcomes
Native riparian forest restoration	Coordinate sponsorship of stewardship groups by local tree nurseries	GWHV, SMRC	1 planting event per year for each group  1 tree maintenance training event per year for each group
	Support local stewardship groups in applying for Trees for Tribes	GWHV, SMRC	2 proposals submitted
Naturalization of critical fish migration obstacles	Develop plan for Woodlands Lake Dam Removal	Westchester County Planning	Woodlands Lake Dam Removal feasibility study completed
	Promote naturalization project for Carpet Mills channelized section	GWHV, Curb, City of Yonkers	Conduct site visit with Army Corps of Engineers  Present stream naturalization best practices to City Council
SMR Daylighting – restore natural habitat of covered section in Downtown Yonkers	Prioritize habitat restoration in design process of Daylighting 4 (Chicken Island)	City of Yonkers	3 annual meetings with design consultant to discuss habitat restoration practices
	Include in SMR Daylighting Phase 4 design measures for reduction of water velocity at Daylighting 3 site	City of Yonkers	Design consultant for Daylighting 4 to study Daylighting 3 and publish report of potential interventions through Daylighting 4 design
Identify priority species	Partner with an academic institution to conduct insect population assessment at selected sites	GWHV, CURB	Saw Mill River insect population assessment report published
	Work with DEC HREP on conducting American Eel population assessment	GWHV, CURB	Saw Mill River American Eel population assessment report published
	Organize biennial bio-blitz for tracking stewardship impact	GWHV, SMRC stewardship groups	Bio-blitz results from at least 5 sites published

## Year 4-5

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Include natural habitat restoration elements in WMP	Collaborate with an academic partner for selecting restoration species	WMP Consultant, Westchester County, GWHV	Publish a guide for selecting native species based on site goals and characteristics including info from Bio Blitz results
Monitor and document success of restoration site	Organize biennial bio-bltz for tracking stewardship impact	GWHV, CURB	Bio-bltz results from at least 5 sites published
	Conduct second insect population assessment	GWHV, CURB	Publish 2-year population change in SMRC Newsletter
	Organize SMRC tour of riparian forest restoration sites at different stages	GWHV, SMRC	At least 40 participants in the tour  Local stewardship groups share lessons learned
SMR Daylighting – restore natural habitat of covered section in Downtown Yonkers	Implement Daylighting 4 at Chicken Island	City of Yonkers, GWHV	0.7 acres daylighted and planted with native vegetation
	Secure funding for fish passage improvements to Daylighting 3	City of Yonkers, GWHV	Funding secured for sediment removal and a fish ladder
Naturalization of critical fish migration obstacles	Remove Woodlands Lake Dam	Westchester County	3.5 acres restored and planted with native vegetation
	Carpet Mills naturalization feasibility study	City of Yonkers, Army Corps of Engineers	Feasibility study published
Riparian forest restoration	Continue maintenance of restoration sites	SMRC stewardship groups	At least 4 events per year for each group At least 75% planted trees survivability rate
	Open 2 new planting sites at priority sub-basins	SMRC, GWHV	100 native trees planted 0.4 acres planted
	Plant riparian trees at post-dam-removal Great Hunger Memorial Park	Westchester County Parks	At least 100 trees planted
	Monitor reduction of invasive vines at mature stewardship sites	SMRC stewardship groups, GWHV	Required routine vine cutting reduced to 1 event per year per site

## Saw Mill River Coalition – 5 Year Action Plan

2020

### Access and Recreation



Winter recreation trails and signs opening access to the Saw Mill River from the South County Trail in Hastings-on-Hudson

*“Not just a parkway” has been a long-time tag line for the Saw Mill River. Even though thousands of drivers pass along the river every day, many of them are not aware of the river with all its magnificent ecosystems. Proper access to the Saw Mill River for recreational purposes is mostly limited to the South County trail, which itself tends to ignore the river running alongside it, lacking signage, seating or well-maintained trails. Furthermore, many of the riverside communities do not have proper access routes for pedestrians or cyclists. Many times, the river runs through vacant “no-man-lands” which hold great potential to be developed as new river parks. The variety of access issues contributes to the Saw Mill River’s reputation as a forgotten river. The Saw Mill River Coalition believes that the river can serve as a great attraction for recreational activity such as hiking, walking, cycling, snowshoeing and kayaking. In addition, we believe that the river should also serve as an educational tool to teach residents of the efforts taken to restore the wellbeing of an urbanized stream. Developing new access and recreation opportunities is a critical element in raising awareness, engagement and political will for supporting restoration efforts throughout the watershed.*



## Year 1

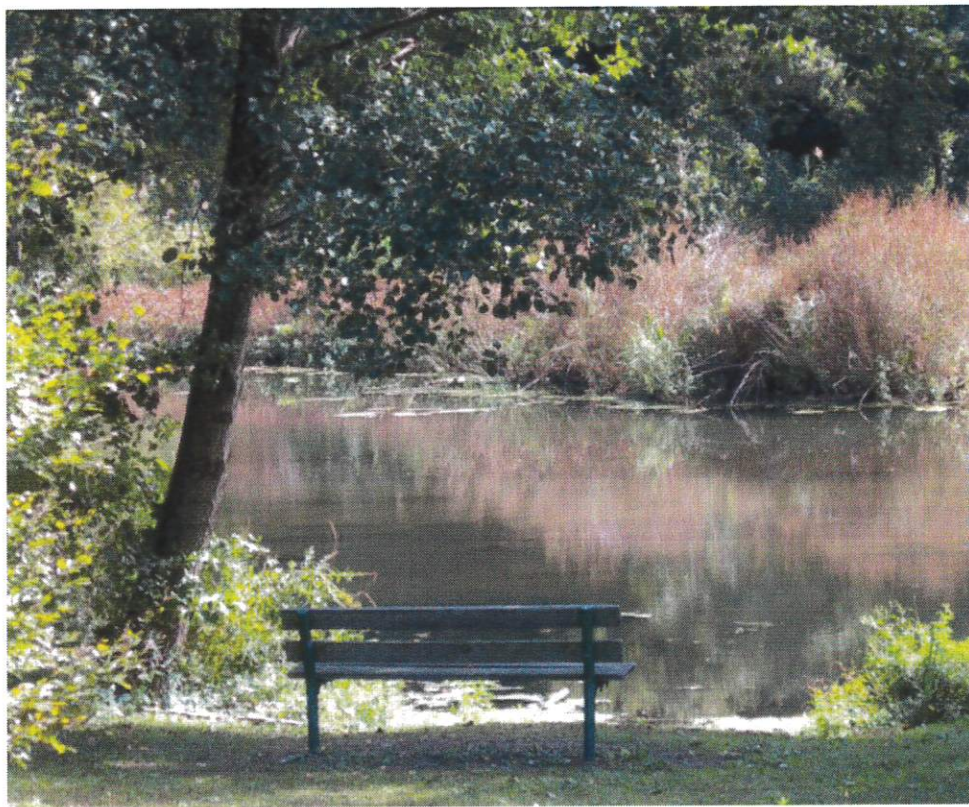
Strategy	Tasks	Who's responsible	Examples/ measurable outcomes
Increase river access and local recreation opportunities through community-based projects	Coordinate stewardship projects to increase river access, visibility and recreational opportunities from the South County Trail in the lower watershed	GWHV, stewardship groups	Add 3 new "signature locations" along the trail  Install 2 additional benches
	Create new river access opportunities at upper watershed	Upper watershed stewardship group	Trail work, bench and signage at McDonalds site in Pleasantville
	Promote designation of the new 14.8 acres Chauncey SMR Park as Dobbs Ferry village park	Dobbs Ferry stewardship group	Tour of site with elected county official conducted  Map potential access routes and signature locations
River restoration sites as an educational tool	Publish SMR Curriculum for school teachers to lead tours of SMR Daylighting	GWHV, Yonkers Public Schools, City of Yonkers	Curriculum sent to all schools in 12 watershed municipalities
	Organize public tour of lower watershed restoration sites	GWHV	At least 30 participants exposed to 4-5 sites
Promote connectivity and river access opportunities from existing and planned recreational infrastructures along the SMR	Promote implementation of 2014 SMR Recreation Plan recommendations	Westchester County Parks, SWAB municipal partners	Plan presented to SWAB  2-3 priority recommendations developed into proposals
	Improve river access opportunities at V.E. Macy Park	Westchester County (Parks, Planning)	Organize site visit with Parks personal and Ardsley Conservation Committee
Promote online information on SMR access and recreation opportunities	Publish SMR Recreation Plan on new SMRC Website	GWHV	Outreach of plan via all municipal newsletters
	Develop an access and recreation map on SMRC website	GWHV	Map to include all trails and signature locations

## Year 2-3

Strategy	Tasks	Who's responsible	Examples/ Measurables outcomes
Increase river access and local recreation opportunities through community-based projects	Create new river access opportunities from local river adjacent businesses in the Village of Ardsley	SMRC, Village of Ardsley	Install benches and signs at Bridge Street site
	Conduct trail work and open new access points at Dobbs Ferry Chauncey Park	Dobbs Ferry stewardship group	Trails connecting all surrounding neighborhoods opened  3 new benches installed
Promote wayfinding along river access sites	Install interpretive signage at signature locations	Stewardship groups, Westchester County Parks	4 new signs installed along South County Trail signature locations
	Work with Rivertowns Square management on installing signs from Lawrence St to Chauncey Park	Village of Dobbs Ferry, Dobbs Ferry stewardship group, GWHV	3 signs and park map installed
River restoration sites as an educational tool	Lead public educational tours of SMR Daylighting	GWHV, City of Yonkers	50-100 people participate in new proposed tours
Promote connectivity of and river access opportunities from existing and planned recreational infrastructures along the SMR	Promote implementation of 2014 SMR Recreation Plan recommendations	Westchester County Parks, SWAB	Implement year 1 proposals if granted  Develop 2 additional connectivity proposals
	Promote development of plans for connecting highway-separated parks	SWAB municipal partners	Proposal for connecting Rum Brook to South County Trail  Proposal for connecting the 2 sections of V.E. Macy Park
	Develop proposal for recreational connection between the Yonkers Greenway, South County Trail and Old Croton Aqueduct	City of Yonkers	Plan presented to Westchester County Parks and to NYS Parks and Historic Preservation  Proposal submitted to NYSDOT
Develop recreational activity at SMR	Implement Yonkers Greenway bike lanes at Daylighting 1 and 2	City of Yonkers	3,500ft of new river adjacent bike lanes
	Organize annual SMR hike	GWHV	At least 25 participants per hike

## Year 4-5

Strategy	Tasks	Who's responsible	Examples/ Measurable outcomes
Create new river parks	Implement SMR Daylighting 4 at Chicken Island in Yonkers	City of Yonkers	0.7 acres of new urban river park open to the public
	Complete designation process of Dobbs Ferry Chauncey Park as village park	Village of Dobbs Ferry  Dobbs Ferry stewardship group	14.8 acres of new park open to the public  Friends of Chauncey Park group established  Maintenance plan completed
River restoration sites as an educational tool	Develop plans for an urban river restoration educational facility at Great Hunger Memorial Park	Westchester County Parks, WMP Consultant	Proposal for center prepared and submitted  Preliminary design documents prepared
	Expand SMR curriculum to include Daylighting 3,4	City of Yonkers, GWHV	Expanded curriculum published to all watershed schools  At least 100 people per year participate in site tours
Increase river access and local recreation opportunities through community-based projects	Promote kayaking activity on the river	Stewardship groups, GWHV	3 new platforms installed along newly designated parks  Organize annual SMR flotilla
	Expand winter recreation on the SMR	Stewardship groups, GWHV	1.5 miles of snowshoeing/cross country ski routes developed
	Organize annual SMR bike tour	GWHV	At least 20 participants
Promote connectivity of and river access opportunities from existing and planned recreational infrastructures along the SMR	Expand Yonkers bike lanes network to Daylighting 3 and 4 and continue via Palisade Ave to Old Croton Aqueduct trail	City of Yonkers	800ft of river adjacent bike lanes added  150% ridership increase at daylighting sites coming from newly connected trails
	Promote implementation of 2014 SMR Recreation Plan recommendations	Westchester County Parks, SWAB municipal partners	Implement year 2-3 proposals if granted  Develop 2 additional connectivity proposals
	Develop new recreation plan for upper watershed	SMRC, GWHV	5-8 new sites surveyed  Plan published and distributed to municipalities





## Letter of Renewed Commitment to Memorandum of Agreement with Respect to the Saw Mill River Watershed

Town/Village/City of \_\_\_\_\_

Through this letter the Town/Village/City of \_\_\_\_\_, a member of the Saw Mill Watershed Advisory Board, wishes to express its renewed commitment to the mid-2000s *Memorandum of Agreement with Respect to the Saw Mill River Watershed* as signed by our \_\_\_\_\_ on the date of \_\_\_\_\_ (as attached), as well as to the Saw Mill River Coalition strategies as detailed in the 5-Year Action Plan.

With the advance in scientific understanding of the impacts of climate change on the livelihood of our communities and the health of our local estuaries, it is important, now more than ever, to reiterate our commitment to take both local and county-wide actions for mitigating the growing challenges faced by the Saw Mill River Watershed. These include among others, an increase in extreme rain events and flooding, loss of natural habitat, water pollution and the spread of invasive species.

To further emphasize our renewed commitment to the goals and objectives of the *Memorandum of Agreement* and the *5-Year Action Plan*, we hereby commit to take the following local actions within the next 24 months:

1.

2.

3.

READ AND AGREED:

\_\_\_\_\_

dated: \_\_\_\_\_

By: \_\_\_\_\_

**Memorandum of Agreement  
with respect to the  
Saw Mill River Watershed**

WHEREAS, the undersigned cooperating municipalities wish to explore mutually beneficial ways of sharing information and resources to improve their relationship with the Saw Mill River (the "River") and the Saw Mill River Watershed (the "Watershed"), as well as improve the health, ecology, economic and recreation potential of the River itself.

WHEREAS, the undersigned cooperating municipalities share a number of common goals, including flood prevention, storm water management, non-point source pollution remediation and prevention, sustainable land use and open space resource preservation.

WHEREAS, the undersigned cooperating municipalities realize that the River, as a tributary of the Hudson River, links their communities and that, therefore, land use decisions made by any municipality in the Watershed can adversely impact downstream municipalities as well as the habitat for the River's flora and fauna.

WHEREAS, the undersigned cooperating municipalities believe it is in their joint best interest to cooperate on addressing common issues relating to the River such as, for example:

- flooding;
- storm water management;
- improving water quality;
- increasing public access/recreational opportunities; and
- improving aesthetics and restoring native vegetation.

WHEREAS, the undersigned cooperating municipalities have been requested through the Saw Mill River Coalition to participate in a natural resource watershed management plan for the Watershed, initiated by Westchester County Department of Planning and the US Army Corps of Engineers.

WHEREAS, the undersigned cooperating municipalities have agreed to work together with the Saw Mill River Coalition on projects to address the aforementioned issues, which projects may include, but are not limited to, the following:

- a. securing and sharing the public and private grants available to address issues pertaining to the River and the Watershed;
- b. providing information and input for the natural resource watershed management plan;
- c. coordinating the efforts of individual municipalities to ensure their compatibility;
- d. addressing federal storm water mandates, including the joint implementation of new technologies and joint training opportunities;
- e. developing educational programs on watershed planning, pollution prevention, and storm water management; and
- f. drafting sample language, which could be incorporated into the land use legislation of the cooperating municipalities, pertaining to development within the Watershed that protects the Watershed corridor's ability to function as necessary to prevent flooding and the degradation of water quality and water habitat.

WHEREAS, the undersigned cooperating municipalities agree, that cooperation pursuant to this Memorandum of Agreement will result in, among other things:

- a. enhanced opportunities when applying for grants to fund mutually beneficial projects in respect of the River and the Watershed; and
- b. a more efficient and cost-effective approach to implementing current and future projects pertaining thereto.

NOW THEREFORE, BE IT RESOLVED:

1. That we, the duly appointed representatives of the undersigned cooperating municipalities hereby voluntarily enter into this MEMORANDUM OF AGREEMENT WITH RESPECT TO THE WATERSHED, and hereby agree to work together to achieve mutually beneficial projects in respect of the Watershed;

2. That the cooperating municipalities will communicate regularly, using the Saw Mill River Coalition as an organizing forum and means of communication, to assess progress made in achieving the projects envisioned hereunder;

3. That the cooperating municipalities hereby agree, that any cooperating municipality shall have the right, at any time, to withdraw from this agreement upon written notice to the other parties hereto; and

4. That this Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all which, when taken together, shall constitute one and the same instrument.

EXECUTED ON BEHALF OF THE COOPERATING MUNICIPALITIES BY  
THEIR REPRESENTATIVES THERETO DULY AUTHORIZED:

FOR THE VILLAGE OF ARDSLEY: October 20, 2005	Name: George F. Calvi Title: Village Manager
FOR THE VILLAGE OF DOBBS FERRY: November 22, 2005	Name: Title: Board of Trustees
FOR THE VILLAGE OF ELMSFORD: November 21, 2005	Name: Robert Willaims Title: Mayor
FOR THE TOWN OF GREENBURGH: April 11, 2007	Name: Title: Town Board
FOR THE VILLAGE OF HASTINGS-ON-HUDSON: February 20, 2007	Name: Title: Board of Trustees
FOR THE VILLAGE OF IRVINGTON: October 17, 2005	Name: Donald Marra Title: Village Administrator
FOR THE TOWN OF MOUNT PLEASANT: February 28, 2006	Name: Robert F. Meehan Title: Supervisor
FOR THE TOWN OF NEW CASTLE: January 10, 2006	Name: Title: Board of Trustees
FOR THE VILLAGE OF PLEASANTVILLE: January 8, 2007	Name: Title: Board of Trustees
FOR THE VILLAGE OF SLEEPY HOLLOW:	Name: Title:
FOR THE VILLAGE OF TARRYTOWN: November 21, 2005	Name: Title: Board of Trustees
FOR THE CITY OF YONKERS: March 17, 2006	Name: Title: City Council





## Letter of Renewed Commitment to Memorandum of Agreement with Respect to the Saw Mill River Watershed

Town/Village/City of Hastings-on-Hudson

Through this letter the Town/Village/City of Hastings-on-Hudson, a member of the Saw Mill Watershed Advisory Board, wishes to express its renewed commitment to the mid-2000s *Memorandum of Agreement with Respect to the Saw Mill River Watershed* as signed by our Village Manager \_\_\_\_\_ on the date of February 7, 2007 (as attached), as well as to the Saw Mill River Coalition strategies as detailed in the 5-Year Action Plan.

With the advance in scientific understanding of the impacts of climate change on the livelihood of our communities and the health of our local estuaries, it is important, now more than ever, to reiterate our commitment to take both local and county-wide actions for mitigating the growing challenges faced by the Saw Mill River Watershed. These include among others, an increase in extreme rain events and flooding, loss of natural habitat, water pollution and the spread of invasive species.

To further emphasize our renewed commitment to the goals and objectives of the *Memorandum of Agreement* and the *5-Year Action Plan*, we hereby commit to take the following local actions within the next 24 months:

1. Pass a resolution in Support of the Birds and Bees protection Act ( NYS House Bill No. 7639 / Senate Bill No. 5816) to impose a 5 year moratorium on all outdoor neonic pesticide use in New York
2. Review existing ordinances and pass a Watershed Protection ordinance based on the Saw Mill River Coalition's Watershed Protection recommendations and other watershed protection plans.
3. Develop a Village Adopt-a-Spot Program in collaboration with the Hastings Pollinator Pathway program, wherein individuals or groups sign a year-long commitment to maintain selected gardens along the designated pathways (South County Trailway, Old Croton Aqueduct and Mount Hope Blvd.).

READ AND AGREED:

Mary Beth Murphy

dated: 10/15/2020

By: Mary Beth Murphy



## Letter of Renewed Commitment to Memorandum of Agreement with Respect to the Saw Mill River Watershed

Town/Village/City of Ardsley

Through this letter the Town/Village/City of Ardsley, a member of the Saw Mill Watershed Advisory Board, wishes to express its renewed commitment to the mid-2000s *Memorandum of Agreement with Respect to the Saw Mill River Watershed* as signed by our Village Manager on the date of 10/20/2005 (as attached). **In addition, the Village of Ardsley will endeavor to address requests for municipal assistance as detailed in the Saw Mill River Coalition 5-Year Action Plan, where practicable and feasible in a timely manner.**

With the advance in scientific understanding of the impacts of climate change on the livelihood of our communities and the health of our local estuaries, it is important, now more than ever, to reiterate our commitment to take both local and county-wide actions for mitigating the growing challenges faced by the Saw Mill River Watershed. These include among others, an increase in extreme rain events and flooding, loss of natural habitat, water pollution and the spread of invasive species.

To further emphasize our renewed commitment to the goals and objectives of the *Memorandum of Agreement* and the *5-Year Action Plan*, we hereby commit to take the following local actions within the next 24 months:

- 1. Complete the Village of Ardsley Comprehensive Plan and Local Waterfront Revitalization Plan (LWRP) documents and begin review of Bridge Street Plaza upgrade implementation as suggested in our LWRP.**
- 2. Work to encourage Westchester County Parks Department to create Saw Mill River waterfront observation access points in Macy Park.**
- 3. Encourage volunteers from the Village of Ardsley to join the Saw Mill River Coalition effort to create a passive recreation park and trailway at Chauncey Park, which is located along the western segment of the Saw Mill River.**

dated: \_\_\_\_\_

READ AND AGREED:

By: \_\_\_\_\_





2

## Chapter 243

### SEWERS

#### ARTICLE I Sanitary Sewers

- § 243-1. Definitions.
- § 243-2. Standards.
- § 243-3. Duties of Plumbing Inspector.
- § 243-4. Right of entry.
- § 243-5. House sewer connections;  
private sewage disposal  
facilities; connections to public  
storm drain.
- § 243-6. Permit required; application;  
inspections; fees; certificates of  
approval.
- § 243-7. Private sewage disposal.

- § 243-8. Installation of house sewers.
- § 243-9. Penalties for offenses;  
enforcement.

#### ARTICLE II Disposal of Sewage and Wastes

- § 243-10. Definitions.
- § 243-11. Dumping or discharging  
objectionable wastes to natural  
outlets unlawful.
- § 243-12. Use of public sewers.
- § 243-13. Damage to sewage works.
- § 243-14. Penalties for offenses;  
enforcement.

[HISTORY: Adopted by the Board of Trustees of the Village of Tarrytown as indicated in article histories. Amendments noted where applicable.]

#### GENERAL REFERENCES

Plumbers — See Ch. 229.  
Solid waste disposal — See Ch. 255.

Water — See Ch. 297.

---

#### ARTICLE I Sanitary Sewers [Adopted 7-18-1966 as Ord. 6.6 of the 1959 Unified Code of Ordinances]

##### § 243-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**HOUSE DRAIN** — That part of the lowest horizontal piping of a drainage system in any building which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to a point five feet outside the inner face of the building wall, where the house sewer begins.

**HOUSE SEWER** — The pipeline extending from the house drain of any building to the public sewer or other approved place of disposal.

HOUSE SEWER CONNECTION — A connection between the house sewer and either the public sewer or a septic tank or other private sewage disposal facility.

OWNER — Includes the tenant, lessee, occupant or user of any premises and the person having the control or management of the premises.

PERSON — Any individual, firm, company, association, society, corporation or group.

PLUMBING INSPECTOR — The duly appointed Plumbing Inspector of the Village of Tarrytown or his authorized deputy or representative.

PLUMBING SYSTEM — Comprises the house water supply system, the drainage system, the vent system and the gas supply system, including their respective fixtures, traps, connections and appurtenances within the property lines of the premises.

PRIVATE SEWAGE DISPOSAL FACILITIES — Any facilities for disposing of sewage which are not connected, directly or indirectly, to a public sanitary sewer.

PUBLIC SEWER — A pipeline for the disposal of sewage owned by the village, with respect to which all owners of abutting properties have equal rights and to which storm-, surface and ground waters are not intentionally admitted.

PUBLIC STORM DRAIN — A pipeline which carries storm- and surface waters and drainage to the exclusion of sewage and industrial wastes other than unpolluted cooling water and which is owned by public authority.

SEWAGE — A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground-, surface and storm waters as may be present.

#### **§ 243-2. Standards. [Amended 5-6-1991 by L.L. No. 5-1991]**

The rules and regulations known as "Uniform Fire Prevention and Building Code; Plumbing Standards;" as amended, and supplemented by the Code of the Village of Tarrytown, shall apply to the Village of Tarrytown.

#### **§ 243-3. Duties of Plumbing Inspector.**

It shall be the duty of the Plumbing Inspector to receive and pass upon all plans submitted; to endorse applications for sewer permits; to collect all fees provided in this article and to pay the same over to the Village Treasurer monthly; to inspect all buildings in the course of erection, alteration and repair; and to see that all plumbing, drainage, ventilation and sewer connections are installed in accordance with the provisions hereof; and for that purpose, he shall have the power to inspect all plumbing, drainage and ventilation whenever he deems it necessary.

#### **§ 243-4. Right of entry. [Amended 5-6-1991 by L.L. No. 5-1991]**

The Plumbing Inspector or the Water/Sewer Foreman, or their duly authorized representatives, shall have the right at all reasonable times to enter in and upon any premises in the village for

any purpose deemed necessary for inspection, observation, measurement, sampling, testing and enforcement under the provisions of this article.<sup>1</sup>

**§ 243-5. House sewer connections; private sewage disposal facilities; connections to public storm drain.**

All house sewer connections, all private sewage disposal facilities and all connections to a public storm drain shall be constructed, installed, repaired and maintained under the supervision and control of the Plumbing Inspector.

**§ 243-6. Permit required; application; inspections; fees; certificates of approval.**

- A. No person shall make any new plumbing installation or repair any old work or make any house sewer connection or any connection to a public storm drain or uncover, use, alter, disturb or repair the same or construct any private sewage disposal facilities unless a permit therefor has been issued by the Plumbing Inspector. No such permit shall be issued if there are existing violations of this article on the premises or if the sanitary drainage or vent system is defective in any way.
- B. Application for a permit must be made by the plumber engaged to do the work, on such forms as may be prescribed by the village. The application shall be accompanied by floor plans and sections showing all sewers, drains, soil lines, waste lines, vent pipelines, septic tanks, cesspools or other private sewage disposal facilities; the location of fixtures, their traps and connections; and any other plans, surveys, maps and information which the Plumbing Inspector may require to show clearly the work to be done. All data in the files of the Water and Sewer Department of the village respecting the location of public sewers, house sewer connections and public storm drains will be made available by the Water/Sewer Foreman, but neither he nor the village shall be responsible for the correctness thereof. [Amended 5-6-1991 by L.L. No. 5-1991]
- C. If the proposed work conforms in all respects to applicable laws, ordinances and regulations, a permit shall be issued to the licensed plumber engaged to perform the work and shall be limited to the work for which the application was made. Such permit shall be kept at all times at the site or place where the work is being performed and shall be displayed upon request to a police officer or any other authorized person. [Amended 5-6-1991 by L.L. No. 5-1991]
- D. No modification of approved plans or of the work described therein shall be permitted unless the same as been previously allowed by the Plumbing Inspector on the written application of the licensed plumber.
- E. The connection of a house sewer to a public sewer shall be made only in the presence of and under the inspection of the Plumbing Inspector or a representative. The permit must at all times be kept on the site of the work available for inspection by the Plumbing Inspector. [Amended 5-6-1991 by L.L. No. 5-1991]

<sup>1</sup> Editor's Note: Original Section 5, Power to Vary, which immediately followed this section, was deleted at time of adoption of Code 5-6-1991 by L.L. No. 5-1991 (see Ch. 1, General Provisions, Art. III).

- F. At least 24 hours' notice shall be given to the Plumbing Inspector by the licensed plumber, from time to time, when any part of the work, including house sewer, drains, pipelines, septic tanks, cesspools, connections, etc., is ready for inspection, and no part of the work shall be covered until it has been examined, tested and approved by the Plumbing Inspector. **[Amended 5-6-1991 by L.L. No. 5-1991]**
- G. On all work where the fixtures do not exceed 10, a minimum fee as adopted by resolution of the Board of Trustees shall be charged for the permit and a charge as adopted by resolution of the Board of Trustees shall be charged for each additional fixture. Automatic clothes washers and automatic dishwashers shall be considered each as a fixture. An additional charge as adopted by resolution of the Board of Trustees,<sup>2</sup> payable before a certificate of approval is issued, shall be made for each additional inspection, including inspection of any house sewer, house sewer connection or septic tank connection and any inspection which may be required because of improper installation, violation of ordinance or inability to pass tests or because inspection is called for and work is not ready or because of any other cause beyond the control of the Plumbing Inspector. **[Amended 5-6-1991 by L.L. No. 5-1991]**
- H. Upon the completion of the work covered by the permit in compliance with this article the Plumbing Inspector, after inspection, shall issue a certificate of approval of the work. No such work shall be used until a certificate of approval is issued.

**§ 243-7. Private sewage disposal.**

- A. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- B. The Plumbing Inspector shall not issue any permit for the construction of any private sewage disposal facilities unless the applicant has first applied, in writing, to the Board of Trustees, and said Board has found that the building in question cannot be connected to any public sewer.
- C. The type, capacities, location and layout of private sewage disposal facilities shall comply with all the recommendations of the Department of Public Health of the State of New York. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Department of Health of the State of New York or the Westchester County Department of Health.
- D. Whenever a public sewer becomes available to a property served by private sewage disposal facilities, the house sewer shall be connected to the public sewer, in compliance with this article, within 90 days thereafter, and the private sewage disposal facilities shall be abandoned, cleaned of sludge and filled with clean bank-run gravel or dirt.

<sup>2</sup> Editor's Note: Such fees are on file and available for inspection in the office of the Village Clerk during regular office hours.



**§ 243-8. Installation of house sewers.**

- A. No house or other building shall be erected on land abutting that portion of any street serviced by a public sewer unless suitable toilet facilities are provided and provision is made for connecting the effluent to the public sewer.
- B. All costs and expense incident to the installation, connection and maintenance of a house sewer shall be borne by the owner.
- C. A separate and independent house sewer shall be provided for every building.
- D. Old house sewers may be used in connection with new buildings or new plumbing only when they are found, on examination and test by the Plumbing Inspector, to conform in all respects to the requirements hereof.
- E. House sewers and house sewer connections must be constructed of extra-heavy cast-iron pipe and shall be a minimum of four inches in inside diameter and properly connected by a 1-45 bend with a four-inch minimum diameter branch on the public sewer or an alternate connection approved by the village. [Amended 5-6-1991 by L.L. No. 5-1991]
- F. All house sewers, drains and horizontal soil and waste pipes must be laid as straight as possible, with any changes in direction made with proper approved fittings and all such pipes given a fall of at least  $\frac{1}{4}$  inch per foot and as much more as may be practicable in each case. No house sewer shall be covered until it has been examined and approved by the Plumbing Inspector.
- G. Whenever possible, the house sewer shall be brought to the building at an elevation below the basement floor. Where any house drain is too low to permit gravity flow to the public sewer, sewage carried by such house drain shall be lifted by an approved means and discharged to the house sewer in such manner as the Plumbing Inspector shall approve.
- H. No person shall connect any roof downspout, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to any house sewer or house drain which in turn is connected directly or indirectly to a public sewer.
- I. House drain; drainpipes; running traps.
  - (1) The house drain shall be of extra-heavy cast iron with a four-inch minimum diameter when underground and of extra-heavy cast iron, galvanized wrought iron or steel, brass or copper water tube, Type K, L, M or DWV, when above ground.
  - (2) The minimum diameter of horizontal drainpipes receiving the discharge of at least one water closet shall be four inches.
  - (3) The minimum diameter of vertical drainpipes receiving the discharge of not more than five fixtures may be three inches. When two of these fixtures are water closets, the minimum shall be four inches.
  - (4) An iron running trap must be placed in the house drain near the front wall of the house. The house trap must have two cleanouts with brass-cap ferrules caulked in. Improved iron traps shall not be permitted. A cleanout Y shall be installed ahead of the house trap.

- (5) Brass screw caps for cleanouts must be extra heavy, with a solid hexagonal nut not less than one inch high, with at least a diameter of 1½ inches.
- (6) When the plumbing system of any building is altered by the addition of new soil, waste or vent lines and no house trap and fresh-air inlet exist on the house drain, the same shall be provided. Such fresh-air inlet shall be four inches in diameter.
- (7) No curb box or similar device with grating placed in sidewalk will be permitted for fresh-air inlet.
- J. In alteration work where it is not practicable to ventilate a water closet, urinal compartment or bathroom by windows or a skylight directly to the outer air, there may be provided an approved vent duct extended to the outer air which must be equal in area to at least 144 inches, or an approved exhaust fan. **[Amended 5-6-1991 by L.L. No. 5-1991]**
- K. Piping of the water distributing system inside a building shall only be copper tube, Type K or L, or threaded red brass or copper pipe, iron pipe gauge.
- L. All house sewers and house sewer connections must be maintained in good working condition at the expense of the owner. All necessary repairs shall be promptly made in compliance with the provisions of this article.

**§ 243-9. Penalties for offenses; enforcement.**

- A. Any person who violates any provision of this article or who owns or occupies property upon which such violation takes place shall be served by the Plumbing Inspector with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. In the event that said violation is not corrected within the period of time stated in such notice, such person shall be punishable as provided in Chapter, 1, General Provisions, Article II. Each day in which such violation shall continue after the expiration of the time limit specified in the notice of violation shall constitute a separate and additional offense. If the violation is committed by a licensed plumber, said license may be revoked in accordance with the provisions of Chapter 209, Licensing, § 209-9. **[Amended 5-6-1991 by L.L. No. 5-1991]**
- B. If the sewage from any building cannot be rendered harmless to the public sewers or in the event that any order of the Plumbing Inspector to comply with any requirements of this article is not complied with within the period specified therein, the Sewer/Water Foreman shall have the right to disconnect the premises affected from the public sewer system until the violation has been removed. **[Amended 5-6-1991 by L.L. No. 5-1991]**
- C. The Plumbing Inspector shall have the right to revoke any permit issued by him in the event that any law or ordinance is violated in the course of the performance of work done under such permit. Notice of such revocation shall be served upon the person to whom the permit was issued personally or by registered or certified mail, return receipt requested, addressed to such person at his address set forth in the application for such permit, and shall state the reason for such revocation.
- D. All the above penalties are cumulative, and any one or more may be imposed in addition to the imposition of any other penalties. Any penalties shall be in addition to the right of the

village to seek enforcement by civil action for an injunction or other remedy and also in addition to any civil liability to the village for damages.

ARTICLE II  
**Disposal of Sewage and Wastes**  
[Adopted 7-18-1966 as Ord. 6.7 of the 1959  
Unified Code of Ordinances]

**§ 243-10. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**BOD** (denoting "biochemical oxygen demand") — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter.

**FOREMAN** — The Water/Sewer Foreman of the Village of Tarrytown or his authorized deputy or representative. [Amended 5-6-1991 by L.L. No. 5-1991]

**GARBAGE** — Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**INDUSTRIAL WASTES** — The liquid wastes from industrial manufacturing processes, trade or business, as distinct from sanitary sewage.

**NATURAL OUTLET** — Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

**PERSON** — Any individual, firm, company, association, society, corporation or group.

**pH** — The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

**PROPERLY SHREDDED GARBAGE** — The waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

**PUBLIC SEWER** — A pipeline for the disposal of sewage owned by the village, with respect to which all owners of abutting properties have equal rights and to which storm-, surface and ground waters are not intentionally admitted.

**SEWAGE** — A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground-, surface and storm waters as may be present.

**SEWAGE TREATMENT PLANT** — Any arrangement of devices and structures used for treating sewage.

**SEWAGE WORKS** — All facilities for collecting, pumping, treating and disposal of sewage.

SLUG — Any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer than 15 minutes, five times the average twenty-four-hour concentration or flows during normal operation.

SUSPENDED SOLIDS — Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

WATERCOURSE — A channel in which a flow of water occurs either continuously or intermittently.

**§ 243-11. Dumping or discharging objectionable wastes to natural outlets unlawful.**

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village of Tarrytown or in any area under the jurisdiction of said village any human or animal excrement, garbage or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Village of Tarrytown or in any area under the jurisdiction of said village any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

**§ 243-12. Use of public sewers.**

- A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any public sewer.
- B. Stormwater and all other unpolluted drainage shall be discharged to public storm drains or to a natural outlet approved by the Foreman. Industrial cooling water or unpolluted process water may be discharged, on approval of the Foreman, to a public storm drain or natural outlet. [Amended 5-6-1991 by L.L. No. 5-1991]
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
  - (1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
  - (2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a public nuisance or to create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two milligrams per liter as CN in the wastes as discharged to the public sewer.
  - (3) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

- (4) Solid and viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, paint, plastics, woods, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers and so forth, either whole or ground by garbage grinders.

D. **[Amended 5-6-1991 by L.L. No. 5-1991]** Unacceptable wastes. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely, in the opinion of the Foremen, that such wastes can harm either the sewers, sewage treatment process or equipment, can have an adverse effect on the receiving stream or can otherwise endanger life, limb or public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Foreman will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, the materials of construction of the sewers, the nature of the sewage treatment process, the capacity of the sewage treatment plant, the degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

- (1) Any liquid or vapor having a temperature higher than 150° F. (65° C.) at the point of entrance into a public sewer.
- (2) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.).
- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of  $\frac{3}{4}$  horsepower (0.76 horsepower metric) or greater shall be subject to the review and approval of the Foreman.
- (4) Any waters or wastes containing strong acid, iron-pickling wastes or concentrated plating solutions, whether neutralized or not.
- (5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement to such a degree that any such materials received in the composite sewage at the treatment works exceed the limits established by the Foreman such materials.
- (6) Any waters or wastes containing phenols or other taste- or odor-producing substances in concentrations exceeding limits which may be established by the Foreman as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Foreman in compliance with applicable state and/or federal regulations.
- (8) Any waters or wastes having a pH in excess of 9.5.
- (9) Materials which exert or cause:



- (a) Unusual concentrations of inert suspended solids (such as but not limited to fuller's earth, lime slurries and lime residues) or of dissolved solids (such as but not limited to sodium chloride and sodium sulfate).
  - (b) Excessive discoloration, such as but not limited to dye wastes and vegetable tanning solutions.
  - (c) Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - (d) Unusual volume of flow or concentration of wastes constituting slugs as defined herein.
- (10) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plan effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- E. Deleterious wastes. [Amended 5-6-1991 by L.L. No. 5-1991]
- (1) If any waters or wastes are discharged or are proposed to be discharged to a public sewer, which waters contain the substances or possess the characteristics enumerated in Subsection D and which, in the judgment of the Foreman, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Foreman may:
    - (a) Reject the wastes.
    - (b) Require pretreatment to an acceptable condition for discharge to the public sewers.
    - (c) Require control over the quantities and rates of discharge.
  - (2) If the Foreman permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Foreman and subject to the requirements of all applicable codes, ordinances and laws.
- F. Grease, oil and sand interceptors shall be provided when, in the opinion of the Foreman, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Foreman and shall be located as to be readily and easily accessible for cleaning and inspection. [Amended 5-6-1991 by L.L. No. 5-1991]
- G. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- H. When required by the Foreman, the owner of any property serviced by a house sewer carrying industrial wastes shall install a suitable control manhole, together with such

necessary meters and other appurtenances in the house sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Plumbing Inspector. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times. [Amended 5-6-1991 by L.L. No. 5-1991]

- I. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with standards established by State and County Health Departments and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the house sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls, whereas pH's are determined from periodic grab samples. [Amended 5-6-1991 by L.L. No. 5-1991]
- J. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the village for treatment, subject to payment therefor by the industrial concern.

#### § 243-13. Damage to sewage works.

It shall be unlawful for any person to maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage works. Any person guilty of a violation of this section shall be punishable as provided in § 243-14 below. Such punishment shall be in addition to and not in lieu of any civil liability of such person for damages.

#### § 243-14. Penalties for offenses; enforcement.

- A. Any person who violates any provision of this article other than this section or who owns or occupies property upon which such violation takes place shall be served by the Foreman with written notice personally or by registered or certified mail, return receipt requested, stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. If such person is a licensed plumber, such notice shall be sent to his address set forth in his license application. If such person is the owner of the property, such notice shall be sent to his address set forth on the most recent village assessment roll. If such person is an occupant, then such notice shall be sent to the premises where the violation exists. In the event that said violation is not corrected within the period of time stated in such notice or in the event of a violation of § 243-13, such person shall be punishable as provided in Chapter 1, General Provisions, Article II. Each day in which any

such violation shall continue after the expiration of the time limit specified in the notice of violation shall constitute a separate and additional offense. If the violation is committed by a licensed plumber, said license may be revoked in accordance with the provisions of Chapter 209, Licensing, § 209-9. **[Amended 5-6-1991 by L.L. No. 5-1991]**

- B. If the sewage from any building cannot be rendered harmless to the public sewers or in the event that any order of the Foreman or the Plumbing Inspector to comply with any requirements of this article is not complied with within the period specified therein, the Foreman shall have the right to disconnect the premises affected from the public sewer system until the violation has been removed. **[Amended 5-6-1991 by L.L. No. 5-1991]**
- C. All the above penalties are cumulative, and any one or more may be imposed in addition to the imposition of any other penalties. Any penalties shall be in addition to the right of the village to seek enforcement by civil action for an injunction or other remedy and also in addition to any civil liability to the village for damages.

## Kathy Deufemia

---

**From:** Joshua Ringel  
**Sent:** Tuesday, November 17, 2020 9:13 AM  
**To:** Kathy Deufemia  
**Cc:** Richard Slingerland; Carol Booth; Kathy Zalantis  
**Subject:** For next Work Session  
**Attachments:** Conducting Public Meetings and Public Hearings.pdf

Kathy D.

See attached the document I referenced during our discussion from NYS (select pages only) regarding how to conduct a public hearing including recommended limits on speaking / participation.

Josh Ringel  
Assistant Village Administrator  
Village of Tarrytown  
One Depot Plaza  
Tarrytown NY, 10591

(914)-631-1785

Visit us on the web at <https://www.tarrytowngov.com/>







**Division of Local  
Government Services**

# **Conducting Public Meetings and Public Hearings**

---

**JAMES A. COON LOCAL GOVERNMENT TECHNICAL SERIES**

**A Division of the New York Department of State**

**Andrew M. Cuomo, Governor**

**Rossana Rosado, Acting Secretary of State**

4

committees and subcommittees. The comprehensive definitions of the OML essentially mean that any group organized to perform a governmental function must make all of its meetings open to the public and must give proper notice of such meetings.

The statute defines a “meeting”, not by the nomenclature attached to it, but by the facts: any time a public body gathers for the purpose of conducting public business (regardless of whether the body *intends* to take any action) the proceeding must be convened open to the public. Characterizing meetings as “work sessions”, or using similar wording, does not relieve the body of the need to comply with the OML. On the other hand, the OML does not apply to social gatherings or chance meetings, even where some item of public business may be mentioned in passing. It also does not apply whenever less than a quorum of the members of a public body get together, since no substantive public business may be done under those circumstances.

**Who May Attend?** — The Open Meetings Law requires that meetings held by public bodies must be “open to the general public”<sup>5</sup>, i.e., that the body must accord access (including media access) to every meeting. Where a public body uses videoconferencing to conduct a meeting, it must also provide for public access at any location from which any member of the body participates.<sup>6</sup> It does not require the public body to offer the public an opportunity to be heard. The right to participate (that is, to speak) at a meeting may be limited to the members of the public body itself. A public body may, however, permit public participation and may provide rules for speakers to follow at meetings.<sup>7</sup> Also included among the OML’s requirements is that “all reasonable efforts” be made to ensure that the meeting venue is accessible to the physically handicapped.<sup>8</sup>

**Executive Sessions** — An “executive session” is a portion of an open meeting during which the public may be excluded.<sup>9</sup> The public body’s authority to conduct an executive session is limited to those purposes enumerated in the Open Meetings Law.<sup>10</sup> In summary, a public body may only go into executive session if the matters to be discussed:

- will imperil public safety if disclosed;
- may disclose the identity of a law enforcement agent or informer;
- relate to a current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- relate to proposed, pending, or current litigation;
- relate to public employee collective-bargaining negotiations;
- involve the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation;
- pertain to the preparation, grading, or administration of examinations; or
- relate to the proposed acquisition, sale, or lease of real property, or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect their value.

determined order. It is recommended that expert witnesses and public officials testify first, then persons representing organizations, followed by individuals. (An alternative system would follow a first-come, first-served order, using a sign-in roster.)

**10. Opening the Hearing** — After the hearing is called to order, the chair should welcome the public to the hearing and should introduce the members of the board. An opening presentation should be made by or on behalf of the board, stating what the board hopes to gain from listening to the public and what the next step in the process will be. The chair should note that the resolution of the board authorizing the public hearing and the affidavit of publication of the official notice have been entered into the record. While it is unnecessary to read such documents aloud, the chair or the board may wish to have the clerk briefly summarize their contents for the audience. The chair (or alternatively, the board's attorney) should clearly state the rules of procedure to be followed by the board at the hearing. These rules should include reference to, and the rationale behind, the order in which witnesses will be called. Such explanation will help the public to understand and accept the procedure.

**11. Accepting Testimony** — In addition to accepting oral testimony of witnesses, the board may also want to accept written comments. If written comments will be accepted, the board should notify the public as to how many copies will be needed for the board, and if deemed necessary, for distribution to the media and others present at the hearing.

If the board anticipates a large number of witnesses wishing to testify, it may want to limit the time for each witness' testimony. Limiting statements to 3-5 minutes encourages witnesses to be focused and direct, and permits more people to testify. More lengthy comments can be accepted in written form after the hearing is closed. Provisions may be made so that extra time may be given, should the board consider it necessary.

The chair should call the witnesses in the determined order, and invite them to present written copies of their testimony to the board. When a witness testifies, it is the chair's responsibility to prevent the witness from straying too far from the subject, and to remind the witness to speak clearly or to speak into the microphone. The chair should instruct the witness to present his/her testimony to the board, not to the public. The chair should also prevent others from interrupting the testimony.

The board members may want to ask questions of witnesses in order to clarify facts and opinions presented in their testimony. In addition to questioning witnesses, the board may permit members of the public to question witnesses at the hearing. If it does so, the board should be careful not to turn the hearing into a debate. Open debates of public issues tend to raise people's emotional levels, diminish the board's control over the hearing, and tend to discourage some witnesses from testifying.

If witnesses are being called from a witness list, the board will find that some witnesses will elect not to testify on the grounds that their views were expressed by a previous witness. Also, some prospective witnesses will leave the hearing early. When the list of witnesses is exhausted, the chair should ask if anyone remaining wishes to be heard. As time permits, these persons should be invited to speak.

4

In hearings where certain facts must be established, the chair may need to ask for further testimony by the actual parties if those facts have not been presented. This situation is most likely to arise with a planning board hearing, a board of appeals hearing, a board of assessment review proceeding, or other hearings involving either a permit or an appeals process.

**12. Adjournment** — The board may desire to adjourn and reconvene the hearing at a later time. This may occur for any of a number of reasons: it may wish to reconvene at a different location (for example, a project site); the hour may be late and the board may desire to continue the following day; or it may wish to adjourn for a longer period--say, a week or longer, or perhaps until its next regularly-scheduled meeting, in order to allow more time for the gathering and presenting of information. In any case, the chair should secure agreement as to the place and time at which the board will reconvene, and should announce it before adjourning. While it is generally not necessary to place a new newspaper notice of the hearing's continuation, the original hearing notice could reference the possibility of an adjournment (see Sample Notice).

**13. Closing the Hearing** — A public hearing is concluded when all attendees desiring to speak have been heard. A vote is not needed to close the hearing; provided no board members object, the chair simply gavels the hearing to a close. When the oral portion of the hearing is finally closed, the board may wish to "hold the record open" for a stated time period for the receipt and inclusion of additional written testimony. This may be appropriate to allow people to respond to testimony given orally. In such case the board will of course delay any final action on the matter until the latter deadline has passed. Regardless, any legal time period for a decision must begin when the *oral* public hearing is closed.

The chair should thank the public and witnesses for attending, and should explain the steps the board will take to use the information gathered to make a decision.

## CONCLUSION

Actions taken at meetings at which the Open Meetings Law is not complied with are at serious risk of being overturned in court. Fortunately, the goal of most local governments is service to the community, not the mere avoidance of legal hassles. For this reason, municipal officials should regard open meeting procedures as serving more than just the State's objective of keeping local government business open to the public. These procedures give the public the full opportunity to observe and to participate in its own governance, and they help confirm the local government's accountability to its constituents. In addition, fairness in applying hearing procedures results in proper accord for the rights of all parties, a better airing of public opinion on community issues, and ultimately greater public confidence in the decisional process.

It is hoped that this publication has clarified both the purpose and the detail of the procedures required in the Open Meetings Law, and has been of assistance to all local officials involved in the organization of public meetings as well as hearings.

**Tarrytown Parking Task Force**  
**Recommendations for Board of Trustee Consideration**  
November 9, 2020

Task Force Mission Statement:

*Parking convenience affects overall accessibility and thereby commerce and livability of the Village of Tarrytown. Parking facilities are a major cost to our community so we must prioritize management (making better use of existing resources) before creating more supply (too few available spaces, we must build more).*

*Our goal is to evaluate the existing supply and availability of all parking resources within the Village with special attention to the Main Street business district and North Broadway corridor and then make recommendations that result in more efficient use of those resources.*

Guiding Principles

This Task Force used the following three basic principles of parking management and reform from The High Cost of Free Parking by Donald Shoup (<https://www.youtube.com/watch?v=uVteHncimV0>) to inform our recommendations:

- (1) set the right price for curb parking,
- (2) return the parking revenue to pay for local public services, and
- (3) remove minimum parking requirements

*Note: The Main Street business district and North Broadway corridor will be referred to as the "Business District".*

Next Steps:

Though the work of this Task Force is completed for this term, we believe this is only an initial step in properly managing the parking resources of the village. Therefore when this Task Force has been dissolved, we propose to the BOT the following:

- Form a small, on-going committee that meets quarterly and is led by a person with parking management experience. It's purpose is carry on management of all parking resources (Business District and Commuter Parking) based on the guiding principles stated above and strategize .The committee should include the following members of the Business District community and coordinate all on-going efforts with the CPMC:
  - A representative of the Merchants Council from the Chamber of Commerce.
  - A representative resident of the Business District
  - Lieutenant of TTPD
  - Assistant Village Manager
  - BOT liaison



## Recommendation #1

Extend all parking meter enforcement duration in the Business District from 9am-6pm to 9am-9pm and also raise curb space meters to \$1.25 or \$1.50 per hour.

Curb space is the most convenient and desirable parking for commerce and should be priced accordingly. This recommendation is a first step in "setting the right price for curb parking". The intent of extending the duration will hopefully encourage Music Hall patrons to park in municipal lots rather than fill up curb space.

<i>Business District Municipal Lots (Off-street parking)</i>	<i># of Spaces</i>	<i>Current Rate &amp; Enforcement Duration</i>	<i># of Spaces</i>	<i>Proposed Rate &amp; Enforcement Duration</i>
Lot 1 - 31 South Broadway	24	\$1 per hr, 9am-6pm	24	\$1 per hr, 9am-9pm
Lot 2 - Neperan Road	21	\$1 per hr, 9am-6pm	21	\$1 per hr, 9am-9pm
Lot 3 - South Washington St (Eastside)	76	\$1 per hr, 9am-6pm	76	\$1 per hr, 9am-9pm
Lot 4 - South Washington St (Westside)	24	\$1 per hr, 9am-6pm	24	\$1 per hr, 9am-9pm
Lot 5 - McKeel Avenue	75	\$1 per hr, 9am-6pm	75	\$1 per hr, 9am-9pm
<b>Total (Lot or Off-street)</b>	<b>145</b>		<b>145</b>	
<i>Business District Curb Spaces (On-street parking)</i>	<i># of Spaces</i>	<i>Current Rate &amp; Enforcement Duration</i>	<i># of Spaces</i>	<i>Proposed Rate &amp; Enforcement Duration</i>
Main Street	65	\$1 per hr, 9am-6pm	58	\$1.50 per hr, 9am-9pm
Main Street (15 minute spaces)	4	\$0.25 for 15 minutes	11	\$0.50 for 15 minutes
South Washington Street	9	\$1 per hr, 9am-6pm	9	\$1.50 per hr, 9am-9pm
North Washington Street	4	\$1 per hr, 9am-6pm	4	\$1.50 per hr, 9am-9pm
John Street	4	\$1 per hr, 9am-6pm	4	\$1.50 per hr, 9am-9pm
Kaldenberg Place	12	\$1 per hr, 9am-6pm	12	\$1.50 per hr, 9am-9pm
South Broadway	39	\$1 per hr, 9am-6pm	39	\$1.50 per hr, 9am-9pm
North Broadway	65	\$1 per hr, 9am-6pm	6	\$1.50 per hr, 9am-9pm
Broadway (15 minute spaces)	2	\$0.25 for 15 minutes	4	\$0.50 for 15 minutes
Neperan Road	4	\$1 per hr, 9am-6pm	4	\$1.50 per hr, 9am-9pm

6

Hamilton Place	7	\$1 per hr, 9am-6pm	7	\$1.50 per hr, 9am-9pm
Central Avenue	8	\$1 per hr, 9am-6pm	8	\$1.50 per hr, 9am-9pm
<b>Total (Curb or Off-street)</b>	<b>215</b>		<b>215</b>	
<b>Total Business District Parking</b>	<b>360</b>		<b>360</b>	



## Recommendation #2

Establish additional 15-minute spaces to serve short, pick-up trips in the Business District by adding (convert currently metered spaces) seven (7) additional 15 minute spaces to Main Street and two (2) additional 15 minute spaces to North Broadway. See maps below for proposed locations: top map - Main Street (from Broadway to Windle Park); bottom map - Broadway (from Main to McKeel)



### Recommendation #3

*Improve directional signage to Municipal lots in the Business District and number the lots for easier identification.*

Simplify naming of Business District metered parking lots to "numbers" in lieu of "names". The following amendment and format change to Village Code Section 291-91 is proposed (new language in bold italic print, format is also changed but utilizes existing language);

#### **§ 291-91 Schedule XXVI: Off-Street Metered Parking Lots.**

[Amended 2-7-2000; 6-23-2003; 3-19-2012; 12-3-2012; 3-21-2016; 11-21-2016; 1-7-2019]

The areas described below shall constitute off-street metered parking lots. A full description of such lots is available in the office of the Village Clerk, where it may be examined during regular office hours.

Name of Lot	<i>Lot Locations</i>
<b><i>Lot 1</i></b>	31 South Broadway
<b><i>Lot 2</i></b>	Neperan Road
<b><i>Lot 3</i></b>	South Washington Street (Eastside)
<b><i>Lot 4</i></b>	South Washington Street (Westside)
<b><i>Lot 5</i></b>	McKeel Avenue
Lot A	Depot Plaza
Lot B	South Depot Plaza
Lot C	Green Street (North)
Lot D	West Main Street
Lot E	Green Street (South)
Lot F	Losee Park North
Lot G	Losee Park South & Green Street along Losee Park fence line

Included in this change is the removal of West Elizabeth Street lot (effective 1/31/2020). This change will also help clean up the existing format in the Village Code making it uniform to the uptown lot proposed language. The Parking Task Force recommends keeping the long-term commuter lots identified by "letters" to provide distinction between the two types of lots.

*If this proposal is approved by the Board of Trustees the signage will be updated (within the Business District lots) and made to stand out and be more visible.*

6

#### Recommendation #4

*Addition of Lots 3 & 4 (South Washington Street) to Village Code Section 291-48 Business Permit.*

Village Code Section 291-48 describes and regulates business parking permits. Currently the Village Code does not allow business permits to be utilized in the South Washington Street lots. We recommend that the South Washington Street lots are added to the list of locations where business permits may be utilized. We believe that allowing business permit parking in the lot will help free up curb spaces along Main Street that may have been otherwise occupied by business owners or employees. The proposed Village Code changes includes the change in Recommendation #3 (numbering the parking lots in the Business District parking lot identification) and also the removal of the West Elizabeth Street Parking Lot which became effective on 1/31/2020 (new language in bold underlined italic print);

#### **§ 291-48 Business permit.**

[Amended 9-19-2011 by L.L. No. 8-2011; 12-3-2012]

Upon submitting to the Village Treasurer a properly completed signed application and upon payment of a fee as set by resolution of the Board of Trustees, the Village Treasurer shall consider said application as valid and complete for the issuance of a business permit, subject to applicable parking limitations. Such permit shall only be issued to the owner of a passenger or suburban vehicle who is not a resident of the Village of Tarrytown, but who is a merchant, store employee, office worker, business or professional person or other person gainfully employed within the Village of Tarrytown. One permit may be issued for up to four vehicles per parking permit, but in no case may the permit be used on more than one vehicle at a time and shall not be considered a valid permit for the parking of more than one vehicle at a time. Such permit shall be valid for a period of not more than one year and shall expire, in any event, on May 31 of each year. Business permits are valid in the following municipal parking lots, subject to specific restrictions where applicable:

~~A. —McKeel Avenue Parking Lot.~~

~~B. —South Broadway Parking Lot.~~

~~C. —West Elizabeth Street Parking Lot (metered parking spaces):  
[Amended 3-21-2016]~~

~~D. —Cortlandt Street (metered parking spaces 4050 through 4061):  
[Added 12-3-2018]~~

~~E. —Neperan Road Parking Lot (formerly known as the "Citibank  
Parking Lot") (Village parking spaces). [Added 9-3-2019]~~

A. *Lot 1 (31 South Broadway)*

B. *Lot 2 (Neperan Road)*

C. *Lot 3 (South Washington Street, East Side)*

D. *Lot 4 (South Washington Street, West Side)*

E. *Lot 5 (McKeel Avenue)*

F. *Cortlandt Street (metered parking spaces 4050 through 4061).*



6

## **Recommendation #5**

*Creation of a Downtown Resident Parking Permit for the Business District Lots.*

In conjunction with Recommendation #1, we recommend creating this accommodation for those residing within the Business District who do not have dedicated off-street parking but available to all residents of Tarrytown. Priced the same as a "Business Permit" (VC Section 291-48).

\*Must be a resident to apply

Only two cars may be listed on one permit (only one vehicle can use permit at a time)

Can be utilized in the following lots;

- A. Lot 1 (31 South Broadway)
- B. Lot 2 (Neperan Road)
- C. Lot 3 (South Washington Street, East Side)
- D. Lot 4 (South Washington Street, West Side)
- E. Lot 5 (McKeel Avenue)



7  
Thursday, November 19, 2020

## Transportation and Mobility Council Notes

Tom Coughlin, Mitch Chalsen, Scott Brown, Henry Molina, Chris C., Rich, Becky

Absent - Bobby Hoyt, Eleanor Ross, Josh

Committee has 3 vacancies – one for Joe, Gene and Scott W.

1. update on speed humps. Miller Park very successful. Many requests from other neighborhoods. Shared the protocols from the City of New Rochelle on how they handle it. Scott B. - We should review the requests from each neighborhood and then determine if a recommendation would be made. Tom – have to make sure we're not pushing traffic to other neighborhoods. Rich – also have to make sure there is money in the budget or capital plan for it. Further discussion ensued. Propose a program be created to encourage the creation of a policy similar to what New Rochelle. All agreed. Draft up, include review from all departments, the TMC and the Village Attorney, and then recommend it back to the Board. What are the weightings going to be... Noise is a consideration.
2. Parking at or for Sleepy Hollow Gardens. Parking overflow is going onto Meadow Ave and Millbrook. Tom – owe it to the residents of the two streets to try and find some solution that will relieve the pressure for them. Suggestion that Gibraltar Mgmt talk with Samson Mgmt about allowing parking in their location(s). Rich to check with Dan on what's happening. Suggest making spaces down Meadow on 119, on the Village-owned land. Suggest paving and gravel. Bobby – that was discussed, and there was push-back from residents who live in that vicinity. If that was paved and a parking lot was put in, it would become a hang-out. Is there a tenant's association? Don't know. 20 years ago, went through and cleared up 20 spaces that. Tom – is it feasible to have a meeting between the Village and Samson to try and see if something can be worked out? Bobby – does anyone know how much it costs? Rich initiate a phone call, perhaps with John and Dan and Samson. Tom or Mitch also participate if available. Tom is available.
3. Wilson Park – no parking at the south end of the park on the east side of the street (east side of Wilson Park). No parking this side of street. Only when you get to the south end is there a sign that says no parking on this side of street. Need to have the Board review possible traffic regulation changes. Tom – the spot we're talking about is south of Cobb Lane. Mrs. DeRocker said it's okay to park but please don't stripe the spots. Also said people can park down at the lakes. We can put a sign on Village land.
4. LeGrande Avenue Parking – the Village was going to consider signs on Monday and restrict on Wed. from 7 a.m. to 10 a.m. Take to the Board.
5. Scooter parking at the Train Station – asking for dedicated parking area for 3 to 5 scooters near the train tracks. Would like to change-over from full spot to prioritize for scooters.

7  
Rich and Josh to talk with Dan and John and make a formal recommendation to the Board. Take a look at it and come up with something to recommend. Have a designated area.

6. Parking Task Force – parking in the business district – a number of specific proposals to make parking more efficient. Put on December 2<sup>nd</sup> Work Session.

7. Mayor and Board hosted an open house to invite new volunteers. Understand there may be 1 or 2 volunteers who may be interested. Any such volunteers have to be approved by the Board. Volunteers will be up for discussion at the December 2<sup>nd</sup> Work Session. Prioritize people with traffic or planning experience in traffic. The perspective of such a person would be helpful.

Next meeting is Thursday, January 21, 2021 at 6 p.m.

Adjourned at 7:03 p.m.

8

**Village of Tarrytown Police Department  
Office Memorandum**

**To:** Chief John Barbelet

**From:** Lt. Gregory Budnar

**Date:** November 23, 2020

**RE:** Village Code Amendment (Section 291-77 Schedule XII: Parking Prohibited at All Times)

Section 291-16A of the Village Code states "Parking prohibited at all times. No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule XII (§ **291-77**), attached to and made a part of this chapter."

Section 291-77 of the Village Code (Schedule XII: Parking Prohibited at All Times) describes the name and location of streets and their designated parking restrictions. The following addition should be made to Section 291-77 (new language in bold italic print);

Name of Street	Side	Location
<b><i>Wilson Park Drive</i></b>	<b><i>East</i></b>	<b><i>From Beech Lane to Cobb Lane</i></b>

The reason for this code amendment request is to prevent parked vehicles from blocking the roadway. An increase of vehicles parking in this area, to utilize the public park, has generated complaints of vehicles parked in a manner that obstructs travel on Wilson Park Drive. This request is being made on behalf of the Transportation Council.

\* Please see page 2 for image of code change request.

8

**Village of Tarrytown Police Department  
Office Memorandum**

Image of requested no parking area.





9

**Tarrytown Police Department**  
**Memorandum**

To: Chief Barbelet  
From: Lt. Gregory Budnar  
Date: November 23, 2020  
RE: Village Code Amendment  
Alternate Side Parking LeGrande Avenue

Section 291-80 (Schedule XV: Parking Prohibited Certain Hours) of the Village Code regulates alternate side parking times. Currently there is no village code regulation for alternate side parking on LeGrande Avenue;

At the request of DPW Superintendent Lou Martirano the following village code change is being requested (new language in bold italic print).

In accordance with the provisions of § 291-19, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street	Side	Hours / Days	Location
<b><i>LeGrande Avenue</i></b>	<b><i>North</i></b>	<b><i>Mondays &amp; Wednesdays between the hours of 7:00 a.m. and 10:00 a.m.</i></b>	<b><i>From a point 325 feet east of Croton Avenue easterly for a distance of 70 feet.</i></b>

Currently the DPW trucks are having difficulty making the sharp turn at the location above while cars are parked on the street. The DPW trucks often have to mount the curb/sidewalk area to make the turn. This code change is being requested to accommodate the safe travel of DPW Sanitation trucks during their sanitation route.





11

McGULLOUGH, GOLDBERGER & STAUDT, LLP

ATTORNEYS AT LAW

1311 MAMARONECK AVENUE, SUITE 340

WHITE PLAINS, NEW YORK

10605

(914) 949-6400

FAX (914) 949-2510

WWW.MCGULLOUGHGOLDBERGER.COM

FRANK S. McCULLOUGH, JR.  
JAMES STAUDT  
LINDA B. WHITEHEAD  
SETH M. MANDELBAUM

AMANDA L. BROSY  
EDMUND C. GRAINGER, III  
PATRICIA W. GURAHIAN  
MEREDITH A. LEFF  
MORGAN H. STANLEY  
KEVIN E. STAUDT  
STEVEN M. WRABEL

CHARLES A. GOLDBERGER  
COUNSEL

FRANK S. McCULLOUGH (1908-1998)  
EVANS V. BREWSTER (1920-2005)

November 25, 2020

Mayor Thomas Butler and Members of the Board of Trustees  
Village of Tarrytown  
One Depot Plaza  
Tarrytown, New York 10591

Re: Lexington 202 Group, LLC and Collins Enterprises, LLC  
29 South Depot Plaza  
Tax lot Section 1.70, Block 29, Lot 38

Dear Mayor Butler and Members of the Board:

As you are aware, we represent Lexington 202 Group, LLC ("Lexington") and Collins Enterprises, LLC ("Collins") (collectively the "Applicants") with regard to the above-referenced property (the "Property"). We are pleased to be returning to your Board having received a Negative Declaration under SEQRA and a recommendation from the Planning Board in support of the proposed Zoning Text Amendment to allow for Transit Oriented Development within the ID District provided certain criteria are met. We are providing to you herewith the revised Zoning Text as recommended by the Planning Board, which incorporates a number of revisions and additional conditions requested by the Planning Board. You should have also received a copy of the Negative Declaration and the Recommendation directly from the Planning Board. The next step in this process is for the Board or Trustees to hold a public hearing on the Zoning Text Amendment.

As a reminder, the following will summarize the history of this project. In 2018 Lexington obtained site plan approval for a two-story self-storage facility on the Property. At that time, the Village had been undertaking a study of the station area in the context of the 2016 Tarrytown Economic Development Study and the subsequent Tarrytown Connected, which subsequently led to the Comprehensive Plan adopted in November 2018. Throughout the review process for the self-storage facility the Planning Board had expressed its interest in including residential uses in future development of South Depot Plaza as subsequently incorporated as goals of the Comprehensive Plan. At this time the ID Zoning District does not allow residential use. Lexington

subsequently presented a plan for a mixed-use development at the Property incorporating the requested multifamily residential use and submitted a Petition to amend the Zoning Code to allow for this use. Shortly thereafter the Village began work on the Station Area Overlay Zone and a question arose as to whether our project should proceed under that new proposed zone rather than our separate proposed amendment. You may recall our meeting with the Board of Trustees where it was agreed that the Station Area Overlay would not be finalized for some time and, since our project was ready to move forward, the Board indicated it would proceed with our proposed text amendment separately so as to avoid further delay. We then provided a revised Petition for a proposed Text Amendment to allow for Transit Oriented Development within the ID District provided certain criteria are met. The proposed plan presented at that time allowed for 69 residential units in 3 residential floors over first floor self-storage and retail space.

Lexington brought in Collins in early 2020 to join the team as the developer of the multi-family portion of the project. Collins has significant experience with mixed-use and multi-family development, particularly in creating transit-oriented communities. Based upon Collins' review of the project, its location and the area, as well as your Comprehensive Plan, the basic tenets of transit-oriented development, and overall housing needs and need for diversity of housing types in the Village, Collins proposed to add an additional story of multi-family residential for a total of 88 units. The building will be a total of 5 stories, with the first floor being self-storage, retail and residential support space with 4 floors of residential above, with a maximum height of 60 feet. The units will be a mix of studio, one- and two-bedroom units. We also updated you at that time of the proposed plans to work with Metro-North Railroad to improve the existing parking lots and municipal parking and enter into a long term lease of the MNR Employee Parking lot on South Depot Plaza. The Planning Board asked that we return to the Board of Trustees with the increase in density and height and have the BOT confirm its referral to the Planning Board. We met with your Board on this revised plan last winter and you referred it back to the Planning Board.

The Planning Board continued its review over the last eight months. The Chazen Companies were retained to act as consultant to the Planning Board to review a number of issues including parking, density and fiscal analysis. Chazen reviewed the various studies and information submitted by the Applicants, including parking studies, density analyses, comparative information from other TOD projects around the area, fiscal analysis as well as the proposed plans for the project. Chazen provided comments which were responded to by the Applicants, and made recommendations. Chazen representatives also appeared at Planning Board meetings to respond to questions from the Planning Board. Chazen's input was incorporated into the Negative Declaration adopted by the Planning Board. A traffic study was also provided as well as an evaluation of impacts to aesthetic resources. This documentation is all available in the Planning Board files and can be provided to the Board of Trustees.

Planning Board members raised a number of questions throughout this process, all of which were addressed by the Applicants. Some of the discussion focused on the actual Zoning Text, and we were pleased to work with the Planning Board to incorporate a number of additional conditions into the text. These include requirements relating to pedestrian circulation, requirements for the

use of green infrastructure and mitigation for any impacts to Village infrastructure, specific requirements to address design issues and require the façade to provide acceptable architectural design features to break up the visual impact, a requirement to incorporate sustainable design features, and a parking ratio of 1.05 spaces per residential unit, higher than that recommended by Chazen.

We believe the current Zoning Text will result in a better project and we appreciate the efforts of the Planning Board to work with us. While some additional revision, primarily to the architectural design, will be required, we are comfortable that when we return to the Planning Board for site plan approval we will have a plan which will satisfy all the requirements of the new Zoning Text and provide a benefit to the Village.

Finally, we provided the Planning Board with the following list of benefits the project will provide to the Village which we would like you to have as well. Benefits of the project include the following:

1. Increased tax revenue to the Village and the School District
2. Discretionary income of future tenants resulting in increased spending power within the community
3. Neighborhood improvements
  - a. Improving and landscaping the MTA Employee Parking Lot adjacent to Franklin Courts resulting in a significant improvement in the view of the adjacent property
  - b. Pedestrian sidewalks linking Franklin Court to the train station, train platform, and to the waterfront and park, and ease of access for the new project residents to both the train platform and the waterfront and park.
  - c. Populating the area to create a more active neighborhood
  - d. Reclaiming derelict and run down part of the Village
  - e. Improving the train station area and making more secure, including providing lighting and security cameras
  - f. Expanding the uses appropriate for a train station area and bringing residential use to the area as recommended in the Village's Land Use Documents
  - g. Expanding and improving the MTA Commuter parking lots and providing landscaping
  - h. Creation of a pedestrian plaza at the gateway to the Project area enhancing the sense of place
4. Providing 9 units of affordable housing in the project and a type of market housing not currently existing in the area
5. Private investment in the area which will encourage additional private investment
6. Development of a new energy efficient building to serve as a model for future development in the Village

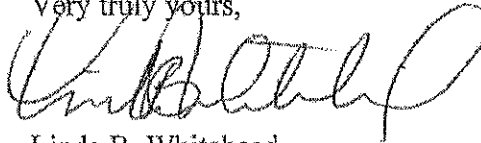
//  
Mayor and Members of the Board  
November 25, 2020  
Page 4

These are just a few of the many benefits the project will bring to the Village, in addition to carrying out the recommendations of the Tarrytown Connected Comprehensive Plan and the Village LWRP.

We look forward to returning to the Board of Trustees to continue the review of the proposed Zoning Text Amendment and our project. We would appreciate if this matter could be put on your work session agenda for December 2, 2020 and the regular meeting agenda for December 7, 2020 for purposes of scheduling a public hearing on the text amendment.

Thank you for your continued cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Linda B. Whitehead', written over a faint circular stamp.

Linda B. Whitehead

Enclosure



## LOCAL LAW \_\_\_\_ OF 2020

A LOCAL LAW Amending Chapter 305 Zoning to add  
provisions for transit oriented development mixed  
use in the ID Zoning District

Be it enacted by the Board of Trustees of the Village of Tarrytown as follows:

**Section 1.** Section 305-41.A. is amended to add new subsection (10) as follows:

(10) Multi-family residential facilities over first floor non-residential uses as transit oriented development, provided the following criteria are met.

(a) Applicability. Multi-family residential over first floor non-residential uses shall only be permitted on parcels that are:

[1] a minimum of one-acre lot area;

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

(b) Uses and standards. Where not modified herein, the requirements of the ID District shall apply.

[1] a minimum of 50% of the total first floor square footage shall be dedicated to non-residential uses permitted in the ID District which shall be limited to those identified in 305-41.A(1), (8), and (9) above, with at least 5% of the floor area being those uses listed in 305-41.A(8) or (9);

[2] Any portion of the first floor facing towards the closest public road or walkways extending from the train station shall contain uses listed in 305-41.A(8) or (9) or an entry lobby are for the residential use, so that same shall appear open and inviting to the public.

[3] The applicant shall provide a pedestrian circulation plan showing connections to the existing walkways and any adjacent related uses and access to and from adjacent streets and the train station/platform.

[4] For any property directly abutting the railroad tracks, the rear yard setback may be reduced to 0.

[5] To allow for multi-family residential development, the maximum height may be increased to 60 feet and 5 stories, provided that the maximum height of 60 feet shall be absolute and the provisions of Section 305-48.A allowing for parapets, mechanical equipment, stair and elevator bulkheads and cooling towers to exceed the maximum height shall not be applicable.

11

[6] Parking requirements: given that the multi-family residential will be part of a transit-oriented development, as well as a mixed use development with opportunities for shared parking, parking requirements for the residential use shall be 1.05 spaces per residential unit. The width of a parking space may be reduced to 8 ½ feet. Required parking can be provided on-site or on an adjacent property, provided that the applicant has a long term agreement for parking satisfactory to the Village Attorney. The parking requirement for non-residential uses may be provided through shared parking as may be approved by the Planning Board. For commercial storage uses two loading spaces shall be provided.

[7] The number of residential units shall not exceed 75 units per acre and shall include a mix of studio, one and two-bedroom units.

[8] The maximum floor area ratio for the residential use excluding entry lobby and amenity spaces shall not exceed 1.75.

[9] The applicant must show that all new sewer, water and traffic impacts generated from the proposed project can be mitigated so as to not negatively impact the existing network. Efforts shall be made to incorporate green infrastructure to reduce impacts.

[10] The applicant shall provide a pedestrian circulation plan showing safe pedestrian access within the property and connecting to the community.

[11] The project shall comply with all FEMA regulations and the regulations set forth in 6 NYCRR Part 490 so as to address issues of sea level rise and not worsen potential for flooding in the area.

[12] Buildings shall be designed such that no façade shall exceed 150' in length without architectural features acceptable to the Planning Board to break up the visual effect of the building and avoid a box like appearance, which may be accomplished through the use of variations in height and with offsets, projections, balconies, setbacks and other distinctive architectural elements.

[13] The project shall comply with sound environmental sustainability standards including for example, but not limited to the following:

- a. Use of solar panels for electric usage
- b. Use of geothermal sources to power heat pumps and airhandlers
- c. Utilize WaterSense plumbing fixtures, drip irrigation and water submeters to reduce water usage
- d. Utilize energy star appliances, low VOC products, high efficiency filters, UV treatment for air handling units

11

e. Utilize materials that have environmental product declaration as well as health product declaration and sound construction waste management

f. The project will achieve an energy-efficient rating better than 15% of ASHRAE 90.1 standards

**Section 2.** The Schedule of Regulations referred to in Section 305-11.A and listed as Attachment 305b Zoning Schedule Column 2 is amended to add new item C(6) under Industrial District (ID) as follows:

(6) Multi-family residential over first floor non-residential uses as transit oriented development, subject to the criteria set forth in Section 305-41.A(10).

### **Section 3. Severability**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

### **Section 4. Effective Date**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

