

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, MAY 12, 2021**

Location: Zoom Video Conference – For Information on How to Join

Visit <https://www.tarrytowngov.com/home/events/34081>

Any questions prior to the meeting may be emailed to administrator@tarrytowngov.com.

Open Session

1. Use of Parking Spaces – Washington Street Parking Lot
2. Board of Trustee Concerns
3. Handicapped Parking Spaces at Tarrytown Lakes
4. Return to In-Person Board of Trustees Work Sessions
5. Continued Discussion – Main Street Outdoor Dining Alternative
6. Discussion - Summer Intern for Communications and Website
7. Compatible Use Permit – DaVita Kidney Care – 200 White Plains Road
8. Compatible Use Permit – Hackley School – 293 Benedict Avenue
9. Adding Parking Lots Adjacent to Parkland as No Smoking Areas
10. CDBG Funds – (Presentation by IFCA Housing Network at 5/17/21 Board Meeting)
11. Fire Department Membership Changes

Executive Session

- A. Tax Certioraris
- B. Summer Intern for Communications and Website
- C. Reclassification of Recreation Leader position to Senior Recreation Leader
- D. Day Camp and Pool Appointments

To: Richard Slingerland <rslingerland@tarrytowngov.com>

Cc: Joshua Ringel <Jringel@tarrytowngov.com>; Chris DeThomas <Cdethomas@griffonassoc.com>; Gibson Craig <gcraig@griffonassoc.com>; Deborah Post <dpost@wilderbalter.com>; Dan Pennella <DPennella@tarrytowngov.com>

Subject: FW: 62 Main Washington Lot

Hi Rich, I hope all is well.

As you may have heard, we are interested in using the 15 spaces in the South Washington Street parking lot (see attached sketch) for a period of 8 months to a year, commencing about 4 months from now. In the spirit of the public private partnership that we are all very proud of, we are respectfully requesting that the Village allow us to use these spaces for the annual resident rate for each space (I think that's \$450 per space).

We believe it is in our best interests as well as the Village to use these spaces for better logistics to build the village garage and our building above.

We look forward to continuing to work with the Village to bring this import project to fruition.

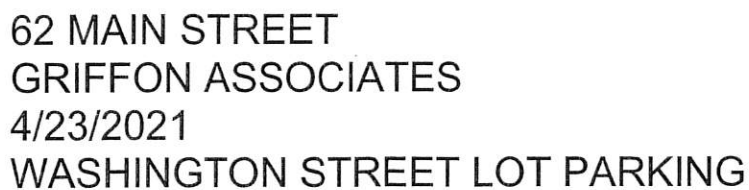
Please get back to me when you have time.

Sincerely

Bill

William G. Balter
WBP Development LLC, Manager
Wilder Balter Partners, Inc., President
480 Bedford Road
Chappaqua, New York 10514
(914)610-3650

BC 92.81 CON ED 93.26 93.25 WATER
TC 93.31 MH (CE) CURB CUT VALVE
BC 93.24 PAY STATION BC 93.51
TC 93.74 & SIGN TC 94.01
HYDRANT



3
Kathy Deufemia

From: Joshua Ringel
Sent: Wednesday, April 28, 2021 3:54 PM
To: John Barbelet
Cc: Gregory Budnar; Richard Slingerland; Kathy Deufemia
Subject: Handicap Parking in Lakes Lot

Chief,

Rich and I were in the lakes parking lot today and noted there is no handicap parking available. We are adding a few spaces that will put us over the 25 space threshold for two parking spaces (one van accessible, one standard) and we'd like to propose to the BOT in May that we add handicap parking at this location to make it ADA compliant. Can you please have Lt. Budnar work this code change up?

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

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TARRYTOWN POLICE DEPARTMENT
OFFICE MEMORANDUM

DATE: April 29, 2021
TO: Chief Barbelet
FROM: Lt. Budnar
SUBJECT: VC Amendment / Request for Handicapped parking spaces- Neperan
Road Parking Lot (Skating Shack Lot- Opposite Sunnyside Av)

Section 291-92 of the Village Code designates specific handicapped spaces for use by persons with handicapped parking permits. Currently the Neperan Road Parking Lot opposite Sunnyside Avenue (more commonly known as the "skating shack parking lot" does not contain handicapped parking spaces. At the request of Assistant Village Administrator Joshua Ringel the following amendment is being recommended (New language in bold italic print);

Section 291-92. Schedule XXVII: Handicapped Parking Spaces.

In accordance with the provisions of 291-62, the following described streets, driveways, parking lots and auto parks or parts of streets, driveways, parking lots and auto parks are hereby designated as handicapped parking spaces and are designated for use by persons with handicapped parking permits (new language in bold italic print):

Name of Street,etc.	Side	Number of Spaces; Location
<i>Neperan Road</i>	<i>Northwest</i>	<i>1; time limit sunrise to sunset</i>
<i>Parking Lot</i>	<i>Corner</i>	
<i>Neperan Road</i>	<i>North</i>	<i>1; time limit sunrise to sunset</i>
<i>Parking Lot</i>	<i>Mid Lot</i>	

New hybrid street closure plan

Considering the fact that we don't recommend setting up parklets for tables, and especially since Wilder Balter is realizing they will need more parking and space for their employees and their construction activities in the West Washington Lot, Josh and I were discussing ways to maximize the number of nights and minimize the expense to the Village. We also thought that a hybrid situation might work (using some barricades we already have but not closing Main Street west of Washington Street).

Hours would be from 5:30 p.m. to 10:30 p.m. (set up from 5:30 p.m. to 6, operate from 6 p.m. to 10 p.m., and cleanup from 10 p.m. to 10:30 p.m.)

Here's the hybrid proposal:

- 12 Saturdays – 2 in June, 9 between July and August, and 1 in September.
- If it's going to rain on any day, we'll have a make-up day
- Close Main Street from Washington Street to Broadway
- Keep open Main Street west of Washington
- Set up barricades from Main Street to La Perla Poblana to allow them to set up tables on these nights. I'd set up 2 rows of barricades – a row of traffic barricades on the outside, and a row of steel barricades inside that to protect people dining at the tables. This would be for Piknik, Main St. Pizza, Little B's, and La Perla Poblana. If any of them don't want to do this, we can reduce the size of the table-space
- Only on the nights of the street closures, reserve parking spaces on South Washington Street from Main Street to the Firehouse driveway for Firefighter parking on these nights, since we won't have firefighters on standby

Total cost will be around \$14,000 for the 12 nights.

WHITEMAN
OSTERMAN
& HANNA LLP

Attorneys at Law
www.woh.com

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MAY 03 2021

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TARRYTOWN VILLAGE ADMINISTRATOR

April 30, 2021

VIA FEDERAL EXPRESS & EMAIL

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

RE: DaVita Kidney Care – Compatible Use Permit
Property: 200 White Plains Road, Tarrytown, NY (SBL: 1.201-122-4)

Dear Hon. Mayor Butler and Hon Members of the Board of Trustees:

Our firm represents DaVita Inc. (aka DaVita Kidney Care) whose affiliate, True North Dialysis Center, LLC (“DaVita”), is currently in a lease to operate its proposed kidney dialysis office within an existing building at 200 White Plains Road in the Village of Tarrytown, New York (the “Project Site”). The Project Site is located in the Mixed Use (“MU”) zoning district and is improved with two existing office buildings. By this letter, DaVita is seeking a compatible use permit pursuant to Village of Tarrytown Zoning Code (Zoning Code) §§ 305-35(A)(3).

On April 12, 2021, the Village Zoning Board of Appeals (“ZBA”) determined that DaVita’s proposed use is permitted in the MU zoning district as “general office”. See **Exhibit A [Building Permit Materials/ZBA Resolution]**.¹ DaVita will also be submitting a site plan application to the Village of Tarrytown Planning Board for review at its May 2021 meeting, which will be submitted in the coming days. We understand that the Village does not have a compatible use permit application form. For reference, we have annexed hereto as **Exhibit B** a copy of DaVita’s site plan application.

We respectfully request to be placed on the next available Village Board of Trustees (“BOT”) agenda to discuss DaVita’s compatible use permit application.

¹ Exhibit A includes the draft resolution of approval provided by the ZBA, which was unanimously adopted as written on April 12, 2021.

The Project Site and DaVita's Proposed Use

DaVita is currently under contract to lease approximately 3,360 SF of space within the existing building for the proposed dialysis office facility. The proposed facility will include peritoneal dialysis (aka home hemodialysis) ("PD Stations") and other related uses (e.g., counseling rooms, administrative offices, etc.) ("DaVita's Use"). See **Exhibit C [Site Plan]**. The Project Site is an existing mixed-use office/commercial building on White Plains Road in the MU zoning district. See **Exhibit C [Survey]** and **Exhibit D [Aerial Image]**.

Peritoneal Dialysis is a form of dialysis that enables patients to conduct treatments at home, following appropriate training at in-office PD Stations. DaVita's Use will include PD Stations for initial patient training on home dialysis and subsequent twice monthly in-office appointments. This type of treatment is similar but distinct from the more typical dialysis center use, which is known as center hemodialysis ("ICHD Stations"). ICHD Stations are out-patient dialysis service where the patients come for a treatment three times per week.

The proposed facility will be open from 8am-5pm Monday through Friday. DaVita proposes to have 10-8 employees and 8 patients at full capacity. Due to the length of patient consultations, DaVita expects 10 patients a day. During training (when patients are initially learning the in-home dialysis process), patients come every day for 1-2 weeks. PD patients then come to the facility twice monthly to meet with a nurse and doctor to ensure that they are following proper procedures and protocols.

DaVita operates an existing dialysis center at 155 White Plains Road, proximate the Project Site in the OB zoning district. The 155 White Plains Road facility includes ICHD Stations where patients receive dialysis treatments three times a week. The proposed facility on the Project Site will not replace this existing DaVita facility but is designed to satisfy the growing need in this region.

DaVita's Use will be consistent with the other permitted office buildings nearby the Project Site and along this Route 119 Corridor, including:

- 1) DaVita Kidney Care (d/b/a Hudson Valley Dialysis Center) - 155 White Plains Road.
- 2) New York Group for Plastic Surgery - 155 White Plains Road.
- 3) New York Orthopedic Hospital Association - 155 White Plains Road.
- 4) Pediatric Urology Associates, P.C. - 150 White Plains Road.
- 5) Dr. Jeffry Sturza, MD - 150 White Plains Road.
- 6) Sleepy Hollow Pediatrics - 150 White Plains Road.

See Exhibit E [General Office Permitting].

In addition to being consistent with the surrounding uses (see above), DaVita's Use is also consistent with the Village's Comprehensive Plan (2018). In 2018, the Village Board of Trustees adopted a revised Comprehensive Plan. Related to the OB and MU zoning districts along Route 119, the Comprehensive Plan states that:

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While the downtown area and Route 119 corridor have experienced shifts in their retail and office tenants, respectively, the Village continues to grow and maintain a diversity of businesses. These comprise a range of industries and services, from retail, to food and beverage, to culture and hospitality, to medical and professional services.

Village of Tarrytown Comprehensive Plan, 2018 at 40. DaVita's Use is consistent with the Comprehensive Plan's goal to encourage professional services along this Route 119 corridor and complements the medical uses that exist in the adjacent OB zoning district.

The existing office space is largely vacant. The 200 White Plains Road office building is 70% vacant and 220 White Plains Road is 90% vacant. DaVita's Use is an opportunity for the Village to increase its tax base in accordance with the above noted recommendations in the Comprehensive Plan without additional development. In fact, the Comprehensive Plan specifically identifies the Project Site as "unleased office space" Village of Tarrytown Comprehensive Plan, 2018 at 41.

DaVita's Use Warrants a Compatible Use Permit

DaVita's Use is permitted on the Project Site as "general office". See Zoning Code § 305-35(A)(3). All uses within the MU district require a compatible use permit. See Zoning Code § 305-35(C), which references the compatible use permit standards in Zoning Code § 305-129. We respectfully submit that DaVita's Use is consistent with the compatible use permit standards of review:

Zoning Code § 305-120

- A. *The location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to the type, arrangement and capacity of streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.*

The existing building was approved for full occupancy, however, it current sits mostly vacant. The existing access drives and intersections were designed to handle the now existing buildings and related floor area. DaVita's Use is only a small portion of the existing office building. DaVita's Use will not increase the planned density on the Project Site as it is occupying existing vacant office space. DaVita proposes to have 10-8 employees and 8 patients at full capacity. DaVita will operate 8am-5pm Monday through Friday. Due to the length of patient consultations, DaVita expects 10 patients a day. During training (when patients are initially learning the in-home dialysis process), patients come every day for 1-2 weeks. PD patients then come to the facility twice monthly. In addition, DaVita's use is similar in nature to the surrounding offices. See **Exhibit E**.

Therefore, the existing Project Site and related access drives are able to accommodate the DaVita's approximately 3,360 SF office space.

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Therefore, due to the existing nature of the Project Site and relate improvements, the parking remains of adequate size for DaVita's Use and is properly located and suitably screened from the adjoining residential uses and achieves maximum safety.

- E. *Operations in connection with any compatible use permit use will not be more objectionable to nearby properties by reason of obnoxious odors, noxious fumes and emissions into the environment than would be the operations of any permitted use not requiring a compatible use permit.*

See item C above.

- F. *The nature, location and intensity or concentration of the use, the nature and intensity or concentration of the operations, the size of the site in relation thereto and the location of the site in relation thereto are such that there is not a materially adverse effect upon the density of the Village as a whole or the district in which it is located or upon the overall tax base of the Village and its ability to furnish required municipal services.*

DaVita's Use is occupying an existing building without any additional structures being proposed. Therefore, the planned density in the Village will not be increased because of this application.

As noted above, the existing office building is largely vacant. DaVita's Use is an opportunity for the Village to increase its tax base in accordance with the above noted recommendations in the Comprehensive Plan without additional development. In fact, the Comprehensive Plan specifically identifies the Project Site as "unleased office space" Village of Tarrytown Comprehensive Plan, 2018 at 41. In addition, DaVita's use is similar in nature to the surrounding offices. See **Exhibit E**.

Therefore, DaVita's Use and occupancy of a portion of the existing building is appropriate and will not have a materially adverse effect upon the density of the Village as a whole or the district in which it is located or upon the overall tax base of the Village and its ability to furnish required municipal services.

- G. *Each compatible permit use shall be harmonious with the district in which its location is sought, shall not create undue pedestrian or vehicular traffic hazards and shall not include any display of signs, noise, fumes or lights that will hinder normal development of the district or impair the use, enjoyment and value of adjacent land and buildings.*

As noted above, DaVita's Use in this location is consistent with the adopted Comprehensive Plan (2018) and will not result in any pedestrian or vehicular traffic hazards because the proposed occupancy will utilize the existing structures, access drives and pedestrians ways, which has been designed and approved to accommodate the existing building. DaVita proposes minimal signage on the façade of the building to allow patrons to easily access the Project Site. DaVita's Use is conducted entirely indoors and all refuse (including any medical waste) will be properly stored and disposed of by licensed contractors. Therefore, DaVita's Use will not hinder normal development of the district or impair the use, enjoyment and value of adjacent land and buildings.

As noted above, DaVita Use will be located within existing office space on the Project Site. Zoning Code § 305-129 includes additional requirements, some of which are not applicable because the office building and related parking/infrastructure have been previously permitted and constructed (e.g. building setback, lot coverage, building height, floor area, etc). That said, we respectfully submit that DaVita's Use does facilitate the goals/objectives identified in Zoning Code § 305-129(A) because it is utilizing existing vacant space for its facility and the use is consistent with the Village's Comprehensive Plan.

Conclusion

In support of the above, please find nine (9) hard copies of the instant letter with the following exhibits:

- Exhibit A:** Building Permit / ZBA Resolution.
- Exhibit B:** Site Plan Application and Related Materials;
- Exhibit C:** DaVita's Site Plan/Elevations/Floor Plans/Survey;
- Exhibit D:** Aerial and Streetscape Images; and
- Exhibit E:** Route 119 Corridor Medical Office Permitting.

We have also enclosed a check for \$600.00 made payable to the Village of Tarrytown representing the compatible use permit application fee. We will submit the required \$2,500 escrow fee when we submit our site plan application in the coming days.

We look forward to discussing this application with the Board of Trustees at your next meeting. Please do not hesitate to contact my office with any questions.

Very Truly Yours,

/s/ Charles J. Gottlieb

Charles J. Gottlieb

Enclosures

cc: Dan Pennella, Village of Tarrytown Code Enforcement Officer
Katherine Zalantis, Esq., Silverberg Zalantis LLC
DaVita Kidney Care

The documents for Davita Kidney Care, 200 White Plains Road, Compatible Use Permit, are too long to include in the packet. Please visit the below link to view the Compatible Use Permit application.

<https://www.tarrytowngov.com/planning-board/files/davita-kidney-care-compatible-use-permit-application-200-white-plains-road>

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**DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP**

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MAY 03 2021

TARRYTOWN VILLAGE ADMINISTRATOR

April 30, 2021

By Hand Delivery

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

**Re: Application of Hackley School for Amended Compatible Use Permit
Approval for the Property Located at 293 Benedict Avenue, Tarrytown.**

Dear Mayor Butler and Members of the Board of Trustees:

This firm represents Hackley School ("Hackley" or the "Applicant") in connection with improvements to its campus located at 293 Benedict Avenue, Tarrytown. On behalf of Hackley and pursuant to Section 305-18(C)(1) and Article XV of the Zoning Code of the Village of Tarrytown (the "Zoning Code"), we respectfully submit the enclosed application for amended compatible use permit approval to permit the construction of a new "Center for Creative Arts and Technology" building on the campus, together with related parking and infrastructure.

The Applicant and the Property

Hackley is an independent college preparatory, non-sectarian day and boarding school for students in kindergarten through grade twelve. Hackley was founded in 1899, and has been co-educational since 1970. Hackley is accredited by the New York State Association of Independent Schools.

The Hackley campus consists of approximately 285 acres, located on the north side of Benedict Avenue between Skeggs Road to the east and Midland Avenue to the west, and bounded on the north by Tarrytown Lakes. The property is designated on the tax assessment map of the Town of Greenburgh (the "Town") as Parcel Identification Nos.: 7.51-1-1.ST; 7.51-1-1..SP; 7.171-49-1; 7.51-1-4; 7.51-1-3.2; 7.171-49-6 (collectively, the "Greenburgh Property"); and Parcel Identification Nos. 1.120-85-1; 1.90-62-1; 1.90-62-2; 1.60-26-4; 1.60-26-3; 1.90-64-2; 1.120-86-4; 1.120-86-1; 1.110-82-2; and 1.110-82-1 (collectively, the "Tarrytown Property," and collectively with the Greenburgh Property, the "Property").

Most of the Property – approximately 258 acres - is located in the unincorporated Town of Greenburgh, and approximately 27 acres is in the Village of Tarrytown (the “Village”). This application affects approximately 3.6 acres of the approximately 14-acre Village tax lot identified as Parcel Identification No. 1.120-85-1 (“Lot 1”).

Approvals History

In June, 2003, the Town Board of the Town approved Hackley’s campus master plan and granted amended site plan approval to permit the construction of two new academic buildings on the campus (the “2003 Approval”).¹ The 2003 Approval was the subject of a generic Environmental Impact Statement (“GEIS”) which evaluated the specific potential impacts of the two new academic buildings, and also the potential impacts of the long-term master plan.

Since that time, Hackley has received various Town and Village approvals, including the following (collectively, the “Prior Approvals”):

- A) from the Town: (i) in 2009, amended site plan approval to permit the construction of four (4) new athletic fields, associated walking trails, support buildings and parking and infrastructure on a portion of the Property just north of Pickert Field²; (ii) in 2014, amended site plan approval and an area variance to permit installation of lighting at Pickert Field; and (iii) in 2016, amended site plan approval to permit the construction of a 116,725 square foot Health and Wellness Complex with two (2) gymnasiums, a natatorium, eight (8) squash courts, a wrestling room, fencing room, and indoor track, and twelve (12) units of faculty housing in two (2) separate buildings; and
- B) from the Village: (i) in June, 2003, amended site development plan approval for improvements to the Midland Avenue access to the Property in connection with the 2003 Approval by the Town; and (ii) in March, 2004, amended site development plan approval for the construction of a pump house.

All of the improvements approved under the Prior Approvals (as amended to date), have been constructed and are in use.

The Current Application

Hackley is seeking amended compatible use permit approval from the Village Board in connection with the development of the next component of Hackley’s campus master plan: a new arts center building to be known as the Center for Creative Arts and Technology (the “CCAT”), together with 56 parking spaces and related infrastructure (the “Project”). The Project includes the demolition of the existing arts building (located in the Town) and the Zetkov Gymnasium (located in the Village), both of which have become functionally obsolete.

¹ The 2003 Approval was amended in 2005 and 2006.

² The approval was amended in 2010 to permit minor modifications to the project resulting in a decrease in overall disturbance, including disturbance to steep slopes.

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The Project affects a 4.72-acre portion of the Property, including approximately 3.6 acres of Lot 1 in the Village (the "Development Site"), and requires amended site development plan approval from the Village Planning Board. The CCAT building is proposed to be located on the portion of the Development Site in the Town, and the other components of the Project, including surface parking and stormwater improvements, are proposed to be located on Lot 1.

The CCAT is proposed to be constructed in the location of the existing arts building at the western end of "Akin Common," Hackley's central outdoor gathering space. The CCAT will not only be aesthetically appealing, but has also been thoughtfully designed to LEED Gold certification standards. The building will consist of approximately 54,000 square feet, and has been planned to gracefully fit into the existing topography of the Development Site, which steps-down from east to west. The CCAT will contain a 550 seat multi-purpose auditorium, a 100-seat black box experimental studio, a technology hub of collaborative "makerspace," rehearsal spaces, visual arts studios, an art gallery, dressing rooms, scene shop, and control rooms. In addition, an outdoor amphitheater is proposed to be developed in the future at the eastern end of the Development Site adjacent to Akin Common. All of these improvements are in the Town.

As shown on the enclosed plans, the Project also includes the net addition of 56 surface parking spaces: a 28-space parking lot (including four handicap spaces adjacent to the CCAT) is proposed in the location of the existing Zetkov Gymnasium, and three (3) additional parallel parking spaces are proposed along the existing roadway north of the proposed parking lot. In addition, the Project contemplates the future expansion of two (2) other existing parking lots in the vicinity of the CCAT: nine (9) additional parking spaces are proposed to the existing 28-space Benedict Avenue lot (for a total of 37 spaces), and 16 parking spaces are proposed to be added to the existing 37-space "Senior" lot (for a total of 53 spaces) (the "Future Parking Expansion"). All of these improvements, and related stormwater improvements, are in the Village.

Although the improvements in the Village consist only of surface parking and stormwater improvements, and there will not be any increase in student enrollment, faculty or staff as part of the Project, the Village Building Inspector has determined that amended compatible use permit approval from the Village Board is required. We respectfully submit that the Project complies with the general and specific compatible use permit criteria pursuant to Sections 305-120 and 305-128 of the Zoning Code. With regard to the applicable general compatible use permit criteria, we submit as follows:

1. The location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to the type, arrangement and capacity of streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located. Hackley was founded in 1899 and has continuously operated on the Property since that time. The Project is proposed to be located in an area that is already improved with campus buildings that have become obsolete, and which will be demolished to accommodate the Project. No increase in student enrollment, faculty or staff will occur as a result of the Project. Accordingly, the

educational use will remain in harmony with the appropriate and orderly development of the districts (in the Village and the Town) in which the Project is located.

2. The location, nature and height of building, walls and fences and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings. All proposed improvements comply with all applicable bulk and dimensional regulations of the Village and Town. Accordingly, the location and nature of the improvements will not hinder or discourage the appropriate development or use of adjacent land and buildings.
3. Operations in connection with any compatible use permit use will not be more objectionable to nearby properties by reason of noise, fumes, vibrations, lighting or flashing lights that would be the operations of any permitted use not requiring a compatible use permit. Hackley's operations will not change as a result of Project, and the Project will not result in any additional noise, fumes, vibrations, or lighting. The existing Zetkov gymnasium will be demolished and will be replaced with a parking area adjacent to the new CCAT. The proposed parking areas have been designed to include raised planting islands, and will be adequately screened with appropriate landscape buffers. In addition, Sheet C-8.0 (Lighting Plan) of the submitted site plan drawings includes a photometric analysis demonstrating that the proposed lighting will not illuminate off-site property.
4. Parking areas will be of adequate size for the particular use, properly located and suitably screened from the adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety. Sheet No. C-9.0 (Landscape Plan) of the submitted site plan drawings demonstrates that parking areas for the CCAT are adequately sized, properly located, and adequately screened from adjoining residential uses – which are located more than 200 feet away.
5. Operations in connection with any compatible use permit use will not be more objectionable to nearby properties by reason of obnoxious odors, noxious fumes and emissions into the environmental than would be the operations of any permitted use not requiring a compatible use permit. The Hackley campus consists of approximately 285 acres, including over 250 acres of natural open space. Its operations, especially in consideration of the overall size of the Property, are far less intensive than development in the immediate vicinity which includes a densely developed single-family neighborhood to the west, and condominium and commercial developments to the south. Hackley's operations, which will not change as a result of the Project, will not result in an obnoxious odors, fumes or omissions.
6. The nature, location and intensity or concentration of the use, the nature and intensity or concentration of the operations, the size of the site in relation thereto and the location of the site in relation thereto are such that there is not a materially adverse effect upon the density of the Village as a whole or the district in which it is located or upon the overall tax base of the Village and its ability to furnish required municipal services. As

discussed above, Hackley's campus consists of approximately 285 acres, including over 250 acres of natural open space, and its operations on the campus are far less intensive than development in the immediate vicinity. The Project will not result in any material increase in the overall density of the Village or the districts (in the Village and the Town) in which it is located, nor will it result in any greater demand on municipal services than the existing condition. Student enrollment and the number of employees will not change as a result of Project.

7. Each compatible permit use shall be harmonious with the district in which its location is sought, shall not create undue pedestrian or vehicular traffic hazards and shall not include any display of signs, noise, fumes or lights that will hinder normal development of the district or impair the use, enjoyment and value of adjacent land and buildings. The Project will not result in any material changes to existing conditions in the districts (in the Village and the Town) in which it is located. One new building will be constructed in place of two (2) existing buildings which will be demolished; the Project will not result in an increase in pedestrian or vehicular traffic, and no increase in student enrollment, faculty or staff is proposed as part of the Project. The Project is a component of Hackley's long-term campus master plan and has been contemplated for at least two decades. The new facilities will enable Hackley to continue to provide its students with exemplary educational resources.

With regard to the applicable specific compatible use permit criteria pursuant to Section 305-128 of the Zoning Code, we submit as follows:

1. Off-street parking: as required by §305-63D, except that there shall be at least one space for every three students plus one space for each faculty member or employee attending or on duty at any particular time in addition to parking requirements for other uses specified in §305-63D. In the course of site plan approval, the Planning Board may permit dual usage of parking areas or other techniques for reducing paved parking area in the interest of lessening adverse environmental impact. There are currently 749 parking spaces on the campus. With the addition of the 56 proposed parking spaces, there will be a total of 805 parking spaces. The total required number of parking spaces for the school is 485 spaces (1 space for 3 students [840 students] for a total of 280 spaces + 1 space per employee [205 employees]). There will continue to be a surplus of parking spaces on campus.
2. Bulk regulations in accordance with the following:

The Project complies with applicable bulk and dimensional regulations, as shown in the table below:

Regulation	Requirement	Existing	Proposed
Minimum lot size	10 acres	14 acres	14 acres
Minimum front yard	35 feet	±985 feet (Tarrytown)	±985 feet (Tarrytown)
Minimum for each side yard	18 feet	203 feet	203 feet

Minimum 2 side yards	38 feet	203 feet	203 feet
Minimum rear yard	34 feet	1,101 feet	1,101 feet

Related Approvals

The proposed Project affects land in both the Village and the Town. Corresponding applications have been made: 1) to the Town Board of the Town for site plan approval for the Project and a tree removal permit; 2) to the Planning Board of the Town for a steep slope permit; and 3) to the Planning Board of the Village for amended site development plan approval and a tree removal permit.

Review under the State Environmental Quality Review Act

The proposed Project is a component of Hackley's long-term campus master plan, which was studied in the GEIS. The Findings Statement of the Town Board issued in connection with the 2003 Approval provides that future actions pursuant to the master plan are subject to "site specific" review under the State Environmental Quality Review Act ("SEQRA").

A full Environmental Assessment Form with a supplement which describes the Project in greater detail and evaluates potential impacts is submitted with this letter. We respectfully request that the Village Board consent to the Town Board acting as lead agency for coordinated review of the Project under SEQRA since the Town Board acted as lead agency for review of long-term campus master plan and since the proposed CCAT building is located in the Town.

Required Submissions

In support of the application and in accordance with the Village's requirements, we respectfully submit twelve (12) sets of the following:

1. A completed long "Environmental Assessment Form";
2. A completed "Zoning Compliance Form";
3. A completed "Environmental Clearance Form";
4. A table listing easements and restrictions affecting the Property;
5. Architectural Renderings of the Project prepared by Pelli Clarke Pelli Architects;
6. A set of site plan drawings consisting of the following sheets:

Drawing No.	Title	Prepared By	Dated or Last Revised
C-0.0	Cover Sheet	Kimley Horn	3/22/2021
C-1.0	General Notes	Kimley Horn	3/22/2021
C-2.0	Existing Conditions Plan	Kimley Horn	3/22/2021
C-3.0	Layout and Materials Plan	Kimley Horn	3/22/2021

Honorable Thomas D. Butler, Mayor
and Members of the Board of Trustees

April 30, 2021
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C-4.0	Grading Drainage and Utility Plan	Kimley Horn	3/22/2021
C-5.0	Erosion and Sediment Control Plan	Kimley Horn	3/22/2021
C-5.1	Erosion and Sediment Control Details	Kimley Horn	3/22/2021
C-6.0	Steep Slope Plan	Kimley Horn	3/22/2021
C-7.0	Site Details	Kimley Horn	3/22/2021
C-7.1	Site Details	Kimley Horn	3/22/2021
C-7.2	Site Details	Kimley Horn	3/22/2021
C-7.3	Site Details	Kimley Horn	3/22/2021
C-7.4	Site Details	Kimley Horn	3/22/2021
C-8.0	Lighting Plan	Kimley Horn	3/22/2021
C-9.0	Landscape Plan	Kimley Horn	3/22/2021
C-10.0	Tree Removal Plan	Kimley Horn	3/22/2021

7. A Stormwater Pollution Prevention Plan; and

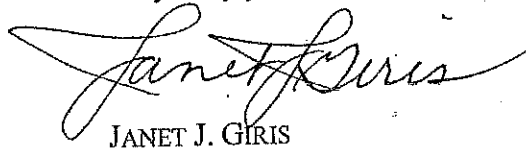
8. A check in the amount of \$2,280.00 made payable to the Village of Tarrytown representing the amended site plan application fee (\$600.00 [application fee] plus \$1,680.00 [56 proposed parking spaces at \$30.00 per space]).

Conclusion

We respectfully request that this application be placed on the next available agenda of the Village Board for commencement of review. In the interim, please do not hesitate to contact me if you have any questions or if you need any additional information.

Thank you for your consideration. We look forward to meeting with the Village Board at your next available opportunity.

Very truly yours,



JANET J. GRIS

Enclosures

cc: Peter McAndrew, Director of Finance, Hackley School
Mike Junghans, P.E., Kimley Horn
Bonnie von Ohlsen, Kimley Horn
Mark P. Weingarten, Esq.

The documents for Hackley School, 293 Benedict Avenue, Compatible Use Permit, are too long to include in the packet. Please visit the below link to view the Compatible Use Permit application.

<https://www.tarrytowngov.com/planning-board/links/hackley-school-compatible-use-permit-application-293-benedict-ave>

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LOCAL LAW __ - 2021

A local law to amend Chapter 221 of the Tarrytown, entitled Parks and Recreation Areas, Chapters 221-9 and 221-11 regarding the smoking of tobacco products are amended to regulate the smoking or vaping of any product in Village Parks and Recreation Areas.

Section 1. Be it enacted by the Board of Trustees of the Village of Tarrytown as follows:

Section 2. Chapter 221- 9 is repealed in its entirety and the following language is enacted in its place:

Former Chapter 221-9, language to be REPEALED:

§ 221-9. Smoking of tobacco products.

No person shall use any tobacco product in any park, ball field or playground located within the Village. For the purposes of this section, "ball field" shall be defined as any public property owned by the Village of Tarrytown which is to be used for sporting events such as but not limited to baseball, softball, soccer or football. For the purposes of this section, "playground" shall be defined as any public property owned by the Village of Tarrytown and designated primarily for the use and recreation of children.

New Chapter 221-9, language to be ADOPTED:

§ 221-9. Smoking and Vaping.

(a) "Smoking" means the burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, cannabis or other product that may be smoked and such smoke inhaled for personal use or consumption as defined in section 222.00 of the NY Penal Law, or cannabinoid hemp as defined in section 90 of the Cannabis Law, or other related law.

(b) "Vaping" means the use of an electronic cigarette.

(c) No person shall engage in smoking or vaping of any product in any park, ball field or playground located within the Village. For the purposes of this section, "ball field" shall be defined as any public property owned by the Village of Tarrytown which is to be used for sporting events such as but not limited to baseball, softball, soccer or football. For the purposes of this section, "playground" shall be defined as any public property owned by the Village of Tarrytown and designated primarily for the use and recreation of children.

(d) Any violations of this provision shall be subject to a civil penalty in an amount not to exceed \$200.00.

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Section 3. Chapter 221-11 is repealed in its entirety and the following language is enacted in its place:

Former Chapter 221-11, language to be REPEALED:

§ 221-11. Penalties for offenses.

Penalties shall be as provided in Chapter 1, General Provisions, Article II.

New Chapter 221-9, language to be ADOPTED:

§ 221-11. Penalties for offenses.

Except as provided in this Chapter (See Chapter 221-9), penalties shall be as provided in Chapter 1, General Provisions, Article II.

Section 4: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 5: 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.



IFCA Housing Network

138 Spring Street, PO Box 790, Ossining, NY 10562
914.941.5252 Fax: 914.941.7392 www.ifcany.org

*Since 1968, sustaining community, diversity & opportunity
through affordable/workforce housing & vital social services*

May 7, 2021

Dear Mayor Butler, Board of Trustees and Village Administrator:

My name is Jackie Shaw and I am the Executive Director of IFCA Housing Network. IFCA was created as a community response to the social movement of the 60's, the Interfaith Council for Action (now known as IFCA), has continued its service to diverse low income communities. IFCA, located in Ossining, NY is the oldest neighborhood preservation organization in Westchester County. IFCA was incorporated in 1968 as a non-profit 501(c)(3) charitable organization and has evolved to become a leading nonprofit developer and manager of affordable workforce housing. In 1972, the agency bought and renovated its first multifamily house, offering apartments to working families at below market, affordable rents. IFCA's housing portfolio now includes 15 properties comprising of 92 units (6 units in Tarrytown). As a Neighborhood Preservation Program participant, IFCA has been a leading force in the ownership, rehabilitation and management of affordable workforce housing.

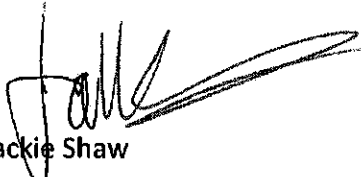
IFCA owns and manages the property at 22 Wildey Street in Tarrytown. We are in the process of applying for CDBG funding to renovate the Wildey building. CDBG funding is for fiscal years 2022-2024. Eligible projects are for public improvements to facilities, affordable housing, and/or public service projects within the Westchester Urban Consortium. The County Department of Planning administers CDBG funds from the U.S. Department of Housing and Urban Development (HUD). Eligible activities include infrastructure improvements, neighborhood facilities expansion and rehabilitation, housing rehabilitation, code enforcement, economic development loans, public services and park rehabilitation. Eligible recipients include Municipalities, Public Housing Authorities and Not-for-Profits agencies within the Westchester Urban Consortium.

The renovations IFCA is applying to complete include HVAC, roof, windows, siding, kitchens and baths. There has not been any major work done on the building in at least 20 years, so these renovations are needed. While we have not finalized pricing for all of these components we

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believe that the total amount for the work will be \$600,000 - \$650,000. As part of the application process we must present our proposal to the municipality at a public meeting so that the public may comment or ask questions. Based on an email from Mr. Slingerland, I would like to present to the Board on May 17th.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read 'Jackie Shaw', with a long, sweeping horizontal stroke extending to the right.

Jackie Shaw
Executive Director