

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:15 P.M.
WEDNESDAY, JUNE 12, 2019
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York**

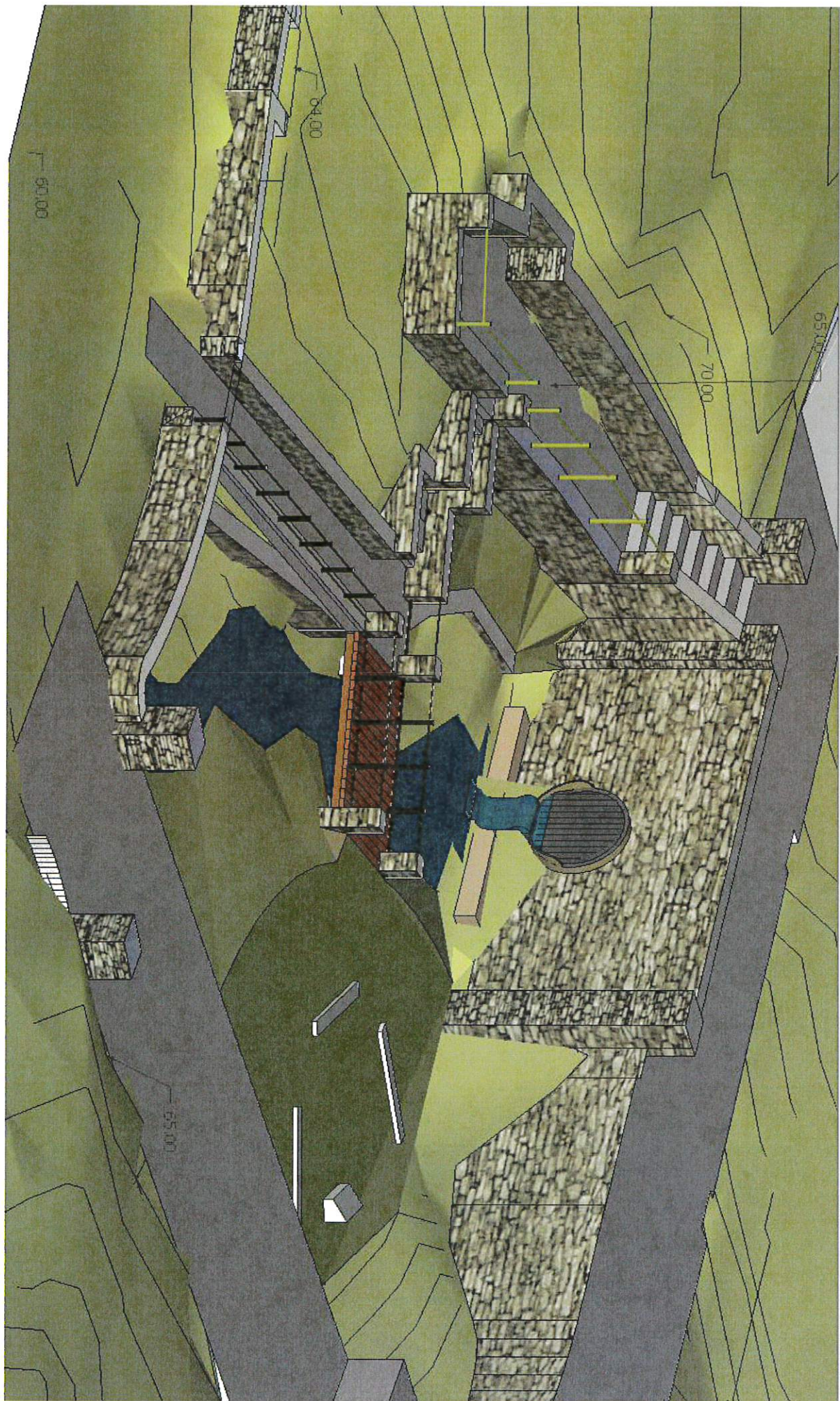
Open Session

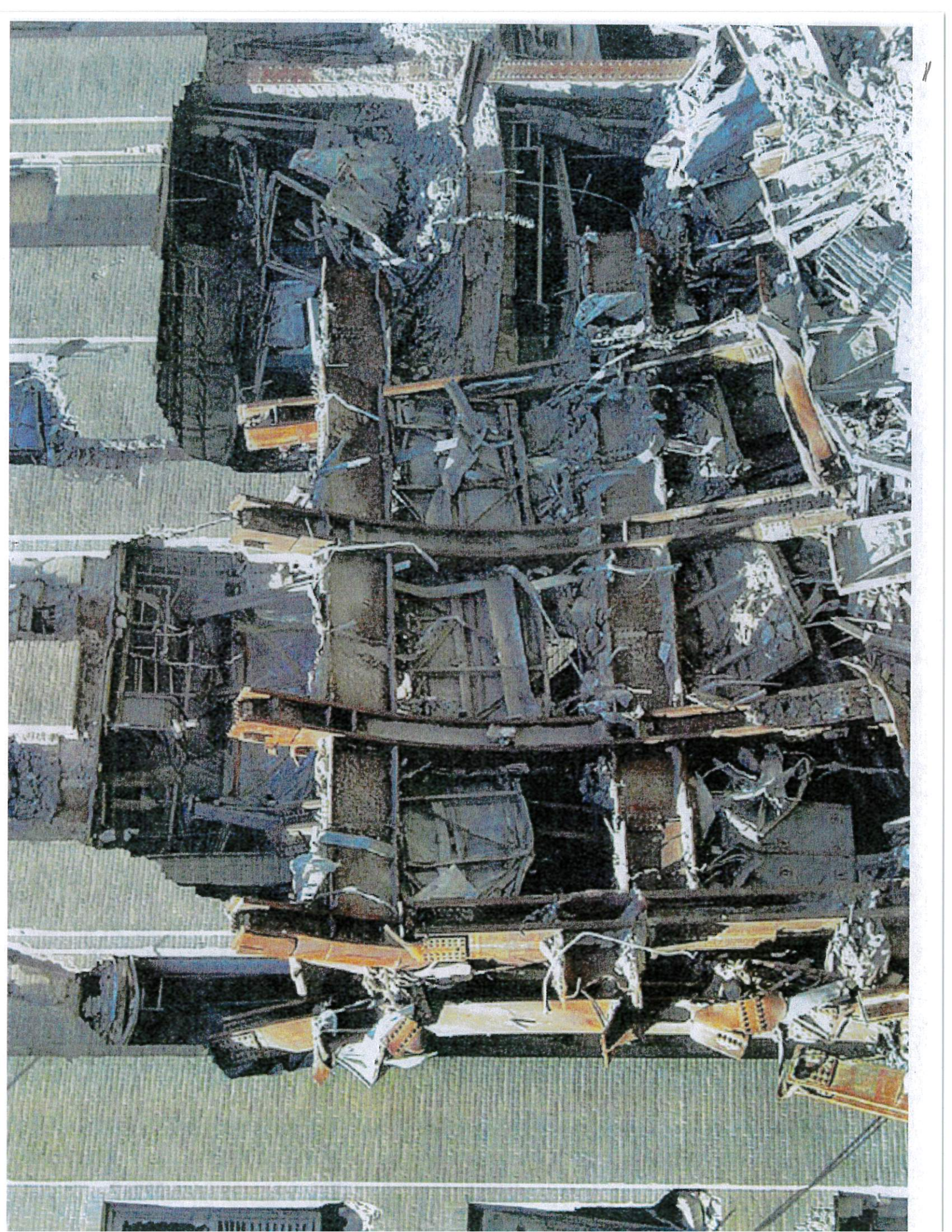
Board of Trustees Concerns

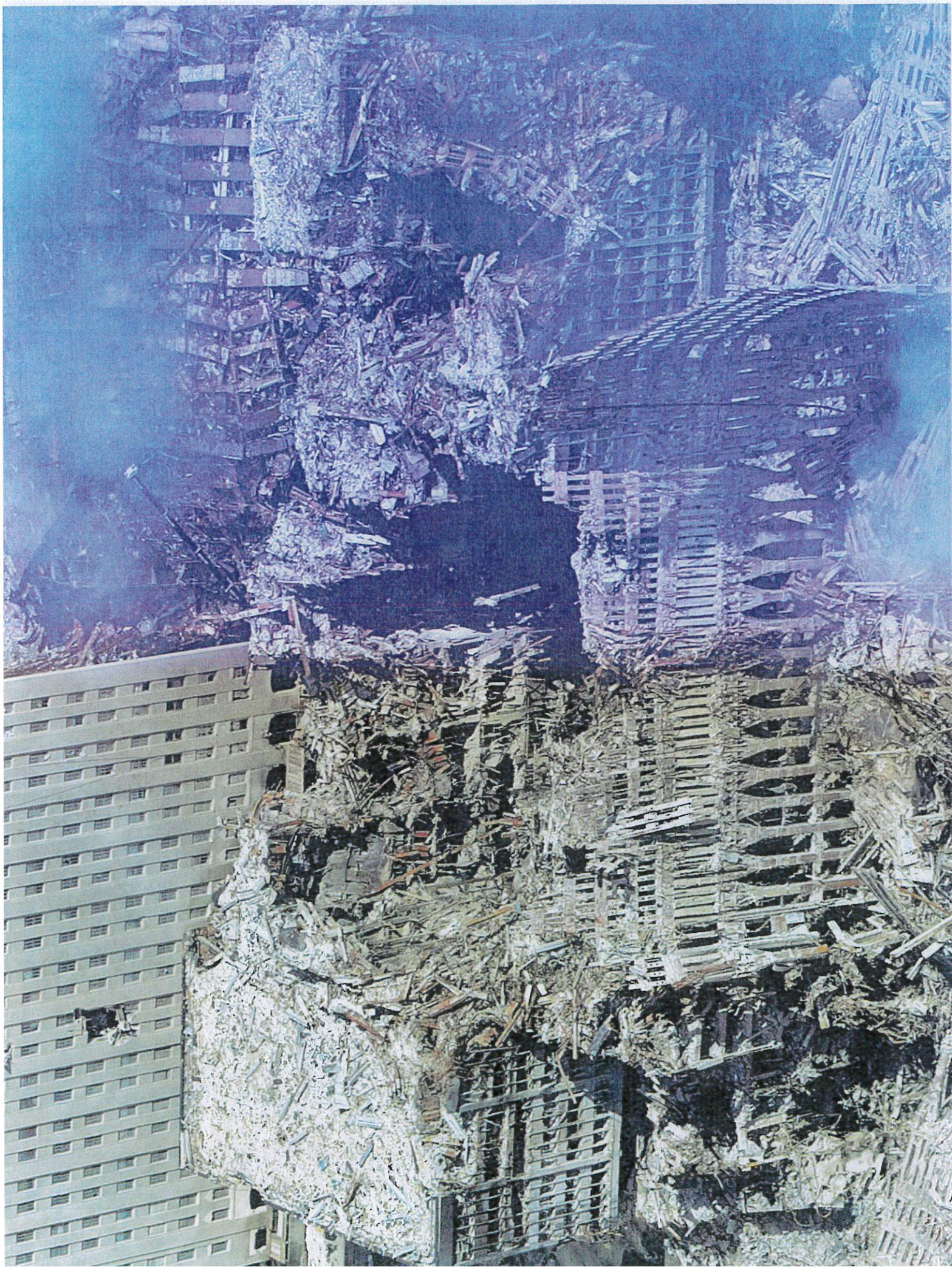
1. 9-11 Memorial Patriots Park
2. Discussion – Proposed Amendments to ARB Law
3. 2019 Paving Contract
4. Insurance Renewals for Liability and Workers Comp
5. Station Area Overlay Zone
6. Fire Department LOSAP Software
7. CDBG Grant Application
8. Peddling/Vending Village Code Review
9. Route 9 Bike Study – Resolution of Support for Study Findings
10. Traffic Calming Miller Park and Broadway Parking
11. Old Croton Aqueduct Project
12. Mural by Patriots Park
13. Fire Department Membership Changes

Executive Session

- A. Highway Foreman
- B. Part-time Police Parking Enforcement Officer
- C. Peddling/Vending
- D. Appointment of Assistant Village Administrator
- E. YMCA Status
- F. Unused Lot by Tennis Courts
- G. Second Auto Mechanic







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LOCAL LAW ____ - 2019

A local law to amend Chapter 9 of the Code of the Village of Tarrytown entitled Architectural Review Board to amend the review of certain building permit applications by the Architectural Review Board

Section 1. Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows (Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

Section 2. Chapter 9, Section 4. (A) "Referral of applicants for building permits" shall be amended to read as follows:

Chapter 9, Section 4. (A) shall be re-titled – Referral of applicants for building permits or other work for Architectural Review."

Section 3. Chapter 9, Section 4. (A) "Referral of applicants for building permits or other work for Architectural Review" shall be amended to read as follows:

Section 4. (A) Referral of applicants for building permits or other work for Architectural Review:

Except where an application for a certificate of appropriateness must be submitted to the Architectural Review Board pursuant to the Landmark and Historic District Act (Chapter 191, Historic Districts and Landmarks), every application for a building permit shall be referred by the ~~Building Inspector to the Architectural Review Board~~, provided that:

- ~~(1) There will be construction, reconstruction or alteration of any building or structure that affects the exterior appearance of the building or other structure and is visible from any public street;~~
- ~~(2) The proposed plans include construction, reconstruction or alteration of any deck or uncovered porch that affects the exterior appearance of the building or other structure, is visible from any public street and exceeds 25 square feet, including steps;~~
- ~~(3) The proposed plans include construction, reconstruction or alteration of existing/new windows or security grills that affect the exterior appearance of the building or other structure and are visible from any public street; or~~
- ~~(4) The proposed plans include construction, reconstruction or alteration of any fence or wall exceeding three feet in height or 20 feet in length that is visible from any public street.~~ **involving any of the following shall be referred by the Building Inspector to the Architectural Review Board:**

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ARB review is required for applications requiring Planning Board approval, as well as other projects, which are as detailed as follows:

1. Construction of a new building
2. Reconstruction or rehabilitation of buildings with prior Architectural Review Board approval, which differs from that prior ARB approval;
3. Rehabilitation of buildings that involves more than replacement with materials (windows, doors, siding, or garage doors) that are not of the same kind, and which are visible from a public street. For example, while replacement of wood double-hung windows with vinyl double hung windows would not require ARB approval, replacement of double-hung windows with casement windows would.
Additions that increase the existing building footprint by 25% or more;
4. All additions of any size for buildings built before 1929. For buildings built after 1929, additions that increase the existing building footprint of 25% by or more.
"1929 or later," "or" more
5. Fences that are in the front yard or front-yard set back and higher than thirty inches (30").
6. Walls, including retaining walls, that are in a front yard or front yard setback, higher than thirty inches (30") and are visible from a public street.
- 6.7. Walls, including retaining walls, that are over 30 inches and that are within a side or rear yard setback.
- 7.8. Applications for signage or awnings;
- 8.9. Applications for a property within the Restricted Retail RR Zone or commercial properties outside the RR Zone involving;

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(a) Construction, reconstruction or alteration of any building or structure that affects the portion of the exterior appearance of the building or other structure that is visible from any public street, except applications involving only fences, retaining walls, steps, and /or sidewalks;

(b) Construction, reconstruction or alteration of any deck or uncovered porch that affects the exterior appearance of the building or other structure, is visible from any public street and exceeds 25 square feet (such size calculation shall include any steps); or

(c). Construction, reconstruction or alteration of existing/new windows or security grills that affect the exterior appearance of the building or other structure and are visible from any public street.

(d) Painting using different colors than those that exist on the building, that affect the exterior appearance of the building or other structure and are visible from any public street.

4. B. Exceptions – Since it is the intent of the Board of Trustees to provide a process for routine maintenance or changes and upgrades to buildings that do not result in major, detrimental departures from the original construction and design of a structure, applications that are excepted from ARB review include:

1. additions that increase the existing building footprint by less than 25% for buildings built after 1929 (see section 4. A. 5.)

2. fences that are only in the rear yard or side yard set back, and not fronting on a street

3. walls, including retaining walls, that are

a. less than thirty inches (30”) in height;

b. not visible from the street,

c. not adjoining to the neighboring property

4. steps, and/or sidewalks

5. painting a building or structure the same colors

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6. painting a building or structure and changing colors from the existing colors, provided that the colors are in the Benjamin Moore Historical Color Chart, and the Benjamin Moore White and Off-White Color Charts, as they may be updated from time to time, maintained in the Building Department, or an equivalent color palette that has only slight variations in color hues.

7. Adding storm widows to existing windows without making further changes.

Section 4: The current Section 9-4 (B), (C), and (D) should be renumbered to 9-4 (C), (D) and (E).

Section 5: Supersession of other laws.

All laws, ordinances, rules and regulations of the Village are modified and superseded by this article with respect to their application to parking and enforcement.

Section 6: 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 7: 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.

Premium Summary

Policy Term: 06/01/2019 - 06/01/2020

Premiums

Line of Business	Insurance Company	2018-2019 Premiums	2019-2020 Premiums
Package	NYMR	\$247,855.68	\$252,831.70
Property	NYMR	Included	Included
General Liability	NYMR	Included	Included
Equipment Breakdown	NYMR	Included	Included
Crime	NYMR	Included	Included
Cyber Liability	NYMR	Included	Included
Inland Marine	NYMR	\$41,208.55	\$45,414.60
Automobile	NYMR	\$110,725.11	\$110,915.20
Public Officials Liability	NYMR	\$50,303.00	\$50,702.30
Law Enforcement Liability	NYMR	\$68,249.52	\$68,065.80
Excess Liability	NYMR	\$46,129.60	\$46,924.90
NY Fire Fee		\$488.16	\$509.36
Motor Vehicle Enforcement Fee		\$500.00	\$510.00
Sub-Total Premiums		\$565,459.62	\$575,873.86
Workers Compensation	Comp Alliance	\$732,073.00	\$685,441.00
Estimated NYS Assessment		\$26,364.00	\$25,420.00
Total Premiums		\$1,323,896.62	\$1,286,734.86

NEW YORK COMPENSATION DISCLOSURE

Insurance producers licensed by the State of New York are authorized by their license to confer with insurance purchasers about the benefits, terms and conditions of insurance contracts; to offer advice concerning the substantive benefits of particular insurance contracts; to sell insurance; and to obtain insurance for purchasers. Our role as an insurance producer in any ordinary transaction typically involves one or more of these activities.

We will receive compensation in the form of commission or fees for assistance with the placement, servicing, claims handling, or renewal of your insurance coverages. Commission compensation will be based on the insurance contract you purchase and may vary depending on a number of factors including the insurance contract(s) and the insurer(s) the purchaser selects. In addition to compensation we will receive, other parties such as excess and surplus lines brokers, wholesale brokers, reinsurance intermediaries, underwriting managers and similar parties, some of which may be owned in whole or in part by Brown & Brown, Inc., may also receive compensation (derived from your premium payments) for their role in providing insurance products or services to you pursuant to their separate contracts with insurance or reinsurance carriers. Additionally, it is possible we, or our corporate parents or affiliates, may receive contingent payments or allowances from insurers based on factors that are not client-specific, such as the performance and/or size of an overall book of business produced with an insurer. That compensation is partially derived from your premium dollars, after being combined (or "pooled") with the premium dollars of other insureds that have purchased similar types of coverage. We generally do not know if a contingent payment will be made by a particular insurer, or the amount of any such contingent payment, until the underwriting year is closed. We may also receive invitations to programs sponsored and paid for by insurance carriers to inform brokers regarding their products and services, including possible participation in company-sponsored events such as trips, seminars, and advisory council meetings, based upon the total volume of business placed with the carrier you select. We may, on occasion, receive loans or credit from insurance companies. Additionally, in the ordinary course of our business, we may receive and retain interest on premiums you pay from the date we receive them until the date premiums are remitted to the insurance company or intermediary. If we assist with placement and other details of arranging for the financing of your insurance premium, we may also receive a fee from the premium finance company.

You may obtain information about compensation expected to be received by us based in whole or part on the sale of insurance to you, and (if applicable) compensation expected to be received based in whole or part on any alternative quotes presented to you by us, by requesting such information from us.

Questions and Information Requests. Should you have any questions, or require additional information, please contact this office at _____ 1-800-247-5521 or, if you prefer, submit your question or request online at <http://www.bbinsurance.com/customerinquiry/>.

(Link revised 05/14/14)

QUOTATION and COVERAGE FEATURES



Capitalization

NYMIR is a not-for-profit reciprocal, therefore, a capital contribution of 10% of the first year's premium upon joining the program, is required. In return, our members enjoy a variety of benefits of self-ownership, including a proportionate share of equity in the company. Since these funds have grown over time, NYMIR has been able to reimburse over 10 million dollars through the course of a capital return program to its members and pay accrued interest on their capital. **Members who have remained with NYMIR for over 5 years, and continue to renew, receive their capital upon each renewal over a 4-year period. Interest that accrued on capital is returned over the next 2 years of renewing with NYMIR.

Financial Rating

NYMIR's financial strength rating by AM Best is A- Excellent.

Board of Governors

The NYMIR Board of Governors is comprised of 13 dedicated and experienced local officials elected by Subscribers. This Board sets policies and works closely with NYMIR to develop coverages and risk management services and set premium rates.

***Please note:** This proposal does not expand coverage beyond what is provided in the policy. For complete policy information, please contact NYMIR.

****Please note:** Capital return is always subject to change by the NYMIR Board of Governors.

GENERAL LIABILITY COVERAGE FEATURES

- **Aggregate per location** – NYMIR does not restrict its coverage limits to one aggregate (the maximum an insurance policy will pay in a year).



- **Failure to supply** – Municipalities that operate water facilities face additional exposure for accidental events resulting in the municipality's failure to supply these services. Coverage is provided for this liability at full policy limits.
- **Acts of Terrorism** – Automatic coverage for terrorism to full policy limits.
- **Sudden & Accidental Pollution Liability** – A third-party (liability) coverage is provided. The Sudden & Accidental Pollution Liability Endorsement protects the municipality against suits for bodily injury or property damage arising out of pollutants that have been released due to a sudden and accidental event. Examples are pesticides, herbicides, above ground storage tanks, water treatment and sewer plants. These coverages have separate limits of insurance of \$1,000,000 per occurrence. This coverage does not offer protection for clean-up costs associated with spills or from underground storage tanks.
- **Personal Identity Theft** – Includes misappropriation of personal identification information stored on the municipality's computer system that results in wrongful or fraudulent use of information such as social security numbers, credit card numbers or other valuable information of a resident, a public official, employee or authorized volunteer.
- **Optional Broadened Cyber Breach Coverage** available provides \$50,000 to cover costs affiliated with data restoration & recreation, credit monitoring and notification of affected parties to comply with state and federal requirements. NYMIR will provide an experienced response team in the event of a covered incident to mitigate damages as a result of a cyber breach.
- **Municipal Sponsored Recreation Programs** – NYMIR supplies coverage for litigation that may arise from the exposures during supervised recreational programs.
- **Allegations of Sexual Abuse & Molestation** – Full Policy limits are provided for protection against lawsuits alleging sexual abuse and molestation. This coverage applies to the named insured for allegations of negligent supervision, hiring and retention.

PUBLIC OFFICIALS' LIABILITY COVERAGE FEATURES

This errors and omissions liability policy provides several significant extensions of coverage that are unique to municipalities.

- **The Policy Deductible** applies ONLY when an indemnity payment is made. With approximately 80% of all claims providing only defense costs, this could result in a significant savings in the event of a covered loss.
- **Consent to Settle Coverage-** requires approval from the municipality before a claim can be settled. You will be informed on how a case is developing and will have the right to review a proposed settlement before it is finalized.
- **Full Prior Acts-** provides coverage for unknown incidents/claims that took place at any time prior to the inception date of your NYMIR policy.
- **Defense Costs are Payable in Addition to Limits-** expenses that NYMIR incurs in order to defend you will not reduce your policy limits. Your full limits will be available to settle possible indemnity payments.
- **Employment Practices Liability-** protection is provided against allegations of harassment and discrimination; hostile workplace claims; failure to promote; wrongful dismissal (breach of employment contract) among others. (**NYMIR Online University** provides training on many Employment Related Topics.)
- **Extended Employment Practices Coverage (Optional)** - protection for back wages, mental anguish and emotional distress. \$25,000 defense expense is also offered for non-monetary claims. This coverage can assist with defense of claims filed with the Equal Employment Opportunity Commission.
- **Allegations of Civil Rights and/or Discrimination-** during the process of tax assessment, issuing licenses and permits, and zoning.
- **Land Use-** zoning and land use claims are an active area of litigation for municipalities. Many competitors do not address this issue. NYMIR has a definitive land use endorsement. Full Policy limits are available. (**NYMIR Online University** provides Land Use and SEQR Training.)

PROPERTY COVERAGE FEATURES



- **Appraisal Program:** This is a value-added service that will benefit your municipality. A professional appraisal company will conduct an independent appraisal of your buildings with values of \$50,000 or greater scheduled on the statement at no cost to you. This will allow property coverage to be written with an Agreed Amount valuation.
- **Earthquake & Excess Flood:** This coverage, which is automatically provided, is intended to protect municipal buildings and contents from these potentially catastrophic causes of loss. Flood Zones A & V are covered up to \$1,000,000 with a \$500,000 deductible. NYMIR will provide flood certification for each of your locations as they become available.
- **Pollution Clean-up:** In each policy period \$50,000 is available for expenses you incur for clean up of "pollutants" for land, air or water from covered real property.
- **Asbestos Clean up, Abatement & Removal:** \$50,000 if as a result of a specified cause of loss as notated in your policy.
- **Valuation of Building and Contents:** NYMIR automatically provides valuation at agreed amount with a blanket limit providing enhanced coverage over actual cash value per location.



Equipment Breakdown: NYMIR provides coverage for boilers and building machinery/equipment breakdown at all locations. This includes coverage for mechanical malfunction of water and sewer pumps. Coverage limits were significantly increased in 2016. Coverage includes: Loss of Income/Extra Expense, Service Interruption, Expediting Expense, Hazardous Substance, Ordinance or Law, Demolition, Spoilage, Newly Acquired Locations, Error in Description, Data Restoration and Computers. Inspections to meet state certification requirements and determine equipment efficiencies. Online Energy calculator provides assistance in calculating greater operating efficiency and aid in reducing energy costs is available to NYMIR insureds.

***Please note:** This proposal does not expand coverage beyond what is provided in the policy. For complete policy information, please contact NYMIR.

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CRIME COVERAGES

- Various limits are available and can be tailored to your municipality's needs
- Employee Dishonesty Blanket Coverage
- Faithful Performance Automatically Included (*Higher Limits Available by Position Type*)
- Coverage is available for all employees
- No Exclusion for Tax Collector or Treasurer
- Responsibility of Elected Officials for other funds is included; *ex. Bail Bond accounts held by Justices* or other officers required by law to be individually bonded. Other entities can be added as Additional Insured when employee is responsible for funds of a third party. *Ex Town tax collector collecting school taxes*

Additional Coverage Available Include:

- Computer Fraud (fraudulent transfer of money or property of value)
- Wire Transfer
- Forgery or alteration
- Theft of money and securities inside and outside the premises can be increased (*\$10,000 per occurrence is automatically provided under your property policy*).

NYMIR Online University provides **Fidelity and Public Sector Fraud** Training for your entire staff at no charge.

CYBER LIABILITY

- **Cyber-Liability 3rd Party Coverage:** NYMIR members currently have automatic coverage for liability claims resulting from misappropriation of personal identification information of your residents, public officials, employees or volunteers stored on your computer system. This includes social security numbers, credit card numbers and other valuable information. This coverage is included in your General Liability and Excess limits. There is no cost for this enhanced coverage.
- **Cyber Liability 1st Party:** On June 1, 2015 NYMIR announces an optional broadened coverage to protect municipalities from cyber related losses. A \$50,000 limit is available for the following expenses for an additional premium:
 - Data Restoration and Data Recreation
 - Notification Costs to comply with State and Federal reporting requirements
 - Credit Monitoring
 - Public Relations Firm to assist in communicating your response to employees and the public
 - Cyber Liability 3rd Party \$100,000 offers broader coverage and acts similar to a Difference in Conditions policy for NYMIR's current Cyber coverage



LAW ENFORCEMENT LIABILITY

Consent to settle coverage is provided to protect police professionals against the volatile exposures they face daily. Full Policy limits are available.

To name a few:

- Allegations of false arrest, excessive force, malicious prosecution and unlawful search and seizure
- Violations of civil rights
- Building related illnesses
- Facility related communicable diseases
- Claims of abuse and molestation
- Supervisory exposures in directing auto pursuits

Law Enforcement Liability Assessment: Municipalities with law enforcement agencies receive regular evaluation of their law enforcement policies, procedures and facilities.

Law Enforcement Advisory Committee: Members of this committee have many years of law enforcement leadership experience. They will provide input to identify topics for law enforcement

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seminars and provide guidance in developing strategies to assist law enforcement professionals in reducing exposures.

NYMIR Online University- Training for your police department is approved for New York State Accreditation hours at no cost to enhance and maintain vital skills and knowledge. Topics include False Arrest, Pursuit, Use of Force, Employment Practices and more.

Please note: This proposal does not expand coverage beyond what is provided in the policy. For complete policy information, please contact NYMIR.

AUTOMOBILE



Automatic \$3,000 Additional Equipment coverage for equipment installed on municipal vehicles.
Deductible reimbursement up to \$1,000 for physical damage to any municipal employee's personally owned vehicle while using in the course of municipal duties and responsibilities.

- **Replacement cost** new valuation for **police vehicles** 10 years old or newer.

INLAND MARINE



- Rental Expense Reimbursement up to \$500 per day for rental of substitute equipment when a covered cause of loss occurs to covered property.
- \$100,000 available to cover your legal or contractual liability for loss or damage to equipment that you lease, rent or borrow from others.
- Replacement cost is applicable to vehicles 10 years old or newer if scheduled for auto physical damage on the Inland Marine policy.
- Expenses exceeding 75% of the agreed value of a vehicle or equipment will be considered a total loss (replacement cost valuation for vehicles 10 years or newer).
- \$1,000,000 coverage for all individually scheduled equipment for damage caused by earthquake or flood.

***Please note:** This proposal does not expand coverage beyond what is provided in the policy. For complete policy information, please contact NYMIR.

NYMIR RISK MANAGEMENT PROGRAM



The NYMIR Risk Management Program is designed specifically for municipalities, created to address the unique loss exposures of local governments.

This benefit assists in minimizing the frequency and severity of losses. We are pleased to offer you these valuable risk control services and resources as a part of this insurance proposal.

Facility Inspections: An on-site risk assessment of the municipality's facilities, operations and activities is done regularly for each subscriber a follow-up report is generated listing *practical* suggestions for improving safety and loss control.

Special Inspections: Additional visits to evaluate specific areas (e.g. sidewalks, equipment, and parks) are scheduled as requested by subscribers.

Certificate of Insurance/Contract/Bid Specifications Review: NYMIR Risk Management helps subscribers reduce the costs of claims by assisting with transfer of risk using insurance certificates and indemnification language. These transfers typically involve users of facilities, contractors and inter-municipal agreements.

Local Training: NYMIR Risk Management Consultants conduct customized training at subscribers' locations. Popular sessions include custodial safety training, employment practices liability, and recreation liability.

Attendance at Subscriber Safety Committees: NYMIR Risk Management Consultants will attend safety committees throughout New York State, and provide technical assistance and resource material.

Risk Management Consulting Services: Subscribers have unlimited access to NYMIR Risk Management Consultants to answer questions or conduct research concerning physical hazards, municipal activities, procedures, transportation, etc.

NYMIR Regional Seminars: NYMIR sponsors regional seminars throughout New York State to address current trends and legal issues that create potential loss exposures for local governments. Topics include:

- Employment Practices Liability-Harassment Prevention
- Parks & Recreational Liability
- Playground Equipment Inspection & Maintenance
- Distracted Driver Prevention
- Law Enforcement Liability
- Risk Transfer
- Safety During Snow & Ice Removal

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- Backhoe & Loader Training
- Traffic Signs/Traffic Control Devices
- Snowmobile/ATV Use Liability
- Compliance Management
- Dig Safety Training
- Mower Safety
- Chainsaw & Chipper Safety

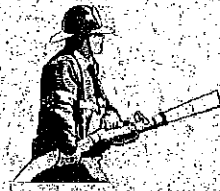
NYMIR Website – www.nymir.org Subscribers receive an individual code to provide access to various safety topics. Members can download sample forms and documents to reduce or transfer risk. **Years of NYMIR's** Risk Management bulletins, as well as quarterly updates, can be referenced. In addition, sample Employment Practices Policies, Workplace Violence, Computer Usage and Sexual Harassment policies can be downloaded and modified for your municipality. Free Online Courses provide certificates of completion for topics that include: Land Use Training, SEQR Training, Parks & Recreation Liability, Employment Practices Liability, Defensive Driving and more.



Prior Written Notice Law Review:

To ensure that town, city and county subscribers are receiving optimum protection, NYMIR risk management representatives will review subscribers' prior written notice laws and provide recommendations for improvement, if needed.

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Fire Department-Special Coverages

Property

Actual Loss You Sustain Coverage for the following property:

- Communication Equipment, Computers and Media
- Emergency sirens/horns and traffic control devices
- Computers, printers, scanners, modems and related peripheral equipment
- Radio, television, and video equipment, satellite dishes, towers
- Accounts Receivable and Valuable papers & records
- Fire Extinguisher Recharge Expenses due to covered losses
- Extra Expenses to avoid and minimize business interruption
- Commandeered Personal Property of others, includes owner's loss of use expenses



Inland Marine/Fire Equipment

Fire Department Vehicles covered at replacement cost allowing you to replace with a comparable new truck manufactured to current required specifications.

Damage to your Fireman's Personal Property during the course of responding to or returning from a department emergency call:

- \$2,500 per Fireman/ \$5,000 per any one incident
- Damage reimbursement up to \$1,000 to a Fireman's personal auto

Scheduled Portable Equipment Coverage - \$10,000 to re-certify your damaged equipment if required by a governmental agency-no deductible applies.

Commandeered Property- \$25,000 to repair or replace mobile property of others damaged from a covered loss. No deductible applies.

****Please note:*** This proposal does not expand coverage beyond what is provided in the policy. For complete policy information, please contact NYMIR.

Auto Coverage

NYMIR Insured Vehicles -Automatic \$3,000 **Additional Equipment Extension is included to provide up to \$3,000 per vehicle for equipment that is installed in and/or on the vehicle.**

Sound Receiving Equipment -**No exclusion for covered autos.**

General Liability Coverages

- Limited Pollution- Included for Fire Fighting Activities, training and intentional demolition burns for the purpose of limiting a fire.
- Discharge of Pollutants for purposes of controlling a fire
- Mutual Aid
- Emergency Medical Technicians Errors & Omissions Coverage

Public Officials – Errors & Omissions Coverage (when General Liability is with NYMIR)

- Automatically Included for Department and Boards
- Elected Officials
- Authorized Volunteers

****Please note:** This proposal does not expand coverage beyond what is provided in the policy. For complete policy information, please contact NYMIR.*

Village of Tarrytown
Comprehensive Plan & Station Area Zoning

ARTICLE ____ STATION AREA OVERLAY

1. Intent and Purpose

The intent and purpose of the Station Area Overlay District (SAO) is to create a built environment that implements the goals and objectives for the station area as detailed in the Tarrytown Comprehensive Plan. Property owners with an eligible parcel(s) in this district can apply to receive an SAO designation which can be affixed to a qualifying parcel of land. Once a parcel receives an SAO designation, the parcel is governed by the use, dimensional and other provisions of the SAO zoning regulations, and SAO zoning replaces the existing zoning. The intent of the SAO is to enable and implement the goals and recommendations outlined in the Village of Tarrytown Comprehensive Plan. The SAO is designed to provide flexibility that will allow different types of uses and forms, while still protecting the interests of the Village. The intent is to allow exceptional and signature developments that are consistent with the Comprehensive Plan, while the specifics have not yet been imagined.

2. Definitions and Word Usage

Unless defined herein in the general definitions in Chapter 305, the following definitions apply.

Affordable Housing

Reference § 305-130.

Blue / Green Strategies

Refer to Blue Roofs and Green Infrastructure below.

Blue Roofs

Rooftop systems that control the discharge of stormwater into a municipal system by detaining stormwater on a roof and until the peak rate of discharge is reduced. (Source: adapted from New York State Department of Environmental Conservation)

Cooperative Housing, Collective Housing, Cooperative Living, or Share Housing

A shared living arrangement in a multi-unit building where certain facilities are shared between building occupants, for example kitchen, living, or toilet/bathing facilities.

Green Infrastructure

Green infrastructure includes a wide array of practices at multiple scales to manage and treat stormwater, maintain and restore natural hydrology and ecological function by infiltration, evapotranspiration, capture and reuse of stormwater, and establishment of natural vegetative features. On the local scale green infrastructure consists of site- and neighborhood-specific practices and runoff reduction techniques. (Source: NYSDEC, Stormwater Management Design Manual)

LEED

Leadership in Energy and Environmental Design (LEED) is a rating system devised by the United States Green Building Council (USGBC) to evaluate the environmental performance of a building and encourage market transformation towards sustainable design. (Source: U.S. Green Building Council)



LEED Certification

A designation given to projects that demonstrate adherence to prerequisites and earn credits across nine measurements for building excellence from integrative process to indoor environmental quality. Based on the number of credits achieved, a project earns one of four LEED rating levels: LEED Certified, LEED Silver, LEED Gold or LEED Platinum. The LEED rating systems work for all buildings at all phases of development and are meant to challenge project teams and inspire outside-the-box solutions. (Source: U.S. Green Building Council)

Live-Work Space or Live/Work Unit

A building or space within a building used jointly for commercial and residential purposes. (Source: American Planning Association / Planning Advisory Service)

Passive House Standards

Passive House building is an internationally recognized, performance-based energy standard in construction that comprises a set of design principles used to attain a quantifiable and rigorous level of energy efficiency within a specific quantifiable comfort level. A passive building is designed and built in accordance with these five building-science principles:

- 1) Employs continuous insulation throughout its entire envelope without any thermal bridging.
- 2) The building envelope is extremely airtight, preventing infiltration of outside air and loss of conditioned air.
- 3) Employs high-performance windows (typically triple-paned) and doors.
- 4) Uses some form of balanced heat- and moisture-recovery ventilation and a minimal space conditioning system.
- 5) Solar gain is managed to exploit the sun's energy for heating purposes in the heating season and to minimize overheating during the cooling season

(Source: Passive House Institute US)

Shared Parking

A land use/development strategy that optimizes parking capacity by allowing complementary land uses to share spaces, rather than producing separate spaces for separate uses. In effect, shared parking makes spaces publicly accessible rather than reserved for a particular tenant or property owner. Parking may be privately constructed and operated, depending on a contractual agreement, but should remain within the government's jurisdiction for long-term transport planning purposes. (Source: Institute for Transportation and Development Policy)

Transit-Oriented Development (TOD)

A land use strategy that focuses development around locations that are well served by transit, and that typically includes a mix of land uses, and a more dense development pattern. (Source: Westchester County Planning)

Workforce Housing

One or more dwelling units made available to households earning between 60 and 120 percent of Westchester Area Median Income. (Source: adapted from Urban Land Institute)

Acronyms

MDP Master Development Plan
MNR Metro-North Railroad
MHW Mean High Water
SAO Station Area Overlay
SLR Sea-Level Rise



3. Boundaries of the Station Area Overlay District

The boundaries of the SAO District are shown on the SAO District Map at _____.

4. Authority

The Village Board has the authority to grant eligible parcel(s) an SAO designation as set forth below in §305-XX.E "Eligibility". A parcel located within the mapped SAO District must receive an SAO designation by the Village Board prior to the Planning Board determining whether to grant or approve a Site Development Plan.

5. Eligibility

This section sets forth standards under which parcels would be eligible for SAO designation by the Village Board. The criteria in this section are separate and distinct from site plan and subdivision requirements which address more specific site layout and design requirements.

1. The parcel is located within the SAO designated area as identified on the Village Zoning Map
2. The applicant states their intention to submit a Master Development Plan consistent with § 305-XX(9).
3. The decision to approve or decline a parcel for SAO designation is purely a legislative determination entirely within the legislative discretion of the Village Board. The Village Board shall have the right to reject any parcel for SAO designation at any stage of the process. As part of its decision to approve a parcel from SAO designation, the Village Board shall determine what the proposed site development plan is consistent with the following SAO objectives:
 - a. Promote sustainable development and growth; improve local mobility and regional access; reduce dependence on personal vehicles; connect all parts of the village; expand housing options for a diverse, multi-generational community; protect natural resources; connect and enhance open space resources; strengthen connections to the Hudson River; reduce greenhouse gas emissions; and, minimize local impacts of climate change.

6. Procedure for SAO Designation

An SAO designation can only be granted by the Village Board subject to the following procedure.

1. Pre-application conference. The applicant must, prior to formal submission of their SAO designation application, meet in a pre-application conference with the SAO review staff made up of Village Staff and one member of the Planning Board, to review the requirements and procedures and discuss the planning concepts for the proposed development. The Applicant will pay the pre-application meeting fee (as established by the Village Board).
2. Submission of an application package for a SAO designation to the Village Clerk: The application package shall contain the following required documents and fees:
 - a. an SAO Designation Application Form.
 - b. A conceptual plan.
 - c. Long-form Environmental Assessment Form.
3. Preliminary Village Board action. At its sole discretion, the Village Board will determine whether: (i) to reject the SAO designation application; or (ii) to refer it to the Planning Board for Master Development Plan review and Site Development Plan review.

4. Village Board Referral to the Planning Board. If the Village Board determines that the application may continue and refers it to the Planning Board, the Applicant is required to submit a Master Development Plan consistent with § 305-XX(9) and a site development application in accordance with Article XVI, including all required forms, plans and documents, as well as, required fees and escrow.
5. Master Development Plan and Site Development Plan review by the Planning Board: The Planning Board shall begin the Site Development Plan review, review the Master Development Plan based upon the Performance Criteria set forth in § 305-XX(10), and schedule a public hearing on Master Development Plan and Site Development Plan application in accordance with the requirements set forth in Article XVI. During this step, the Village Board will receive periodic updates from the Planning Board as part of the coordinated review. As soon as practicable, the Planning Board shall complete the scoring process and assign a score based upon the Scorecard (Attachment ____).
 - a. Prior to determining whether to grant or deny Site Development Plan approval, the Planning Board shall send a written report to Village Board setting forth: (1) the Planning Board's evaluation of the Master Development Plan based upon the eight Performance Criteria and the Planning Board assigned score based upon the Scorecard (Attachment ____); and (2) the Planning Board's recommendation that the SAO designation be granted, with or without conditions, or denied and its reasons for such recommendation. The Master Development Plan must receive a passing score based upon the Scorecard to proceed.
 - b. Before issuing its report and/or taking any action, the Planning Board shall fully comply with SEQRA.
 - c. While the Village Board is considering the Planning Board's report, any public hearing before the Planning shall be adjourned and held open until such time as the Village Board makes a determination on the proposed SAO designation.
6. Decision of Village Board. Upon the Village Board's receipt of the Planning Board's report, along with Master Development Plan, if the Village Board elects to proceed it shall schedule a public hearing on the proposed SAO designation and following said hearing, may by resolution, act either to approve, approve with modifications and/or conditions, or disapprove the SAO designation. The Village Board shall fully comply with SEQRA prior to issuing any designation.
7. Completion of Land Use Review Process. If the Village Board determines to approve the SAO designation (including to approve with modification and/or conditions), the Planning Board will place the application on its first available agenda and will continue with its Site Development Plan review and any other required land use approvals (such as preliminary and final subdivision review). The Applicant shall not be able to apply the SAO designation unless and until the Planning Board grants Site Development Plan approval.

7. Use Regulations

A. Pre-existing Uses and Buildings.

Any building permit or Site Development Plan approval issued before the date of adoption of this Section shall remain in effect for the underlying zone that the parcel is located within until a project is granted an SAO designation by the Village Board as set forth in §305-XX E Eligibility. Buildings existing before the date of adoption, or subsequent amendment, of this Section are allowed to expand and modify as permitted under the underlying zoning unless they have previously received an SAO designation. Once a parcel receives an SAO designation, the parcel is governed by the use, dimensional and other provisions of the SAO zoning regulations, and SAO zoning replaces the existing zoning.

B. Permitted Uses

Any principal use permitted in any district in the Village of Tarrytown or any combination of such uses is a use permitted in the SAO provided the proposed use's Master Development Plan receives a receive a passing score on the SAO Scorecard as described in § 305-XX(9)(C).

8. Density/Development Regulations

A. Building Height Measurement in SAO

Building height for buildings permitted in the SAO district is measured from the average elevation of the existing (predevelopment) grade of the property, or from a plane formed by the Base Flood Elevation from the Federal Emergency Management Agency's 2014 preliminary Flood Insurance Rate Map (pFIRM), or subsequent revisions, plus three feet, whichever is higher. Building height is the vertical distance from the higher of these points to the highest point of the roof for flat roofs, to the decline of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

B. Maximum Building Height.

1. The maximum base height permitted for buildings east of the Metro North Railroad tracks is six stories or 72 feet, whichever is less. After six stories or 72 feet, a 40-foot setback is required, with the maximum tower height of ten stories or 120 feet, whichever is less. The maximum building height permitted west of the Metro North Railroad tracks is five stories or 60 feet, whichever is less. Reference Neighborhood Character below for a complete description of the Performance Criteria.

2. The rooftop obstructions are not permitted to exceed the maximum building height unless granted a waiver by the Planning Board. For the purpose of this provision, rooftop obstructions are defined as:

- Parapets less than four feet,
- Stair and elevator bulkheads,
- Cooling towers, water tanks, and other mechanical equipment which occupy less than 20% of the roof area,
- Skylights or other daylighting devices,
- Decking and other surfaces for recreational activities,
- Vegetation, planting boxes less than four feet, soil and drainage systems, arbors, trellises, water collection devices and sun control devices,
- Solar energy systems less than four feet.
- And other similar type items



In no case can rooftop obstructions exceed the maximum building height by more than 10 feet, west of the Metro North Railroad tracks, or 20 feet, east of the Metro North Railroad tracks.

9. Master Development Plan and SAO Scorecard

For any Applicant seeking SAO designation, the applicant shall prepare a Master Development Plan (MDP). The MDP shall be consistent with the adopted Tarrytown Comprehensive Plan and Tarrytown's adopted Local Waterfront Revitalization Plan (if applicable, currently N/A). The purpose of an MDP is to provide additional information so that the proposed use and development can be evaluated based upon the Performance Criteria set forth in § 305-XX(10) and assigned a score based upon the SAO Scorecard (see Attachment ____).

A. Master Development Plan

At minimum, an MDP shall include the following drawings and materials: (a) site plan that complies with the requirements of Article XVI; (b) Landscape plan; (c) Streetscape plans and elevations; (d) Parking plan; (e) Visual Analysis including rooftop obstructions if applicable; (f) Preliminary Infrastructure Analysis; and (g) Phasing plan, if the project is to be built in phases

The MDP must also include a discussion of required utilities and a plan for the supply of water and wastewater disposal, which must include a discussion of the current condition and capacity of all public utilities that the development will be required to use. The MDP must also show how any development in the SAO will be resilient to periodic storm events and long-term sea level rise. The MDP must also include a viewshed analysis and photosimulations that demonstrate the development's impact on the viewpoints identified in section _____. The MDP shall also contain such other information as the Planning Board deems necessary to demonstrate how the proposed development performs against the Performance Criteria found in § 305-XX(10)

B. Review of MDP

The Planning Board shall review and evaluate the MDP according to Performance Criteria identified in § 305-XX(10). The Planning Board, may refer the Master Development Plan to a planner, attorney, engineer, landscape architect, environmental expert or other professional necessary to enable it to review such application. Fees for such services will be paid in accordance with § 305-138(B) and § 305-138(C).

C. Scoring the MDP

The Planning Board will use the SAO Scorecard (see Attachment ____) to evaluate a MDP's performance against the Performance Criteria. The scores an MDP receives on each component of the performance criteria will be determined by the Planning Board, as assisted by professional staff and experts working on their behalf. At their option, the Planning Board may also choose to weight elements of the scorecard differently based upon the nature of the development described in the MDP. Using the SAO Scorecard and a 100-point scale, a score of 75 is a passing score. A passing score is a condition to the granting of Site Development Plan approval. An MDP that does not receive a passing score will not be eligible for SAO Designation and a failing MDP will not be referred from the Planning Board to the Village Board for further review.

10. Performance Criteria

Master Development Plans are evaluated against eight Performance Criteria. Performance Criteria and their Components are categories of public concern identified in the Village of Tarrytown Comprehensive Plan against which all MDPs are evaluated. Performance Criteria are made up of Components, which are implemented through the SAO Scorecard. MDPs must receive a passing score from the SAO Scorecard to be eligible for an SAO designation by the Village Board. Low scores in one Performance Criterion may be offset by high scores in other Performance Criteria to achieve a passing score. There are eight Performance Criteria, each with their own Goals and Components as set forth below:

1. Land use

Goals:

East of the tracks, the mix of land uses in the Station Area will help create a dynamic, transit-oriented neighborhood that anchors the area around the Metro-North Railroad (MNR) Station. This land use mix will promote the village as a regional hub and destination, while serving Tarrytown's residential population through the provision of neighborhood amenities, as well as broadening the local economy and growing the tax base. Any residential component should include a mix of housing unit sizes and models that will serve the needs of a wide range of living needs and incomes. Office spaces may include co-working, incubator spaces, and live-work.

West of the tracks, the mix of land uses will prioritize public access and water-based recreational uses that enable the waterfront to become a year-round destination within the village.

Components:

- The MDP incorporates the mix of uses reflecting the goals of the area. Retail uses will be planned to support the other proposed uses of the SAO and not supplant the existing downtown retail.
- The MDP shows workspaces that are flexible and expand the range of offerings within Tarrytown.

2. Mobility & Access

Goals:

All developments will enhance pedestrian safety and access within the SAO. All developments and their pedestrian, vehicle, and bicycle access will be coordinated with the street network, connect to each other and facilitate access to the waterfront, the Station, the adjacent downtown area, and encourage access to Tarrytown and nearby destinations beyond the Station Area.

Components:

- The MDP shows Complete Streets, defined as roadways planned and designed to consider the safe, convenient access and mobility of all roadway users of all ages and abilities.¹

¹ As discussed in Chapter 398 of the Laws of the State of New York. Information about Complete Streets is distributed by NYS DOT here: <https://www.dot.ny.gov/programs/completestreets>. The Planning Board may update or replace these guidelines as necessary.

- The MDP improves connections between new facilities and all transit modes at Depot Plaza.
- The MDP provides access to new and existing parks.
- The MDP demonstrates that every unit has a direct pedestrian route to the MNR station, including through a building, provided public access is maintained, or to an intersection that has a direct pedestrian route to the train station.
- Where applicable, the MDP improves the connection between the MNR Station and downtown.

3. Transportation & Parking

Goals:

All developments will support the transit-oriented goals for the Station Area while providing parking types and levels sufficient for the land uses proposed.

Components:

- The MDP demonstrates how all parking needed by residents, workers, customers, and visitors will be provided. Solutions may be shared or separate, structured on-site, off-site, above ground, or below ground. Any parking facilities must include car share, bicycle parking, and electric vehicle / electric bike charging infrastructure.
- All parking solutions should minimize surface parking lots.
- The MDP demonstrates how it will accommodate different modes of transportation, which may include bicycles, bike share, ride share, and transit.
- Any commuter parking that is displaced will be replaced in a structure within the SAO.

4. Affordable Housing

Goals:

Any residential component of developments within the SAO will expand the supply of permanently affordable housing and offer alternative models of housing within Tarrytown in order to serve a range of resident incomes and household types. The minimum requirement for the affordable component will follow § 305-130, although it is highly desirable to exceed the quantity and/or level of affordability provided by the code minimums.

Components:

- The MDP includes a mix of unit types, sizes, and price points. These may include workforce housing, live/work units, and cooperative housing.
- The MDP includes residential units for both renters and owners.
- The MDP should include units that are managed as permanently affordable housing.² All affordable units should be integrated within mixed-income buildings.
- The MDP includes a provision for senior housing in the Station Area. Innovative siting of senior housing, such as it being located near or within the same building as day-care or nursery schools, is encouraged.

² Reference § 305-130.

5

5. Neighborhood Character

Goals:

Development in the SAO will create a sense of place and arrival at the train station, completing the waterfront neighborhood. Development east of the tracks will maintain a scale and block structure that supports street-level activities and enhances the transition from the waterfront, to the Station Area, and to the village downtown. Development in the SAO will not impact public scenic views of the Hudson River and Palisades.

Components:

- The Visual Analysis, included with the MDP, must demonstrate no significant impact on public scenic viewsheds, including views to the Hudson River and Palisades. The technique for photosimulations is described in § 305-XX(11). This impact will be demonstrated with verifiable digital photomontages of the proposed development from the following viewpoints:
 - View along Wildey St at N Broadway – toward the Hudson River
 - View from Neperan Rd at Grove St – W/NW toward the Hudson River
 - View along Altamont Ave – W toward the Hudson River
 - View along Benedict at Rosehill Ave – toward the Hudson River
 - View along Main St at Broadway – toward the Hudson River
- The MDP shows uses that are consistent with residential and recreational uses (e.g. MDP demonstrates no impacts to air quality, water quality; the MDP does not describe uses that introduce significant noise and vibrations).
- The MDP contains active and transparent ground floor uses designed for pedestrian access and circulation with building orientation planned to improve wayfinding, access, and contribute to a sense of arrival at the train station.
- The MDP shows a development that is designed primarily around the pedestrian and not the automobile.
- The MDP's landscape plan is complete and includes native plantings, street trees and full-cutoff, non-polluting light fixtures to encourage dark sky lighting. The landscape plan must be coordinated with any village street furniture.

Methods:

The photosimulations required to demonstrate the impact on the viewpoints listed in the Neighborhood Character Performance Criteria must be performed as follows.

1. The photosimulations must be produced using a technique that merges an existing conditions photograph with an elevated 3D computer model of the Master Development Plan and references. The existing photograph and the 3D computer model must be merged using references that exist in both the photograph and the 3D model. The photosimulations should accurately represent the MDP using photorealistic textures that portray the facades and building colors proposed. Streets, sidewalks, landscaping, and anything placed on a roof are a part of the MDP and should be shown in the photosimulations. The lighting used in the photosimulation should be set to the time of day and time of year of when the photographs were taken.
2. The existing condition photographs should be taken from the viewpoints identified from the location that provides the best view toward the project. They must show leaf-off, no snow conditions and must be taken when atmospheric conditions are clear. Photographs should be taken with at least a 50mm equivalent (normal) lens or



telephoto lens. Wide angle lens may only be used when they are necessary to include all elements of the MDP within the frame of the photograph.

3. The Planning Board may require an audit of the photosimulations to ensure that the proper methods have been used and that they accurately reflect all of details of the MDP. The applicant must provide reasonable access to the data used to produce the visual simulations, and the personnel who produced the visual simulations must be granted to auditors identified by the Planning Board, should the Planning Board believe that such audit is required.

6. Infrastructure

Goals:

All developments will minimize their impact on existing infrastructure.

Components:

- The MDP includes an infrastructure plan providing for stormwater capture as per code and incorporates blue / green strategies, including for example: green roofs, blue roofs, detention tanks, green infrastructure, and permeable surfaces within or under the development site inclusive of roads and sidewalks. At a minimum, all streetscapes must include green infrastructure.
- The development shall not result in a net increase in infrastructure costs to the Village.
- The MDP utilizes onsite renewable sources to meet its energy requirements
- The MDP places new infrastructure below grade *as feasible and necessary* for resiliency plans.

7. Open Space

Goals:

All developments will improve access to and continuity between existing public open spaces and the Hudson River.

Components:

- The MDP identifies public and private open spaces within all developments.
- Where applicable, the MDP preserves public view corridors and respects a development buffer of 50 feet from shoreline as measured by the Mean High Water (MHW) line along the Hudson River, except where the use of water is an integral part of such structure.
- Riverfront facades shall not exceed 150 feet in length.
- The MDP provides public access to the water, including points where the public may reach the river. This may include one or more kayak and/or boat launches with adjacent storage racks.

8. Sustainability & Resiliency

Goals:

All developments will promote human health and safety and minimize resource consumption, including water and energy, waste, and greenhouse gas emissions.



Development should incorporate renewable energy systems, adaptability to a changing climate, and resiliency to extreme weather events.

Components:

- The MDP demonstrates holistic consideration for the environmental performance of sites and buildings, which may be satisfied through building and site design that achieve LEED Silver or higher ratings,³ or conform to / exceed Passive House Standards,⁴ or equivalent standards in effect at the time of application.
- The MDP is designed to account for sea level rise, as described in 6 NYCRR Part 490, and to be adaptable to changing projections. The MDP must demonstrate that it does not worsen the potential for flooding within the SAO. The base level(s) of any building must be designed to enable adaptation for sea level rise, including retrofit for wet flood proofing.
- The MDP site and buildings are designed to moderate the impacts of extreme heat and rain events.
- Greywater is captured to irrigate landscaping, gardens or parks.

11. Expiration, Revocation, and Enforcement

An SAO designation shall expire if the SAO designated use or uses cease for more than 24 consecutive months for any reason, if the applicant fails to obtain the necessary Building Permits or fails to comply with the conditions of the site development plan approval as described in § 305-143.

An SAO designation may be revoked by the Village Board of Trustees if the permittee violates the conditions of the site development plan approval or engages in any construction or alteration not authorized by the site development plan. Any such unauthorized or unapproved construction or alteration will immediately trigger a suspension of all work on site and fines as determined by the Village Board of Trustees.

³ <https://new.usgbc.org/leed-v4>

⁴ https://www.passivehouse-international.org/index.php?page_id=150

Summary

Category	Maximum	
	Possible Score	Actual Score
Land Use	12.5	9.7
Mobility & Access	12.5	8.3
Transportation & Parking	12.5	8.3
Affordable & Senior Housing	12.5	7.6
Neighborhood Character	12.5	10.0
Infrastructure	12.5	9.7
Open Space	12.5	10.4
Sustainability & Resiliency	12.5	6.9
Total Performance	100	71.1 Fail

Notes:

The minimum passing score is 75 (normalized)

Except where noted, a score of zero for any criterion will result in a category score of zero

Where a criterion does not apply, enter "NA" and provide explanation

Land Use

Number of valid criteria (enter
1, 2 or 3)

3

<u>Criteria</u>	<u>Score</u>
-----------------	--------------

Mix of uses	2
-------------	---

Appropriateness of uses	2
-------------------------	---

Presence of adverse uses	3
--------------------------	---

Total Land Use Performance

Possible	9
----------	---

Achieved	7
----------	---

Normalized to 12.5 scale	9.72
--------------------------	------

Explanation

0=Development does not significantly advance the goals of the station area

1=Development advances the goals of the station area, but does not mix uses

2=Development advances the goals of the station area and provides a significant mix of uses

3=Development advances the goals of the station area, provides a significant mix of uses that complement existing uses in the Downtown area

0=Uses provided are redundant with other uses in Tarrytown

1=Uses moderately expand the range of offerings in Tarrytown

2=Uses significantly expand the offerings in Tarrytown

3=Uses significantly expand the offerings in Tarrytown and include at least one of the desired uses identified in the goals

0=Contains uses contrary to the goals of the station area (**Noxious uses** (e.g. uses that are dirty, loud, create noxious odors, produce off site vibrations, are visually disturbing, and similar), **uses that produce little street activity** (e.g. storage (bulk-, mini-, outdoor-, self-), warehouses and similar, or **uses that require large amounts of ancillary storage space** (e.g. some car dealers, sawmills, some large-scale manufacturing, and similar.)

3=Does not contain uses contrary to the goals of the station area

Mobility & Access

Number of valid criteria (enter
1, 2, 3 or 4)

4

Criteria	Score
----------	-------

Complete Streets	2
------------------	---

Depot Plaza	2
-------------	---

Parks, community uses and public open space	2
--	---

Connections between Depot Plaza and Downtown	2
---	---

Total Mobility & Access Performance

Possible	12
----------	----

Achieved	8
----------	---

Normalized to 12.5 scale	8.33
--------------------------	------

5

2

Explanation

0=Development does not follow most Complete Street principles

1=Development mostly follows Complete Street principles

2=Development follows all Complete Street principles

3=Development follows all Complete Street principles with excellence

0=Development does not consider connections to Depot Plaza

1=Development maintains connections to Depot Plaza

2=Development improves connections to Depot Plaza and provides every unit a direct pedestrian path to Depot Plaza

3=Using design excellence, development improves existing connections and makes new connections to Depot Plaza, including providing every unit a direct pedestrian path to Depot Plaza

0=Development does not provide or improve access to parks, community uses and public open space

1=Development improves access to parks, community uses and public open space

2=Development significantly improves access to parks, community uses and public open space

3=Through design excellence, development significantly improves access to parks, community uses and public open space

0=Development does not improve connections between Depot Plaza and Downtown

1=Development improves connections between Depot Plaza and Downtown

2=Development significantly improves connections between Depot Plaza and Downtown

3=Through design excellence and/or innovation, development significantly improves connections between Depot Plaza and Downtown

3

5

Mandatory passing score

Transportation & Parking

Number of valid criteria (enter
1, 2, 3 or 4)

4

Criteria	Score
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Parking plan	2
--------------	---

Parking location and design	2
-----------------------------	---

Travel modes	2
--------------	---

Commuter parking	2
------------------	---

Total Transportation & Parking Performanc

Possible	12
----------	----

Achieved	8
----------	---

Normalized to 12.5 scale	8.33
--------------------------	------

Explanation

0=Parking plan incomplete and/or does not demonstrate how parking needs will be met

1=Adequately demonstrates how parking needs will be met

2=Adequately demonstrates how parking needs will be met and includes car share, bicycle parking, and electric vehicle / electric bike charging infrastructure

3=Same as 2, and also shares spaces between resident, customer and commuter parking to minimize the number of spaces

0=Parking plan incomplete and/or only accommodates parking through surface parking lots

1=The majority of necessary parking provided in one or more structures

2=Necessary parking provided using a combination of structured, surface, on-site, off-site, above ground and below ground strategies designed to hide parked cars from view

3=Same as 2, but with structures designed to be used for other purposes if parking needs change in the future

0=Does not demonstrate flexibility of travel mode

1=Development accommodates bicycles, bike and car share, and transit

2=Development is designed for pedestrians, bicycles, bike and car share, and transit

3=Development is designed for, and encourages alternative modes of travel, including pedestrians, bicycles, transit, and bike and cars share, and integrate with existing modes

0=Commuter parking not replaced

1=Less than all commuter parking is replaced

2=All commuter parking is replaced

3=All commuter parking is replaced and provided to the Village to operate

3

2

Mandatory passing score

Affordable & Senior Housing

(Category N/A for non-residential development, ar

Number of valid criteria (enter 1, 2,
3, 4, 5 or 6)

6

Criteria	Score
----------	-------

Permanently affordable housing	2
--------------------------------	---

Level of affordability	2
------------------------	---

Location of affordable units	3
------------------------------	---

Mix of units types	2
--------------------	---

Ownership	1
-----------	---

Senior housing	1
----------------	---

Total Affordability Performance

Possible	18
----------	----

Achieved	11
----------	----

Normalized to 12.5 scale	7.6
--------------------------	-----

5
rd development with fewer than 10 dwelling units)

Explanation

0=Zero to 9% of units

1=10 to 19% of units

2=20 to 29% of units

3=30% or more of units

0=None, or more than 120% of AMI

1=Average between 81% and 120% of AMI

2=Average between 61% and 80% of AMI

3=Average 60% or less of AMI

0=No affordability

1=Off-site

2=On-site, separate building

3=On-site, mixed in-building

0=Little variation of unit types and price points

1=Variation of either price points or unit types

2=Varies price points and unit types

3=Varies price, unit, types, and provides options for rental and ownership

1=100% renter or owner-occupied

3=Substantial mix of renter and ownership options

1=No provision for senior housing

2=Provision of on or off-site senior housing

3=Provision of on-site senior housing and day-care/Nursery School combination

Neighborhood Character

Number of valid criteria (enter
1, 2, 3, 4, or 5)

5

Criteria	Score
----------	-------

Impact on public scenic
viewsheds

1

Ground floor uses

3

Design

2

Landscape plan

3

Uses

3

Total Neighborhood Character Performance

Possible	15
Achieved	12
Normalized to 12.5 scale	10.00

Explanation

0=Significant impacts

1=Significant impact on one view

2=No significant impact on any viewpoint

3=No impact on any viewpoint

0=Neither active nor transparent

1=Active uses or transparent

2=Active uses and transparent

3=Active uses and transparent designed for pedestrian access and circulation with building orientation to improve wayfinding, access and contribute to a sense of arrival at MNR

0=Design is auto-dependent: with many curb cuts, buildings setback from the street, and parking in front

1=Design is auto oriented: curb cuts minimized, parking in building or in rear

2=Design is pedestrian oriented: buildings at or near the streetline, curb cuts minimized

3=Design is pedestrian dependent: prioritizes pedestrians and non-motorized travel over vehicles

0=Landscape plan not complete and/or acceptable

1=Acceptable, and includes native plantings and street trees

2=Excellent and includes native plantings and street trees and full-cutoff, non-polluting light fixtures for dark sky lighting

3=Excellent and includes native plantings and street trees and full-cutoff, non-polluting light fixtures for dark sky lighting. The landscape plan designed with appropriate village street furniture

0=Proposed uses not compatible with residential and recreational uses

1=Proposed uses marginally compatible with residential and recreational uses

2=Proposed uses substantially compatible with residential and recreational uses

3=Proposed uses entirely compatible with residential and recreational uses

Infrastructure

Number of valid criteria (enter
1, 2, 3, 4, 5 or 6)

6

Criteria	Score
----------	-------

Existing stormwater runoff	3
----------------------------	---

Stormwater capture	3
--------------------	---

Village water costs	2
---------------------	---

Village sewer costs	2
---------------------	---

Infrastructure design	3
-----------------------	---

Onsite Renewable Energy	1
-------------------------	---

Total Infrastructure Performance

Possible	18
----------	----

Achieved	14
----------	----

Normalized to 12.5 scale	9.72
--------------------------	------

5.

Explanation

0=No change

1=Reduced

2=Eliminated

3=Eliminated using best practices

0=No plan

1=Minimally provided

2=Provided

3=Provided using best practices

0=Net increase in Village water costs

2=No net increase in Village water costs

3=Net decrease in Village water costs

0=Net increase in Village sewer costs

2=No net increase in Village sewer costs

3=Net decrease in Village sewer costs

0=Infrastructure elements visible

1=Infrastructure elements minimally visible

2=Infrastructure elements minimally visible and incorporated into design

3=Infrastructure elements not visible

0=Less than 10% energy requirements provided by onsite renewable sources

1=10% to 20% energy requirements provided by onsite renewable sources

2=20% to 40% energy requirements provided by onsite renewable sources

3=40% or more energy requirements provided by onsite renewable sources

Open Space

Number of valid criteria (enter
1, 2, 3, 4 or 5) 2

Criteria	Score
All public and private open space identified in the MDP	3

Development preserves public view corridors	2
--	---

Development respects a development buffer of 50 feet from the Hudson River, except where the use of water is an integral part of such structure (e.g. water dependent uses)	na
--	----

Riverfront facades do not exceed 150 ft. in length	na
---	----

Development provides public access to the water where applicable	na
--	----

Total Open Space Performance	
Possible	6
Achieved	5
Normalized to 12.5 scale	10.416667

5

2

Explanation

0=No

3=Yes

0=No

1=Partially

2=Mostly

3=Entirely

0=No or partially

1=Yes

2=Yes, and buffer is publicly accessible

3=Yes, and publicly accessible buffer significantly exceeds 50'

0=No

1=No, but exceptions are water dependent uses

2=Yes, always

3=All riverfront facades less than 200'

0=No

1=Yes, pedestrian access only

2=Yes, pedestrian access with boat and/or kayak launches

3=Same as 2, with adjacent storage racks for boats and/or kayaks

Notes

West of the tracks only

West of the tracks

West of the tracks

Sustainability and Resiliency

Number of valid criteria (enter
1, 2, 3, 4, 5 or 6)

6

Criteria	Score
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LEED NB	1
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OR

Passive House

Graywater	1
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Design to moderate the Impacts of extreme heat and rain	2
---	---

Sea-Level Rise (SLR)	3
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Flooding within SAO	3
---------------------	---

Energy Performance	1
--------------------	---

Total Sustainability Performance

Possible	18
----------	----

Achieved	10
----------	----

Normalized to 12.5 scale	6.9444444
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2

5

Explanation

0=No certification

1=Certified

2=Silver

3=Gold & Platinum

0=Does not Meet Passive House Standards

3=Meets Passive House Standards

0=Does not use or capture graywater

1=Captures graywater for treatment

2=Captures some graywater for reuse

3=Captures all graywater for reuse

0=No special design features

1=Minimal design features

2=Design features incorporated

3=Exceptional design features incorporated

0=Does not consider SLR

1=Minimal design accommodations for SLR

2= Design considers SLR

3= Buildings designed to flood

0=Worsens potential for flooding outside site

2=Does not worsen the potential for flooding

3=Reduces potential of flooding

1=meets NYS energy efficiency standards

2=shows increase of at least 25% above NYS energy efficiency standards

3=shows increase of at least 40% above NYS energy efficiency standards

2

Newly added

Kathy Deufemia

From: Richard Slingerland
Sent: Tuesday, June 4, 2019 10:24 AM
To: Kathy Deufemia
Subject: FW: Mural

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

From: Jane Lawrence <janekanglawrence@gmail.com>
Sent: Tuesday, May 21, 2019 5:09 PM
To: Richard Slingerland <rslingerland@tarrytowngov.com>
Cc: Drew Fixell (external) <drew.fixell@gmail.com>
Subject: Re: Mural

Hello Mr Slingerland and Mr Fixell,

I have no doubt how busy you are! Thank you for replying.
 I will reply directly to your email.

Hopefully, my answers can be helpful on June 12th.

As a recommendation, please be aware that Patriot's Park (stonework and gatehouse) is one of the historic landmarks in the Village, pursuant to Village Code Chapter 191. While the artwork should not require Architectural Review Board approval, the Board of Trustees will likely be mindful of the historic nature of the park and desire to keep artwork that has more muted or complementary tones and not color schemes that are brighter and potentially clash.

- Check! I agree, the artwork will definitely be created using muted tones, that is no problem. I attached an image of a bright one only because usually people gravitate towards bright colors. However, I myself find muted colors far more appealing.
- Who would be doing the painting? Only you, or a team? Myself, gratis. I have worked extensively coordinating mural painting projects for schools and communities (I am a NYC high school art teacher) However, that usually involves more work on the Board's part. If you would like a simple, colorful, impactful mural to surprise the community with- I am available. Though the wall is quite long, the motif will be simple and rolling paint quickens the process.
- Do you need to do any preparatory work on the wall? Are repairs or priming necessary? Yes. The wall needs to be primed with a good quality commercial primer. Preferably white/off white. You *could* patch up the wall, but it is not necessary. There *is* ivy growing on the wall. I am happy to paint around it and incorporate it into the design. I know pulling ivy down is a task. After the wall is primed, I can paint, and afterwards you may want seal the wall with a top coat.

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- **Who will buy the paints/materials? You, or the Village?** The village. I believe you will need 7 - 8 gallons of paint. Plus a drop cloth, maybe a couple rollers... I'd say the cost would be approximately \$500? That is without considering the priming of the wall. I'd need a water source, a place to dump used water, and a ladder. If the paint peels off in any spots, would you be willing to come back and do touch-up some time over the next 3 to 5 years? Absolutely, I would gladly do that. I live next to the park, and I will be here until my young daughter graduates SHHS! She's only in 4th grade.
 - **Is there anything else you'd like to discuss as part of your proposal?** No. I am really glad you suggested that the mural be more muted in colors. In fact the playground, though new and fabulous is quite bright (the lime green). I imagined the mural to do just that, compliment the new playground. Again, when this is introduced to the Board- I am offering to do this because I do have my summer free and my family is happy in our villages. I want to give back the best way I can. However, please reiterate I would love to know if it's a go so I can spend time to prepare a finalized sketch and not book any plans that week in the summer, so I can paint.

Thank you!
Jane Lawrence

I look forward to working on this project with you.

Very truly yours,

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

From: Drew Fixell <drew.fixell@gmail.com>

Sent: Tuesday, May 21, 2019 10:02 AM



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