

**VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
WORK SESSION 6:00 P.M.  
WEDNESDAY, JANUARY 13, 2021**

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

Visit <https://www.tarrytowngov.com/home/events/32906>

Any questions prior to the meeting may be emailed to [administrator@tarrytowngov.com](mailto:administrator@tarrytowngov.com).

**Board of Trustee Concerns**

**Open Session**

1. Viewshed Code/SAO
2. Human Rights and/or Community Diversity and Inclusion Committee
3. Sidewalk Café Permits and Fees 2021
4. Local Law - Protests, Demonstrations, and Rallies
5. LeGrande Avenue - No Parking Monday and Wednesday 7 a.m. to 10 a.m.
6. Village Code Change – Parking North Broadway
7. Recommendation from Planning Board – Zoning Text Changes to Amend A/D Floating/Overlay Zone and Site Plan for 85 Units of Assisted Living and Memory Care Housing at 90 White Plains Road
8. Police Reform and Reinvention Committee

**Executive Session**

- A. Tax Certioraris
- B. Advice of Counsel
- C. Board and Committee Appointments



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## Kathy Deufemia

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**From:** Richard Slingerland  
**Sent:** Tuesday, January 5, 2021 5:46 PM  
**To:** Kathy Deufemia; Joshua Ringel  
**Subject:** FW: Follow-Up: Petition for Tarrytown Human Rights Commission  
**Attachments:** THRC Petition 1-4-21.pdf

Here is the re-submitted information from Joe Cesarano, which he sent through on Monday.

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

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**From:** Joe Cesarano <onarasec@gmail.com>  
**Sent:** Monday, January 4, 2021 3:28 PM  
**To:** Richard Slingerland <rslingerland@tarrytowngov.com>; administrator <administrator@tarrytowngov.com>  
**Cc:** Joshua Ringel <Jringel@tarrytowngov.com>  
**Subject:** Follow-Up: Petition for Tarrytown Human Rights Commission

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

Hi Rich -

Happy New Year! I hope you and your family enjoyed a well-deserved holiday break.

I'm writing as a follow-up to my email communication from Nov. 9, 2020. During the ensuing Nov. 11 Board of Trustees work session, there were several trustees who expressed a desire to see addresses attached to our petition for the establishment of a Human Rights Commission in Tarrytown - in an effort to gauge the support of village residents.

We subsequently asked the signers of the petition to sign a second one - and specify their address, as well as their connection(s) to the village (as residents, business owners, or regular visitors and customers). I am now attaching that second petition for the Board's consideration. We were able to secure 145 signatures this round, with 103 of those from residents of Tarrytown.

Given the discovery of stickers posted by a hate group throughout our community this weekend, we believe that there is no greater time for the village to establish a dedicated commission or committee to investigate and respond to acts of bigotry and intolerance - and show that hatred has no home here.

We recognize that the trustees have a very full schedule, but would appreciate it if the Board would consider this proposal in a timely fashion. If you or the trustees require any additional information, please let me know - and I am happy to answer any questions from them directly.

Thank you once again for your time and consideration.

Joe Cesarano



**Westchester New Breed  
Tarrytown Human Rights Group**

Greetings –

Since we believe in protecting the character of Tarrytown as a vibrant and diverse village that welcomes people of all races, ethnicities, genders and sexualities....

Since we are concerned about recent divisive events and displays that threaten that character and have made Black and Indigenous People of Color (BIPOC) and other residents feel uncomfortable and unwelcome....

Since we are committed to building out the village government's stated commitment of support for the Black Lives Matter movement as of June, 2020....

We the undersigned – as residents, business owners, regular visitors and customers, and those with family or other connections within the Village of Tarrytown – hereby call upon the Board of Trustees to create and appoint a Human Rights Commission under Article 12-D of the New York State General Municipal Law or a Human Rights and Diversity Advisory Committee.

The purpose of the Tarrytown Human Rights Commission (or Advisory Committee) would be as follows:

- 1) to advise members of the Village Board** and other local government officials regarding issues and concerns about equity and diversity in village contracts, divisive activities, human rights violations and discrimination on the basis of race, gender, ethnicity and/or sexual orientation within the village;
- 2) to gather and forward any complaints of discrimination** based on race, gender, ethnicity and/or sexual orientation to government authorities - including the Village Board of Trustees, the Westchester County Human Rights Commission and the New York State Division of Human Rights;

- 3) **to educate, inform and enlighten the Tarrytown community** through regularly scheduled events to raise awareness of racism and discrimination based on gender, ethnicity, and/or sexual orientation;
- 4) **to celebrate the vibrant diversity of all residents** within the Village of Tarrytown through regularly scheduled public events and village festivals;
- 5) **any other further responsibilities** of the Commission (or Committee), as defined by village statute, Westchester County guidelines, or New York State law.

We further ask that the Board of Trustees allow the Commission (or Committee) to inform the current ongoing work of the recently appointed Police Reform and Reinvention Committee by soliciting private feedback from members of the Tarrytown community to share their personal experiences with the Tarrytown Police Department – as a supplement to the currently planned resident survey. We believe a private forum or platform where no law enforcement or government officials are present may be a preferable space and platform for some residents who may not be comfortable coming forward publicly to share their experiences.

Thank you for consideration of this petition.

First Name	Last Name	Street Address	What is your connection to the village of Tarrytown?
Adrienne	Frank	28 Chestnut St.	Regular visitor / customer Sleepy Hollow resident
Alan	Lighty	46 Sunnyside Ave	Resident
Alberta	Williams-Jarane	37 Evergreen Way	Business Owner
Alexandra	Manning	31 main st	Resident
Alicia	Love	88 main st	Resident & business owner
Ami	Song	16 Berkeley Lane	Regular visitor / customer
Amy	Warden	108 MacArthur Ln	Resident
Angela	Usobiaga	208 Fairview Ave, Pleasantville, NY	Regular visitor / customer
Ann	Tappert	11 Croton Ave	Resident
Anne	Toomey	42 New Broadway	Resident
Argelia	Torres	18 wood ct	Resident
Bhavya	Reddy	Bedford Road	Regular visitor / customer Sleepy Hollow resident
BLAIRE	DEZIEL	80 Stephens Drive	Resident

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Brendan	Share	202 Carrollwood Dr	Resident
Brittany	Kugler	9 farrington avenue	Resident
Camille	Marchini	71 Cobb Lane Tarrytown NY 10591	Resident
Carol	Vinzant	41 new Broadway	Regular visitor / customer
Cecelia	Gordon	300 South Broadway	Resident
Celesti	Colds Fechter	57 Legrande Avenue	Resident
Charles	Scheiner	142 Altamont Ave	Resident
Charlotte	Savino	3198 Poplar St., Yorktown, NY	Regular visitor / customer
Christina	Kharem	30 East Elizabeth St Tarrytown NY 10591	Resident
Christine	Clayton	91 Bew Broadway, Sleepy Hollow	Regular visitor / customer
Clare	Echterling	6 Nightingale Rd, Katonah, NY 10536	Regular visitor / customer
Cora	Impenna	48 Baron de Hirsch Rd	Regular visitor / customer
Corina	Lewis	18 N Broadway, 108	Resident
Daniel	Wollman	60 N Washington St	Resident
Daniel	Greene	93 Highland Ave	Resident
Daniel	Comstock	11 CHESTNUT ST # 2FL	Resident
Deb	Taylor	175 Martling Ave	Resident
Diana	Pan	Hastings on Hudson	Regular visitor / customer
Diana	Martínez	22 Neperan Rd Apt 1-R	Resident
Diana	Delgado	26 S Washington St	Resident
Diane	Torstrup	397 Martling Ave	Resident
Diego	Arias	180 N Washington St.	Resident
Dionne	Warren	66 College Ave	Resident
Elizabeth	Bussian	10 Groce street	Resident
Elizabeth	Cordero	300 South Broadway Apt 1L, Tarrytown	Resident
Emily	Robinson	140 Leroy Avenue	Resident



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Emily	Amey	9 sarven Ct	Resident
Emily	Metzner	15 PINE ST	Resident
Emily	Robinson	140 Leroy Avenue	Resident
Erica	Mulherin	54 HIGHLAND AVE	Resident
Erin	Carney	62 New Broadway	Regular visitor / customer
Erin	Hammond	15 Holland Ave	Regular visitor / customer
Estefania	Mercedes	174 Beekman Ave	Resident
Felicia	Rosen	191 martling ave	Resident
Fergus	O'Sullivan	153 Grove St	Resident
Fiorella	Calvelo	330 S brodway	Resident
Gabrielle	Burger	61 S Washington St	Resident
gianna	cabornero	158 beekman ave	Resident
Giselle	Schuetz	73 Riverview Ave., Tarrytown	Resident
Grace	Brewster	91 Cobb Ln	Resident
Heather	Haggerty	18 Kaldenberg Place, Tarrytown NY 10591	Resident
Helen	Tejada	33 Storm Street #1, Tarrytown NY 10591	Resident
Hossein	Fassa	28 Spring St.	Regular visitor / customer School Tax payer
Indira	Ranganathan	18 North Broadway, #206, Tarrytown, NY 10591	Resident
Isabel	Estevez	South broadway	Resident
jacqueline	wlodarczak	18 North Broadway	Resident
Jamie	Yagoda	245 Crest Drive	Resident
Jashon	Sample	1 River Plaza	Resident
Jason	Williams	19 Dixon Street	Resident
Jeanne	Pedro	39 Storm Street	Resident
Jeffrey	Gonzalez	45 Tappan Landing Rd	Resident
Jessica	Malberg	26 Bradley St Dobbs Ferry NY 10522	Regular visitor / customer
Jessica	Kunning	10 Fremont road	Resident



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Jessie	Lanoil	31b windle park	Resident
Jessie	Slater	45 Chestnut St. Tuckahoe, NY 10707	Regular visitor / customer
Jodie	Reaver	629 Ashford Avenue, Ardsley, NY 10502	Regular visitor / customer
Joe	Cesarano	5 Main Street	Resident
Judith	Kass	34 Leroy Avenue	Resident
Judith	Mezey	18 north broadway apt 412	Resident
Julia	Rennert	71 Lake ave	Resident
Julie	Kelly	185 Riverview Ave.	Resident
Juliette	Meyreles-Glaser	28 Dixon Street, Tarrytown Ny 10591	Resident
June	Wai	13 Irvington St, Dobbs Ferry, NY 10522	Regular visitor / customer
Karen	Guttmann	351 martling ave	Resident
Kathleen	Parra	Martling Ave	Resident
Katie	Korns	504 Onderdonk Ave	Regular visitor / customer
Katie	Scully	3 Hillside Place	Resident
Kimberly	Marcus	64 Barnes Rd. Tarrytown	Resident
Laura	Goodspeed	111 Hunter Ave New Rochelle	Regular visitor / customer
Laura	Burk	40 N WASHINGTON ST	Resident
Lauren	Tannenbaum	12 Deertree Lane Briarcliff NY 1051	Regular visitor / customer
Laurie	Feinstein	345 Evandale Rd	Regular visitor / customer
Laurie	Johnson	55 Legrande avenue	Resident
Leila	Kharem	300 South Broadway	Resident
Leiny	Thomas	146 cortlandt	Sleepy Hollow resident & regular visitor / customer
Leonard	Kirsch	23 High St	Resident
Lind	Porcelli	187 Union Ave	Resident

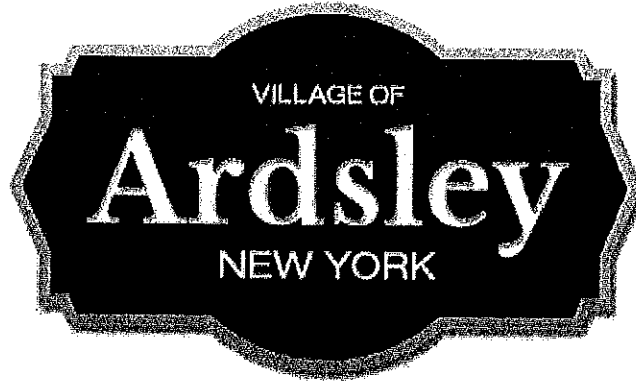
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Lisa	Cesarano	5 Main Street	Resident
Lisette	Mendez	Grove Street	Resident
Lori	Semeraro	205 Martling Ave	Resident
Louise	DelCarpine	33 Oak Street 4C White Plains NY	Regular visitor / customer My Home Town 3 Generations
Lucia	Goyen	56 S Lawn Ave Elmsford, NY	Regular visitor / customer
Luis	Barcelo	22 Church St.	Resident
Lynn	Goodman	15 North Washington, Unit 1	Resident
Marrina	Brown	3 Pleasant Street	Regular visitor / customer Resident of Sleepy Hollow
Mary	Saliani	26 Park Avenue Irvington NY 10533	Regular visitor / customer SURJ Westchester Coordinating Committee
Max	Cover	3 Hillside Place	Resident
Maylien	Herm-Borcherding	144 grove street	Resident
Melissa	Share	414 Benedict Ave	Resident
Michael	Levine	21 Halfmoon Lane	Resident
Michael	Quattrone	763 Bedford Rd	Resident
Monica	Quintero	55 N Broadway, Apt 3-11, White Plains, NY 10601	Regular visitor / customer
Namratha	Bevilacqua-Linn	150 Riverview Ave Tarrytown NY 10591	Resident
Pat	Seidel	539 Martling Ave	Resident
Patricia	Doherty	137 Hartsdale Avenue	Regular visitor / customer
Peter	Bernstein	17 North Cottenet Street	Regular visitor / customer
Peter	Karp	209 Altamont ave	Resident
Rachel	Tamarin	51A Main St	Resident
Rachel	Echt	207 south grove st tarrytown ny	Resident
Renee	Kashuba	21 Tappan Landing Rd	Resident and business owner
Robert	Fischer	47 Croton Ave	Resident

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Robert	Wingate	42 North Broadway #2, Tarrytown	Resident
Robin	Friedman	18 Plymouth Pl White Plains 10605	Regular visitor / customer
Rosa	Flores	73 Chestnut Street.	Resident
Rose Anne	Brumley	30 Elizabeth Street	Resident
Ryan	Damon	83 Maple Ave Tuckahoe, NY	Regular visitor / customer
Samantha	Sperber	140 LEROY AVE	Resident
Sara	Cohen-Agha	30 Western Drive, Ardsley	Regular visitor / customer
Sara	Levine	21 half moon lane Tarrytown	Resident
Sara	Fisch	169 W Main St	Resident
Sarah	Sable	19 Harwood Ave Sleepy Hollow	Regular visitor / customer
Sarah	Stern	55 Chestnut Street, #2 Sleepy Hollow, NY 10591	Regular visitor / customer Sleepy Hollow Resident; Children go to TUFSD
Sasha	Mironov	56 Howard Street #2, Sleepy Hollow NY 10591	Resident
Savannah	Millard	56 S Highland Ave B2 Ossining, NY 10562	Regular visitor / customer Neighboring town of Ossining resident
Sayako	Aizeki-Nevins	18 Hanford Place	Resident
Sean	Weiner	22 N Washington St	Resident
Senia	Sakarya	88 neperan rd	Resident
Seth	Dellon	112 Rice Ave	Regular visitor / customer
Sierra	Steifman	26 Hamilton place	Resident
Sitara	Herur	140 Leroy Avenue	Resident
Sonia	Kleinman	71 Nordica Drive	Regular visitor / customer
Stephen	Sperber	140 Leroy Ave	Resident
Steve	Tarcan	Depeyster St	Regular visitor / customer Resident of Sleepy Hollow
Sunny	McClean	525 Riverside Drive	Business Owner

Susan	Montero	176 Riverview Ave.	Resident
Suzanne	Stephans	15 Spruce St. Sleepy Hollow	Regular visitor / customer
Tammy	Guzman	13 Baylis Ct #1N	Resident
todd	brown	3 pleasant st	Regular visitor / customer sleepy hollow resident
Tori	Cronk	19 S Broadway, 6F, Tarrytown NY 10591	Resident
Vanessa	Spiegel	134 Union Ave	Resident
Virginia	Campbell	37 Hamilton Pl 2D Tarrytown NY 10591	Resident
Yukiko	Hanes	90 highland ave	Resident



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## Multicultural, Diversity, and Inclusion Committee

The multicultural committee promotes the awareness and appreciation of diversity. The committee is composed of volunteers from the community who work together to promote understanding, acceptance, and respect of all residents regardless of race, class, religion, ethnic background, age, abilities, gender, or sexual orientation. They meet at Village Hall 8:00 p.m. on the second Tuesday of each month.

To contact the Multicultural Committee please email:  
[multicultural@ardsleyvillage.com](mailto:multicultural@ardsleyvillage.com)

For more information on the Village's Multicultural, Diversity and Inclusion Committee, visit the Committee's Facebook page.

## Committee Members

Dana Laurient

Chair

Steven Edelstein

Board Liaison

Joann D'Emilio

Board Liaison

## Ardsley Multicultural, Diversity & Inclusion Committee- 2020 Events

## Contact Info

### Hours of Operation:

Please email the Multicultural Committee at: [multicultural@ardsleyvillage.com](mailto:multicultural@ardsleyvillage.com)

**Meetings - When:** 2nd Tuesday of the month-Meetings are held via Zoom.

**Meetings - Where:** Via Zoom Contact [multicultural@ardsleyvillage.com](mailto:multicultural@ardsleyvillage.com) for Zoom link

**Meetings - Time:** 8:00 PM

## News

Field Inspections

Mayor's Message December 28th, 2020

Westchester County Launches Coronavirus Dashboard

Virtual Tree Lighting Video

Launch of Draft Comprehensive Plan

[View all](#)

## Multicultural, Diversity, and Inclusion Committee Calendar

January						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16

Scarsdale

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## Ad Hoc Council to Combat Racism and Bias

### Overview

Mayor Samwick and the Board of Trustees seek to combat racism and bias and their deleterious effects on society, as evidenced by the senseless killings of George Floyd, Breonna Taylor, Ahmaud Arbery, and others, as well as local experiences, including such examples as overtly anti-Chinese statements made by a speaker invited to present to the community on the topic of COVID-19 in March 2020, hate symbols that were found on School District property, the incidence of microaggressions experienced by Scarsdale residents, and other unacceptable interactions that persons of color and varied racial and ethnic backgrounds endure. Whether overt or subtle, intentional or accidental, we must all strive as responsible members of the Scarsdale community to endeavor to be aware of cultural differences, value and encourage diversity, and vehemently reject all forms of racism, bias, and discrimination.

### Charge

In summary, the Ad Hoc Council to Combat Racism and Bias is charged with:

1. Providing a safe place to convene community conversations about racism and bias;
2. Researching and reporting on the incidence of racism, bias, and discrimination in Scarsdale, including providing recommendations for promoting and maintaining a community culture of acceptance and inclusion, free from racism, bias, and discrimination;
3. Educating the community about racism and bias; and
4. Exploring and assisting with the coordination of multi-cultural events to learn about and celebrate both the differences and commonalities observed in the racial and ethnic tapestry comprising the fabric of our community.



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The Village Board's authorizing resolution can be viewed in full [here](#).

**RESOLUTION RE: AD HOC COUNCIL TO COMBAT RACISM AND  
BIAS**

- WHEREAS,** Martin Luther King Jr. profoundly stated "The arc of the moral universe is long, but it bends toward justice"; and
- WHEREAS,** Justice can be achieved with the assistance of many people bending the arc of the moral universe who have a genuine desire to live in a society that respects and seeks to include all inhabitants through understanding and education about our similarities and differences; and
- WHEREAS,** Mayor Samwick and the Board of Trustees seek to combat racism and bias and their deleterious effects on society, including the senseless killings of George Floyd, Breonna Taylor, Ahmaud Arbery and others, and local incidents of racism and bias, including disparaging comments made at a public Village Board meeting in March 2020, hate symbols that were found on School District property, a number of micro-aggressions as well as other unfortunate incidents, are among many events that provide the impetus for us all to aspire for social justice in Scarsdale, this nation and around the world, and
- WHEREAS,** Mayor Samwick and the Board of Trustees strive for a more equitable and just society whereby all humankind is treated with respect and dignity and all Scarsdale residents feel that they are welcomed and belong to this community, and
- WHEREAS,** Mayor Samwick and the Board of Trustees of the Village of Scarsdale is aware that nurturing an equitable, diverse and inclusive community has to be achieved through deeds that not only encourage, but require an antiracist and antibias citizenry and community; now therefore be it
- RESOLVED,** that Mayor Samwick and the Village Board of Trustees, hereby, formally establishes the Ad Hoc Council to Combat Racism and Bias; with the following residents, school district officials, community leaders and village staff appointed as members:
- Jennifer Fischman, Chair of the Advisory Council on Human Relations,  
Wildwood Road  
Christopher Jackson  
Chandra Nottage, Lockwood Road  
Piero Olcese, Brown Road  
Kelly Shang, Sherbrooke Road  
Karen Smith, Windmill Circle  
Purnima Srivastava, Myrtledale Road  
Lisa Tan, Webster Road

Karen Ceske, Board of Education  
Edgar McIntosh, School District

Jay Genova, Scarsdale Edgemont Family Counseling

Robert Cole, Deputy Village Manager, Staff Member  
Ingrid M. Richards, Assistant Village Manager, Staff Member

and; be it further

**RESOLVED,** that Village Board Trustee Rochelle Waldman shall serve as the liaison to the Council, and be it further

**RESOLVED,** that Mayor Marc Samwick shall serve in an ex-officio capacity to the Council, and be it further

**RESOLVED,** that the Ad Hoc Council to Combat Racism and Bias is charged to address the following:

1. provide a safe place to convene community conversations about racism and bias;
2. identify events, episodes where racism, bias and discrimination exist and are encountered in the Scarsdale community;
3. educate the community about issues related to racism and bias, thereby ensuring that the community is cognizant of behaviors that may be racist and bias. This may be achieved through inviting leaders in the industry to convey useful information to the community and inviting local public officials to discuss policies and practices that demonstrate a diverse and inclusive environment;
4. explore and assist with the coordination of multi-cultural events to better educate and connect the residents toward creating and fostering a more empathetic community;
5. develop a report that documents the events, episodes where bias, racism and discrimination exist in the community and provide an actionable strategic plan that will ameliorate conscious and unconscious bias, racism and discrimination within the Scarsdale community.

Submitted by: Mayor Marc Samwick  
Date: July 7, 2020  
For: July 14, 2020

## Chapter 247. Sidewalk Cafes, Vending and Musicians

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

### GENERAL REFERENCES

Streets and sidewalks — See Ch. 259.

Zoning — See Ch. 305.

## Article I. Sidewalk Cafes

[Adopted 5-2-1988 by L.L. No. 3-1988 as Ord. 7.29 of the 1959 Unified Code of Ordinances]

### § 247-1. Purpose.

The sidewalk cafe regulations as established in this article are designed to allow sidewalk cafes on public property in locations where they are determined to be appropriate by the Village Administrator and to promote and protect the public health, safety, general welfare and amenity. The general goals are to:

- A. Provide adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes and to ensure access to adjacent commercial and retail uses.
- B. Promote sidewalk cafes as useful and properly planned visual amenities which better relate to the streetscape.
- C. Promote the most desirable use of land and buildings in the Village.

### § 247-2. Definitions.

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

#### SIDEWALK CAFE

An outdoor dining area located on a public sidewalk, which is public through dedication or easement, or a public right-of-way that provides waiter or waitress service and contains readily removable tables, chairs and railings and may contain planters. It is otherwise unenclosed by fixed walls and open to the air, except that it may have umbrellas.

### § 247-3. Permit required.

[Amended 2-17-1998 by L.L. No. 1-1998; 12-3-2012 by L.L. No. 9-2012]

The Village Administrator is authorized to issue a permit for the seasonal operation of a sidewalk cafe, provided that all of the requirements of § 247-4, Conditions for issuance of permit, and § 247-5, Fees and deposits; failure to comply, have been complied with by the applicant. The permit shall be valid from March 15 up to and including November 30 of any calendar year. This permit may be renewed annually, subject to the conditions of §§ 247-4 and 247-5.

### § 247-4. Conditions for issuance of permit.

A permit for a sidewalk cafe may only be issued to the owner or the tenant of a building occupied and used for the sale of cooked and prepared food, except fast-food restaurants, in a zoned district permitting such use and abutting the public sidewalk adjacent thereto, provided that the following requirements are met:

- A. The sidewalk abutting the property, from the property line to the curbline, must not be less than 10 feet.
- B. There shall be a minimum clear distance, exclusive of the area occupied by the sidewalk cafe, free of all obstructions (such as trees, parking meters, utility poles, streetlights, etc.) in order to allow adequate pedestrian movement. The minimum amount of clear distance is noted below:  
[Amended 3-4-2019 by L.L. No. 2-2019]

#### Minimum Clear Distance

Width of Sidewalk	(in feet)
10 feet to 14 feet 11 inches	4
15 feet to 19 feet 11 inches	5
20 feet and above	10

- C. Sidewalk cafes may only be located directly in front of the restaurant with which they are associated. These requirements may, however, be waived by written permission from the owner and the tenant of the affected adjacent building and store.
- D. No permanent structures may be affixed to the sidewalk area used for the cafe or affixed to the building abutting the area for purposes of the cafe, and the area may be occupied only by chairs, tables, benches, umbrellas and planters for the convenience of the patrons to be served in such area.
- E. The applicant shall be responsible for delineating the cafe area by setting up a barrier such as planters or a railing to physically separate patrons from pedestrian traffic.
- F. A clear, unoccupied space must be provided, not less than four feet in width, from all entrances of the building abutting the sidewalk to the unoccupied portion of the public sidewalk.

3 illuminate the dining area or to prevent a hazard to those traveling the sidewalk.

- H. A sandwich board sign may be permitted, associated with the operation of the sidewalk café, provided that the sandwich board sign is not placed in the required minimum clear distances included in this section. A separate permit shall be issued for the sandwich board sign, and a fee for this permit shall be established by the Board of Trustees from time to time. The permit shall be valid on a calendar-year basis. Should a sandwich board sign be placed in the required minimum clear distance, the permit for the sandwich board sign shall be automatically revoked and the fee associated therewith shall be retained by the Village. There shall be no appeal of this revocation, and the applicant shall not be entitled to apply for another sandwich board sign until the following calendar year. The sandwich board sign may not be larger than 36 inches in height and 24 inches in width and may only include on the sign advertising relating to the sidewalk café to which the sign permit is issued. The sandwich board shall not be placed on the sidewalk prior to 9:00 a.m. and shall be removed from the sidewalks at the close of business for the sidewalk café or 10:00 p.m., whichever is earlier. A sandwich board shall not remain on the sidewalk overnight. Sandwich board signs are not allowed at times when they may cause a hazard to pedestrians, such as during snow storms, when snow piles remain on the sidewalk, during times of high winds over 25 miles per hour, or at other times when hazardous conditions exist.

[Added 10-21-2013 by L.L. No. 12-2013<sup>[1]</sup>; amended 3-19-2018 by L.L. No. 3-2018]

[1] *Editor's Note: This local law also redesignated former Subsections H through J as Subsections I through K, respectively, and provided a sunset date of 12-1-2014.*

- I. Prior to the issuance of the permit, the applicant shall file with the Village Administrator, on a form to be provided by the Village Administrator, an agreement to indemnify and save harmless the Village, its officers and employees against any loss or liability or damage, including expenses and costs for bodily injury and for property damage sustained by any person as a result of the applicant's operation of a sidewalk café on public property.
- J. Prior to the issuance of the permit, the applicant shall also file a certificate of general liability insurance naming the applicant and the Village of Tarrytown, its officers, agents and employees as named insureds, with the following limits: for personal injury, \$1,000,000 per individual and \$1,000,000 per occurrence; and for property damage, \$1,000,000 per individual and \$1,000,000 per occurrence, effective for the duration of the permit.  
[Amended 5-6-1991 by L.L. No. 5-1991]
- K. A site development plan shall be prepared, in scale, by the applicant, demonstrating compliance with the conditions noted hereinabove.

## § 247-5. Fees; failure to comply; damage to Village property.

[Amended 5-21-1990 by L.L. No. 11-1990; 5-6-1991 by L.L. No. 5-1991; 5-6-2013 by L.L. No. 4-2013]

- A. A fee as adopted by resolution of the Board of Trustees<sup>[1]</sup> is required upon the issuance or annual renewal of the permit.  
[1] *Editor's Note: Such fee is on file and available for inspection in the office of the Village Clerk during regular office hours.*
- B. Upon the failure or default by the permittee of any of the terms, agreements and conditions of the permit on its part to be done or performed, the Village shall provide seven days' notice to the permittee of the failure or default. The permittee shall correct the failure or default and should the permittee fail to correct the failure or default within the seven days, the Village Administrator shall suspend the permit until the failure or default is corrected. Should the permittee receive notice of a failure or default a second time during a sidewalk café season, the permit shall be revoked for the remainder of the season. Said permittee shall have no claim against the Village for loss of anticipated profits or for any losses by reason thereof.
- C. Should any Village property be damaged due to the operation of a sidewalk café, the Village shall conduct the necessary repairs to the Village property and shall bill the permittee for the costs associated therewith, including but not limited to staff time, materials and supplies. An invoice for the repair work shall be sent to the permittee. Should the permittee fail to pay the Village for the repair work, the Village Administrator shall not issue a new sidewalk café permit.

## § 247-6. Operating restrictions.

- A. All sidewalk cafés shall close operations by 12:00 midnight each night.
- B. All alcoholic beverages to be served at sidewalk cafés shall be prepared within the existing restaurant, and alcoholic drinks shall only be served to patrons seated at tables. The drinking of alcoholic beverages by a member of the public while a patron at a sidewalk café, within the confines of the sidewalk café area, shall not be construed as a violation of any local law controlling consumption of alcoholic beverages in a public area. The operator of a sidewalk café shall be in full compliance with the licensing requirements of the State Liquor Authority, as may exist, and shall comply with all other laws and regulations concerning the sale of alcoholic beverages in the state. In the event that said sidewalk café is not in full compliance with the State Liquor Authority's laws, rules and regulations, then the serving and consumption of alcoholic beverages in the sidewalk café shall be prohibited.
- C. The restaurant shall not serve food or beverages to a patron at a sidewalk café unless that patron is seated at a table.
- D. Sidewalk cafés and the public property on which they are located shall be kept neat and clean at all times and free from any substance that may damage the sidewalk or cause pedestrian injury.

## § 247-7. Penalties for offenses.

[Amended 5-6-1991 by L.L. No. 5-1991]

Penalties shall be as provided in Chapter 1, General Provisions, Article II. In addition, a violation of the provisions of this article may be grounds for denying a sidewalk café permit in subsequent year(s).

## Article II. Sidewalk Vending

[Adopted 7-21-2008 by L.L. No. 11-2008]

## § 247-8. Intent.

The sidewalk vending regulations as established in this article are designed to allow sidewalk vending on public property on the terms and conditions as specified in this article and to promote and protect the public health, safety and general welfare. These general goals include, among others, the following

uses.

- B. To promote sidewalk vending as useful and properly planned visual amenities.
- C. To preserve and enhance the character of the RR Restricted Retail District.

## § 247-9. Definitions.

For the purpose of this article, the following terms shall have the following meanings:

### **CURBLINE**

An area marked by the point at which the curbstone of a roadway meets or is adjacent to the sidewalk.

### **PUBLIC SERVICE FACILITY**

A public telephone, mailbox, bench, parking meter or other facility provided for the use of the general public.

### **SIDEWALK**

Any area between the curblin and a structure, whether publicly or privately owned, which is used by the public or open to use by the public.

### **SIDEWALK VENDING**

The use of the sidewalk area adjacent to and a part of a permitted indoor retail establishment for the sale of retail merchandise, the placement of sandwich board signs and the placement of items relating to the business and designed to attract customers to the business establishment.

## § 247-10. Sidewalk vending regulations.

- A. No person shall engage in the operation of sidewalk vending except upon the granting of a revocable permit therefor by the Building Inspector pursuant to this article and in accordance with the terms and conditions of such permit.
- B. The Building Inspector is hereby authorized to grant revocable permits for the use of the sidewalks for sidewalk vending upon the following terms and conditions:
  - (1) The permit and regulated activity shall be valid only during a single calendar year. All permits, regardless of when issued, shall expire on December 31 and shall be renewed each year thereafter on application of the applicant specifying any change from the information originally set forth pursuant to § 247-11 of this article, unless the Building Inspector, for cause as set forth in § 247-13, does not renew said permit.
  - (2) The permitted activity shall be conducted only as an accessory to a business establishment lawfully operating on the first floor of premises in the areas designated in Subsection B(3) below on the sidewalk in front of the principal place of business of such establishment and by the entity which operates such establishment. All sales shall be conducted within such establishment. No cash register or other facility for the exchange of currency or otherwise receiving payment for goods and services shall be permitted on the sidewalk.
  - (3) Sidewalk vending shall be permitted in the following areas:
    - (a) Broadway, from Wildey Street to West Elizabeth Street.
    - (b) John Street, from Main Street to a point 200 feet south of Main Street.
    - (c) Kaldenberg Place, from Main Street to Central Avenue.
    - (d) Main Street, from Broadway to Windle Park.
    - (e) Neperan Road, from Broadway to Archer Place.
    - (f) North Washington Street, from Main Street to Central Avenue.
    - (g) South Washington Street, from Main Street to a point at the southerly edge of the Washington Street parking lot.
  - (4) The applicant shall have the consent of the owner, if different than the applicant, of the premises in front of which the permit activity is to be conducted.
  - (5) There shall be maintained at all times by the permittee an area in front of the business no less than four feet to enable pedestrians to walk along the sidewalk. Should a sidewalk be more than eight feet in width, one-half of the width of the sidewalk may be used for sidewalk vending up to a maximum of six feet.
  - (6) The Board of Trustees may waive the requirements of this article for a period of not more than one week for special occasions and events.
  - (7) No sidewalk display shall be higher than five feet in height. A sidewalk display may be placed immediately adjacent to the business or along the curblin, provided the display does not violate Subsection B(10) hereinbelow and there is space maintained for car doors to be opened and people to enter and exit a car. A permittee shall not be permitted to use both the area next to the business and the area next to the curb for sidewalk vending purposes. Sidewalk vending next to a tree pit shall not be nearer than three inches to the edge of a tree pit. Sandwich board signs may be utilized year-round, but may not be allowed at times when they may cause a hazard to pedestrians such as during snow storms, when snow piles remain on the sidewalk, during times of high winds over 25 miles per hour, or at other times when hazardous conditions exist.  
[Amended 3-19-2018 by L.L. No. 3-2018]
  - (8) The applicant shall at all times maintain free and clear from all obstructions access to the door of the business for ingress and egress.
  - (9) No part or item of sidewalk vending use may be permanently affixed to the sidewalk or any building. The applicant shall be responsible for any damage caused to any sidewalk or public property.
  - (10) The sidewalk vending use shall not interfere with access to any public service facility.

3 vending purposes must be placed inside the business.

- (13) No sidewalk vending shall be permitted when there is snow on the sidewalk on any area in front of the business for which the sidewalk vending is permitted.
- (14) The applicant shall agree, on a form approved by the Village Attorney, to indemnify and save harmless the Village of Tarrytown, its officers, agents and employees from and against any claim of loss, liability or damage by any person arising as a result of the applicant's operation of the sidewalk vending use.
- (15) The applicant shall obtain and maintain in full force and effect throughout the term of the permit a policy of general liability insurance, which such policy shall name the Village of Tarrytown, its officers, agents and employees as additional insured, with the following limits: for personal injury, \$1,000,000 per individual and \$1,000,000 per occurrence, effective for the duration of the permit and contain a provision prohibiting its cancellation except upon 20 days' notice to the Village of Tarrytown. The applicant shall file with the Village Clerk, prior to the issuance of the permit, a certificate evidencing the requisite insurance.
- (16) The applicant shall file with the Village Clerk, prior to the issuance of the permit, a cash deposit in an amount to be set forth by resolution of the Board of Trustees in the Master Fee Schedule,<sup>[1]</sup> which may be amended from time to time, as security for the faithful performance by the applicant of the terms and conditions of the permit.
- [1] *Editor's Note: The Master Fee Schedule is available for review in the Village offices.*
- (17) Any other conditions the Building Inspector shall deem to be reasonable and necessary to protect the health, welfare and safety of the public, including the denial of the application.
- (18) The public property on which sidewalk vending uses are located and the surrounding areas shall at all times be kept free and clear of litter, debris and any substance that may damage the sidewalk or cause pedestrian injury, and this shall be the responsibility of the permittee.
- (19) The area used in the sidewalk display shall not be included in the calculation for any parking requirements required by this Code.

## § 247-11. Application for permit.

- A. Application for a permit pursuant to this article shall be made at least 14 days prior to the intended date(s) of display on a form designated by the Building Inspector. Such form shall contain at least the following information:
- (1) The name and address of the applicant.
  - (2) The proposed site for the activity.
  - (3) A site plan showing:
    - (a) The proposed layout, noting where the sidewalk vending is to occur and the extent of the sidewalk vending on the property.
    - (b) A statement of the months, days and hours of intended operation.
    - (c) The applicant's entire property and adjacent properties on the location map with streets for a distance of at least 25 feet, at a scale of one inch equals 10 feet.
- B. The application shall be accompanied by an application fee as set forth by resolution of the Board of Trustees in the Master Fee Schedule,<sup>[1]</sup> which may be amended from time to time.
- [1] *Editor's Note: The Master Fee Schedule is available for review in the Village offices.*

## § 247-12. Determination on application.

The Building Inspector shall grant or deny an application for a permit pursuant to this article within 14 days of its complete submission.

## § 247-13. Notice of violation; denial, revocation or suspension of permit; sanctions.

Upon a finding by the Building Inspector that the applicant has violated any provision of this article or the terms and conditions of the permit or has engaged in any practice in conjunction with the regulated sidewalk activity which constitutes a danger to the health or safety of any patron or pedestrian, the Building Inspector shall give notice to the applicant to correct such violation or cease such practice within 24 hours. If the applicant fails to comply with such notice, the Building Inspector may suspend the permit for a period not in excess of 30 days, during which time the applicant shall be entitled to a hearing before the Village Administrator, at which the applicant may be represented by counsel, to present evidence in his or her behalf and confront the evidence against him or her. If, upon considering the evidence presented at the hearing, the Village Administrator adheres to the finding, the Village Administrator may reinstate the permit with additional conditions related to the violation or improper practice which has been found or revoke the permit and forfeit the applicant's cash deposit.

## § 247-14. Reservation of rights.

Neither the adoption of this article nor the granting of any permit pursuant hereto shall be construed as a waiver of any right, privilege or immunity of the Village of Tarrytown with respect to streets and sidewalks, whether express or implied.

## § 247-15. Penalties for offenses.

Any person who shall violate any of the provisions of this article shall be liable to prosecution in the Village Justice Court and may, upon conviction thereof, be liable to a fine that shall not exceed \$500, imprisonment for not more than 15 days for each such offense, or both such fine and imprisonment. If a fine imposed pursuant to this article resulting from the maintenance, use or operation of sidewalk vending is not paid within five business days after the fine is imposed, the Village may withdraw the amount of the fine from the permittee's security deposit.



## § 247-16. Intent.

The sidewalk musician regulations as established in this article are designed to allow for sidewalk musicians on public property on the terms and conditions as specified in this article and to promote and protect the public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- A. To allow for sidewalk musicians in a specified area of Main Street and to establish regulations for such musicians so that the public can enjoy the music and the music does not negatively impact the residents on Main Street who reside above the commercial establishments on the first floor.
- B. To promote sidewalk musicians as an amenity to the restaurants and other businesses on Main Street and throughout the Village.
- C. To preserve and enhance the character of the Restricted Retail (RR) District.

## § 247-17. Definitions.

For the purpose of this article, the following terms shall have the following meanings:

### **SIDEWALK**

Any area between the curbline and a structure, whether publicly or privately owned, which is used by the public or open to use by the public.

### **SIDEWALK MUSICIAN**

One person playing a musical instrument without amplification on the sidewalk.

## § 247-18. Permit required; terms and conditions.

- A. No person shall play a musical instrument on Village sidewalks except upon the granting of a revocable permit therefor by the Village Administrator pursuant to this article and in accordance with the terms and conditions of such permit.
- B. The Village Administrator is hereby authorized to grant revocable permits for the use of the sidewalks for the playing of musical instruments upon the following terms and conditions:
  - (1) The permit and regulated activity shall be valid only during a single calendar year. All permits, regardless of when issued, shall expire on December 31 and shall be renewed each year thereafter on application of the applicant.
  - (2) The permitted activity shall be conducted only on Main Street between Broadway and Baylis Court.
  - (3) The permitted activity shall only be conducted on Fridays, Saturdays, Sundays and holidays during the period from April 1 through October 31 between the hours of 5:00 p.m. and 9:00 p.m.
  - (4) Only four sidewalk musician permits shall be issued by the Village Administrator for a calendar year. For the purposes of this article, four sidewalk permits shall mean that only four sidewalk musicians shall be allowed to play musical instruments on the street. Permits and the locations occupied by sidewalk musicians shall be determined on a first come, first served basis.
  - (5) There shall be no more than two sidewalk musicians per block (same side of street) and the sidewalk musicians shall be at least 100 yards apart, regardless of the side of the street on which the sidewalk musician is located.
  - (6) A sidewalk musician may play a nonamplified musical instrument and may sing along with the playing of the instrument. Two or more musicians shall not be permitted to play musical instruments or sing in a single location pursuant to this article.
  - (7) Drums shall not be permitted pursuant to this article.
  - (8) The applicant shall have the consent of the owner of the property and the proprietor of the business, if different than the owner, of the premises in front of which the permit activity is to be conducted.
  - (9) The sidewalk musician shall place a chair or stand next to the structure and shall not sit or stand next to the curb or obstruct in any way pedestrians walking on the street. The sidewalk musician shall not obstruct ingress or egress to the door of the business in front of which the permit activity is to be conducted.
  - (10) The sidewalk musician shall not solicit, in any form, payment, tips or donations for his or her performance, including the placement of any type of container or other device on the sidewalk or in the vicinity of the sidewalk musician for the deposit of tips, donations or payments.
  - (11) The applicant shall agree, on a form approved by the Village Attorney, to indemnify and save harmless the Village of Tarrytown, its officers, agents and employees from and against any claim of loss, liability or damage by any person arising as a result of the applicant's playing of a musical instrument on the sidewalk.

## § 247-19. Application for permit.

- A. Application for a permit pursuant to this article shall be made at least 14 days prior to the intended date(s) of the playing of a musical instrument on a form designated by the Village Administrator. Such form shall contain at least the following information:
  - (1) The name and address of the applicant.

- 3 (4) The printed name, address and signature of the proprietor of the business in front of which the permit activity is to be conducted.
- B. The application shall be accompanied by an application fee as set forth by resolution of the Board of Trustees in the Master Fee Schedule, which may be amended from time to time.<sup>[1]</sup>
- [1] *Editor's Note: The Master Fee Schedule is available for review in the Village offices.*

### § 247-20. Determination on application.

The Village Administrator shall grant or deny an application for a permit pursuant to this article within 14 days of its complete submission.

### § 247-21. Notice of violation; denial, revocation or suspension of permit; sanctions.

Upon a finding by a Village Code Enforcement Officer that the applicant has violated any provision of this article or the terms and conditions of the permit, the Code Enforcement Officer shall give notice to the applicant to correct such violation or cease such practice within 24 hours. If the applicant fails to comply with such notice, the Code Enforcement Officer may suspend the permit for a period not in excess of 30 days, during which time the applicant shall be entitled to a hearing before the Village Administrator, at which the applicant may be represented by counsel, to present evidence in his or her behalf and confront the evidence against him or her. If, upon considering the evidence presented at the hearing, the Village Administrator adheres to the finding, the Village Administrator may reinstate the permit with additional conditions related to the violation or improper practice which has been found or revoke the permit and forfeit the applicant's cash deposit.

### § 247-22. Reservation of rights.

Neither the adoption of this article nor the granting of any permit pursuant hereto shall be construed as a waiver of any right, privilege or immunity of the Village of Tarrytown with respect to streets and sidewalks, whether express or implied.

### § 247-23. Penalties for offenses.

Any person who shall violate any of the provisions of this article shall be liable to prosecution in the Village Justice Court and may, upon conviction thereof, be liable to a fine that shall not exceed \$500, imprisonment for not more than 15 days for each such offense, or both such fine and imprisonment.

## Master Fee Schedule:

## Amendment

Type of Permit	Fee	Date
Sidewalk Café	Café - \$100 plus \$3.70 s.f.	2/18/2020
Sidewalk Vending	Vending - \$270 Sandwich Boards only - \$110	2/18/2020
Sidewalk Musicians	\$10 annually (a maximum of 4 sidewalk musician permits issued per year)	10/21/2013
Sidewalk Closing	\$25 + \$40 per day for parking spaces + \$250 security deposit	
Sandwich Board Permits	\$105.00/year	10/21/2013



3A

# Village of Tarrytown

One Depot Plaza  
Tarrytown, NY 10591

## Special Event<sup>1</sup> Permit

### Applicant Information

Sponsor(s) {Person(s) or organization}: \_\_\_\_\_

Contact information for entity: \_\_\_\_\_

Primary Contact Person(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Special Event Information

Special Event Name: \_\_\_\_\_

Special Event Description: \_\_\_\_\_

Special Event Date: \_\_\_\_\_

Setup Time: \_\_\_\_\_

Start Time: \_\_\_\_\_

End Time: \_\_\_\_\_

Breakdown Time: \_\_\_\_\_

<sup>1</sup> Special Event shall mean a group activity or congregation including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more than 12 people or a group activity involving less than 12 people for which specific space is required to be reserved.

3A

Expected number of participants: \_\_\_\_\_

Sponsor Name: \_\_\_\_\_

Not-For-Profit Corporation: YES or NO

Sponsor Address: \_\_\_\_\_

Sponsor City and State: \_\_\_\_\_

Sponsor Phone Number: \_\_\_\_\_ Sponsor Cell Phone Number: \_\_\_\_\_

Sponsor Fax Number: \_\_\_\_\_ Sponsor Email Address: \_\_\_\_\_

Sponsor Website: \_\_\_\_\_

Applicant relationship to sponsor: \_\_\_\_\_

Producer Name: \_\_\_\_\_

Producer Address: \_\_\_\_\_

Producer City and State: \_\_\_\_\_

Producer Phone Number: \_\_\_\_\_ Producer Cell Phone Number: \_\_\_\_\_

Producer Fax Number: \_\_\_\_\_

Producer Email Address: \_\_\_\_\_

Producer Website: \_\_\_\_\_

Event Insurance Information (Including Policy Number(s) and Coverage Description): \_\_\_\_\_

\_\_\_\_\_

### Special Event Location Information

Special Event Location: \_\_\_\_\_

Affected Parks, Street(s) or Intersections: \_\_\_\_\_

\_\_\_\_\_

Additional Event Information: \_\_\_\_\_

\_\_\_\_\_

### Special Event Questionnaire

1. Will your event take place in any parkland or pier? \_\_\_\_\_  
If yes, please describe where: \_\_\_\_\_
2. Will your demonstration take place in Pierson Park, Patriots' Park or Losee Park  
(Including ballfields or athletic areas)? \_\_\_\_\_  
If yes, please describe where: \_\_\_\_\_  
If yes, will there be more than less than 30 participants? \_\_\_\_\_  
If yes, will there be between 31 and 249 participants? \_\_\_\_\_
3. Will there be less than 1,000 or more people in a confined spaced at a time? \_\_\_\_\_
4. Will there be any live entertainment and/or celebrity appearances? \_\_\_\_\_  
If yes, please explain: \_\_\_\_\_
5. Will the event be advertised? If yes, please provide details of the event advertising plan:  
\_\_\_\_\_  
\_\_\_\_\_
6. Will there be on-site security? If yes, please provide details of the on-site security plan  
(Note: Your private security provider must be licensed by the State of New York): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Will the event require overhead cabling and/or a pole tap for electricity? \_\_\_\_\_
8. Will the event employ a crane? If yes, please describe location(s) and any applicable  
permit or authorizations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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9. Will there be a tent or canopy? If yes, please give dimensions and description of the structure(s): \_\_\_\_\_

Will the tent or canopy exceed 400 gross square feet? \_\_\_\_\_

Will you be constructing the tent or canopy between the hours of 6PM- 7AM

Monday through Friday and/or anytime Saturday or Sunday? \_\_\_\_\_

10. Will generators be used? \_\_\_\_\_

Number of portable generators: \_\_\_\_\_

Number of tow-hook generators: \_\_\_\_\_

Number of truck-mounted generators: \_\_\_\_\_

11. Will liquid and/or gaseous fused be used and/or stored? If yes, please explain: \_\_\_\_\_

12. Will there be amplified sound? If yes, please explain: \_\_\_\_\_

13. Will there be open flames (candles, sterno, cooking, fire pits, propane heaters, etc.) at the event? \_\_\_\_\_

14. Will there be special effects, pyro and/or fireworks (including fire performers, sparklers, sparktacular units, confetti, air cannons etc.) at the event? If yes, please specify: \_\_\_\_\_

15. Will there be oversized vehicles (exceeding width: 96 in., height: 13 ½, length: 55 ft.)? If yes, describe number and function: \_\_\_\_\_

16. Will there be staging, press platforms, scaffolding, or other related structures? If yes, please explain Dimension (Height, Width, Length): \_\_\_\_\_

- 
17. Will there be bleachers, grandstands, or other related structures? If yes, please explain  
Dimension (Height, Width, Length): \_\_\_\_\_
18. Will you be constructing anything between the hours of 6 PM and 7 AM and/or on  
Saturday and/or Sunday? \_\_\_\_\_
19. Will permanent street/park furniture (bus shelters, bollards, signs) need to be removed for  
this event? \_\_\_\_\_
20. Will food and/or beverages be distributed or sold at this event? \_\_\_\_\_  
If yes, please list applicable permit number: \_\_\_\_\_
21. Will there be general vendors at the event? \_\_\_\_\_  
If yes, how many: \_\_\_\_\_  
Applicable permit number: \_\_\_\_\_
22. Will alcohol be sold, consumed, or distributed at the event? \_\_\_\_\_  
If yes, please list applicable permit number: \_\_\_\_\_
23. Will you require a hydrant tap for your event? \_\_\_\_\_  
If yes, please submit authorization: \_\_\_\_\_
24. Will anyone be soliciting for services, products, charities, etc. (i.e. collecting signatures,  
selling tickets, collecting funds)? \_\_\_\_\_  
If yes, please describe and list any applicable permit numbers: \_\_\_\_\_  
\_\_\_\_\_
25. Will there be on-site medical support? \_\_\_\_\_
26. Describe any vehicles that will be include during the event: \_\_\_\_\_
27. Will participants wear any type of uniform? If so, describe: \_\_\_\_\_

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28. Will payment be required to participate? If so, how much: \_\_\_\_\_

29. Are any proceeds from entry fees (after operating costs) donated to a not-for-profit or charitable organization? \_\_\_\_\_

30. Have you held this event before? Please provide name, date and location of previously held event: \_\_\_\_\_

31. Are there any permits required for the event that are not mentioned above? \_\_\_\_\_

If yes, please describe and list the applicable permit number: \_\_\_\_\_

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**AFFIDAVIT OF THE APPLICANT/SPONSOR**

The applicant/sponsor agrees to indemnify and hold harmless the Village of Tarrytown ("Village") and the Village Police Department from any and all claims and judgments for personal injury or damage to property resulting, directly or indirectly, from the activities in connection with which the permit is issued, and from any costs and expenses to which the village may be subjected or which it may suffer or incur by reason thereof. The applicant/sponsor agrees to comply with the pertinent provisions and rules of the Village, the specific terms and conditions of the permit, and to all applicable County, City, State and Federal laws, rules and regulations. The applicant/sponsor agrees to hold the permit in their possession at the time and site of the event, as well as any other permits for the event required by the Village or any governmental agency. The applicant/sponsor agrees to pay the fees, if any, associated with the subject special event. The applicant/sponsor agrees to the responsibility for the procurement of and payment for any electrical energy used during the event. The applicant/sponsor agrees to the responsibility of clean-up and restoration of the site after the event and the cost of any village employee overtime incurred because of an applicant/sponsor's failure to clean and/or restore the site following the event will be borne by the applicant/sponsor. The applicant/sponsor agrees to confine their activities to the locations and times specified in their permit and any guidelines established by the Village Administrator for certain designated parks or park locations. Please note: Penalty for Falsifications: Falsification of Any Statement Made Herein Is an Offense Punishable by a Fine or Imprisonment or Both.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Richard Slingerland, Village Administrator



3B

# Village of Tarrytown

One Depot Plaza  
Tarrytown, NY 10591

## Parade<sup>1</sup> Permit

### Applicant Information

Sponsor(s) {Person(s) or organization}: \_\_\_\_\_

\_\_\_\_\_

Contact information for entity: \_\_\_\_\_

Primary Contact Person(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Parade Information

Parade Name: \_\_\_\_\_

Parade Description: \_\_\_\_\_

\_\_\_\_\_

Parade Date: \_\_\_\_\_

Setup Time: \_\_\_\_\_ Start Time: \_\_\_\_\_

End Time: \_\_\_\_\_ Breakdown Time: \_\_\_\_\_

<sup>1</sup> A "parade" is any procession or race which consists of a recognizable group of 20 or more pedestrians, vehicles, bicycles or other devices moved by human power or ridden or herded animals or combination of the foregoing proceeding together upon any public street, roadway or public area.

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Expected number of participants: \_\_\_\_\_

Sponsor Name: \_\_\_\_\_

Not For Profit Corporation: (Circle one) YES or NO

Sponsor Address: \_\_\_\_\_

Sponsor City and State: \_\_\_\_\_

Sponsor Phone Number: \_\_\_\_\_ Sponsor Cell Phone Number: \_\_\_\_\_

Sponsor Fax Number: \_\_\_\_\_ Sponsor Email Address: \_\_\_\_\_

Sponsor Website: \_\_\_\_\_

Applicant relationship to sponsor: \_\_\_\_\_

Producer Name: \_\_\_\_\_

Producer Address: \_\_\_\_\_

Producer City and State: \_\_\_\_\_

Producer Phone Number: \_\_\_\_\_ Producer Cell Phone Number: \_\_\_\_\_

Producer Fax Number: \_\_\_\_\_

Producer Email Address: \_\_\_\_\_

Producer Website: \_\_\_\_\_

Parade Insurance Information (Including Policy Number(s) and Coverage Description): \_\_\_\_\_

\_\_\_\_\_

### Location Information

Parade Location(s): \_\_\_\_\_

\_\_\_\_\_

Route Description (Including Formation and Dismissal Locations): \_\_\_\_\_



\_\_\_\_\_  
Description of Affected Street(s) (Full or Partial): \_\_\_\_\_

\_\_\_\_\_  
Affected Intersections: \_\_\_\_\_

\_\_\_\_\_  
Affected Sidewalks (Both Sides, East Side, West Side, North Side or South Side): \_\_\_\_\_

\_\_\_\_\_  
Additional Parade Information: \_\_\_\_\_

### Parade Questionnaire

1. Will there be less than 1,000 or more people in a confined spaced at a time? \_\_\_\_\_

2. Will there be any live entertainment and/or celebrity appearances? \_\_\_\_\_

If so, Explain: \_\_\_\_\_

3. Will the parade be advertised? If so, please provide details of the parade advertising plan:

\_\_\_\_\_  
4. Will there be on-site security? If so please provide details of the on-site security plan

(Note: Your private security provider must be licensed by the State of New York): \_\_\_\_\_

\_\_\_\_\_  
5. Will the parade require overhead cabling and/or a pole tap for electricity? \_\_\_\_\_

6. Will generators be used? \_\_\_\_\_

a. Number of portable generators: \_\_\_\_\_

b. Number of tow-hook generators: \_\_\_\_\_

c. Number of truck-mounted generators: \_\_\_\_\_

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7. Will liquid and/or gaseous fused be used and/or stored? If so, explain: \_\_\_\_\_  
\_\_\_\_\_
8. Will there be amplified sound? If so explain: \_\_\_\_\_  
\_\_\_\_\_
9. Will there be open flames (candles, sterno, etc.)? \_\_\_\_\_
10. Will there be oversized vehicles (exceeding width: 96 in., height: 13 ½, length: 55 ft.)? If so, describe number and function: \_\_\_\_\_  
\_\_\_\_\_
11. Will there be staging, press platforms, scaffolding, or other related structures? If yes, explain Dimension (Height, Width, Length): \_\_\_\_\_
12. Will there be bleachers, grandstands, or other related structures? If yes, explain Dimension (Height, Width, Length): \_\_\_\_\_
13. Will you be constructing anything between the hours of 6 PM and 7 AM and/or on Saturday and/or Sunday? \_\_\_\_\_
14. Will permanent street or sidewalk furniture (bus shelters, bollards, signs) need to be removed for this parade? \_\_\_\_\_
15. Will food and/or beverages be distributed or sold at this parade? \_\_\_\_\_  
If yes, please describe and list any applicable permit numbers: \_\_\_\_\_  
\_\_\_\_\_
16. Will anyone be soliciting for services, products, charities, etc. (i.e. collecting signatures, selling tickets, collecting funds)? \_\_\_\_\_  
If yes, please describe and list any applicable permit numbers: \_\_\_\_\_  
\_\_\_\_\_
17. Will there be on-site medical support? \_\_\_\_\_

18. Describe any vehicles used during the parade or within the Parade route: \_\_\_\_\_

\_\_\_\_\_

19. Will participants wear any type of uniform? If so, describe: \_\_\_\_\_

20. Will payment be required to participate? If so, how much: \_\_\_\_\_

21. Are any proceeds from entry fees (after operating costs) donated to a not-for-profit or  
charitable organization? \_\_\_\_\_

22. Have you held this parade before? Please provide name, date and application number of  
previously held parade: \_\_\_\_\_

23. Are there any permits required for the parade that are not mentioned above? \_\_\_\_\_

If yes, please describe and list the applicable permit number: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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**AFFIDAVIT OF THE APPLICANT/SPONSOR**

The applicant/sponsor agrees to indemnify and hold harmless the Village of Tarrytown ("Village") and the Village Police Department from any and all claims and judgments for personal injury or damage to property resulting, directly or indirectly, from the activities in connection with which the permit is issued, and from any costs and expenses to which the village may be subjected or which it may suffer or incur by reason thereof. The applicant/sponsor agrees to comply with the pertinent provisions and rules of the Village, the specific terms and conditions of the permit, and to all applicable County, City, State and Federal laws, rules and regulations. The applicant/sponsor agrees to hold the permit in their possession at the time and site of the parade, as well as any other permits for the parade required by the Village or any governmental agency. The applicant/sponsor agrees to pay the fees, if any, associated with the subject parade. The applicant/sponsor agrees to the responsibility for the procurement of and payment for any electrical energy used during the parade. The applicant/sponsor agrees to the responsibility of clean-up and restoration of the site after the event and the cost of any village employee overtime incurred because of an applicant/sponsor's failure to clean and/or restore the site following the parade will be borne by the applicant/sponsor. The applicant/sponsor agrees to confine their activities to the locations and times specified in their permit and any guidelines established by the Village Administrator for certain designated parks or park locations. Please note: Penalty for Falsifications: Falsification of Any Statement Made Herein Is an Offense Punishable by a Fine or Imprisonment or Both.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Richard Slingerland, Village Administrator



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# Village of Tarrytown

One Depot Plaza  
Tarrytown, NY 10591

## Demonstration<sup>1</sup> Permit

### Applicant Information

Sponsor(s) {Person(s) or organization}: \_\_\_\_\_

Contact information for entity: \_\_\_\_\_

Primary Contact Person(s): \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### Demonstration Information

Demonstration Name: \_\_\_\_\_

Demonstration Description: \_\_\_\_\_

Demonstration Date: \_\_\_\_\_

Setup Time: \_\_\_\_\_

Start Time: \_\_\_\_\_

End Time: \_\_\_\_\_

Breakdown Time: \_\_\_\_\_

<sup>1</sup> Demonstration shall mean a group activity or congregation including, but not limited to, a meeting, assembly, protest, rally or vigil, moving or otherwise, which involves the expression of views or grievances, involving more than 12 people.

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Expected number of participants: \_\_\_\_\_

Sponsor Name: \_\_\_\_\_

Not-For-Profit Corporation: YES or NO

Sponsor Address: \_\_\_\_\_

Sponsor City and State: \_\_\_\_\_

Sponsor Phone Number: \_\_\_\_\_ Sponsor Cell Phone Number: \_\_\_\_\_

Sponsor Fax Number: \_\_\_\_\_ Sponsor Email Address: \_\_\_\_\_

Sponsor Website: \_\_\_\_\_

Applicant relationship to sponsor: \_\_\_\_\_

Producer Name: \_\_\_\_\_

Producer Address: \_\_\_\_\_

Producer City and State: \_\_\_\_\_

Producer Phone Number: \_\_\_\_\_ Producer Cell Phone Number: \_\_\_\_\_

Producer Fax Number: \_\_\_\_\_

Producer Email Address: \_\_\_\_\_

Producer Website: \_\_\_\_\_

Event Insurance Information (Including Policy Number(s) and Coverage Description): \_\_\_\_\_

\_\_\_\_\_

### Demonstration Location Information

Demonstration Location: \_\_\_\_\_

Affected Parks, Street(s) or Intersections: \_\_\_\_\_

\_\_\_\_\_



Additional demonstration Information: \_\_\_\_\_

\_\_\_\_\_

### Demonstration Questionnaire

1. Will your demonstration take place in any parkland or pier? \_\_\_\_\_

If yes, please describe where: \_\_\_\_\_

2. Will your demonstration take place in Pierson Park, Patriots' Park or Losee Park  
(Including ballfields or athletic areas)? \_\_\_\_\_

If yes, please describe where: \_\_\_\_\_

If yes, will there be more than less than 30 participants? \_\_\_\_\_

If yes, will there be between 31 and 249 participants? \_\_\_\_\_

3. Will there be less than 1,000 or more people in a confined spaced at a time? \_\_\_\_\_

4. Will there be any live entertainment and/or celebrity appearances? \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

5. Will the demonstration be advertised? If yes, please provide details of the demonstration  
advertising plan: \_\_\_\_\_

6. Will there be on-site Security? If yes, please provide details of the on-site security plan  
(Note: Your private security provider must be licensed by the State of New York): \_\_\_\_\_

\_\_\_\_\_

7. Will the event require overhead cabling and/or a pole tap for electricity? \_\_\_\_\_

8. Will the demonstration employ a crane? If yes, please describe location(s) and any  
applicable permit or authorizations: \_\_\_\_\_

\_\_\_\_\_

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9. Will there be a tent or canopy? If yes, please give dimensions and description of the structure(s): \_\_\_\_\_
- Will the tent or canopy exceed 400 gross square feet? \_\_\_\_\_
- Will you be constructing the tent or canopy between the hours of 6PM- 7AM Monday through Friday and/or anytime Saturday or Sunday? \_\_\_\_\_
10. Will generators be used? \_\_\_\_\_
- Number of portable generators: \_\_\_\_\_
- Number of tow-hook generators: \_\_\_\_\_
- Number of truck-mounted generators: \_\_\_\_\_
11. Will liquid and/or gaseous fused be used and/or stored? If yes, please explain: \_\_\_\_\_
- \_\_\_\_\_
12. Will there be amplified sound? If yes, please explain: \_\_\_\_\_
- \_\_\_\_\_
13. Will there be open flames (candles, sterno, cooking, fire pits, propane heaters, etc.) at the demonstration? \_\_\_\_\_
- Will there be special effects, pyro and/or fireworks (including fire performers, sparklers, sparktacular units, confetti, air cannons etc.) at the demonstration? If yes, please specify: \_\_\_\_\_
14. Will there be oversized vehicles (exceeding width: 96 in., height: 13 ½, length: 55 ft.)? If yes, describe number and function: \_\_\_\_\_
- \_\_\_\_\_
15. Will there be staging, press platforms, scaffolding, or other related structures? If yes, please explain Dimension (Height, Width, Length): \_\_\_\_\_

16. Will there be bleachers, grandstands, or other related structures? If yes, please explain

Dimension (Height, Width, Length): \_\_\_\_\_

17. Will you be constructing anything between the hours of 6 PM and 7 AM and/or on

Saturday and/or Sunday? \_\_\_\_\_

18. Will permanent street/park furniture (bus shelters, bollards, signs) need to be removed for

this demonstration? \_\_\_\_\_

19. Will food and/or beverages be distributed or sold at this demonstration? \_\_\_\_\_

If yes, please list applicable permit number: \_\_\_\_\_

20. Will there be general vendors at the demonstration? \_\_\_\_\_

If yes, how many: \_\_\_\_\_

Applicable permit number: \_\_\_\_\_

21. Will alcohol be sold, consumed, or distributed at the demonstration? \_\_\_\_\_

If yes, please list applicable permit number: \_\_\_\_\_

22. Will you require a hydrant tap for your demonstration? \_\_\_\_\_

If yes, please submit authorization: \_\_\_\_\_

23. Will anyone be soliciting for services, products, charities, etc. (i.e. collecting signatures,

selling tickets, collecting funds)? \_\_\_\_\_

If yes, please describe and list any applicable permit numbers: \_\_\_\_\_

24. Will there be on-site medical support? \_\_\_\_\_

25. Describe any vehicles that will be include during the demonstration: \_\_\_\_\_

26. Will participants wear any type of uniform? If so, describe: \_\_\_\_\_

27. Will payment be required to participate? If so, how much: \_\_\_\_\_

28. Are any proceeds from entry fees (after operating costs) donated to a not-for-profit or charitable organization? \_\_\_\_\_

29. Have you held this demonstration before? Please provide name, date and location of previously held demonstration: \_\_\_\_\_

30. Are there any required permits not mentioned above? \_\_\_\_\_

If yes, please describe and list the applicable permit number: \_\_\_\_\_

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**AFFIDAVIT OF THE APPLICANT/SPONSOR**

The applicant/sponsor agrees to indemnify and hold harmless the Village of Tarrytown ("Village") and the Village Police Department from any and all claims and judgments for personal injury or damage to property resulting, directly or indirectly, from the activities in connection with which the permit is issued, and from any costs and expenses to which the village may be subjected or which it may suffer or incur by reason thereof. The applicant/sponsor agrees to comply with the pertinent provisions and rules of the Village, the specific terms and conditions of the permit, and to all applicable County, City, State and Federal laws, rules and regulations. The applicant/sponsor agrees to hold the permit in their possession at the time and site of the demonstration, as well as any other permits for the demonstration required by the Village or any governmental agency. The applicant/sponsor agrees to pay the fees, if any, associated with the subject demonstration. The applicant/sponsor agrees to the responsibility for the procurement of and payment for any electrical energy used during the demonstration. The applicant/sponsor agrees to the responsibility of clean-up and restoration of the site after the demonstration and the cost of any village employee overtime incurred because of an applicant/sponsor's failure to clean and/or restore the site following the demonstration will be borne by the applicant/sponsor. The applicant/sponsor agrees to confine their activities to the locations and times specified in their permit and any guidelines established by the Village Administrator for certain designated parks or park locations. Please note: Penalty for Falsifications: Falsification of Any Statement Made Herein Is an Offense Punishable by a Fine or Imprisonment or Both.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Richard Slingerland, Village Administrator



## LOCAL LAW \_\_ - 2020

A local law to amend Chapter 218 of the Code of the Village of Tarrytown, entitled "Parades"

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. Amending Existing Chapter Heading. The title of Chapter 218 entitled "Parades" shall be amended to read as follows: "Parades, **Special Events and Demonstrations**"

Section 3. Existing Provisions Repealed. Chapter 218, Section 1 entitled "Authorization required" and Chapter 218, Section 2 entitled "Penalties for offenses" are repealed.

Section 4. Amended Existing Chapter. Chapter 218, Sections 1 and 2 shall be replaced and Chapter 218 further amended as follows:

#### § 218-1 Definitions

For purposes of this Chapter, the following terms shall have the following meanings:

- (a) A "parade" is any procession or race, which consists of a recognizable group of 50 or more pedestrians, vehicles, bicycles or other devices moved by human power, or ridden or herded animals or combination of the foregoing proceeding together upon any public street, roadway or public area.
- (b) "Demonstration" shall mean a group activity or congregation including, but not limited to, a meeting, assembly, protest, rally or vigil, moving or otherwise, which involves the expression of views or grievances, involving more than 50 people.
- (c) "Special event" shall mean "a group activity or congregation including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more than 12 people or a group activity or congregation involving less than 12 people for which specific space is requested to be reserved by the Village for the special event **to the exclusion of the general public.**"
- (d) "Applicant" shall mean the person or entity that applies for a permit under this Chapter to hold a parade, demonstration or special event. Any person or entity responsible for organizing a parade, Demonstration or special event, or any person or entity that publicizes a parade, or demonstration or special event through advertisements or other means of mass communication, including but not limited to social media, is authorized to act as the Applicant.

#### § 218-2. Parades

##### A. Applications.

- (1) Applications for parade permits must be received by the Village Clerk at least 30 days prior to the requested date for the parade.
- (2) Applications must be submitted to the Village Clerk by completing the form available



at the Village Clerk's office and on the Village's website in writing either by mail or email and will be considered in the order in which they are received.

B. Permits.

A parade shall be permitted upon any street or in any public place in the Village of Tarrytown only after a written permit therefor has been obtained from the Village Administrator. The Village Administrator shall, after due investigation of such application, including but not limited to consultation with the Police Department, Fire Department and Department of Public Works, grant such permit subject to the following restrictions:

1. The Village Administrator shall not grant a permit where the Village Administrator has objective reason to believe that the proposed parade will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;
2. Except as otherwise provided herein, the Village Administrator shall not grant a permit for the use of any street or any public place, or material portion thereof, which is ordinarily subject to substantial congestion or traffic or is chiefly of a business or mercantile character, except, upon those federal holidays or when places of business along the proposed route are closed, or on other days between the hours of 6:30 and 9:00 PM, except if such street which is subject to substantial congestion or traffic is fully shut down to motor vehicles.
3. Each such permit shall designate specifically the route through which the parade shall move and include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;
4. Permits for parades for occasions of extraordinary public interest, not annual or customary, or not so intended to be, may be granted by the Village Administrator for any street or public place, and for any day or hour, with the written approval of the mayor;
5. The Applicant of a parade for which a permit is granted by the Village Administrator shall be responsible for the strict observance of all rules and regulations included in said permit by all participants.
6. The granting of a parade permit by the Village does not absolve the applicant from any additional permitting requirements from State or Federal agencies, including but not limited to obtaining permits from the New York State Department of Transportation.

C. Exemptions. This section shall not apply:

1. To the ordinary and necessary movements of the United States army, United States navy, national guard, Village or other municipal police department and Village or other municipal fire department; or
2. To funeral processions where no streets are sought to be fully or partially closed.
3. To parades which have marched annually upon the streets for more than ten years prior to the adoption of this Local Law as such parades only need approval from the Board of Trustees.

§218-3. Special Events and Demonstrations.

A. Applications.



- (1) Applications for special event permits must be received by the Village Clerk at least 30 days prior to the requested date for the special event.
- (2) Applications for demonstration permits must be received by the Village Clerk at least 15 days prior to the requested date for the demonstration. Notwithstanding this requirement, the Village Clerk will accept all applications for demonstrations involving the expression of viewpoints on topical issues whenever submitted and process such applications as soon as it is feasible to do so, considering the magnitude of the event and the resources of the Village and its police department.
- (3) ) Applications for special event and demonstration permits to take place in Pierson Park, Patriots' Park and Losee Park must be received by the Village Clerk no less than two (2) months nor more than nine (9) months before the date of the proposed event. However, applications for a demonstration permit made less than two (2) months before the proposed event where the Applicant can demonstrate exigent circumstances prevented timely application shall be accepted by the Village Clerk for review by the Village Administrator, provided that the limitation on the number of events in subsection G of this section has not already been reached
- (4) Applications must be submitted to the Village Clerk by completing the form available at the Village Clerk's office and on the Village's website in writing either by mail or email and will be considered in the order in which they are received.

#### B. Permits and Timing

(1) Permits. A special event or demonstration on any street, sidewalk or in any public place in the Village of Tarrytown may only be held after a written permit has been issued by the Village Administrator, which permit may include such conditions, rules and regulations as the Village Administrator deems reasonably necessary, if any;

#### C. Denial of Permit; Alternative.

(1) The Village Administrator, after consultation with the Police Department and any other Village Departments, may deny a permit if:

- (a) the location sought is not suitable because of landscaping, planting, or other environmental conditions reasonably likely to be harmed by the proposed event;
- (b) the location sought is not suitable because it is a specialized area including, but not limited to, proximity to the Hudson River or other environmentally sensitive area, to public recreation areas, including but not limited to, tennis courts and a swimming pool, or because the proposed event is of such nature or duration that it cannot reasonably be accommodated in that location;
- (c) the date and time requested have previously been allotted by permit;
- (d) within the preceding two years, the applicant had been granted a permit and did, on that prior occasion, violate a material term or condition of the permit, or any applicable law, ordinance, statute or regulation;
- (e) the event would interfere unreasonably with the enjoyment of the public space by other users;
- (f) the Village Administrator has objective reason to believe that the proposed special event or demonstration will be disorderly in character, will disturb the public peace or will be a detriment to public health, safety and welfare;
- (g) the limitations contained in subsection (G) of this section are not complied

with.

(2) If the permit has been denied pursuant to subsection (C)(1) of this section, the Village Administrator shall state the reasons for the denial in writing and, to the extent practicable, employ reasonable efforts to offer the applicant suitable alternative locations and/or times and/or dates for the proposed event.

#### D. Appeals

(1) After a permit application is denied or approved with conditions objected to by the Applicant, the applicant may appeal the determination in writing to the Village Clerk.

(2) The designated appeals officer shall be the Mayor who may reverse, affirm, or modify the original determination and provide a written explanation of his or her finding.

(3) Timing of Appeal. An appeal must be submitted in writing to the Village Clerk within ten days of the Applicant's receipt of the determination or if there is less than ten days between the date the Applicant receives the determination and the proposed special event or demonstration, at least two business days before the event.

#### E. Revocation or Suspension of Permit

(1) After notice and an opportunity for the Applicant to be heard, the Village Administrator may alter or add terms and conditions to a permit, or revoke a permit, based upon the criteria set forth in subsection (C)(1)(a) through (g) of this section.

(2) If the Village Administrator revokes or alters a permit prior to the date of the event, the permittee may appeal the revocation or alteration, subject to the time limitations set forth in subsection (D)(3) of this section.

(3) During the course of an event, the Village Administrator may suspend a permit where exigent circumstances exist in the vicinity of the location for which such permit has been issued or circumstances have changed such that the criteria set forth in subsection (C)(1)(a) through (g) of this section apply.

#### F. Limitations on Permits

(1) The granting of a permit does not give the permittee the right to sell or offer for sale any articles, tickets, or refreshments within or adjacent to any park area or to operate motor vehicle in any park areas. To do this requires a separate Peddler Permit issued by the Village.

(2) Permits are not transferable.

#### G. Pierson Park, Patriots Park and Losee Park.

(1) The following conditions apply to applications for permits for special events and demonstrations in Pierson Park:

(a) Large events. In any calendar year, there will be a maximum of **two** permits granted for large events in each of Pierson Park, Patriots Park and Losee Park. For purposes of this subsection, a large event is a special event or demonstration with anticipated attendance over **500** people.

(b) Small and Medium Events. Small events in Pierson Park are not subject to the limitation contained in paragraph (1) of this section. For purposes of this subsection, a small event is a special event or demonstration with anticipated attendance of less than **100**



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participants. Medium events is a special event or demonstration of between 101 and 499 participants. Medium events are subject to subparagraphs (d) and (g) below.

(c) Attendance at large events may not exceed 3,000 persons.

(d) Permitted special events and demonstrations in Pierson Park, Patriots Park and Losee Park are subject to cancellation or postponement by the Village Administrator due to inclement weather and/or soil and turf conditions. Factors the Village Administrator will take into consideration in determining whether to cancel or postpone an event in Pierson Park, Patriots Park and Losee Park shall include: (i) the possibility of lightning or other extreme weather condition; (ii) rainfall (including forecasted, current, or cumulative rainfall); (iii) soil saturation levels or other risks to turf health; and (iv) any other field conditions that might lead to significant damage to Pierson Park or the surrounding landscapes or hazardous conditions for the attendees of the demonstration or special event.

(e) The permit application for large events must include a plan acceptable to the Village Administrator and Police Chief to ensure (i) the orderly flow of attendees through park landscapes on appropriately designated areas; and (ii) the attendees will not damage adjacent landscapes. In addition, in the case of large events as defined in subsection G(1)(a), the plan must ensure the maximum number of persons attending does not exceed 3,000 persons and is in compliance with all restrictions. In determining whether the Applicant's plan is acceptable such that a permit may be granted, the Village Administrator shall take into consideration, among other relevant factors, any evidence that the applicant has efficiently and safely executed event productions and audience management in the past.

(f) An applicant seeking to hold a large event shall post a cash bond in an amount sufficient to pay for any anticipated damage to Pierson Park, Patriots Park and Losee Park in connection with the scheduled event and made payable to the Village of Tarrytown. The amount of the bond will be determined by the Village Administrator based upon the following factors: (i) the length of the event; (ii) the time of year of the event; (iii) the nature of the event, including but not limited to, the type of equipment that will need to be brought into Pierson Park, Patriots Park or Losee Park, the location of such equipment, and the use of any vehicles in Pierson Park, Patriots Park or Losee Park; (iv) the number of people attending the event; (v) the Applicant's experience regarding any prior events of the same or a similar nature; and (vi) whether the event or any activities associated with the event present a high risk of property damage. In addition, for large events, the applicant must provide satisfactory proof of insurance naming the Village as an additional insured. However, the Village Administrator shall have the authority to waive the bond required by this subsection where the applicant is able to demonstrate that such bond cannot be obtained without imposing an unreasonable hardship on the applicant. Any request for a waiver of the bond required by this subsection shall be addressed in the permit application. The burden of demonstrating unreasonable hardship shall be on the applicant and may be demonstrated by a showing that the cost of obtaining the bond for the event exceeds twenty-five percent (25%) of the applicant's budget for the event. The budget for the event must include not only cash, but also the actual value of any materials and services to be used by the applicant for the event.

(g) The applicant shall provide a written acknowledgment stating, where applicable, how the applicant will comply with the foregoing provisions in this subsection G(1) no less than 10 days prior to the scheduled event. However, for an application for a demonstration that is made less than ten days before the proposed event, where exigent circumstances

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prevented timely application, the written acknowledgment must be executed as soon as practicable.

H. Other areas. Parking lots on the west side of the train station are available for small, medium or large special events or demonstrations.

I. Passive Recreation Areas only. Wilson Park and the Tarrytown Lakes Parks and Field are reserved solely for passive recreation and the Losee Park ballfields and Wilson Park Soccer Field are reserved solely for athletic events and passive recreation. The Village Administrator shall not grant any permits for special events or demonstrations in Wilson Park, the Tarrytown Lakes Parks, Losee Park ballfields or Wilson Park Soccer Field.

#### J Funeral Demonstrations

A Permit in accordance with this section shall be required for any demonstration within one thousand feet of a funeral event and during or within one hour before or after such funeral event. For purposes of this subsection, a "funeral event" shall mean a wake, funeral, burial or memorial service conducted within thirty days after the death of the person who is the subject of such demonstration.

#### § 218-4. Permittees' Obligations

For any permit issued under the Chapter:

- (1) Permittees are subject to the rules and regulations of the Village, the specific terms and conditions of the permit, and to all applicable Village, County, State, and Federal laws.
- (2) Permittees must have the permit in their possession at the time and site of the event, as well as any other permits or documentation for the event required by the Village or any other governmental agency.
- (3) Permittees must confine their activities to the locations and times specified on their permit. The Village Administrator may establish specific guidelines for certain designated parks or park locations.
- (4) Permittees are responsible for cleaning and restoring the site after the event. The cost of any employee overtime incurred because of a permittee's failure to clean and/or restore the site following the event will be borne by the permittee.
- (5) Permittees shall be held liable for any and all damages or injuries to persons or property that may occur or be caused by the use of the permit. By accepting a permit, permittees agree to indemnify and hold harmless the Village of Tarrytown and its officers and employees from any and all claims whatsoever that may result from such use.
- (6) Permittees shall be responsible for the procurement of and payment for any electrical energy used during the event. Permit applications must indicate whether electrical energy is required for the event.

#### § 218-5 Violations and Penalties.

A, It shall be a violation of these rules to advertise any special event or demonstration requiring a permit under this Chapter via posting, print media, radio, television, or the internet prior to obtaining a permit. There shall be a rebuttable presumption that any person or organization whose name, telephone number or other identifying information appears on any advertisement and who has not obtained a permit has violated this subdivision by either (1)

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illegally advertising an event or (2) directing or permitting a servant, agent, employee or other individual under such person's or organization's control to engage in such activity; provided, however, that such rebuttable presumption shall not apply with respect to criminal prosecutions brought pursuant to violations of this Chapter.

**B. Violations.**

1. Any person participating in any parade for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.
2. Any person participating in any special event or demonstration for which a permit has not been issued when required by this Chapter shall be subject to penalties as provided in Chapter 1, General Provisions, Article II.

**Section 5: 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 6: 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.



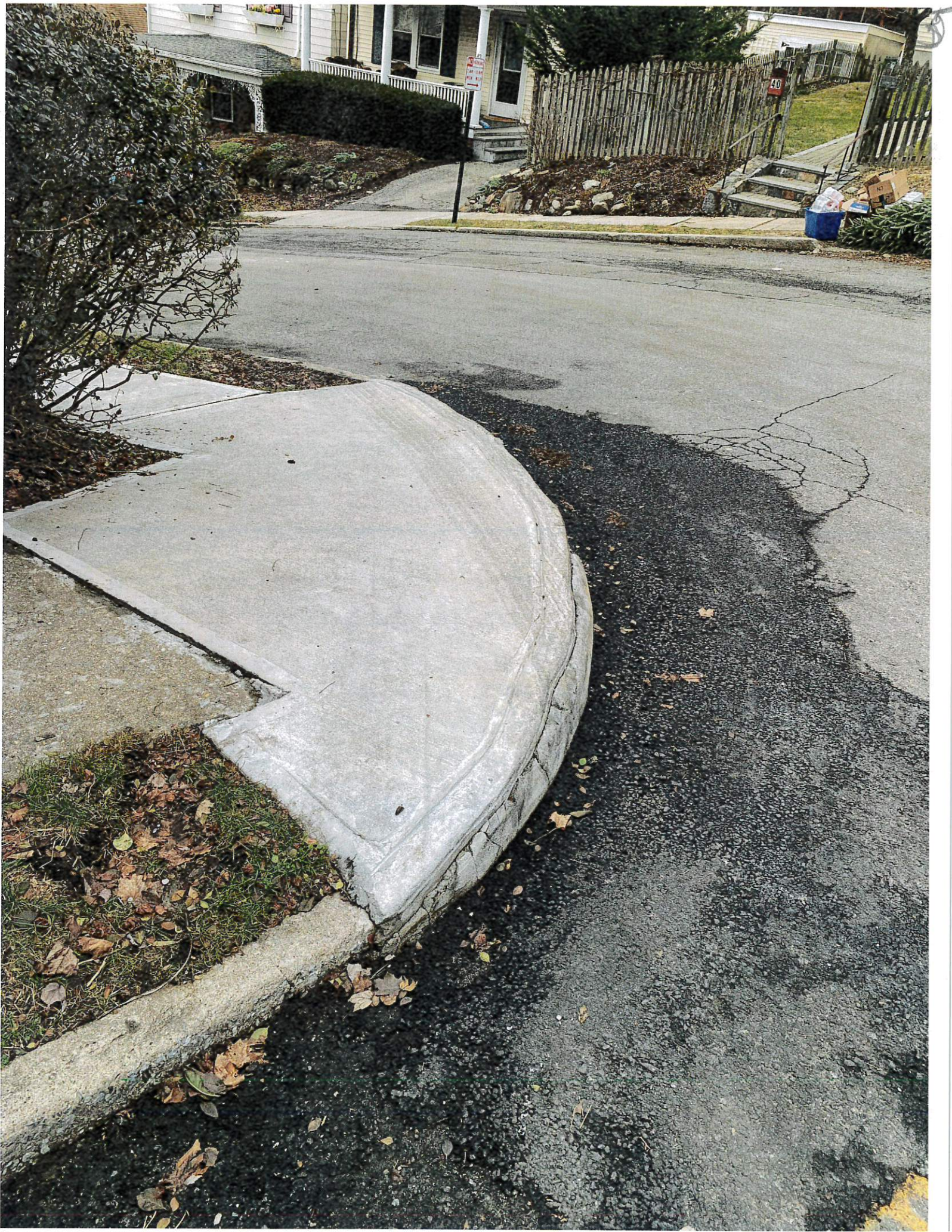








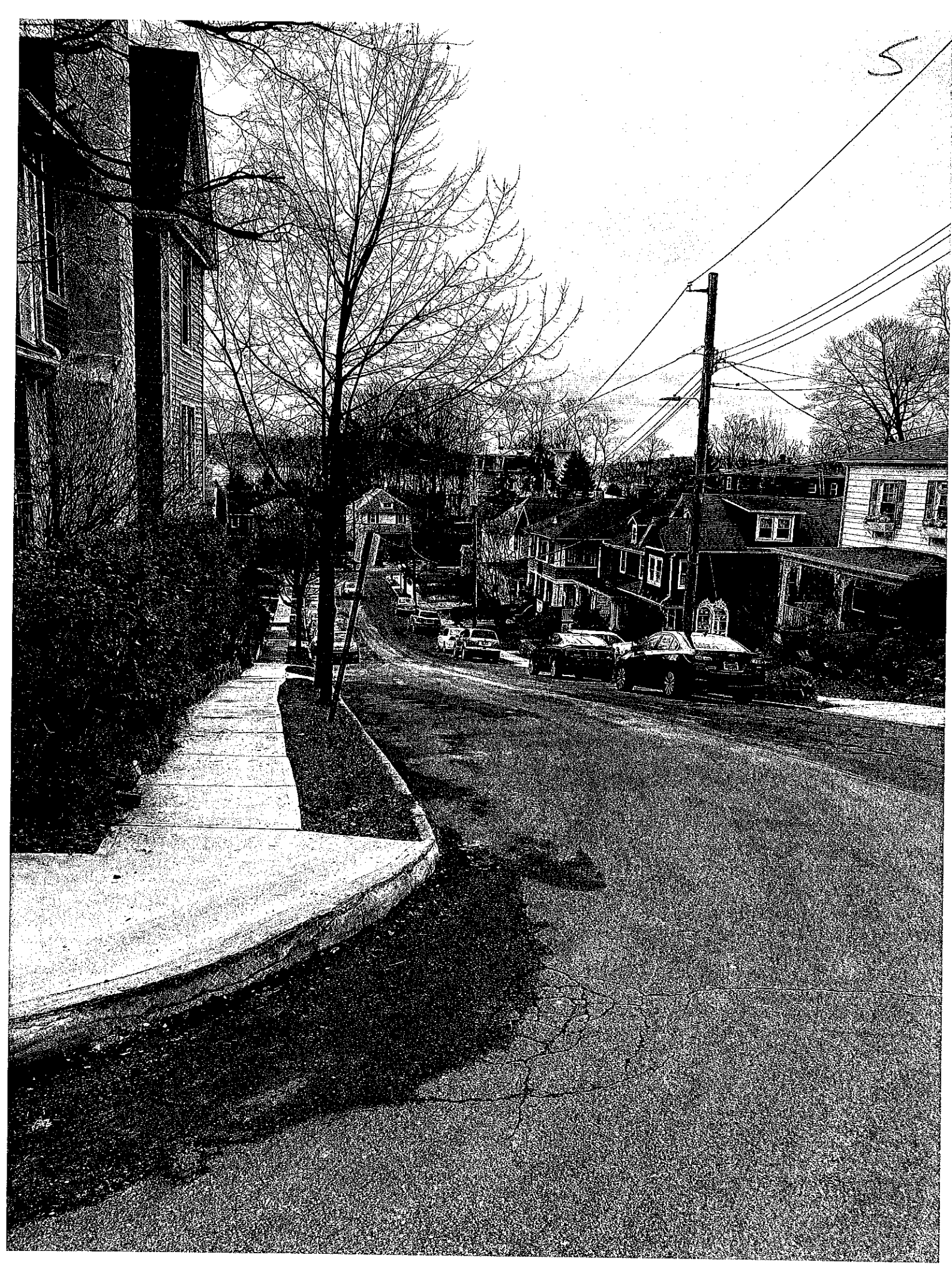




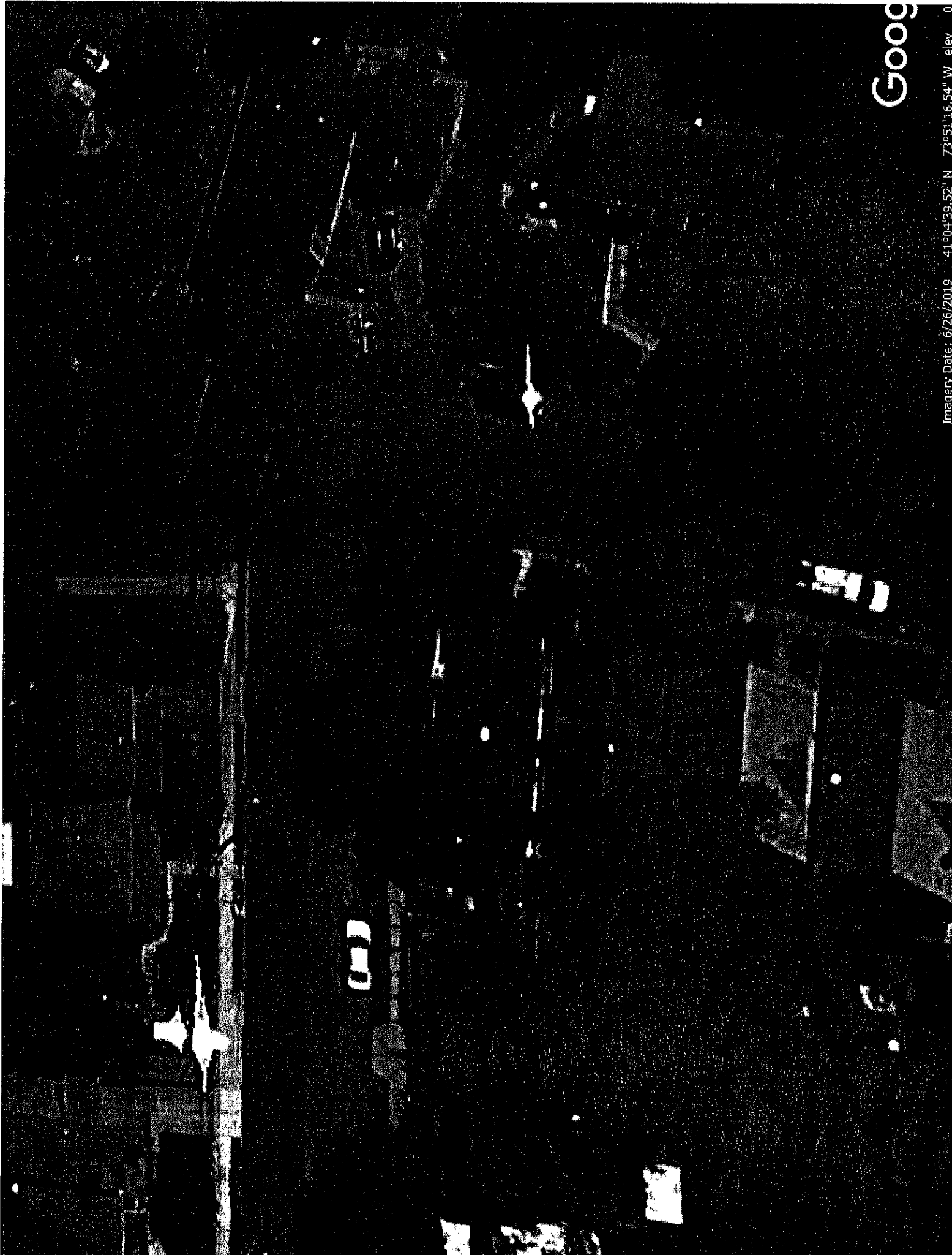




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**Village of Tarrytown Police Department  
Memorandum**

6

To: Chief John Barbelet

From: Lt. Gregory Budnar

Date: January 6, 2021

RE: Village Code Change, Specifically Schedule XII (Section 291-77).

Currently Village Code 291-16 (Parking prohibited at all times) restricts parking at any time upon any of the streets or parts thereof described in Schedule XII (Section 291-77).

Currently Village Code 291-77 (Schedule XII) lists and describes the streets and/or street parts where parking is prohibited in accordance with Village Code 291-16. Currently North Broadway is regulated as follows;

Name of Street	Side	Location
Broadway, North	East	From Cobb Lane southerly for a distance of 50 feet
Broadway, North	East	From Cobb Lane north to the Village line
Broadway, North	East	From Hamilton Place northerly for 181 feet
Broadway, North	East	From a point 431 feet north of McKeel Avenue northerly for a distance of 250 feet
Broadway, North	West	From Central Avenue southerly for a distance of 50 feet
Broadway, North	West	From Wildey Street northerly for a distance of 300 feet

As part of the North Broadway Traffic Calming project a fire hydrant has been relocated in front of #1 North Broadway (just north of Main Street). The parking spaces are in the process of being removed to ensure compliance with NYS Vehicle and Traffic Law 1202-3B (No parking within 15' of a fire hydrant). After reviewing the area and discussing options the following code change to Schedule XII has also been recommended; (changes in bold italic print)

Name of Street	Side	Location
<b><i>Broadway, North</i></b>	<b><i>West</i></b>	<b><i>From Main Street northerly for a distance of 62 feet</i></b>





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## Village of Tarrytown Planning Board

# Memo

RECEIVED

JAN - 8 2021

TARRYTOWN VILLAGE ADMINISTRATOR

To: Mayor and Board of Trustees

From: Village Planning Board

CC: Kathy Zalantis, Dan Pennella, Lizabeth Meszaros

Date: 12/29/20

Re: Recommendation for Zoning Text Changes to Amend A/D Floating/Overlay Zone and Site Plan for 85 Units of Assisted Living and Memory Care Housing at 99 White Plains Road.

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### ***Proposed Action***

The Planning Board received a referral on June 4, 2020 from the Board of Trustees requesting a recommendation for a zoning petition to amend the existing A/D Floating/Overlay zone including a new definition for "*Service Enhanced Assisted Living Housing*" (SEAL). This would allow the development of assisted living and memory care in one facility. This is typical of Sunrise Senior Living as well as other senior care facilities. The Board of Trustees also requested that the Planning Board review the Site Plan proposed by Sunrise for the development of a total of 85 units including 53 units of assisted living and 32 units of memory care housing for the 4.6-acre property located at 99 White Plains Road (Marshall Cavendish property). The proposed project will adaptively reuse the Village Historic Landmark Building at 99 White Plains Road (former Martin Rumsey Miller Estate/aka Goebel Collectors Club Building).

### ***Background – Proposed Zoning Text Changes to A/D Floating/Overlay Zone***

The new definition for SEAL housing allows the development of combined assisted living and memory care in one facility. In addition to the new definition, the Applicant has proposed additional standards to include a new density requirement for SEAL housing of no more than 25 units per acre and no more than 115 beds; increase in maximum coverage from 13% to 18%; the maximum height for A/D and SEAL housing needs to comply with the underlying district, except in the case of any facility that adaptively re-uses an existing historic structure shall be a maximum of 3 stories or otherwise determined as appropriate by the Planning Board. The proposed text amendment also includes language that the current sustainability requirements may be achieved by demonstrating that a facility would be considered sustainable by an industry standard such as LEED or other appropriate programs. None of the proposed text amendments negatively impacts the current Artis project.

The Applicant is using the existing A/D Floating/Overlay zone which limits development to eligible properties zoned OB, LB or MU along the Route 119 corridor. Under the proposed text amendments, the eligible properties remain the same. The development potential of the eligible properties was evaluated previously by the Planning Board during the Artis SEQRA review. Only

the subject property for the Sunrise Project, and the Artis site, appear to currently be suitable candidates for application of the proposed A/D Floating/Overlay zone which would now include SEAL housing.

#### ***Sunrise Living Proposed Development***

The 4.6-acre subject property is located at 99 White Plains Road. The site is located on the north side of White Plains Road and west of the New York State Thruway westbound Exit 9 ramps. The property is in the LB zoning district. The property is an eligible parcel covered by the recently enacted A/D Floating/Overlay zone. The project site is bordered by the Old Croton Aqueduct trail and CVS Pharmacy to the west, apartments to the northwest, DaVita Hudson Valley Dialysis Center to the east, and a wooded area and wetland to the north where the Artis project is being proposed.

The proposed Sunrise of Tarrytown Project will have a mix of Assisted Living and Memory Care units. It will not include any Independent Living or skilled nursing units. All Project residents will receive daily supportive services known as "Activities of Daily Living." The Project will include 85 units (approximately 53 Units for Assisted Living, and approximately 32 units for Memory Care), with approximately 108 beds. The size and configuration of the project is based on Sunrise's established operating model, as well as site characteristics, including the existing landmark Goebel building. This Project falls within the typical range of a Sunrise community of 75 to 100 units.

The front elevation of the existing structure on the property (Goebel Collector's Club) was designated as a Village Historic Landmark by the Village of Tarrytown Board of Trustees on January 28, 1980. The Applicant will preserve and integrate the front southerly portion of the pre-existing structure through adaptive reuse techniques. Stephen Tilly, AIA, has been retained by the Applicant as the Project's historic preservation architect to work with SHPO on the adaptive reuse of the building.

The existing building in the front consists of approximately 17,000 sf. The first-floor space that would be enjoyed by the Project residents totals approximately 7,000 sf. The upper floors of the existing structure are approximately 10,000 sf which are anticipated to be used as ancillary office and/or storage space for Sunrise. The recently constructed rear addition to the existing structure would be taken down. A total of 73,900 sf of new space would be built in the new building. The new building would be comparable in height to the existing structure to ensure that the Goebel building remains a visual focal point on the Property, and is not obscured by the new building.

The 73,900 sf of new construction essentially replaces the existing 74,00 sf rear building addition. The adaptive reuse of the front building will repurpose the existing building and does not expand the existing building's footprint. Sunrise provides approximately 20,000 sf of passive outdoor recreation area including covered porches and balconies, outdoor patios, sitting areas with benches, walking paths, gardens, and courtyard area. Additionally, the facility provides Indoor recreation consisting of entertainment and activity rooms, common areas including living rooms, craft rooms, wellness/exercise room, bistro, library/reading room, social programming activities including art, poetry, dance, music therapy, walking groups, and games. A total of approximately 65.9% of the overall site is open space. This is comprised of Wooded/Landscaped Area (60.74%), and Hardscape Area (5.17%).

Access to the Project would remain off NYS Route 119. Approximately 54 parking spaces would be provided to service residents, staff, and visitors (for comparison, there are currently 65 striped parking spaces at the Property). The parking spaces will be set back from Route 119 to minimize any

potential visual impacts from Route 119. Additionally, the existing stone walls along the Property's southerly boundary on Route 119, on both sides of the driveway entrance, would remain in place. The proposed parking spaces are clustered in bays of 5 to 7 spaces separated by landscaped islands and are primarily placed to the side of the building. This design is meant to minimize the overall visual impact of the parking and pavement and creates a more residential feeling than commercial.

#### **SEQRA Review**

Over the last six months, the Planning Board has conducted an extensive SEQRA review of the Sunrise Senior Living project including the proposed zoning text amendments and the site plan for the construction of the 53-unit Assisted Living and 32 Memory Care housing. This review culminated in the adoption of a *Negative Declaration* by the Planning Board on 12/28/20. The Planning Board after reviewing the Long Form EAF and information submitted by the Applicant including parking and traffic studies, fiscal analysis, wetland impacts, development potential analysis, historic assessment of the landmark building on the site, green technologies and sustainability, and agency reviews including Westchester County Planning and SHPO, has concluded in its extensive *Negative Declaration* that the Proposed Zoning Text and Site Plan for the proposed 85-unit assisted living and memory care facility has minimized and mitigated environmental impacts to the greatest extent practicable, and is not expected to result in any significant adverse environmental impacts. Moreover, the social and economic benefits of the Proposed Project provide a positive impact on the Village.

#### **Recommendation**

The Planning Board recommends the adoption of the text changes in the A/D Floating/Overlay zone including the new definition of SEAL housing and additional standards including new density requirements for SEAL housing, an increase in maximum coverage, increase in height up to 3 stories if any facility adaptively re-uses an existing historic structure, and specifies that the current sustainability requirements may be achieved by demonstrating that a facility would be considered sustainable by using an industry standard such as LEED.

The Planning Board also notes that the subject property is in the LB zone and located within 350' of Rt. 119 and is, therefore, eligible for coverage under the A/D Floating/Overlay zone. The Planning Board recommends that the proposed development with a total of 85 units including approximately 53 assisted living units and 32 memory care units be applied to the A/D Floating/Overlay zone.

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The Planning Board has provided a summary below of the reasons for the positive recommendation:

- *Consistency with Comprehensive Plans* - the Planning Board concurs with Westchester County Planning 's GML review that the proposed zoning text changes and Sunrise Senior Living proposed development is consistent with the County's Master Plan and furthers the County's Housing Needs Study.
- *Adaptive Reuse of Historic Landmark* - The Village's Comprehensive Plan specifically recognizes the Project's adaptive re-use of the existing historic structure ((former Martin Rumsey Miller Estate/aka Goebel Collectors Club Building). The Project team includes Stephen Tilly, a well-known historic preservation architect. Mr. Tilly is consulting on the integration of the historic landmark building into the project. He will coordinate with SHPO on the project design and will provide a detailed description of the proposed project scope of work, including drawings and specifications for all proposed work on the building, exterior and interior. - Existing stone walls along the Property's southerly boundary along Route 119, on both sides of the driveway entrance, would remain in place.
- *Traffic/Parking Impacts* - A complete Traffic and Parking Study conducted by JMC and reviewed by the Planning Board support the lower traffic impacts and parking demand of assisted living facilities. Typically, residents do not have cars (other than the rare exception). Visitor traffic volumes are typically low, approximately not more than 5 at any given time.
- *Parking Demand* - JMC reviewed Sunrise facilities in the New York Metro Area which ranged in size from 76 units to 90 units with parking ratios of 0.44 to 0.60 spaces per unit. The parking ratio at Sunrise at Tarrytown would be 0.64 spaces per unit. Based on the above as well as ITE recommendations, the proposed 54 parking spaces for the proposed Senior Living Community would readily accommodate the projected parking demand based on Sunrise's actual experiences at its other communities. In addition, the proposed 54 parking spaces exceeds ITE recommendations for Assisted Living uses by 20 spaces at its peak utilization.
- *Emergency Medical Services* - Sunrise will contract with a private ambulance provider to assist with emergency calls. The service provides emergency transportation as well as routine medical transportation as needed. Sunrise will have a nurse on call 24 hours a day to handle resident emergencies/questions/concerns. There is typically an average of 2-3 calls per week, with the majority of calls in the daytime. The use of private ambulance provider will eliminate or

significantly minimize the need for calls to the Villages EMS services (TVAC).

- *Positive Fiscal Impact* – The site currently generates approximately \$120,000 annually in tax revenues for the Village and other taxing jurisdictions. Future taxes once the property is developed with the Project are estimated to be approximately \$425,000 annually. It is estimated that the Village would receive approximately \$102,000 annually while the Tarrytown School District would receive \$270,000 annually. The Town/County would receive approximately \$53,000 annually. The project will not generate school children. Trash and recycling from the project are to be collected by private carters. There is an overall beneficial fiscal impact since new tax revenue will be generated by the project and services required will be minimal.
- *Sunrise Reduced Rental Program* - Based on the Ambassador experience in Scarsdale, a similar assisted living and memory care facility to Sunrise, Sunrise has developed a Reduced Rental program to rent four assisted living units at a reduced rate that is 20% below the full rental rates and available for households at 60% to 80% of County Area Median Income (AMI). The rental price does not just cover housing but also essential daily supportive services including cable/internet, food (3 meals/day + snacks, laundry/housekeeping, transportation, activities/exercise classes, and staff support.
- *Green Technology* - The Sunrise Project will be designed and built to be LEED certifiable, reaching an equivalent of "LEED Certified" Standard. It will incorporate green systems and technologies, such as: adaptive reuse and incorporation of existing building structure into new building design, stormwater quality enhancement, energy efficient design and operations, maximize use of natural lighting instead of artificial lighting, environmentally friendly building materials, implementation of enhanced indoor air quality strategies, and low flow plumbing fixtures, *Energy Star Certification*, among others.
- *Recreation Fees* – In recognition of the extent of on-site recreation amenities available to both assisted living and memory care residents provided by Sunrise, the Planning Board finds it appropriate to reduce the recreation fee to 20 percent of the current \$10,300 recreation fee (\$2,060 per unit). This fee would be applied to the facility's 53 assisted living units and 32 memory care units. At current rates, it is estimated that the recreation fee to be paid by Sunrise would be \$131,840 to be paid into the Village Recreation Fund prior to the issuance of a building permit.

