

DRAFT

Village of Tarrytown Resident Non-motorized Boat, Canoe and Kayak Use Policy for the Tarrytown Lakes

Rules for Obtaining Kayak and Canoe Permits

1. You must be a resident of the Village of Tarrytown, and show two forms of proof of residency – driver's license, tax bill, water bill, utility bill, etc.
2. You will need to obtain an annual pass to put any type of boat in the waters of Tarrytown Lakes. The fee shall be determined by the Board of Trustees.
3. All boats, canoes and kayaks must be non-motorized. Oars must be of a type that can float if dropped into the water.
4. Minimum age is 16 years of age accompanied by an adult, or 18 years of age, with proof by two forms of identification, one of which must be a photo-ID such as a passport or driver's license.
5. Permits are available from the Recreation Department at 238 West Main Street, or the Treasurer's Office at 1 Depot Plaza during normal office hours of 8:30 a.m. to 4:30 p.m.
6. You must submit a signed and notarized waiver stating you know how to swim and understand that you are entering the water at your own risk, and the use of the lake for boating, canoeing or kayaking is unattended.
7. You agree that that you can safely operate the boat, canoe or kayak, and will wear a personal flotation device (PFD) aka life jacket at all times on the water.
8. The sticker you'll get when you pick up your permit must be affixed directly onto your boat, and once it's there, it's on good.
9. You must bring your Personal Flotation Device (PFD) to either the Recreation Department or Village Hall and show that you are able to use it correctly.

Rules On the Water:

1. No Lifeguards are posted. You boat, canoe or kayak at your own risk.
2. Appropriate PFDs/life-jackets must be worn at all times. Helmets are recommended.
3. You are not allowed to get out of your boat once on the water: no swimming, no climbing, walking, sitting or standing on the water system structures, no diving.
4. No rolling of kayaks.
5. No alcohol or other illegal drugs are allowed, and persons found to be under the influence of alcohol or drugs will have their boating privileges revoked.
6. There is a no smoking policy in Village Parks applicable in all Village Parks, including while kayaking.
7. The water area closes at dusk.
8. Never enter the water under the influence of drugs or alcohol.
9. Dogs or other pets or animals may not be taken in the boats, canoes or kayaks.
10. Fishing is allowed by Residents who have valid Resident Fishing Permits.
11. Either you as a responsible adult, or a parent or legal guardian of a child age 16 years or older must sign a waiver and release stating that you will be boating, canoeing and kayaking on the Tarrytown Lakes of your own free will, accept full responsibility for yourself and those under your care, and release the Village from all claims and liability for your boating on the Tarrytown Lakes.

Rules for using non-motorized Boat, Canoe and Kayak (watercraft) in the Tarrytown Lakes

1. All watercraft to be used in the Tarrytown Lakes must have an annual permit issued by the village, to be permanently affixed to the right side of the bow of the watercraft. The fee shall be determined by the Board of Trustees.
2. Permits are only available to residents of the Village of Tarrytown. In order to obtain a permit, you must present two forms of proof of residency – driver's license, tax bill, water bill, utility bill, etc. Residents may not obtain permits for non-residents.
3. All watercraft must be non-motorized, must have a rigid or high-pressure floor, and must be able to launched by hand. Stand-up paddle boards are not allowed. Oars must be of a type that can float if dropped into the water.
4. Minors age 12(?) -17 may operate a watercraft in the Tarrytown Lakes, only if accompanied by an adult. Minors must obtain a license, obtainable from the Recreation Department with proof established by two forms of identification, one of which must be a photo-ID such as a passport or driver's license.
5. Permits and licenses are available from the Recreation Department at 238 West Main Street, or the Treasurer's Office at 1 Depot Plaza during normal office hours of 8:30 a.m. to 4:30 p.m.
6. In order to obtain a permit and/or license for a minor, you must submit a signed and notarized waiver stating that:
 - a) you (and/or the minor) know how to swim
 - b) you understand that the use of the lake for boating, canoeing or kayaking is unattended
 - c) you understand that you are boating at your own risk the Tarrytown Lakes of your own free will, accept full responsibility for yourself and those under your care, and release the Village from all claims and liability for your boating on the Tarrytown Lakes
 - d) you can safely operate the boat, canoe or kayak
 - e) you own a US Coast Guard approved personal flotation device (PFD) and are able to use it correctly
 - f) that you understand and agree to follow all of the rules for operating watercraft on the Tarrytown Lakes as follows (and which will be attached to the waiver)
 - i. All boaters must wear a USCG approved personal flotation device (PFD) at all times on the water
 - ii. Swimming in the lakes and entering the water for any reason other than to launch your watercraft is strictly prohibited
 - iii. Rolling of kayaks is prohibited
 - iv. No alcohol or illegal drugs are allowed and person found under the influence of alcohol or drugs will have their boating privileges revoked for a minimum of 1 year
 - v. No smoking is allowed in Village parks, including while boating on the Tarrytown Lakes
 - vi. The water area opens 30 minutes prior to sunup and closes 30 minutes after sundown
 - vii. No pets are allowed in watercraft
 - viii. Fishing is allowed only with a valid Resident Fishing Permit
 - ix. Rowdy behavior is prohibited
 - x. Watercraft may only be launched or removed from the designated area
 - xi. Launching of watercraft by trailer is prohibited

7. If any of the rules for boating on the Tarrytown Lakes are violated, a permit and/or license may be revoked at the discretion of the Village Administrator or his designee.
8. Unauthorized boating on the Tarrytown Lakes will result in a fine of \$xxx

Kathy Deufemia

From: Richard Slingerland
Sent: Monday, July 03, 2017 11:30 AM
To: Kathy Deufemia
Subject: List of CFA Grants for discussion with the Board
Attachments: Project Tracking.xlsx

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

From: Brady, William [<mailto:wbb4@westchestergov.com>]
Sent: Thursday, June 29, 2017 5:07 PM
To: Richard Slingerland <rslingerland@tarrytowngov.com>; David Aukland-External <aukland1@verizon.net>
Subject: Monday, 9 a.m. meeting - agenda

David and Rich: here is a quick agenda for our Monday 9 a.m. meeting - I'm out of here at 5:00 today and I'm off Friday, so I won't see any more before our meeting and any edits can be brought to the meeting on Monday. Also attached is my weekly project tracking spreadsheet). Thanks guys!

Bill

1. Volunteer discussion (see David's previous note)
2. Grants: status of drafting applications
 - a. Three Access Enhancements:
 - i. Wayfinding - Bill to help draft scope, arrange call next week with App developer
 - ii. Streetscapes and
 - iii. Sleepy Hollow connector - Bill and Rich to work with Dan , David and Joan on scoping of various segments.
 - b. Eastview Pump Station
 - c. Parking Study
 - d. Others – Trails?
3. WXY voucher – to be submitted soon
4. Board briefings – Bill to draft Fact Sheet/Handout
 - a. BOT, PB ARB set
 - b. TEAC – David following up?
 - c. ZBA – **Bill still to call Sally Lawrence**
5. Steering Committee of July 10– Location TBD
6. Others...

TARRYTOWN POLICE DEPARTMENT
OFFICE MEMORANDUM

DATE: July 6, 2017
TO: Rich Slingerland
FROM: Chief John Barbelet

SUBJECT: No Parking Restriction on Benedict Avenue (west of Grove St.)

Per your request the following wording may be used for legislation in the Village Code with regard to the creation of a parking restriction on Benedict Avenue. I checked the Village Code and could not find any legislation pertaining to this area so in essence this will be new legislation even though there is a sign currently in place. Currently the sign is just over 75 feet from the southwest corner of Grove and Benedict. By adding this legislation you will still maintain a line of sight for vehicles exiting Grove St and also create at least one additional parking spot.

Section 291-77. Schedule XII: Parking Prohibited at All Times

Name of Street,etc.	Side	Location
BENEDICT AVE	SOUTH	FROM GROVE ST WESTERLY FOR A DISTANCE OF 50 FT

Village of Tarrytown – Tree Permit: Information & Application

Part I: Background Information, Preparing to Apply for a Permit:

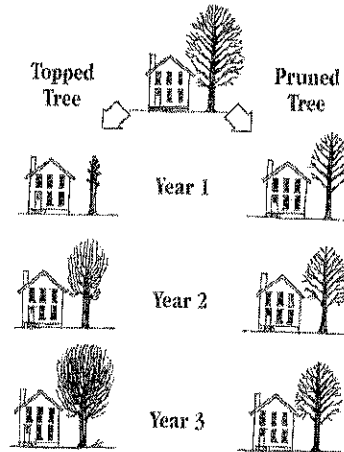
- There is no permit **until the application is approved by the Village DPW.**
- No work may be performed before a tree permit is granted.
- **An approved Tree Permit is required for all work on trees**, including removal of trees protected by the Village Code, or substantial pruning.
- Work must be carried out by a **Green Contractor** (definition below) registered with the Village DPW.
- **To fill out the form correctly, please:**
 - Answer all questions (NA if not applicable).
 - Print or write CLEARLY. The information is used.
 - Indicate work proposed specifically and accurately, *i.e.*, removal of damaged portions, root pruning, thinning, peek-a-boo pruning, new planting, removal of tree, other specified.
 - Give species name in English and Latin (if known), height of trees in feet, tree diameter (54" above ground, DBH - diameter at breast height) in inches.
 - Photographs can help explain an application, for instance for a dead tree, for a damaged limb, or to show proposed peek-a-boo pruning.

• DEFINITIONS

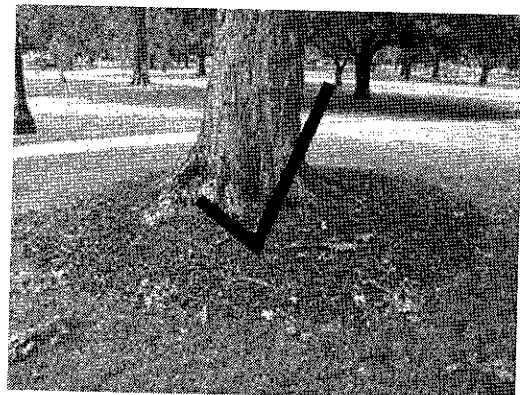
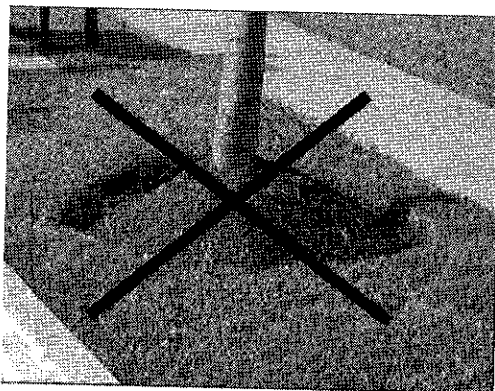
- **Topping:** inappropriate pruning technique to reduce tree size. Cutting back a tree to a predetermined crown limit. **No tree topping is permitted in Tarrytown.**
- **Pruning:** removal of carefully selected, limited numbers of tree branches, chosen in order to improve structure, to clean, to reduce, to restore, to thin, or *via* peek-a-boos, to enhance views. No more than 25% is removed.
- **Peek-a-boo pruning:** branches are thinned out enough that the trunk and main branches are visible through leaves; no more than 25% is removed.
- **Thinning:** the selective removal of trees, primarily undertaken to improve the growth rate or health of the remaining trees.
- **Diameter at breast height (DBH)** – the diameter of a tree measured at 54 inches above the ground surface.
- **Green Contractor** – landscape contractor who has agreed to value environmental and ecologic principles in their work.

- CARE OF TREES

- **No topping of trees is permitted in Tarrytown.** Topping kills; pruning can help.



- **Do not build soil “volcanoes”** at the base of trees. This asphyxiates roots, forces tree to build new roots, and is harmful to the tree. Leave the natural curve of the trunk visible.



- **Do not put heavy weight over roots.** This damages roots, as the entire tree receives less nourishment. The tree can die as a result.
- **Water appropriately** if necessary, especially for newly planted trees.
- **Be not too neat!** Leave leaves and downed trees to nourish the soil, and as a food source and habitat for small mammals and birds.
- **Think native!** Native trees provide uniquely effective food sources & habitat for *insects, birds, butterflies, bees, mammals, amphibians*. These in turn pollinate, plant, nurture, contribute to food supply, and enhance the cycle of life.
- **Dig Safe NY.** Dig Safe NY (Call Before You Dig: Dig Safely New York at 811 or 1-800-962-7962; <http://www.digsafelynewyork.com/>) must be called prior to any excavation.

Village of Tarrytown – Tree Permit: Information & Application

Part II: APPLICATION:

SECTION 1 – APPLICANT INFORMATION

OWNER'S NAME _____ TEL. NO. _____

ADDRESS _____

MAILING ADDRESS _____ CITY _____

ZIP CODE _____ EMAIL _____

GREEN CONTRACTOR NAME _____

TEL. NO. _____

GREEN CONTRACTOR ADDRESS _____

ZIP CODE _____

GREEN CONTRACTOR LICENSE OR CERTIFICATION # (STATE OR COUNTY) _____

SECTION 2 – PROPOSED TREE WORK

TYPE OF WORK PROPOSED: (Please check appropriate box) * See definitions on information page

☐ Pruning (removal of damaged/diseased portions)* ☐ Thinning* ☐ Peek-a-boos* ☐ Root pruning ☐ Tree Removal (see Section 4) ☐ Other (please specify): _____

SECTION 3 – TREE INVOLVED**

TREE SPECIES _____ LOCATION OF TREE ON PROPERTY _____

TREE DIAMETER MEASURED 54" ABOVE GROUND (DBH [inches]) _____ TREE HEIGHT (feet) _____

(**TREE MUST BE MARKED PRIOR TO REVIEW BY THE TREE WARDEN)

PURPOSE FOR REMOVAL (CHECK ONE):

☐ TREE IS DEAD ☐ TREE IS DISEASED (specify) _____

☐ OTHER (specify) _____

Location of Disposal of Plant Material (specify) _____

The Village of Tarrytown is not liable for selection of the final destination of wood material. Please see NYS regulatory information at the following website: < <http://www.dontmovefirewood.org/the-problem/state-state-information/new-york.html> >

SECTION 4 – TREE PLANTING

Tarrytown encourages enhancement of its green canopy. Tall shade trees, especially natives, are needed. How will you help with new plantings? What tree(s) do you expect to plant?

SECTION 5 – AGREEMENT

It would be helpful if a representative photograph of the tree be provided prior the start of any tree-related activities proposed in this application. The Village of Tarrytown may, at its discretion, require additional documentation in support of this application.

☐ I certify that I have read and understood the information on pages 1 and 2 included with this application packet.

☐ I agree to abide by the terms and conditions of this application and any permit, if granted, and the Rules and Regulations of the Village of Tarrytown Tree Ordinance Chapter 281.

Applicant's Signature (Property owner or head of organization filling out this form)

_____ Date ____/____/____

Green Contractor's Signature (if not property owner)

_____ Date ____/____/____

Please submit this application to the Village of Tarrytown Department of Public Works, 4 Division Street, Tarrytown, NY 10591.

For Village of Tarrytown Office Use Only

☐ APPROVED (PERMIT # _____) ☐ DISAPPROVED _____ (SEE COMMENTS BELOW)
DATE ____/____/____

COMMENTS _____

SIGNATURE OF TREE WARDEN and/or DPW Representative:

Kathy Deufemia

From: Richard Slingerland
Sent: Wednesday, July 05, 2017 10:42 AM
To: Kathy Deufemia
Subject: FW: Solar for Tarrytown

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

From: Nick Walsh [mailto:nwalsh@tesla.com]
Sent: Tuesday, June 27, 2017 2:23 PM
To: Dan Pennella <DPennella@tarrytowngov.com>; Richard Slingerland <rslingerland@tarrytowngov.com>
Subject: RE: Solar for Tarrytown

Good afternoon Dan,

We would need 5 acres as a minimum, which would equate to about 1MW of solar. The solar capacity would cap out at 2.5 MW, which would require about 12 acres. So anywhere from 5-12 acres – ideally flat, dry, clear, near three phase power. We can lease land if necessary, but that obviously negatively effects the economics for Tarrytown. Let me know how I can assist.

Nick Walsh | Project Development Manager

c 973.960.2271 | e nwalsh@tesla.com

TESLA

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Please consider the environment before printing this email.

From: Dan Pennella [mailto:DPennella@tarrytowngov.com]
Sent: Tuesday, June 27, 2017 1:08 PM
To: Nick Walsh; Richard Slingerland
Subject: RE: Solar for Tarrytown

Nick, I had not given much thought to the area needed but based on your plan, $15 + 6.5$ acres = 21.5 acres of clearing is required. If we plan on removing 21.5 acres of wooded area including wildlife we will be faced with a lot of opposition so, I don't think we want to go that route. What is the minimum area needed so I can provide you with alternate sites?

Dan

Donato R. Pennella, P.E.
Village Engineer/Building Inspector
One Depot Plaza
Tarrytown, N.Y. 10595
p.(914) 631-3668
f.(914) 631-1571
e. dpennella@tarrytowngov.com

From: Nick Walsh [<mailto:nwalsh@tesla.com>]
Sent: Tuesday, June 27, 2017 10:15 AM
To: Richard Slingerland
Cc: Christian DiPalermo; Dan Pennella
Subject: RE: Solar for Tarrytown

Good morning Rich and Dan,

Were you able to review the sites I recommended in my previous email? Are they available for exploration of this solar opportunity or should we look elsewhere?

Nick Walsh | Project Development Manager
c 973.960.2271 | e nwalsh@tesla.com

TESLA

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Please consider the environment before printing this email.

From: Richard Slingerland [<mailto:rslingerland@tarrytowngov.com>]
Sent: Tuesday, June 20, 2017 6:48 PM
To: Nick Walsh
Cc: Christian DiPalermo; Dan Pennella
Subject: RE: Solar for Tarrytown

Nick:

Thank you for sending this along.

Based on my read of the land, I am not sure the land you targeted is still open and unused. The area in question may be the site of a ballfield/soccer field.

Let me check with Dan Pennella on Thursday (he's out Wednesday) and we'll get back to you.

Rich

Richard Slingerland
Village Administrator
Village of Tarrytown
One Depot Plaza
Tarrytown, New York 10591
914-631-1785
Cell: 914-703-0875
fax: 914-909-1208
e-mail: rslingerland@tarrytowngov.com

From: Nick Walsh [<mailto:nwalsh@tesla.com>]
Sent: Tuesday, June 20, 2017 12:22 PM
To: Richard Slingerland <rslingerland@tarrytowngov.com>
Cc: Christian DiPalermo <christian@cddstrategies.com>
Subject: Solar for Tarrytown

Good afternoon Rich,

I have spent some time reviewing all the parcels which the Village has control of to sort for the best site(s) for solar, and it appears that the parcels along Neperan Rd near the pumping station offer the most usable space and do not encroach on residential areas too much. I cross referenced wetlands and floodplain mapping and these areas look clear. My remaining initial concerns are sloping and tree clearing. However if those two parameters check out this may be an ideal location for the solar project we discussed. -- Would these parcels be available if the parameters of this solar project met your goals?



CONTRACT NUMBER C-PL-17-444

THIS INTERMUNICIPAL AGREEMENT, dated _____, 2017
by and between,

THE VILLAGE OF TARRYTOWN, a municipal corporation of the State of New York, having an office and place of business at One Depot Plaza, Tarrytown, New York 10591 (the "Municipality"), and

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601, ("County"), acting by and through its Department of Planning ("Planning")

(hereinafter collectively referred to as the "Parties").

WITNESSETH:

WHEREAS, The Municipality and the County wish to work cooperatively on the updates to the Village of Tarrytown Comprehensive Plan and Zoning Code (the "Project"); and

WHEREAS, Planning agrees to provide assistance in managing the Project process; and

WHEREAS, the Municipality agrees to reimburse the County for its work in managing the Project process; and

WHEREAS, the County agrees to provide such managing services upon the terms described below; and

NOW, THEREFORE, in consideration of the promises and the mutual obligations of the Parties hereto, the Parties agree as follows:

I. COUNTY RESPONSIBILITIES:

The County agrees to provide management and oversight services as more particularly described in Appendix A of this agreement to assist the Municipality in completing the Project. These services shall be performed by an Associate Planner from Planning on an "as needed" basis, subject to the Associate Planner's reasonable availability.

II. MUNICIPALITY RESPONSIBILITIES:

- A. The Municipality hereby acknowledges and agrees that it shall pay the County an amount not to exceed fifty thousand (\$50,000.00) Dollars to be billed at the agreed upon hourly rate of fifty (\$50.00) Dollars. The County shall bill the Municipality, at a minimum, on a quarterly basis.
- B. The Municipality shall, at its sole cost and expense, comply with all Federal, State and local laws, regulations and ordinances applicable to the Municipality, its officials, officers, and employees, and with respect to the grant funds, the Municipality shall comply with all applicable laws, rules, regulations and provisions.
- C. The Municipality shall indemnify and hold harmless Westchester, its elected officials, employees, and/or contractors for any and all claims, actions, damages, and costs resulting from the Project, the Municipality's performance hereunder and/or any acts taken by the Municipality in fulfillment or attempted fulfillment of the provisions of this IMA to the extent that they are not caused by intentional, negligent or reckless acts of the County, its elected officials, its employees or contractors. The Municipality shall supply such insurance as may be satisfactory to the County's Department of Risk Management (Schedule "B").

III. TERM:

- A. This IMA shall commence on June 1, 2017 and terminate on May 31, 2019.

IV. AGREEMENT:

- A. This IMA contains the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior understandings, if any, with respect thereto. This IMA may not be modified, changed or supplemented except by written instrument signed by the Parties hereto, subject to all necessary legal approvals.
- B. The provisions of this IMA are severable and if any term, condition or other portion thereof is held invalid, the remaining portion of the IMA shall be given full force and effect.
- C. Municipality and County acknowledge and agree that the other maintains a zero tolerance policy prohibiting all forms of harassment or discrimination against its employees by co-workers, supervisors, vendors, contractors, or others.
- D. Neither the Municipality nor the County shall make any assignment of this IMA without the prior written consent of the other. Any assignment or attempt to assign, without the prior written consent of the Parties hereto shall be void.
- E. This IMA shall be construed, interpreted and enforced in accordance with the applicable laws of the State of New York.
- F. Pursuant to Section 308.01 of the Laws of Westchester County, it is the goal of the County to use its best efforts to encourage, promote and increase the participation of business

enterprises owned and controlled by persons of color or women in contracts and projects funded by all departments of the County. Under this IMA it is recognized and understood that the County encourages the Municipality to do similarly.

G. (a) Either Party, upon thirty (30) days' notice to the other, may terminate this Agreement in whole or in part when the Party deems it to be in its best interest. In such event, the County shall be compensated and the Municipality shall be liable only for payment for services already rendered under this Agreement prior to the effective date of termination at the rates specified in this Agreement. Upon receipt of notice that either Party is terminating this Agreement in its best interests, the County shall stop work immediately and incur no further costs in furtherance of this Agreement without the express approval of the Municipality,

(b) In the event of a dispute as to the value of the Work rendered by the County prior to the date of termination, it is understood and agreed that the Municipality shall provide to the County the value of Work or the specific Work that is in dispute and the Municipality and County shall meet to discuss such matters in dispute. The parties shall make every effort to negotiate the dispute and agree upon the value. In the event that the parties cannot agree upon the value of such Work rendered by the County, the County shall determine the value and the Municipality shall accept such reasonable and good faith determination as final.

H. The recitals contained in the above WHEREAS Clauses are deemed incorporated herein.

I. This IMA shall not be enforceable until executed by both parties and approved by the Office of the Westchester County Attorney.

V. NOTICES:

Unless otherwise stated herein, all notices of any nature referred to in this Agreement shall be in writing and hand delivered, or delivered by a nationally recognized

overnight delivery service or sent by registered or certified mail, postage pre-paid, to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing:

To the County of Westchester:

Commissioner of Planning
148 Martine Avenue, Room 432
White Plains, New York 10601

With a copy to:

County Attorney
148 Martine Avenue, Room 600
White Plains, New York 10601

To the Village of Tarrytown:

Village Administrator
Village Hall
One Depot Plaza
Tarrytown, New York 10591

Notice is deemed given when notice is actually received.

Any changes or additions to the designation made in this Paragraph (V) by either party shall be made in writing and delivered to the other party as soon as reasonably practicable.

[NO FURTHER TEXT THIS PAGE.]

Kathy Deufemia

From: Richard Slingerland
Sent: Thursday, July 06, 2017 5:33 PM
To: Kathy Deufemia
Subject: Fwd: Sustainable Westchester EV Discount Program

Let's put this on the Work Session too

Sent from my iPhone

Begin forwarded message:

From: Dean Gallea <d.gallea@ieee.org>
Date: July 6, 2017 at 1:32:05 PM EDT
To: Drew Fixell <drew.fixell@gmail.com>, 'Richard Slingerland' <rslingerland@tarrytowngov.com>
Cc: Rachel Tieger <savvypalates@optonline.net>
Subject: FW: Sustainable Westchester EV Discount Program

See below. This is a sweet deal, while it lasts! A Nissan Leaf for less than half the \$30k MSRP. Maybe discuss and if you agree, find a way to let residents know.

-- Dean

From: Bob Elliott [<mailto:belliott@sustainablewestchester.org>]
Sent: Thursday, July 6, 2017 12:27 PM
To: Dean Gallea <d.gallea@ieee.org>
Subject: Sustainable Westchester EV Discount Program

To: Sustainable Westchester Mayors/Supervisors/Administrators

CC: Municipal Board and Councilmembers, Clerks

Great news from the Sustainable Westchester Clean Transportation Project!

We were able to obtain a \$10,000 discount on a new 2017 Nissan Leaf for ALL of your residents and businesses, and any students or employees of Westchester colleges.

As of this writing there are about 400 vehicles left in the state available for our program, so we hope you can alert your constituents of this limited opportunity as soon as convenient. We'll also getting the word out through our list and partners.

Here's a an email draft for this purpose:

DRAFT

"The [City/Town/Village] of [MUNICIPALITY NAME], as a member of Sustainable Westchester, is delighted to announce an energy-saving and cost saving program.

Sustainable Westchester, through its electric vehicle consultant, EarthKind Energy, has secured a special offer for a \$10,000 discount on the 2017 all-electric Nissan Leaf.

The program is available to all constituents who live, work, or do business in Sustainable Westchester communities, including students or employees of Westchester colleges who live outside the county.

Combined with state and Federal tax credits, the total discount comes to over \$19,000.

\$10,000 off MSRP* (Sustainable Westchester discount)
+\$1,700 New York State rebate
+\$7,500 Federal Tax Credit
= \$19,200 Total discount on a NEW 2017 Nissan Leaf

How to participate:

- 1) Go to <http://sustainablewestchester.org/initiatives-toolkits/electric-vehicles/>, fill out the simple form, and download the flyer.
- 2) Bring the flyer and a copy of your utility bill and take it to NISSAN NEW ROCHELLE, at 2533 Palmer Ave, New Rochelle NY 10801. Ask to speak with Roland (dealership: 914-576-7600; or cell: 914-882-3507)
- 3) Use FLEET CERTIFICATION CODE: G66970

The 2017 Leaf gets 107 miles per charge (good for 90% of most commuter & local travel) - and includes 2 years of free charging.

The all-electric Leaf lets you skip gas stations and periodic oil or transmission fluid changes. It comes with an year, 100,000 mile battery warranty, and of course you will have the satisfaction of driving a clean, zero emissions vehicle.

The program ends when the remaining ~400 Leafs in the state are sold.

If you have any questions, contact Ron Kamen @ 845-266-3723. Ron@EarthKindEnergy.com.

Or call Sustainable Westchester at (914) 242-4725.

More about electric vehicles:

How much money can you save with an Electric Vehicle? Click on this link:
<https://www.nissanusa.com/leaf-electric-car/savings-calculator>

To see how "The Future is Electric" - watch "The Fuel Station of the Future": <https://www.youtube.com/watch?v=zLs7YOjC2mE>

END DRAFT

Regards,



Bob Elliot
Interim Executive Director



55 Maple Avenue
Mt. Kisco, NY 10549
United States

(914) 242-4725



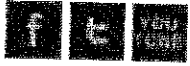
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Nick Walsh | Project Development Manager

c 973.960.2271 | e nwalsh@tesla.com

TESLA

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Local Law Number __ of 2017

A local law to amend Tarrytown
Village Code Chapter 221 entitled
Parks and Recreation Areas to
prohibit loud music and other similar
acts.

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 ~~strike through to be~~
~~deleted~~):

Section 1. A new Section 221-10 entitled Playing of Loud Music and/or using Sound Amplification Devices is enacted:

§ 221-10. Playing of Loud Music and/or using Sound Amplification Devices.

No person shall use a radio, music amplifier or other sound amplification device, except for authorized Village-sponsored events (for example village-sponsored summer music concerts), in any park, ball field or playground located within the Village. Park shall be defined as any public property owned by the Village of Tarrytown and designated primarily for use and recreation.

Section 2. Current Chapter 221-10 is re-numbered to be Chapter 221-11 and current Chapter 221-11 is re-numbered to be Chapter 221-12.

Section 3: 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 4: Effective Date

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

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ZARIN &
STEINMETZ

July 6, 2017

Via Hand Delivery

Mayor Drew Fixell and the
Honorable Members of the Board of Trustees
Village Offices
One Depot Plaza
Tarrytown, NY 10591

Re: 200 White Plains Road, Tarrytown, NY 10591

Dear Mayor Fixell and Members of the Board of Trustees:

This firm represents NRP Properties LLC ("NRP"), a national real estate developer, performing its due diligence in connection with it recently entering into a contract to purchase 200 White Plains Road, Tarrytown, NY 10591, SBL 1.201-122-4 (the "Property"). The Property is located in the approximately 55 acre Tarrytown Mixed Use Zoning District (the "MU Zone").

In January and June of 2017, respectively, members of our Team met with various representatives of the Village to discuss the Project in light of the pending Contract of Sale. At the most recent meeting in June, due to the constrained due diligence period, Mr. Slingerland suggested we write to your Board to describe the Project, and to seek your guidance at your upcoming Work Session.

NRP would appreciate your feedback on the following threshold questions critical to the potential viability of the Project:

1. Would the Board of Trustees look favorably upon a zoning text amendment altering the requirement that 40% of the gross floor area of the overall MU Zone be office space?
2. Would the Board of Trustees look favorably upon a zoning text amendment, which modifies the procedure for obtaining approvals in the MU Zone as described below?
3. Would any potential variances for coverage or other bulk requirements negatively affect your Board's opinion of the Project?

David J. Cooper
Jody T. Cross •
Katelyn E. Ciolino •
Michael J. Cunningham •
Marsha Rubin Goldstein
Helen Collier Mauch •
Zachary R. Mintz •
Daniel M. Richmond
Kate Roberts
Brad K. Schwartz
Lisa B. Smith •
David S. Steinmetz •
Edward P. Teyber
Michael D. Zarin

• Also admitted in D.C.
• Also admitted in CT
• Also admitted in NJ

NRP understands that the requested feedback herein would in no way bind or commit your Board to any particular outcome or result. It would merely assist NRP in assessing, as part of its due diligence, whether to proceed regarding the Contract of Sale, and the Project in general.

NRP Is A Nationally Recognized Developer

NRP is a national real estate developer, which currently owns and manages approximately 20,000 multifamily residential units nationwide. NRP has an expertise in mixed-use development of both market rate luxury and, when appropriate, affordable housing. NRP is a privately held company with integrated development, construction, and property management companies. In 2016, NRP broke ground on over 3,000 residential apartments nationwide. NRP was recognized as one of the top ten (10) most productive developers in the country. It is known for creative and high-quality neighborhood design and amenities, and long-term ownership and holding of its assets. NRP's brochure is annexed as Exhibit "A."

Proposed Project

NRP entered into a Contract of Sale with H'Y2 Talleyrand, LLC (the "Seller" or "Keystone") on June 27, 2017. Keystone owns the two office buildings in the MU Zone. They are both approximately 50% occupied, and Keystone would sell one building, and seek to consolidate its office uses in the remaining building that it would retain ownership of.

NRP is proposing to build approximately 200 high-end, residential rental units, including the required affordable units, on the purchased 5 +/- acre Property (the "Project"). The current office structure on the site would be demolished. A preliminary site plan rendering of the Project is annexed hereto as Exhibit "B." The Project would include high-end, luxury design, common amenities such as a recreational clubhouse and pool area, and a parking garage. The target renters would be mostly millennials, young professionals, and empty nesters. The development known as "The Vue" (annexed hereto as Exhibit "C") is illustrative of the general product and architecture that NRP is contemplating for the Tarrytown Project, though the building will be tailored to the local area in partnership with a locally based architect.

NRP understands and is willing to provide the requisite 10% of affordable units as provided under Section 305-130(D) of the Village of Tarrytown's Village Code (the "Village Code"). It would be interested in further discussions with your Board about a potential density bonus for providing additional affordable housing pursuant to Section 305-130(E) of the Village Code.

MU Zone

The Village's MU Zone was created in 1979 as a floating zone "[t]o encourage such forms of land development which will promote conservation of remaining open space in the Village and will preserve and enhance natural beauty and resources;" "[t]o permit suitable development of large parcels of land that may not be topographically or ecologically suitable for

development under current zoning;" "[t]o minimize visual impact on properties adjacent to OB Zones, especially single-family residential zones;" and "[t]o promote sound developments that will not overload Village streets or services and will also broaden the tax base in the Village." (Village Code, § 305-129(A)). It appears that the only area that was rezoned MU in the Village is the subject approximately 55 acre site. Currently on the site are two office buildings constructed in or around the late 1970s, a restaurant building, and a residential apartment complex known as Talleyrand Apartments. Talleyrand Apartments consists of approximately 300 rental apartments with private garages, extra storage areas, and playgrounds. It was constructed in or around the late 1990s.

The critical issue here is the requirement in Section 305-129(C)(6)(b) of the Village Code, requiring that a minimum of 40% of the allowable floor area in the MU Zone be for office use, and a minimum of 40% and a maximum of 55% be for residential use. It appears from the history and language of the Village Code that the approximately 55 acre MU Zone is thought of as one "lot" for the purposes of calculating the 40% office to residential floor area ratio. (See Village Code, § 305-129(C)(6)(a) & 305 Attachment 8).¹

Since the creation of the MU Zone, real estate trends have changed. Suburban office space has become increasingly difficult to develop or rent. The market is struggling. In addition, the area surrounding the Property is largely residential. The MU Zone borders, in part, on the R-7.5 and R-10 Zoning Districts. Also, the MU Zone is located across State Route 119 from the M-4 Zone and the R-7.5 Zone.

The addition of the residential units contemplated under the Project would not comply with the aforementioned 40% office to residential floor area ratio in the MU Zone. NRP estimates that the combination of the Project and the existing Talleyrand Apartments would result in residential use being approximately 70% of the gross floor area of the overall MU Zone. NRP would thus need this Board to amend the Village Code requirement that a minimum of 40% of the "lot" must be used for office space, and would allow for more than 55% of the gross floor area be for residential use. (See Village Code, § 305-129(C)(6)(b) & 305 Attachment 8).

Possible Variances Or Text Amendments

NRP would require variances or a zoning text amendment to alter the use requirements related to floor area. Although as currently planned, NRP would be significantly decreasing impervious coverage on the Property compared to what presently exists with the office building, it may still require variances or text amendments to the MU Zone for building coverage and the required number of off-street parking spaces. A table comparing the permitted, existing, and proposed conditions is shown below:

¹ The entire MU Zone was considered the "lot" pursuant to the letter dated January 25, 1985, written by Peter Q. Eschweiler, a prior Commissioner of the Westchester County Planning Department, to the Village of Tarrytown (the "1985 Planning Letter"). In addition, the MU Zone only applies to lots that are "at least 50 acres in total size." (Village Code, § 305-129(B)(2)).

	Permitted		Existing		Proposed	
	Sq. Ft.	Percentage	Sq. Ft.	Percentage	Sq. Ft.	Percentage
Building Coverage	41,691	17%	14,425	5.9%	69,671	28.4%
Parking and Drives	80,930	33%	155,291	63.3%	45,344	18.5%
Impervious Coverage	110,359	45%	169,716	69.2%	115,015	46.9%

As you can see from the table, the footprint space dedicated to parking and drives would be decreased.

Potentially Outdated Procedures

Finally, the current review and approval procedures for development in the MU Zone appear outdated and redundant. For a review of a project in the MU Zone, it appears that an applicant must first obtain a Compatible Use permit from the Board of Trustees. (See Village Code, §§ 305-35(C) & 305-129(C)(1)(a)). The applicant must provide an application for a compatible use permit (including a site plan) to the Board of Trustees, and first comply with SEQRA. The Board of Trustees would then be required to hold one or more public hearings, and then it must find that the use complies with the criteria in Section 305-120 of the Village Code presumably before the applicant can proceed to the Planning Board. This procedure seems to be a holdover from the initial proposal to develop the entire MU Zone as a planned development area.

After the Board of Trustees completes its proceedings, the applicant must essentially follow the same procedure with the Planning Board, including submitting a General Development Plan ("GDP") to the Planning Board for approval, and thereafter go through a full Site Plan review. (Village Code, § 305-129(D) and (E)).² The Planning Board's two-step process appears to be redundant and unnecessary with its own and the Board of Trustees' Compatibility Finding. Section 305, Attachment 1 to the Code supposedly contains a Flow Chart of the process, which does not even mention the Compatibility Finding by the Board of Trustees. Once again, the GDP review process, Site Plan review, and the Compatible Use Permit review seem to be onerous and outdated. NRP would ask for this Board's support in considering a possible zoning text amendment to address the process.

NRP appreciates your Board's attention to this matter. NRP is happy to attend your Work Session to answer any questions you may have concerning the Project, and sincerely hopes to be able to bring another high-end, viable project to Tarrytown at this underutilized Property.

² Section 305-129(E) states that an applicant, "as an alternative," may submit the site plan simultaneously with the GDP. However, the Village Code does not state when this "alternative" is permitted. In addition, Section 305-129(E)(2) of the Village Code states that "[t]he Planning Board shall not approve any site plan unless and until it determines that the site plan is in conformity with the approved general development plan." This would imply that the GDP must be approved before the site plan can be approved. This would seem to defeat the purpose of submitting the GDP simultaneously with the site plan.

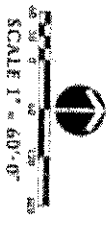
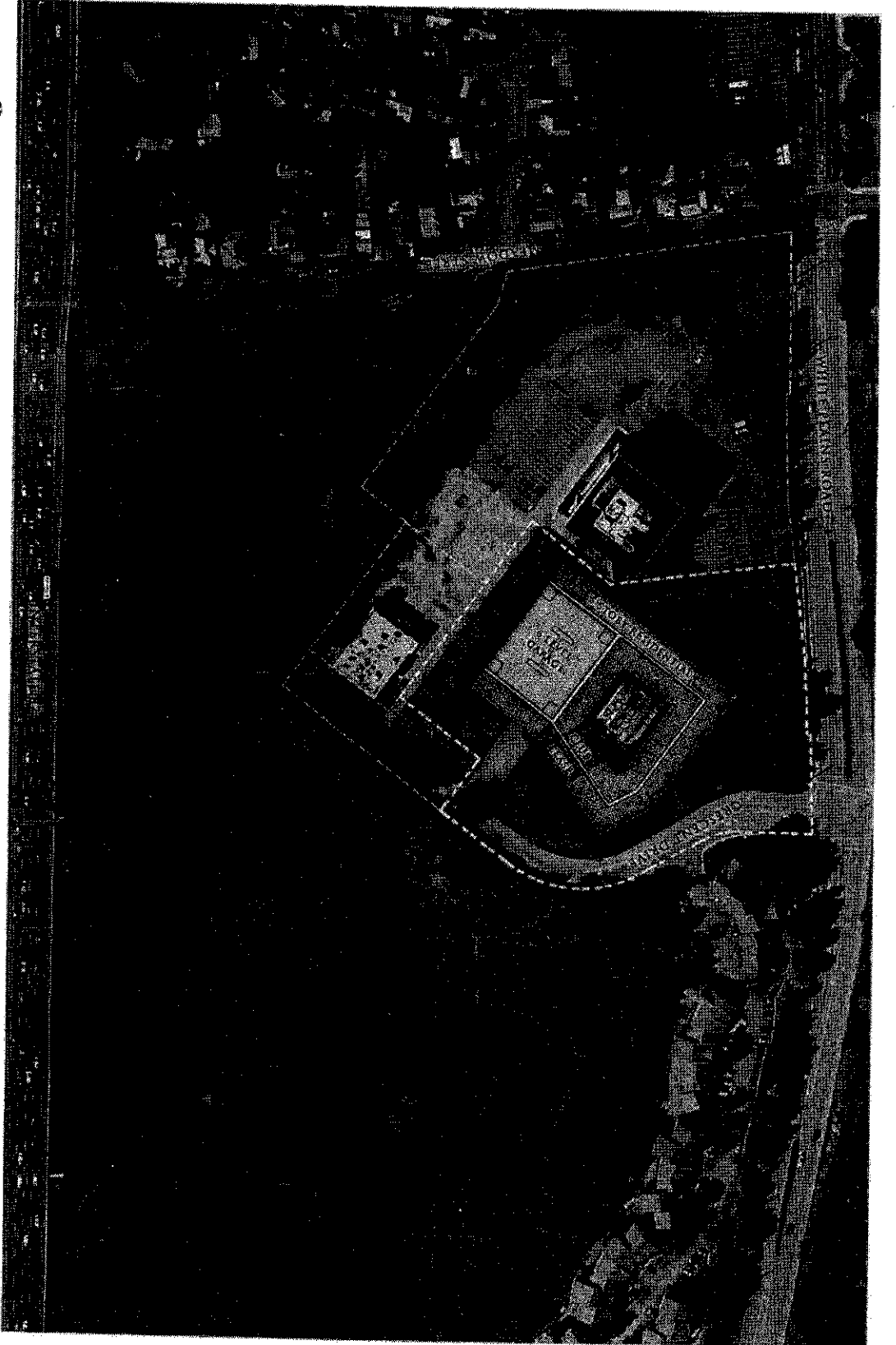
Please do not hesitate to contact me with any questions or comments.

Respectfully submitted,

ZARIN & STEINMETZ

By:  (mjl)
Michael D. Zarin

cc: Mr. Jonathan S. Gertman
Mr. Richard Slingerland
Village Administrator
Donato R. Pennella, P.E.
Village Engineer/Building Inspector
Steven M. Silverberg, Esq./ Katherine Zalantis, Esq.
Village Attorneys



TARRYTOWN
VILLAGE OF TARRYTOWN, NEW YORK
ILLUSTRATIVE SITE PLAN