

Board of Trustees
Village of Tarrytown
Regular Meeting No. 2
December 16, 2019
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Butler, Hoyt, McGovern, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Treasurer Hart; Village Attorney Kathy Zalantis and Village Clerk Booth

The meeting began with the Pledge to the Flag.

POLICE LIEUTENANT APPOINTMENT AND SWEARING IN CEREMONY

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby promote Christopher Cole to the position of Police Lieutenant effective December 30, 2019 at an annual salary of \$164,679, subject to all civil service rules and regulations.

REPORTS

Mayor Fixell noted the following:

- He thanked the Little Gardens of Tarrytown for donating two beautiful holiday wreaths that are in front of Village Hall and another wreath in front of Police Headquarters.
- The Village Board's next work session will be held on Monday, December 23, 2019 instead of Monday, December 30, 2019.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON AGENDA ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES EACH TO ADDRESS THE BOARD OF TRUSTEES

There were no speakers.

CONTINUATION OF A PUBLIC HEARING – KEEPING OF CHICKENS - Continued

Trustee McGovern moved, seconded by Trustee Rinaldi and unanimously carried, that the hearing be opened.

There were no speakers.

Trustee McGovern moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, January 6, 2020, the next regular meeting of the Board of Trustees.

CONTINUATION OF A PUBLIC HEARING – ARCHITECTURAL REVIEW BOARD REQUIREMENTS - Continued

Trustee Brown moved, seconded by Trustee McGovern and unanimously carried, that the hearing be opened.

There were no speakers.

Trustee Hoyt moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, January 6, 2020, the next regular meeting of the Board of Trustees.

PUBLIC HEARING - CHAPTER 305 ZONING – NEW ARTICLE FOR THE STATION AREA OVERLAY

Trustee Brown moved, seconded by Trustee McGovern and unanimously carried, that the hearing be opened.

Administrator Slingerland noted that this marks the first discussion at a public hearing on the proposed station area overlay zone law. This is the normal process for proposed local laws for municipalities to follow in order to seek public input and comment in order to craft laws that meets the needs and vision to its community. The speaker and presentation is for introduction, further history and background from Joan Raiselis, who is Co-Chair of the Comprehensive Plan Management Committee and then a full presentation and explanation by our Planner, George Janes, who worked with the committee, the elected officials and the Village Attorney to draft up this proposed law. Speakers are reminded, pursuant to the Board's adopted rules and procedures, that all remarks shall be addressed to the Mayor and Board of Trustees, speakers shall observe the commonly accepted rules of courtesy decorum and dignity and good taste. They shall not use foul language, display unacceptable behavior or be disruptive of the proceedings. As per the decision of the Village Board, based on the large attendance, people will have 5 minutes to speak initially, with a chance for an additional 3 minutes to speak at the end when everyone else has had the chance to speak. This public hearing will likely be continued for several more meetings into 2020, including January and February. This is starting the process for the Board to hear from the public and get the public's input and then consider what changes need to be made to meet the needs and goals of the community.

Joan Raiselis, Planning Board Member and Co-Chair of the Comprehensive Plan Management Committee, welcomed everyone to the first public comment period of the Station Area Overlay and noted that she was happy to see so many people here tonight. Our community has come out to this process publically from February 2015 until today, 16 outreach events in total. This process not only requires the opportunity for public input, but it seeks it, it reinforces our democratic system. In 2014, the Board of Trustees formed an initiative to find ways to revitalize the area around the Tarrytown Train Station. It was led by a steering committee, made up of residents, Planning Board members, volunteers and consultants. The work of the committee, which has retained a majority of its volunteer members since its inception has been documented by a report at the end of each phase, all of which were available to the public. The initial effort from 2014 resulted in the Tarrytown Station Area Strategic Plan followed shortly after in 2015 by the Tarrytown Economic Development Strategy, as the study narrowed its focus and developed more concrete understanding about what was involved, a focused outline evolved and was documented in Tarrytown Connected, a framework plan for the station area. In October of 2016, there were 4 meetings open and noticed to the public during the Comp Plan process and were thematically specific. The meeting in June of 2017, specifically discussed view shed, affordable housing and mobility. Which brought us to the re-writing of the new Comprehensive Plan, which was formally adopted in November of 2018. In the five long years since the initiative was formed, the project evolved from researching what Tarrytown would like to happen at the train station to developing the tools and guides and changes that we would like to see in that whole area. The most important of these tools was the new Village-wide Comprehensive Plan. During the research and development of this Comp Plan, the committee hosted over 15 outreach events that were available to the public. Open sessions were held at the library, at the senior center, at coffee shops, at Village Hall and informally all over the Village. The Committee spoke with seniors and students, merchants and residents, business owners and stakeholders to find out the issues and topics that were most important to our neighbors. Land Use Consultants and Advisors on the Committee met monthly to compile the information and transform it into a strategy for planning. In October of 2016, the final document of this phase, Tarrytown Connected, a framework plan for the station area, was distributed and published online. It was a direct translation of the information, comments, interviews, outreach discussions that were compiled over the previous two years. But, Tarrytown Connected needed to become more than a framework.

We needed to update our Comp Plan and adopt new zoning to implement that plan. This started with the establishment of two working groups, one for the Comp Plan and one for the zoning. The Comp Plan is our communities expression of what we aspire for our Village. The new Comp Plan is organized in schematic sections that include mobility, the built environment, community, the environment, and sustainability concepts and issues most discussed at those public outreach events. Once the Comp Plan was in place, the new proposed zoning developed based and formatted in direct relation to the guiding themes the Comp Plan incorporated. It is from this Comp Plan that the proposed zoning was developed. The Comp Plan and zoning did not happen simultaneously because the zoning breathes from the Comp Plan. Like the schematic sections in the Comp Plan, the proposed zoning is similarly structured, land use, mobility, transportation and parking, housing, neighborhood character, infrastructure, open space and sustainability and resiliency. The train station area should be connected to the downtown. It should create pedestrian activity and support the Village tax base without overwhelming the area with traffic. It should be visually and physically connected to the downtown. Infrastructure and new development should be green and resilient and any new development should be inclusive, not exclusive and accessible to everyone. The Comp Plan and the draft zoning we are hearing today tries to do this. In the end, the committee and the elected Board of Trustees tried to achieve a balance of opportunity and benefit for the entire Village.

George Janes, Project Planner, presented the following:

The Station Area Overlay would sit on top of the existing zoning only in the north-west part of the Village. It's an overlay district, which means it sits on top of the existing zoning. Underlying existing zoning will not change. The area includes Village Hall, The Metro North Station, The Boat Clubs, Parking Lots, Hudson Harbor, Parks and other commercial, industrial and residential uses. The proposed SAO is not traditional zoning. It's optional, it's not as-of-right, does not require a pre-determined building form, does not require separating uses and does not use typical zoning measures like lot coverage, units per acre, yards, floor area ratio, etc. Instead, development proposals are scored according to how they perform against a set of pre-determined criteria. Proposals that fail, cannot move forward. Development proposals are scored using the SAO Scorecard, which uses eight criteria: Land Use, Mobility & Access, Transportation & Parking, Affordable & Senior Housing, Neighborhood Character, Infrastructure, Open Space and Sustainability & Resiliency. The Scorecard is implemented in an excel spreadsheet. Each of the eight criteria have components. The Scorecard is available online and you can go through hypothetical scenarios online and see how they would perform. Neighborhood Character is a criteria, which consists of components, like ground floor uses for Urban design and walkability purposes, active uses that are transparent, like shop windows as opposed to blank brick walls. Active uses that will allow for a more pedestrian oriented area rather than blank walls. Another component in Neighborhood is Impact on Public View sheds. Residents selected five important Hudson River view points that must be studied by all proposals: View along Wildey St. at N. Broadway, View from Neperan Rd at Grove St., View along Altamont Ave., View along Benedict at Rosehill Ave and View along Main St. at Broadway. Originally, it was designed with no explicit height limit, currently, there is a height limit of five stories west of tracks and 10 stories east of tracks, which was added because there is concern about height and views. The whole idea about performance based zoning is that it allows you to evaluate whether it actually meets the criteria of the Village. For instance, if you put a 3-story building in the wrong place, you want to be able to say that the three-story building has a negative impact on view shed and that the Village does not want to allow it. A 5-story building somewhere else may be better for a view shed. That kind of flexibility is built into this zoning. We have eight criteria and then we have bonus points. Bonus Points – Zoning cannot discriminate against tax-exempt uses, so the Scorecard was originally designed with no bonus points or explicit economic considerations. Bonus Points were added so projects that financially contribute to Village priorities can earn extra points. Bonus Points cannot save a bad project but it can help marginal projects pass. SAO process: pre-SEQR – If you are a developer and you want to use the SAO zoning, you have a pre-application conference with the Village. If that goes well, the developer submits an application package, which has a preliminary review by the Board of Trustees. If the Board of Trustees like the concept, it can go forward. If the Board of Trustees doesn't like the concept, they can just say no, and the project goes away.

If the Board likes the concept, it goes forward to the Planning Board. The Planning Board gets more detail about the project, it gets a master development plan, which has all of the submission requirements, which are written into the zoning and then it uses all of these submissions to score the project to see whether it passes or not. If the project achieves 85 out of 100, with the option of getting 25 bonus points, it passes. If it gets less than 85, the project fails. If it passes, the project has to go through the SEQOR process. This rezoning process is not what some communities do to create shovel ready sites because they would still have to do an environmental review after they go through this part of the process. Then you come out of the SEQOR process and then the Planning Board issues recommendations to the Board of Trustees whether to grant the SAO designation. Then the project would go to the Board of Trustees. The Board of Trustees can elect not to accept the Planning Board's recommendations or if they do accept the project, then there is a hearing process and then you have another option to say no to the project at the end of the hearing process. So, there are 4 times along the way where a project that comes in can fail out. It can be failed out in the beginning of the process or at the end of the process. There is a lot of safeguards along the way. This is not an as-of-right system, it's optional, you can just say no to an application. The underlying zoning remains and development can still occur under the underlying zoning. If the project wants do something extra or special, that meets all of the criteria, it essentially helps to implement the goals of the Comprehensive Plan, and then the project would be able to go forward. There are a lot of conditions based on these approvals.

Joan Raiselis noted that there is no proposal on the table right now that is being considered under this zoning,

Administrator Slingerland noted that there have been some comments circulating that the Village wants to tear down the affordable housing at Asbury Terrace and Franklin Courts and Towers. There is no such proposal. Those buildings are not for sale, that is not the Village's plan, nor could it be the plan to tear down those affordable housing units. There was another comment regarding Village-owned land on the waterfront, where there was a proposal presented at a recent televised Planning Board meeting. The Village does not have an agreement with this developer and the Village did not solicit this proposal from the developer. The Village has informed the developer that any proposal for property that they were under contract with the Tarrytown Boat Club that sought to include Village-owned property was not only premature, but would also require authorization from the Board of Trustees of the Village of Tarrytown and they do not have that authorization. Any such proposal that was made to the Planning Board was extremely premature and is not subject to the proposed SAO zoning that is on the table this evening.

Trustee Butler noted that the Village Board works with many volunteer Village Boards and Committees who work very hard and do a lot of important work for the benefit of the Village. Since there are a lot of residents at tonight's meeting, Trustee Butler asked if anyone attending tonight's meeting would like to volunteer on one of the Village's committees.

Mayor Fixell noted that the Village Board will go through the hearing process, but they have already discussed possible changes as lowering the height and the treatment of the bonus points. For example, a project that has a failing score in a category, cannot buy its way out at all with bonus points. But from the Village's perspective as a whole, a project which provided additional tax revenues compared with a project that didn't, would be a better project, with all the factors kept in place, where you have both projects that fulfill most of the goals, then you would prefer to have a project that generated more tax revenue for the Village. The Board is looking to tighten the requirements in which you can apply the bonus points.

Mayor Fixell noted that since there is a lot of people who may wish to speak tonight, he asked speakers to write your name and address on the sign-in sheet at the podium. Since there will be a lot of speakers tonight, Mayor Fixell asked that speakers have 5 minutes to speak initially, with a chance for an additional 3 minutes to speak at the end when everyone else has had the chance to speak.

Dolf Beil, 108 Main Street, noted that the picture that he presented at the November 18, 2019 Board meeting showing the view shed from Main Street with a red box was shown with a building height of 72 feet, however, he was wrong. If this proposal is approved as submitted, it is actual allowing 140 feet. 140 feet is 4 times the currently allowed height. He doesn't see any reason for that. He looked at the Village's zoning for the last 60 years. Virtually all the zoning is 3 stories high by right. Franklin Tower's is in a zoning at 6 stories high, he asks why the SAO wants to allow 10 stories. On the west side of the tracks, the height is currently 45 feet by right, under this proposal, it will go to 70 feet. He asks why. He doesn't understand why the Village wants to change the existing zoning other than that the Comprehensive Plan says it; he doesn't believe that it does. We are told that the SAO is an overlay zoning. However, the document that was sent out clearly indicates that the SAO Zoning replaces the existing zoning. The SAO scoring factors, he hopes, is a work in progress. The view shed, accounts for 1.7% of the total, which means if you score zero on height, you lose 1.7%, but the developers can buy 20%. He noted to keep in mind that the height at the top of the cupola on Village Hall is 55 feet.

Mayor Fixell noted that Mr. Dolf brought up a lot of points, but there is a need to clarify a couple of the items.

Joan Raiselis, noted that she wanted to clarify some misinformation. There is a view shed that looks down Main Street, none of Dolf's red box area would be able to be built. As it is written now, if you have a lot that's big enough to build 10 stories, you would have to have 40 ft. setbacks on all 4 sides. Nothing can be built to block the view shed from Main Street.

George Janes, noted to clarify the overlay zoning, the SAO zoning does get mapped onto the project, once it gets SAO designation. After a project goes all through the process, of which there are 4 times during the process that a project can fail, after that process is complete, and gets an SAO designation, then, the project can use the overlay zoning to that project. So, the SAO zoning does replace the current zoning at the end of the process. If a project fails during the process, it doesn't replace the current zoning.

Trustee Brown, noted regarding Dolf's comment "SAO Zoning replaces the existing zoning," however, that sentence begins with, "Once a parcel receives an SAO designation, then the SAO zoning replaces the existing zoning." The SAO zoning does not replace the existing zoning until the project achieves SAO designation.

Carole Griffiths, 251 Martling Avenue, noted that one of her main concerns is conservation and sustainability. She believes the height noted in the SAO conflicts with neighborhood character and view sheds. She thanked Joan Raiselis for making it clear that the Main Street view shed is protected. Another concern is the protection of our natural resources and biodiversity, which is part of the Comprehensive Plan. These are two of the 21 goals of the comprehensive plan, but she thinks that it is not talked about enough in the SAO that prioritizes protecting the river ecosystem and its biodiversity. She would like to see any development west of the tracks look into stormwater runoff and sewage generated by the development. This can have a major impact on the river ecosystem. The river is beautiful and we want to protect it forever. She would like to see less residential development and possibly build a nature center and encourages educational opportunities. Another concern is affordable housing, which is a very strong point in the comprehensive plan. She is glad that the Board of Trustees is looking into tightening up the bonus points because her concern is that a developer could be allowed to build housing that does not include affordable units.

Mayor Fixell, noted that he believes no matter what, the affordable housing requirements in our code would apply, which is 10%. Village Attorney Zalantas noted that the minimum of 10% would apply, but a project can get more points if they propose 30% affordable housing.

George Janes noted the mechanics on how the scorecard works. There are 8 criteria and components within the criteria. If the project fails one of the components, the project would fail the entire criteria. The Board of Trustees is considering a change that if a project fails one criteria, the project could automatically fail.

Mayor Fixell noted that as the SAO is currently drafted, if a project fails the view shed component, the project would automatically fail the Neighborhood Criteria, which is 12.5%, even though it appears to be 1.7%.

David Barnett, 104 Main Street, noted that Tarrytown is a cool place to live and a wonderful place to visit. However, Tarrytown is getting too congested and over saturated. He believes that Tarrytown is at a tipping point and if we are not careful, it can turn into just another generic city. It's about to lose its unique quality and once it's gone, it's gone forever. He's all for developing the riverfront on east and west side of the train station, he believes the Hudson River's with its dramatic views of the Palisades is a tremendous asset for Tarrytown. Thanks for the hard work from members of the Village Board and collaboration with the Village, over a 4-5 year period, for developing a Comprehensive Plan for this area, it's a thoughtful, carefully researched document, outlining a future vision for this community. With that in mind, he doesn't understand the rush for this overlay zoning, which seems at odds with the comprehensive plan. He believes that it can take less time for the Village to approve new zoning for 10-story buildings than it took him to get approval for adding a few shutters to the front of his house. Unlike our neighbors to the south, Irvington and Dobbs Ferry have managed to develop their river frontage without jeopardizing the integrity of their communities. He fails to understand how any of this projects the interest to Tarrytown or is consistent with the Comprehensive Plan.

Mike Love, 88 Main Street, owner of Coffee Labs, change and development is inevitable, we have to figure out what is best for our Village. He is concerned if retail gets developed on the waterfront, then it can take business away from Main Street. There is a lot of discussion using ifs; nothing definitive. He doesn't hear anyone speak about traffic patterns. With Sleepy Hollow's development, the Village's new development, new shops, new marinas, how are people going to get around. You can't widen Main Street or Broadway. He asked how the visitors and residents are going to get around the Village. The development should be what's best for the Village.

Mayor Fixell noted that traffic considerations will not disappear under this at all. Everything the Village does, traffic and parking are part of the review process. It is always on the top of our minds. Every project that is reviewed, traffic and parking are always a consideration.

Trustee Hoyt noted that the Village Board seriously considers traffic in this Village at all times.

Trustee Rinaldi noted that the Village encourages to hear all of the "ifs" right now. It won't remain that way, but it is appropriate to hear and discuss all the possibilities and public concerns.

Gary Friedland, Hudson Harbor resident, noted that the H-Bridge is antiquated and not designed to handle the existing traffic conditions. The H-Bridge was cited in 2017, in the New York State Comptroller's report as one of the most structurally deficient bridges in New York State. Ironically, in 2013, the Village sued the Village of Sleepy Hollow due to the traffic likely to be generated by the development of the GM plant, now Edge on Hudson. It was settled and the Edge developers were required to fund a minimal amount towards the traffic improvements in Tarrytown, much of which has not been installed. Unfortunately, the traffic and other impacts of the Edge on Hudson will be felt much sooner than anyone had anticipated; 1177 units are scheduled to be built there. Approximately 600 units are proposed to be rental units. The rental units can be built within 18 to 24 months and will be absorbed much more rapidly than for sale condo units. He doesn't believe the Village is anywhere near ready to handle this. There is also 69 units in process of being built at 29 Depot Plaza, next to the train station, 100 units at the YMCA, some of which already exists, which was recently acquired by a major developer. There was 225 units proposed at CVS on Broadway, which was withdrawn, but wouldn't be surprised if that resurfaces and the Hudson Harbor developer is proposing to build at least 66 more units. All of these developments do not include any of the possibilities under the SAO zoning. If the H-Bridge is not designed to accommodate emergency evacuations procedures now, he doesn't know how it will be with additional traffic. Currently, the H-Bridge cannot handle Yankee game traffic and regular rush hour traffic. What if there was

a fire on the west side of the tracks and a fire truck had an accident on the H-Bridge that caused the H-Bridge to be closed; how would you evacuate? He believes that these are issues that have not been studied and to point out that these items will be in the EIS down the road, is a very narrow perspective. Instead, there should be someone looking at the global view, what are the cumulative impacts caused by the SAO. Address that before you embark upon a procedure where you start inviting applications to be filed. Has the Village studied necessary infrastructure improvements, have they considered realignment of the roadways, alternate access to the H-Bridge, might this be funded by the developers who have projects in the SAO. Other municipalities along the river have retained the Nature Conservancy, the Riverkeeper and Cornell's Climate Adaptive Design Studio to recommend resiliency measures to preserve areas near the waterfront. Has Tarrytown pursued these resources? Mr. Friedland questioned the justification for expanding development opportunities in the areas most vulnerable to climate change and river level rise as well as the most treasured views in the Village. Why include the under-developed parcels at Hudson Harbor in the SAO District. Unlike most of the other parcels in the district, Hudson Harbor is not under-utilized, it's not burdened by inappropriate zoning, 220 out of the 250 units that were approved, have been built. We are now at the tail end of the project and for some reason, the Village feels that more massive development should be permitted there. What's already permitted is very generous and under the new zoning, they would be able to build up to 60 ft., where in the current zoning, it clearly provides only 45 ft. Why would you reward a developer at the tail end of the project with a zoning bonus to allow more massive development in an area where you are trying to stimulate alternative uses, promote view sheds and open space corridors? The current zoning has intense density and floor area ratio controls etc., yet this feel-good, flexible zoning doesn't impose those controls, we are expected to rely on the Village Board to prevent it. Because of the scorecard, you are inviting the opportunity for developers to sue the Village because you don't have stringent conditions. This scorecard has not been used anywhere in New York State except in parts of New York City and asked if the Village Board has asked the Village Attorney what the nature of legal challenges to the SAO zoning rules have been and what was the outcome. As far as the 10 ft., he suggests the Village simply identifies those locations that are suitable for 10 stories and eliminate the uncertainty.

Barbara Goodman Barnett, 104 Main Street, noted the current zoning by the train station area is for 3 stories, it seems excessive to have this overlay to triple the allowance to 10 stories. As a point of reference, Look Out North and Look Out South located in Hudson Harbor are 4 stories, can you imagine a building more than double their height? Why is it necessary and why is the public, who was so closely involved at one time, not aware that these overlay plans could be voted on as early as January 2020? This sounds like Tarrytown Disconnected. She doesn't understand why the zoning can't stay the way it is and if necessary, the contractor can go to the Zoning Board for a variance. The Village would have more control over projects and insurance that buildings cannot take advantage of our town by overextending projects for their own profit. If developers know we are zoned for 10 stories, than they will build 10 stories. They're not interested in sustaining the beauty and character of our Village, but the Board of Trustees should be.

Alan Reichmann, Hudson Harbor resident, asked why the Village would want to reward developers who have been known to have development abuses in Hudson Harbor already and give the developer an opportunity to do it again. The residents of Hudson Harbor do not want to see more retail on the west side of the train station. The traffic is already an issue. They are happy to give their business to the shops on Main Street.

Mayor Fixell, noted that when the planning of the Hudson Harbor was taking place, the Village reduced an enormous amount of retail/commercial from what was originally proposed for precisely that reason.

Craig Singer, Hudson Harbor resident, noted that Hudson Harbor, while a lovely addition to Tarrytown, is a relatively dense community which pursuant to its master plan, there are only two earlier agreed upon remaining changes to come, both on the north side. But the proposed overlay, lets other things happen. He and his wife raised their families in Northern Westchester and have been pleased with their choice of Tarrytown to re-locate. He is experienced in multiple living environments and find that Tarrytown has a special environment. He has been in the real estate business for his entire professional life. As a

senior member of the Richman Group of Companies' GSE Lending Platform, Richman is one of the largest multifamily housing companies in the nation and is a developer, manager, general contractor and financial resource for all types of housing, from affordable to workforce to luxury. Mr. Singer is also on the Tarrytown Housing Affordable Task Force with some of the Board members and other talented members from the community. He has worked closely with government his entire career. He read about the current proposal of a re-zoning of the "Station Area." Informed by his background, his first and continuing reactions have been that inclusion of Hudson Harbor, a largely complete and agreed upon and sold residential development that works, must be inadvertent. He would like to direct his reactions for the Village Board to consider. 1) Since Hudson Harbor's approved master plan is largely completed and the units sold to a large number of people relying on this plan, what was the thinking to include Hudson Harbor in the proposed re-zoning? 2) What about Hudson Harbor is contemplated to be improved by including it in the re-zoning? 3) How would the re-zoning benefit the Village, especially since so many of the Hudson Harbor residents oppose the change? 4) Who benefits from the proposed change and why? His basic question is what is broken to fix or improve upon here and why is Hudson Harbor being considered to be included in the proposed re-zoning? He opposes the proposed change and respectfully request that whatever is decided about the re-zoning, that Hudson Harbor be excluded.

Peter Fish, Hudson Harbor resident, noted that there was an EIS done when the Hudson Harbor development was being approved and it considered traffic impacts without the knowledge of the Edge on Hudson development adding 1100 units. He doesn't see the reason to include the overlay on Hudson Harbor at all. In 10 years, there will be 5 times the number of units residing west of the train station. Currently, on a sunny spring day or after a Yankee game or during rush hour, you have to wait to go over the H-Bridge. There's only 2 forms of egress to get over to the east side of the train station, the H-Bridge or to go north past the Edge on Hudson in Sleepy Hollow. So, before we add any uses west of the train station that will increase traffic, the Village has to look into infrastructure issues because they are really very serious.

Gary Connolly, President of the Hudson Harbor Light House Condominium Homeowners Association, noted that his Board and the residents of the community have had the opportunity to view the schematics of the plans of the final phase of Hudson Harbor, which includes the Cooney Building and the Gatehouse. These plans are independent of the SAO zoning proposal in that the plans do not require any changes to the current zoning law. Moreover, the plans are keeping with the overall look, use, feel and beauty of their community. It is their understanding that Hudson Harbor will be submitting these plans to the Village Planning Board shortly. They want to express their desire for the Village to approve the final phase of Hudson Harbor on an expedited basis. It is important to the residents and their building that construction on the final phase begin as soon as possible. While everyone in the Village is negatively affected by the unsightly vacant building and vacant lots that currently occupy these sites, the residents of their building are hardest hit as they occupy the space adjacent to those properties. The Village has done an excellent job ensuring that Hudson Harbor development was constructed in a manner that is keeping with the historic beauty and community feel of the Village. The residents believe that the final approval of this final phase will cap off an already beautiful waterfront development. They also feel that the final phase of Hudson Harbor is consistent with the overall objectives of Tarrytown's Comprehensive Plan including the Village's desire to maximize the potential of the waterfront and develop a cohesive vision for the future of the station area and the waterfront.

Kurt Beil, 108 Main Street, noted that when we speak about the viewpoints, they are not just aesthetic amenities that we have in Tarrytown, these are public health resources. Every time someone is looking at the river, they are benefiting their physical wellbeing. Their stress level and blood pressure are being reduced. There's a value on a holistic level to have these beautiful views of nature. He wanted the Village to consider the importance of the beautiful views in Tarrytown when the Village is considering construction that may reduce the benefit of our wellbeing.

Sadie McKeown, 3 Archer Place and member of the Comprehensive Plan Management Committee, gave a shout out to the Village Board for the Comprehensive Plan process.

The Village took very seriously the time and energy invested on behalf of the residents and all the people that participated that said they wanted the Comp Plan to be a living document and they created a volunteer committee to work hard at the issues that were identified in the Comp Plan. Ms McKeown noted all of the items that the Comprehensive Plan Management Committee is working on: 1) Station Area Overlay Zoning; 2) Parking Management; 3) Housing Affordability; 4) Volunteerism; 5) Transportation, Local Transit and Traffic; 6) Wayfinding and Complete Streets; 7) Historic Tarrytown 8) Resiliency and Energy; 9) Trails and Open Spaces. It's a living list, so it will continue to develop. The Village welcomes anyone to come out and volunteer. She was recruited because she has an expertise in Housing. It's very fulfilling for her to take her professional expertise and share it in a community that is so open and willing to engage and embrace with its members on how to make Tarrytown a better place for all of us. She welcomes all of the comments tonight and looks forward to further engagement from the community. The Station Area Zoning is good for the Village and its good for this area of the Village because it is right at the hub of transit. Transit oriented development is happening everywhere.

Harvey Dembert, 85 Main Street, noted that he appreciates this forum, he feels that this is an incredible community, especially when he walks down by the river. He believes the Village should look at all of the view corridors coming down to the waterfront, not just from Broadway and Main Street. When he walks down to the waterfront, he feels an incredible feeling of solitude and quiet and he is concerned that all of that can easily be changed. The Village has 2 buildings that were built in the 1970's, which reminds us when happens when developers run amuck. The Village is at a precipice right now to look at these things before the area gets too built up.

Lidia Dembert, 85 Main Street, noted, speaking from a younger generation, that she has been able to enjoy the beautiful views her entire life. She believes that the physical well-being of enjoying the beautiful views has shaped her and her peers and can't imagine if that charm would ever be taken away. She asked the Village to consider the future of the Village and to keep the charm and beauty of the beautiful views. She noted that originally, Hudson Harbor was proposed to build 4 stories and it ended up closer to 5 stories and it did end up blocking the view shed from some of the residencies on Main Street. She wanted the Village Board to consider that with respect to the height on buildings east of the train station within the SAO zoning.

Mayor Fixell, noted to keep in mind that areas that are parkland are not up for development.

Evan Morrison, Hudson Harbor resident noted that he does not think that Hudson Harbor should be included in the SAO zoning. When the residents purchased at Hudson Harbor, it was under an offering plan that included a development plan for Hudson Harbor which had been approved by the Village. It is with that expectation that he suggests that most of the Hudson Harbor residents moved here. Now, for the Village to change the ground rules after the units were all sold, seems to be unfair. He doesn't believe it to be unreasonable to request that the Hudson Harbor development not be included in the SAO zoning.

Trustee Butler noted that when he moved to Tarrytown in 1984, Hudson Harbor and Rivercliffe Condominiums were both not built. When Hudson Harbor was developed, there was issues with Rivercliffe Condos about the view shed. The Village Board worked hard when Hudson Harbor was built, the Board took the view shed of Rivercliffe into consideration. The Village Board does have experience on the value of view sheds, especially to our waterfront. The new waterfront that everyone is enjoying now took great effort to get it right. The Village Board works for all of its residents and we are trying to do the best job along with the professionals around the Board. The Board welcomes all of the comments tonight and will take them into consideration.

Howard Smith, 87 Main Street, noted that residents of the Rivercliffe Condominiums do care about their views of the Hudson River. If the views are compromised, the value of their homes will go down. He believes the Village did an incredible job on the Comprehensive Plan, but when you look at the zoning overlay, it doesn't appear to be reflective of what is being embraced in the Comprehensive Plan. Some of the overlay specifics tend to lack some of the protections that people perceive currently exist. The plan

that the developer presented to the Planning Board a couple weeks ago, although it is not an actively considered project, but it potentially can be considered “Exhibit A” what a developer is inclined to do with the license they are given by this type of an overlay. He argues that building a structure large enough to meet the specs of a major hotel chain is not necessarily creative. Rather than relying upon the character of the existing historic building stock in the community for inspiration, the architect claimed to be inspired by the new Tappan Zee Bridge, which he noted with more than a hint of patronizing condescension was not the Brooklyn Bridge. He was being dismissive of an iconic national historic landmark that has demonstrated the inherent capability of being adaptable to changing demands for more than 130 years without sacrificing its historic character. He submits that the Riverfront zone should be thought of our Brooklyn Bridge, linking the heart of the community to the river, it’s not creative for a developer to exploit higher building allowances by simply constructing taller buildings. Rather the creativity we should be looking for is the kind that generates innovative concepts for meeting today’s needs while respecting the scale and historic character of our Village. Let’s commit to a process to ensure that the new zoning proposal achieves that goal.

Howard Jeffrey, resident of Rivercliffe Condominiums, noted that there will be impacts on the Village by adding 10 story buildings. He understands the Village will get more income from a 10 story building, but at what cost. The Village may have to redo its infrastructure, buy a new firetruck, and possibly go from a volunteer fire department to a paid fire company. These costs will deplete the additional taxes. What about the impact on the police department and public services.

Jack Walsh, Independence Street and Hamilton Place, asked if there was an environmental impact statement prepared. Administrator Slingerland noted that there was not an environmental statement prepared at this time because it is not associated with a project.

Village Attorney Zalantis noted that the SAO legislation requires you to still go through the SEQRA process, which is very different from other applications where you do an EIS, then you create a master plan and you have shovel in the ground projects. A developer would still have to go through the environmental review and the developer would pay for it.

Mr. Walsh noted that it might be better for the Village to prepare the EIS and then bill the developer. Mayor Fixell noted that all projects have their developers prepare the EIS and then the Village has a consultant that reviews the document and the developer of the project pays for the Village’s consultant.

Lauren Johnson, Rivercliffe Condominiums, noted that she feels that we have heard loud and clear tonight that 10 stories just doesn’t fit. If you take a metro north train ride up and down the Hudson River, you will not see very tall buildings until you hit Yonkers or Ossining. She asked the Board if they would consider lowering the 10 stories in the SAO. She thanked Joan Raiselis and David Aukland for all their work leading up to this point, she feels much better after this meeting and looks forward to the process.

Mayor Fixell noted that the height is one of the things that the Board will be considering.

Trustee Rinaldi, noted that this process is just about the zoning, which has not been adopted yet. The Board will be considering all of the comments.

David Rosenstein, Hudson Harbor resident, noted that he loves living in Tarrytown and would like to keep it the way it is. He believes that all Hudson Harbor residents do not support the overlay zoning. He appreciates that at this time there are no projects, but he feels that the Village is opening the door for developers to come.

Trustee Brown noted that if the SAO is never adopted, development will still be presented to the Village for the riverfront. The SAO provides the Village with a tool to make development that the Village wants. Any project that will have to go through the SAO zoning, will have to go through twice as much scrutiny than not because they have to get approval to have a station area study, then Planning Board approvals, and then the Planning Board sends it to the Village Board, which is a whole other level of scrutiny. And every time the project goes before a Board, the Village holds public meetings just like we did

tonight. For example, the way Hudson Harbor looks today was not how the project was originally proposed because of Village and public input.

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, January 6, 2020, the next regular meeting of the Board of Trustees.

PROJECT INTERN FOR GIS

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Paola Valencia as Project Intern for GIS at an hourly rate of \$15 effective Tuesday, December 17, 2019 for a term to expire on October 1, 2020 or completion of the project, whichever is earlier.

REVIEW OF PROCUREMENT POLICY

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown has reviewed the Village of Tarrytown Procurement Policy, pursuant to Paragraph 8 of the policy and does hereby approve the said policy for the 2019-2020 year.

VILLAGE OF TARRYTOWN INVESTMENT POLICY

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby re-adopt the Investment Policy for the Village of Tarrytown which applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

REQUEST FOR PROPOSAL – EXTENSION OF WILSON PARK TRAIL PROJECT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

WHEREAS, after a meeting in the field and mapping out the path of the proposed trail in Wilson Park, from the ridge trail to the railroad trail down by the Lakes, the Village Engineer obtained (3) competitive quotes for this work; and

WHEREAS, based on the scope of the work, as well as the consideration of the additional costs of prevailing wage rates, the Village staff recommends awarding the Extension of the Wilson Park Trail project to the lowest proposer, Vernon Hills Contracting Corporation of Mount Vernon, New York, per their proposal of \$23,017.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby award the Extension of the Wilson Park Trail project to the lowest responsible proposer to Vernon Hills Contracting of Mount Vernon, New York, per their proposal of \$23,017; and

BE IT FURTHER RESOLVED that the Village Administrator is hereby authorized and directed to execute a contract with Vernon Hills Contracting.

VEHICLE AND TRAFFIC AMENDMENT – NO TURN ON RED – NORTHEAST H-BRIDGE

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

WHEREAS, currently the Village Code does not prohibit “no right turn on red” on the northeast leg of the H-bridge at the intersection of Cortlandt Street; and

WHEREAS, at the request of the Village Board, the following code should be implemented in order to increase safety for pedestrians and motorists at the above intersection (new language in **Bold** print).

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the following code change:

§ 291-71. Schedule VI: Prohibited Turns at Intersections.

A. In accordance with the provisions of § 291-9, no person shall make a turn of the kind designated below at any of the following locations:

Name of Street	Direction of Travel	Prohibited Turn	Hours / Days	At Intersection of
H-Bridge, Northeast Leg	North	Right on Red	All	Cortlandt Street

CHAPTER 291. VEHICLES AND TRAFFIC – SNOW ZONES DESIGNATED. – SCHEDULE XXIV: SNOW ZONES

Trustee Hoyt moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 7-0

WHEREAS, currently the Village Code prohibits parking on streets listed in Schedule XXIV (§291-89) during a snowfall; and

WHEREAS, at the request of the Village Board, the following amendment to Section 291-30. Snow zones designated will allow vehicles to remain parked on the streets listed in Schedule XXIV (§291-89) during a non-event snow fall, but not during a declared snow emergency or while the Village is engaged in removing snow from such places.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the following code changes:

(Language in **Bold** to be added, language in ~~Strikethrough~~ to be deleted):

§291-30. Snow zones designated.

The locations set forth in Schedule XXIV (§291-89) are hereby designated snow zones, and no person shall park any vehicle or permit any vehicle to remain parked in any of said places ~~while snow is falling~~ **during a Village-declared snow emergency** or while the Village is engaged in removing snow from such places.

§291-89 Schedule XXIV: Snow Zones

In accordance with the provisions of Article IV, Snow Emergency Parking, the following locations are hereby designated as snow zones, and no person shall park any vehicle or permit any vehicle to remain parked in any of said places ~~while snow is falling~~ **during a Village-declared snow emergency** or while the Village is engaged in removing snow from such places.

RESOLUTION TO CHANGE THE DATE OF THE NEXT WORK SESSION OF THE BOARD OF TRUSTEES

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the change in date for the next Work Session of the Board of Trustees from Monday, December 30, 2019 to Monday, December 23, 2019 at 6:15 p.m.

SCHEDULE A PUBLIC HEARING - NOISE – UNLAWFUL ACTS. §215-2, H-(2)

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Public Hearing for the regular meeting of Monday, January 6, 2020, at 8:00 p.m., in the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider a proposed action to amend the Code of the Village of Tarrytown, entitled, Noise – Unlawful acts. §215-2, H-(2) to allow snow plows to operate on public and private property, including parking lots during a period of a snowfall and/or Village-declared snow emergency.

APPROVAL OF THE MINUTES OF THE ORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 2, 2019

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the organizational meeting of the Board of Trustees held on December 2, 2019 as submitted by the Village Clerk

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 2, 2019

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on December 2, 2019 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 11 of Audited Vouchers in the total amount of \$790,638.82 to be paid in the following amounts:

General	\$ 257,907.75
Water	\$ 30,475.80
Sewer Fund	\$ 0.00
Capital	\$ 487,020.98
Library	\$ 7,976.26
Trust & Agency	\$ 7,258.03
Total	\$ 790,638.82

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS.

David Carpenter, YMCA resident, noted that he lived in Tarrytown for most of his life. He understands that the YMCA is for sale and he is concerned if he will be able to afford to stay in Tarrytown.

Mayor Fixell noted that his understanding is that the YMCA is required under a long term agreement with the state to continue providing housing for the current residents at the YMCA at the same rent.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee McGovern, the meeting was adjourned at 10:10 p.m. by vote of seven in favor, none opposed.

Carol A. Booth
Village Clerk