

Planning Board
Village of Tarrytown
Regular Meeting
February 24, 2020

PRESENT: Chairman Friedlander, Members Aukland, Birgy, Raiselis, Tedesco,
Alternate Member Lawrence, Counsel Zalantis, Village Engineer Pennella,
Village Planner Galvin; Secretary Meszaros

ABSENT: All Present

Chairman Friedlander called the meeting to order at 7:02 p.m.

APPROVAL OF MINUTES – January 27, 2020

Mr. Tedesco moved, seconded by Mr. Aukland, to approve the minutes of the
January 27, 2020 meeting as submitted. All in favor. Motion carried.

Dr. Friedlander announced the following adjournments:

- Michael Degen- 86 Crest Drive
Additions and Alterations to a single family home
- Peter Bartolacci – 67 Miller Avenue – Removal of railroad tie-wall,
construction of retaining walls and landscaping of rear yard.
- Sisters of the Sacred Heart of Mary – 32 Warren Avenue
Driveway widening, construction of retaining walls, and
demolition of existing structure.

CONTINUATION OF PUBLIC HEARING – Lexington 202 Group, LLC – 29 S.Depot Plaza

Linda Whitehead, partner with the law firm of McCullough, Goldberger and Staudt, LLC,
appeared on behalf of the applicant, also present. Ms. Whitehead advised that her
client has partnered with Collins Enterprises, LLC, for the residential development
portion of this project. The entire team is here this evening to answer any questions.
Ms. Whitehead will review what was submitted after the last meeting and answer
questions that came up at the work session.

Ms. Whitehead showed a plan of the north elevation of the plaza area and how it
connects to the platform which is important for this type of TOD project. In addition, she
passed out a Parking Ratio Table which lists TOD properties in surrounding areas which
are similar to the village of Tarrytown, except for Yonkers, and referred to the Density
Column with the FAR that was added as requested by the Board. Ms. Whitehead
advised that they have submitted an updated plan to the Board of Trustees and have
requested that the Board of Trustees refer the amended plan back to the Planning
Board since the plan has changed to add an additional story. They are hoping to get a
referral back from the Board of Trustees before the next Planning Board meeting with
revised text for the zoning amendment. The new updated plan proposes 4 stories,

consisting of 88 units with a mix of studios, one and two bedrooms, over first floor self-storage. Arthur Collins, the developer, felt that the additional density was needed and would be a benefit to the village. New York City is pushing the County to build more housing since there is a housing shortage. They feel that there is a demand for the type of mixed use housing proposed which has been included in the Tarrytown Connected Comprehensive Plan. The station area on the west side, already has high-end housing and there are existing affordable units and subsidized housing on this side (the east side) of the tracks. They are proposing mid-level, mid-income, moderately affordable housing, which will fit this niche. In addition, 9 affordable units will also be provided as required by the village zoning code. The other units will fall into a price range that does not currently exist in this area. This project is an ideal Transit Oriented Project (TOD) since it is close to the train and the Westchester County and Rockland Bus lines. With regard to the additional proposed story, since there are already two-10 Story buildings that exist in the area, they feel that their proposal of a 4.5 to 5 story building is consistent with the character of the area. In addition, her client is committed to fixing up this part of the village to make it more inviting to the public. They will be repaving and restriping parking Lot B and adding landscaping to beautify the entrance into the area. They want to work with the village to make the area more attractive which is also consistent with the Comprehensive Plan.

With regard to the plan revisions, Ms. Whitehead showed the revised East elevation plan which they have improved by adding self-storage accessibility from the street with roll up doors and a raised walkway for access. This will allow artisan or craftsman to be able to use this area as flex space, in addition to storage. The angle parking has also been removed which improves the look of the building and maintains the traffic circulation. With regard to the density chart, which was distributed to the Board, the density proposal is 75 units per acre which is similar to these types of developments listed in the table. The FAR is 1.53 for residential which is less than most of the other projects listed. The required parking is proposed at 1.2 spaces per unit for the residential, which has been increased from 1 space as requested by the Board. They have been able to fit more parking in. The MTA platform will connect to Lot B. These parking spaces are not to be allocated to their development. Moving forward, Ms. Whitehead explained that these plans are conceptual. They will be updating the fiscal analysis, school impacts, parking and utility capacity and plan to submit this material before the March meeting so that the Planning Board, as Lead Agency, can review this from a SEQRA viewpoint to address the environmental impacts. They have also been looking at the view sheds and have determined that the view from Windle Park will not be affected. Franklin Courts is affected but only slightly, depending on where you are looking from. They will submit this analyses as well.

Ms. Whitehead asked the Board if there is anything else they require to be submitted for the SEQRA review so that they may submit it.

Mr. Tedesco would like to know about the parking lease with the MTA. He would like to know the length of the lease and what would happen if the MTA needs the parking in the future and wants it back.

Ms. Whitehead said that this lease is very important to her client who will not be able to get financing without an agreement to provide the required parking. They are looking to get an easement in perpetuity. The MTA has requested a certain number of spaces for their employees and they are pleased that her client will fix up the lot and they are pleased with the project plans. Her client is looking for a long term permanent arrangement with the MTA and will include Ms. Zalantis in the loop to ensure that the village is comfortable with the agreement.

Dr. Friedlander confirmed that the new plan changes the number of units from 69 to 88 and the height of 52 feet has been increased to 60 feet. This will add a new story and they will also be adding a rooftop amenity for the residents.

Dr. Friedlander asked why the Board of Trustees should consider the additional units. Ms. Whitehead said there is a demand for the additional units and a tax benefit to the village. There is also a demand for transit oriented development in the area and the additional story will not have any negative impact to the village.

Mr. Birgy is concerned about the existing 20th century infrastructure with regard to the roads. The people who will be renting will have cars. He compared the populations of the other villages which have much higher populations. The village population is about 11,000. He does not feel that this project should be compared to other projects in the larger towns. It does not sit well with him. There may be a demand, but it does not mean that the village can handle the density. He also mentioned the Sleepy Hollow development that will also impact the village.

Ms. Whitehead said they will be providing a traffic analysis. She noted that Bronxville, Tuckahoe and Pelham were included in the list and they are all smaller than Tarrytown. Just because Greenwich has a bigger population, it is not a fair comparison, since it is not as dense. All municipalities struggle with the same infrastructure. They will provide an analysis to address these concerns in addition to a fiscal analysis. They are trying to do what the village wants which was identified in the Comprehensive Plan. If there are road improvements that are needed, the studies will show that.

Dr. Friedlander is confused about the square footage with regard to density. The property is a little over an acre which does not include the MTA parking lot.

Ms. Whitehead explained that the property extends beyond the building in both directions. The roadway is an easement to the property-owner at the end. It is not a thoroughfare, it is privately owned property, it is not a mapped road which is not unusual. This area still counts as her client's property. Some of the parking is on their property. They tried to make as much parking as they could that would work. They did this to increase the parking ratio which was requested by the Board. A brief discussion took place about the prior proposals and Dr. Friedlander commented that the plan as it looks much better. Ms. Whitehead commented that the Board of Trustees is sensitive to the height and will not allow them to go higher. Mr. Galvin confirmed that the property is 1.12 acres.

Mr. Aukland asked how the brewery will work with the parking?

Ms. Whitehead said it is difficult to determine the parking at this point until they know the parking requirements for the brewery. They are looking at shared parking in Lot B which is lightly used and opens up at night. Twenty (20) of the MTA spaces are used from 5 am to 4 pm for their employees which would also be available in the evening. They are looking at all of this.

Ms. Raiselis asked if the MTA will be giving them an answer about an agreement soon since it seems like a lot is riding on the parking for the project.

Ms. Whitehead said there is a process with the MTA. They are willing to do it. If they can do it with a government agency, it is quicker. She has been speaking with the Village Administrator with regard to this. If the village does not want to be involved, then MTA would go through the process. An appraiser or RFP process would be required if they were to do it alone, which is a longer process.

Dr. Friedlander said if the parking does not go through, is parking under the Building being considered. Ms. Whitehead does not feel that this is an option. Ms. Whitehead said that she is confident that MTA will make the deal with them. Harrison has entered in an agreement with the MTA for a similar project. She added that, from a planning perspective, the parking must be in perpetuity, otherwise, the project cannot move forward. Bob Galvin noted that the MTA has A TOD division who works with planners and developers on these types of projects.

Ms. Raiselis asked Counsel Zalantis to comment on the parking situation.

Counsel Zalantis said from a planning perspective it is important that the parking be in perpetuity. If the parking is pulled by MTA, there would be a problem. Ms. Whitehead agreed and said they can't build it without the parking.

Ms. Raiselis just wants to make sure the public is aware of this. Ms. Whitehead said hopefully by next month they will have more information to report.

Mr. Galvin asked Mr. David Smith to do a development potential analysis for the surrounding properties to include the recycling plant.

Ms. Whitehead commented that they are doing this as a new zone which will be mapped only on their property so there is no other property it can be applied to.

Counsel Zalantis said the applicant is applying an overlay zone. It is not up to this Board, it is up to the Board of Trustees.

Dr. Friedlander asked if anyone in the public had any questions for comment.

Ms. Mendez, of 159 Grove Street, asked if only housing is proposed. Ms. Collins, of Collins Enterprises, said there is 2,000 s.f. of retail space on the ground floor proposed.

Ms. Whitehead added that there may be a restaurant or some craft type of brewery in the future or pop-up retail in the self-storage areas.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the public hearing. All in favor. Motion carried.

CONTINUATION OF PUBLIC HEARING – Annette Simao - 11-13 Emerald Woods

Craig Studer, LA, of Studer Design Associates, appeared on behalf of his clients, Ms. Annette Simao and Andre Fernandes, also present. Mr. Studer explained that the two parcels make one homestead. He is here to address the boulders and landscape plan. The Board requested that the boulders look more naturalistic. They have clustered the boulders throughout which will vary between 3 and 5 and they have introduced White Spruce and additional taller shrubs. All of the material is native. With regard to the village landscape consultant's report, the 36' maple tree will be removed and 4" minimum caliper Maple trees will be planted.

Mr. Studer said that it should be noted that the existing road encroaches onto the property by 7 feet and on an average of about 3 feet to 3.5 feet for the total length of the property, and tapers down to nothing at the rear corner. They have addressed Ms. Nolan's landscape comments and have made changes in a revised plan (which they plan to submit), which moves the boulders back keeping them a minimum of 5 feet from the edge of pavement where possible. Mr. Aukland asked from the edge of pavement or the property line. Mr. Studer said this is our dilemma. The pavement encroaches onto their property in certain areas. The purpose of the boulders is to protect his client's home and property from a car. This is a private road. There is an encroachment onto the property and they are doing their best to satisfy the landscape architect and to deal with the encroachment by staying 5 feet away from the edge of pavement where possible, but where it might slope off quicker or closer to the edge of pavement, it may be diluted to 3 feet, which is a typical guardrail situation. There was an issue with regard to the critical root zone. What they have done is try to prevent the boulders from going into the roots. The boulders will be set natural and will vary in size and may touch each other. A bottom third will be buried to look more natural. In some areas where it encroaches into the critical root zone, they may lay the boulders flat and put ground cover or soil there to make it look more natural.

Mr. Studer distributed the new plan to the Board.

Mr. Galvin said there are conditions in the draft resolution that may address these issues.

Ms. Raiselis asked Mr. Studer if he would be able to abide by 4 feet from the edge of pavement. Mr. Studer said he believes they can. Ms. Raiselis said she needs to know for sure since this will be a condition of the resolution.

Mr. Studer said can we come back and remove the asphalt if there is a problem.

Mr. Birgy asked about the history of the use of this road and encroaching.

Counsel Zalantis said the asphalt is encroaching onto their property. It is a private road and it is private property. Mr. Birgy asked if the applicant can remove the asphalt since the road was in existence for many years.

Counsel Zalantis said this property is not burdened by the easement. The easement is outside the property line. It is not a public road, it is a different situation.

Mr. Pennella confirmed this and said the asphalt is not the easement. At one time, it was a dirt road and whoever paved the road, encroached onto their property. All deeds indicate that the easement line is at the property line.

Mr. Studer does not want to sound like this is a threat. They want to go on record that it is their property to use, not the neighbor's property. They are not asking to remove the asphalt at this time, but they need some flexibility. He would like to say, yes they can maintain the 4 feet and they will do their very best to do that but at one point they may have a problem with the grade and may not be able to meet the 4 feet.

Mr. Galvin referred to the draft resolution with the conditions which does indicate that the boulders should be placed at least 4 feet from the edge of pavement which is based on Ms. Nolan's landscape review.

Dr. Friedlander asked Mr. Studer to show where the slope is on the plan where he thinks there may be a problem.

A brief discussion took place and Mr. Studer would like to use the benchmark of 4 feet. They want to make it natural. Dr. Friedlander agrees but they just want someone to look at the boulders before they are placed.

Counsel Zalantis wants to be clear what plan they are approving and what the changes are from the last plan.

Mr. Studer advised that the plan dated 2-24-20 moves some of the boulders back and the Viburnum out of the critical root area in an attempt to respond to Ms. Nolan's landscape report.

Counsel Zalantis said that since the comments have been addressed in Ms. Nolan's landscape review, she recommends that the Board approve the most recent plan last revised 2/24/20, which was submitted this evening.

Mr. Aukland asked about the coniferous trees. Mr. Studer said the trees are there for screening the property. The neighbor has also requested this screening and the property owner has a pool and patio and also would like the screening. There is a mix of deciduous trees on the property. Mr. Raiselis commented that they have a good mix.

Counsel Zalantis wanted to add language into special condition 1 of the draft resolution to read as follows:

1. Placement/Repositioning of the Boulders - The boulders shall be placed at least 4’ from the edge of pavement at Gracemere, except a reduction to 3’ from the edge of the pavement may be permitted if the village landscape consultant deems it acceptable due to steep slopes. Boulders shall be placed flat and buried with no more than 3’ showing above grade.

Ms. Raiselis said the plan has come a long way and she appreciates the effort of the applicant to make it look more natural. She thinks it is going to be beautiful.

Dr. Friedlander asked if anyone in the public wants to speak or comment.

Lester Jacobs, of 47 Stephen Drive, came up and asked about the trees that will be planted near his property. He said it is a better plan. Mr. Studer said there will be a mix of Pine and Maple in the area. Mr. Jacobs appeared satisfied and said to approve it.

Ms. Raiselis moved, seconded by Mr. Tedesco, to close the public hearing. All in favor. Motion carried.

Ms. Raiselis read through portions of the Resolution and said that a copy of the Resolution will be provided to the applicant and be included in the minutes of this meeting.

RESOLUTION

VILLAGE OF TARRYTOWN PLANNING BOARD (Adopted February 24, 2020)

Application of Annette Simao

Property: 11 and 13 Emerald Woods (Sheet 1.190, Block 112, Lots 25 and 30, Zone R-60)

Resolution of Amended Site Plan Approval

Background

1.The Applicant, Annette Simao, (Owner) requested an amendment to site plan approved on November 26, 2018 to include additions and revisions to the Landscape Plan and other site improvements on the single-family properties located at 11 and 13 Emerald Woods in the R-60 District. Both lots are in common ownership of the property owner making this application.

2.The Planning Board on August 27, 2018 determined this to be a Type II Action under NYS DEC 617.5 (c) (10) *“construction, expansion or placement of minor accessory/appurtenant*

residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density" and, therefore, no further SEQRA review is necessary. The amended site plan application remains a Type II action.

3.The Planning Board has conducted a duly noticed public hearing on November 25, 2019 and February 24, 2020 at which time all those wishing to be heard were given the opportunity to be heard.

4.The Planning Board has carefully examined the Application and received comments from the Village Consulting Planner in memoranda dated November 11, 2019 and February 12, 2020 and from the Village Landscape Consultant in staff reports dated December 2, 2019, January 31, 2020 and February 20, 2020. The Landscape review dated January 31, 2020 provided information on a risk assessment conducted by a certified arborist on the Village Tree Commission regarding applicant’s request to remove a 37” oak tree. The recommendation by the arborist was to remove the identified oak tree. The Planning Board also reviewed the cover letter dated February 12, 2020 from the Applicant’s landscape architect which reviewed the changes made to the landscape plan in response to the staff reports of the Village Landscape Consultant. The Village Landscape Consultant has provided a final staff review dated February 20, 2020 which recommended several conditions to the approval of the site plan.

5.The Planning Board closed the public hearing on February 24, 2020. After closing the public hearing, the Planning Board deliberated in public on the Applicant’s request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for amended site plan approval and modifications made to the Planting Plan are granted subject to the conditions set forth below.

I. **Findings**

In addition, the Planning Board has considered the standards set forth in the Village of Tarrytown Zoning Code (“Zoning Code”) Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

The Planning Board has reviewed the proposed modifications to the landscape plan at the subject property, consisting of both lots in common ownership at 11 and 13 Emerald Woods. The Planning Board spent considerable time reviewing the proposed placement of boulders along Gracemere as well as the additional proposed landscaping. These additions included 8 trees on

north side of the property in between existing trees; 29 trees on south side of the property, extending the tree line along Gracemere; the placement of boulders set along Gracemere pavement edge in between the trees; the removal of an existing 37” oak tree on the south side of the property; the change from standard pavers to porous pavers at the driveway entrance between the new garage and existing house; and the change of the asphalt paving area to porous paving area at the end of the driveway.

The planting plan has been modified in response to the Village Landscape Consultant’s reviews. Based on the Risk Assessment conducted by Peter Bartlett, a certified arborist on the Village Tree Commission, the 37” oak has a probable likelihood of failure due to visible uprooting and soil weakness. Therefore, the 37” oak is to be removed and replaced with three 4” caliper sugar maples. The screening planting along the south property line has been revised to add 16 White Spruce. Twenty-seven Arrowood Viburnum have been specified along the rear property line to provide additional screening of Gracemere. Both varieties are native to the area. The spruce and viburnum will be laid out in a naturalistic pattern. Some of the plants will be placed lower on the slope toward the north side of the proposed pool fence.

Tree protection measures are being provided to limit disturbance around the critical root zones of the trees remaining on the site. The trees on the plan are shown at a mature stage of growth illustrating that the trees planted will not infringe on the roadway and neighboring property.

The boulders will be placed at least 4’ from the edge of the Gracemere pavement. Plans note that the boulders repositioned will be laid on their side and those encroaching on the critical root zones will be kept on the surface. The landscape architect has indicated that boulders will be buried as needed. The Planning Board has requested that boulders be placed flat with no more than 3’ showing above grade. The Planning Board also requested that the Village Landscape Consultant be present on site when the boulders are being repositioned to monitor that the boulders are placed in accordance with the plan. Placement of boulders should be modified in the field to protect the critical root zones of the trees on the property.

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:

Planting Plan prepared by Studer Design Associates, Inc. dated August 28, 2018 and last revised February 24, 2020 (submitted at the Planning Board Meeting) as entitled below:

Site Development Plans

- LA-700 *Planting Plan “Additions & Alterations to 13 Emerald Woods & New Residence at 11 Emerald Woods, Tarrytown, NY* (the “Approved Plan”).

III. General Conditions

(a) Prerequisites to Signing Site Plan: The following conditions must be met before the Planning Board Chair may sign the approved Site Plan (“Final Site Plan”):

- i. The Planning Board’s approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.
- ii. If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Village Engineer, they shall also be considered “Approved Plans.”
- iii. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

(b) Force and Effect: No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the Final Site Plan is signed by the chair of the Planning Board and (3) the Final Site Plan signed by the Planning Board Chair has been filed with the Village Clerk.

(c) Field Changes: In the event the Village Engineer/Building Inspector agrees that, as a result of conditions in the field, field changes are necessary to complete the work authorized by the Approved Plans and deems such changes to be minor, the Village Engineer/Building Inspector may, allow such changes, subject to any applicable amendment to the approved building permit(s). If not deemed minor, any deviation from or change in the Approved Plans shall require application to the Planning Board for amendment of this approval. In all cases, amended plans shall be submitted to reflect approved field changes.

(d) Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.

- (e) Landscaping: All landscaping on the approved planting plan shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first and second year of installation. Individual species that do not survive beyond the first and second year shall be replaced at the beginning of the next growing season.

IV. Specific Conditions:

1. Placement/Repositioning of the Boulders - The boulders shall be placed at least 4’ from the edge of pavement at Gracemere, except a reduction to 3’ from the edge of the pavement may be permitted if the village landscape consultant deems it acceptable due to steep slopes. Boulders shall be placed flat and buried with no more than 3’ showing above grade.
2. Due to the boulder placement and planting proposed along Gracemere, the trees to remain in this area should receive additional protection of trunk armoring to avoid mechanical damage from construction.
3. In preparation for the repositioning of the boulders on the property, the Applicant’s arborist shall identify the critical root zones of the trees on site. The Applicant’s arborist shall be present on site during the boulder placement and planting operations. The Village Landscape Consultant shall also be on site when the boulders are being repositioned to monitor that the boulders are being placed in accordance with the plan.
4. The applicant shall be required to have their arborist recommend and implement a post-construction tree health monitoring program to mitigate construction impacts.

Dated as of February 24, 2020

Dr. Friedlander was concerned about the edge of pavement language since the road could erode over time. Counsel Zalantis said this approval is based on the current conditions and there is a time frame involved for this work to be completed. She is satisfied that the resolution as drafted with the change to condition 1 is acceptable.

Mr. Aukland commented for the record that he is satisfied with the landscaping.

Dr. Friedlander thanked the applicants and said they have done a great job preserving the property.

Mr. Tedesco moved, seconded by Mr. Aukland, to approve this application with the changes discussed this evening. All in favor. Motion carried.

CONTINUATION OF PUBLIC HEARING- Artis Sr. Living -153 White Plains Road

Don Walsh, of Development Strategies, White Plains, NY, a planning and consulting Firm for Crescent Associates, appeared before the Board. He introduced the project engineer, Rich Williams.

Mr. Walsh updated the Board and said that they are reviewing comments from Hahn Engineering with regard to stormwater review and are reviewing the Nolan Landscape report. They will use Planner Galvin's memo to the Board as their basis of moving forward. The Hahn plan augments the stormwater plans from 2015 which resulted in retention pond that is there now. They are looking at the landscape plan carefully to make sure that the trees planted are able to thrive.

Mr. Walsh advised that they will be submitting the energy sources that they are proposing by the next meeting.

Rich Williams, P.E., the project engineer, said that in the next couple of weeks they will meet with consultants and re-submit. Artis has authorized Fred Cook to do the closed TV inspection of the off-site sewers and will coordinate with the Building Inspector's office for a date.

Mr. Tedesco asked Mr. Williams about the sidewalk access plan to the site. Mr. Williams said he has submitted concepts to the owner of 155 and the tenant (Columbia Doctor's) to review the proposed plan.

Dr. Friedlander asked if anyone in the public had any comment or questions. No one appeared.

Mr. Tedesco moved, seconded by Mr. Aukland to continue the Public Hearing. All in favor. Motion carried.

CONTINUATION OF PUBLIC HEARING- Lee Balter - 112 Wilson Park Drive

Bill Balter, appeared on behalf of his father, Lee Balter, for site plan approval for the construction of a single family residence at 112 Wilson Park Drive. He stated that they have submitted revised plans that fully address the comments raised at the last meeting. He is hoping that the Board will approve this project this evening. He advised that Rich Williams, P.E., the project engineer, is here answer any questions that the Board may have.

Dr. Friedlander asked if anyone in the public had any questions. No one appeared.

Mr. Aukland moved, seconded by Mr. Aukland to close the Public Hearing. All in favor. Motion carried.

Mr. Aukland read through portions of the Resolution and said that a copy of the Resolution will be provided to the applicant and be included in the minutes of this meeting.

RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted February 24, 2020)

Application of Lee Balter
Property: 112 Wilson Park Drive (Sheet 1.50, Block 20, Lot 60.2)
and Zone R-30 (Bulk) and R-60 (dwelling))

Resolution of Site Plan Approval

Background

1. The Applicant has requested site plan approval for the construction of a single-family residence on an approved lot in the R-60 zoning district.

2. The Planning Board determined on January 27, 2020 that the Project was a Type II action based on *NYS DEC 617.5 (c) (11) “construction or expansion of a single-family, a two-family or a three-family residence on an approved lot...” and therefore, no further SEQRA review is necessary.*

3. The Planning Board has conducted a duly noticed public hearing on January 27, 2020 and February 24, 2020 at which time all those wishing to be heard were given the opportunity to be heard.

4. The Planning Board has carefully examined the Application and received and considered written comments from the Consulting Village Planner in memoranda dated December 9, 2019, January 13, 2020 and February 12, 2020, from the Village’s Landscape Consultant in a staff report dated January 13, 2019 and February 20, 2020, from the Building Inspector/Village Engineer in a denial letter dated November 26, 2019 and a review memorandum dated February 20, 2020 with recommended modifications to be included in revised plans and the *Amended Stormwater Report* dated January 27, 2020 and correspondence from Insite Engineering, the Applicant’s Engineer, dated December 3, 2019 and February 6, 2020 which the Planning Board has considered.

5. The Village Landscape Consultant has provided a final staff review dated February 20, 2020 for the revised Landscape Plan and found the changes to be responsive to additional comments/recommendations regarding plant sizes, tree protection measures, grading changes and additional tree protection to maintain and protect the existing 24” oak tree between the western property line and the garage.

6. In response to Planning Board comments, the Applicant has provided a list of targeted LEED credits to achieve LEED v4.1 Silver Certification. These targeted LEED Credits are shown on Sheet 3 of 3 of the Architectural Plan set – *Renderings & LEED Targets*. The Applicant is also providing rooftop solar collectors which are anticipated to produce 15kw for the residence.

7. The Planning Board closed the public hearing on February 24, 2020. After closing the public hearing, the Planning Board deliberated in public on the Applicant's request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval is granted subject to the conditions set forth below.

I. **Findings**

The Planning Board considered the standards set forth in Village of Tarrytown Zoning Code ("Zoning Code") Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

The subject property is 59,220 sf located at 112 Wilson Park Drive (lot 2 in the five-lot cluster subdivision known as "Legends at Wilson Park" developed by Toll Brothers). The cluster subdivision was filed with the Village by Toll Land V Limited Partnership (the Developer) on January 4, 2011. The applicant has recently closed on the property from Toll Brothers and is seeking site plan approval to construct a new residence on the property.

Applicant has submitted revised site plans and architectural plans as well as an Amended Stormwater report from Insite Engineering. The applicant has revised the plans to address comments from the Planning Board and the Village Landscape Consultant. The size of the residence has been reduced from 5,594 sf to 4,226 sf. The proposed 600 sf garage will still remain. The dwelling's footprint has changed from 51'x47' (2,397 sf) to 49'x49' (2,401 sf). The driveway will still consist of permeable pavers including that portion within 10' of the garage based on comments from the Planning Board. Impervious surfaces have been reduced from 19.28% (11,419 sf) to 17.6% (10,435 SF). The residence is a three bedroom, 2-story structure with a maximum height of 19.5'.

The amended stormwater plan uses two stormwater infiltration systems to treat the runoff from the site's impervious surfaces. Additionally, two rain gardens are proposed to treat stormwater runoff from the project site. All stormwater structures have been moved to at least 10' from any property line. The seeding for the proposed rain gardens has now been indicated on the plans.

Trees that were shown to be removed on the initial site plan included those shown to be removed on the previously approved 2011 site plan. These trees were subsequently removed

plus two other trees by the previous owner (Toll Brothers). The revised site plan now shows the trees currently on the site. The site plan has also been revised to keep the existing 24” oak tree. This has been accomplished by relocating the proposed swale which will be built from fill material. This eliminates the need to cut into the existing grades. Tree protection is shown around this 24” oak tree to the limit of the proposed fill in that area.

Recently planted spruce trees along the shared driveway have been added to the plan. Twenty of these trees are proposed to be transplanted during construction. Tree protection is shown around the spruces that are to remain. Tree protection is now shown for the 28” hickory on the eastern edge of the property.

The Applicant has provided a list of targeted LEED credits to achieve LEED v4.1 Silver Certification. These targeted LEED Credits are shown on Sheet 3 of 3 of the Architectural Plan set – *Renderings & LEED Targets*. The LEED categories specified include: 1) *Sustainable Sites* (heat island reduction, rainwater management); 2) *Water Efficiency* (WaterSense labeled fixtures & fittings); 3) *Energy and Atmosphere* (reduced annual energy consumption, increased building insulation above required minimum, door and window U-Factors below code maximum, Energy Star appliances & fixtures, efficient hot water distribution); 4) *Materials and Resources* (use of durable materials, environmentally preferable products); 5) *Indoor Environmental Quality* (enhanced ventilation, containment control, balancing of HVAC systems, low-emitting products). Additionally, the Applicant will be installing solar collector panels on the roof.

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:

Civil Plans by Insite Engineering, Surveying & Landscape Architecture, P.C., dated 11/22/19 and last revised 2/21/20 and Architectural Plans prepared by Aryeh Siegel, Architect for the Balter Residence, 112 Wilson Park Drive, Tarrytown, NY dated 2/6/20 unless otherwise noted:

Civil Plans

- SP-1 “*Layout Plan*”
- SP-2 “*Grading, Utilities, Erosion & Sediment Control Plan*”
- SP-3 “*Tree Removal & Landscape Plan*”
- D-1 “*Details*”
- D-2 “*Details*”
- D-3 “*Details*”
- SL-1 “*Slopes Map*” dated 12/3/19

Architectural Plans

- Sheet 1 of 3 “*Floor Plans: Basement and Ground Floor*”
 - Sheet 2 of 3 “*Elevations: East, West, North and South*”
 - Sheet 3 of 3 “*Renderings & LEED Targets (LEED v4.1 Silver Certification)*”
- (the “Approved Plans”).

III. General Conditions

(a) Prerequisites to Signing Site Plan: The following conditions must be met before the Planning Board Chair may sign the approved Site Plan (“Final Site Plan”):

- i. The Planning Board’s approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.
- ii. If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Village Engineer/Building Inspector, they shall also be considered “Approved Plans.”
- iii. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

(b) Force and Effect: No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the Final Site Plan is signed by the Chair of the Planning Board and (3) the Final Site Plan signed by the Planning Board Chair has been filed with the Village Clerk.

(c) Field Changes: In the event the Village Engineer/Building Inspector agrees that, as a result of conditions in the field, field changes are necessary to complete the work authorized by the Approved Plans and deems such changes to be minor, the Village Engineer/Building Inspector may allow such changes, subject to any applicable amendment to the approved building permit(s). If not deemed minor, any deviation from or change in the Approved Plans shall require application to the Planning Board for amendment of this approval. In all cases, amended plans shall be submitted to reflect approved field changes.

(d) ARB Review: No construction may take place and a building permit may not be issued until Applicant has obtained approval from the Board of Architectural

Review in accordance with applicable provisions of the Village of Tarrytown Code.

- (e) Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.
- (f) Landscaping: All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season.

IV. Specific Conditions

- (a) Prior to the issuance of a building permit, the Applicant shall prepare and file a declaration of easement or easement agreement in a form acceptable to the Planning Board’s attorney with respect to the area depicted as the “proposed expansion of easement” on the Site Plan Lot 2 Block 117, Legends at Wilson Park dated 5/7/14 and last revised 12/19/16 (Sheet 1 of 2) and provide proof of recording of such easement agreement/declaration to the Building Department.
- (b) The Applicant consents and agrees that prior to the issuance of any certificate of occupancy for 112 Wilson Park Drive, Applicant shall join the Homeowner’s Association (“HOA”) for the Legends at Wilson Park subdivision.
- (c) The Applicant agrees to the “Homeowners’ Association Documents” which prohibits the use of phosphate fertilizers. Organic, non-phosphate fertilizers may be used.

Mr. Tedesco moved, seconded by Mr. Aukland, to approve this site plan application. All in favor. Motion carried.

NEW PUBLIC HEARING – Scipioni Group LLC - 41 John Street

Dr. Friedlander read the Public Hearing Notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, February 24, 2020 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

The Scipioni Group, LLC
4 John Street
Tarrytown, NY 10591

for the construction of a new two-family home.

The property is located at 41 John Street in the Village of Tarrytown and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.70, Block 36, Lot 8 and is located in the M-2 Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals.

By order of the Planning Board.

Lizabeth Meszaros
Secretary to the Planning Board

DATED: February 14, 2020

The mailing receipts were received and the signs were posted.

Sam Vieira, R.A., the project architect, appeared on behalf of the applicant, Sara Scipioni, also present, for site plan approval for the construction of a single family residence at 41 John Street. Mr. Vieira showed the site plan and explained to the Board that this is a 2 ½ story residence on the corner of Elizabeth and John Street. The proposal was to renovate the home into a single dwelling unit, connect the garage and build a unit above the existing garage. This project received variances from the Zoning Board back in December of 2018. It did not require Planning Board approval since the home was only to be renovated. After receiving approval, Mr. Vieira was retained by the owners to prepare the construction drawings and it was discovered that there was an error in the height of the building. In order to comply with the zoning variances that were granted, a substantial amount of work (close to \$90,000 for the brick work alone) would be necessary to lower the floors in order to comply with the variances that were granted. They came to the conclusion that the removal of the building down to the foundation would be a huge cost savings. In accordance with the village code, they were advised by the Building Inspector that, once you demolish a building, it becomes a new home which has triggered site plan approval. Mr. Vieira advised that nothing has changed and they have received the same variances again from the Zoning Board with an amended approval, on February 10, 2020, to include the demolition of the building down to the foundation and reconstruction back to the same project with the same variances. So, other than the demolition, there are no changes. The new home will have an additional 8 inches on the inside and the benefit to the building demolition is that it will result in a shorter construction period. Mr. Tedesco asked if they will need to

go back to the ARB. Mr. Vieira said that the plans have not changed so there is no need to go back before this Board.

Dr. Friedlander asked if anyone in the public had any questions. No one appeared.

Mr. Tedesco moved, seconded by Mr. Aukland, to declare this a Type II action with no further environmental review required under SEQRA. All in favor. Motion carried.

Mr. Birgy moved, seconded by Dr. Friedlander, to close the Public Hearing. All in favor. Motion carried.

Mr. Birgy read through portions of the Resolution and said that a copy of the Resolution will be provided to the applicant and be included in the minutes of this meeting.

RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted February 24, 2020)

Application of Scipioni Group LLC
Property: 41 John Street (Sheet 1.70, Block 36, Lot 8 and Zone M-2)

Resolution of Site Plan Approval

Background

1. The Applicant requests site plan approval to remove the existing structure down to the foundation and reconstruct a wood frame two-family, 2 ½ story residence previously approved by the Zoning Board of Appeals and Architectural Review Board in the M-2 zoning district. The original approval of the ZBA and ARB was to renovate the structure rather than remove the building down to the foundation.
2. The Planning Board determined on February 24, 2020 that the Project was a Type II action based on *NYS DEC 617.5 (c) (11)* “*construction or expansion of a single-family, a two-family or a three-family residence on an approved lot.*”
3. The Planning Board has conducted a duly noticed public hearing on February 24, 2020 and closed the public hearing on February 24, 2020, during which time all those wishing to be heard were given the opportunity to be heard.
4. The Planning Board has carefully examined the Application and received comments and recommendations from the Village Consulting Planner in memorandum dated February 12, 2020 and comments from the Building Inspector/Village Engineer, the cover letter from the Applicant’s architect dated January 13, 2020 providing background on the application and the original resolution of the Zoning Board of Appeals dated January 30, 2019 approving the project’s requested area and parking variances which the Planning Board has considered.

5. The Zoning Board of Appeals reviewed the Applicant’s request for area variances and a variance to allow parking for two off-street parking spaces where four are required. Many of the variances are related to the non-conformity of the lot. The footprint, overall dimensions, height and architectural design will remain the same as the original approved project. The ZBA opened a public hearing on this application on February 10, 2020. The ZBA closed the public hearing on this same date and re-approved the requested variances on that date.

6. The Planning Board closed the public hearing on February 24, 2020. After closing the public hearing, the Planning Board deliberated in public on the Applicant’s request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval is granted subject to the conditions set forth below.

I. **Findings**

The Planning Board considered the standards set forth in Village of Tarrytown Zoning Code (“Zoning Code”) Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

The subject property is located at 41 John Street at the southwest corner of John Street and West Elizabeth Street. The property is 2,704 sf with 12,500 being the minimum size in the M-2 zoning district. The property has an existing, one-story garage fronting on John Street. John Street is one way south with no parking allowed on the east side of John Street except for two hours on Tuesday and Friday for street cleaning. West Elizabeth Street is one way west with no parking allowed on the south side with the same parking restrictions for street cleaning.

Applicant is requesting site plan approval to demolish the existing residence down to the foundation and reconstruct a wood frame 2 family, 2 ½ story residence previously approved by the ZBA and ARB. The original application was for the renovation and minor expansion of the existing single-family residence and conversion to a two-family residence. The project included a second-floor addition above a two-car garage and expansion of a ½ story of habitable space. The existing residence had been a two-family home before it was converted to a single-family residence. The property is in the M-2 district which permits two-family homes. The existing structure and foundation are pre-existing and nonconforming as to setbacks and building coverage.

On December 12, 2018, the ZBA approved the several area variances for the property. The Applicant now wants to remove the building down to the foundation and frame up in traditional wood method on the existing footprint. This option would save owners a substantial amount of money and reduce the construction schedule. Applicant’s architect indicates that

there will be no change to the building as previously approved. The footprint, overall dimensions, height and architectural design will remain as previously approved. The project now requires site plan approval from the Planning Board since it is considered to be new construction. The new application also requires Applicant to return to the Zoning Board of Appeals and the Architectural Review Board. The ZBA reviewed the application at a public hearing on February 10, 2020 and re-approved the requested variances including a parking variance for two off-street parking spaces where four such spaces were required.

The Cultural Resource Information System (CRIS) maintained by the New York State Office of Parks, Recreation and Historic Preservation was investigated to determine the potential historic significance of the subject property. A *Building-Structure Inventory form* had been prepared for the property at 41 John Street on 5/2/76 similar to other properties along John and Elizabeth Streets. At the time of the 1976 survey, the subject property contained a freestanding single-family residence on a corner site at John Street and West Elizabeth Street with an accessory garage fronting on John Street. It was surrounded by houses of similar type and scale. The survey noted that an open tread stairway to the second floor had been added between the garage and house with a covered entrance at the front door. The Inventory survey indicated that construction was wood frame with light members and the exterior was covered with aluminum siding in 1976. There was no other indication of building materials including brick at the time of the survey. The eligibility for historic landmark status was listed as undetermined. This is a similar determination for the other surrounding residences along both John and Elizabeth Streets. The Inventory survey indicates that the residence at 41 John Street is a typical example for central Tarrytown housing stock.

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:

Plans by Samuel F. Vieira, Architect, P.C. prepared for *Building Renovations for Scipioni Group Inc. at 41 John Street, Tarrytown, NY 10591* dated 5/24/19 and last revised 9/12/19 unless otherwise noted:

- SP-1 “*Survey, Proposed Site Plan and Zoning Chart*”
 - A-1 “*Basement/Foundation and First Floor Construction Plans*”
 - A-2 “*Second and Attic Floor Construction Plans*”
 - A-4 “*Proposed Exterior Elevations*”
 - A-5 “*Proposed Exterior Right and Left Side Elevations*”
- (the “Approved Plans”).

III. General Conditions

- (a) Prerequisites to Signing Site Plan: The following conditions must be met before the Planning Board Chair may sign the approved Site Plan (“Final Site Plan”):

- i. The Planning Board’s approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.
 - ii. If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Village Engineer, they shall also be considered “Approved Plans.”
 - iii. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.
- (b) Force and Effect: No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the Final Site Plan is signed by the chair of the Planning Board and (3) the Final Site Plan signed by the Planning Board Chair has been filed with the Village Clerk
- (c) Field Changes: In the event the Village Engineer/Building Inspector agrees that, as a result of conditions in the field, field changes are necessary to complete the work authorized by the Approved Plans and deems such changes to be minor, the Village Engineer/Building Inspector may, allow such changes, subject to any applicable amendment to the approved building permit(s). If not deemed minor, any deviation from or change in the Approved Plans shall require application to the Planning Board for amendment of this approval. In all cases, amended plans shall be submitted to reflect approved field changes.
- (d) ARB Review: No construction may take place and a building permit may not be issued until Applicant has obtained approval from the Board of Architectural Review in accordance with applicable provisions of the Village of Tarrytown Code.
- (e) Stormwater Management Plan: A stormwater management plan shall be provided to the Village Engineer for review and approval to accommodate a reducing of 25% of the impervious lot area surface.
- (f) Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.

Mr. Tedesco moved, seconded by Mr. Aukland, to approve this site plan application. All in favor. Motion carried.

NEW PUBLIC HEARING– Nat.Trust for Hist. Preservation/Lyndhurst– 635 S. Broadway

Please take Notice that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, February 24, 2020 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Krystyn Hastings Silver o/b/o
National Trust for Historic Preservation- Lyndhurst
2600 Virginia Ave. NW - Suite 1100
Washington, DC 20037

for site plan approval to perform interior renovations and repairs to the Pool Building (circa 1911) in order to re-open the building for seasonal use and visitation by the public for art exhibits.

The property is located at 635 South Broadway, Tarrytown, NY and is shown on the tax maps as Sheet 1.221, Block 129, Lots 3, 9 and 10 and is in the HC Zoning District.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros
Secretary to the Planning Board

DATED: February 14, 2020

The mailing receipts were received and the signs were posted.

Krystyn Hastings Silver, Assistant Director at the Lyndhurst Property, appeared before the Board on behalf of Lyndhurst.

She explained to the Board that they are here to seek site plan approval in order to re-open the pool building for seasonal use and visitation by the public for art exhibits. The pool was built in 1911 and most recently, it was used for tag sales in the late 90's. They have received a grant to have an artwork exhibit in the building and showed pictures and distributed samples of the latex castings that will be used as part of the exhibit. She described the exhibit as "Watershed". Guests will walk around the pool which will be lit with sound. She showed the views of the interior and confirmed that they do not intend to alter the area, but want to make it safe. Visitors will not be allowed to enter the actual pool area.

Dr. Friedlander asked if anyone in the public had any questions. No one appeared.

Dr. Friedlander asked if any Board members or staff had any questions.

Mr. Birgy asked when it will be open. Ms. Silver said they plan to be open on Saturdays and Sundays and there is no fee to enter. There will be no cars parked in this area. Mr. Tedesco confirmed that the use would be seasonal for exhibits from May through November.

Mr. Aukland asked about the exterior work. Ms. Silver said they will be restoring a gravel path outside and a temporary ADA ramp for use during the exhibit, which will be removed on a seasonal basis. The exhibit will be from May through October.

Mr. Aukland confirmed that they are maintaining the historic significance of the structure. Ms. Silver said they want to keep it as original as possible.

Mr. Tedesco moved, seconded by Mr. Aukland, to declare this a Type II action with no further environmental review required under SEQRA. All in favor. Motion carried.

Ms. Raiselis moved, seconded by Mr. Tedesco, to close the Public Hearing. All in favor. Motion carried.

Ms. Raiselis read through portions of the Resolution and said that a copy of the Resolution will be provided to the applicant and be included in the minutes of this meeting.

**RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted February 24, 2020)**

**Application of National Trust/Lyndhurst- Krystyn Hastings-Silver, Assistant Director
Property: 635 South Broadway (Sheet 1. 221, Block 129, Lot 3 and Zone HC)**

Resolution of Site Plan Approval

Background

1. The Applicant requests site plan approval for the renovation of the historic Pool Building (Lyndhurst Swim Tank) for seasonal public exhibit use. (Seasonal is defined as six months or less.) The renovations are designed to re-open the pool building for seasonal use and make the building safe for visitors. The renovation plan will include: 1) re-installation of outdoor seating area; 2) replace and install new entry gates; 3) new railing system at height of 42" will be installed around the pool. Additionally, a temporary handicap accessible ramp will be installed on the exterior of the building to provide ADA access. All uses in the Historic Commons (HC) District are subject to the issuance of a certificate of appropriateness from the Board of Architectural Review.

2.The Planning Board on February 24, 2020 determined this to be a Type II Action under NYS DEC 617.5 (c) (2) ". . . replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part." Therefore, no further SEQRA review is necessary.

3.The Planning Board has conducted a duly noticed public hearing on February 24, 2020 at which time all those wishing to be heard were given the opportunity to be heard.

4. The Planning Board has carefully examined the Application including the Topographic site plan showing the pool building, *Environmental Clearance Form*, a *Fire Safety Plan* submitted by Steven Tilly, Architect consisting of a *Fire Safety Plan Drawing (A-100)* and *Historic Building Code Report and Safety Analysis*, current photographs of the Pool Building, lighting plan showing light level around the pool and emergency lighting plan, rendering of the lighting levels around the pool, a steep slope map for the entire Lyndhurst site and copies of an easement agreement and Preservation Covenants.

5. The Planning Board has received comments and recommendations from the Village Consulting Planner in a memorandum dated February 12, 2020, from the Building Inspector/Village Engineer in a denial letter dated February 6, 2020 and an email dated January 8, 2020 from Richard Garcia III, Applicant’s Lighting Designer describing the lighting plan and emergency lighting in detail around the pool area which they have considered.

6. The Planning Board closed the public hearing on February 24, 2020. After closing the public hearing, the Planning Board deliberated in public on the applicant’s request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval is granted subject to the conditions set forth below.

I. **Findings**

The Planning Board has considered the standards set forth in the Village of Tarrytown Zoning Code (“Zoning Code”) Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

Lyndhurst is a 69-acre historic National Trust property located at 635 South Broadway in the HC (Historic Commons) District. The historic pool building (c 1911 - also known as the “Lyndhurst Swim Tank”) is located in the northeastern quadrant of the site near South Broadway. It has not been operated as a swimming pool for well over 70 years.

The Planning Board has reviewed the Applicant's site plan. The proposed action is focused on the renovation of the historic Pool Building and making it safe for visitors. The application consists of the following: 1) *change of occupancy of the historic Pool Building for a seasonal public exhibit space*; 2) *re-install outdoor seating area and fountain*; and 3) *replace and install new entry gates*. Lyndhurst is planning an art exhibit from May through October 2020. This art exhibit is being funded by the National Endowment for the Arts. To provide ADA access for visitors, a temporary handicapped accessible ramp will be installed on building's exterior.

Applicant has provided a topographic map of the entire Lyndhurst property. The Pool Building is not located on any steep slopes. In fact, there are no steep slopes in the northeast quadrant of the Lyndhurst site.

There is no parking proposed for the outside of the Pool Building. Visitors will primarily walk to the Pool Building to view the art exhibit. There will be only drop off from the Lyndhurst Driveway to the south of the Pool Building via the Lyndhurst Driveway. The Old Croton Aqueduct Trail runs a short distance to the west of the Pool Building. There is no water service at the building and restrooms are available at the nearby Green House to the west of the Pool Building.

The re-opening of the Pool Building for seasonal exhibit space only involves interior renovations and repairs to make the building safe for visitors. There will be no cosmetic or aesthetic changes to the exterior of the building. The proposed art exhibit will be in the Pool Building and placed around the pool deck and in the lobby area. A new railing system at a height of 42" will be installed around the perimeter of the pool. There will be no occupancy of the pool itself. The art exhibit will be open during the daytime hours and on weekends. A lighting plan has been provided for the interior of the pool building showing the light level for circulation around the pool. A converter will be used to activate the lights in an emergency around the pool deck.

A Fire Safety Plan has been provided by Steven Tilly, Architect after discussions with the Building Inspector and Fire Chiefs. The *Fire Safety Plan* consists of a *Fire Safety Plan Drawing* (A-100 dated 10/30/19) and *Historic Building Code Report & Safety Analysis*. The *Fire Safety Plan Drawing* shows the travel egress path, the proposed fire safety systems being installed in compliance with the Code including smoke and CO detectors, end to end beam detector aimed across the pool area, horns and strobes, exit signage, emergency lighting, fire extinguishers and fire alarm pull boxes.

The Fire Safety Plan limits maximum occupancy to 49 people for daily use consistent with the building's single exterior exit. There are three exits from the pool area, but they lead to a lobby with a single exit. There will be no occupancy of the pool itself.

For individual special events where occupancy exceeds 49, the Applicant will need to notify the Building Department and Fire Chiefs shall in advance of the event date for approval of the event by the Building Department with an agreed maximum number of guests and the establishment of a fire watch during and after the event staffed by personnel acceptable to

the Tarrytown Fire Department and the permanent installation of the proposed fire detection system, building lighting and emergency lighting. In no case, shall maximum occupancy be greater than 200 people. Occupancy is only permitted in the presence of authorized personnel familiar with the building and its safety features and able to guide occupants to exits.

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:

Plans prepared for National Trust for Historic Preservation/Lyndhurst are listed below and entitled as follows:

- A-100 “*Fire Safety Plan for Lyndhurst Swim Tank (Pool Building)*” dated 10/30/19 prepared by Steve Tilly, Architect
 - “*Topographic Site Plan showing Pool Building*” dated 11/13/18 prepared by Ward Carpenter Engineers Inc.
 - “*Steep Slope Map of Lyndhurst*” prepared by Ward Carpenter Engineers, Inc.
 - “*Lighting Plan and Emergency Lighting Plan for Pool Area*” dated January 8, 2020 prepared by Richard Garcia III, Pyramid Lighting Group.
 - “*Rendering of Lighting Levels in Pool Area*” dated January 8, 2020 prepared by Richard Garcia III, Pyramid Lighting Group
 - “*Historic Building Code Report & Safety Analysis for Lyndhurst Swim Tank (Pool Building)*” dated February 3, 2020 prepared by Steven Tilly, Architect
- (the “Approved Plans”).

III. General Conditions

- (a) Prerequisites to Signing Site Plan: The following conditions must be met before the Planning Board Chair may sign the approved Site Plan (“Final Site Plan”):
- i. The Planning Board’s approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.
 - ii. If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this

Resolution as determined by the Village Engineer, they shall also be considered “Approved Plans.”

- iii. The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.
- (b) Force and Effect: No portion of any approval by the Planning Board shall take effect until (1) all conditions are met, (2) the Final Site Plan is signed by the chair of the Planning Board and (3) the Final Site Plan signed by the Planning Board Chair has been filed with the Village Clerk.
- (c) Field Changes: In the event the Village Engineer/Building Inspector agrees that, as a result of conditions in the field, field changes are necessary to complete the work authorized by the Approved Plans and deems such changes to be minor, the Village Engineer/Building Inspector may, allow such changes, subject to any applicable amendment to the approved building permit(s). If not deemed minor, any deviation from or change in the Approved Plans shall require application to the Planning Board for amendment of this approval. In all cases, amended plans shall be submitted to reflect approved field changes.
- (d) Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.

IV. Specific Conditions:

- (a) The *Fire Safety Plan* consisting of the *Fire Safety Plan Drawing (A-100)* dated 10/30/19 and the *Historic Building Code Report and Safety Analysis* prepared and submitted by Steven Tilly, Architect shall remain part of this site plan resolution and will be maintained on file in the Building Department. All uses with an occupant load greater than 49 shall need to comply with the Fire Safety Plan and prior approval by the Fire Chiefs and Building Department.
- (b) The site plan approves the use of the Pool Building for seasonal exhibit space. An application for other non-seasonal uses shall need to be submitted to the Building Department for review.

Mr. Tedesco moved, seconded by Mr. Aukland, to approve this site plan application. All in favor. Motion carried.

NEW PUBLIC HEARING– E.F. SCHOOLS, INC. – 25 IRVING AVENUE

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, February 24, 2020 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Andrea Arakaki, Exec. Director
E.F. Schools, Inc.
100 Marymount Avenue
Tarrytown, NY 10591

for the construction of a new single family home.

The property is located at 25 Irving Avenue and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.80, Block 43, Lot 1.2 and is located in the R-20 Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals and the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros
Secretary to the Planning Board

DATED: February 14, 2020

The mailing receipts were received and the signs were posted.

Steve Marchesani, R.A., the project architect, appeared before the Board and presented the site plan. They are proposing to construct a new residence for the director of E.F. School. The existing structure is a two-story, one-family residence which is in disrepair. They are proposing to demolish the structure and rebuild. The proposed new residence is 400 sf. larger than the existing. The existing impervious surface is 2,285 s.f.; the proposed impervious surface of the proposed project is 2,452 s.f., which is an additional 167 s.f. They are trying to keep the house in range to what is there now. They have sited the house to do minimal grading to the lot. The entrance to the driveway into the house will be re-graded. They have provided a stormwater management report. This lot is a legally non-conforming lot which will require variances from the Zoning Board. They will appear before the Zoning Board on March 9, 2020.

Ms. Raiselis asked how old the existing house. Anthony Carnevalla, of Fairway Modular Homes, the builder for the project, came up and said he is not sure but thinks it was built around 1920 and is completely destroyed inside. With regard to historic significance, Mr. Galvin said that there is no building inventory listed on the CRIS (Cultural Resource Information System) for this site. Some homes further up on Irving do have records.

Mr. Tedesco asked if the landscape plan was submitted. The applicant confirmed that it has been submitted.

Ms. Raiselis asked who will live in this home. Mr. Marchesani said that the Executive Director, Andrea Arakaki, and her family will be living in the home.

Ms. Raiselis said that this is a prominent location. As you enter the village from the lakes, you see this tiny little quirky house. She is wondering how this new one is going to fit in. They are all so used to this home.

Mr. Marchesani said that the home has been sited a little bit more to the right in order to minimize the number of variances needed. The variances needed are for lot size, frontage and rear yard.

Mr. Birgy asked the square footage of the new home compared to the existing.

Mr. Marchesani said the existing is 1,450 s.f., it is a two-story; the new home is 2,210 s.f. also, two stories. It is 400 s.f. larger than the existing.

Ms. Raiselis confirmed that as you come up from lakes, you will see the back of the house. Mr. Marchesani said yes, it is facing the same as the existing house. There will be a porch in the front and a deck in the back.

Dr. Friedlander asked if anyone in the public or staff has any questions. No public appeared.

Mr. Tedesco commented that the entranceway will need to be better landscaped and we will ask the landscape architect to keep this in mind to ensure that it is aesthetically pleasing.

Ms. Raiselis understands why the house is sited as such but she feels it turns its back on the community of Tarrytown. She asked the applicant if there is something they can do to address this issue so it does not feel like people will be looking at the back of the house. She thinks that they really need a two sided house. You need two faces in order to address the community where it sits, and the community around where it sits.

Mr. Carnevalla said that right now they have a deck in the back and perhaps they could add a trellis around it or a pergola over the top to dress it up.

Ms. Raiselis is not asking them to change the location of the house; she just wants another porch added to make it look more like a front.

Mr. Carnevalla said they will look into the Board's concerns and come back with a plan to address this issue.

Mr. Tedesco moved, seconded by Mr. Aukland, to declare this a Type II action with no further environmental review required under SEQRA. All in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the Public Hearing. All in favor. Motion carried.

NEW PUBLIC HEARING - Hebrew Congregation of N. Tarrytown and Tarrytown a/k/a Temple Beth Abraham – 25 Leroy Avenue

Dr. Friedlander read the public hearing notice into the record.

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, February 24, 2020 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

The Hebrew Congregation of North Tarrytown and Tarrytown
a/k/a Temple Beth Abraham
25 Leroy Avenue.
Tarrytown, NY 10591

for the renovation of the existing two-story building and the construction of a 2,475 s.f. new two-story addition and other related site improvements.

The property is located at 25 Leroy Avenue and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.110, Block 78, Lot 18 and is located in the M-2 Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Zoning Board of Appeals and the Architectural Review Board.

By order of the Planning Board.

Lizabeth Meszaros
Secretary to the Planning Board

DATED: February 14, 2020

The mailing receipts were received and the signs were posted.

Daniel Patrick, Attorney with the law firm of Cuddy & Feder, appeared before the Board on behalf of the applicant, Temple Beth Abraham, the owners of the property. He introduced the Ralph Peragine, P.E, of Provident Design, John Imbiano, R.A, of IQ Landscape Architects, Mark Levin, R.A., of Levin Brown Architects and Stuart Skolnick, of Temple Beth Abraham.

Mr. Patrick presented the site plan which proposes a new two-story addition to the existing south side of the building with a 2,475 s.f. footprint, and a total floor area of approximately 5,000 s.f. They are adding a one-way drop-off lane, three ADA parking spaces and an outdoor seating area. There will be a combined lobby area with additional space for meetings and classrooms. They will relocate the office space to the new area so the offices can be closer to the front for safety reasons. An elevator and additional ADA aspects will also be added.

Mark Levin, R.A., of Levin Brown Architects addressed the Board. They have been engaged by the applicant to evaluate and create new access to the building. The current parking lot is on the lower level with no access to the facility or for ADA accessibility. He showed the plan looking up the driveway. ADA needs to be improved in this area since the spaces are currently on a slope. There is no sidewalk to the entrance. To address these issues they are reconfiguring the circulation of this very old building. They propose to renovate the area by adding on 2,500 s.f., to the lower level and 2,000 s.f. to the upper level. He showed the outdoor courtyard area for religious holidays and the outdoor ability to enjoy the view. He showed the drop-off lane to help with pre-school drop off to help with circulation and to create a security entrance which is very important to the facility. There will be only one way to enter the building. The other entrances will be exit only. The offices will be moved downstairs for security and control of the building. He showed the floor plan which creates a lot of open space. They are not adding occupant load, or any additional seating, it is just open space for people to get together informally. He showed a concept rendering of the building and the landscaping at the entrance and the parking lot which will be completely paved. He showed the interior of the building which creates a lot of public space. This plan is modest but functional for security, handicapped accessibility, and to provide public space.

Ralph Peragine, P.E., Sr. Project Manager with Provident Design Engineering, appeared to present the parking lot improvements. Most of the improvements are to make the lot more functional. The lot is substandard on width and does not meet the minimum requirements for driving aisles and parking stalls. They have revised the plan to provide for the minimum standards. They kept one-way circulation with the drop-off area. They have also provided a u-turn area so people can loop back without going back onto the street.

With regard to parking, Mr. Tedesco said there are two variances that you will need from the Zoning Board. One of them is a small one for impervious surface, but the

parking variance of 39 spaces seems large. He asked if the applicant has looked at this to address the parking.

Mr. Peragine said that parking requirement in the code is based on one (1) space per 100 s.f. for occupied sanctuary space, but if you look at this as office space, which is mostly what they are proposing, the parking requirements are different.

Village Engineer commented that the parking requirements are in the code and even if they may not be using it simultaneously, they still need to provide for the required parking as identified in the code. They will be before the Zoning Board for this matter.

Mr. Pennella commented that he did some research on the paper street that runs through the lot and has determined that 6 or 7 of the parking spaces are on the village land. Mr. Pennella said that the Board cannot approve this application without resolving this matter.

Mr. Peragine said that paper street is on a filed map but there is no deed that they know of that turned the property over to the village. They are still researching this. They will need to get a title report to clarify this and move on from there.

Counsel Zalantis said that even if it is a paper street that has not been dedicated to the village, the applicant will need to look at his rights to encroach on the paper street.

Mr. Patrick said they will look into this and provide information relating to this matter. Mr. Peragine said the spaces have always been there and they are actually reducing the amount of encroachment into the paper street.

Mr. Pennella advised that there is a residential unit in the existing building that needs to be addressed. Mr. Levin said the temple custodian is currently occupying it. Mr. Pennella said that it needs to be determined if this is a permitted use and, if so, this space needs to be included in the parking requirement count.

Ms. Raiselis is concerned about the safety of people walking in the parking lot. There are a lot of children and elderly who have to walk in back of the cars in order to get to their cars. She is asking the applicant to look into the possibility of creating a path to improve this situation. Mr. Peragine said there is a walkway around that area for emergency egress for the classrooms. There are bumpers and a fence to prevent people from encroaching into the area.

Ms. Raiselis would like the applicant to look into the possibility of upgrading the path that leads to Grove Street.

Dr. Friedlander read a letter into the record from abutting property owners.

*Stanley Friedlander, Chair
Village of Tarrytown Planning Board
1 Depot Plaza
Tarrytown, NY 10591*

*Re: The Hebrew Congregation of North Tarrytown and Tarrytown
a/k/a Temple Beth Abraham, 25 Leroy Avenue*

Dear Mr. Freidlander:

The comments below are from five homeowners whose properties lie opposite the temple on Leroy Avenue. We reviewed the drawings last week and have a few comments and requests.

- *Parking variance:
where will the new six spaces be located ?
what will the impact on the neighborhood be as a result of the 30+ missing spaces*
- *Landscaping:
we would like to see all the trees on the north side of Leroy to the west of the temple parking lot pruned (or removed) in a way that they cannot reach our houses should they fall down
we would like to see the area with those trees cleared of tree litter and poison ivy
we would like more buffering in the form of dense growing trees at the southern edge of the turnaround in front of the temple to hide the addition*
- *Lighting:
we would like the professionals to revisit the lighting plan as the existing lighting shines into all of our homes contrary to what was hoped for after the last round of site improvements*

Thank you for considering our requests.

The residents:

*Elizabeth & David Vandor 26 Leroy Ave.
Marianne Lepore 22 Leroy Ave.
Joyce Byrne & Rolando Marquez 30 Leroy Ave.
Judith Kass & Osvaldo Moscovich 34 Leroy Ave.
Jaime Echt 207 Grove St.*

John Imbiano, R.A., of IQ Landscape Architects, came up to address the letter and the landscaping plan in general. Mr. Imbiano presented the plan and showed the parking lot which will be vastly improved with the addition of islands. They met with an arborist, and the perimeter of the parking lot has been inventoried within 50 feet. It was determined that most of the trees are Norway Maples which are very invasive. These trees will be cleared within 10 feet of the curb line which will allow them to re-create a buffer that does not currently exist. They are proposing a mix of deciduous trees, native

Oaks and Maples, White Spruce, Red Buds, Evergreens, and around the turnaround there will be berry and native birch, with native perennials in the flagpole circles. The existing shrubs will be replaced with native shrubs.

Ms. Raiselis asked Mr. Imbiano if he had any thoughts about the pathway to Grove. Mr. Imbiano said they will look into this.

Mr. Galvin commented about the view from Leroy Avenue. He would like to see the view into the site from Leroy and asked that a rendering be provided.

Lisa Mendez, of 159 Grove Street, came up and said she is an architect and is representing people on her block. She said that Temple Beth Abraham is a good neighbor. She does have some concerns. She confirmed the size of the addition and is happy that the addition is on the south side. In terms of construction, she asked if the construction material be coming from Leroy Avenue? Mr. Peragine said that construction access will be from Broadway to Leroy Avenue and not on Grove Street.

Ms. Mendez asked about the length of construction. Mr. Peragine said it will be about 9 months.

Ms. Mendez asked about the lead paint. Mr. Levin said the lead paint will be mitigated in a safe manner for the neighborhood and the occupants. Ms. Mendez noted that very young children live close by.

Ms. Mendez asked about the increase in garbage with the new addition and the impact it may have on them since the garbage pickup comes through Grove Street. As far as any additional impact to increase in garbage, they will do a calculation to make a determination. Ms. Mendez said the waste is on their side of the street if it could be moved that would be great.

Ms. Mendez is also concerned about the lighting contamination. The light comes into her home in the winter and her house is higher up. She has a straight view into the parking lot. Ms. Raiselis thought this was addressed at the last site plan. She suggested that the Board may need to make sure that the lighting was installed properly and maybe they should also look at the conditions of the last resolution.

Elizabeth Vandor, who submitted the letter read into the record, appeared before the Board. She lives directly across the street and confirmed that there is some amount of light coming into each of their homes. It would be helpful if this is re-visited. She said that the parking questions will be responded to at the Zoning Board meeting, so she won't get into that. The landscaping is a big issue for them. They are concerned about the old trees in the front that constantly drop branches that could reach their properties since Leroy is very narrow along this stretch. She would like them pruned or removed for safety reasons, and also have the area which is filled with poison ivy and general tree litter, cleaned up. She would also like to request some denser trees be planted to shield them from the new addition since this is a raised ridge. She has no objection to the addition. Ms. Raiselis said she doesn't think the Board can make them mask the

addition. Mr. Pennella referred to the patio area, not just the addition, which may be the reason for the request for screening. Ms. Raiselis asked for a photo simulation to show this area.

Counsel Zalantis said, that as part of SEQRA, the Planning Board can weigh in on the parking concerns; it is not just the Zoning Board.

To recap, Mr. Peragine said they will look into upgrading the pathway and look into the lighting concerns to make sure they meet to the down lighting standards. As far as the tree removals are concerned, the area in question is the responsibility of the Old Croton Aqueduct, who owns the property. They cannot encroach on that property. Anything within that portion, they cannot touch. The arborist will look at the trees to determine if they are safe or not.

Ms. Mendez, of 159 Grove Street, came back up and asked that the garbage situation also be looked at, and that it not fall through the cracks.

Mr. Tedesco moved, seconded by Mr. Aukland, to declare this an Unlisted Action and the Planning Board's intent to be Lead Agency for the site plan review with proper notification of intent to all involved and interested agencies, including the Westchester County Planning Department under the General Municipal Law, NYSDOT, and SHPO because of the proximity to the Old Croton Aqueduct.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a starting escrow for this project at \$10,000. All in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the Public Hearing at the March meeting. All in Favor. Motion carried.

PRELIMINARY PRESENTATION–WILDER BALTER PARTNERS, INC.–62 MAIN ST.

Mark Weingarten, partner with the law firm of Delbello, Donnellan Weingarten Wise & Wiederkehr, LLP appeared, representing Wilder Balter Partners, Inc. in connection with the proposed re-development of the property located at 62 Main Street, known as the YMCA property. His client seeks to create a new affordable mixed income senior multi-family building on the site. He introduced Bill Balter, Principal of Wilder Balter Partners, Inc, one of the leading residential builders in the region. They are a class organization with vast experience in creating all types of housing including luxury, mixed-income, senior, and affordable housing. For those not familiar with this organization, Wilder Balter has many references from other communities and they can provide them to the Board. John Canning, of Kimley Horn, the traffic consultant, is also in attendance, along with Diana Bunin Kolev, also an Attorney with DDWW&W, who will be working with Mr. Weingarten on this project.

Mr. Weingarten explained that the YMCA is required to relocate its operations. Unfortunately, many of the YMCA's in this region have become economically

unsustainable, particularly the ones that contain housing units. His firm is currently working on the project in White Plains with the same circumstances in which the “Y” is required to leave and a multi-family building is coming in its place. The good news is that these buildings have equity locked up in the real estate that they own and they are able to sell them in order to carry on their mission, which is extremely important. This “Y” will be able to relocate and continue to give services to the community and also continue to provide shelter for the current residents and at the same time a multi-family building will be built to provide much needed affordable housing for the village.

The property is 1.12 acres. It is zoned RR on the Main Street side and M 1.5 on the balance of the site. They seek to rezone the entire parcel to M 1.5 and map the new “Senior Community Floating/Overlay District” to the site.

The project is to demolish the existing 4 story building except for the façade on Main Street and a portion of the attached building. The new building will contain 109 dwelling units consisting of 15 studios, 94 one bedrooms. In accordance with federal law, 80% of the occupants will be 55 and older and rents will be from 40% to 80% AMI which is a very good mix of incomes and much needed in this community and will be required to remain in place for 50 years as required for the financing with HCR . Ample parking will be provided. There will be 118 spaces below ground for the residents and 70 Municipal spaces for visitors and the community. Parking was a major part of the discussion with the merchants and it has been incorporated into the project. There will also be solar on the roof. Mr. Weingarten is very proud to be a part of this project and feels that it works well. He introduced Bill Balter to go over the site plan.

Bill Balter, President, of Wilder Balter Partners, Inc., introduced himself and presented the site plan. He showed the YMCA building on Main Street, which was built in 1912 and the 3 story building connected to it in the back. They will be preserving the historic façade on Main Street and doing an adaptive reuse on that part of the building and the portion of building next to it. The 2 story and 4 story piece on Main Street which he showed will remain so that effectively Main Street will look the same as it does now. They will be demolishing the 3 story building in the rear. He showed the new three story building in the back and the 4th story which will be set back from Main Street to break up the mass of the building.

With regard to parking, they will be providing 118 spaces for the residents and an additional 70 spaces in the municipal parking lot which will connect to their lot. They will use the existing access point on Washington Street for the municipal parking. Residential access to their parking will come from Windle Park. He showed the green roof courtyard on the roof of the municipal parking lot which will be used for stormwater and for an amenity for the residents. He showed the large solar system surrounding the courtyard. They are proposing a LEED Gold building. In all likelihood, it will be 100% super high efficiency electric building which will be offset by the outside solar. They may need fossil to provide for hot water.

Mr. Balter is hoping that the Board will declare itself Lead Agency for this project this evening and next month they will be doing a PowerPoint presentation which will be more detailed.

Dr. Friedlander asked Mr. Balter to go over the parking again. Mr. Balter said there are 109 units proposed and 118 spaces for the residents and an additional 70 municipal spaces. Mr. Balter does not think that they will need all this parking. They are thinking about providing merchant parking in the lower level during the day since he feels many of these spaces will be empty. Access control is an issue but they may have a key fob for this use. He introduced John Canning to go over some of the traffic and parking items.

John Canning, of Kimley Horn, referenced his February 5, 2020 letter. He noted that 48 residents will be moved back into the facility after construction, so there is really will only be a net increase of 65 residents. Currently, there is an active daycare program in place. Current traffic counts at night are 100 trips. It is estimated that there will only be 30 trips with the new facility, which is a 70% reduction. Traffic conditions will be improved most noticeably on Windle Park itself. In addition, they are providing 119 spaces for 109 units, but he feels that only 75 to 80 spots are really needed. The 70 new spaces will improve traffic operating conditions within the village since people will not be driving around looking for a spot. From a traffic and parking perspective, Mr. Canning feels that it does not get much better than this.

Mr. Tedesco asked about the floating/overlay district that could be applied to the 5 other sites in the area. Mr. Canning said the 5 other parcels are all currently developed and he does not think it is necessary. Mr. Galvin said the applicant will need to go through the SEQRA exercise for the process. Mr. Balter will provide this analyses at the next meeting.

Mr. Balter came back up and said he is very excited to do this project. The last development they finished was Reader's Digest in Pleasantville. He feels that this is a great use which will solve the SRO problem, and create a lot of opportunity for the community. The current SRO is in terrible condition and the Y can't do anything about it, although they have the best intentions. They will be solving this problem in addition to creating senior housing in a LEED Gold building and providing Municipal parking. It is a great example to set and he is very proud to be a part of this project.

With regard to the parking, they have done traffic counts for similar developments that have built, which were not in the downtown area. The parking count has come out to .7 per unit. So again, he feels that there is much more parking than what is needed.

Mr. Tedesco moved, seconded by Mr. Aukland, to declare the proposed action an Unlisted Action and the Planning Board's intent to be Lead Agency for the re-zoning amendment and site plan review with proper notification of intent to all involved and interested agencies, including the Westchester County Planning Department under the General Municipal Law.

Mr. Tedesco moved, seconded by Mr. Aukland, to set an escrow for this project at \$10,000 to be replenished as required. All in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a Public Hearing at the March meeting. All in Favor. Motion carried.

ADJOURNMENT

Mr. Tedesco moved, seconded by Aukland, to adjourn at 10:10 p.m. All in favor. Motion carried.

Liz Meszaros- Secretary