

## 6 NYCRR Part 617

## State Environmental Quality Review

Amendments to Findings Statement  
for  
Ferry Landings  
(adopted February 6, 2006)

Pursuant to Article 8 (State Environmental Quality Review Act- SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Village of Tarrytown Board of Trustees and Planning Board as co-lead agencies, have deemed it appropriate to make amendments to the Findings Statement for Ferry Landings, as specified below. As stated in the NYCRR Part 617.11(a), "If a project modification or change of circumstances related to the project requires a lead or involved agency to substantively modify its decision, findings may be amended and filed in accordance with subdivision 617.12(b) of this part."

## I. INTRODUCTION

## Name of Action:

Ferry Landings

## Location:

West Main Street, Village of Tarrytown, Westchester County, New York  
Tax Map Sheet 1, Block 0000, Parcels 13, 14, 15, 20, 21, 23, 24, and 24A

## II. AMENDMENTS TO FINDINGS

Since the adoption of the Findings Statement for Ferry Landings on February 6, 2006, the applicant has been working with the Village Planning Board to refine the site plan for approval. Through this process, some changes have been made to the site plan layout in order to enhance the site design and respond to comments made by the Planning Board and the Architectural Review Board. The site plan upon which the Findings Statement was based is shown in Figure 1 and the revised site plan is shown in Figure 2. The changes that have been made to the Findings Statement site plan (Figure 1) are as follows:

- *Elimination of Building D from the site plan shown in Figure 1.*  
This building was proposed as a mixed use office/retail building on the original site plan, but has now been removed from the plan. It was determined that this structure did not provide for an attractive entrance into the site and that it should be eliminated. As shown in Figure 2, this portion of the site now includes a one-story 5,000 square foot retail building, a two-story 6,000 square foot retail building, and a three-story building with 15 residential units.

- *Removal of Building L from the site plan shown in Figure 1.*  
This existing building, shown as Building L on the original site plan and referred to as the "blue building/Penske building," has been removed from the plan. The revised site plan provides for a one-story 4,400 square foot retail building, a 4,200 square foot clubhouse and 40 x 80 foot outdoor swimming pool for Ferry Landings residents on this portion of the site.
- *Reconfiguration of the two residential buildings on West Main Street, designated as "E" on the site plan shown in Figure 1.*  
This portion of the site has been reconfigured in response to comments that the proposed buildings were too long and would create a wall along West Main Street. Shown on Figure 2, the units have been rearranged in order to break up this "wall" and a courtyard has been created in this area.
- *Reconfiguration of the residential units on the northeast portion of the site, designated as "K" on the site plan shown in Figure 1.*  
Units on this portion of the site have been reoriented to face south.
- *Reconfiguration of the residential units on the northwest portion of the site, designated as "H" on the site plan shown in Figure 1.*  
The two smaller buildings that were shown in this location are now shown as one building.

Based on these changes, the Village of Tarrytown Board of Trustees and Planning Board make the following amendments to the Ferry Landings Findings Statement, adopted February 6, 2006:

**A. Reduce square footage of office space**

As a result of the elimination of the existing commercial/office building on the southeast corner of the site, the commercial development program for that portion of the site has been reduced from 65,000 square feet to 40,000 square feet. This reduction will have a positive impact on traffic as it will reduce the number of vehicles that will be generated by the site. Based on ITE trip generation multipliers it will result in a reduction of 62 trips in the AM peak period and 107 trips in the PM peak period.

In addition, commercial/office space in the Cooney building has been reduced by 20,000 square feet to allow for an additional 12 residential units within this existing building. This reduction will have a positive impact on traffic as it will reduce the number of vehicles that will be generated by the site. Based on ITE trip generation multipliers, the reduction in office space will reduce trips generated by the site by an additional 52 trips in the AM peak period and 101 trips in the PM peak period. The 12 residential units will create 11 trips in the AM peak period and 16 trips in the PM peak period, which will be more than offset by the reduction in office space. Therefore, no negative impacts on traffic are expected as a result of this amendment.

**B. Increase the number of residential units on the site**

As discussed above, the elimination of 20,000 square feet of commercial space in the Cooney building allows for the addition of 12 residential units in this building. This will increase the total number of residences on the site from 238 units to 250 units. This increase in residential units and

the related decrease in commercial space will have a positive impact on traffic, as discussed above, reducing the total number of vehicles generated by the Cooney building. The 12 additional units are expected to generate an additional 3 to 4 public school children, based on a multiplier of 0.269 for two-bedroom loft apartments, which was used in the FEIS for the project.

**C. Increase square footage of retail space**

The development program specified in the adopted Findings Statement calls for 15,000 square feet of retail space. At the request of the Planning Board, the Applicant will provide an additional 5,000 square feet of retail space in the Cooney building in order to create restaurant space with a view of the Hudson River. This will increase the total retail space on the site to 20,000 square feet. This increase in retail space is expected to generate an additional 26 trips in the AM peak period and 87 trips in the PM peak period, based on ITE trip generation multipliers. As these additional trips will be offset by the reduction in office space on the site, no negative impacts on traffic are expected as a result of this amendment.

After a two-year stabilization period following full build-out of the Ferry Landings site, the Village Board of Trustees and Planning Board may consider approval of additional retail space, not to exceed 5,000 square feet, in the Cooney building. This additional retail space could potentially increase total retail on the site to 25,000 square feet. Such an increase in retail space will be subject to the review and approval of the Village Board of Trustees and Planning Board.

**D. Add clubhouse building and outdoor swimming pool**

As discussed above, the "blue" building/Penske building (shown as Building L on Figure 1) has been eliminated from the site plan and a 4,200 square foot clubhouse and 40 x 80 foot outdoor swimming pool for Ferry Landings residents is now proposed on this portion of the site. This new use is expected to generate 2 trips during the AM peak period and 2 trips during the PM peak period, based on ITE trip generation multipliers. Given the reduction in total trips to the site due to the proposed reduction in office space, no negative impacts on traffic are expected as a result of this amendment.

**E. Revise heights of individual buildings on the site**

The adopted Findings Statement indicates the heights of each of the proposed buildings on the site and states that building heights must not exceed 42 feet for a flat roof and 45 feet for a pitched roof, specifying that building height is to be calculated from existing grade. As a result of changes that have been made to the site plan, the individual buildings specified in the Findings Statement no longer conform to those shown on the revised site plan. Further, given the significant depression on the southern portion of the site where existing grade is lower than the balance of the site, the applicant has requested that building height be measured from the average elevation of the site, or existing grade of the adjacent street, whichever is higher. The heights of the buildings on the site as indicated in the Findings Statement are as follows:

<u>Building</u>	<u>Height</u>
Existing Office	26'
Cooney Building	35'
Riverhouse	39'
Townhouses	38.5'
Center Court	37.5'
Lookout Building	42'
North Point Park Residences	38'
Garden Residences North	42'
Garden Residences South	42'
Georgetown Courtyard	35'

The following table provides the maximum heights of each of the buildings as shown on the revised site plan, as measured from the average elevation of the site or the existing grade of the adjacent street, whichever is higher. For townhouses, maximum height will be 35 feet for a flat roof and 45 feet for a pitched roof. Pitched roofs must not start at over 32 feet. There will be some variability in building heights and not all buildings will be built to the maximum height specified in the table below.

<u>Building</u>	<u>Height</u>
Clubhouse A	32.5'
Retail B	29'
Retail C	27.5'
Retail D	26.5'
Residence E	42'
Residence F	42'
Residence G	42'
Residence H	45'
Residence I	45'
Residence J	45'
Residence K	42'
Residence L	45'
Residence M	45'
Residence N	45'
Residence O	45'
Residence P	45'
Residence Q	45'
Residence R	45'
Residence S	45'
Cooney Bldg.	45'

- F. Allow mechanical and electrical equipment to be excluded from the calculation of maximum building height.

The adopted Findings Statement specifies that building heights must not exceed 45 feet for pitched roofs and 42 feet for flat roofs, including mechanical and electrical equipment that may be located on the roof. It also includes a statement that architectural treatments that may add aesthetic

interest to building design such as cupolas and chimneys may be excluded from the calculation of building height, subject to review and approval by the Planning Board.

The Applicant has requested an amendment to the Findings Statement to allow mechanical equipment to breach the height limit in order to provide for emergency rooftop access for elevators and accommodate HVAC equipment on the three large residential buildings that are identified as Garden Residences F, G and K on Figure 2. The Applicant has indicated that this amendment is necessary to the functionality of the buildings on the site and that such equipment cannot be adequately accommodated within the 42 foot height limit without compromising the integrity of the development program and the building design. Conditions of this amendment are as follows:

- Mechanical equipment that is exposed above 42 feet must be limited to a footprint of ten percent or less of the rooftop area and must be located in the center of the roof in order to minimize visual impacts.
- Emergency rooftop access for the elevator, stair towers and handicapped access must be no more than eight feet in height and HVAC equipment must be no more than four feet. All equipment must be screened to appear as an aesthetic element consistent with the building architecture. Such elements must be approved by the Planning Board and may include parapets, chimneys, cupolas, or similar architectural features. In addition, rooftop elements must include extensive landscaping and vegetative cover in the form of ivy or other wall vegetation, as appropriate.

These conditions will ensure that mechanical and electrical equipment exceeding 42 feet in height is limited to a small portion of building rooftops (ten percent) and that it is screened from view in an aesthetically appropriate manner. This will mitigate potential negative visual impacts of such rooftop equipment.

III. CERTIFICATION TO AMEND FINDINGS

Name of Action: Ferry Landings

Having considered the Draft and Final EIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, these Amended Findings certify that:

1. The requirements of 6 NYCRR Part 617 have been met;
2. Consistent with the social, economic, and other essential considerations from among the reasonable alternatives thereto, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable; including the effects disclosed in the environmental impact statement, and
3. Consistent with the social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable.
4. (and, if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

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Name of Agency

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Signature of Responsible Official

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Title of Responsible Official

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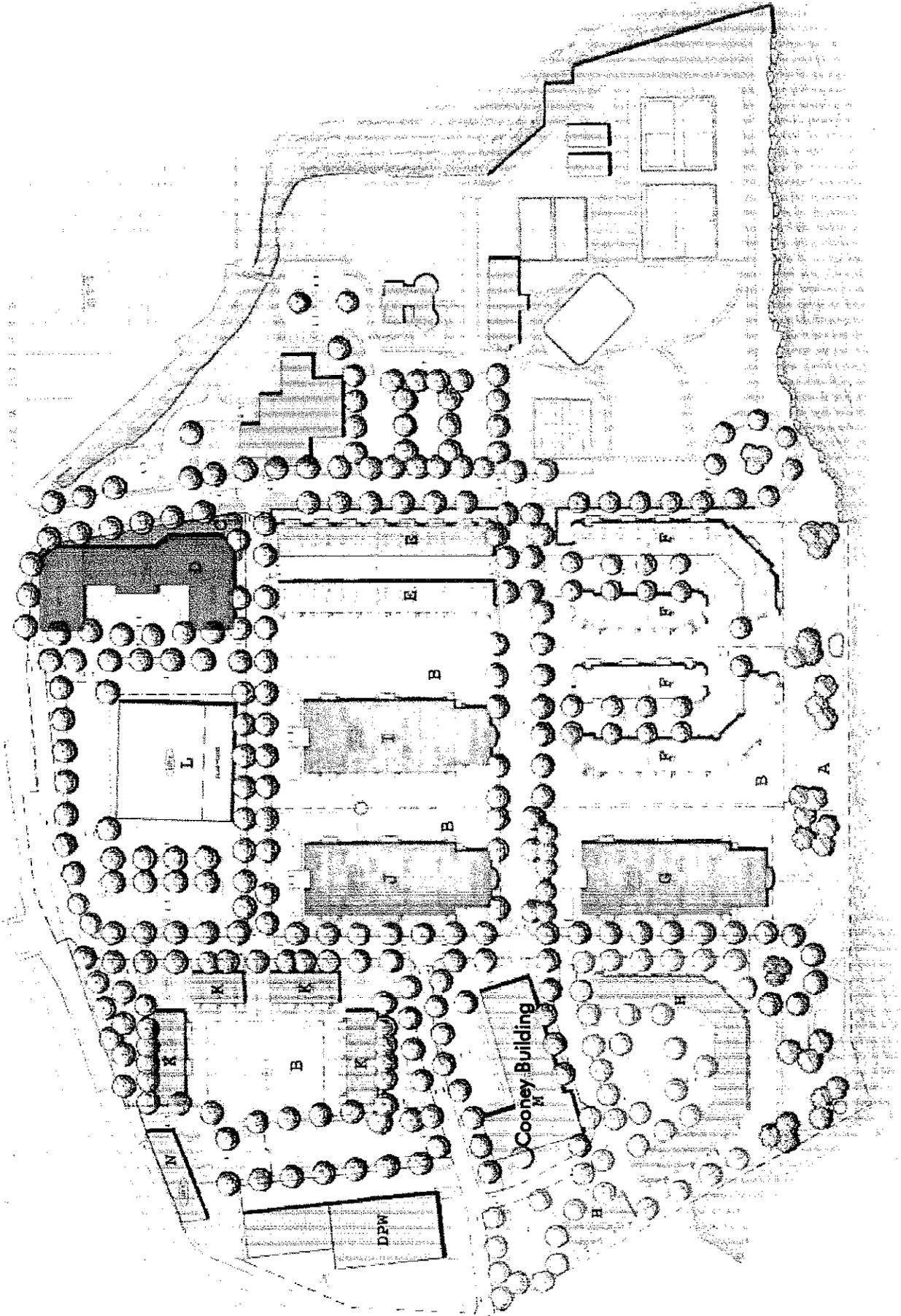
Name of Responsible Official

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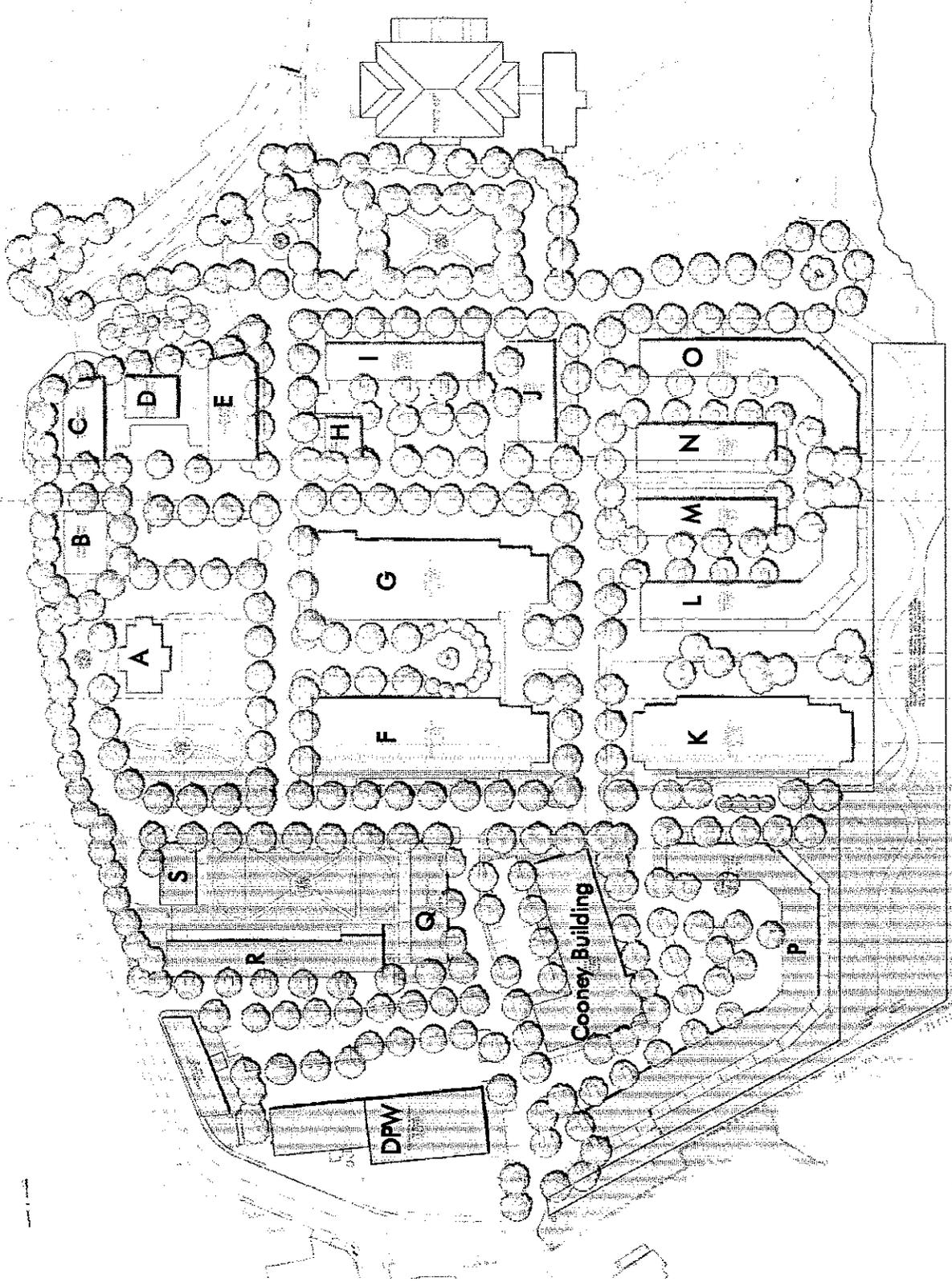
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