

Planning Board
Village of Tarrytown
Regular Meeting 7 pm
October 23, 2023

PRESENT: Chair Raiselis, Members Friedlander, Aukland, Gaito, Mendez-Boyer;
Counsel Zalantis, Village Engineer Pennella, Planner Galvin, Secretary
Meszaros

ABSENT: Alternate Member Mezey

Ms. Raiselis opened the meeting at 7:00 p.m. She announced that the public will be given the opportunity to address the Board on agenda items only. Each speaker will be given 3 minutes during the public comment period. The Board welcomes public written comments emailed to lmesaros@tarrytowngov.com or mailed to the Village of Tarrytown, Planning Dept. - 1 Depot Plaza, Tarrytown, NY 10591, and should be received no later than the Friday before the meeting, in order to be distributed to the Board and the applicant in advance of the meeting.

APPROVAL OF MINUTES - August 28, 2023

There was no quorum to approve these minutes. They will be considered at the next regular meeting.

APPROVAL OF MINUTES - September 26, 2023

Dr. Friedlander moved, seconded by Mr. Gaito, with Mr. Aukland abstaining, to approve the minutes of the September 26, 2023 meeting, as submitted.

The secretary recorded the vote:

Member Mendez-Boyer:	Yes
Chair Raiselis:	Yes
Member Friedlander:	Yes
Member Gaito:	Yes
Mr. Aukland:	Abstain

All in favor. Motion carried. 4-1 abstention

ADJOURNMENTS:

Ms. Raiselis announced the following adjournments:

First Korean Methodist Church of NY
500 South Broadway
Site plan approval for the construction of a parking lot with
site improvements to include stormwater and ADA accessibility.

Benjamin and Julie Green
25 Rosehill Avenue
Site plan approval for the construction of terraced retaining walls, swimming
pool, patio, with walkways, steps, landscaping and stormwater improvements.

ADJOURNMENTS (continued):

Gotham Design Planning and Development

25 South Washington Street

Site plan approval for the redevelopment of the property to include the razing of the existing two-story single-family home and 1½ story detached garage in order to construct a new three-story primary structure with 4 dwelling units.

Joseph G. Thompson Architect, PLLC

93A Highland Avenue

Site plan approval for the construction of a single-family home.

CONTINUATION OF PUBLIC HEARING – Hudson Harbor Station LLC– 29 S Depot Plaza

George Distefano appeared, representing the applicant, Hudson Harbor Station, LLC. Lucille Munz, with JMC Site Development Consultants, the project design engineers and landscape architects, was also present to answer any questions. Mr. Distefano briefly went over a PowerPoint Presentation, attached as "Exhibit A" to these minutes, and noted the changes since the last submission.

They have revised the site plan in the front to straighten out the street at the entryway as much as possible. They have provided a landscape buffer between the street and sidewalk and have added bollards at the entry plaza and crosswalk for added pedestrian safety.

A discussion took place about the possibility of decreasing the width of the roadway to make the sidewalk wider and decreasing the width. Mr. Pennella advised that a 26-foot width is required by the Fire Department for clearance and if there is ever an emergency there will be a volume of trucks, including EMS, which will require clearance. In addition, the Westchester County sewer pump station is also accessed from this roadway which also needs access for larger vehicles. Mr. Pennella asked if they will be relocating the existing utility lines. Mr. Distefano said the plan is designed to avoid the utility poles.

Ms. Mendez-Boyer asked about possibility of adding a bike lane. Mr. Distefano advised that for safety, access and traffic flow, he does not feel comfortable reducing the width of the road for a bike lane. Ms. Mendez-Boyer believes that it could be done and it is not uncommon. Mr. Distefano noted that the signage and raised sidewalks for added traffic calming.

Mr. Distefano advised, at the suggestion of the Mr. Pennella, they have revised the ground floor plan to incorporate a connection for emergency egress only from the upper lobby area to the pedestrian ramp that connects to the MTA platform in case of a flood event.

Mr. Distefano showed the artist gallery spaces at the north end which will be used for flexible or rotating exhibits and will be open to the public. To the south, there are 9 artist workshops, approximately 300 s.f. each, on average, which they intend to offer to residents of the building for painting, sculpting, digital media workshops, etc. Offering the spaces to the residents only will eliminate the additional needed parking. In terms of restrooms, they created a new vestibule off the sidewalk to the north between the two art gallery spaces which will have 2 ADA bathrooms and be open to public. The workshop spaces will have access to the vestibule with a key fab, or they could use the apartment restroom.

Mr. Distefano showed additional renderings which are included in the attached Exhibit A.

1. View from site entry – not updated with landscape buffer
2. View from Franklin Courts Entry (in February)
3. View from Franklin Courts Entry (in September)
4. View Looking South from the MTA Station Building showing the entry plaza
5. View from the Riverwalk between the Tennis Courts and Pool – introduced glass to help breakdown the façade.
6. View looking south along Depot Plaza
7. View looking north from Train Platform -shows breaks in the massing

Dr. Friedlander referred to view looking south along Depot Plaza and was concerned about screening the paper plant at the end of the development with more trees. Ms. Munz has concerns about sight distance in that area with the loading and unloading zone when pulling out and would not recommend trees there. Mr. Pennella suggested painted the corner of the building green. Ms. Munz asked about a mural. Ms. Mendez Boyer suggested that one of the artists that move in could create a mural. Mr. Distefano was receptive to this idea.

Ms. Munz noted that the rendering showing the new building with Franklin Tower does not seem to scale. Mr. Distefano thought the same and noted that they did submit site sections in an earlier submission. Mr. Gaito would like to see the view from the Riverwalk in the summer to see the impact from the shoreline.

With regard to next steps, Mr. Distefano will provide additional flood hazard information for SEQRA purposes. He noted that someone from their team attended the Cornell meetings since they have properties that could be affected. They will also provide information on the school age children which they anticipate will be four school age children (based on 4 different sources). He asked the Board to consider closing the public hearing and provide an update on the voting of a Negative Declaration.

Dr. Friedlander asked for a breakdown of apartments by size.

Mr. Distefano advised that there are 88 units broken down as follows:

33 - studios (594 to 629 s.f. range)

35 - 1 bedrooms (800 s.f. range)

20 – 2 bedrooms (1100-1200 s.f. range)

Mr. Distefano said they wanted an equal split but as they changed the design, this is what they ended up with. The information is all included in the SEQRA submission.

Ms. Raiselis advised that the independent traffic consultant is working on a review and suggestion some out of the box thinking to make the area move more smoothly with the addition of the added traffic. They should be submitting a report for our work session which will be discussed at that time.

There were no additional comments from the staff.

Ms. Raiselis asked if anyone in the public would like to comment.

PUBLIC COMMENT PERIOD

Howard Smith – 87 Main Street – expressed his appreciation of the evolved thinking on how to approach the project and represent the community in an elegant fashion. He is pleased about the “Makers” spaces which have been popping up in the area. The mix of apartments seems to make sense as he was a former Superintendent of School for Tarrytown. He confirmed that there is no longer a height variance request. He encouraged a stringent approach to the SEQRA review process based on the new information that was not available when the zoning was changed. He thinks that the community and the village have both done a lot of good thinking on this project.

Keith Cobb - 70 S. Broadway – expressed his concerns about the length of the building and if it was going to obscure the view from the MTA platform. Ms. Raiselis said that the Building will not affect the river view from the Train since it is not on the river side of the tracks. Mr. Cobb feels that the new Senior Housing at the old YMCA Site has unfortunately changed the view of the village, and it can't be changed back. He feels that there just can't be any more 88-unit buildings built in the village and asked if there is a breaking point where the Board can no longer say yes to building.

Ms. Raiselis advised Mr. Cobb that the Planning Board shares his concerns but they are not the policymakers. The Board of Trustees sets policy and code in the village relating to zoning and suggested that Mr. Cobb share his concerns with the Village Board.

Ms. Mendez-Boyer added that the 2018 Comprehensive Plan, adopted by the Village Board with community input, limited the amount of building in the village. There were two locations sited for this type of density and this location was one of them, and there was another on Main Street. The zoning limits the amount of development that can occur and while Mr. Cobb's questions and concerns are appreciated they should be directed to the Board of Trustees.

Ms. Raiselis advised Mr. Distefano that there is still some additional information needed and the Board will not be closing the public hearing. They still need to get the traffic information. Mr. Gaito appreciates the improvements to date. He asked about the lighting plan. Mr. Distefano said that a lighting plan was submitted and Mr. Guccione will discuss the lighting program in greater detail at the next meeting.

Ms. Mendez-Boyer appreciates the addition of the bathroom at the south end. She asked if they would consider adding another restroom at the other end for convenience. Mr. Distefano said they may be able to carve out part of the 9th studio and add a bathroom. Ms. Raiselis agreed since that studio is pretty big.

Mr. Aukland moved, seconded by Dr. Friedlander, to continue the public hearing.

The secretary recorded the vote:

Member Mendez-Boyer:	Yes
Member Aukland:	Yes
Chair Raiselis:	Yes
Member Friedlander:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 5 -0

NEW PUBLIC HEARING – JCC on the Hudson, Inc. – 555 South Broadway

Ms. Raiselis read the following 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, October 23, 2023**, at **7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

JCC on the Hudson, Inc.
371 South Broadway
Tarrytown, NY 10591

For site plan approval for the creation of 16 parking spaces with related improvements on an adjacent property for use by the JCC on the Hudson.

The property is located at 555 South Broadway, Tarrytown, NY and is shown on the tax maps as Sheet 1.140, Block 88, Lot 8 and is in the OB 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.

By order of the Planning Board.

Lizabeth Meszaros
Secretary to the Planning Board

DATED: October 13, 2023

The mailing receipts were received and the signs were posted.

Adam Weiss, CEO of the JCC on the Hudson, Inc., appeared before the Board and advised that they have recently been given the opportunity to enter into an agreement with Montefiore to lease 16 parking spaces on the Montefiore property adjacent to the rear of their facility. The spaces will be used by their employees for overflow parking and only during large events, not on a regular basis. A gate will be installed with a short gravel path to the circular driveway and it will be closed when not in use.

Ms. Raiselis asked if the Board had any questions or comments. Mr. Aukland welcomes the neighborly sharing of this amenity.

Ms. Mendez-Boyer confirmed that access to the parking area is through the main entrance of the JCC property. Mr. Weiss advised that they have a 5-year lease prepared and ready to sign with Montefiore. Montefiore does not use this area which is why they are willing to lease it to the JCC for parking.

Mr. Pennella confirmed again that the lot would only be used by JCC employees. He asked Mr. Weiss if they planned on doing any striping to delineate a pedestrian walkway since it was not indicated on the plan. Mr. Weiss is happy to add in some striping along the side of the road to delineate a walking path. Mr. Pennella asked if they considered permeable pavers since gravel is not the safest and will get disturbed over time. He would recommend a hard surface. Mr. Weiss is happy to use pavers or asphalt as long as it is not cost prohibitive. Mr. Pennella advised Ms. Raiselis that the amount of asphalt, if used, will be insignificant from a code perspective. The Board agreed to let the applicant choose whatever they want as long as it is a hard surface. Mr. Pennella would also like signage installed indicating that only employees can park in this area.

Ms. Raiselis asked if anyone in the public wished to comment on this application. No one appeared.

The Board agreed to add the conditions discussed at the end of the reading of the resolution.

Mr. Gaito moved, seconded by Mr. Aukland, to close the public hearing.

The secretary recorded the vote:

Member Mendez-Boyer:	Yes
Member Aukland:	Yes
Chair Raiselis:	Yes
Member Friedlander:	Yes
Member Gaito:	Yes
All in favor. Motion carried. 5 -0	

Mr. Gaito read through portions of the draft Resolution and noted that a copy will be provided to the applicant and the entire Resolution will be recorded in the minutes of this meeting as follows:

RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted October 23, 2023)

Application of Shames JCC on the Hudson, Inc.
Property: 555 South Broadway (Sheet 1. 140, Block 88, Lot 8 in Zone OB)

Resolution of Site Plan Approval

Background

1. The Shames Jewish Community Center on the Hudson, Inc (JCC, the Applicant) requests site plan approval to utilize an under-used portion of the adjacent Montefiore Medical Center (MMC) property for occasional overflow parking for staff members. The MMC property is adjacent to the west of the JCC 371 South Broadway location. The MMC property is located in the OB district while the JCC lot is located in the LB District. In order to access the MMC property, it will entail installing a gate in the existing fence between the properties. A hard surface path (20' wide and 15' long) would be created to connect the JCC lot to the adjacent

drive aisle for vehicular traffic. MMC has agreed in writing to allow JCC connection onto their property and to allow JCC to park in this under-used property.

2. When the gate is opened, it would reduce the number of usable parking spaces in the JCC lot by two spaces, from 181 to 179 parking spaces. However, the proposed striping layout on the MMC property can accommodate 16 demarcated parking spaces, so the net gain when the gate is open will be 14 spaces. While JCC indicates that they currently have more than adequate parking, MMC has offered this adjacent property to JCC for parking use. JCC indicates that they are acting proactively to ensure that parking capacity is never an issue in the foreseeable future.

3. The Planning Board has determined that the Project is a Type II action based on based on 617.5(c)(9) *“ construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use control”* Applicant represents that it has the right to use the site pursuant to a 5 year lease with MMC.

4. The Planning Board opened a duly noticed public hearing on October 23, 2023, at which time all those wishing to be heard were given the opportunity to be heard.

5. The Planning Board has carefully examined the Application including the Applicant's cover letter dated October 4, 2023, the site plan application submitted by Shames JCC, the completed building permit application including the Title Report and owner record deed, the letter of explanation prepared by Kimley Horn and dated October 4, 2023, the Letter of Permission from MMC allowing Shames JCC the use of the property for parking dated August 3, 2023, the *Denial letter* from the Village Engineer dated September 24, 2023, the *Zoning Compliance form* and the *Environmental Clearance Form*, the *Site Plan showing the JCC parking layout and parking analysis prepared by Kimley Horn* dated August 8, 2023 and a review memorandum from the Consulting Village Planner dated October 12, 2023, which they have considered.

6. The Planning Board closed the public hearing on October 23, 2023. After closing the public hearing, the Planning Board deliberated in public on the Applicant's request for site plan 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 finds that 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 Applicant’s site plan and the submitted plans. The *Project Narrative* provided on the Site Plan does not propose any grading, pavement demolition or other disturbance activities. There is no creation of impervious surface. No grading/earthwork operations. There are no impacts indicated on the Environmental Clearance form. The existing pavement will remain, and the proposed parking stalls will be marked out with adequate striping material. The site plan includes *Parking Analysis* for JCC users with existing and proposed conditions. The proposed gravel connection will allow Shames JCC staff to access the proposed parking area and walk to the Community Center Building. Approximately 16 parking spaces sized to Village standards will fit in the parking area. The proposed connection will entail removing interfering portions of the existing fence and replacing it with a gate. Parking circulation will be clockwise, one-way traffic indicated by either striping arrows or signage. The Site Plan provided shows fire truck maneuverability (the fire truck wheel path and chassis path are shown on the site plan). Spaces will meet code required setbacks and will not impact access for emergency vehicles to the area.

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.

Plans for *Montefiore Property, 555 South Broadway, Tarrytown, NY 10591* prepared by Kimley Horn Engineering and Landscape Architecture of New York P.C dated August 4, 2023 entitled as follows:

- C-0.0 “Cover Sheet”
 - C-1.0 “Site Plan”
- (the “Approved Plans”).

III. General Conditions

- (a) Requirement to Obtain Approvals: 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.
- (b) Changes to Approved Plans: 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."

- (c) 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.
- (d) The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

IV. Specific Conditions *

- (a) Applicant will provide a pedestrian walkway from the parking spaces to the subject site.
- (b) Applicant shall install signage restricting parking to employees of JCC only.
- (c) Applicant shall provide hard surface for interconnection access.

*The above three specific conditions were discussed and the applicant has no objection to the three specific conditions, as added in the resolution.

Mr. Gaito moved, seconded by Mr. Aukland, to approve this resolution, as modified.

The secretary recorded the vote:

Member Mendez-Boyer:	Yes
Member Aukland:	Yes
Chair Raiselis:	Yes
Member Friedlander:	Yes
Member Gaito:	Yes

All in favor. Motion carried. 5-0

NEW PUBLIC HEARING – Dr. R.N. Bhargava- 220 White Plains Road

Ms. Raiselis read the following 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, October 23, 2023, at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Dr. R. N. Bhargava
5 Morningside Court
Ossining, NY 10562

For site plan approval for the conversion of existing professional office space to office space as a principal use with a laboratory as an accessory use.

The property is located at 220 White Plains Road- Suite 585, Tarrytown, NY and is shown on the tax maps as Sheet 1.201, Block 122, Lot 7 and is in the MU 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 Board of Trustees for a compatible use permit.

By order of the Planning Board.

Lizabeth Meszaros
Secretary to the Planning Board

DATED: October 13, 2023

The mailing receipts were received and the signs were posted.

Danielle DeVito, the project architect, with Pencil Projects Architect Studios, appeared and introduced her client, Dr. Bhargava, CEO and founder of Integrated NanoMagnetism, Inc. Dr. Bhargava would like to lease space to convert a portion of an existing office suite to a laboratory use for research and development purposes.

Mr. Aukland asked what the laboratory would be used for. Dr. Bhargava appeared and explained that he will be studying small properties to make magnets to replace the ones that are made by China for electric vehicles, etc. He explained that nano particles can be made in any common kitchen using water, but they cannot be seen. He will be extracting the particles and separating them. An exhaust is required and will be installed. He confirmed with Mr. Aukland that no toxic materials are being used or made during the process and there are no radiation impacts. Dr. Bhargava added that the magnet material he is making will be used and be known nationally, and very quickly, and he referred to the recent Nobel Prize awarded to his colleague for this type of work.

Mr. Galvin noted that there is an air emissions permit that has to be secured from the Westchester County Department of Health but that is not part of this approval process. Mr. Pennella agreed and advised that the applicant has made an application to the Board of Trustees to approve a compatible use permit for this use. Once approved, the applicant can return to the Planning Board for site plan approval.

Ms. Raiselis asked if anyone in the public wished to comment on this application.

Mark Lindberg – 15 Meadow Street – expressed his concerns about the trees along Meadow on the property at 220 White Plains Road which require attention. He has had 2 cars damaged and his neighbor had his car totaled from a fallen tree. He has no objection to this application, but feels that the new owner is neglectful with regard to the trees. He attended this evening to find out property owner information so he could contact them.

Mr. Pennella advised Mr. Lindberg that this application is for interior renovations inside the building and that Mr. Lindberg should reach out to the Building Department to follow up on the matter about the trees.

Mr. Aukland moved, seconded by Dr. Friedlander, to continue the public hearing.

The secretary recorded the vote:

Member Mendez-Boyer:	Yes
Member Aukland:	Yes
Chair Raiselis:	Yes
Member Friedlander:	Yes
Member Gaito:	Yes
All in favor. Motion carried. 5-0	

Mr. Raiselis moved, seconded by Mr. Aukland, to make a recommendation to the Board of Trustees to approve the required compatible use permit for this application.

The secretary recorded the vote:

Member Mendez-Boyer:	Yes
Member Aukland:	Yes
Chair Raiselis:	Yes
Member Friedlander:	Yes
Member Gaito:	Yes
All in favor. Motion carried. 5-0	

ADJOURNMENT

Mr. Aukland moved, seconded by Mr. Gaito, to adjourn the meeting at 8:24 p.m.

All in favor. Motion carried. 5-0

Liz Meszaros, Secretary

Exhibit A

Hudson Harbor Station LLC– 29 S Depot Plaza

Applicant Presentation at Meeting

HUDSON HARBOR STATION



29 S Depot Plaza, Tarrytown, NY | Planning Board Presentation, 10/23/2023 | NATIONAL RESOURCES

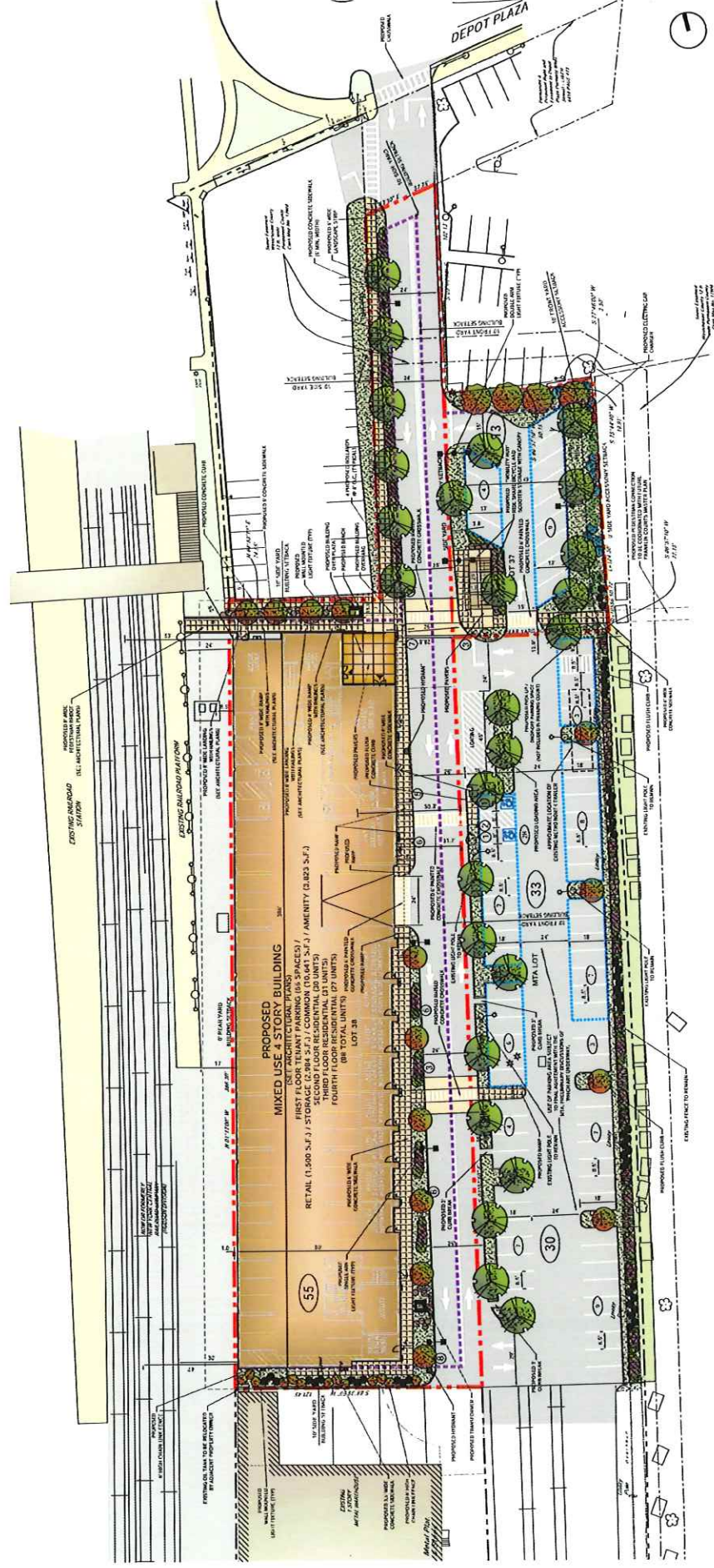
Topics of Discussion

- 1. Resubmission Summary**
- 2. Additional Renderings**
- 3. Moving Site Plan Review Forward**

Resubmission Summary

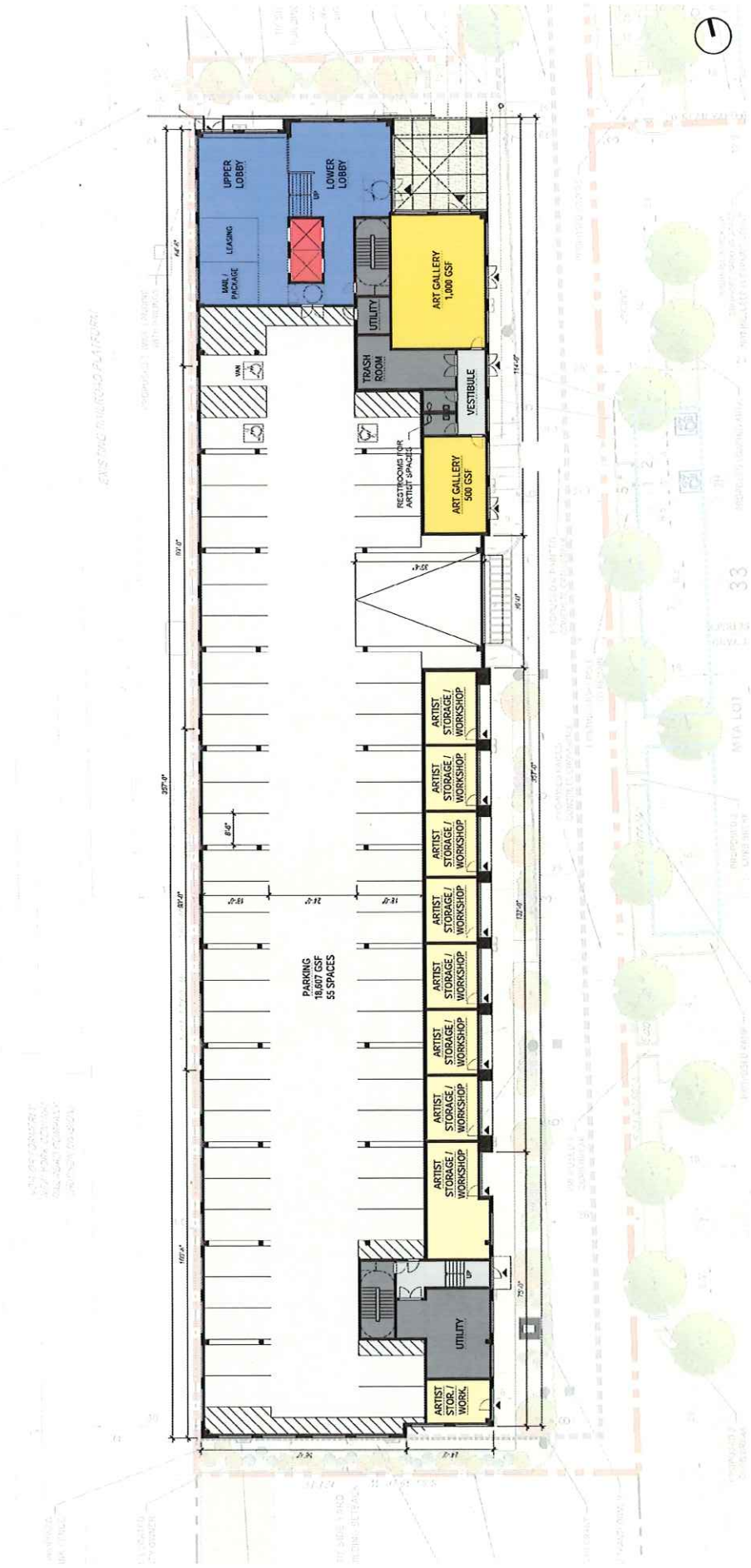
Revised Site Plan

- Entry street straightened out to greatest extent possible
- Landscape buffer between street & sidewalk
- Bollards added entry plaza & crosswalk for added pedestrian safety
- Landscape updated to incorporate comments from Village landscape consultant



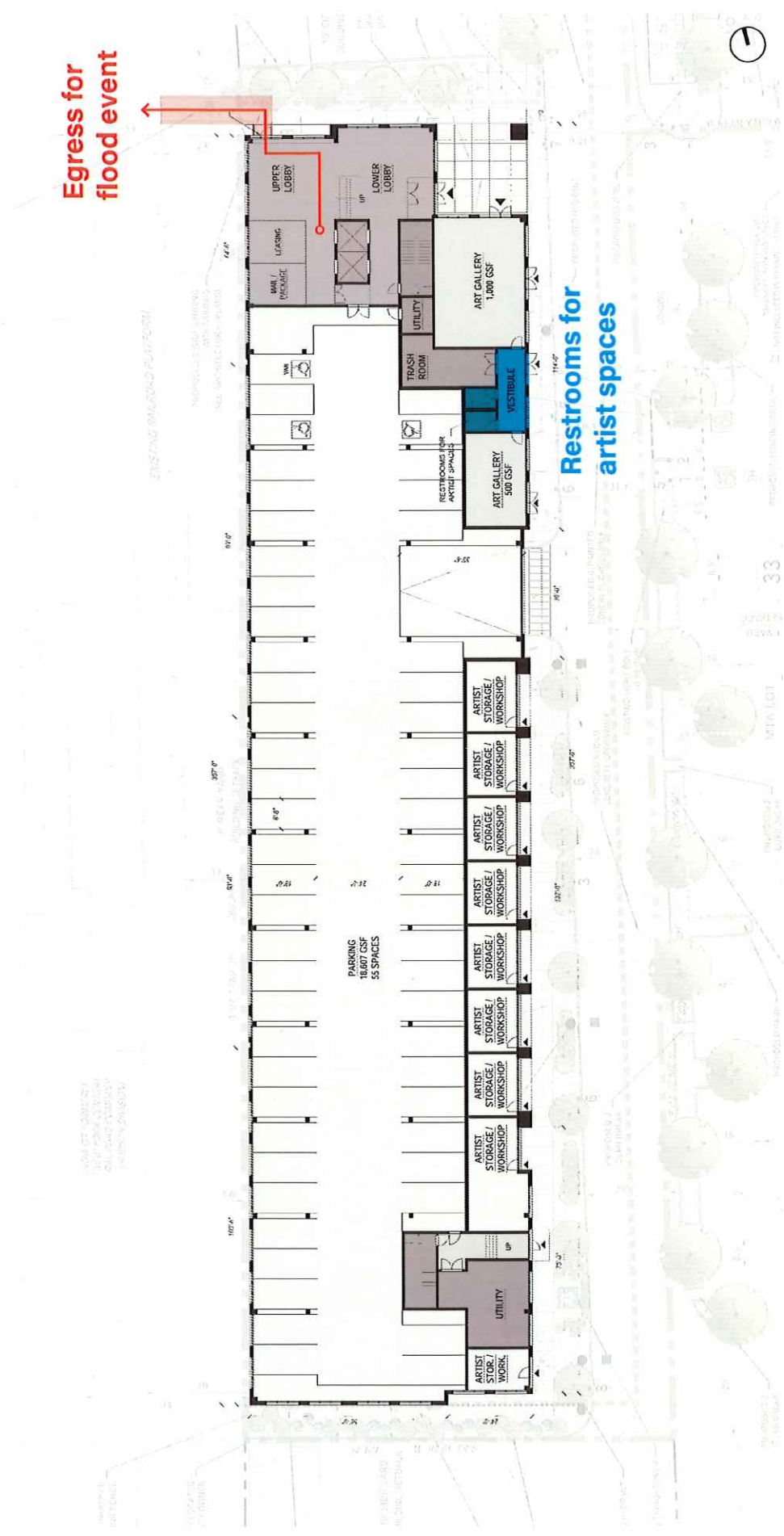
Revised Ground Floor Plan

- New connection to exterior ramp for emergency egress
- Restrooms associated with artist spaces



Revised Ground Floor Plan

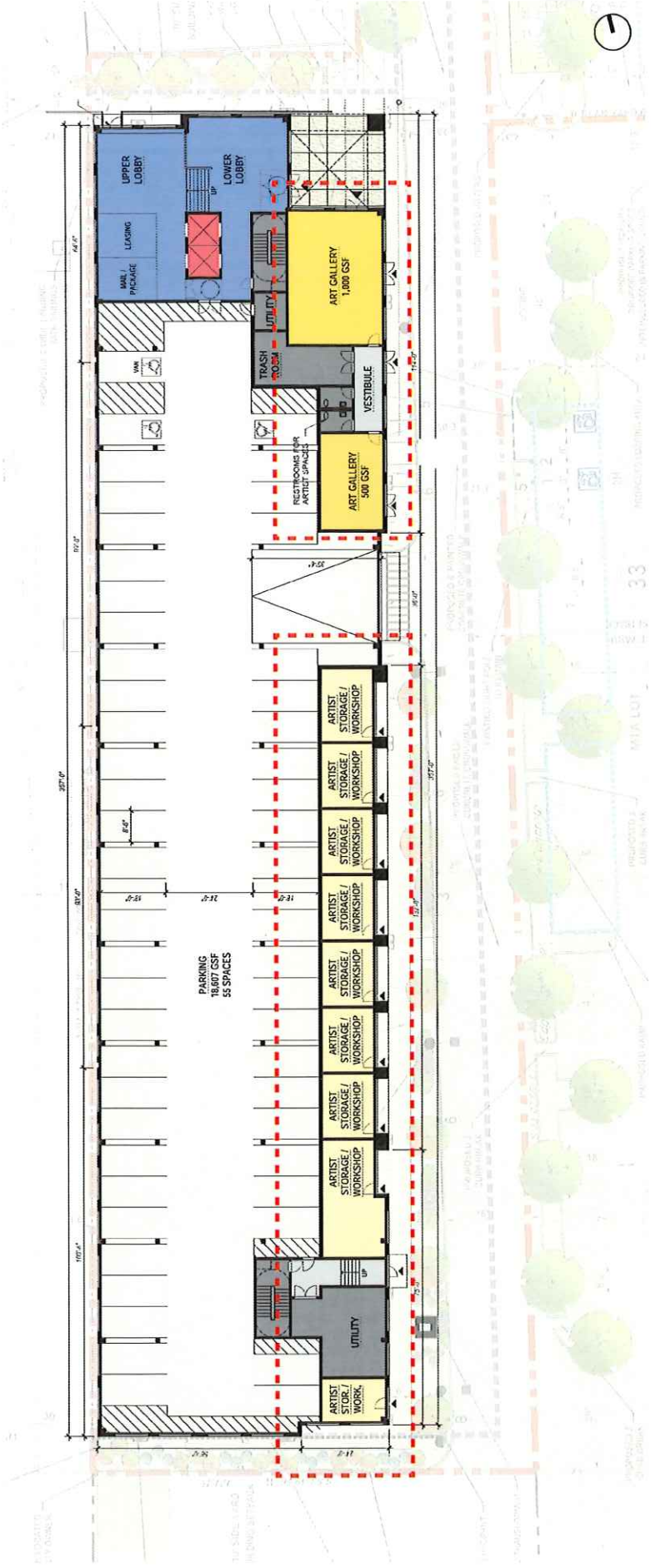
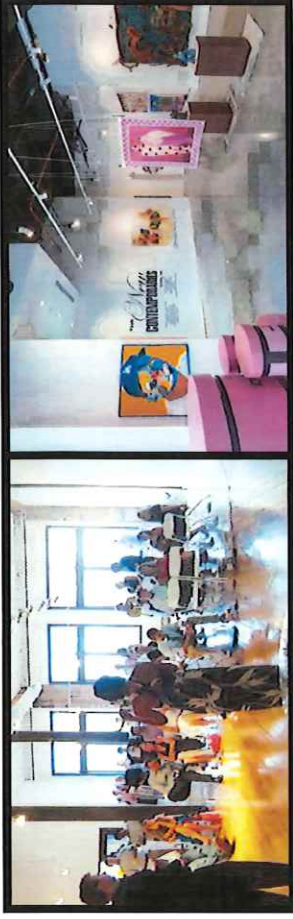
- New connection to exterior ramp for emergency egress
- Restrooms associated with artist spaces



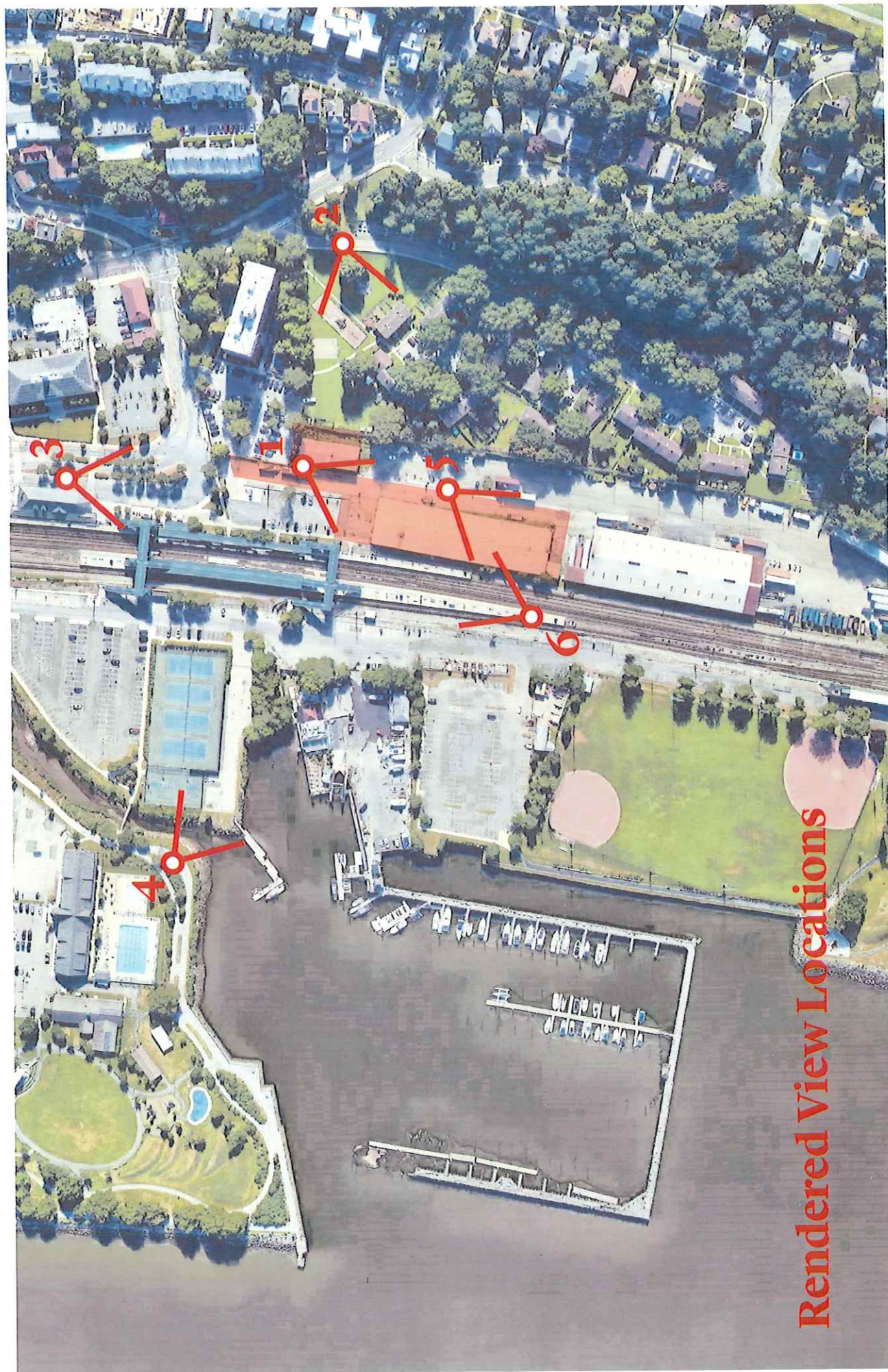
Artist Workshops



Art Gallery



Additional Renderings

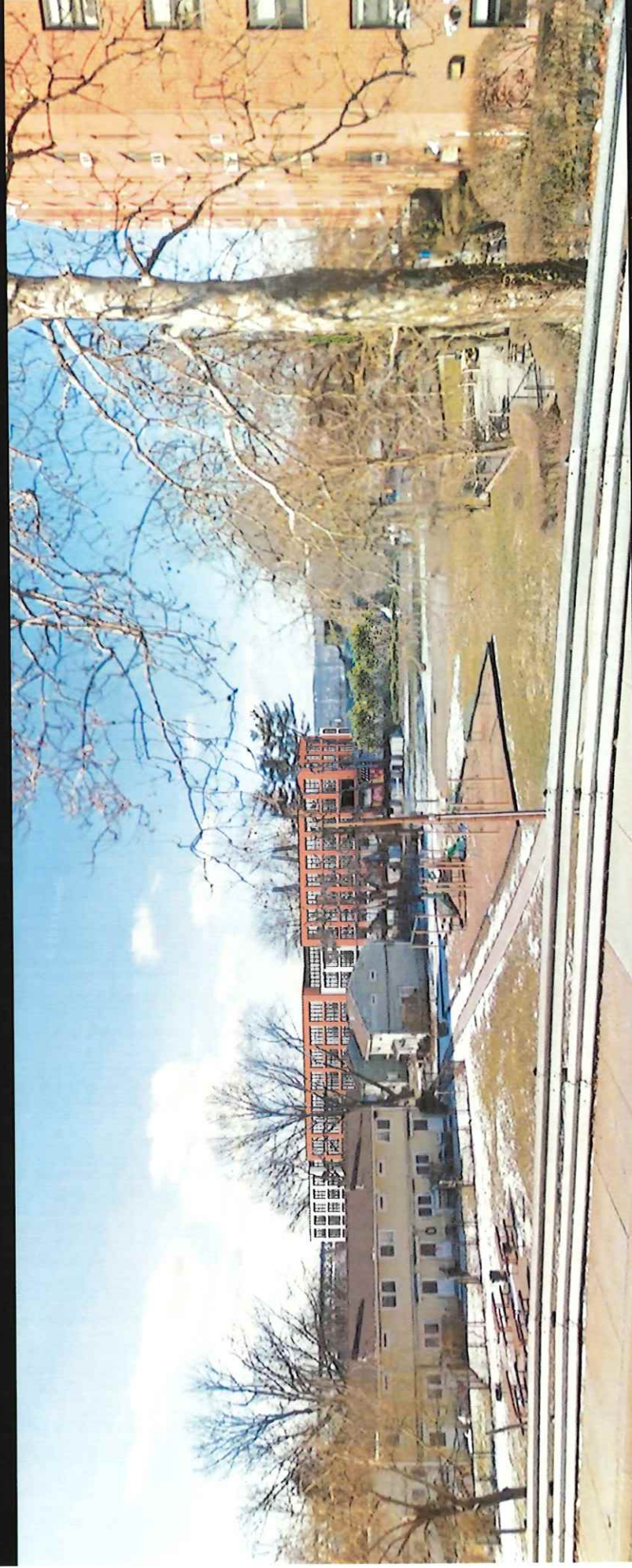


Rendered View Locations

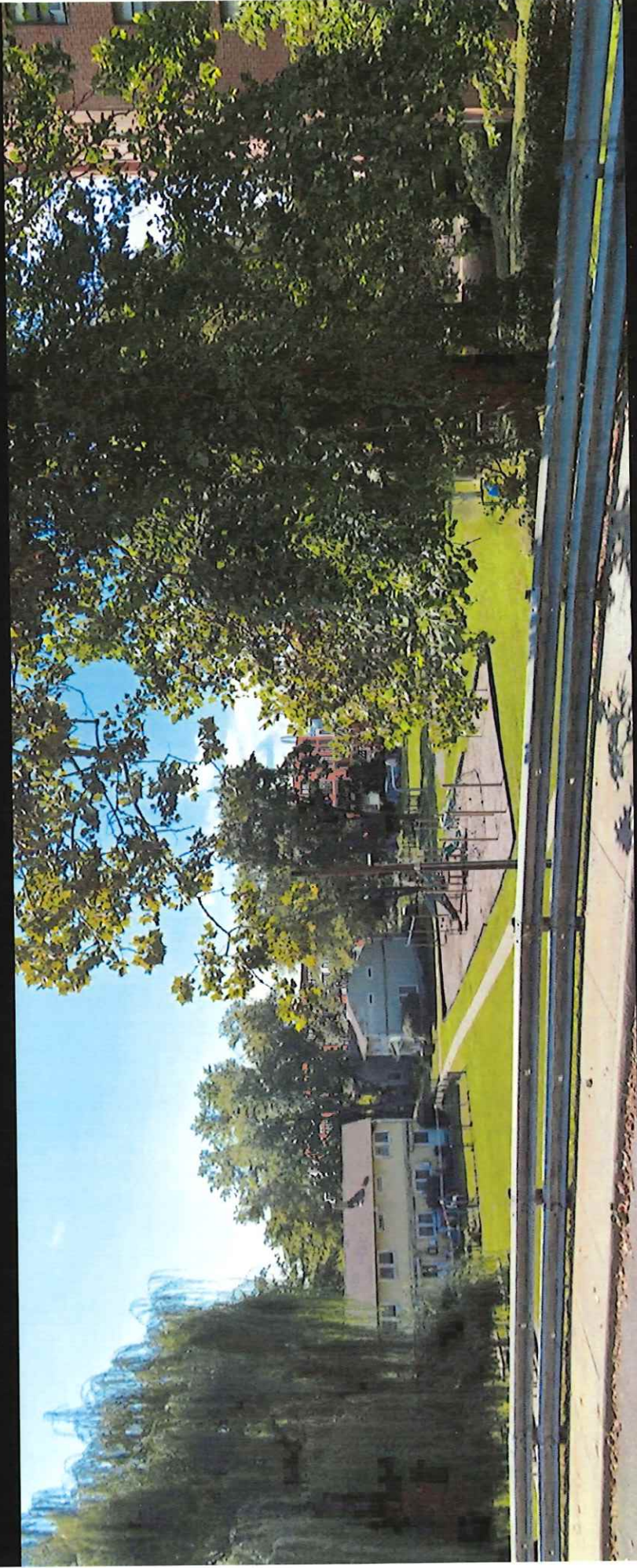
1. View From Site Entry



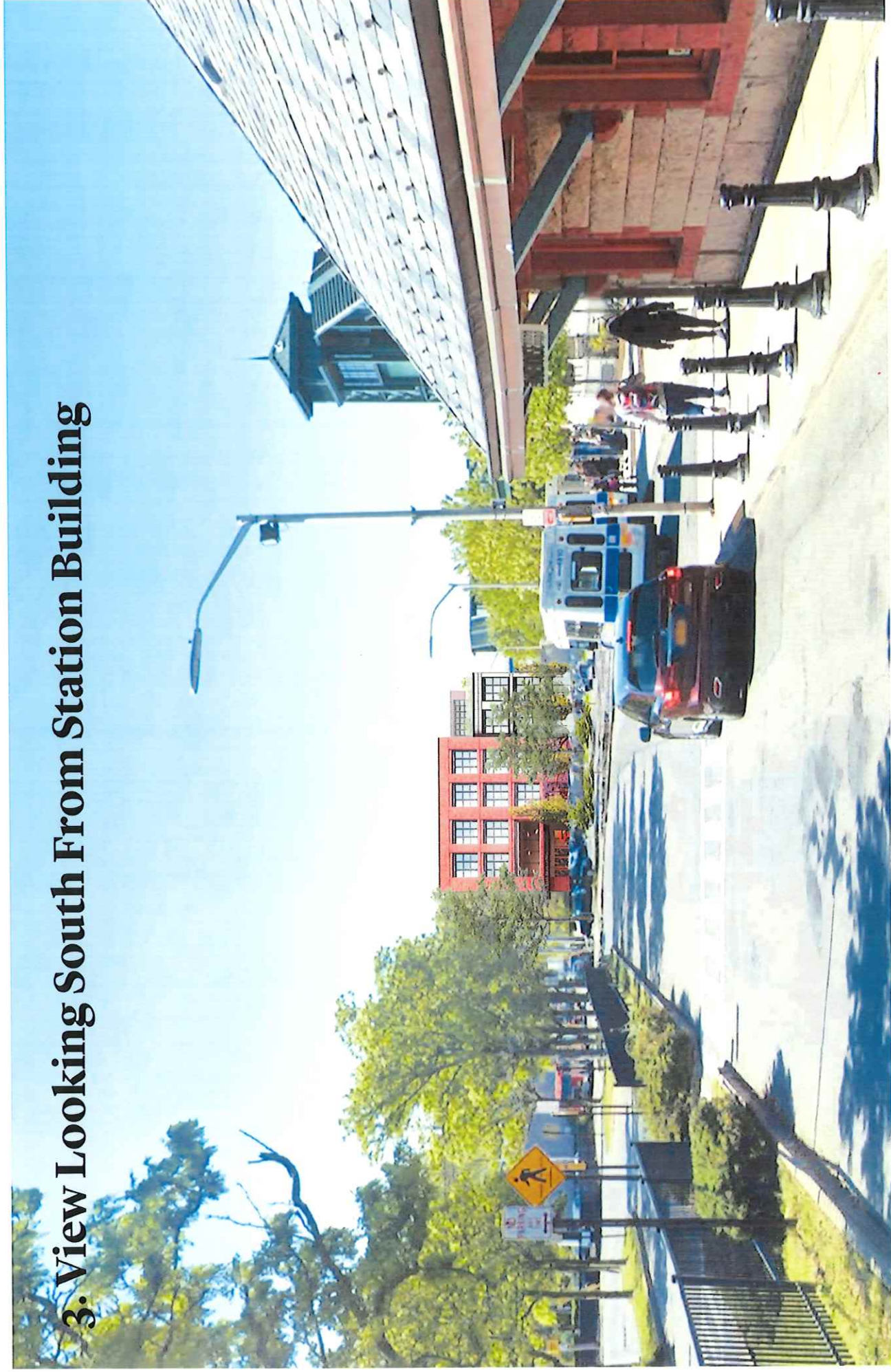
2. View From Franklin Courts Entry (February)



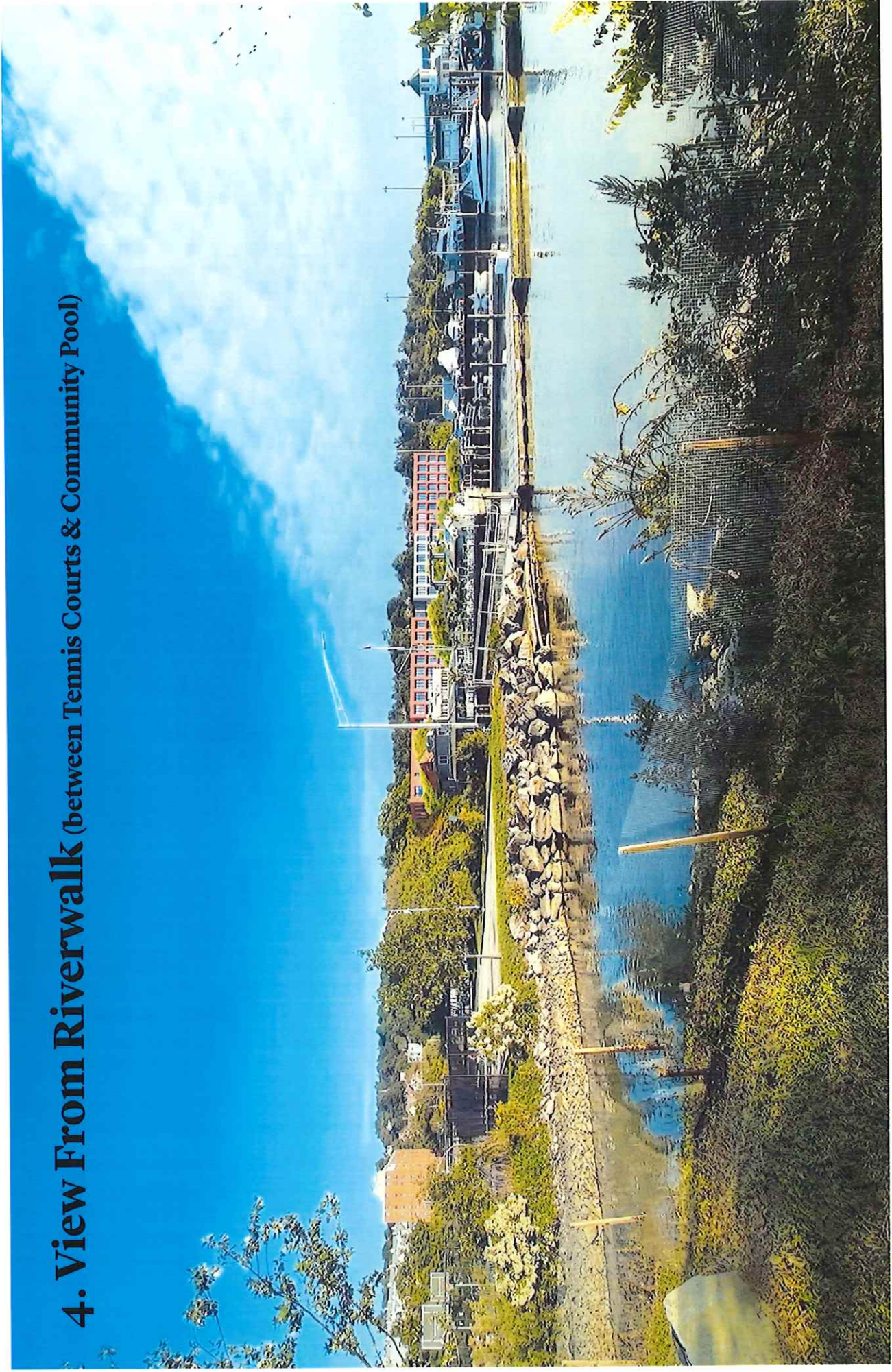
2. View From Franklin Courts Entry (September)



3. View Looking South From Station Building



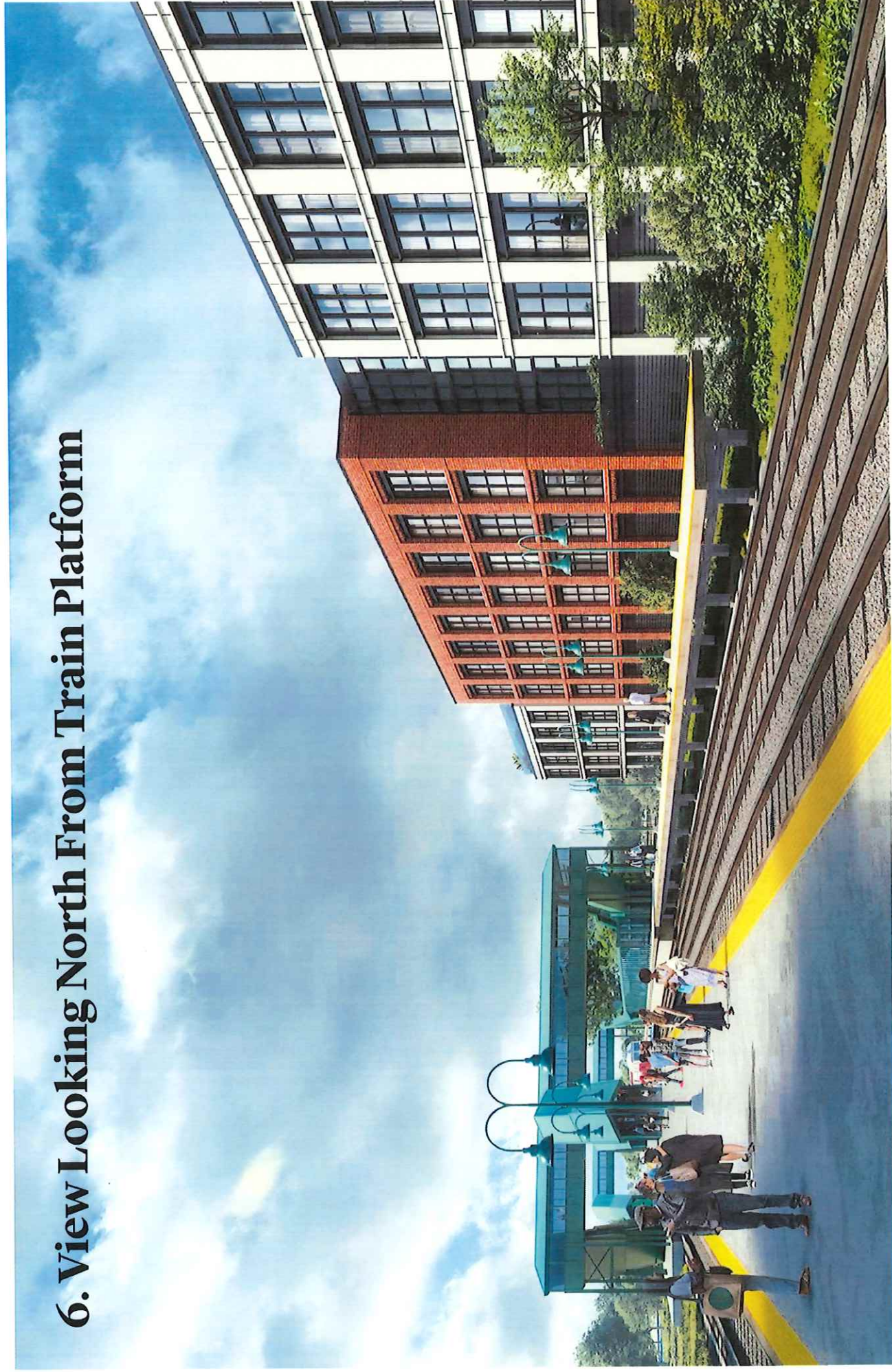
4. View From Riverwalk (between Tennis Courts & Community Pool)



5. View Looking South Along S. Depot Plaza



6. View Looking North From Train Platform



Moving the Project Forward

- **Additional SEQRA Info**

- Flood Hazard & Cornell Climate-adaptive Design (CaD) Studio
- School Age Children Estimate Sources

- **Closing of Public Hearing**

- **Negative Declaration**

HUDSON HARBOR STATION



29 S Depot Plaza, Tarrytown, NY | Planning Board Presentation: 10/23/2023 | NATIONAL RESOURCES

