

Planning Board
Village of Tarrytown
Regular Meeting
June 28, 2021 6 pm

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

ABSENT: Member Raiselis, Alt. Member Lissette Mendez-Boyer

This meeting is being held in a hybrid format; in person and via Zoom video conference. in accordance with the Governor's Executive Order issued in response to the COVID-19 Pandemic that authorizes public meetings to be held in this manner. Those not present in the meeting room will be able to view the meeting through the Zoom application and be given the opportunity to speak during the public comment period for each application by pressing the "raise your hand" icon to speak or *9 on their phone.

APPROVAL OF MINUTES - May 24, 2021

Mr. Aukland moved, seconded by Dr. Friedlander, to approve the minutes of the May 24, 2021 meeting, as submitted.

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes

Member Aukland: Yes

Chairman Tedesco: Yes

All in favor. Motion carried. The minutes were unanimously approved: 3-0

Mr. Tedesco announced the following adjournments:

DaVita Kidney Care (Lessee/Tenant)

200 White Plains Road

Site plan approval to lease approximately 3,360 S.F. of space
within an existing building for a proposed kidney dialysis office facility.

Tarrytown Marina, LLC

236 Green Street

Zoning Petition Review -Board of Trustees referral to Planning Board for review and recommendation of proposed zoning text amendments to the Waterfront Zoning District (WD) to permit the development of a "Wharf Boatel", consisting of a 4-story luxury boutique hotel with 103 rooms, together with a waterfront restaurant, Marina related improvements and parking. Site Plan review is subject to the adoption of the zoning text amendments by the Board of Trustees.

CONTINUATION OF PUBLIC HEARING -Sunrise Development, Inc. – 99 White Plains Rd.

Mr. Tedesco read the public hearing notice for site plan approval into the record.

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing **via Zoom Video Conference**, in accordance with the NYS Governor's Executive Order 202.1 and 202.110, which have been extended. The public hearing will begin at **6:00 p.m. on Monday, June 28, 2021**, to hear and consider an application by:

Sunrise Development, Inc. (contract vendee)
7902 Westpark Drive
McLean, VA 22102

For site plan approval for the construction of an 85 Unit Assisted Living/Memory Care Facility.

The property is located at 99 White Plains Road, Tarrytown, NY and is shown on the Village of Tarrytown Tax Maps as Sheet 1.140, Block 89, Lot 2, and is located in the Alzheimer/Dementia and Service Enriched Assisted Living Floating/Overlay Zone and in the underlining LB Zone.

Please visit <https://www.tarrytowngov.com/home/events/32766>

for instructions and directions on how to join the meeting via Zoom, or call-in by phone.

Public Written Comments will be received in advance of the meeting no later than 12 Noon on Friday, June 25, 2021 by email to: imeszaros@tarrytowngov.com or regular mail to: Village of Tarrytown, Planning Department, 1 Depot Plaza, Tarrytown, NY 10591.

Documents relating to applications will be provided in advance of the meeting by emailing imeszaros@tarrytowngov.com or by calling 914-631-1487.

Additional approval will be required from the Architectural Review Board.

All interested parties are invited to join the meeting and be heard.

By Order of the Planning Board

Lizabeth Meszaros

Secretary to the Planning Board

Dated: June 18, 2021

The mailing receipts were received and the sign was posted.

Mr. Tedesco noted the June 25, 2021 memo to the Planning Board from Rob Aiello, the project engineer, in response to questions raised at the work session with regard to: 1) walkways and benches, 2) the crosswalk on Route 119 and 3) the 26" Red Oak Tree. Mr. Pennella noted that Suzanne Nolan, the Village Landscape Architect is present this evening to answer any questions relative to the Landscape Plan and tree removal.

Present on Zoom: Brad Schwartz, ESQ., the project Attorney with the law firm of Zarin & Steinmetz, representing the applicant, introduced Rob Aiello, the project engineer, Philip Kroskin, representing Sunrise Development, and Andy English, the project architect, who were present on zoom. He noted that they will share a short PowerPoint presentation this evening to address the remaining issues associated with the site plan review.

Mr. Aiello updated the Board on the sewer connection location. They have explored the Martling Avenue and Route 119/South Broadway connections through video and flow monitoring in front of the Quay, over the past 4 weeks, and have determined that the Broadway route is a viable route for them to connect to the sewer main. During these inspections, they removed a significant amount of grease and identified some point repairs that will be needed to alleviate the item that is causing the grease. The flow monitoring report should be completed within the next 2 weeks. With regard to stormwater, they have updated the SWPPP to include infiltration and a bio filter to provide mitigation of runoff and stormwater volumes in response to the comments from Hahn Engineering, the village consultant.

With regard to Ms. Nolan's June 7, 2021 memo regarding the 26" Red Oak tree, they would like to keep this tree. They have made changes to the layout and can make additional changes to the utility plan. If the tree can't survive, they propose to plant additional line of Oak trees planted on the western portion of the property to offset the loss of the tree.

He showed the pathways and noted that they have added an additional walkway that connects to the sidewalk that come up the main driveway with 2 new bench locations with additional passive recreation space. The new pathways connect to the building. They have extended the island in the middle to provide a crossing area for a safe pedestrian crossing.

Andy English, the project Architect, presented the plan and advised that they have had 3 meetings with the ARB and have submitted plans with elevations to the SHPO. They worked with the ARB to redesign the Porto Cochere to create a light contemporary structure with glass on top so that you can see more of the existing building. Both the ARB and SHPO are happy with this design. Mr. Schwartz noted for the record, the March 25, 2021 letter from SHPO stating no adverse impact with the design, thus completing the SHPO process. They will return to ARB after they complete site plan approval from this Board.

Mr. Schwartz advised the Board that they have achieved the equivalent of a LEED certified standard. The village could designate a point person during construction to ensure that the standard has been approved as a condition of site plan approval. Mr. Kroskin clarified for the Board that they are seeking LEED certifiable but will not be seeking a specific LEED certification.

Mr. Schwartz concluded the presentation and advised that the team is here to answer questions of the Board. He is hoping that they are on the path to site plan approval next month.

Mr. Tedesco asked Ms. Nolan, the Village Landscape Consultant, to comment on the feasibility of saving the 26" Red Oak Tree.

Ms. Nolan reviewed the stormwater plan and feels that the proposed system is 10-feet away from the tree which is not the standard for protecting trees. If there is a commitment to saving the tree then there needs to be a modification to the underground stormwater system that his proposed.

Mr. Pennella agreed with Ms. Nolan that eventually the stormwater will undermine the tree and it will be lost. The applicant can either relocate the system by moving the culverts or put money in an escrow account, and if the tree survives after a certain period, the money could be returned. He would rather have the stormwater moved. Ms. Nolan suggested relocating the stormwater system closer to the parking area. Mr. Birgy asked Ms. Nolan if they can put 6-foot chain link fence around the tree for protection. Ms. Nolan said either way, the stormwater system in the ground will affect the tree eventually, and it needs to be moved.

Mr. Aiello will work to relocate the stormwater 26-feet away from the tree and provide for the tree protection with the fence as requested by Mr. Birgy.

Dr. Friedlander still had concerns about the passive area. He feels that more space is needed on the property to accommodate the population and their guests. It would be nice for them to get away from the crowds and enjoy the property other than the areas that have been provided within the building. Mr. Aiello showed the grading plan where it was proposed which has a 3 on 1 slope which is not acceptable for an older population. Mr. Kroskin assured Dr. Friedlander that there is enough space for the population and families and he does not feel is necessary to build on a steep slope, raising safety concerns, when the area is not needed. In addition, they have provided the additional passive area which Mr. Aiello showed in his presentation.

Dr. Friedlander thinks there is space and with a little imagination and creativity this could be accomplished. He does not want to break the bank on this issue. He thinks that the people get short changed in these facilities and would like to correct it.

Mr. Tedesco asked Mr. Pennella to prepare a simple plan for the Board to see how the Board feels about this, something simple enough for the applicant to do and that the Board could persuade them to do. Mr. Pennella will prepare a simple sketch proposing cutting into the slope and natural grades with some grass in between.

Mr. Kroskin will certainly take a look at this. He feels that Sunrise Senior Living is the best in the business and they believe very strongly in their data. They challenge themselves with every single building to do something better each time. With over 37,000 residents, he feels they intimately understand the needs of their resident population and of course want to accommodate them.

Mr. Tedesco asked if anyone had in the public would like to speak.

PUBLIC COMMENT PERIOD

Mark Fry, of Ossining, NY, is concerned about the Red Oak tree. He noted the Wilson Park Drive project and how the trees were protected by having the 6-foot chain link fence placed around the entire drip circle, and in that zone, no utilities at all were allowed to be installed in order to protect the trees. He would recommend that the village require a bond be posted for the full value of the replacement of the tree. With regard to Dr. Friedlander's request for the passive area, he would like to see the applicant cooperate with the Board who has the authority to reject the site plan.

Katie Kreider, 42 N. Washington Street, advised that her father lived in assisted living for 10 years and they did have that extra outdoor space which they used and because of the extra space, she visited more often. She feels that this will encourage people to visit more often and agrees with Dr. Friedlander.

Heather Haggerty, who lives on Kaldenberg, is concerned about the recycling of single use plastics and composting on site and hopes that they will have these types of programs. She also feels that it is important for this property to have outdoor space for the population and their families and suggested a butterfly garden.

Mr. Schwartz asked the Board if they would consider authorizing the preparation of a draft resolution at the work session. Mr. Tedesco said they will discuss this at the work session.

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

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes

Member Aukland: Yes

Chairman Tedesco: Yes

All in favor. Motion carried. 3-0

CONTINUATION OF PUBLIC HEARING -39-51 N Broadway Associates – 39-51 N Broadway

Present on Zoom: Rick O'Rourke and Jennifer Gray, Project Attorneys, John Canning and Bonnie VonOhlsen, of Kimley-Horn, John Sullivan and Karl Ackerman, Project Architects, Marissa Tarallo, the Village traffic consultant for this project.

Mr. Tedesco noted for the public that the Board of Trustees has referred this matter to the Planning Board for a review and recommendation of the proposed zoning petition for a floating overlay zone to allow for the development of a mixed-use project in the RR zone consisting of 47 proposed residential units with retail and off-street parking. The restaurant was eliminated. Site plan review would be requested subject to the adoption of the zoning petition by the Board of Trustees. Mr. Tedesco noted that Mr. Canning, of Kimley Horn, has been working hard and has submitted two memos to the Board. The first memo, dated June 23, 2021, was in response to the June 16, 2021 Traffic Consultant Review. Marissa Tarallo, with AKRF, the Village's traffic consultant for this project has been asked to join the meeting to answer any initial questions that the Board may have, followed up by a detailed response by our next work session.

Mr. Tedesco referred to page 7 of Mr. Canning's Traffic Response regarding site access and circulation in which he restated the village consultant's comments stating that a detailed traffic and parking study would include assessment of the safest and most effective means of accessing the site. The assessment should include four items 1) A detailed signage plan, particularly for the drive thru and bypass lanes from North Broadway, 2) Striping and control information for circulation around the building and through the parking lot areas, particularly with vehicles exiting the pharmacy drive thru, would interact with vehicles turning from the bypass driveway. 3) A queuing analysis for the pharmacy drive thru to ensure vehicles do not go back to North Broadway and 4) An assessment on how vehicles traveling from the south access the pharmacy drive thru.

Mr. Tedesco is hopeful that a detailed response to these four very, very key issues on site access and circulation would be forthcoming for our next work session. He asked Mr. Canning if he was correct that the Board will be receiving a response. Mr. Canning advised that they were not operating under that assumption, because they believe that the application that is before this Board is to make a recommendation to the Village Board regarding the appropriateness of making a modification to the zoning to allow applicants to have the zoning map on the property, and then the applicant would come back before this Board with a site plan application and all these issues related site that would be addressed at that time.

Mr. Tedesco said he is going to let the Board Members agree or disagree with him on this but he understands that if the Planning Board is reviewing the zoning to make a recommendation, this one section on-site access and circulation in this area is so critical and he thinks should have to be addressed as soon as possible. He will let the other members comment on this.

Mr. Canning understands the Chair's concern. It is a complicated process. The information that they have provided has demonstrated that in the busiest hours, this project will generate less traffic than what was generated by the three retail stores when they were in full operation. They also know that under the existing conditions and during the busiest hours, the project will generate less traffic and therefore from a SEQRA perspective, the project will not have significant adverse impact on area traffic operating conditions. The site access and circulation which will remain somewhat similar are quite similar to what it is today. The three access points is something that they believe needs to be studied in detail with a verified site plan. They will be able to do traffic studies when school is back in session in September and we are closer to post COVID conditions.

Mr. O'Rourke also understands the concern and reminded the Board that, historically, they have to look back at where we were with this application and where we are today. It became abundantly clear that the Board and the public wanted them to keep the CVS and they have done what they could in terms of encouraging them to do that but that is really a site plan concern. They recognize and respect what the Board is saying, but when we get into the details, such as the matters that are enumerated in the AKRF memo, those are really site plan considerations. They are at a point where it is merely a recommendation back to the Board. In terms of the floating zone, only thereafter, even if they were to move forward with this project, they would have to satisfy all of those site plan process concerns. They are not here to try to engineer a particular use, or a particular planning, they are providing the opportunity for a site plan review.

Mr. Birgy feels that there should not be any discretionary additional density, or height additions approved for this project. He feels strongly about this and is now hearing pushback on getting information on these traffic items, which are incredibly important to this community. He will remind everyone again about the project in a neighboring community, one block away from the Village of Tarrytown with only two ways out - over the H-bridge and up Main Street in that community. This project is set to include 1177 units of housing 140 room Boutique hotel, 135,000 square feet of retail space, 35,000 square feet of office space, in addition to more than 16 acres of parkland, which is a nice feature for that. He is a little put off and he strongly recommends that a recommendation goes back to the Board of Trustees for no increases in the current zoning situation, and the Board reject the overlay proposal as something that we simply cannot deal with at this time. There are people in this community that are really upset and he appreciates the fact that the applicant returned with a reduced project but that still doesn't relieve the concerns of people on Washington Street, Miller Avenue, and the Tappan Landing area and heading toward Sleepy Hollow by C-Town even when school is out. He feels that we should not be considering any discretionary density until we can get a handle on what's going on with the traffic in this village. The community has spoken about this. He thinks they deserve to have the issue looked at more carefully rather than rushing into an approval or a proposal. The applicant's own traffic consultant said that the traffic that heads down Broadway will most likely not go down Broadway, because it is already at capacity. There is a 15-year-old traffic study that indicated the

roads are at capacity. If this is true, which he believes it is, because he sees it from his own eyes, then why are we considering a project that will add to the traffic situation, which will impact all of the neighborhoods in the community. The applicant is now refusing to address the most important issues that we have asked. The Planning Board's role is to be concerned with the health and safety of the community. With regard to safety, what happens if someone does not make it to the hospital in time because of a traffic jam because we keep approving these projects without looking at the traffic? He would like the applicant to get a handle on this and understand how critical this issue is to this community. He would recommend right now that the Board vote to send this back to the Village as it is, without any consideration of the overlay.

The members of the public applauded and Mr. Tedesco asked them not to do this during the meeting. Communication was lost between zoom and the applicant was speaking over Mr. Tedesco without his knowledge.

Mr. O'Rourke was hoping tonight that the Board would look at the comparison analysis they submitted. With regard to the CVS, this has nothing to do with density, it is a site plan item. He asked Mr. Tedesco if Mr. Canning be giving the opportunity to talk about the comparative analysis so that so that the public and everyone can understand what the zoning permits presently versus what is being proposed, to see what those relative impacts are. He thinks it will be helpful and would give everyone a clear understanding of what they are asking for and also an understanding what the current zoning is and should address a lot of questions.

Mr. Tedesco said that booing or applauding in the audience is not in good taste. The public is invited to speak and be heard at the podium and will be heard 7,000% of the time. He thanked Mr. Canning for his recent memos and noted that the comparison of the as of right vs. proposed analysis, which indicates pluses and minuses. A positive to the as of right development is that there would be on overlay zone needed, but the village would lose one affordable unit. If 36 units are allowable under the current zoning and 47 units are being proposed, that results in 11 units over the as of right build. If the proposed fourth floor was eliminated, which has 14 units, then there would be 33 units in two floors of residential which could go to 36 units. He would like the applicant to respond to this possibility. He knows that everyone wants to save the CVS, but it worries him that these 11 added units would prevent them from staying within the current zoning.

Mr. Birgy asked Mr. Pennella to comment on how the units went from 33 to 36 in the proposal. Mr. Pennella said that number was an estimate determined in his initial review. If you reduce the size of a unit, then you could have more units. Mr. Birgy wants to know how we can get 37 units on an acre of property. It seems impossible to him that this number of units could be allowed in the inner village. This could potentially result in well over 1,000 units. Mr. Pennella noted that the village code does not have density requirements in the RR. You apply the minimum size unit that you can construct based

on the building code and what can fit in the building envelope based upon height and setback requirements.

Mr. Birgy is concerned about fairness and equity as Dr. Friedlander had touched on. If every person in the RR zone sees this as an opportunity, and, if you have a big piece of property, we can string together a couple of pieces of property, which would have an incredible impact on the entire village. This is another reason why this site should be looked at with extreme caution. The neighboring property will be approved for a similar project because it will be in the same floating overlay zone. We need to understand the concept between as of right and the floating overlay zone and ask ourselves if this is something that we want for the inner village. Most people like the fact that Broadway is a two-lane road with parking on the side and trees on the side. If we don't get a grip on this discretionary density, it is going to be a four-lane highway. He is not saying that to be dramatic, but if fire trucks, police and ambulances can't get through, what do you think the State Department transportation will do?

Mr. Tedesco said if 36 units are allowable under the current zoning and the applicant submits a site plan, it doesn't mean that the Board has to approve 36 units, depending upon all of the environmental factors such as traffic, etc. Counsel Zalantis agreed and advised that the Board still has to go through the analysis for assessing traffic impacts and parking impacts, but, from a zoning perspective, it is allowable. The applicant still has to prove that it works with the same conditions. Mr. Tedesco commented that if the Board does not want to go with a floating overlay zone, then should get a zoning compliant plan and then use site plan process to decide if that 36 units is appropriate.

Dr. Friedlander said that, philosophically, he knew that the Board should not entertain changes in the zoning code that applies to more than one property, which most of them will, unless we carefully examine why we should change the zoning code. The zoning code has a history of protecting the Village, and it may not be perfect, but it has played that role over a long period of time. If we want to make changes in that zoning code that the Board of Trustees asked us to study, then we should carefully consider all the factors involved. He feels that the only reason we should change the zoning is to find out what the public benefits will be from changing a compliant plan. He understands the benefits for the applicant to earn income or wealth from their property but feels that the financial benefits to the Village need to be very clear, otherwise, there is no need for the village to change the zoning. Quality of life is another issue. He has lived her for 50 years and the Village has achieved many great accomplishments with preserving open space and parkland. The one area he finds horrendous is the traffic. He lives on the south end of Town and it takes him 4.5 times longer to get to the inner Village. He can't get out of his street onto Broadway. If you have to catch a train or get to school or a sporting event, you have to leave 25 minutes ahead to get there on time. Time is quality of life and every minute we spend in traffic only increases the stress and pressure on life. We are wrestling with all these proposed developments. No one is against development, but we should always start from the basis of what we have now and see if we can improve it, not what we have now, and see if we can make it worse. If the

applicant can justify the increased density, then it should be considered, but if he can't, then we are spinning our wheels and wasting a lot of time. Everyone agrees they want a better quality of life, not a deteriorating quality of life. He agrees with Mr. Tedesco that we should study the compliant plan and see whether it is worth the change.

Mr. Aukland commented that unlike his colleagues, he is not opposed to this proposal but wants to understand the implications of what it could mean for this property and the other property named for the overlay zone. He believes that the Planning Board should steer clear of policy and political decisions around that question. The Board of Trustees is responsible for making those political and policy decisions. The Planning Board is responsible for advising the Board of Trustees on the implications of any particular application. In this case, he has not seen the issues that Mr. Birgy referred to, nor does he see that by adding the overlay zone with a single extra floor that we will suddenly have the same height buildings all the way along Broadway, and having Broadway turn into a four-lane road is not going to happen. He believes the job of this Board is to come up with all of the factors that need to be considered by the Board of Trustees and leave it to that Board to make the right policy decisions. He thinks the applicant has done a really helpful job in proving the comparison information. He would have liked to see more in terms of what the benefit is for the village. He is not casting a vote one way or the other at the moment, but what he would like to know is what the benefits for the village are with allowing the overlay zone with the extra floor, going from 33 or 36, whatever the right number of units is, to the 47. It may be great for the village, but tell us why that is so. He has not seen that yet. Given the emotion around this one, he thinks they are going to need a fairly compelling case to take to the Board of Trustees.

Mr. Birgy appreciates Mr. Aukland's comments but strongly disagrees with his characterization of the Planning Board's role which he believes is to set the tone, which is a critical aspect. The Board of Trustees is the policymaker, but they look to this Board for their expertise in making recommendations to them. When we have this attitude, we end up nibbling around the edges instead of, if he had his way, tonight, he would make a recommendation back to the Board of Trustees and say that the Board feels very strongly that this project is not appropriate for the Village at this time. If and when they can make a proper assessment of the impact of development change, then he thinks it would be more appropriate to take a look at these things. But we have no vision going forward. We have no idea of the of the impacts. The H- Bridge will be in his opinion, one of the primary conduits for traffic flowing from that development into this village. He suggested that next time you are driving around, start down at the bottom of Beekman Avenue and take a ride up Beekman Avenue, go down Broadway and see how long it takes to get to the Village of Irvington. That is as simple as it gets and this is why he feels very strongly about this matter.

Mr. Tedesco suggested, as Mr. Aukland pointed out, that the applicant provide as detailed a report of the benefits that come from this proposal by changing the zoning for their review at the next work session. If they decide that the argument sways the Board, then they can make a recommendation to rezone. If they believe that it doesn't

and it falls far short, then the Board stays with the current zoning- as of right, and proceed with site plan review through SEQRA, which will look at every environmental factors.

Mr. Pennella commented that Marissa Tarallo, of AKRF, is here should the Board want to hear from her. Mr. Tedesco believes that we should concentrate on the zoning issue tonight, rather than the traffic this evening and opened the meeting for public comment.

PUBLIC COMMENT PERIOD

Dolf Beil, owner of 108 Main Street, showed some slides and commented as follows: He estimates the building height is going from 15 feet to 48 feet which is 3 times the current height. It blocks the view in the sunlight and destroys our village legacy. He is going to call this quasi legal spot zoning, which clearly subverts the comprehensive plan's direction. It increases density and traffic with zero benefits to the Village and it fosters a "me too" in the RR zone. He showed the map of the RR zone illustrating that the project is more than half of the relevant portion being 500 feet by 48 feet with one break. He showed the December shadow indicating that people at the north end are going to constantly be living in its shadow during the wintertime. The Comprehensive Plan is wrapped around the applicant. It talks about nurturing an attractive and resilient business environment, permitting various uses and studies to reduce vacancies. It does not say to study incentives to reduce the amount of commercial space we have. This proposal reduces the amount of space by 44%. He would like to know how this promotes a dynamic office environment when it cuts the amount of space we have in half. It is a mockery of what the Comprehensive Plan; it destroys an opportunity to achieve the objectives. It packs \$6,000 monthly two-bedroom rentals into what is supposed to be a restricted retail area with zero benefits. Why we have this project is a real simple word, "MONEY". He is not against all development. He spoke in favor of the YMCA which is providing 109 affordable units, with no impact on the schools. This project will only provide 4 units only because it is required and will impact the schools and the \$6,000 per month rentals will not foster diversity in the community. Why would the Board approve this project? The developer should not be allowed to take, by his guesstimate, one million dollar's worth of land and turn it into 5 million dollars without doing anything for the Village of Tarrytown. We care about our legacy. For 100 years, people have tried to use zoning to create the village that we have now. People moved to Tarrytown 10, 15, or 20 years ago because of what Tarrytown is and that legacy is incredibly important. In summary, he wants the pun intended here, "The gravy train stopped at 29 S. Depot Plaza".

Mark Fry addressed some misinformation with regard to the comparison on the number of units. We need to compare apples to apples. When we say what can be built as a right under existing zoning, we have to apply all of the existing zoning to that site. In the front, a 20-foot setback is required from the property line. That slice of 20 feet was not removed, to come up with that 33-unit number. The existing zoning requires a 10-foot landscape strip on all perimeters, and that 10-foot strip was not removed. The 33 units

that was calculated using the wrong number of cars per unit, which is 2.5 in the RR zone. The applicant came up with one car per unit as if this was TOD site which it is not. He has never seen a traffic report that took a 25% drive thru credit, and then reduce that by another 10% for this alleged TOD. He agrees with Chairman Tedesco and the other members who said, let's first make sure we show what it is allowed under the existing zoning with all of the setbacks, with the number of cars per unit, because frankly, the required number of parking places will not fit on that site. Mr. O'Rourke talked about site plan issues and said give us the zoning approval now and we will talk about the traffic safety plans later. That is backwards. The most important zoning is the traffic. He feels that the applicant should show what the actual traffic impact will be now, and then the Board consider recommending new zoning.

David Barnett, lives on Main Street, read a letter into the record, "For years, the traffic in and around this village has been problematic. It shouldn't take 20 to 30 minutes to drive from Broadway and Route 119 to Beekman Avenue in Sleepy Hollow, but more often it does. As early as 1998, one study stated that our roadway system is already at capacity. With future developments on the horizon, such as 29, South Depot Plaza, the YMCA, Franklin Court, the Boatel, all in Tarrytown, and especially Edge on Hudson in Sleepy Hollow, it seems logical that our current problems will continue to escalate if we're not more thoughtful in our planning. We have been kicking the can down the road for 23 years, while Tarrytown is busting at the seams. We clearly are at a tipping point, and we don't need any more congestion. This is why I'm opposed to the current proposal for 39-51 North Broadway. Without considering a comprehensive, holistic approach, this project, along with the others I previously mentioned, will only continue to add to the current density and traffic. Keep in mind that Tarrytown has become a destination spot for many visitors in our county and beyond, coming here for beautiful distance, small town charm and unique ambiance. However, instead of capitalizing on our success, we're running the risk of turning this unique town into just another generic city like Yonkers or White Plains. We seem to have developed this attitude of bigger is better, when in reality, we're creating a self-inflicted wound. I understand why the developers think that way. It's profit. But why should the Boards who represent our citizens go along with it? We just went through this with a long tedious process regarding the SAO, until the board wisely voted it down. I'm all in favor of improving and developing in our village, but if we don't think about our future, more holistically, outsiders will not only avoid moving here, they will simply stop coming because of all the unbearable traffic density and congestion."

Mr. Birgy asked if the required parking of 2.5 spaces works in the compliant plan that they proposed. Mr. Galvin said it does not. He would like more clarification for the public so that the community better understands. Mr. Galvin said at 2.5 at 36 units it would be 90 spaces. There is no distinction from a one or two bedroom. The applicant is providing provided 128 spaces under the building.

Mr. Canning said that they were asked to provide a comparison to the "as of right" under a zoning compliant plan. He referred to the table on page 4, and noted that they would

have to have 2.5 parking spaces per dwelling unit, which is what the code requires. They would have to provide 151 parking spaces, which is their estimate as to what would be required for the residential plus whatever restaurant retailer or other use would go in. They did not prepare a plan to demonstrate that but they would have to be a little creative but it is reasonable and feasible.

Katie Kreider, of North Washington Street, said that zoning is here to protect residents. Her backyard is by Dixon Lane. She has lived here since 2002 and watched when Mrs. Green's opened and Bolton's and she has watched the traffic change over the years. She is concerned about losing the walkability in the village. It's becoming a restaurant row with some entertainment. She would like stores that she can walk to for groceries and clothing. More people walking and crossing the streets also adds to the traffic so to say that zoning should not have to deal with traffic is an oxymoron. Zoning is about a way of life. It is about protecting people from traffic and buildings that are too high and density that is too much. It's about taking away retail that we as walkers depend on, who don't want to drive. People drive up the hill, they are too tired to walk up the hill and it is busy. She is asking the Board to protect the pedestrians from the traffic, although they are now having to drive more because there are no stores for them to walk to. Zoning should protect people, not harm them. She asked the Board to protect the residents. She apologized for applauding earlier after Mr. Birgy spoke.

Mike Love, of Main Street, understands that development is going to happen but is concerned about the limit of development. The Edge on Hudson is bringing in 1177 units at 2.5 per household, with a hotel which requires 2.5 employees per guest. This will result in extra unnecessary traffic in the area. His main concern is the quality of life and the amount of commuter traffic. Some people may bike or walk to the train, but many will also drive on hot days. The village really needs to consider the traffic impacts to all of the roads. It should be our first and foremost concern.

Doug Fox, lives on North Washington, a resident of the community for most of his life. The issue to him seems to push this project through so they can move forward before the Edge is finished. He finds it incomprehensible that you don't stop and say wait a second. We are being driven trying to get this thing in through the back door before this other thing opens up and really slams the town, because that's what's coming. The H-Bridge is not adequate enough to handle all of the traffic. There are no lights. It is dangerous and it takes at least a half hour to get all the way around from the parking lot. When Edge comes on line, it will be even worse. People will be driving to the train, not walking during the winter. The parking lots are also overloaded and more traffic will be created with people driving down and around just to find a spot. This village is going to be a walking town because that is all you can do to get around this place because the traffic is so backed up with truck traffic, bus and through traffic on Broadway. Traffic is the problem and it should be the first thing we are dealing with. It is not that they don't want development, but they want to have a village that is developing in a way that everybody benefits, not just people who have the ability to pay the rent.

Judith, who lives at 18 N. Broadway, called in to say that she is disappointed in what she is hearing at this meeting. She sees a village of storefronts with a 30% vacancy rate and a proposal that seems reasonable and fair. Many people in the general public are complaining about traffic, which will always exist in the village. It is a symbol of vibrancy in the area. There was probably more traffic when the market was there as opposed to the residential. She does not see how the village can have an economic model that is sustainable if we constantly block projects. There has to be a give and take. She feels a need to balance the interests of a reasonable development with our own current lifestyles.

Heather Haggerty, of Kaldenberg, said in the original plan the applicant proposed improving the walkway on Central to Kaldenberg and she wanted to know if that was still going to happen. That could be a community benefit. Otherwise, she doesn't see any other community benefits. They could propose a LEED net zero building which would be a benefit rather than Fitwell which only benefits the people who live in the building. The building itself looks like it could be anywhere in the USA. The area has a history. The Woolworth Building stood there. It should be more in the character of the neighborhood.

Laura Burk, of North Washington Street, feels that the vacant storefronts are intentional and it has been left as an eyesore so the applicant can get what they want which a giant monster building. They are terrible neighbors, and as a neighbor, she is not inclined to give them anything more than the bare minimum. They don't take care of a parking lot. There is a sinkhole back there right now. The lights glare into the back of her house, and there is garbage along the back, they cut down trees and left branches and they don't take care of the property. She sees no reason to reward them since they are not good community neighbors. She feels that there is no need for the overlay because somebody else might ask for it. You can give them a variance but there's no reason to change the zoning for the entire neighborhood. It would be premature to do that without really knowing what the impact is going to be. She was pleased to hear some of the comments from the Board this evening.

Fran McLaughlin, of 18 N. Broadway, feels that there is no need to approve an overlay zone. The traffic is terrible and will be worse when they start building Edge on Hudson. Central Avenue is blocked almost all day long beginning at 5 am, with the buses going down. She feels it is crucial to study the traffic in relation to what is generated by Edge on Hudson.

END OF PUBLIC COMMENT

Mr. O'Rourke returned and advised the Board that he has been speaking with the family and he is authorized at this point to say that they are withdrawing their petition for the floating zone. They have listened to all the comments and they recognize and respect what the neighbors had to say. They believe that when they read the Comprehensive Plan, and the two year effort that went into it, they proposed a project consistent with

that plan, particularly with regard to the action items. There is no need to continue the public hearing and they will confirm that in writing. He thanked the Board for listening to their application. They always have a right to petition the Board as a fundamental part of government. They thought they did that in good faith and in total consistency with the Comprehensive Plan. Unfortunately, they must have misread the plan.

Mr. Tedesco asked Mr. O'Rourke if Ms. Tarallo, the Village Traffic Consultant should review Mr. Canning's report that he recently provided.

Mr. O'Rourke advised Mr. Tedesco that since the application has been withdrawn, they no longer wish to have any consultant fees charged to the property.

Mr. Tedesco moved, seconded by Mr. Aukland, to close the public hearing at the applicants request.

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes

Member Aukland: Yes

Chairman Tedesco: Yes

All in favor. Motion carried. 3-0

CONTINUATION OF PUBLIC HEARING - Hackley School – 293 Benedict Avenue

Chairman Tedesco commented before the applicant speaks that the Board has received 3 items since the last meeting: 1) Landscape Memo from Suzanne Nolan, the Village Landscape Architect, dated June 7, 2021 with comments and recommendations and this memo has been sent to the Town of Greenburgh, Lead Agency for this project. 2) A request for Steep Slope disturbance waiver which the Board will review and 3) Stormwater Review Memo from Hahn Engineering, the Village's engineering consultant, dated, June 8, 2021, which has also been forwarded to the Town of Greenburgh.

Present on Zoom: Mark Weingarten, ESQ., the project attorney, with the law firm of Delbello Donnellan Weingarten Wise & Wiederkehr LLP, appeared on behalf of the applicant with his colleague, Anne Kline. Bonnie VonOhlsen and Mike Junghans with Kimley Horn, and Peter McAndrew, the Campus Director, were also present. Mr. Pennella advised that Suzanne Nolan, the Village Landscape Architect, was also present to update the Board on the project.

Mr. Weingarten advised the Board that before they move forward with the site plan review for the Village, they need to continue the SEQRA process with the Town of Greenburgh in order to finalize the site plan issues and specific approvals before this Board. At the work session there was a discussion about the environmental review and visual impacts and things of that nature that they are working with their consultants to

put together the studies necessary to respond to those issues that came up at the last Town of Greenburgh Planning Session. They will be sharing these studies with the Village as they come about and are here this evening with their team to answer questions. With the exception of the steep slopes disturbance waiver request, they have nothing else to report to submit for this evening as they continue to make progress.

Mr. Tedesco asked Mr. Pennella if any progress has been made with regard to Hackley connecting to the Greenburgh water system. Mr. Pennella advised that there have been ongoing discussions of tackling the potential of connecting into the Town of Greenburgh. The withdrawal from the Village of Tarrytown will improve the low pressure experienced in the Crest Area of the Village. The school has approached the Town of Greenburgh to explore the feasibility. This would provide a greater pressure gradient and eliminate the need for Hackley to have booster pumps for domestic water.

Mr. Weingarten commented that Mr. Pennella's comments are accurate. This connection will be a very significant cost to the school. They have agreed to go forward with this because they understand it is important to the Village and they have requested that we study this and, if it is all possible, they will execute on this. They are looking to cooperate on, but to suggest that this is something to the benefit of Hackley, and we would have done this anyway is inaccurate. The first step is to have the Town of Greenburgh review it, with the Village comments, to make sure that it is feasible, and then Hackley will have to commit to a very, very expensive improvement in order to do this. They have no objection to that, but for the record, they want to make it clear that this is something that is not necessary, and while there are some benefits that were pointed out by Mr. Pennella, the initial capital expense is rather significant.

Peter McAndrew advised that they are working with the Town of Greenburgh on this matter. Mike Junghans, the project engineer added that they are working on preliminary plans trying to figure out the best way and process to bring that online and are exploring the feasibility and timing of doing that.

With regard to the Landscape issues, Ms. Nolan, advised that the tree inventory did not include all the trees that meet the Village's definition as protected and has asked for more detail. She requested that they include all the trees on site in the tree inventory, not just those that are identified for removal, to determine what trees are located in the area of disturbance. In Phase II, this is even more important since there are a lot of Oak trees that will be affected in the path of the parking lot that need to be protected. The disturbance area is a little off and this area has a really amazing grouping of Oak trees which are representative of the ecology of the area before disturbance.

Mr. Tedesco noted that because the applicant needs to continue their progress with the Town of Greenburgh and is unsure when they will return, the Board will move to continue this public hearing. Meanwhile, the applicant can work on the village issues such as landscaping. Mr. Weingarten advised that they will remain in touch with the Village Planner and Counsel and keep the Village informed on their progress with Greenburgh and return when appropriate.

Mr. Tedesco asked if there was anyone in the audience who wished to comment on this application.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the public hearing when appropriate.

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes

Member Aukland: Yes

Chairman Tedesco: Yes

All in favor. Motion carried. 3-0

NEW PUBLIC HEARING – Matthew Cordone, Architect PLLC – 88 Main Street

PLEASE TAKE NOTICE that the **Planning Board of the Village of Tarrytown** will hold a public hearing **via Zoom Video Conference** in accordance with the NYS Governor's Executive Order 202.1 and 202.79, which have been extended. The public hearing will begin at **6:00 p.m. on Monday, June 28, 2021**, to hear and consider an application by:

Mathew Cordone Architect PLLC
90 Hamilton Avenue
Hastings on Hudson, NY 10706

For site plan approval required under the Village of Tarrytown Zoning Code §305-48 for the construction of a scenic roof deck on a pre-existing non-conforming 3 family dwelling.

The property is located at 88 Main Street, Tarrytown, NY and is shown on the tax maps as Sheet 1.70, Block 32, Lot 8 and is in the M-1 Zoning District.

***Please visit <https://www.tarrytowngov.com/home/events/32766>

for instructions on how to join the meeting via Zoom, or call-in by phone and for updates, if any, if the meeting location information has changed.

Public Written Comments will be received in advance of the meeting no later than 12 Noon on Friday, June 25, 2021 by email to: imeszaros@tarrytowngov.com or regular mail to: Village of Tarrytown, Planning Department, 1 Depot Plaza, Tarrytown, NY 10591.

Documents relating to applications will be provided in advance of the meeting by emailing imeszaros@tarrytowngov.com or by calling 914-631-1487.

Additional approval is required by the Zoning Board and Architectural Review Board.

All interested parties are invited to join the meeting and be heard.

By Order of the Planning Board

Lizabeth Meszaros

Secretary to the Planning Board

Dated: June 4, 2021

The mailing receipts were received and the public hearing sign was posted.

Matthew Cordone, RA, the project architect, appeared on behalf of the owner, and introduced his associate Kristine Magliano. He noted that they have provided a streetscape elevation as requested at the Staff Meeting. In addition, this project is before the Zoning Board for setback variances necessary in order to move forward. The Zoning Board has scheduled a balloon test to take place on July 11, 2021 at 9:20 a.m., in advance of the July 12th Zoning Board Meeting. Planning Board members are invited to attend this site visit.

In preparation of the meeting, they created renderings of the actual Main street showing different views of the roof terrace and they composed the small movie of how the roof terrace can be seen throughout the street as you move up and down Main Street. They are proposing to have a roof terrace at 88 Main Street which will sit on top of the gable roof and extend toward the westerly side. They are set back from the north elevation to minimize the view of the terrace from the street. The terrace is 25 feet from Main Street. The height of the terrace itself is about six feet at the top of the rail. We're proposing to have an access from the side of the building exterior. The owners of the building will allow their tenants to use the deck. The terrace will be constructed with a Trex or wood like material to match the stucco building. He showed full-size renderings showing the impacts to the neighboring building behind the property and in front of the property and an aerial view of the terrace. They will be using a very standard picket railing system to eliminate as much impact of this structure to the neighbors and to create more of a light field for the sun deck. He showed the view looking from on top of Main Street going down, where you can see the top of the deck a little bit, approximately right around that second story window of the neighboring building. He showed the view in relationship to the neighbor's windows showing sensitivity to not blocking anyone's view of the river and the Bridge. He showed a rendering looking up Main Street to get a sense of what that terrace is going to look like coming up the hill. They are really trying to embrace the idea of this minimum impact. The building itself is quite charming, and they don't want to take away from any of that aesthetic. He showed the brief "Fly Over Video" showing aerial views of the deck and to show why they took this design approach. They pushed the terrace back for the neighbors because the northwest trees to the south do eliminate some of the views of the river. The terrace has a light feel. It is modest in size and it really is just to allow the tenants and the owner of this structure to enjoy some of the views of the river.

Mr. Tedesco asked if anyone in the public wished to comment.

PUBLIC COMMENT PERIOD

Mark Fry, of Ossining, was impressed with extraordinary presentation and felt it was done rather sensitively. The building is one story less than what it can be in that zone. He is happy to see that they pushed the deck all the way to the south, and all the way to the west, and only covered a quarter of the roof when they could have covered 100% of the roof. He thinks they have done a good job moving away from the neighbor. The neighbor will see it unequivocally, but it is attractively designed, simple like, in scale. It is a wonderful asset for that building. A roof deck is a number one amenity these days and people pay so much to live in these wonderful river towns. It would be a shame if Mr. and Mrs. Love didn't have a chance to enjoy the view they paid so dearly for.

Katie Kreider, of N. Washington Street, commented that although she is typically against anything that blocks the views but she doesn't see this as blocking the view. She thought it was actually very sensitive and was pleasantly surprised by what they presented. She would be interested in knowing the results of the balloon test to see if it really does disturb many people's view. She just finds herself surprisingly in support for this.

Chris Simao, spoke on behalf of his parents who own 3 Windle Park, the home next door to the property. His biggest concern is the impact of the view for their tenants which is why a balloon test was scheduled by the Zoning Board. The other issue is noise concerns since they have bedrooms that are located in the back of the structure. There will be early morning coffees and late nights that are concerning to them. Their line of sight on the river will add a dramatic change to Main Street. They have a personal unit on the second floor and obviously their eyes will be drawn to the deck and the people on it.

Richard, who lives on Windle Park, in the building immediately east of the subject property is opposed to this project. There is going to be noise with this rooftop deck. The lack of privacy in the windows of this house is also a concern. His bedroom window faces the deck and nobody wants that. It is not a monstrosity, but somebody doesn't benefit from it because of the lack of privacy.

Heather Haggerty, of Kaldenberg Place, lives in the village and there is a noise ordinance and she only calls the cops when it gets really loud. It is just something you have to deal with when you live downtown. On Main Street, they have the foundations to put up the deck and to get a rental in Tarrytown and not have to pay \$6,000 is nice. She understands the noise concerns but there are things that can be done.

END OF PUBLIC COMMENT

Mr. Tedesco asked if the Board Members have any questions or comments.

Dr. Friedlander asked if there was a height issue. Mr. Pennella said the railing does not exceed the 35-foot height in this zone. They are before the ZBA for setback variances to allow for the deck since the building itself is existing-non-conforming.

Mr. Aukland would like to hear from the applicant about the privacy questions since have an outside space is similar to having a yard so the noise would be kept down, but a yard does not overlook the bedrooms and he asked about screening.

Mr. Cordone said they had a lot of discussions about screening. The concern with screening is that it does block the view. This is a residential application, no different than a residential backyard on a steep slope community. He lives in Hastings on Hudson and his neighbors have roof terraces above and below them and yes there are privacy issues, but at the same time, you are dealing with the geography of the land and topography of the village. Their value was the view, more than the screening, to get a quality of life to be able to enjoy the vision of the Hudson River.

Dr. Friedlander asked about the lighting. Mr. Cordone said they are not proposing lighting on the deck. There would be some path finding but no lanterns or lamps. Main Street does have some ambient lighting already, so the deck itself can function without light on it, similar to a backyard deck. Should there be some pathfinding lighting, it would be placed down below around the risers of the stairs.

Dr. Friedlander said in terms of privacy, it is similar if you had a balcony jutting out from the building is this is coming out of the roof instead of the floor of the residential floor itself. He is just trying to match what these people were saying or what you're proposing. Mr. Tedesco asked if something should be put in the approval about lighting and restrictions on it. Mr. Pennella advised that the code will require some type of lighting. The applicant can work on the lighting and suggested maybe have a post that sheds light down and does not impact the neighbors. Mr. Tedesco would like to see a plan rather than to speculate on what it might be.

Mr. Cordone showed the external access to the deck at the west end of the building for Dr. Friedlander's benefit.

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

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes
Member Aukland: Yes
Chairman Tedesco: Yes

All in favor. Motion carried. 3-0

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the Public Hearing when appropriate.

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes
Member Aukland: Yes
Chairman Tedesco: Yes

All in favor. Motion carried. 3-0

Mr. Tedesco reminded everyone of the site visit scheduled for Sunday, July 11, 2021 at 9:20 a.m.

NEW PUBLIC HEARING – Christopher and Sonia Cawley – 95 Wilson Park Drive

PLEASE TAKE NOTICE that the **Planning Board of the Village of Tarrytown** will hold a public hearing **via Zoom Video Conference** in accordance with the NYS Governor's Executive Order 202.1 and 202.110, which have been extended. The public hearing will begin at **6:00 p.m. on Monday, June 28, 2021**, to hear and consider an application by:

Christopher and Sonia Cawley
95 Wilson Park Drive
Tarrytown, NY 10591

For site plan approval required under the Village of Tarrytown Zoning Code §305-48 for the construction of a scenic roof deck and elevator shaft on a single-family dwelling.

The property is located at 95 Wilson Park Drive, Tarrytown, NY and is shown on the tax maps as Sheet 1.50, Block 20, Lot 59.1 and is in the R-40 Zoning District.

Please visit <https://www.tarrytowngov.com/home/events/32766>

for instructions on how to join the meeting via Zoom, or call-in by phone and for updates, if any, if the meeting location information has changed.

Public Written Comments will be received in advance of the meeting no later than 12 Noon on Friday, June 25, 2021 by email to: imeszaros@tarrytowngov.com or regular mail to: Village of Tarrytown, Planning Department, 1 Depot Plaza, Tarrytown, NY 10591.

Documents relating to applications will be provided in advance of the meeting by emailing imeszaros@tarrytowngov.com or by calling 914-631-1487.

Additional approval is required by the Zoning Board and Architectural Review Board.

All interested parties are invited to join the meeting and be heard.

By Order of the Planning Board

Lizabeth Meszaros

Secretary to the Planning Board

Dated: June 18, 2021

The mailing receipts were received and the property signs were posted.

Amanda Linhart, RA, the project Architect, shared her screen on zoom and showed the house located on the corner behind a large berm at the intersection of Wilson Park Drive and Beech Lane. Mr. and Mrs. Cawley, the owners, were present in the audience. They are proposing to construct a deck on the flat portion of the house. The flat portion of the roof has access right now with very beautiful view. She showed the view from Wilson Park Drive and the driveway. She created renderings based on the request at the staff meeting. With the tree coverage it is very difficult to see the deck at this point. She zoomed in and showed the view from Beech Lane. The existing house is a Gothic house and she showed the house with the proposed widow's walk which will have windows to provide for a nice place to sit in the winter. She showed a rendering as you walk down the street and you see a vestibule popping up on the roof. They tossed around some different ideas of how to get to the roof rather than using the exterior staircase. She advised the Board that Mr. Cawley has a twin brother who is in wheelchair, who they wish to accommodate, since he visits frequently. They felt that an elevator vestibule installed all the way down to this garage level, which could access all floors in the house as well as the roof deck, would be the best solution. This would allow access to all floors in the house from the garage level over the driveway as also provide a safe access to the roof deck. They would keep that extra staircase for safety reasons so that we have another way of getting down in case the elevator stops working. She showed the location of the elevator on the plan and how it goes up through all levels of the house. On the second level, they will need to carve out a little bit of a space in the den for the elevator cab to go through on a third level which is the bedroom and the recreation room level. They plan to have regular decking on pedestals with a very thin galvanized steel railing to match the home and continue that detailing on the roof to meet the guardrail so it all kind of ties together and keeps with the character of the home. The elevations are a little deceiving. They are exceeding the height because of this average grade calculation. The elevation demonstrates the average grade. Thirty feet is the allowable height and the vestibule pops up above that. The house which was built in 2007 was already at the maximum height so matter what they did, they would exceed the height. They had difficulty with the streetscapes because the home is on an awkward corner. There is really only one neighbor directly here to the west and then the other neighbors are set so far back that it was difficult to compare one house to the next. She showed a kind of a 3D model view to help better explain how the deck looks from all directions.

Mr. Tedesco noted a letter of support from Ann and Greg Hull and wanted to know where they lived with respect to the property. Mr. Pennella advised that the Hull property is directly north of the property.

Mr. Tedesco asked if anyone Board Members had any comment.

Mr. Aukland was pleased with the presentation.

Dr. Friedlander said it is very attractive. Mr. Tedesco said it is serving a good cause.

Mr. Tedesco asked if anyone in the public wishes to comment on the application.

PUBLIC COMMENT PERIOD

Mark Fry, of Ossining, is in favor of the application. He too is getting old and putting an elevator in is a wonderful thing to do with little impact to the neighborhood.

William Crawford, of 35 Warren Avenue, the property adjacent to this property has no qualms whatsoever with this project, the design, or the view. He is probably the only house that will actually be able to see this and he thinks it will be a wonderful addition to the neighborhood. It definitely speaks to the character of the home, which happens to be probably the nicest home in the area.

END OF PUBLIC COMMENT

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

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes

Member Aukland: Yes

Chairman Tedesco: Yes

All in favor. Motion carried. 3-0

Mr. Tedesco moved, seconded by Mr. Aukland, to continue the Public Hearing when appropriate.

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes

Member Aukland: Yes

Chairman Tedesco: Yes

All in favor. Motion carried. 3-0

ADJOURNMENT

Mr. Tedesco moved, seconded by Mr. Aukland, to adjourn the meeting at 9:10 p.m.

Mr. Tedesco asked for a roll call vote:

Member Friedlander: Yes

Member Aukland: Yes

Chairman Tedesco: Yes

All in favor. Motion carried. 3-0