

Board of Trustees
Village of Tarrytown
Special Joint Meeting No. 22
Board of Trustees/Planning Board Meeting
November 23, 2015; 6:30 p.m.

PRESENT: Mayor Drew Fixell, Trustees Basher, Butler, Hoyt, McGee, McGovern and Zollo

Chairman Friedlander; Members Tedesco, Aukland, Raiselis; Alternate Member Lawrence.

Counsel Zalantis; Village Administrator Blau; Village Engineer McGarvey; Secretary Bellantoni

ABSENT: Planning Board Member Birgy

RECUSED: Planning Board Member Raiselis

NEW PUBLIC HEARING – National Resources – Amendment to the Findings Statement relating to height for the Riverhouse

Trustee Basher moved, seconded by Trustee Butler to open the public hearing; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland to open the public hearing; all in favor. Motion carried.

Administrator Blau said this meeting is strictly for an amendment to the Findings Statement for 11 towers at 45 feet, which is 3 additional feet above height approved in the Findings Statement and for the construction of aluminum/glass railings that measure 45 feet 6 inches, which is 3 feet-6 inches higher than the approved height in the Findings Statement. He said the Architectural Review Board and the Planning Board approved the building at 42 feet, but that both Boards, for architectural purposes, support the request for additional height. If the additional height is not approved, the building will be built at the approved 42 feet, without the 11 towers.

Joe Cotter, John Meyer, Sean Flynn and Paul Janos were present on behalf of National Resources.

Mr. Cotter showed the elevations of the building and the architectural features that they would like to add to make the building look nicer and add more interest. Mr. Cotter showed the east elevation as approved without the additional towers; and he showed the same elevation with the towers and the railing which will be added for safety. He showed the south and north elevations with and without the additional height.

Mr. Cotter said the ARB made other suggestions that they incorporated into the design of the building which improves the architecture of the building.

Ms. Lawrence asked who uses the roof deck. Mr. Cotter said only unit-holders on the east side; no public. On the east side, the units face the Cooney Building but with the roof deck they have a view of the river.

Chairman Friedlander said it's a change in the roof line to make the building more architecturally pleasing. Mr. Tedesco said he feels this is a minimal way of making the roof line look nicer.

Trustee Hoyt asked why they did not think about this from the start; why now? Mr. Cotter said they would have, but it was over the required height.

The meeting was opened to the public.

Robert Koegan, 87 Main Street, asked why they can't do the same thing at the 42' height. Why can't it be done over the parking area which has lower ceilings? Mr. Cotter said if we did raise the west elevation, which would make that east side lower than the other sides of the building and would block their views from Main Street.

Margaret Koegan, 87 Main Street, said the height issue is very sensitive to people in our condominium complex. She, as well as the rest of their neighbors, do not like the height increase because the present Lookout Buildings have obstructed their view (boat traffic). She invited everyone to come to see from her deck. She said she is disappointed in the Planning Board for encouraging this height increase. She does not know why a building could not be built at the 42'. Chairman Friedlander agrees that their view has been affected but we must do what is best for the Village as a whole; the 3' height change is what's good for the Village. Ms. Koegan said the ceilings can be dropped and the same result could be made at the 42 feet height. Chairman Friedlander said there are required heights for ceilings. He said the Planning Board worked very hard on this and we have been very sensitive to the residents of the Village. Ms. Koegan said but you allowed two ugly buildings. Chairman Friedlander said we improved what was there before. It was a junk box and an environmental brownfield. The Village received many public benefits because of this project. We all have to look at the development by the benefits outweighing the loss.

Mr. Tedesco doesn't feel the 3' will negatively affect the view.

Mr. Keogan said the railing will not be invisible; it was not originally at that height.

Trustee Zollo said you won't see the railing because it is in the back. Mr. Cotter said that is correct.

Trustee Zollo moved, seconded by Trustee Butler to close the public hearing; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland to close the public hearing; all in favor. Motion carried.

Mr. Aukland on behalf of both the Board of Trustees and the Planning Board read the following resolution:

RESOLUTION OF THE VILLAGE OF TARRYTOWN AMENDING SEQRA FINDINGS
FOR THE HUDSON HARBOR PROJECT,
PREVIOUSLY KNOWN AS FERRY LANDING

Property: 5 Hudson View Way

(Sheet 1.40, Block 4, Lot 18 and Revised Subdivision Lot 8, located in the WGBD Zone)

1. Tarrytown Waterfront LLC, HH Riverhouse II LLC and Ferry Landings LLC (the “Applicants”) request that the Village of Tarrytown Planning Board (“Planning Board”) and Village of Tarrytown Board of Trustees (“BOT”), as co-lead agencies, under SEQRA, issue a limited amendment to the February 2010 SEQRA Findings Statement to allow a 3-3 ½ foot maximum height increase to specific portions of the building proposed for the property located at 5 Hudson View Way (“the Property”).
2. The Planning Board and BOT, as co-lead agencies under SEQRA, previously issued their SEQRA Findings Statement on February 6, 2006. Subsequently, the Planning Board and BOT issued its first amended Findings Statements on June 19, 2006 and issued their second amended Findings Statement on February 9, 2010 which limits the height of construction on the Property to 42 feet.
3. The Planning Board has conducted duly noticed public meetings and/or hearings on the site plan application(s) and/or subdivision application on July 28, 2014 (preliminary presentation), August 25, 2014 (preliminary presentation), September 22, 2014 (preliminary presentation), October 27, 2014 (preliminary presentation), April 27, 2015 (Continuation of a Preliminary Presentation and set a public hearing), May 25, 2015 (New Public Hearing), June 22, 2015 (Continuation of a Public Hearing), July 27, 2015 (Continuation of a Public Hearing), August 24, 2015 (Continuation of a Public Hearing) and September 8, 2015 (Special Meeting and Continuation of a Public Hearing), at which both the public and the Applicants have had an opportunity to present their positions and the Applicants addressed any questions or concerns from the Planning Board members relating to the site plan and/or subdivision application.
4. The Planning Board closed the public hearings on September 8, 2015 and granted site plan approval for the Property on September 8, 2015, at the duly noticed public hearing, limiting the height to 42 feet, as would be consistent with the February 2010 SEQRA Findings Statement.

5. The Planning Board preferred, from an aesthetic perspective, the alternate plans submitted for site plan approval, as indicated in Specific Condition (i) of the September 8, 2015 Site Plan and Subdivision Resolution, but could not approve the alternate plans as the heights depicted exceed the height limitations of the February 2010 SEQRA Findings Statement and therefore, would not be consistent with the February 2010 SEQRA Findings Statement.
6. The Planning Board and BOT have reviewed a submission from Lessard Design Inc. P.C. (“the Submission”) dated November 17, 2015 that depicts through photographs and computer simulated views any potential visual impacts that a 3-3 ½ foot increase in specific portions of the construction on the Property would have on community wide view sheds.
7. The 3-3 ½ foot increase will be limited to specific portions of the construction on the property as indicated in the plan(s) attached hereto, entitled “Riverhouse, Height Increase” and dated “October 9, 2015, received October 13, 2015” (the “Attached Plan”).
8. The Submission provides views from multiple locations throughout the entire Village of Tarrytown and indicates that there will be no negative visual impacts associated with the limited increase of height as specified in the Attached Plan.
9. The Planning Board and BOT have reviewed the plans that incorporate the 3-3 ½ foot maximum height increase and conclude that the increase provides a higher quality of design and allows for more aesthetically pleasing architectural elements to be included in the construction at the Property.
10. The Planning Board and BOT have conducted a duly noticed public hearing on the amendment to the SEQRA Findings Statement on November 23, 2015, at which both the public and the Applicants have had an opportunity to present their positions.
11. The Planning Board and BOT closed the public hearing on November 23, 2015. After closing the public hearing, the Planning Board and BOT deliberated in public on the Applicants’ request for the amendment.

IT IS HEREBY RESOLVED that the Planning Board and BOT, acting as co-lead agencies, find that the proposed amendment to the February 2010 SEQRA Findings Statement to allow a three (3) to three and a half (3 ½) foot maximum increase in height, as specified in the Attached Plan, is consistent with SEQRA’s intent and minimizes adverse environmental impacts to the maximum extent practicable, therefore the Planning Board and BOT issues this limited amendment to the SEQRA Findings Statement issued on February 9, 2010, all prior SEQRA Findings remain in full force in effect.

Trustee Butler asked if the new building is lower than the Lookout Buildings. Administrator Blau said yes; the south side is 54 ½’, and the north side is 52’; this building is 45’ on the south side and 45 ½’ on the north side, so it is still lower. Chairman Friedlander said there are still sections that are at 42’

Mr. Tedesco moved, seconded by Mr. Aukland to approve the additional height of 3’ for the 11 towers and 3’-6” for the glass railing on the top of the building; all in favor. Motion carried.

Trustee Basher moved, seconded by Trustee Butler to approve the additional height of 3’ for the 11 towers and 3’-6” for the glass railing on the top of the building; all in favor. Motion carried.

PLANNING BOARD

Motion by: Mr. Tedesco
Seconded by: Mr. Aukland

In Favor: 5
Opposed: 0
Abstaining: Ms. Raiselis

BOARD OF TRUSTEES

Motion by: Trustee Basher
Seconded by: Trustee Butler

In Favor: 5
Opposed: 2 (Trustees Hoyt and McGee)
Abstaining: 0

ADJOURNMENT

Mayor Fixell moved, seconded by Trustee Butler to adjourn the meeting; all in favor. Motion carried. Adjournment: 7:10 p.m.

Dale Bellantoni
Secretary to the Planning Board