

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, FEBRUARY 10, 2021**

Location: Zoom Video Conference – For Information on How to Join
Visit <https://www.tarrytowngov.com/home/events/33061>
Any questions prior to the meeting may be emailed to administrator@tarrytowngov.com.

Interview Police Officer Candidate

Board of Trustee Concerns

Open Session

1. Fire Department Membership Changes
2. SAO Zoning Amendments Review – Village Engineer to be Present
3. Part-Time Auto Mechanic Helper

Executive Session

- A. Appointment TEAC Liaison to Transportation and Mobility Council
- B. Appointment to Ethics Committee
- C. Fire Department Request to Increase Standby Hourly Rate
- D. 62 Main Street:
 - (1) Staging Agreement
 - (2) License Agreement (off small So. Washington St. Lot)
- E. Review of Board Meeting Procedures on Advice of Counsel
- F. Personnel Matters

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LOCAL LAW __ - 2021

A local law to amend Chapter 305 of the
Code of the Village of Tarrytown entitled
"Zoning", to add additional requirements to
Chapter 305

Section 1. Be it enacted by the Board of Trustees of the Village of Tarrytown as follows
(Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

Section 2. Amending Existing Provision. Chapter 305, Section 6 entitled "Districts
Enumerated" add "**SAO Station Overlay**" to the first column of the list of districts and "**SAO**"
to the second column of the list of districts.

Section 3. Amending Existing Article Heading. Chapter 305, Article IX entitled "Special
Waterfront Zones" to read "Special Waterfront Zones **and Other Special Zone**"

Section 4. Amending Existing Article. Chapter 305, Article VI entitled "Special
Waterfront Zones" (to be amended per Section 3 above) to add new section 305-43.1
entitled "Station Area Overlay Zone SAO" as follows:

§ 305-43.1 Station Area Overlay SAO

A. Intent and Purpose

The intent and purpose of the Station Area Overlay District (SAO) is to create a built environment that implements the goals and objectives for the station area as detailed in the Tarrytown Comprehensive Plan. The SAO is designed is to allow exceptional and signature developments that are consistent with the Comprehensive Plan along with a level of flexibility that will allow different types of uses and forms while still protecting the Village's interests. The purpose and goal of the SAO is to: promote sustainable development and growth; improve local mobility and regional access; reduce dependence on personal vehicles; foster greater connectivity in the village; expand housing options for a diverse, multi-generational community; protect natural resources; enhance open space resources; strengthen connections to the Hudson River; reduce greenhouse gas emissions; and, minimize local impacts of climate change.

B. Definitions and Word Usage

Unless defined herein in the general definitions in Chapter 305, the following definitions apply.

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Affordable Housing
Reference § 305-130.

Blue / Green Strategies
Refer to Blue Roofs and Green Infrastructure below.

Blue Roofs
Rooftop systems that control the discharge of stormwater into a municipal system by detaining stormwater on a roof and until the peak rate of discharge is reduced. (Source: adapted from New York State Department of Environmental Conservation)

Cooperative Housing, Collective Housing, Cooperative Living, or Share Housing
A shared living arrangement in a multi-unit building where certain facilities are shared between building occupants, for example kitchen, living, or toilet/bathing facilities.

Green Infrastructure
Green infrastructure includes a wide array of practices at multiple scales to manage and treat stormwater, maintain and restore natural hydrology and ecological function by infiltration, evapotranspiration, capture and reuse of stormwater, and establishment of natural vegetative features. On the local scale green infrastructure consists of site- and neighborhood-specific practices and runoff reduction techniques. (Source: NYSDEC, Stormwater Management Design Manual)

LEED
Leadership in Energy and Environmental Design (LEED) is a rating system devised by the United States Green Building Council (USGBC) to evaluate the environmental performance of a building and encourage market transformation towards sustainable design. (Source: U.S. Green Building Council)

LEED Certification
A designation given to projects that demonstrate adherence to prerequisites and earn credits across nine measurements for building excellence from integrative process to indoor environmental quality. Based on the number of credits achieved, a project earns one of four LEED rating levels: LEED Certified, LEED Silver, LEED Gold or LEED Platinum. The LEED rating systems work for all buildings at all phases of development and are meant to challenge project teams and inspire outside-the-box solutions. (Source: U.S. Green Building Council)

Live-Work Space or Live/Work Unit
A building or space within a building used jointly for commercial and residential purposes. (Source: American Planning Association / Planning Advisory Service)

Passive House Standards
Passive House building is an internationally recognized, performance-based energy standard in construction that comprises a set of design principles used to attain a

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quantifiable and rigorous level of energy efficiency within a specific quantifiable comfort level. A passive building is designed and built in accordance with these five building-science principles:

- 1) Employs continuous insulation throughout its entire envelope without any thermal bridging.
- 2) The building envelope is extremely airtight, preventing infiltration of outside air and loss of conditioned air.
- 3) Employs high-performance windows (typically triple-paned) and doors.
- 4) Uses some form of balanced heat- and moisture-recovery ventilation and a minimal space conditioning system.
- 5) Solar gain is managed to exploit the sun's energy for heating purposes in the heating season and to minimize overheating during the cooling season
(Source: Passive House Institute US)

Shared Parking

A land use/development strategy that optimizes parking capacity by allowing complementary land uses to share spaces, rather than producing separate spaces for separate uses. In effect, shared parking makes spaces publicly accessible rather than reserved for a particular tenant or property owner. Parking may be privately constructed and operated, depending on a contractual agreement, but should remain within the government's jurisdiction for long-term transport planning purposes. (Source: Institute for Transportation and Development Policy)

Transit-Oriented Development (TOD)

A land use strategy that focuses development around locations that are well served by transit, and that typically includes a mix of land uses, and a more dense development pattern. (Source: Westchester County Planning)

Workforce Housing

One or more dwelling units made available to households earning between 60 and 120 percent of Westchester Area Median Income. (Source: adapted from Urban Land Institute)

Acronyms

MDP Master Development Plan

MNR Metro-North Railroad

MHW Mean High Water

SAO Station Area Overlay

SLR Sea-Level Rise

C. Boundaries of the Station Area Overlay District

The boundaries of the SAO District are shown on the SAO District Map at Attachment 305k.

D. Authority

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The Village Board has the authority to grant eligible parcel(s) an SAO designation as set forth below in §305-43.1(E) "Eligibility" and §305-43.1(F) "Procedure for SAO Designation".

1. The decision to approve or decline a parcel for SAO designation is purely a legislative determination entirely within the legislative discretion of the Village Board. The Village Board shall have the right to reject any parcel for SAO designation at any stage of the process
2. A parcel located within the mapped SAO District must receive an SAO designation and Master Development Plan approval by the Village Board prior to the Planning Board determining whether or not to grant Site Plan approval.

E. Eligibility

Any parcel located within the boundaries of the SAO District as shown on the SAO District Map is eligible for SAO designation by the Village Board. The criteria in this section are separate and distinct from site plan and subdivision requirements which address more specific site layout and design requirements.

F. Procedure for SAO Designation

An SAO designation can only be granted by the Village Board subject to the following procedure.

1. Pre-application conference. The applicant must, prior to formal submission of their SAO designation application, meet in a pre-application conference with the SAO review staff made up of Village Staff and one member of the Planning Board, to review the requirements and procedures and discuss the planning concepts for the proposed development. The Applicant will pay the pre-application meeting fee (as established by the Village Board).
2. Submission of an application package for a SAO designation to the Village Clerk: The application package shall contain the following required documents and fees:
 - a. an SAO Designation Application Form.
 - b. A conceptual plan.
 - c. Long-form Environmental Assessment Form.
3. Preliminary Village Board action. At its sole discretion, the Village Board will determine whether to consider or not consider the SAO designation application. If the Village Board decides to consider the SAO designation application, it shall refer it to the Planning Board for their recommendation and continuing review as set forth below.
4. Village Board Referral to the Planning Board. If the Village Board determines that the application may continue and refers it to the Planning Board, the Applicant is required to submit a Master Development Plan consistent with § 305-43.1 (I) and a site development application in accordance with Article XVI, including all required forms, plans and

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documents, as well as, required fees and escrow, but Is not required to submit building permit fees at this stage.

5. Master Development Plan and Site Development Plan review by the Planning Board: The Planning Board shall begin the Site Development Plan review, review the Master Development Plan based upon the Performance Criteria set forth in § 305-43.1 (J), and schedule a public hearing on Master Development Plan and Site Development Plan application in accordance with the requirements set forth in Article XVI. During this step, the Village Board will receive periodic updates from the Planning Board as part of the coordinated review.
 - a. As soon as practicable, the Planning Board shall complete the scoring process and recommend a score based upon the Station Area Overlay Scorecard (SAO Scorecard), which is a programed spreadsheet that can be found on the Village's website. The SAO Scorecard will be used by the Planning Board in electronic form to provide any proposed development within the SAO area described in a Master Development Plan with a score. Upon completing the SAO Scorecard electronically, the Planning Board shall advise the Village Board of the total score.
 - b. The Village Board can accept the Planning Board recommended score or modify the score as it deems appropriate.
 - c. The Master Development Plan must receive a passing score by the Village Board to proceed. A passing score is 85.
6. Upon the Village Board assigning a passing score but prior to determining whether to grant or deny Site Development Plan approval, the Planning Board shall issue a written report to the Village Board recommending that the SAO designation be granted, with or without conditions, or denied and its reasons for such recommendation ("SAO Recommendation"). Before issuing its SAO Recommendation and/or taking any action, the Planning Board shall fully comply with SEQRA.
 - a. While the Village Board is considering the Planning Board's report, any public hearing before the Planning shall be adjourned and held open until such time as the Village Board makes a determination on the proposed SAO designation.
7. Decision of Village Board. Upon the Village Board's receipt of the Planning Board's SAO Recommendation, along with Master Development Plan, if the Village Board elects to proceed it shall schedule a public hearing on the proposed SAO designation and following said hearing, may by resolution, act either to approve, approve with modifications and/or conditions, or disapprove the SAO designation and Master Development Plan. The Village Board shall fully comply with SEQRA prior to issuing any designation.
8. Completion of Land Use Review Process. If the Village Board determines to approve the SAO designation (including to approve with modification and/or conditions) and Master Development Plan, the Planning Board will place the application on its first available agenda and will continue with its Site Development Plan review and any other required land use approvals (such as

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preliminary and final subdivision review). The Applicant shall not be able to apply the SAO designation unless and until the Planning Board grants Site Development Plan approval.

G. Use Regulations

1. Pre-existing Uses and Buildings.

Any building permit or Site Development Plan approval issued before the date of adoption of this Section shall remain in effect for the underlying zone that the parcel is located within until a project is granted an SAO designation by the Village Board as set forth in § 305-43.1(E) Eligibility. Buildings existing before the date of adoption, or subsequent amendment, of this Section are allowed to expand and modify as permitted under the underlying zoning unless they have previously received an SAO designation. Once a parcel receives an SAO designation, the parcel is governed by the use, dimensional and other provisions of the SAO zoning regulations and SAO zoning replaces the existing zoning, but the parcel's development is project specific and limited to the approved Master Development Plan.

2. Permitted Uses

Any principal use permitted in any district in the Village of Tarrytown or any combination of such uses is a use permitted in the SAO provided the proposed use's Master Development Plan receives a receive a passing score by the Village Board on the SAO Scorecard as described in § 305-43.1 (I)(3).

H. Density/Development Regulations

1. Building Height Measurement in SAO

Building height for buildings permitted in the SAO district is measured from the average elevation of the existing (predevelopment) grade of the property, or from a plane formed by the Base Flood Elevation from the Federal Emergency Management Agency's 2014 preliminary Flood Insurance Rate Map (pFIRM), or subsequent revisions, plus three feet, whichever is higher. Building height is the vertical distance from the higher of these points to the highest point of the roof for flat roofs, to the deckline of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

2. Maximum Building Height.

1. The maximum height permitted for all buildings in the SAO District is five stories or 60 feet, whichever is less. The height of building shall be determined as defined under "Definitions" (Section 305-5, "HEIGHT OF BUILDING").
2. Rooftop obstructions, including but not limited to parapets, stairs, elevator bulkheads, cooling towers, water tanks, mechanical equipment, skylights or other daylighting devices, decking and other surfaces for recreational activities, planting boxes, soil and drainage systems, arbors,

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trellises, water collection devices and sun control devices, shall not exceed the maximum height of buildings of five stories or 60 feet, whichever is less.

I. Master Development Plan and SAO Scorecard

For any Applicant seeking SAO designation, the applicant shall prepare a Master Development Plan (MDP). The MDP shall be consistent with the adopted Tarrytown Comprehensive Plan and Tarrytown's adopted Local Waterfront Revitalization Plan (if applicable, currently N/A). The purpose of an MDP is to provide additional information so that the proposed use and development can be evaluated based upon the Performance Criteria set forth in § 305-43.1 (J) and assigned a score based upon the SAO Scorecard found on the Village's website.

1. Master Development Plan.

At minimum, an MDP shall include the following drawings and materials: (a) site plan that complies with the requirements of Article XVI; (b) Landscape plan; (c) Streetscape plans and elevations; (d) Parking plan; (e) Preliminary Infrastructure Analysis; (f) Preliminary Fiscal Analysis; (g) Affordable Housing Plan (if applicable); and (h) Phasing plan, if the project is to be built in phases

The MDP must also include a discussion of required utilities and a plan for the supply of water and wastewater disposal, which must include a discussion of the current condition and capacity of all public utilities that the development will be required to use. The MDP must also show how any development in the SAO will be resilient to periodic storm events, long-term sea level rise, and how it incorporates energy, graywater, and other sustainability measures. The MDP must also include a view impact analysis and photosimulations for any new structure or building that may impact Important Public Views in accordance with Chapter 147, Section 17. The MDP shall also contain such other information as the Planning Board deems necessary to demonstrate how the proposed development performs against the Performance Criteria found in § 305-XX(10)

2. Review of MDP

The Planning Board shall review and evaluate the MDP according to Performance Criteria identified in § 305-XX(10). The Planning Board, may refer the Master Development Plan to a planner, attorney, engineer, landscape architect, environmental expert or other professional necessary to enable it to review such application. Fees for such services will be paid in accordance with § 305-138(B) and § 305-138(C).

3. Scoring the MDP

The Planning Board and the Village will use the SAO Scorecard to evaluate a MDP's performance against the Performance Criteria outlined in the SAO Scorecard. The scores an MDP receives on each component of the performance criteria will be initially determined by the Planning Board, as assisted by

professional staff and experts working on their behalf, but ultimately determined by the Village Board.

1. Passing Score: Using the SAO Scorecard and a 100-point scale, a score of 85 is a passing score. A zero in any component capable of obtaining a zero score shall result in an automatic failing score.
2. Bonus Points: An MDP that obtains a minimum score of at least 75 points on the eight Performance Criteria is eligible for bonus points of up to 25 points, which bonus points are added to the score, so it is possible to exceed a score of 100. An MDP that does not obtain a minimum of 75 points on the eight Performance Criteria is not eligible for consideration of any bonus points.
3. Requirement for Passing Score: A passing score is a condition to the granting of SAO designation by the Village Board and Site Development Plan approval by the Planning Board. An MDP that does not receive a passing score by the Village Board will not be eligible for SAO Designation and an MDP that receives a failing score from the Village Board will not be referred by the Village Board to the Planning Board for further review.

J. Performance Criteria

Master Development Plans are evaluated against eight Performance Criteria. Performance Criteria and their Components are categories of public concern identified in the Village of Tarrytown Comprehensive Plan against which all MDPs are evaluated. Performance Criteria are made up of Components, which are implemented through the SAO Scorecard. A score of zero in any component category capable of being awarded a zero, results in a zero for the entire criteria and as a result, an automatic failing score. .. There are eight Performance Criteria, each with their own Goals and Components as set forth below:

1. Land use

a. Goals:

The mix of land uses in the Station Area will help create a dynamic, transit-oriented neighborhood that anchors the area around the Metro-North Railroad (MNR) Station. This land use mix will promote the village as a regional hub and destination, while serving Tarrytown's residential population through the provision of neighborhood amenities, as well as broadening the local economy and growing the tax base. Any residential component should include a mix of housing unit sizes and models that will serve the needs of a wide range of living needs and incomes. Office spaces may include co-working, incubator spaces, and live-work.

b. Components:

- The MDP incorporates the mix of uses reflecting the goals of the area. Retail uses will be planned to support the other proposed uses of the SAO and not supplant the existing downtown retail.
- The MDP shows workspaces that are flexible and expand the range of offerings within Tarrytown.

- The MDP shows no uses that are contrary to the goals of the Comprehensive Plan and the SAO District

2. Mobility & Access

a. Goals:

All developments will prioritize pedestrian safety and access within the SAO. All developments and their pedestrian, vehicle, and bicycle access will be coordinated with the street network, connect to each other and facilitate access to the waterfront, the Station, the adjacent downtown area, and encourage access to Tarrytown and nearby destinations beyond the Station Area.

b. Components:

- The MDP shows Complete Streets, defined as roadways planned and designed to consider the safe, convenient access and mobility of all roadway users of all ages and abilities.¹
- The MDP improves connections between new facilities and all transit modes at Depot Plaza.
- The MDP provides access to new and existing parks.
- The MDP demonstrates that every unit has a direct pedestrian route to the MNR station, including through a building, provided public access is maintained, or to an intersection that has a direct pedestrian route to the train station.
- The MDP provides features to alleviate congestion in the Station Area specially and Tarrytown in general.
- Where applicable, the MDP improves the connection between the MNR Station and downtown.

3. Transportation & Parking

a. Goals:

All developments will support the transit-oriented goals for the Station Area while providing parking types and levels sufficient for the land uses proposed.

b. Components:

- The MDP demonstrates how all parking needed by residents, workers, customers, and visitors will be provided. Solutions may be shared or separate, structured on-site, off-site, above ground, or below ground. Any parking facilities must include car share, bicycle parking, and electric vehicle / electric bike charging infrastructure.
- All parking solutions should minimize surface parking lots.

¹ As discussed in Chapter 398 of the Laws of the State of New York. Information about Complete Streets is distributed by NYS DOT here: <https://www.dot.ny.gov/programs/completestreets>. The Planning Board may update or replace these guidelines as necessary.

- The MDP demonstrates how it will accommodate different modes of transportation, which may include bicycles, bike share, ride share, and transit.
- Any commuter parking that is displaced will be replaced in a structure within the SAO.

4. Affordable Housing

a. Goals:

Any residential component of developments within the SAO will expand the supply of permanently affordable housing and offer alternative models of housing within Tarrytown in order to serve a range of resident incomes and household types. The minimum requirement for the affordable component will follow § 305-130, although it is highly desirable to exceed the quantity and/or level of affordability provided by the code minimums.

This criteria is not applicable for projects with fewer than 10 dwelling units. For non-residential development, the SAO Scorecard proportionally increases the importance of the remaining seven criteria

b. Components:

- The MDP includes a mix of unit types, sizes, and price points. These may include workforce housing, live/work units, and cooperative housing.
- The MDP includes residential units for both renters and owners.
- The MDP should include units that are managed as permanently affordable housing.² All affordable units should be integrated within mixed-income buildings.
- The MDP includes a provision for senior housing in the Station Area. Innovative siting of senior housing, such as it being located near or within the same building as day-care or other intergenerational uses, is encouraged.

5. Neighborhood Character

a. Goals:

Development in the SAO will create a sense of place and arrival at the train station, completing the waterfront neighborhood. Development east of the tracks will maintain a scale and block structure that supports street-level activities and enhances the transition from the waterfront, to the Station Area, and to the village downtown. Development in the SAO will not impact public scenic views of the Hudson River and Palisades.

b. Components:

- The MDP shows development that respects Tarrytown's architectural legacy.

² Reference § 305-130.

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- The MDP shows uses that are consistent with residential and recreational uses (e.g. MDP demonstrates no impacts to air quality, water quality; the MDP does not describe uses that introduce significant noise and vibrations).
 - The MDP contains active and transparent ground floor uses designed for pedestrian access and circulation with building orientation planned to improve wayfinding, access, and contribute to a sense of arrival at the train station.
 - The MDP shows a development that is designed primarily around the pedestrian and not the automobile.
 - The MDP's landscape plan is complete and includes native plantings, street trees and full-cutoff, non-polluting light fixtures to encourage dark sky lighting. The landscape plan must be coordinated with any village street furniture.

6. Infrastructure

a. Goals:

All developments will minimize their impact on existing infrastructure.

b. Components:

- The MDP includes an infrastructure plan providing for stormwater capture as per code and incorporates blue / green strategies, including for example: green roofs, blue roofs, detention tanks, green infrastructure, and permeable surfaces within or under the development site inclusive of roads and sidewalks.; All streetscapes must include green infrastructure.
- The development shall not result in a net increase in infrastructure costs to the Village.
- The MDP utilizes onsite renewable sources to meet its energy requirements
- The MDP places new infrastructure below grade as feasible and necessary for resiliency plans.

7. Open Space

a. Goals:

All developments will improve access to and continuity between existing public open spaces and the Hudson River.

b. Components:

- The MDP identifies public and private open spaces within all developments.
- The open space provided should be programmed for active uses.
- Where applicable, the MDP preserves public view corridors and respects a development buffer of 50 feet from shoreline as measured by the Mean High Water (MHW) line along the Hudson River, except where the use of water is an integral part of such structure.
- Facades shall not exceed 150 feet in length.

8. Sustainability & Resiliency

a. Goals:

All developments will promote human health and safety and minimize resource consumption, including water and energy, waste, and greenhouse gas emissions. Development should incorporate renewable energy systems, adaptability to a changing climate, and resiliency to extreme weather events.

b. Components:

- The MDP demonstrates holistic consideration for the environmental performance of sites and buildings, which may be satisfied through building and site design that achieve LEED Silver or higher ratings,³ or conform to / exceed Passive House Standards,⁴ or equivalent standards in effect at the time of application.
- The MDP is designed to account for sea level rise, as described in 6 NYCRR Part 490, and to be adaptable to changing projections. The MDP must demonstrate that it does not worsen the potential for flooding within the SAO. The base level(s) of any building must be designed to enable adaptation for sea level rise, including retrofit for wet flood proofing.
- The MDP site and buildings are designed to moderate the impacts of extreme heat and rain events.
- Greywater is captured to irrigate landscaping, gardens or parks.

9. Bonus Points

a. Goals:

Bonus Points are to be applied or awarded in accordance with 305-43.1(I)(3).

b. Components:

- The MDP provides a contribution to an infrastructure fund that benefits the Station Area, or provides a developer performed public amenity. The score for this component is based upon the amount of the contribution, or provided public amenity, relative to the overall project cost. The overall project cost refers to total construction costs as well as all infrastructure costs related to the MDP and site plan.
- The MDP benefits Tarrytown's municipal finances.

³ <https://new.usgbc.org/leed-v4>

⁴ https://www.passivehouse-international.org/index.php?page_id=150

K. Expiration, Revocation, and Enforcement

1. An SAO designation shall expire if the SAO designated use or uses cease for more than 24 consecutive months for any reason, if the applicant fails to obtain the necessary Building Permits or fails to comply with the conditions of the site development plan approval as described in § 305-143.

2. An SAO designation may be revoked by the Village Board of Trustees if the permittee violates the conditions of the site development plan approval or engages in any construction or alteration not authorized by the site development plan. Any such unauthorized or unapproved construction or alteration will immediately trigger a suspension of all work on site and fines as established by the Village Board of Trustees.

Section 5. Amending Existing Attachments. Chapter 305, Attachments shall be amended to add a new attachment as attached hereto and entitled "Attachment 305k".

Section 6: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.



Section 7: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

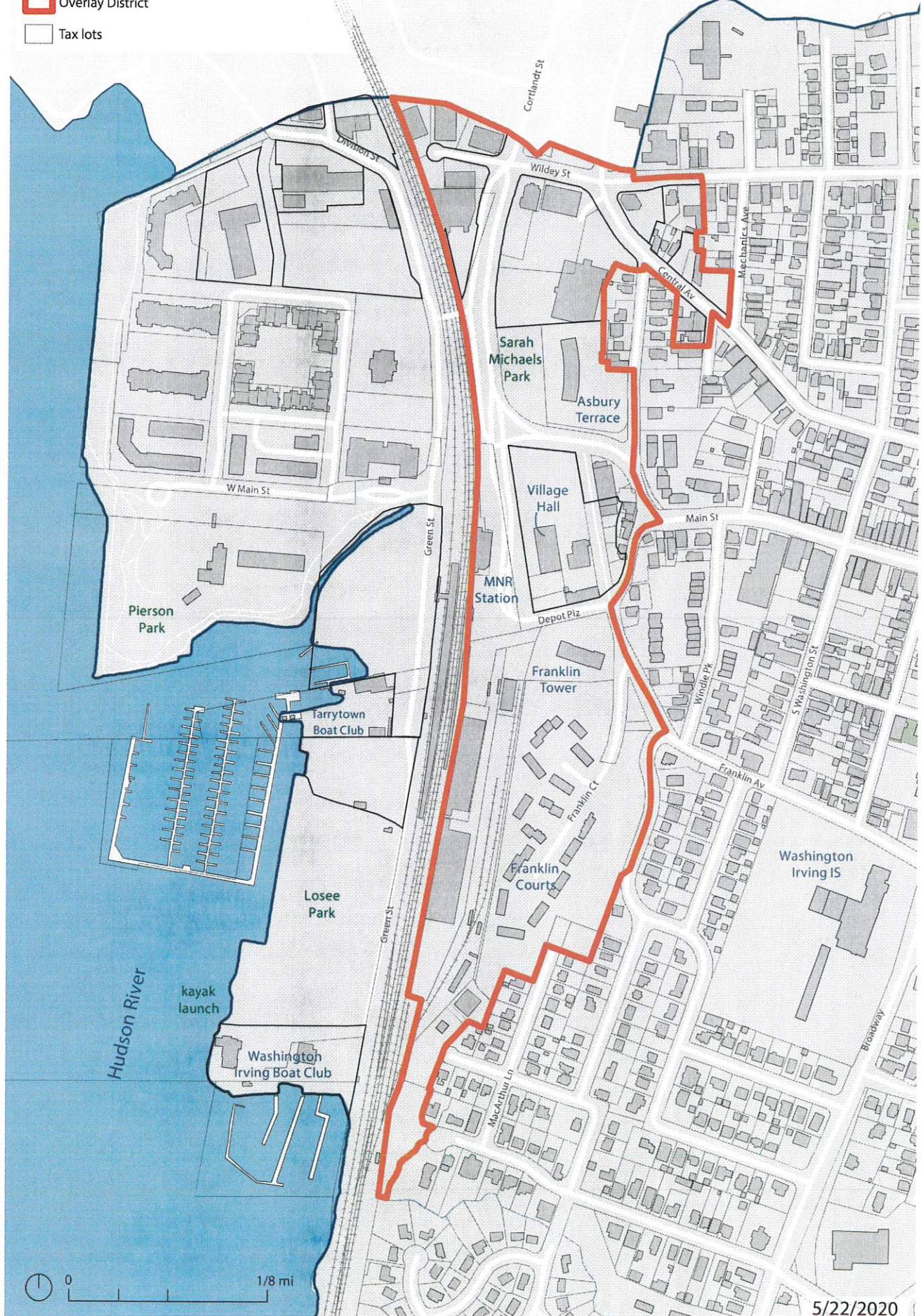
ZONING
305 Attachment 11

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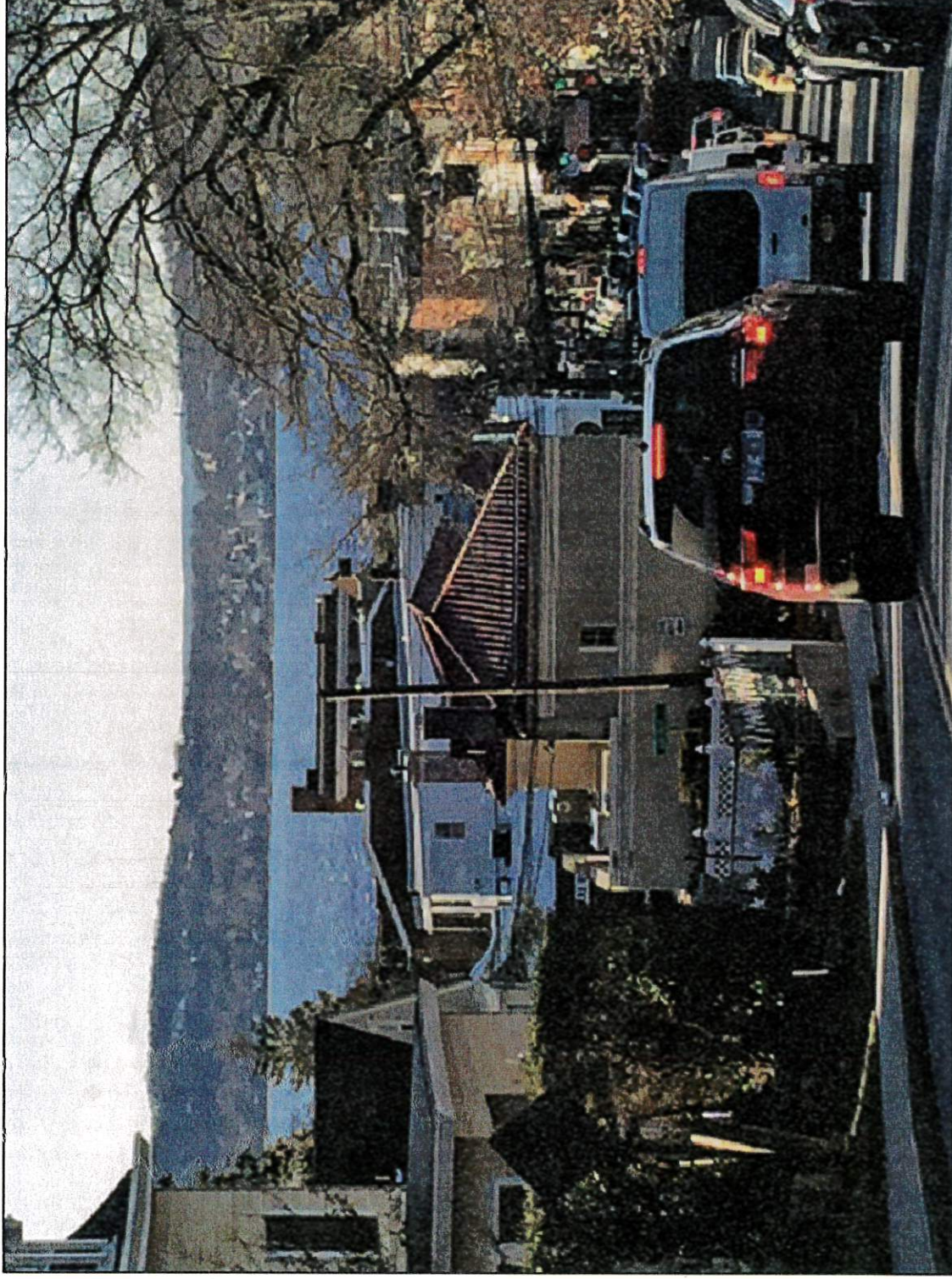
Tarrytown Station Area Overlay District

-  Overlay District
-  Tax lots

Sleepy Hollow

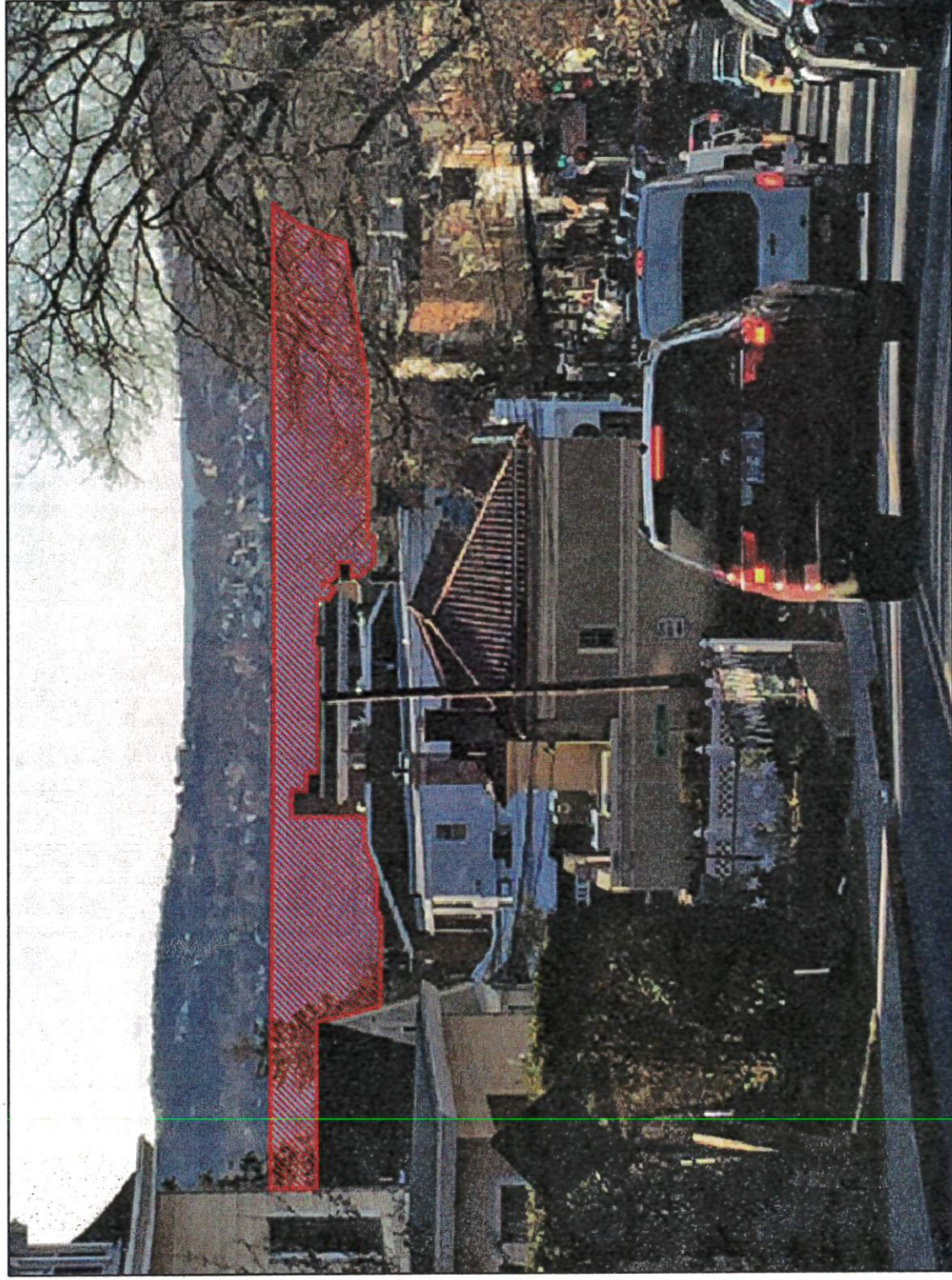


Existing Conditions photograph from an Important Public Viewpoint, taken with a 50mm lens equivalent, leaf-off conditions, clear atmosphere. The size of this photograph is 1.0 or 100%

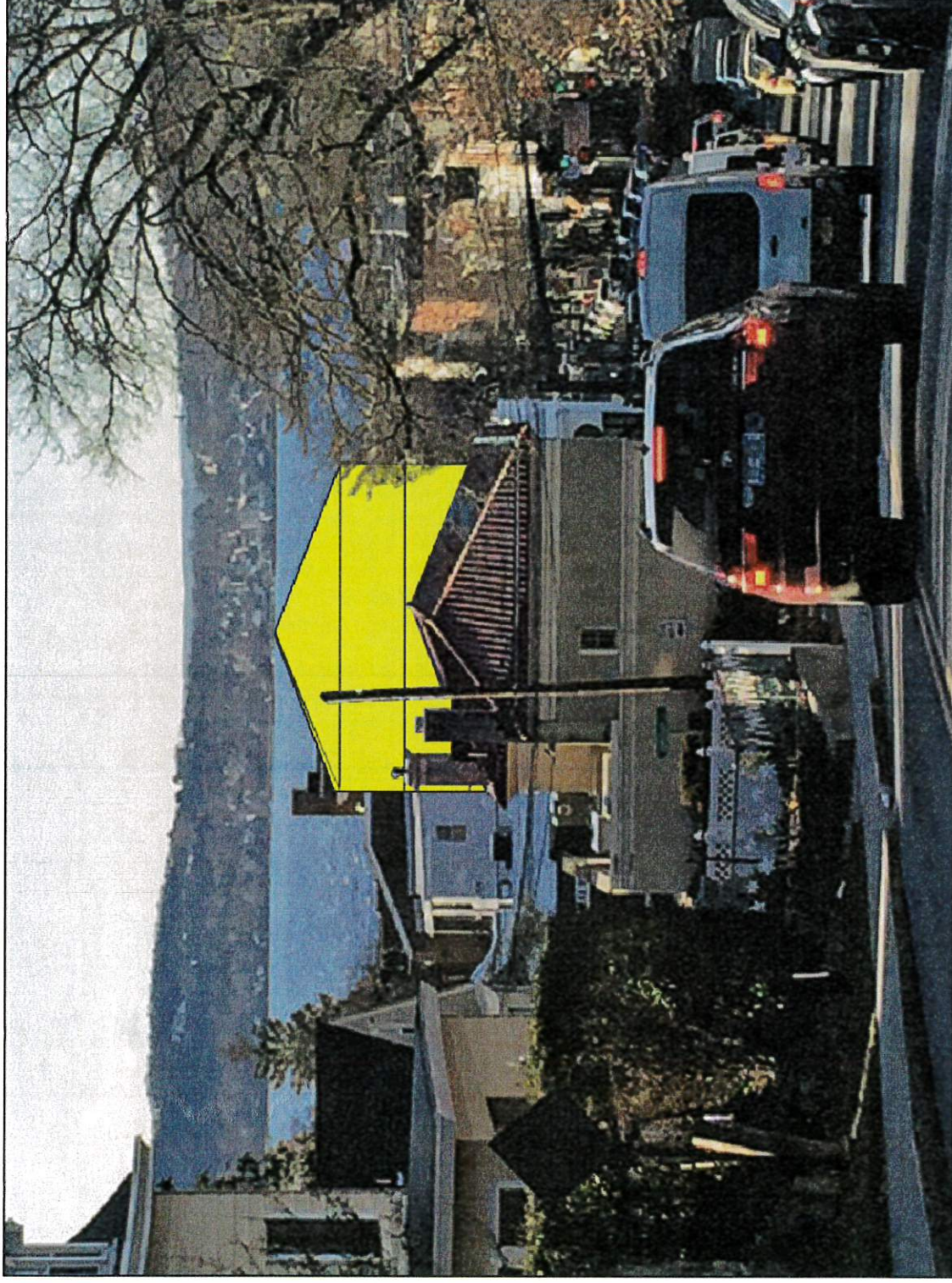


Illustrative example Tarrytown Visual Analysis Method (§ 147-17(C))

Existing Conditions photograph with views to the Hudson River marked in red. The area of the river visible from this viewpoint is 5.67% of the existing conditions photograph, or 0.0567.

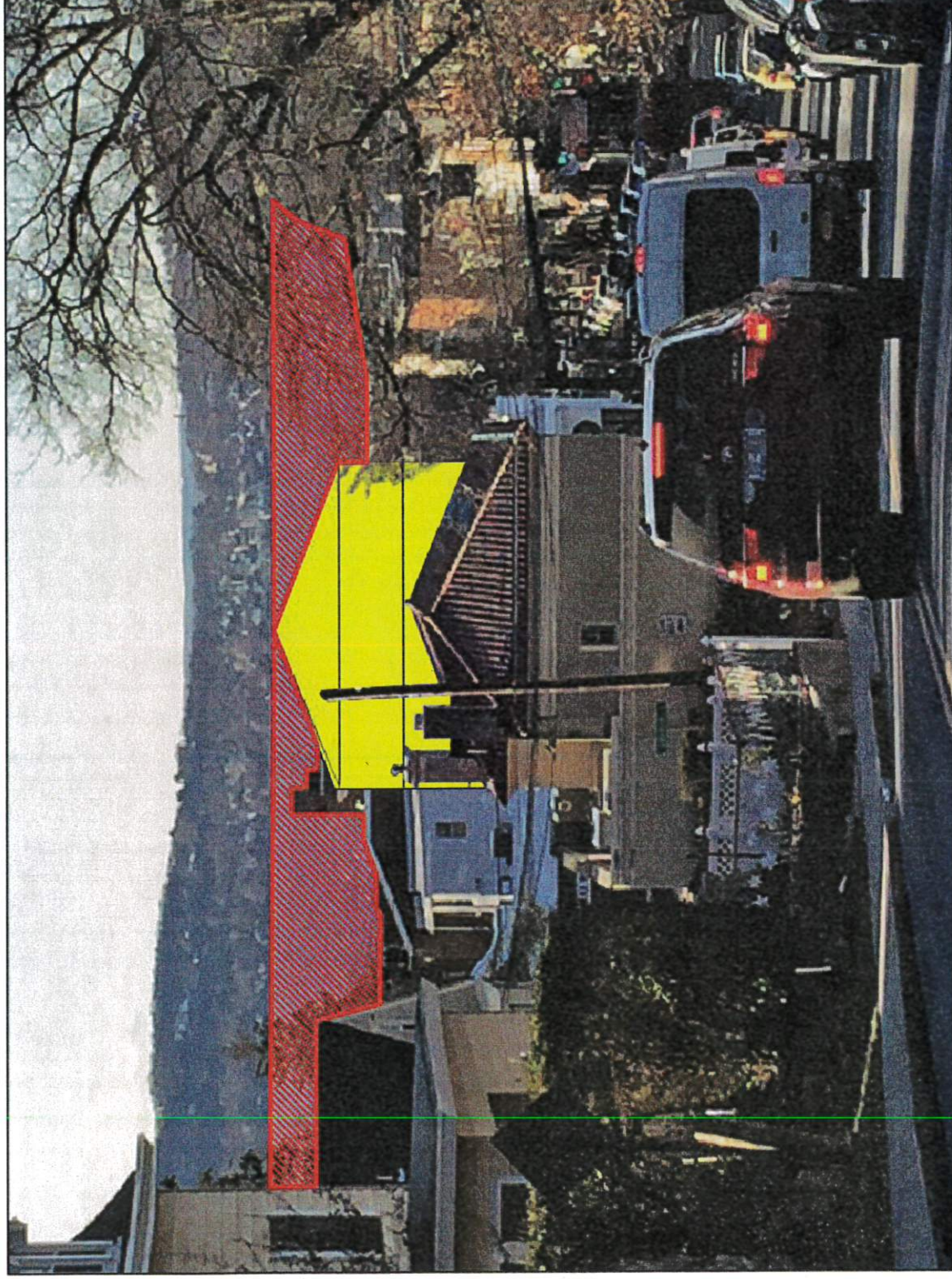


Photosimulation of hypothetical proposed conditions.



Illustrative example Tarrytown Visual Analysis Method (§ 147-17(C))

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Photosimulation with views to the Hudson River marked in red. The area of the river visible from this viewpoint in simulated conditions is 4.91% of the photograph, or **0.0491**.



To calculate the significance of the impact on this viewpoint divide the area of the Hudson River visible in the photosimulation by the area of the Hudson River visible in the existing conditions photograph

$$\frac{0.0491}{0.0567} = 0.866 \text{ or } 86.6\%$$

Since the quotient is less than 1.0 or 100% **there is an impact**

Since the quotient is less than 0.95 or 95% the photosimulation shows a **significant impact**

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Existing Conditions Photograph South Broadway at Church Street

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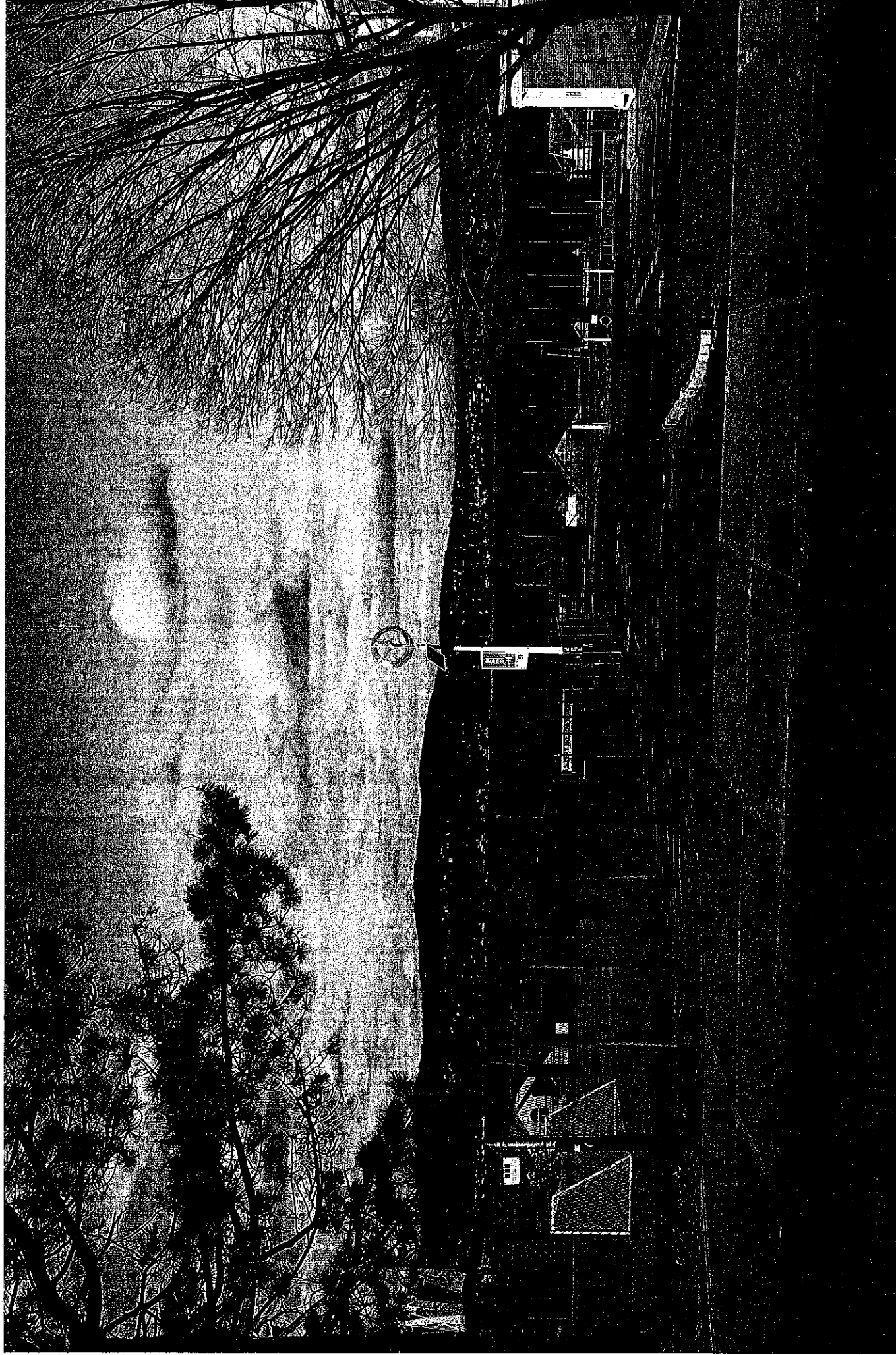
Existing Conditions Photograph South Broadway at Park Ave



Existing Conditions Photograph South Broadway at Benedict

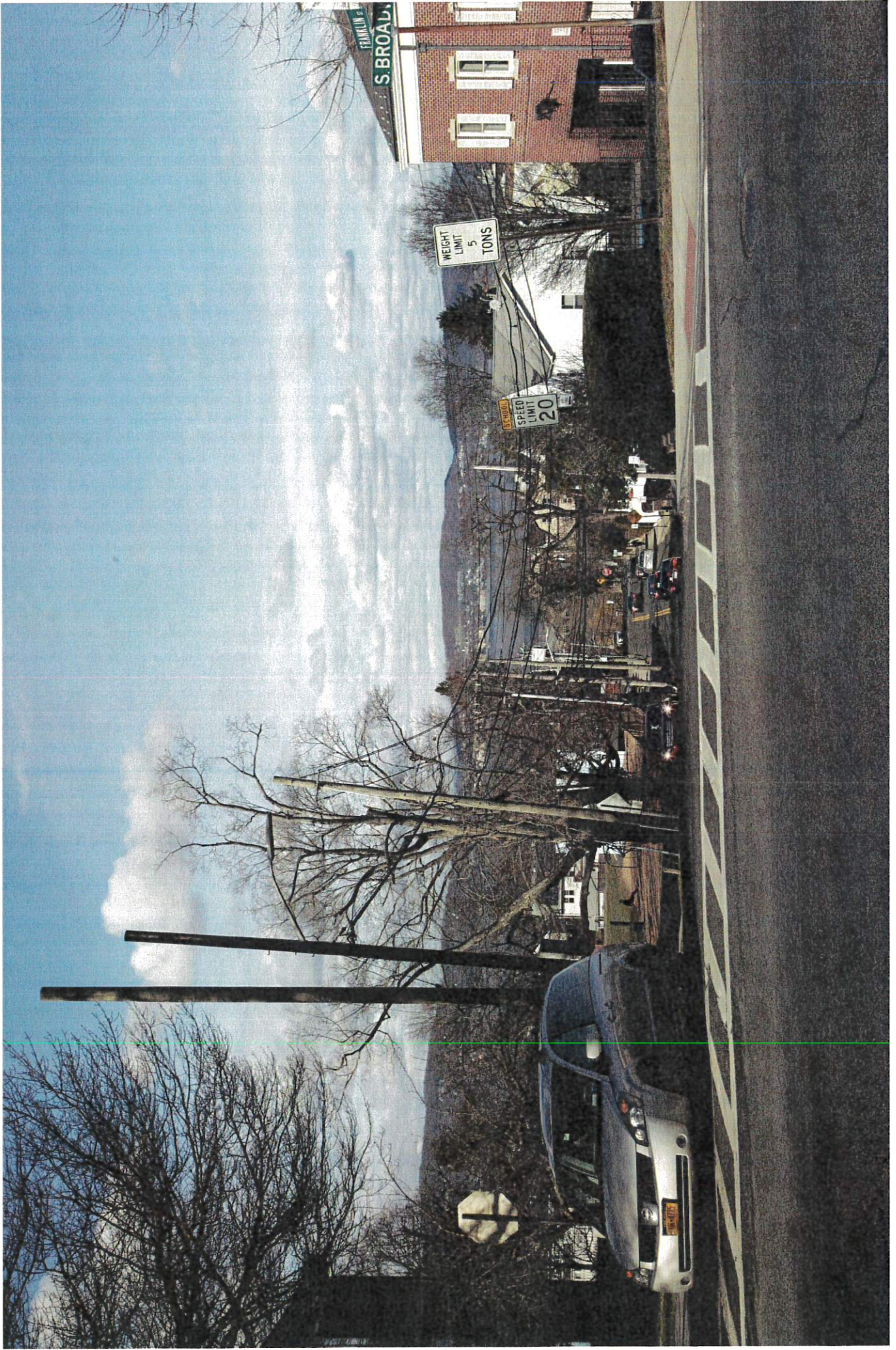


Existing Conditions Photograph South Broadway at Washington Irving Intermediate School



Existing Conditions Photograph South Broadway at West Franklin

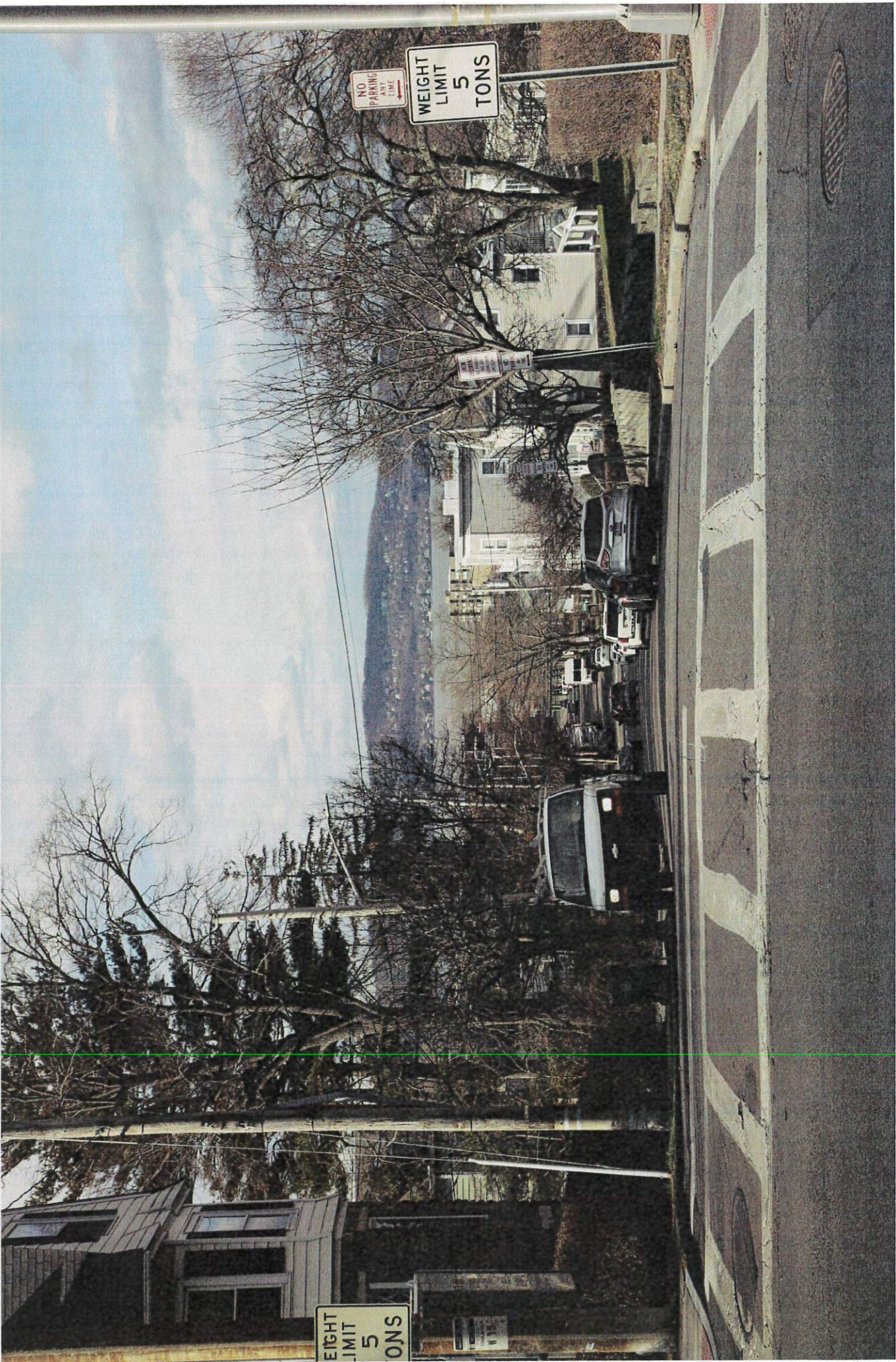
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Existing Conditions Photograph North Broadway at Dixon



Existing Conditions Photograph North Broadway at Widley



Existing Conditions Photograph Main Street, east of Baylis Court



Existing Conditions Photograph Cottage Place, just north of Main Street



Existing Conditions Photograph Neperhan at Altamont



Existing Conditions Photograph Altamont between Neperhan and Fairview (view 1)

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Existing Conditions Photograph Altamont between Neperhan and Fairview (view 2)



Existing Conditions Photograph Benedict at Rosehill

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Existing Conditions Photograph Martling overlooking the Hitachi facility



Neighborhood Character

Number of valid components (enter 1, 2, 3, 4, or 5)		5
Components	Score	Explanation
Architectural legacy	3	1=No special design features related to Tarrytown's architectural legacy 3=Design is reflects Tarrytown's architectural legacy
		0=Neither active nor transparent 1=Active uses or transparent 2=Active uses and transparent
	2	3=Active uses and transparent designed for pedestrian access and circulation with building orientation to improve wayfinding, access and contribute to a sense of arrival at MNR
Ground floor uses		0=Design is auto-dependent: with many curb cuts, buildings setback from the street, parking in front
		1=Design is auto oriented: curb cuts minimized, parking in building or in rear
	2	2=Design is pedestrian oriented: buildings at or near the streetline, curb cuts minimized 3=Design is pedestrian dependent: prioritizes pedestrians and non-motorized travel over vehicles
Landscape plan		0=Landscape plan not complete and/or acceptable 1=Acceptable, and includes native plantings and street trees
		2=Excellent and includes native plantings and street trees and full-cutoff, non-polluting light fixtures for dark sky lighting
	2	3=Excellent and includes native plantings and street trees and full-cutoff, non-polluting light fixtures for dark sky lighting. The landscape plan designed with appropriate village street furniture
Uses		0=Proposed uses not compatible with residential and recreational uses 1=Proposed uses marginally compatible with residential and recreational uses
		2=Proposed uses substantially compatible with residential and recreational uses
	1	3=Proposed uses entirely compatible with residential and recreational uses
Total Neighborhood Character Performance		
Possible	15	
Achieved	10	
Normalized to 12.5 scale	8.33	

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LOCAL LAW ____ - 2021

A local law to rename Chapter 147 of the Code of the Village of Tarrytown and to amend Chapter 305 of the Code of the Village of Tarrytown entitled "Zoning" to repeal provisions and to amend Chapter add additional requirements to Chapter 305

Section 1. Be it enacted by the Board of Trustees of the Village of Tarrytown as follows (Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

Section 2. Renaming Chapter 147 entitled "Environmental Quality Review": Chapter 147 entitled "Environmental Quality Review" shall be renamed as follows:

Chapter 147 Environmental **Quality Review**

Section 3 Repealing Chapter 305, Article XI entitled "Environmental Regulations" sections §§ 305-66 and 305-67 and renumbering and amending those sections: Chapter 305, Article XI entitled "Environmental Regulations" sections §§ 305-66 and 305-67 shall be repealed and renumbered as part of Chapter 147 and amended as follows:

Article ~~**XI**~~ **IV Environmental Regulations**

§ ~~**305-66-147-15**~~. Environmental issues; compliance with other provisions required.

All lots or open lands, whether or not proposed for use, reuse, development or redevelopment, shall be subject to review in accordance with the environmental review procedures established in ~~**the following Village of Tarrytown local laws:**~~ Chapter 173, Freshwater Wetlands;^[1] Chapter 191, Historic Districts and Landmarks; Chapter 169, Flood Damage Prevention; Chapter 281, Trees; and Chapter 147, Article I, Environmental Quality Review Actions; and any other ~~**code provisions local laws**~~ relating to matters regulating the natural or built environment which may be presently in effect or placed in effect at some future date. All matters requiring Planning Board or other Village agency review pursuant to ~~**Chapter 305 this chapter**~~ and also pursuant to ~~**local laws the chapters**~~ noted in this section, including but not limited to the preparation and/or review of environmental assessments and draft or final environmental impact statements and their review, as such may be requested by the Village, shall be paid for by the applicant within the fee structure as established by Chapter 147, Article I, Environmental Quality Review Actions, known as the "New Environmental Quality Review Act."

[1] Editor's Note: Former Ch. 173, Freshwater Wetlands, adopted 8-31-1976 by L.L. No. 10-1976, was superseded 12-15-2003 by L.L. No. 13-2003. For current

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regulations regarding freshwater wetlands, see Ch. 302, Wetlands and Watercourses.

§ ~~305-67, 147-16~~. Visual character and environmentally sensitive areas.

A. The purpose of this section is to define and quantify particular environmental and aesthetically sensitive characteristics of the Village of Tarrytown in order to preserve and safeguard those features that identify its landscape: steep slopes, areas of high ground, hilltops and vegetation. Toward this end and in the course of subdivision, site development plan, compatible use permit or any other regulatory procedure embraced by this chapter or other local laws, codes or ordinances of the Village of Tarrytown, the Planning Board shall restrict new construction and/or vegetation removal in such designated areas.

(1) The restrictions are designed to achieve the following objectives:

- (a) Minimizing erosion and sedimentation, including the loss of topsoil;
- (b) Preventing habitat disturbance;
- (c) Protecting against possible slope failure and landslides;
- (d) Minimizing stormwater runoff and flooding;
- (e) Providing safe and stable building sites;
- (f) Protecting the quantity and quality of the Village's surface water and groundwater resources
- (g) Protecting important scenic vistas, slopes, rock outcroppings and mature vegetation;
- (h) Preserving the Village's attractive aesthetic character and property values; and
- (i) Otherwise protecting the public health, safety and general welfare of the Village of Tarrytown and its residents.

(2) The restrictions are intended to encourage preservation of the following areas:

- (a) Steep slopes: a grade of 25% or more.
- (b) High ground: 300 feet or more above sea level.
- (c) Hilltops: In areas of high ground (at least 300 feet above sea level), a roughly circular area defined by a radius of 100 horizontal feet from the highest point of a hill. A hill shall be defined as a landform that rises at least 10 feet above the average elevation for the circumference of the circular area with a radius of 100 feet from that highest point.

(d) Wetlands: as defined by the New York State Environmental Conservation Law, regulations and maps and by the Village of Tarrytown Chapter 173, Freshwater Wetlands.^[1]

[1]Editor's Note: Former Ch. 173, Freshwater Wetlands, adopted 8-31-1976 by L.L. No. 10-1976, was superseded 12-15-2003 by L.L. No. 13-2003. For current regulations regarding freshwater wetlands, see Ch. 302, Wetlands and Watercourses.

(e) Significant amounts of existing vegetation, as follows:

[1] Any tree designated for preservation and protection by Chapter **281** of the Tarrytown Municipal Code, which requires a tree removal permit process for all trees exceeding four inches in diameter at a height of four feet six inches; and prohibits any removal of 12 listed "specimen" trees unless the Tree Commission determines that they are a danger to persons and property, or are diseased and cannot be saved.

[2] Screening vegetative ground cover, including saplings, shrubs and bushes.

(f) Watersheds and watercourses.

B. The Planning Board, the Zoning Board of Appeals and the Building Inspector of the Village of Tarrytown shall ensure that those portions of sites under review which contain wetlands or steep slopes shall be excluded from use in the construction of principal or accessory uses permitted within the district in which said sites are located. Fifty percent of said wetlands and steep slope areas shall be excluded from any and all density calculations pertaining to minimum lot size, coverage and other density calculations. The Planning Board may permit the use of said wetlands or steep slopes for flood control and other land protection and management practices and/or uses considered to be of a similar beneficial nature by the Planning Board.

C. The Planning Board, the Zoning Board of Appeals and the Building Inspector of the Village of Tarrytown shall ensure that on portions of the sites under review which are within the area defined as high ground in Subsection **A(2)(b)**, 25% of said area of high ground be excluded from all density calculations pertaining to minimum lot size, coverage and other density calculations. However, if the maximum height of any structure or building in the area of high ground is limited to 30 vertical feet as measured on the easterly side of the structure or building erected on the easterly slope of the area of high ground or measured on the westerly side of any structure or building erected on the westerly slope of the area of high ground, from the natural slope, the twenty-five-percent reduction in density calculations shall not apply.

D. No new structures or buildings may be erected on the hilltop as defined in Subsection **A(2)(c)**.

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E. Slope map requirements. For the purpose of determining the amount and location of land falling into the above-noted slope provisions, the applicant shall submit to the Planning Board at the time of application a base topographical map of the site, prepared by a registered civil engineer or land surveyor. Such a map shall have a scale of not less than one inch to 200 feet and a contour interval of not more than two feet, provided that the contour interval may be 10 feet when the slope is more than 20%. Slope bands in the range of 0% to 24% and 25% or greater shall be shown on the map. The applicant shall provide an image-capture computer simulation of the proposed structure or building and the site.

F. Steep slopes waiver provision.

(1) Justification for grant of waiver.

(a) Any aggrieved person may apply to the Planning Board for a waiver from the steep slope provisions of this chapter. Such request may be granted only if the applicant establishes that there is a compelling public need for development of the parcel in question based upon one of the following:

[1] The proposed development will serve an essential health or safety need of the municipality such that the public benefits from the proposed use override the importance of the protection of the slope area as established in this chapter; that the proposed use is required to serve existing needs of the residents; and that no feasible alternatives exist outside the slope area to meet such established public need; or

[2] The proposed development constitutes an adaptive reuse of an historic, ecological or scenic resource and said reuse is necessary to ensure the integrity and continued protection of the resource.

(b) In the alternative, a waiver may be granted if the applicant establishes that the benefit to the applicant outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Planning Board will also consider the following:

[1] Whether an undesirable change will be produced in the character of the neighborhood;

[2] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a steep slopes waiver;

[3] Whether the waiver will result in a change which will be materially detrimental or injurious to other properties or improvements in the area in which the subject property is located, increase the danger of fire or flood, endanger public safety or result in substantial impairment of a slope area;

[4] Whether the waiver will be inconsistent with the purposes, objectives or the general spirit and intent of this chapter.

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(2) Additional findings required. An application for a waiver to permit development on or near a slope area may be approved only if the Planning Board specifically finds that:

(a) The proposed development will not be materially detrimental or injurious to other properties or improvements in the area in which the subject property is located, increase the danger of fire or flood, endanger public safety or result in substantial impairment of a slope area;

(b) The waiver will not be inconsistent with the purposes, objectives or the general spirit and intent of this chapter; and

[5] (e) Whether the The waiver is the minimum relief necessary for the application to achieve the benefit sought to relieve the extraordinary hardship established by the applicant.

(23) When a steep slopes waiver is sought for an applicant under a subdivision application, the Planning Board shall not grant a steep slopes waiver unless the applicant can show that a subdivision application for the number of lots requested could be achieved without a steep slopes waiver. Furthermore, in the case of a subdivision application, the Planning Board must find that there will be a greater overall environmental benefit to granting the subdivision with the steep slopes waiver than it would be to grant a subdivision approval without a steep slopes waiver.

(34) A waiver granted under the provisions of this section does not constitute an approval of the entire development proposal nor does it constitute a waiver of any other requirements contained within any other applicable local, county or state laws or ordinances or regulations.

Section 4: New Section of Chapter 147: A new section of Chapter 147 shall be added to this chapter as follows:

147-17. Preservation of Public Views of the Hudson River.

A. Purpose. The purpose of this section is to define important public views of the Hudson River and to protect and preserve those views.

B. Terms defined. Unless otherwise expressly stated, the following terms, for the purpose of this section, shall have the meanings herein indicated.

Important Public Views

Important public views of the Hudson River are defined as follows:

Broadway Views

South Broadway at Church

South Broadway at Park

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South Broadway at Benedict
South Broadway in front of Washington Irving Intermediate
School

South Broadway at West Franklin
North Broadway at Dixon
North Broadway at Wildev

Main Street Views
Main Street east of Baylis Court
Cottage Place near Main Street

Upland Views
Neperhan at Altamont
Altamont between Neperhan and Fairview (2 views)
Benedict at Rosehill
Martling overlooking the Hatachi facility

Existing Conditions Photographs of Important Public Views

Existing conditions photographs were taken from each Important Public Viewpoint on January 18, 2021. These may be used in the Photosimulations described in the next section.

The Building Inspector of the Village of Tarrytown may direct applicants to take their own Existing Conditions Photographs of Important Public Views for Photosimulations. These photographs must be:

- (i) taken from a location at the Viewpoint that provides the largest view of the Hudson River at eye level;
- (ii) taken with a 50mm (or equivalent) lens, also known as a Normal Lens, with an aspect ratio of either 4:3 or 3:2;
- (iii) taken in landscape orientation; and
- (iv) taken during the day in clear atmospheric conditions and show leaf-off, no snow conditions.

Photosimulations

Photosimulations are visual representations of the proposed building or structure superimposed on an Important Public View to demonstrate the proposed building's or structure's impact on views of the Hudson River. Photosimulations must be produced using a technique that merges an Existing Conditions Photograph:

- (i) with the elevated computer model of the proposed building or structure produced using the same lens and location as the photograph used to take the existing conditions photograph; and

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- (ii) with references that exist in both the Existing Conditions Photograph and 3D model.

Significant View Impact

A significant view impact occurs if the area of the Hudson River visible after the View Impact Analysis set forth in Section C demonstrates that the new structure's or building's impact is less than 100% of the area of the Hudson River visible in the Existing Conditions Photograph.

C. View Impact Analysis

(1) Calculation. For any new structure or building that may impact Important Public Views, a View Impact Analysis must be conducted to assess the impact of any new structure of building on Important Public Views by calculating the view impact of the proposed building or structure on the Important Public View as follows:

- (a) Measure the amount of the Hudson River visible in the Existing Conditions Photograph, ignoring all vegetation but not buildings or other structures. The size of the Hudson River visible is measured in relation to the size of the photograph, where the size of the photograph is 1, and the size of the amount of the Hudson River visible is a relative fraction of 1. For example, if the Hudson River was visible in half the photograph, the size of the Hudson River that was visible would be 0.5 or 50% of the photograph.**
 - (b) Measure the amount of the Hudson River visible in the Photosimulation in the same manner as the Existing Conditions Photograph.**
 - (c) A view impact occurs if the area of the Hudson River visible in the Photosimulation is less than the area of the Hudson River visible in the Existing Conditions Photograph.**
- (2) Illustrative Example. An illustrative example of how to calculate the View Impact is included as Appendix 147a to provide clarity on the mechanics of the View Impact Analysis.**
- (3) If an Important Public View has no view of the proposed building or structure, the View Analysis does not need to include a Photosimulation. Instead, the View Impact Analysis shall demonstrate there is no view from the Important Public Viewpoint.**
- (4) The Planning Board or the Building Inspector of the Village of Tarrytown may conduct an audit of the Photosimulations and calculations in Section C to ensure that proper methods have been used, the Photosimulations are accurate and the calculation of changes in the view to the Hudson River are accurate. Should an audit be undertaken and any materials found to be in error, the Planning Board or the Building Inspector shall inform the applicant of the error and allow the applicant the opportunity to correct the**

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materials.

D. Prohibition. No new structures or buildings that have Significant View Impacts on one or more Important Public Views, as demonstrated by a View Impact Analysis set forth in in section C, may be erected.

E. Waiver.

(1) Standards. For structures or buildings that have Significant View Impacts, any aggrieved person may apply to the Planning Board for a waiver of the view preservation provisions of this chapter. The Planning Board may grant a waiver if the applicant establishes that the benefit to the applicant and the Village outweighs the public's loss of views to the Hudson River. In making such determination, the Planning Board will also consider the following:

[a] The amount of the view of the Hudson River the View Impact Analysis shows as blocked;

[b] The quality of the view, the number of people who experience the view, and the typical duration people experience the view;

[c] Offsetting actions, such as removing or otherwise mitigating discordant elements of the view;

[d] Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue;

[e] Whether the waiver will be inconsistent with the purposes, objectives or the general spirit and intent of this chapter;

[f] Whether the waiver is the minimum relief necessary for the application to achieve the benefit sought.

(2) Compliance. A waiver granted under the provisions of this section neither constitutes an approval of the entire development proposal, nor does it constitute a waiver of any other requirements contained within any other applicable local, county or state laws or ordinances or regulations.

Section 5: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 6: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

AUTO MECHANIC HELPER

DISTINGUISHING FEATURES OF THE CLASS: Under general supervision of higher-level automotive maintenance employee, an incumbent helps repair and maintain automotive equipment while gaining knowledge and experience. This is a trainee level position. An incumbent is responsible for a wide variety of simple repair and maintenance work on all types of automotive equipment, and for carrying out a preventive maintenance program. Work assignments are initiated by oral instruction or written work orders. Supervision is not a responsibility of this position. Does related work as required.

EXAMPLES OF WORK: (Illustrative Only)

Performs basic automotive maintenance and assists higher level automotive maintenance personnel in removing and repairing gasoline and internal combustion engines, including fitting of crankshafts, pistons, pins and bearings;

Tunes engines, aligns brakes and replaces water hoses, alternators, fan belts, oil seals and other minor parts;

Services crankcase, insulating systems, car and truck lights, etc.;

Operates valve-grinder, drill press, lathe, welding and burning equipment, valve-refacers, voltmeters, pressure gauges and associated tools;

Repairs or assists in the repair of snowplows, road rollers, and miscellaneous mowers, pumps, etc.;

May perform other incidental tasks, as needed;

Uses computer applications or other automated systems such as spreadsheets, word processing, e-mail and database software in performing work assignments.

REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES: Good knowledge of the tools, techniques and terminology associated with the automotive mechanics trade; good knowledge of the accident and safety precautions of the trade; ability to perform simple repairs of all types of automotive equipment; ability to use computer applications such as spreadsheets, word processing, e-mail and database software; ability to diagnose mechanical difficulties; ability to work from oral or written instructions; ability to get along well with others; ability to read, write, speak, understand, and communicate in English sufficiently to perform the essential duties of the position; physical strength and agility; physical condition commensurate with the demands of the position.

MINIMUM ACCEPTABLE TRAINING AND EXPERIENCE: Either (a) High school, equivalency or automotive trade school diploma and one year experience involving repair of automotive equipment; or (b) four years experience as stated in (a); or (c) a satisfactory equivalent combination of the foregoing training and experience as defined by the limits of (a) and (b).

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AUTO MECHANIC HELPER

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SUBSTITUTION: Satisfactory completion of 30 credits of post-high school education in the field of automotive repair or maintenance, or closely related field, may be substituted for one year of the above stated experience.

REQUIREMENTS: Possession of a valid license to operate a motor vehicle in New York State, appropriate to the type of equipment operated.

SPECIAL REQUIREMENT: Depending on work assignment, must meet standards of OSHA regulation 1910.134 Respiratory Protection, and will be required to meet Federal, State and local standards with respect to health and safety.

West. Co.
J. C.: Non-Competitive
WPP1
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Job Class Code: C0194
Job Group: VI