

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 3  
Via Zoom Video Conference  
January 4, 2021  
7:00 p.m.

PRESENT via Zoom Video Conference: Mayor Butler presiding; Trustees: Brown, Hoyt, Kim, McGovern, Rinaldi and Zollo; Village Administrator Slingerland; Assistant Village Administrator Ringel; Village Attorney Kathy Zalantis; Village Treasurer Hart and Village Clerk Booth

The meeting began with the Pledge to the Flag.

Members of the Public interested in viewing the meeting should visit <https://www.tarrytowngov.com/home/events/32901> for instructions on how to join & participate.

Members of the public who wish to have an item “screen shared” (i.e. displayed during the meeting) during their public comment period, must submit their document(s) to [Administrator@tarrytowngov.com](mailto:Administrator@tarrytowngov.com) no later than 12PM the day of the Board of Trustees Meeting

## REPORTS

Mayor Butler’s Statement – wished everyone a Happy New Year and he read the following: 2020 has been a tough year and we welcome and look forward to the renewed hope and uplift that 2021 will bring. But 2020 ended on a sad and abhorred note, which pictures of neo-Nazi images, stickers placed on Friday and Saturday on 10591 zip code, which included both Sleepy Hollow and Tarrytown. We stand with Mayor Ken Way with our sister Village of Sleepy Hollow in condemning and denouncing this right wing, white racist hate group and or individuals that spread this type of hatred throughout our Villages. It is his understanding that this group’s website was printed on stickers and it’s deemed an anti-Semitic, anti-minority white supremacy group. These messages contain hateful rhetoric and are un-American. Tarrytown is proud of our diverse community and we collectively reject the efforts and activities of these racist groups. We thank the many individuals who spoke out against this hatred and helped to remove the vile neo-Nazi stickers from public property. Be advised that Police Chief John Barbelet has opened an investigation into this matter and has detectives assigned and working on it. They have already been in contact with Westchester District Attorney’s Office and Tarrytown and Sleepy Hollow Police Departments are working in partnership on this matter. Anyone who has information is encouraged to call our detectives directly at 914-631-1514. Thank you for your attention in this matter.

Trustee Hoyt thanked the Village of Sleepy Hollow for inviting the Tarrytown Fire Department to celebrate Chick Galella’s 100<sup>th</sup> Birthday, which was on New Year’s Day. It was a great time for the Fire Department to be there. It was truly an honor for everyone to celebrate Chick’s 100 years of life, but, he believes, that Chick is the last Pearl Harbor survivor. From the Tarrytown Fire Department, Ladder 37, Engine 79 and Tower Ladder 78 participated. It was a great time and an honor to be part of the celebration.

Deputy Mayor McGovern wished Chick Galella a Happy Birthday. She urged everyone to go to the Village’s website and check out and enjoy the Snowman competition on the Recreation page.

Mayor Butler wished Sergeant Major Chick Galella a Happy 100 Year Birthday. We wish you well and hope to see you next year when the pandemic is behind us and we can all celebrate with you. As an officer, Mayor Butler, saluted Sergeant Major Galella and thanked him for his service.

## ADMINISTRATOR’S REPORT

Administrator Slingerland wished everyone a Happy New Year. The biggest thing we are concerned about continues to be preventing the spread of COVID. Tarrytown and Sleepy Hollow remain within the yellow zone, we have had an increase in number of cases. We have reached out to the parts of the community that are affected by this increase and we are working regularly with our police department, the County Executive’s office and the health department. We encourage everybody to wear your masks, use hand sanitizer and practice social distancing. Do everything you can to stop

the spread. He thanked our DPW and Police Department for working through the holidays, as they always do. Their job is often forgotten or thankless. We had a snow storm over the weekend with snow and ice. They were out salting and clearing the roads. He also thanked our Fire Department and EMS members for being out there and constantly answering and responding to calls during all hours of the day and night. They work to keep us safe. We want to thank all our volunteers.

Assistant Administrator Ringel showed slides of the original COVID vaccine plan. Governor Cuomo specifically noted that the vaccine distribution will not be the decision of local government, it's going to be coming from the state. We are in the first phase right now. Phase one is essentially healthcare related or if you are a resident of a long term care facility, nursing home, memory care or assisted living. Starting next week, they will be including home care workers and hospice workers. We don't know when the next phase is going to start. The Governor announced today that they want people to start pushing out the vaccines to a greater extent within the healthcare industry. If people are interested in specific distribution information and want more information, a link will be on the Village's website. If you go to the homepage on the website, under news and announcements, you will see the COVID-19 information link. There is a plethora of information relating to vaccines, county maps, business information for loans, rental assistance. There are rental programs available in Tarrytown specifically from the Housing Action Council as a result of an anonymous donation. There is a lot of information on the website. If you have not subscribed to the news on the website, you should do so now. When we post information, you will automatically receive an email with the information that was posted.

Trustee Rinaldi noted that people should continue to check back on the site because the eligibility will change based on the availability of the vaccines. Hopefully the eligibility will change and increase as more vaccine becomes available over the next several weeks.

Trustee Brown noted that people can get some great organic food to stay healthy at the TaSH Farmer's Market, which is having its first winter farmer's market this Saturday from 9:30 to 12:30 at the Recreation Center parking lot. It moved back to the riverfront like it was in the spring, but it's not a drive-thru. You can walk about the parking lot. They will be holding this market twice a month, the second and fourth Saturdays of the month.

Mayor Butler asked if there was going to be a Q & A with the developer. Administrator Slingerland noted that we had received a letter from the applicant's Attorney with a number of responses to the questions. Rather than reading that into the record, it is available on the website, it answers a lot of the questions that were raised by the public and by the Board members. If anyone has further questions, they can certainly send their questions to us in writing and we will continue to follow up on them.

PRESENTATION ON THE PLANNING BOARD'S DETERMINATION REGARDING 29 S. DEPOT PLAZA BY JOAN RAISELIS (NOT TO EXCEED 10 MIN.) (showed slides)

Joan Raiselis noted that Planning Board member Ron Tedesco was going to give this presentation, but it is his birthday today, so Happy Birthday, Ron. The purpose is to aid this Board in their determination whether to allow a zoning change or not based on the assessments of the impacts. The Planning Board does not determine policy, we look to the Comprehensive Plan for policy guidelines. This process is not unprecedented, they used it for the Artist Project, for the Sunrise Project and for 29 S. Depot. The timeline for the 29 S. Depot Plaza began in 2017, but the process to evaluate residential in the ID zone began way earlier. For 50 years, there has been housing around the station and before that the same affordable housing, single family housing, and most recently 220 high-end luxury units at Hudson Harbor. To say that we should have been debating the appropriateness of residential in the industrial zone is to question whether appropriateness of all the homes that exist around that station now. The discussion about whether to and more productively how to enhance the residential neighborhood around the station has been ongoing, many people, many events, many public comments, there is no doubt that there was a broad consensus and all the reports that were made public and ultimately accepted by the Board of Trustees. A transition of mixed use residential in this area is preferred. This process of review takes from all the research that has been done to date. In July 2019, the Planning Board determined the proposed action as unlisted under SEQRA and declared itself lead agency for a coordinated review. Notices were sent, the lead agency was assumed in August of 2019. Lead agency allowed the Planning Board leeway to hire consultants to do research, to review applicant information and submittals with independent experts and allowed the Planning Board and the applicant to shape the zoning together, which was done. This is not unprecedented, this is typical. Additional information that we required from the applicant was an expanded environmental quality review, otherwise known as the expanded EAF, part three. It afforded the Planning Board a deeper dive into the information we needed in order to assess the impacts. Remember, the Planning Board assess the impacts for a proposal. All projects

have impacts. The assessment is to understand them into assess whether they are within an acceptable range. We used the help of our consultants to aid in that process. The zoning text went through a series of modifications that were discussed and agreed upon by both the members of the Planning Board and the applicant. The final recommendation and the SEQRA declaration, both sent to the Board of Trustees, goes through all the detailed points we assessed, they are in the public record; this is not unprecedented. The proposal for transit oriented development follows the understanding of how TOD works in a community by creating compact, walkable, pedestrian-oriented, mixed use communities around a train station. And here there is the addition of access by bus and car rental. This site is particularly well suited because of the adjacency to three parks within a three minute walk, shopping at Walgreens, Main Street and Broadway. Even returning from C-Town or the farmers market to the station area with a rolling cart full of groceries is downhill all the way home. Whether some choose to believe the data, which is an issue in itself, but traffic and parking data regarding TOD in this metropolitan area shows a decrease of car use in the 40 to 60% range. That means fewer cars, fewer car trips, less parking required and the majority of the trips are in the opposite direction of peak flow. The density of this TOD proposal allows affordability for those determined to be middle income and workforce earners. As you know there will be a 10% affordable quota met by the nine units integrated within the whole. Density in this Village, there are 15 buildings in this Village with density at or higher than the 88 dwellings units per acre. Among them, 37 Hamilton, 76 Neperan, 19 S. Broadway, 37 Central, and 71 Storm. The density is not unprecedented in this Village. We have been approving very high end expensive housing in Tarrytown for over a decade. Greystone at \$10,000 million per unit, Hudson Harbor, One Lighthouse Way, starting at \$1.9 million a unit, Toll Brothers at Wilson Park all in excess of the million dollar mark. Except for the affordable units required there, where are we accommodating middle incoming housing? When an owner proposes a project or zoning, it is our responsibility as a Planning Board, to evaluate that project for the common good not only for the good of the developer or the residents that live within a stone's throw, that is the purpose of a Planning Board and the ultimate decision of the Board of Trustees. The intent to weave connections between adjacent residences and around neighborhoods has always been a part of the work of the Planning Board. Franklin Courts will get a facelift that work will continue in site plan review. Allowing retail will provide local shopping to residents and transit riders as a needed amenity. It is seen as the beginning to more convenience and accessibility for the neighborhood and reduce car trips yet another way, more focus during the site plan review. There has also been a discussion about building site coverage, in locations such as this TOD where there's residential over commercial. In Tarrytown, that means the Main Street Historic District and commercial blocks on Broadway and Central Avenue. Building coverage on the lots reaches nearly 100% on many lots you can see in her slide and very close to it for many more. 29 S. Depot is proposing a new mixed use zone as a transit oriented community with all the adjacencies that make it work. This type of coverage at 75% is appropriate at this site. View sheds are another sensitive topic. As much as we all want our views untouched, she mentioned the elephant in the room, it is impossible to have a community where all private views are sacrosanct. We work hard to hold the public view sheds protected. It is a difficult process of these Boards to determine what is right for the entire community and to take a leadership role to determine that to the best of our ability. Self-storage provides a quarter of the revenues for the Village compared to this residential proposal. The yearly revenue estimate for the residential proposal for the Village is around \$120,000. This is a significant data point that must be considered as important as all the other factors that went into the assessment. One must also consider the extraneous physical benefits of the proposal. Residents of this this development will support our businesses on Main Street and Broadway for decades to come and contribute to the income and lifeblood that generates in and for the Village. Self-storage will have no continuing contribution except a small portion of the revenue each year. Smart and sustainable growth repeatedly referred to in the Comp Plan is not a catchphrase. The Village budget does not decrease except in a pandemic. Are we asking the 11,160 residents of this Village to forever pay for the ever increasing Village budget, people on fixed incomes and workforce earners? Someone requested during the public comment period not to let the revenues of the project dictate the vote. The revenue comparison is only part of the considerations that go into the vote to recommend or not. It is the position of the Planning Board that the benefits that the entire community as we have reviewed them here and in the final report, merit the strong consideration of this Board of Trustees to allow this voting to be amended. We are proud of the rigor we have used to evaluate these impacts within a methodical process. Refinements of architecture, massing, safety issues, landscape and other design issues will be addressed during the site plan review as they always are. This is a quality of life issue for the neighborhood. Do we do all we can to enhance it with complimentary uses and amenities, or do we disregard the nature of what already exists there, which is a neighborhood where Tarrytown residents live? With the planning of the Franklin complex rehab, the potential to enhance this existing neighborhood is great. It is a benefit to everyone who passes by, who lives near and who uses the station and river parks nearby. Let us take this opportunity to continue this process and allow the site plan and the ARB review to proceed.

PRESENTATION ON BEHALF OF THE DISSENTING MEMBERS OF THE PLANNING BOARD BY STANLEY FRIEDLANDER (AKA MINORITY REPORT) REGARDING 29 S. DEPOT PLAZA (NOT TO EXCEED 10 MIN.)

Dr. Friedlander noted that there is no disagreement among the Planning Board that Joan Raiselis has presented. We have not disputed on any of the things that were in the comprehensive report or anything else. We supported from the outset, the notion of residence in an industrial zone. We supported the fact that we wanted connectivity and we wanted pedestrian walkways and everything that was cited as a reason for doing it. We wanted a diversity of housing and affordable housing. The problem that we have is one single thing, it's the size of the project. It's as simple as that. The issue is very simple. What fits on that small sliver of land by the train station and what will the impact be if it's developed in an intense, excessive way on the rest of the Village development? You have a very simple decision in front of you. Do you accept what the developer said he needs to have in order to have it done or do you accept a well thought out plan that says this is better, it is smaller, it fits the neighborhood, it fits the size of the unit and it fits the residential zones of Tarrytown. You can't just take an industrial zone and throw people into it without looking at those issues. He raised those questions in the minority report. There are a whole series of questions that are left unanswered. You must have questions about this because the public has raised many of the issues that we have raised. He asked the Board if they have any questions or comments on the minority report or on the project, he would like to help out and answer them.

Trustee Brown noted the big difference between the minority and majority report of the Planning Board is the density. The majority report was fine with the proposed density and the minority report says 36 to 75 units. You also said that you were opposed to 60 feet and five stories, you said that four stories and 50 feet would be better. Are you suggesting that it should be a four-story building, 50 feet high building with only 36 units? If that is the case, it's impossible for it to be affordable and it becomes very exclusive.

Dr. Friedlander noted that he didn't understand that it would be very exclusive, you could build 36 units or 48 units, when we originally intended to have two-stories of storage and 48 units as a compromise or as a concession to have some residential development in the area, which we all wanted. We feel that three times the current density, the average density in the Village recently, three times would give us 36 units. He also mentioned to give a bonus of 12 units or another floor, if you've got significant public benefits, like making more units affordable. He believes there are ways of addressing the issue that would accomplish what the goals of the Village are, what the goals of the Comprehensive Plan are and what the public wants. There are ways of proposing or redeveloping the code so that it meets the objectives of the Village rather than the objectives of the developer. We never did that exercise, we just had taken the given 88 units. If you look at all the minutes of the Planning Board, you will never see a real substantive discussion of how dense it could be or should be. It never occurred. We are not against residential, we just want it to be a balanced residential growth, a population that fits into the area. They say they have an acre plus of land. But, as he mentioned in the minority report, but a small piece of that acreage of 13,000 of the 51,000 square feet is a roadway with heavy truck usage, 18 wheel trucks that go into the recycling plant. You have a small piece of land, it's not an acre and you are putting 88 units on it with the equivalent being almost 100 units on a full acre, so it's very disingenuous. That density level that Joan Raiselis was talking about and some buildings that were built here 60 years ago, 50 years ago, 40 years ago, haven't been built in the last 50 years. Those are inner city in a Village with no side yards, no setbacks, of multi-story buildings that were built a long time ago. It's not to say that they don't want buildings, but we want to have side yards, we want to have setbacks, we want to have safety features between an industrial building and a residential building. We didn't do an environmental review and ask: How can we have an industrial zone and a residential zone, side by side or even in one building? What are the safety precautions? What are the environmental issues? These were not addressed by the Planning Board. We took the project's application and said, how we can fit it into our code. It should have been the opposite way. He said this was made clear in the minority report. You start by asking, what are the safe elements that are required in an industrial zone to have people living in it. It's not an accident that people have separated residences from industrial zones, since zoning began. There's a real environmental and health and safety reason, which we have not clearly discussed. In this case, we said it's not an environmental issue because it's a storage facility. But that's not what we are doing. We took the project and said we didn't want storage. So we forced this into it. Now we're forced into a position where it's a take it or leave it at, a 88 unit development that has never had any real evaluation on whether that's best for us in our Village or in a zone. It's best because it meets certain goals of the comprehensive plan, but so does 44 units, so does 36 units. It never states that 88 units are a necessity or a requirement in any TOD zone or any comprehensive plan. It's made up by the developer for the developer and it's not made up for the Village. That's the objection, too much development.

Mayor Butler noted that the approved plan currently is for the storage unit, a building that's 300 ft. long, 80 ft. wide and 35 ft. high, which is actually three and a half stories, which in his opinion is a rectangular box. Which is probably a worst case scenario for that community. In the minority report, on page five, it talks about height and you are basically against the 60 feet height, five stories and then in the comments here, you suggest 4 stories and 50 feet height. We are not talking about units, because that was the regulation and the developer could provide whatever unit count he wants. Is that correct, 4 stories and 50 feet height.

Dr. Friedlander responded yes, he agrees with that. The storage facility would be a box and this current proposal is just a bigger box, just 60 feet high instead of 30 or 35 feet high.

Mayor Butler noted that there was a letter dated October 27, 2020 and was sent to the Board. It was written to the Planning Board from the Tarrytown Legacy Connection, reference made to paragraph two of that letter which states, "The comprehensive plan makes vague reference to density. However, neither the Village Officials know developers have a compelling case for why Tarrytown needs more people to live there. Who among us walks or drives around the Village thinking we now need more people to live here." He didn't know what type of people that this letter was talking about. He was troubled by that. He is not sure that the Planning Board answered this letter, but he doesn't know if they are referring to people of color, BIPOC people, different nationalities, seniors, religious groups, LGTTQ community. He asked Dr. Friedlander if he supported that.

Dr. Friedlander responded that he didn't know what he's talking about.

Mayor Butler noted that this letter was addressed to the Planning Board and he was copied on it. He asked Dr. Friedlander to take a look at that and asked if he agreed with that.

Dr. Friedlander noted, of course not.

Mayor Butler noted to Village Engineer Pennella, that TEAC brought up something about a brownfield in that particular area. We received a letter from the developers dated December 31<sup>st</sup>, which denies that allegation. Based on control inspections for the Village, how do we handle that, to make sure that there aren't any issues in terms of the soil in that particular area from an engineering point of view? How do we monitor that and how do we control that?

Village Engineer Pennella noted that our protocol is very similar to all our other projects. Whereas, once in the planning process, there's a section of the code that talks about fees, 305-138. In there, there's fees that the developer will pay for and we select the consultants. There are inspection fees for various things, there are special inspections, which are clearly in the building code. Chapter 17 and 18 of the building code addresses special inspections, such as geotechnical evaluations, soils, seismic. Through the planning process, we come to an agreement and list all the inspections that are required. These inspections will have to be undertaken at the end, prior to the issuance of a building permit, but that's handled in the planning process. Once we have a definitive project that's in front of us and we know exactly where we are running all the utilities and also the layouts. Right now we have conceptual layouts, because they are saying that can tie into a certain location that might not be a firm, permanent location prior to the Planning Board approving it. This is very similar to what we did with all the other projects in the Village. As far as this particular site, there were a couple of tank removals, which were properly removed. When we talk about a brownfield, he is not sure where that's coming from. We don't have anything on file with regards to a brownfield. When the tanks were properly removed, we have DOH approvals on it. There was a tank that might have had a leak in it. They removed maybe a couple 100 tons of contaminated soil. Everything has been remediated. Now, going forward, in the planning process, there will be other questions regarding soil, we're going to ask for soil borings, soil analysis, similar to what we did at the riverfront. The developer will continue to have inspectors that they pay for that we select to do these special inspections, especially for contamination. For example, water mains gets approval from the Department of Health. We will need to provide that information to them prior to them issuing a permit. They are not going to say, go ahead and put your water main anywhere you want, because if there is a certain level of contaminates, depending on what they are, there's going to be federal standards that they have to abide by. And whatever that is, we follow through with the inspections.

Mayor Butler thanked Engineer Pennella for his expertise and thanked Dr. Friedlander for everything that he does and thanked all the members of the Planning Board for all their hard work.

Trustee Brown noted that she read the minority report, read the majority report and read the applicant's letter in response to the minority report. Her problem as far as density goes, she has seen no evidence that 75 per acre is a high density for this area. None of the engineering professionals have indicated that. Density is not something that you, and she doesn't think that is something you

change or allow in zoning. As far as the height, she doesn't think that 60 feet in and of itself is a problem, there's been no evidence that shows that 60 feet high, really has any significant site impacts. But when the Board gave the green light to study 60 feet, she never thought that we were allowing a building that would be taking up to 60 feet and across the top and brought down, she thought that we were allowing for 60 feet to accommodate architecture, sustainability and amenities. She believes that at this current drawing, solar panels wouldn't even fit with the current drawing as it is now. So, that's a problem. Same thing for setbacks, overall she doesn't find a problem with the setbacks. She does think it's problematic that it's only 10 feet away from the loading dock of the paper mill. Maybe that is something that you can mitigate in site plan review. Her question to Dr. Friedlander and Joan Raiselis is if it's not just the height and it's not just the density and it's not just the setbacks, what we can tweak in order to get the kind of building we want. Allow 60 feet, but not everywhere? What can we modify to help us get to that type of building that we really want to see there?

Dr. Friedlander noted that is a thoughtful question. In some ways, it is appropriate if you accept the parameters that are in front of you. But those are the wrong parameters. We shouldn't be discussing the height, the density with respect to the building. If your question was asked at the onset, the Planning Board would have addressed that as a blank slate and said, if we're changing industrial zone, what will be the parameters that we want for residents to live in. If you look at our zoning code now, which has stood us in good service for many, many years, we have much greater setbacks, much greater side yards, much greater distances, much more landscaping than anything proposed in this current application. That is what our major objection was. We just said, we'll work with what the developer gave us and tweak that. But that's the wrong approach. And you are falling for the same thing as you asked the question. There's no tweaking involved, it is a fundamental philosophical dispute between what is appropriate in a small piece of land along the train station, and does it have applicability for many other pieces of land. The zoning that is currently in front of you calls for that zone changes to apply to only one spot in one place in the whole Village, 100 feet from the train station, he finds that disingenuous, unnecessary and unethical. It should apply to all spots that are in the industrial zone that are close to the train. The application of the TOD and saying that the TOD has to be 100 feet from a train station, when every one of us knows in our heart of hearts that the TOD encompasses almost all of the inner Village because everyone can walk to the train station. We didn't do this right. We should have never fallen into the trap, basically by saying, we don't want storage and we'll do anything to get residential. That's how we got this piece of an application and a zone change. It's a planning thing that's gerrymandered, as if it was political. If you want something to fit, you can make it fit. If you want to have all Republicans, you get all Republicans, if you want to have all Democrats, you get all Democrats; this is not the way to do it. We should have focused on what would be good for the industrial zone in our Village. We didn't do that, what we did was take the application and try to massage it or tweak it and that's why we can't just discuss 60 feet or setbacks etc. If the Board of Trustees apply all the parameters that the minority report has set down that were taken from our existing code, we have side setbacks for multifamily developments and we should use them. If we apply them in this development, you would get 36 – 48 units of development over a storage facility that would be profitable for someone to build. In fact, Mr. Ferrara, the owner of the property was able to purchase that property at the current market price to build two floors of storage, that's what was approved. Now we offered him 44 to 48 units above two floors with storage and that was going to be more profitable, because it's a gift from the Village just to have residential in the TOD train station area. That grew or evolved or morphed into something that's 88 units and one floor of storage. It doesn't fit and you shouldn't permit it if it doesn't fit. It's too big, it's too massive, 300 feet, 60 feet. That's the massive thing that is being proposed. You can tweak the architecture as much as you want, but even the station area and everyone else agrees 150 feet should have been the maximum. Then you give a bonus out if there was public benefit. There are no public benefits. It's a made up mystique that the neighborhoods are being created, that there's going to be sidewalks. Every project has sidewalks, that there will be connectivity, every project has connectivity. It's not a real public benefit. It's a necessity to sell or develop a project. This is a made up project for the developer to put it in the maximum development possible on the smallest piece of land that's available and it has real repercussions for the future of the Village in terms of a benchmark for density. You said that 75 is not a problem. If it's not a problem, how come we never had it before? In the last 50 years, he doesn't remember a project that had anything greater than what Hudson Harbor has. He doesn't know where we get these numbers from. It's a very critical element for the future of this Village to decide what the appropriate densities are. And the notion that we're getting workforce housing, workforce housing existed from time immemorial, people build houses where people's jobs were. That's workforce housing. It's not affordable. It's for people who are middle class or upper middle class at this point in time. It's not for young people. It's not for people coming from college and may want to come back. Its \$48,000, with 37 units, that is not inexpensive housing.

Joan Raiselis noted to answer Trustee Brown's question, she thinks it's important and we have discussed this a few times already to have the ARB come in and to look at this proposal while it's being developed. It is not the Planning Board's role to design this building. We plan and we do tweak. She thinks it needs the ARB because this is such a sensitive spot right now, it needs the ARB to become involved at a much earlier level to work with the architect that they brought on and to work with a developer to come up with a building that is going to do what we want it to do, which is to break up the massing in some way, she's not designing it, she's an architect. She would like to see the architect who is actually going to design it, come in and propose a number of things and do a good job at it. There are a lot of buildings this size that are beautiful to look at and don't look like a shoe box. She wanted to respond to Dr. Friedlander and say that data does not support what he's saying. We looked at the impacts and to say that 75 units per acre is just not good enough, the data does not support that and we have looked at the impacts and the impacts are within the acceptable range. There is nothing that saying that this is going to tip over the quota of Tarrytown and workforce housing is not some ambiguous thing. It's a defined 80% to a range of AMI. And this housing does perform within that range. You have to look at the data and look at what the facts are telling you and look at what we know now from the SEQRA process.

Trustee Brown noted that for this application, she doesn't know if we can change the way things are done at ARB. Also, the Architectural Review Board doesn't have the power that the Board of Trustees and that the Planning Board have. They can strongly recommend changes, but they can't do anything that would compel a developer or anybody to really make their house any smaller or their project any smaller than zoning recommends.

Joan Raiselis noted that she is saying to do the ARB review while we are doing the site plan review. So that we are not giving a site plan approval until that process is done and we are happy with it. So let the ARB do what it needs to do. The developer knows that they have to satisfy an architectural aesthetic requirement here and if they don't do that we are going to say that we are not satisfied yet and no approval yet.

Mayor Butler proposed that at the last meeting that we had.

Trustee Brown noted that if the zoning was approved at 60 feet, five stories, how much leeway ARB would have, to say we don't like the way it looks, you can't change the zoning, and it would be for an architectural reason.

Mayor Butler noted that in terms of façade design, architectural design, in terms of height, width and depth that comes out of the architect's imagination so it won't necessarily have to be a rectangular block. If the architectural professionals are involved up front, that would actually help the situation in terms of what the public actually sees, because what they are seeing now and what was presented to the Planning Board is not what they intend to build.

Village Attorney Zalantis noted in response to Trustee Brown's concern, ARB is not just advisory, they do have approval authority on this. There's nothing to preclude that during the Planning Board process getting ARB to weigh in. Both Boards can work together in tandem to come to a design and there could be an exchange of ideas between the Boards. There's nothing that precludes that and that's something that can certainly be done in this case.

Trustee Brown asked can ARB say that we cannot agree on an architectural plan that has five stories, you have to go down to four stories, even though the zoning says five stories.

Village Attorney noted that if you are going to get into specifics, she would rather give that legal advice at an executive session.

Trustee Rinaldi noted that his biggest concern is the architecture that is currently not acceptable. The way he understands this is that once the Board of Trustees changes the zoning, it is out of the Board of Trustees hands, but it is not out of ARB's hands or the Planning Board's hands. It goes back to ARB and the Planning Board for further development.

Village Attorney Zalantis noted that is correct. Once the Board of Trustees approves the zone change, you don't have any further approval authority. At that point, it would go back to the Planning Board for site plan approval and the ARB. Those two Boards can certainly work collaboratively. The Board of Trustees does not have to just accept the zoning as it is written, you could put additional changes in the zoning that you want and that you feel is appropriate. You have the authority to further change the zoning text that could spell out your concerns about architecture, that's something that you can consider doing.

Trustee Zollo asked when the Board set the maximum height at 60 feet, that wasn't an entitlement program, it didn't mean that every developer could come in and put up a 60 foot building?

Village Attorney Zalantis noted that the Board said that the process can go forward provided it's not more than 60 feet.

Mayor Butler noted that it was his intent that the purpose they went to 60 feet wasn't meant to give the development a maximum height to do a flat building and do five stories. I think the intent was to do something architecturally creative, that would allow that particular building or to enhance that particular neighborhood within the architectural envelope or façade would be more interesting than just a flat roof. With that said, he thinks that possibly the developer may have taken advantage, giving us an uninteresting, contiguous building that really didn't reflect that area.

Assistant Village Administrator Ringel noted that the Village received a letter from Metro North, indicating that they've come to a conceptual agreement that accommodates the parking needs of the applicant as well as Metro North at the project site at 29 S. Depot Plaza. Should the Village of Tarrytown approve the applicants zoning application, Metro North looks forward to continuing to work with the Village and the applicant to finalize the necessary planning activities. They request that entry permits from Metro North be required, which should be included on any site plan approval. Additionally any portion of the project on the Metro North owned portion of this proposal, the construction means and the methods as well as the stormwater and other draining plans must be reviewed and approved by Metro North. This letter will be available on the Village's website.

Administrator Slingerland noted that the Village has received dozens of comments in writing from people by email and by other means. We also have received comments from people at past meetings and people who are present at this hearing tonight. We would like to hear from as many people in the community as possible. The Board of Trustees has advised the public comment period for this public hearing will be limited to one hour, after which the Board will continue public deliberation to consider all the comments received to date.

Assistant Administrator Ringel noted that the this public hearing will be continued to the next regular meeting and that comments can continued to be received, either outside of this meeting, in writing or at the next meeting. The public comment period will begin at 8:17 for a period of 1 hour.

PUBLIC HEARING ON A PROPOSED ZONING TEXT AMENDMENT TO ADD PROVISIONS FOR TRANSIT ORIENTED DEVELOPMENT MIXED USES IN THE "ID" ZONING DISTRICT  
(continued)

Trustee Zollo moved, seconded by Trustee McGovern and unanimously carried, that the hearing be opened.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

Adam Vergadamo, Wilson Park Drive, thanked the Planning Board members for their work on a very clearly contentious and complicated issue. He has a strong preference to see this area developed into a mixed use facility that adds to the vibrancy of our town. His issue is with the density at this scale and the associated problems that brings. There's the view obstruction due to the necessary height, very inconsistent feeling to the town aesthetics. The conversation with respect to the Architectural Review Board could potentially be helpful. He would caution that we don't want to lose control of the process here. Additional traffic is among his major concerns. That the development reduces traffic, it simply defies common sense. There may be other buildings with density of this size, but as Chairman Friedlander mentioned, they're not at the same scale and they were not developed anywhere in the recent past. In his view, the existing zoning is there for a reason. We should need a clear and compelling need to show a demonstrable benefit to the community to alter those rules in such a large way and he doesn't think those reasons are met here. There seems to be two primary reasons put forth to accept the current proposal, 1) additional affordable housing and 2) that the alternative is an old storage facility. Neither of those reasons makes much sense. The number of affordable housing units is too small to really have a meaningful impact and expanding housing access for the community. The vast majority of the development is as Chairman Friedlander pointed out at market rate. To the extent this is affordable, it is simply because the units are smaller than many of the other neighboring units in the area. So it is not apples to apples comparison about affordability. The primary argument that came up in the Planning Board vote, as he heard it, was that the alternative is all storage and he agrees completely that would be a waste of potential for the community. The choice has been

incorrectly framed as binary and there is a middle ground, it was advocated quite clearly in the minority report by Planning Board members Friedlander and Birgy. The threat of all storage really makes little sense. The developer may well argue that their plan for it in the absence of this particular proposal being approved, but that doesn't make any economic sense, 44 units on top of two layers of storage, makes plenty of economic sense. Even if you can't get to full 88, they're still able to maximize commercial use of the property that is not all storage. He doesn't think the arguments put forward to date really makes sense for overcoming the existing zoning proposal. He suggests the plan as proposed be amended to alter the density and scale to better address the concerns expressed in the minority report.

Dolf Beil, current White Plains resident, owner of 108 Main Street (shared slides), showed a slide with a Planning Board Minute recap. Bottom line, after the SAO was brought up over a year ago, it is a complete lack of trust in the actions that are being taken, 120 feet was ridiculous. He said this back in July, at this density, you have over 1,000 units in the SAO area and you know it's going to take over. We asked for a balloon test, he would like to know the results of the balloon test. Franklin Court was alleged to be a benefit and create a more pleasant environment for the residents and that it would be affecting them only slightly. Please look at the red blob and if you think that's only slightly. If in fact a 60 foot extension on the platform allows lot 39 to build at the same density as 29 South Plaza, if this thing is approved, look what happens to the view from the Bridge. That's what you're going to see. His comments, oops, too late. You can't tear the buildings down. This is a 65% obstruction of the river. George James calls 5% significant. How can somebody say 65% is not a significant environmental impact? The height was understated in the paperwork that was evaluated, quite clearly, that was a gross mistake. At the last session, Art Collins said due to the unstable organic riverfront soils, he asked how this cannot have a significant environmental impact causing a neg dec. It should have been positive. Regarding benefits, an observation about negotiating strategies, do we want to demand benefits now? We are just giving them everything up front and saying please later. He showed slides that he took when he went to the comprehensive plan, there was nothing remotely represented what has been presented.

Howard Smith, 87 Main Street, strongly noted that any concerns he has expressed or that he has heard on the part of the vast majority of people have absolutely nothing to do with the race or economic circumstances of any potential new residents in Tarrytown. He simply rejects the notion that the only option is a 60 foot high, 300 foot long building. The real concern for him is that the comprehensive plan has been weaponized for the purpose of imposing a transit oriented development model drafted on behalf of the developer not by the Village that is urban in its origins and has not been appropriately adapted in a manner designed to show respect for the character of this Village. It will not provide any benefits to the general public, as the only outside activity will be vehicular traffic associated with the self-storage units. It will set a precedent for future development proposals of a similar disproportionate nature. The TOD example that the developers cited in Bronxville is a three-four story structure with a density of 66 units per acre and a parking ratio of 1.5, compared with 75 units per acre and a parking ratio of 1.05 for 29 South Depot. The developers stated that the Avalon in Bronxville quote "Appeals to the luxury apartment resident that needs convenient access to New York City." But if you average the rent for a one and two-bedroom apartment currently listed at the Avalon, it's essentially the same as the \$3,600 average proposed rent for the one and two-bedroom apartments at the 29 S. Depot Plaza project. How does luxury and Bronxville equate to affordable in Tarrytown? Even though the Avalon was being built on a site that's arguably less environmentally sensitive than the 29 S. Depot site, Bronxville required a DEIS for that project. Once the approval project is completed and construction at 29 S. Depot is underway, you can expect the owner of the paper recycling operation, the adjacent warehouse, not coincidentally is acquainted with the family of the 29 S. Depot Plaza property owner, to announce he has a deal with the MTA to extend their platform so his property would qualify for inclusion in the TOD zone. He will then submit a development plan to construct a comparable mixed use building as of right, the development proposals will follow of similar scale. Having relied upon the comprehensive plan as a rationale in support of 29 S. Depot, a plan that does not establish any limits on growth density, etc., how could you turn around and rely upon it as a basis for denying approval of similar projects, lacking any objective basis, denial would just set you up for allegations. If you truly care about revitalizing the station area, he urges you not to approve the TOD amendment and instead invite the owner and the developer to get together with the owner of the other warehouse property and submit a comprehensive mixed use proposal for development of the entire site that is more proportional to the scale and more sensitive to the character of the Village and offers a mixed use that provides a greater benefit to the general public.

James Wilson, 109 W. Franklin Street, noted that he wholeheartedly supports the comments by Adam, Dolf and Howard. He wants to make sure that we are looking at this Village as a Village and not a major City and that we produce a balanced development. We need development and that would be great to have that space make sense and fit in this Village.

Sarah Mascia, Executive Director of the Tarrytown Historical Society, noted on behalf of the Historical Society, she offered the following statement. We appreciate the ability to offer a historic context for the proposed zoning changes to facilitate the proposed development at 29 S. Depot Plaza. Tarrytown's waterfront has historically been an important gateway to the Village. Today the train has replaced the original docks that brought commerce and travelers here. Those early residents faced in essence a cliff separating the waterfront from the commerce district along Main Street and the surrounding residential streets. The Village has historically worked to reduce the barrier between these districts and to increase the integration across the districts. The 2018 comprehensive plan affirms this intent to strengthen the relationship between the waterfront and the Village and to help integrate the Village from east to west. Tarrytown's comprehensive plan further affirms that the Village's commitment to preserve and enhance its historical resources and institutions with the goal of ensuring sustainable growth within the historic context. We applaud that committee and also acknowledge the challenge before you in balancing the 21 goals documented in that plan. That is not an easy task. We understand that. In reviewing the feedback to the proposed zoning changes, the historical society would like greater clarity on the impact of the height, density, traffic and other factors that would be affected by the proposed zoning changes. One quick historical example will illustrate the reason why we are asking for additional study, in the 1950's and 60's, a series of decisions were made that in essence, led to the demolition of the historic Orchard Street business district. This time period was an era of urban renewal which resulted in the removal of old structures and partial rebuilding of the area with large and/or dense residential structures, Franklin Towers, Franklin Courts and Asbury Terrace are examples of these changes. The distinctive historic quality of Orchard Street akin to today's Main Street was lost. The driving desire was to build rather than to imagine a future that could preserve the area's unique history through sustainable development. Tarrytown's waterfront is both the front door to the community and a window into the integrated view of this historic Village. We urge the Board to keep in mind the example of the loss of the historic Orchard Street and to take time to fully consider the impact of these zoning changes in the context of the entire waterfront district. Its integration with the rest of the Village and with the multiple development proposals that are under broader consideration. This would enable the Board to establish a more thoughtful approach to affordable housing and sustainable development in a way that minimizes the barriers such as height, density and traffic. We hope the Board will continue to work to achieve these goals that are stated in the comprehensive plan and will preserve the historic nature of historic Tarrytown, which makes the waterfront and the Village different from other rivertowns.

Terrence Murphy, 20 Kaldenberg Place, noted that he wanted to emphasize the gateway to the Village has been talked about for quite a few years in the Tarrytown Connected and the Comprehensive Plan process. He feels that the ideas that were put forward by the residents during some of these discussions over the years are not really being carried through and it is evident on where we're at in this process. This particular building might not be the right way to start off. Looking at that area as a gateway into the Village, he thinks this becomes a piece meal effect and does have potential ripple effects that was alluded by Dr. Friedlander and how we treat other potential developments. The Village needs to set a clear direction of what we want and what is best for the Village and keep it with the feel of a small community and then have developers conform to that, not the other way around. It seems like we're getting a lot of input and direction from development and it should be the Village directing. He hopes the Board will consider keeping the riverfront to fit in our Village, a small community and how it really fits with the rest of the developments going on in the Village that will impact a lot of residents.

Suzanne Bartolacci, 67 Miller Avenue, noted that she echoes a lot of the comments from the other speakers around the density and the height of the building. In previous meetings, she has made comments about the traffic and she noted that the applicant's attorney responded to some of the traffic concerns. It was noted that in the Miller Park neighborhood, saying, that there would be a reverse traffic flow and there'll be likely minimal impact in her neighborhood because people won't use it as a cut through. But she thinks that is completely disregarding there's Edge on Hudson being developed and that there's going to be a significant amount of additional traffic from there as well. She is still extremely concerned about the traffic impact on the community who will be living at 29 S. Depot Plaza in the 88 units. These residents will need their cars to run

errands, which will cause extra traffic adding further congestion to our streets. Her other concern is one of the benefits that they talked about in that same response that there's going to be increased tax revenue to the Village and the School District. She doesn't see how the math works on that. She raised this the last time with respect to the school taxes. She hopes the Board of Trustees will take a look into that a little bit more to see if what is being said is accurate or not. The increase in the school taxes that are going to be generated, would be very quickly eaten up by the number of children that would be potentially moving into those apartments. This could easily cost the Village a lot more money and it would cost more money to the residents and the current taxpayers.

Mark Fry, 36 S. Highland Avenue, Ossining, New York, complimented Dr. Friedlander and Paul Birgy on the extraordinary job they did on the minority report. He wanted to concentrate on the process, when he first saw the applicant before the Planning Board, getting approval for a two story self-storage facility, as of right. It was at that time, he could not comment because he was there representing another applicant, Joan Raiselis said that we'd like to do some retail down here. We're proposing to rezone this area. We're working on various proposals, and would you consider doing something else and it would include, not what the area is currently zoned for, but rather residential mixed use and a number of other things. He emphasized how he agreed with Dr. Friedlander in coming to conclusion that the entire process here has been completely backwards. If the Village wishes and the people of the Village, first of all, through a community survey wish to rezone the industrial district, then the Village should undertake that as a very thoughtful, probably multi-year process to determine what the total impacts would be of rezoning those five or six industrial properties in this area. That didn't happen. This is going completely backwards with a developer who has been pushed and pulled and his arm has been twisted to present a residential proposal in an industrial zone. He has been down there frequently in the last three months and it's an extremely busy paper recycling facility with trucks and trailers coming in and out. Yes, it is inappropriate to have that close to the existing residents at Franklin Courts, but let's not make a bad situation even worse. He recommends that everyone very carefully reads Dr. Friedlander and Paul Birgy's report, which incidentally is also subscribed to by Sally Lawrence, who is an Alternate Member. It's worth reading and he advised the Board of Trustees to take it closely under consideration.

Heather Haggerty, 18 Kaldenberg Place, noted that she believes there's a true misunderstanding about downtown residents. She is one of them. She has a car, she's in the minority, most people have two cars, and they drive to the supermarket. A lot of these studies don't understand how people live in downtown Tarrytown. She encouraged the Board to talk to people who live on Main Street and Kaldenberg Place and in the downtown area, it's much different than you really think. She thanked Sarah Mascia from the Historical Society, she brings up an amazing point that past Boards thought they were doing well for Tarrytown and they were mistaken. She hopes the Board really listens to the people who don't agree with the density and the height of this building and that we will lose our historical aspects of our town. Do you want to be the Board that people talk about in 2030? She understands that this area needs to be developed, but she thinks it can be developed in a better way.

Katy Krider, 42 N. Washington Street, noted that she has read everything on this topic including all of the Planning Board meeting minutes and this is what she has learned, the Negative Declaration was literally cut and pasted from documents that the developer presented to that Board. There was not an original thought in there. It's what the developer wants and what the developer says he wants. She looked at all the data and he's done an excellent job of picking through that data to make their point of view be the right point of view and ignored anything that didn't represent that point of view. So kudos to the developer for giving us a huge dense building that we don't want. Chazen did not review the view shed, but Chazen said the potential visual and aesthetic impacts are a potentially critical issue and should be considered as part of the decision to amend the height requirements. That is our consultant saying that. He also said the height increase is substantial and the density is somewhat disproportionate. He also uses Franklin Towers and Asbury Terrace as precedents for density and character of the area. If we are saying the character of Tarrytown, in our comprehensive plan, is now the urban development from the 50's and 60's, which she thinks we all would love to have Orchard Street back right now, then that's really what we are saying. Because every developer that looks at this, here and forward, if this zoning gets amended, then every developer is going to look at that as this is what they can do. Then you are literally condemning Tarrytown to big five story, 60 feet dense buildings all over the place, all over downtown and all over the waterfront, which she thinks is just unfair. She thinks that this particular building is unfair to the people at Franklin Courts. It's going to be a big eyesore

for them. We are not saying don't rezone, we are asking to rezone responsibly. Do the right thing. Don't agree to this zoning, make it work for Tarrytown.

Barbara Goodman Barnett, 104 Main Street, noted that she she walks past 29 S. Depot Plaza often and she agrees that it needs to be developed. We have the opportunity to do something that will have a positive impact for Tarrytown and the train station area, something we can be proud of in the future. She doesn't think this proposal is there yet. It definitely needs more work and it seems that the majority of people of Tarrytown agree. Dr. Friedlander, Chairman of the Planning Board stated in the minority report that 29 South Depot Plaza has proven to be the most contentious and difficult decision in his 48 years. I agree with him and Mr. Birgy's concerns as stated in the minority report. They do not believe that an unbalanced and unfair trade off of one floor self-storage in exchange for 88 residential units is in the best interest of the Village. They recommend strict modifications of the zone that allows zoning appropriate for residential development and that will protect the health, safety and welfare of the new residents and the existing residents. We elect Board members so that we can count on them for their knowledge and experience. She is concerned that with this project that developers are more interested in making a profit than what is best for the Village. They have already noted that their recommendation for adding on the fifth floor is for profit. She is not sure what the advantage is for the residents of Tarrytown. She hopes that the Board of Trustees will take the advice of the minority report seriously and reach a decision that will protect the Village and create balanced growth.

Mike Love, owner of Coffee Lab Roasters, and resident on Main Street, noted that the proposal is a box unit. And to say that this property has never been used for any manufacturing, at one point it was a lumber yard. To do a soil test once the project is approved and then move forward, he thinks is ridiculous. To say that it's going to benefit and be a corridor to Main Street, he's not sure if any of you walk from the train station up this hill, but he lives on Main Street about halfway up the hill and people are dying on the way up there. For people that think this is going to be a walkable transit thing from this project to Main Street is absolutely ridiculous. People are going to drive. He thinks the impact on traffic has been completely overlooked. This is not going to benefit Tarrytown in anyway. All he has heard is the benefits to the MTA, redoing their parking lot and re-striping the parking lot. If he was a new parent looking to start a family, he wouldn't want to raise his kid next to a paper recycling plant. It's affordable for nine units out of 88 units, is that really affordable? Why not make half or three quarters of them truly affordable housing. Building big boxes, you should take a look at what they built in Yonkers, because they are still mostly empty and they look horrible.

Cathy Ruhland, 17 Walden Road and member of TEAC, noted that the soil quality does need to be looked at ahead of time. Remembering the Toll Brother property, which had a lot of analysis of the soil and discussion of it and it turned out to be a big problem, especially in the area by the lake where the soccer field was built. And for things to come up after you have already done a lot of work, becomes a huge problem. She is concerned about the rumbling trucks that go back and forth in front of what is supposed to become a residence, that's not really quality of life. She feels the new residents will be using cars and adding to the congestion on Broadway. She thinks that it makes sense to look at this whole area. If the paper manufacturing company could also potentially become a residential building, you have two residential buildings there and then talks about renovations of the Franklin Towers and the Franklin Court apartments. Doesn't it makes sense to look at that floodplain as a community that needs a supermarket or small supermarket so people can walk and do their everyday activities in that area? She thinks a long-sighted view of that whole space, working together with the entities that you have to work with, would make so much more sense.

Colin Vanderhorn, LeGrande Avenue, noted that he echoes the concerns of Dr. Friedlander and noted that nobody is really against mixed use, we are against the height that this project requests and the density of those out of character with current approvals in Tarrytown. Joan Raiselis drawing on the adjacent 50 year old precedents illustrates exactly how this project will be used to support future proposals. Joan Raiselis keeps reiterating that data supports her negative declaration without addressing any of the public's concerns or just using logic. Logically, we know that a 60 foot tall, 300 foot long building on an acre of land is a massive mistake for Tarrytown. And logically adding 88 units of housing is not going to decrease traffic. I don't care what report a developer presents. He encouraged people to stand next to a similar sized building locally; it's a massive structure. We don't live in a city, we live in a Village. Tarrytown is in the driver's seat, the historic nature of the Village, the proximity of it to the city and its diverse

demographics makes this Village ripe for development in the coming years. The developer is trying to get the most bang for their buck, which he doesn't blame them. He encouraged the Board to call their bluff, reduce the density and the height slightly to allow for architectural features as Trustee Brown noted, so that we end up with a building that we can be proud of in Tarrytown. \$2,000 for a studio apartment is hardly affordable. You can rent a studio in Manhattan for that. Is there anything preventing the developer from raising rents in the future. Could the Board ask the developer to sell a certain number of units to lower income or minority populations? That's how people generate long term wealth in this country. It seems that the Board is fighting for the future of Collins development, not necessarily, the current or future residents. He thought it was an unfortunate question whether Dr. Friedlander was trying to bar people from Tarrytown based on their ethnicity, race or religious background. There was no mention of race in that letter, nor did Dr. Friedlander write it. Nor has Paul Birgy done anything to imply that their opinions are rooted in that type of language. He encouraged the Board to steer this project in the right direction and develop responsibly.

Douglas Fox, 42 N. Washington Street, noted that he agrees with Dr. Friedlander. As a homeowner, he has to follow all of the rules that are dictated by the zoning and everything else having to do with the community. He has gone through the process, because he has done renovations on his house. He finds it strange how individuals who are taxpayers to the community have to work so hard and spend so much time to get approvals and building permits and such. And then you have a developer who comes into an area to build some large structure or renovate some large area and it seems as though they get treated differently, almost wining and dining them and they don't seem to contend with them and then complain about the fact that this is taking way too long to, he says, get in line. We all have to go through this process if we're going to try to keep this place as we like it and why we chose to move here and enjoy the community and care for our neighbors and such. The setbacks that we have to deal with like the responsibilities of cleaning off the sidewalks and stuff like that, we all have to do that. It is actually insulting that we have to suddenly go through and have people say that we somehow don't understand what's going on or trying to keep exclusivity or stuff like that to people. We care about how we live with each other and it comes down to that we don't want to keep anybody out. We want people to come in. But, we don't want somebody to come along and say, I can't make a profit if I can't have this incredibly large structured dumped down on the riverfront. And you are going to have to accommodate my needs. Well, no, we all have to accommodate each other's needs. And if you want to build here, you're going to have to do the same thing.

Scott K. Johnson, Greenburgh resident, noted he currently works at the Department of Environmental Services for Westchester County. He's been working there for 20 years and he works at the pump station at 7 S. Depot Plaza. This place is a marshland, it has no foundation. The area is always busy, the road is always open, 24 hours. As a matter of fact, he is at the location right now. From Metro North and County equipment and the paper mill, this road has seen so much damage. He just sent Dolf and Mark Fry an image of a view of how flooded this place gets and it hasn't had much rainfall. The carbon monoxide level is going to be increased. The flooding is horrible with heavy trucks, MTA and the papermill. The drainage system is bad here. The drains behind the paper mill that nobody knows about. When Hurricane Sandy was here, they put everything on stilts. They moved everything that MTA built on this side right behind Franklin Court over to the south side, over towards the river. They put it up on stilts because they're equipment got damaged from that storm. He thinks this is a disgrace and an upset to the people of Franklin Court that this monstrosity is going to go up. He personally has two friends that live there. How could people think about raising families in a construction site right here? It's horrible. It undermines the people at Franklin Courts to build something magnificent, so sweet and so elegant and they say that's going to look so great and meantime you have people that couldn't afford to live there and they are struggling. Then you smack them in the face with putting something right there, right next to it. It's just awful and he doesn't think it's right. From the soil to the sampling of water to the contaminated zones, this place is terrible. A wise man will build his house on a rock and this place is sinking sand. This is not going to benefit the Village.

Jonathan Osterman, 15 Grove Street, noted that he agrees with Dr. Friedlander's comments in the minority report. The developer has an opportunity to show us a really amazing building, which he hasn't done. It's a great big block, a giant wall. As Trustee Brown said how the town can help the developer in guiding him to build a beautiful building. There are techniques with more refined zoning. He searched on the internet for form based architecture or zoning. It specifies articulations to heights to building recesses and articulations. It's in the developer's nature to max

out his profit. So, of course, he's going to max out the building envelope. It's up to the Village to provide zoning that helps the character of Tarrytown be retained. In the developer's letter, he said that in a prior meeting, people had talked about Main Street and historic character of Main Street and that wasn't part of the area in his consideration. That's not true. The character of Tarrytown, if you look at buildings all over, they're characterized by interesting roof scapes, spires, towers, buildings on Main Street, standing side to side that have slightly different heights. They are not monolithic. The builder has said he'll try to address that by addressing the roofline, but he's not talking about the upper roof line. The top of the building will still remain just a hulking box. He's talking about lower rooflines with sort of Disneylandesque illusions of the building being variegated when it won't be. He thinks the Village has responsibility in helping developers find ways to fit into incentives or zoning that makes for exemplary architecture that is modern or traditional, but that does fit in with the overall character of Tarrytown.

Sadie McKeown, Archer Place, noted that she would like to talk about a couple of things that she thinks are factually accurate. First and foremost, the gateway to our Village, thank you to the Board of Trustees, is our beautiful riverfront. When she moved to Tarrytown, there was an asphalt plant, a lot of industry and an oil company. That's been replaced now by a residential community, a river walk, a beautiful park, a rec center and a pool. She thinks that is the gateway to our community from the river. She doesn't look at this project as the gateway to Tarrytown. She thinks it's one piece of a beautiful puzzle of Tarrytown that does fit in. It does provide housing at different levels of affordability. She loves hearing all of you talk about your desire for and support of affordable housing. She's a 30-year affordable housing professional and advocate. It gives her great hope that when the Tarrytown public housing project gets redeveloped, you will all chime in and talk about how supportive you are of the redevelopment of that location and the redevelopment of the YMCA. This project does provide housing in Tarrytown that we don't currently offer – brand new units at income levels that are diverse. There is some affordable, as required by the Village, but there's also housing at 80%, 100% 110% and 130% of AMI. It's a mixed income community. If you have children and you don't want to live there, you don't have to. This will probably most likely be young professionals, maybe two or more living together in a one-bedroom or two-bedroom and splitting the rent. We don't offer new housing of this type in the Village right now. It will attract young professionals which we need in Tarrytown, because they then decide to stay in Tarrytown, invest in the community, not just their money and in the form of housing and supporting local businesses, but in their time and talent as volunteers, as contributors to the Village that want to be here and want to stay here. We have not built new housing like this other than the very wealthy in this town. She fully supports the mixed income project that's being developed. She has no issue with its density. It definitely needs to look nicer, we all agree with that, but she doesn't agree with all of the voices. She asked for people to stop saying that they represent everyone in Tarrytown, because you don't.

Robert Senger, 15 Park Avenue, noted that he previously lived on South Washington Street, so he considers himself a downtown resident. He shares many of the diverse concerns of fellow citizens regarding the 29 S. Depot Plaza development. One of his concerns is traffic. During many hours of the day, he struggles to turn left out of Park Avenue onto Broadway. On many occasions he has waited 5 or even more minutes to make a safe left turn. Tarrytown took Sleepy Hollow to court over the traffic impacts of Edge on Hudson, with its 1,000 plus residential units and the huge retail space. We haven't yet seen the impacts of Edge on Hudson for Tarrytown traffic patterns. But all indications and a traffic study indicate that most of the new cars will be coming through Tarrytown, over the H-Bridge and up Main, up Franklin or through Riverside or Miller Park. Yet, Tarrytown does not seem concerned about the traffic associated with developing its own riverfront. He's not overly concerned about the traffic impacts of a specific development like South Depot Plaza in isolation, even though the proposal is for a large and densely populated building, he is worried that this is precedent setting, sort of tip of the iceberg for additional riverfront development. He heard comments to the effect that we shouldn't reject S. Depot just because Tarrytown has a traffic problem that S. Depot didn't cause. So do we reject the next proposed development because of our traffic problem or the next or the next? When do we draw a line and focus on fixing the traffic problem? We can't undo what Sleepy Hollow has approved at Edge on Hudson, but we can stop making the problem worse. Let's talk about what it really means to build the road infrastructure and Tarrytown to support more riverfront development. Broadway is an obvious bottleneck. It needs to grow from two to four lanes. That probably means eminent domain and probably also means moving or knocking down some of the buildings or removing downtown parking spaces. A lot of people will lost chunks of their front yard. Do people think it changes the character of the Village to have a four lane highway running right through it? Perhaps

we should start to call it Tarry City. There simply isn't enough east, west roads to connect the densely developed Tarrytown riverfront and a train station up to Broadway. Additional east, west roads need to be added or existing ones need to be extended and connected to the waterfront. Why don't we extend Church Street or Bridge Street down to the riverfront? We need to get serious about this, about making really difficult decisions if we want to connect intensely development waterfront. We can't keep approving new riverfront development and not creating the connectivity to support them. We need to step back and take time to create a workable plan to address the volume of cars. Since we lack that plan today, he thinks that the key reason why so many residents are expressing concern about South Depot Plaza.

Amy Wessan, 85 Main Street, noted that she agrees with Dr. Friedlander, Sarah Mascia, Howard Smith, Dolf Beil and many others whose comments have been made this evening. She really appreciated Sarah's comments about the historic nature of what Orchard Street used to be and how it is has the possibility of being a gateway, a place of community, a place of leisure and a place of enjoyment for the Village. This building represents a block that she still doesn't see advantages for the citizens here. We already have a large storage facility. Then we have some housing, which is not totally affordable from what she gets listening to the pricing of it. The Village has to have a vision and she thinks that the developer has to compromise. Two years ago, the developer was fine with a two-story storage facility. It went to 88 units because we asked to put the residential units above it, but does it need to be that? She doesn't think so. It could be a two or three story building. It can have an architectural look as we have on Main Street continuing down there. It can be a lovely area that adds beauty and little stores and food places, services that the folks at Franklin Court could use and would be welcomed down there. The way it is being proposed right now, the people who live there will need cars. They're not going to lug their groceries from C-Town all the way over there. That's ridiculous. And they're not going to take the groceries on the train. There needs to be a compromise. She's all for development. She thinks the developer has to compromise and come down 2 stories or even what Stanley proposed, 48 feet, much better than the 60 feet mark it's at now. She is against the rezoning of that area. She thinks you are opening up Pandora's Box that you will regret years from now.

Assistant Administrator Ringel noted that we have now hit the one hour mark, so there will be no more public comments this evening. But he did take a screenshot of who was left on the list. The hearing is going to be continued for another meeting. He noted that anybody can write in the Q & A. There are some names of people that he has not seen before. It would great if people could send an email to [administrator@tarrytowngov.com](mailto:administrator@tarrytowngov.com). The names that he sees are Marsi, David, Lisette, Miranda, Stew, Monica and Joanna.

Administrator Slingerland noted that we did receive a couple of dozen comments over the past several days. Everybody whose hands are up in the queue or for anybody who's in attendance here, you are always welcome to submit comments and we'll share those with the Board of Trustees. So if you would like to submit those now or over the next week or so, we can forward them to the Board. If you want to speak again on Tuesday, January 19<sup>th</sup>, you are also welcome to speak.

Mayor Butler noted, for clarification on his question to Dr. Friedlander about the October 27, 2020 letter, which was addressed to the Planning Board and Dr. Friedlander said that he didn't see it. He knows who signed the letter, he just didn't want to say. Mr. Vanderhorn mentioned at a Planning Board meeting that, we all know where Mayor Butler's heart is at. Nobody knows where my heart is other than his children and his wife. He asked for respect. If Mr. Vanderhorn has any other comments, address them to the Board, but don't use his name.

The Board of Trustees deliberated, in public, on the commentaries for approximately 26 minutes.

Trustee Hoyt moved, seconded by Trustee McGovern, and unanimously carried, that the Following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Tuesday, January 19, 2021, at 7:00 p.m., at the Regular Tarrytown Village Board Meeting to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause to hear and consider a proposed amendment to the Code of the Village of Tarrytown, Chapter 305 Zoning, to add provisions for Transit Oriented Development in the "ID" Zoning District.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON ITEMS LISTED ON THE AGENDA, OTHER THAN PUBLIC HEARING ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES EACH TO ADDRESS THE BOARD OF TRUSTEES

Suzanne Bartolacci, 67 Miller Avenue, noted that she is pleased that the Board is proposing to make the speed bumps permanent in Miller Park. She asked about the timing of installation of the permanent speed humps and if the permanent speed bumps will be similar to the temporary speed bumps that were there. Will they be a bit more aggressive in terms of slowing people down?

Administrator Slingerland noted that the Village will be following design standards that are put forth by traffic engineers to reduce the speed on the road. He believes the design speed of those speed humps is in the range of 15 miles per hour. He believes this has already been put together.

Village Engineer Pennella noted that is correct. It's the manual uniform traffic control devices and standards. You don't want to have them too high where you can bottom out and end up with a lot of other liability issues. We are going to follow the traffic standards that will be applied in that neighborhood.

Gary Bartolacci, 54 Crest Drive, noted that he was curious regarding the temporary speed humps that were in the Miller Park neighborhood, would they now be available to be tested elsewhere? He believes that his neighborhood would be interested in having the straightaway portion of the Crest Drive area be used as a testing area.

Administrator Slingerland noted that with regard to testing speed humps in the Crest Area, there are design standards that would have to be met to do such a test. That includes incline of a road, sight distance, things like that. There has been a lot of study and evaluation and concerns raised about the Miller Park neighborhood in terms of traffic and speed for years. For the Village to start a review on Crest Drive or any neighborhood would require the Village to initiate some kind of review in those neighborhoods that are requesting speed humps.

Deputy Mayor McGovern noted that lower Crest Drive does not have an incline. She asked if the Police Department ever used the speed device on Crest Drive.

Administrator Slingerland noted that tonight we are focusing on the Miller Park neighborhood. The Village has received between 5 and 10 requests from around the Village with consideration to speed humps. The cost of the Miller Park traffic speed humps is coming out of the settlement stipulation and the discussion of future speed humps in other locations would be paid by the taxpayers.

Assistant Administrator Ringel noted in response to the timing of the installation of the permanent speed humps, we would have to wait for the asphalt plants to open, which he believes is March or April, when the weather warms up and then the Village will have to receive three bids to do the work.

2020 TARRYTOWN VOLUNTEER FIRE DEPARTMENT SERVICE AWARD (PENSION) PROGRAM – EXECUTIVE ORDER 202 RELATING TO COVID-19

Trustee Brown moved, seconded by Trustee McGovern, that the following resolution be approved: Motion carried, all voting "aye" with the exception of Trustee Hoyt who recused himself.

Approved: 6-0-1

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the adjustment in points to the 2020 Tarrytown Volunteer Fire Department Service Award (Pension) program based on the Governor's Executive Order #202 in relation to Senate Bill 8251B, for the months of March, April, May, June and July not to exceed 24 points, as outlined in the LOSAP Coordinator's memorandum dated September 15, 2020, which shall be annexed to these minutes as part of the official record.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Recusal, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### POLICE DEPARTMENT STIPULATION AGREEMENT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute a Stipulation Agreement with the Tarrytown Police Benevolent Association Inc. (PBA) pursuant to Article 2 (Compensation), Section D(2) (Overtime) of the Collective Bargaining Agreement (CBA), off-duty members may be called in to work overtime that is not already scheduled, as further spelled out in the stipulation of agreement, and shall receive compensation for thirty (30) minutes of travel time at an overtime rate of pay effective January 1, 2021.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### RETAINER AGREEMENT

Trustee Hoyt thanked Village Attorney Zalantis for doing an outstanding job for the Village. All members of the Board of Trustees agreed.

Trustee McGovern moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an annual renewal retainer agreement with Silverberg Zalantis LLC for legal services as Village Attorney.

#### MILLER PARK TRAFFIC COUNT UPDATE AND DATA AFTER INSTALLATION OF SPEED HUMPS

Trustee Rinaldi moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

WHEREAS, pursuant to the provisions of the stipulation of settlement between the Village of Tarrytown and the Village of Sleepy Hollow, the Board of Trustees of the Village of Tarrytown authorized the purchase and installation of temporary speed humps in the Miller Park area to mitigate vehicle and traffic problems in this neighborhood; and

WHEREAS, the Village sent out surveys regarding the temporary speed humps to the residents of Miller Park and received positive feedback and the Village conducted a traffic count update and the data reflected a reduction in speed of vehicles in the Miller Park neighborhood.

NOW BE IT RESOLVED that based on the trial period, the feedback from residents, and the supporting data collected by the Tarrytown Police Department, pursuant to the provisions of the stipulation of settlement between the Village of Tarrytown and the Village of Sleepy Hollow, the Board of Trustees of the Village of Tarrytown hereby authorizes the installation of permanent asphalt speed humps in the Miller Park neighborhood and asks that the Village Administrator take the necessary and appropriate actions to move forward in the direction set forth by this resolution.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### RESOLUTION TO REQUEST REIMBURSEMENT FOR SLEEPY HOLLOW STIPULATION PROJECTS

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved as amended: Approved: 7-0

WHEREAS, the Village of Tarrytown entered into a Stipulation Agreement with the Village of Sleepy Hollow dated August 23, 2013, regarding the development of Edge on Hudson and the mitigation of vehicle and traffic within the Village of Tarrytown; and

WHEREAS, the Village of Tarrytown submitted a letter to the escrow agent, requesting the first draw down of escrow funds, dated October 14, 2016, and started the time frame set forth under the Stipulation Agreement; and

WHEREAS, as noted in the stipulation, the stipulation funds are intended to address and mitigate traffic impacts in the Miller Park neighborhood; and

WHEREAS, after installing temporary speed humps in Miller Park, the Board of Trustees has authorized the installation of permanent asphalt speed humps in this area.

WHEREAS, on December 8, 2020, the Village of Tarrytown acted on a second stipulation item to relocate the fire hydrant on Broadway and the Village is in the process of reviewing the allocations of parking spaces on Broadway. The Village obtained approvals from New York State for this action.

NOW, THEREFORE, BE IT RESOLVED that pursuant to the stipulation agreement between the Village of Tarrytown and the Village of Sleepy Hollow, the Tarrytown Board of Trustees authorizes the request for reimbursement of expenses for the installation of speed humps regarding the development of Edge on Hudson and authorizes and directs the Village Administrator and the Village Attorney to take the necessary and appropriate actions to process and submit this request for reimbursement.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### SCHEDULE SPECIAL MEETINGS OF THE BOARD OF TRUSTEES REGARDING POLICE REFORM AND REINVENTION

Trustee Brown moved, seconded by Trustee Rinaldi, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Special Meeting to discuss the Police Reform and Reinvention Report on Tuesday, January 26, 2021 from 7 p.m. – 9 p.m. and a second, if necessary, on Tuesday February 9, from 7 p.m. – 9 p.m. to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### SCHEDULE A PUBLIC HEARING – COMPATIBLE USE PERMIT - EF SCHOOL

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby schedule a Public Hearing for the regular meeting of Tuesday, January 19, 2021, at 7:00 p.m., to be held either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause to hear and consider a Compatible Use Permit application for the YMCA to house their school age remote learning and childcare programs at the EF School, 100 Marymount Avenue.

Roll Call –Mayor Butler, Yes, Trustee Brown, Yes, Trustee Hoyt, Yes, Deputy Mayor McGovern, Yes, Trustee Rinaldi, Yes, Trustee Zollo, Yes

#### APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON DECEMBER 21, 2020

Trustee Brown moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on Monday, December 21, 2020 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Zollo moved, seconded by Trustee McGovern, and unanimously carried, that the following resolution be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 12 of Audited Vouchers in the total amount of \$391,834.90 to be paid in the following amounts:

General	\$ 318,857.73
Water	\$ 25,229.27
Sewer Fund	\$ 1,218.20
Capital	\$ 15,625.00
Library	\$ 23,163.70
Trust & Agency	\$ <u>7,741.00</u>
Total	\$ 391,834.90

The Board was polled all voting “aye” with the exception of Trustee Hoyt who recused himself from Voucher Number 2018016171. Motion carried. 6-0-1

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ON ITEMS NOT INCLUDED ON THE AGENDA. SPEAKERS HAVE THREE (3) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER

John Stiloski, Stiloski Automotive, noted he was able to watch the police reform committee meetings and it was said they don’t think the police should have guns when they go to sponsored community events and churches and schools. He doesn’t understand that. Police are paramilitary, they don’t play dress up. He remembers when people robbed Friday’s with a machine gun and they got on the Thruway, the police chased them down to the city. The police have to apprehend people who are doing bad things. He also heard at the meetings that someone said that they are afraid to walk down Main Street. He doesn’t understand a lot of things. Tarrytown has a Police Chief who has two master’s degrees, who has lived here his whole life. We pay him a lot of money to be the Police Chief of this Village. And now we are going to have a committee to tell him what he should do or how we should act. He’s not a cheerleader, by no means, but he doesn’t understand. The fact of the matter, resident or business owner, the first person you are going to see is the police for a fire, flood, and wires down. Shootings are up by 90% in New York City, 15 miles away. The Police Chief makes a good salary to run the police department and he is the one who needs to run it. Whether you like it or not, bad things happen. They should concentrate more on training and supporting the police, especially today, where everybody is against them. He believes that everybody on this Board probably has zero problems with the police department. Bottom line is you have to remove some of the politics out of it at this point and let the police be the police. He thinks it’s ridiculous that you’re reinventing the police department, he thinks its fine.

Mark Fry, 36 Highland Avenue, Ossining, New York, noted that on October 28, 2020, he sent a letter to the Board of Trustees on behalf of the Tarrytown Legacy Connection regarding the reduction of the time for public comment and we haven’t received a response to that letter. He asks kindly for a response. He knows the Board is working hard on these issues and he does appreciate all of the hard work. Some of the public do a lot of research and have some fairly substantial comments to make. Dr. Friedlander put

together a 50-page report with 11 pages of text and to restrict his comments on that issue to three minutes is pretty difficult. He would like the Board to consider restoring a longer time for people to speak.

Robert Wingate, N. Broadway, noted that he wanted to offer a quick description of what you may have heard about that took place this weekend, which was the discovery that one or more individuals came through to put out some kind of display of hate items in both Villages here. To give you a sense on how some of us responded in the community, he offered the opportunity if the Board would like a more extended conversation, he can offer that in executive session, due to private conversations. He thanked the people in the community who went out and found these items, which did include a couple of swastika-like images, especially in the Village of Sleepy Hollow. We were volunteers who heard and saw that somebody had gone around and placed images of hate around our community and simply wanted to go out and see what had happened. We discovered there were quite a few. We gathered more people and talked to the Sleepy Hollow Police Department. Over the course of this weekend, we really had an ad hoc working group of leaders who came together, some on the school board, there were folks who are part of the Town of Greenburgh Human Rights Commission, who were very supportive and really helped guide us as to who to talk to along the way and members of the police committee. We learned a lot from listening to the police department and a lot about community relations. This is a great example for all of us in the community to be able to see the police department's work and to better understand what those intersections can look like when we are dealing with non-armed situations, but where there's a need for supporting underserved populations. There was a swastika-like item in front of Morse School. When we saw the first swastika or two, it made us realize how serious this was and we wanted to talk to the police department. He thanked the Tarrytown and Sleepy Hollow Police Department for all the time they spent with him today. Both Village's leadership groups reached out, Deputy Mayor McGovern and Mayor Ray and working with the County as well. We want to make sure that we have ways to present a united front against hate across the community and we look forward to working with you and other entities to find ways to keep doing that. We will not accept that here.

Kai Yamamoto, Browning Lane, noted that he supported the Tarrytown Police Department significantly, this is an outstanding organization, very professional. For the committee that is looking to disarm the police, he strongly suggests that the police department put out a citizen's academy type scenario where those members can actually understand use of force and go through the firearms training simulator and see how the split second decisions are made. There's plenty of YouTube videos where outspoken members of the community talk about how police should respond and then when placed in that same position, they end up doing the exact same thing that a police officer would do, given the cursory training that they're given going into the situation. He thinks that would be something that would be a very beneficial thing for the community to see, not just for the police committee members, but for all members of the community.

Trustee Brown noted that the training that Kai spoke about sounds interesting for people to understand the work of a police officer. She asked her colleagues on the committee, Trustee Zollo and Trustee Rinaldi if they recall anyone bringing up that we should defund or disarm our police force. People spoke about handling mental illness differently, but she is not sure that those two points that John Stiloski and Kai Yamamoto brought up were actually said during those meetings.

Trustee Zollo noted that a couple people brought up to disarm the police department. We responded that it is not in consideration and not an option.

Trustee Rinaldi noted that he thinks people were talking about if the police can be unarmed in certain situations and it was explained why that really couldn't happen. He

thinks people understood that and it wasn't something that there was a particular disagreement about. It was just brought up as a point of conversation as we were supposed to be discussing all kinds of things.

Trustee Brown noted that the discussions have been very productive and pretty uplifting for the police and the community so far.

Dylan Basescu, a former Sleepy Hollow resident, noted that he would like to respond to the reference of the police as paramilitary as needed to do their job. His family came to this country a little more than 100 years ago, about 150 specifically to escape paramilitaries in Eastern Europe. It's frankly troubling and a bit terrifying to him to hear language, favorably referring to our police forces as paramilitaries as if we're part of the military. It is a crucial benefit for the United States that our military and our police forces are strictly separated. It's something that's kept our country safe a number of times. He shudders to think that anyone in this fine Village would even dare to suggest that our police should behave anything like a paramilitary, like we've seen in so many totalitarian despotic states. When we talked about the police needing to be let off the hook a little bit to do what they think is prudent, the police primarily in a just society have three jobs. One, to protect people from imminent danger, that's why they carry guns, two, is to bring people into the justice system, not to administer justice themselves, and three, they are there to do what the Village tells them to do, they are not out there as punishers, they are not out there to make executive decisions. Their job is to keep people safe, bring people into the justice system unharmed and do what they are told. Any suggestion to the contrary is un-American.

Terrence Murphy, 20 Kaldenberg Place, noted that he supports the Tarrytown Police Department. Police Chief Barbelet is an extremely qualified individual as well as his officers. He has lived here for 45 years and the police have been nothing but professional and community oriented. We should support our police department so that they can continue to do the fine job that they are doing.

Dolf Beil, 104 Main Street, noted that he would like the Board to think of a way of depolarizing the conversation about this zoning business. When he looks at the opposing views, he finds out that people are not really very far apart and he would like to hope that there is some way of facilitating some type of compromise. The work sessions that were held during the comprehensive plan that he attended were terrific. He feels putting limits on time, inflames the situation, rather than moves in the direction of trying to work together to achieve a common goal. Just a thought. He appreciates the job the Board is doing.

Mike Love, Main Street, noted that he had asked a question at the last Board meeting and did not receive a response. What will be the function of body cameras, will they be cloud based, will they be holster activated, will they be activated via the actual call for that officer, and is everything going to be real time?

Assistant Administrator Ringel noted that we are going to be putting together a presentation on the police body worn cameras including a demonstration video that will answer your questions.

Trustee Zollo noted that the Police Chief is going to be making a presentation on Zoom. If anybody wants to see the camera, they can go to axon.com, it's the body three camera and you can see all the features.

#### HAPPY NEW YEAR

The Mayor and the Board of Trustees wished everyone a very Happy New Year.

ADJOURNMENT

On the motion of Trustee Hoyt, seconded by Trustee McGovern, the meeting was adjourned at approximately 10:30 p.m. by vote of seven in favor, none opposed.

Carol A. Booth  
Village Clerk