

Board of Trustees  
Village of Tarrytown  
Regular Meeting No. 30  
February 20, 2007 8:00 p.m.

PRESENT: Mayor Fixell, presiding; Trustees, Basher, Butler, Hoyt, McGee, and Pollack; Village Administrator McCabe; Village Treasurer Hart; Village Engineer McGarvey; Police Chief Brown; Recreation Supervisor Arduino; Village Attorney Shumejda; and Village Clerk Booth

ABSENT: Trustee Zollo

The meeting began with the Pledge to the Flag.

ADJOURNMENT OF GRIEVANCE DAY

Trustee Basher moved, seconded by Trustee Pollack, and unanimously carried that the following be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby concurs that property tax grievance proceedings were opened on Tuesday, February 20, 2007 at 4:00 p.m. and are hereby closed, and

BE IT FURTHER RESOLVED that all grievances be referred to the Assessor for a written report on or before April 2, 2007. The assessor is hereby authorized and directed to arrange for hearings with taxpayers who have requested same,

THREFORE, BE IT RESOLVED that Grievance Day adjourns at 8:00 p.m. on February 20, 2007.

PROCLAMATION – DR. KATHRYN W. DAVIS DAY

Mayor Fixell read the following proclamation in honor of Dr. Kathryn W. Davis, who is celebrating her 100<sup>th</sup> Birthday on February 25<sup>th</sup>.

Whereas, Dr. Kathryn W. Davis, a longtime Tarrytown resident and world-renowned philanthropist, is celebrating her 100th birthday this month; and  
Whereas, Dr. Davis is a major supporter of the arts, education, genetic science, health care, environmental conservation and global peace initiatives around the world; and  
Whereas, Dr. Davis along with her husband, the late Shelby Cullom Davis, has supported Phelps Memorial Hospital for decades; and  
Whereas, Dr. Davis continues to lecture audiences, still sharing her vast knowledge and admirable energy with education and civic groups; and

Now therefore be it resolved that I, Drew Fixell, Mayor of Tarrytown, New York, in recognition of a lifetime of devotion to making the world a better and safer place, thank and commend Dr. Kathryn W. Davis and hereby declare

February 25, 2007  
Dr. Kathryn W. Davis Day  
In the Village of Tarrytown

REPORTS

Mayor Fixell noted that we had experienced a very difficult snow storm that lasted a long time and was very icy. Our Department of Public Works did a yeoman's job working through the night. It was complicated by the fact that there were two water main breaks that took place at the same time. If there are some places that haven't had their snow removed yet, they will get to it shortly. Mayor Fixell thanked everybody who worked so hard and long hours under tough conditions; it was a very tough storm.

Trustee Hoyt stated the following:

- The ice skating season opened and unfortunately it only lasted seven days, but we did hand out 585 skating buttons. The storm on the 14<sup>th</sup> of February put a damper on the season.
- The Spring/Summer 2007 Recreation brochure will be mailed out to all the residents by the 2<sup>nd</sup> week of March.

Trustee Pollack stated that the Tarrytown Seniors celebrated their annual Valentine's Day party this past Friday, over 125 seniors attended and had a great time. If you are a senior citizen and are looking for something to do, please go down and spend a day at the senior center; they are a very active group.

Administrator McCabe reported on Metro North regarding the Tarrytown railroad station and the building. With respect to the building, they haven't been able to rent it because perspective tenants are looking at a \$1 million or \$2 million worth of renovations. So they decided to do the renovations themselves and then try to rent it out to a restaurant/coffee shop. There will be a waiting area, vending machines to buy train tickets and public bathrooms. They intend to design these improvements this year and will present the design for review and comment to the Mayor and Board of Trustees and to the State Historic Preservation Office and then begin constructing and renovating the building in 2008. With respect to the station platform and overpass, they are now scheduling those renovations for the summer of 2009. However, the Mayor has directed me to send a letter to try and encourage them to do it sooner given the very poor condition of the overpass.

RESOLUTION STATING THE BOARD OF TRUSTEES DECLARATION OF  
ITSELF AS LEAD AGENCY FOR THE PURPOSE OF THE STATE  
ENVIRONMENTAL REVIEW ACT (SEQRA) REVIEW OF THE PROPOSED  
TARRYTOWN COMPREHENSIVE (MASTER) PLAN

Trustee McGee moved, seconded by Trustee Basher, and unanimously carried that the following be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown, having received no objection to doing so, hereby declares itself as lead agency for the purpose of the State Environmental Quality Review Act (SEQRA) review of the proposed Tarrytown Comprehensive (Master) Plan.

PUBLIC HEARING REGARDING THE DRAFT TARRYTOWN  
COMPREHENSIVE (MASTER) PLAN

Trustee Pollack moved, seconded by Trustee Hoyt, and unanimously carried that the public hearing be opened.

**PLEASE TAKE NOTICE** that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 20<sup>th</sup> day of February, 2007, at 8 PM, in the Municipal Building, 21 Wildey Street, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed Comprehensive Plan for the Village of Tarrytown. The purpose of the Comprehensive Plan is to guide policy and land use decisions in the Village of Tarrytown over the next ten to twenty years. It will provide an overview on Tarrytown as it exists today, identify the Village's vision for its future, and provide a roadmap for achieving that vision.

A copy of the proposed Comprehensive Plan is available for public review at the Office of the Village Clerk and the Warner Public Library.

**BY ORDER OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF TARRYTOWN**

Frank Fish, Tarrytown's Planning Consultant, stated that this Comprehensive Master Plan project is on schedule and this public hearing is the last item to cover. The draft Comprehensive Master Plan was submitted to the Board of Trustees in December of 2006. It has been available at Village Hall and the Warner Library for approximately seven weeks prior to this public hearing. It was also discussed at 2 prior work sessions. The future land use plan in Chapter 10 of the report has recommendations and priorities. In terms of the next steps, only the Board of Trustees can be lead agency because only the Board can adopt a comprehensive plan. In January, the Environmental Assessment Form has been distributed to the County and to the surrounding municipalities. After tonight's public hearing, the Board would be in a position to make a determination of significance, whether adopting this plan may have any significant adverse impact on the environment. If the Board decides it doesn't, then the Board can make a negative declaration and that ends SEQRA. If the Board decides it does, then we have to evaluate that in a generic environmental impact statement. Any public comments made tonight may require revisions to the plan. Once the revisions are made, the Board will be in a position to adopt the plan.

Mayor Fixell stated that there is an extensive list of short term and medium term recommendations in the plan. Such items as looking at further controls on the size of homes that come into existing neighborhoods, developing a strategy for the Tarrytown Lakes including an overlay zone, recommendations for a Route 9 study to reduce traffic congestion, Tappan Zee Bridge DEIS alternatives to work with the State Department of Transportation, exploring potential for designated portions of Marymount as historic landmarks, prohibiting residential use within the office business district. There is a long list in this plan that was put together with a tremendous amount of public input. Mayor Fixell also stated that the Board will probably be closing the public hearing tonight, but we will be accepting written comments up until next Wednesday, February 28, 2007, at close of business.

Ron Tedesco, Tarrytown Planning Board Member, stated the following detailed suggestions on what priority items the Planning Board would like addressed in the Master Comprehensive Plan:

1. Neighborhood Character  
Development of specific steps to facilitate the construction of new homes which are in keeping with the surrounding neighborhood context. In addition to the consideration of the home size, what are the unique neighborhood characteristics we should be protecting and preserving? Work of the Planning and Zoning Committee is vital to this.
2. Marymount College Property  
Suggestions for protection:
  - a. Scenic overlay zone
  - b. Drainage basin of the Tarrytown Lakes (part of both a Village and Westchester County Critical Environmental area) covers a significant portion of the Marymount campus.
  - c. Local Historical Designation for the domed Butler Hall Building on the Marymount campus – based on architecture, setting (it is the Tarrytown Landmark pointed out to passengers on tour boats on the Hudson River), and the quality of the building interior with its marble columns and floors, vaulted ceilings, spectacular fireplaces, etc.
3. Local Historical Designations  
Consider for other properties, e.g., Belvedere Estate and the Wachovia Bank Building on Rte. 9 and Broadway.
  - a. Adaptive re-use of buildings should be emphasized, with suggestions for specific buildings, e.g., a bed and breakfast for the Belvedere House.
4. Public Access from Broadway to the Westchester County Heritage Park through the Belvedere Estate should be provided. A plan for this park that will benefit Village residents should be developed.

## 5. Traffic

- a. An overriding problem for the Village.
- b. It will worsen, given planned future development.
- c. Many villages in our area face this problem. Traffic planning needs to be an inter-municipal endeavor, with participation of Village officials, consultants and Department of Transportation.
- d. Village signage directing drivers to parking lots should be enhanced.
- e. Discussion and timely decisions on the provision of additional parking lots in the Village (e.g., McKeel Avenue, Washington Street, behind CVS, etc.).

## 6. Ferry Landings Access

The following suggestions:

- a. Consideration of a loop “trolley” to bring people into and out of the site, so that parking/driving is not a barrier to public use, with stops also in the upper Village for merchants and other points of interest.
- b. In the future, there could be inter-municipal use with Sleepy Hollow, costs being shared by both Villages.

## 7. Refinement of the total build-out analysis provided in the Draft Comprehensive Plan by taking into account:

- a. Wetlands,
- b. Steep slopes, and
- c. Other factors that will determine realistic build-out numbers for a given site.

## 8. Form-Based Zoning

Should be considered, and studies of neighborhoods should be done early on to get a sense of setbacks suitable for a given neighborhood.

## 9. Floating Zones

Work should be initiated to set up appropriate floating zones for affordable (workforce) housing, and Senior Housing.

## 10. Overlay Zones

Plans for these zones, where appropriate, as well as incentive plans that would benefit both Village and developer, should be developed in specific detail.

## 11. Deer

The Village is concerned about the increasing number of deer encroaching on residential areas.

- a. Lyme disease is a most significant concern, as well as damage to plant life, in particular to new tree sprouts.
- b. Maintenance of deer habitat and deer corridors away from existing residential areas should be a factor addressed in future development.

## 12. Environmental Issues

Many should be addressed in greater detail, including, but not limited to:

- a. Air quality, noise and other issues related to the plans for the new Tappan Zee Bridge and related facilities, whose construction will span a ten-year period or more.
- b. The use of green technology and green buildings.
- c. The current shortage of Village land designated for active recreation.

## 13. Tarrytown Lakes

Early Priority Actions:

- a. Immediate implementation of the PCI recommendations for the treatment and monitoring of the lakes.
- b. Restrict use of phosphate fertilizers in the watershed. Require the use of organic low-phosphate or non-phosphate fertilizers.

- c. Enhance public understanding of what individual property owners can do
  - i. Develop a brochure for homeowners dealing with pesticides and phosphates.
  - ii. Provide information on the Village website.
  - iii. Education prompts compliance, particularly when effective natural alternatives are presented.
- d. Fill current and future catch basins with sumps to remove or capture pollutants before they get into the lake water.
- e. Relocate the Village-operating composting area to prevent the leaching of phosphates into the lakes.
- f. Develop and execute a long-term plan to discourage invasive plant species and to encourage the restoration of native species.
  - i. The Planning Board in its recent and all current approvals requires the use of native species and non-invasive ornamentals in all landscaping plans. The Village Landscape Consultant must approve any exceptions.

#### 14. Communications Committee

Establish a Village Communication Committee whose function would be to develop and to oversee continuing improved communication between the Village and its residents, with a particular emphasis on the use of modern electronic capabilities.

#### 15. Specific Recommendations and Periodic Review

The last chapter of the Comprehensive Plan will deal with specified recommendations and should contain steps/strategies to achieve them with suggested priorities/timelines. It should also include a procedure for periodic review of the plan.

- a. This review would address:
  - i. Progress in the implementation of the recommendations.
  - ii. Changes and additions to the plan that at the time of the review are agreed to be needed.
- b. A brief review containing these elements should be done annually. Even if no significant changes are anticipated, this annual review will serve to inform new members of the various Boards, as well as to remind continuing members of its content.
- c. More significant revisions should be made every five or ten years as conditions warrant.

#### 16. Phase II with Detailed Implementation Plan

After the approval of this General Comprehensive Plan now proposed, there should be a Phase II of the Comprehensive Plan Process, in which a Detailed Implementation Plan will be produced. This should include the needed regulations, zoning changes, and other measures necessary to carry out all the recommendations made according to the agreed upon prioritized schedule.

##### Example of No. 16 “of level of detail”:

##### McMansions

##### 1. Tweak Floor Area Ratios

Look at recent experience of applications in Tarrytown and use current marketing experience in making an adjustment.

##### 2. Neighborhood

Choose a given radius surrounding a proposed home, e.g. 500 ft., Determine the average size of homes in this area (neighborhood) and require that any new home (or old home + new addition)

does not exceed the average by a certain percentage, e.g., 50%, or, more conservatively, and probably more desirably, 25-30%.

### 3. Planning and Zoning Committee

The Planning and Zoning Committee is also working on other detailed suggestions in this area of home size.

Roger London, 185 Wilson Park Drive, stated that the Board should be commended on all the work that went into the Master Comprehensive Plan. Some of the things that are in this document to protect the Lakes seem a little late if the Board is going to put 14 houses in the watershed, an environmentally critical area. Why would you add development which will have a negative effect on the financial well being of the Village. Mayor Fixell stated that 1) We don't own the land. 2) The Planning Board has been very involved in developing storm water run-off plans and control plans that are designed specifically to protect the Lakes. We had Dr. Paul Mankiewicz from the Gaia Institute, who is one of the leading authorities on protecting water courses and bodies of water. He presented information suggesting that clearly the land was able to be built with a relatively small number of houses, which is a total of 14, but actually only 7 – 9 in the watershed area. The Planning Board is working very hard on designing a storm water plan that could in fact improve the quality of the Lakes.

Angela Schneider, 16 Fairview Avenue, stated that the Village owns part of the woodland which is between the Lakes and the land that is owned by the developer. Therefore, the Village should be looking after the land or the water that abuts the land that the developer owns. She stated that Hudsonia Ltd. and Professor Erik Kiviat are an environmental and wildlife organization situated at Bard University. They're expertise and credibility can be equated to that of Dr. Paul Mankiewicz from the Gaia Institute. Ms. Schneider read a letter from Erik Kiviat, Ph.D. to the Tarrytown Conservation Committee dated February 9, 2007, which is attached to the minutes. She submitted this letter to the Planning Board, Dr. Carole Griffiths and Kathy Knight at the Planning Board staff meeting. At that time, she requested an independent wildlife study be conducted. Unless there is an independent study carried out, there will be no accurate recording of the habitat in that area. This means that no one can accurately evaluate the impact that development would have on the eco-system which includes the Lakes. We also discussed the ventilation system for drainage in Wilson Park. The Tarrytown Conservation Committee has asked both the Planning Board and the Board of Trustees for this ventilation drainage system to be explored with the specifications of the pipes made known. The system is on Wilson Park land and ultimately has a direct impact on the Lakes. Again, she requested that the year long study be conducted on the Lakes.

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried that the public hearing be closed.

### OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD: SPEAKERS HAVE 5 MINUTES BEFORE YIELDING TO THE NEXT PERSON: THEN 3 MINUTES FOR ADDITIONAL COMMENTS

Angela Schneider, 16 Fairview Avenue, stated that the Tarrytown Conservation Committee represents a lot of people in the two Villages and we have now over 3,100 signatures supporting us to save the lakes and the wildlife.

### APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON FEBRUARY 5, 2007

Trustee Pollack moved, seconded by Trustee McGee, and unanimously carried that the following be approved: Approved: 7-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby approves the minutes of the regular board meeting held on February 5, 2007 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS #15

Trustee Basher moved, seconded by Trustee Pollack that the following resolution be approved:

RESOLVED: The following Abstract bearing No. 15, dated February 20, 2007 containing Vouchers No. 003100 through No. 003268 is hereby ordered paid in the following amounts as presented:

General	\$ 127,089.25
Water	52,636.19
Capital	670,668.53
Library	4,072.58
Trust & Agency	<u>171,523.18</u>
Total	\$1,025,989.73

The Board was polled all voting “aye” with the exception of Trustee McGee who abstained from Voucher Numbers 003155, 003210, 003249, 003250, and 003251 and Trustee Hoyt who abstained from Voucher Number 003166, 003167, 003232, and 003263 Motion carried 7-0.

ADJOURNMENT

Trustee Basher moved, seconded by Trustee Hoyt, and unanimously carried, that the meeting be adjourned at 9:00 p.m.

Carol A. Booth  
Village Clerk