

Larry Schopfer

From: Scott Sykes
Sent: Friday, March 16, 2018 9:00 PM
To: Brian Smith; Larry Schopfer
Cc: Deb Hargraves; Diane R. Lowry - Ardsley Park Property Owners Association; Robert J. Brown Esq.; Ron Cherry; Alan M. Edelson MD; Eliza McDougall; Catherine K. Diao; Nicholas Moore; Claire Hallock; Mai Spurlock Sykes
Subject: Sykes (3 Clifton) Response: event spaces at large, older homes
Attachments: 18Mar_Irvington Party Houses.docx

Hello Brian and Larry,

Unfortunately Mai and I are out of town next week and can't attend Wednesday's meeting regarding the Village's Comprehensive Plan.

We have experienced the use of historical residences as event spaces on our street and have strong opinions about the negative externalities on our neighborhood. Please find our attached letter discussing this topic. We'd like it introduced into the record and hope you consider its merits.

Best,

Scott and Mai Sykes

3/16/2018

Mayor Brian Smith
Village Administrator Larry Schopfer

Re: Using historically significant residences for such uses as weddings, parties, tours, and lectures.

We are disappointed the Village has decided to recommend that owners of large, older homes be allowed to host commercial parties for profit. This will transform our tranquil neighborhood into a commercialized zone that negatively impacts its character, livability, and safety. By allowing commercial usage of residential homes you are permitting some residents to profit at their neighbors' expense. Those who respect the domestic nature of their neighborhood will see a negative impact of rezoning on their home's value without the benefit of commercial income. It is thus an unfair transfer of wealth from those who bought into a residential neighborhood to raise their families to a few profiteers who make money to the detriment of their neighbors. It could also negatively impact the tax base of the village if home values drop due to rezoning, which could very likely occur.

Our home is located at 3 Clifton Place. Shortly after we moved in, a new neighbor introduced himself and declared *"You've landed in real clover. The best place in Westchester!"* We couldn't agree more. Our street is quiet, graceful ancient trees lend equanimity, and yet we are an easy walking distance to Ardsley-on-Hudson train station, and both Irvington and Dobbs Ferry villages. We didn't have to move from LA to Irvington. We chose to move because we fell in love with this neighborhood.

But now Ardsley Park is unfortunately already feeling the strain of commercialization. The large residence at 2 Clifton hosts parties. Lots of them (see AirBnB). Sometimes they are small and sometimes they are large. And frequently the guests party hard. They drink, yell, and play loud music. But it's not the guests' fault. In good faith, they paid top dollar for an event space. Our question is why would we ever invite this element into our Irvington residential neighborhoods?

From firsthand experience, these out-of-town partiers are a nuisance at best and dangerous at worst. Traffic increases, strangers become lost and wonder onto our property, garbage accumulates on our street, including condoms and cigarette wrappers, and the noise – music, shouting, microphones – is the worst. We don't even feel safe allowing our kids to ride their bikes when events take place at 2 Clifton. Impatient Porsches beep at our children and lost men stroll across our yard asking for direction to 2 Clifton. We've had 4 people actually walk into our house thinking they'd arrived at the party. This is not why we moved to Irvington!

The worst are weddings. These tend to be large events, with lots of cars and the most noise. The music has been so loud at times that my daughter, whose room faces 2 Clifton, can't fall asleep. Items on her shelf are literally rattling to the base beats. We've had a large man with large gold chains smoking in front of our house ask me "what are you looking at..." When I politely but firmly told an Uber driver he had the wrong house and to please leave my driveway, I was threatened "you better watch your back." Seriously, Irvington, is this our future?

We feel strongly that allowing commercial events to take place in our neighborhood isn't fair. Who benefits? Homeowners who create cool event spaces. Who loses? Everyone else. When we bought our

home we didn't know the Village would allow a commercial event space to sprout across the street. There's absolutely no way we would have bought this property had we known!

The Village must seriously consider the negative spiral of events that could occur. If the economics of an event space work for 2 Clifton, they will work for other properties. There isn't a lot of supply (most communities in the metro area ban this type of activity in purely residential neighborhoods) and demand is great with NYC less than 20 miles away. Soon we could find many hotspot commercial zones emerge within our neighborhoods. One could envision vast transfer of wealth to those willing to commercialize their properties from those who simply seek a quiet place to call home and raise a family. Over time we suspect this will lower the attractiveness of moving to Irvington for many potential families and consequentially pressure home values throughout the Village. We picked Irvington over Manhattan, Brooklyn, Larchmont, and Santa Monica CA. We have a great thing going here and are very worried this zoning change could change much of what makes Irvington special.

We reject the claim that older, large homes can't be maintained without commercializing them. That's bogus. There are countless homes in Westchester and Manhattan that are far more expensive than homes in Irvington, and there are a ton of people of means who can afford them in the NYC area. If through misfortune or improvidence a home becomes too expensive, these homes will all sell. There are buyers out there at realistic prices. We own a large, old home. It isn't cheap to maintain. But we love it. We spend what we must to keep her in good condition, as does everyone in the neighborhood. If we could no longer afford the upkeep or didn't see the benefit, we'd sell it. We'd never ask the Village to commercialize our property and annoy our neighbors and diminish their property values merely to allow us to afford possession. That would be incredibly unfair to everyone else in Irvington. It's a perverse form of social welfare that benefits some of the wealthiest people in our Village at the expense of entire neighborhoods.

There are many large, older homes in Ardsley Park. We believe neighborhoods like ours could be more negatively impacted than some other areas in the Village. Given the disparate impact, we think residents of each neighborhood should determine whether homes in their area should be allowed to hold commercial events. At the very least, we recommend allowing Ardsley Park residents to determine the nature of their neighborhood – Ardsley Park families should decide whether or not event spaces are allowed in our neighborhood.

We obviously feel strongly about this matter. We bought our home on assurances our neighborhood was a residential street. We've already experienced what's it's like to have a party house across the street. Frankly, it's horrible. It impairs our enjoyment of our home and its value. If the Village permits such activity in our neighborhood, we will unfortunately have no choice but to consider retaining legal counsel and opposing this measure most vigorously.

Best regards,

Scott and Mai Sykes
3 Clifton Place



ARDSLEY PARK PROPERTY OWNERS ASSOCIATION, INC.

Box 93

Ardsley-on-Hudson, N.Y. 10503

March 19, 2018

Hon. Brian Smith and the Board of Trustees
Village of Irvington
85 Main Street
Irvington, NY 10533

RE: COMMENTS ON DRAFT COMPREHENSIVE PLAN

Dear Mayor Smith and the Board of Trustees,

Thank you for the opportunity to formally comment on the draft Comprehensive Plan for the Village of Irvington. Consistent with our past communications to Village of Irvington's Board of Trustees (**BOT**), the Ardsley Park Property Owner's Association (**APPOA**) remains seriously concerned regarding the Village's recommendations to change the Village Code to allow for use of residences for short-term rental (Airbnb and VBRO), and, especially, allow for the use of historic homes for third-party events such as weddings, fundraisers, tours and lectures. Recent history has clearly demonstrated that the Village has consistently failed to enforce against illegal uses and their negative impacts including noise, parking, and trespassing. Rather, the surrounding property owners and community who are adversely affected by the impacts themselves must also take on the additional burdens of monitoring and reporting. Our position is consistent with our in-person comments made during BOT meetings, as well as our written correspondences, and the minutes from our Annual Meeting which were transmitted to the BOT.

In general, APPOA maintains that all property owners in a residential community share equal rights to the use and "quiet enjoyment" of their property. The Village's apparent course to increase some residential property owner's rights to allow for commercial uses is at the expense of other residential owner's rights and is wrong. It unfairly disadvantages the immediate neighbors and negatively impacts the surrounding community. No property owners should be able to benefit economically over the rights of their neighbors. Selectively altering property owner's rights for the purpose of increasing affordability while disenfranchising others is a dangerous precedent and well beyond the Village of Irvington's purview. A property owner has a real expectation that the local municipality will uphold the basic precepts of its zoning code that separates residential and commercial uses and not act arbitrarily and capriciously to inequitably alter them.

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Village of Irvington Board of Trustees
Comments on Draft Comprehensive Plan
March 19, 2018

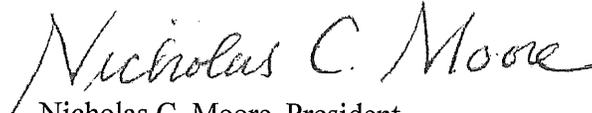
The BOT knows well that Ardsley Park has had recent experiences with the detrimental effects of allowing commercial uses inside of our historic, residential community. At APPOA's urging, Scott and Mai Sykes of 3 Clifton Place, have submitted formal, written comments to the BOT as part of the Public Hearing process dated March 16, 2018. The Sykes detail their first-hand experiences with nuisance-like impacts of noise, property trespassing, family safety concerns, traffic, and garbage that are all related to their neighbor's unlawful use of his residential property for commercial purposes.

Notably, during this time, neither Airbnb, nor allowing historic residences to be used as event spaces are permitted under the Village's Code. Despite multiple complaints to the Village from the Sykes, other impacted neighbors, and APPOA, itself, this noxious use has continued for years. The Village is still yet to take adequate action to enforce its local laws and relieve the Sykes of these unlawful impacts. Today, the Sykes fear the approach of the coming warm season when they are convinced that these commercial-based impacts will unquestionably escalate. It's ironic that the Village of Irvington now seeks support from its residential property owners to permit Airbnb and the use of historic residents as event space which would legitimize the noxious uses of the Sykes' unlawful neighbor. As a result, the Sykes, who see no relief in sight, are discussing putting their house up for sale.

APPOA is a 97-year-old neighborhood organization that works to enhance a sense of community and to represent and protect homeowner's interest within the historic boundaries of Ardsley Park. With the expansion of Mercy College, the commercialization of the Ardsley-on-Hudson Train Station, Ardsley Park is feeling the considerable strain of commercialization within its historic, residential boundaries. Permitting Airbnb and allowing historic properties to be used as event spaces is another enormous step on the commercialization continuum resulting in the decline of our residential community. As in the past, APPOA is resolved to protect its time-honored historic park boundaries from the unwanted impacts of commercialization and will be a strident advocate in doing so. We appeal to the Village of Irvington to protect, enhance and celebrate one of its most quaint, residential historic communities and abandon its current contradictory role as the leading advocate for a negative change.

Thank you for the opportunity to comment and for bringing this bringing this important matter to our attention.

Respectfully yours,
Ardsley Park Property Owners Association, Inc.


Nicholas C. Moore, President

Mr. Larry Schopfer, Irvington Village Administrator

Draft Comprehensive Plan Recommendation

Restripe Broadway for safety, traffic calming, and maintaining Village aesthetics

My name is Edward C. Ball and I live here in Irvington at 35 South Broadway, Apartment N6. I am retired and my professional background includes access (traffic flow as well as safety for students, pedestrians and bicyclists), parking, and transit services.

I am a newcomer to Irvington and join other residents in their concern for the Broadway traffic's impact on the quality of life in Irvington. The Draft March 2018 Comprehensive Plan Update raises issues including speed and safety on Broadway. I believe that a simple restriping of Broadway throughout the Village will address, and possibly resolve, all of the safety and traffic issues raised in the Draft.

Currently,

- Entering the Village from the north, people are driving on a two through lane road with a two-way turning center lane before driving on a four-lane road until they get to St. Barnabas;
- From St. Barnabas to Sycamore, Broadway is a two through lane road with left- and right-turn lanes at Main Street and on-street parking from Main to Sycamore;
- From Sycamore to exiting the Village to the south, Broadway is a four-lane road until it becomes a two-lane road with on-street parking at the Dobbs Ferry High School.

Restriping Broadway will result in a two through lane road, with a two-way left-turn lane in the center and designated north / south bike lanes plus room for sidewalks on both sides of Broadway.

Recommendation,

- Recognize that the two-lane roadway at Main Street in Irvington, in Tarrytown at Lyndhurst Mansion, and in Dobbs Ferry at the high school constrict, but do not eliminate or stop, the volume of commuter traffic flowing through Irvington each day;
- Improve safety on Broadway and reduce the average vehicle speed to about 32 – 36 MPH, without impacting traffic operations, by establishing 10' travel lanes throughout Irvington (<https://nacto.org/publication/urban-street-design-guide/street-design-elements/lane-width/>);
- Decrease the probability of serious vehicle-pedestrian collisions by reducing the Broadway crossing distance by establishing 10' travel lanes, with a center 10' two-way left turn lane that will become a "pedestrian safety zone" throughout Irvington (<https://streets.mn/2015/11/03/chart-of-the-day-lane-width-vs-speed-on-suburban-streets/>); and,
- Restripe Broadway throughout Irvington so there is consistency in roadway design for drivers – at the center-line of the roadway paint a 10' two-way left turn lane with a 10' drive lane for vehicles on either side. This will leave room for 4' clear sidewalks and 5' bike lanes on both sides of the traffic lanes (https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/hdm-repository/chapt_02.pdf)

Please contact me via cell _____ or email _____ should you have questions or suggestions. Thank you.



16 March 2018

Village of Irvington
85 Main Street
Irvington, New York

Regarding: The Village of Irvington Comprehensive Plan Update

Dear Mayor Smith and Members of the Board of Trustees,

The Irvington Historic District Committee supports the Comprehensive Plan Committee's draft recommendations regarding preservation and enhancement of the historic character of the Village to be considered for inclusion in the updated Comprehensive Plan. In particular, regarding the Historic District, we encourage approval of the following recommendations:

The Zoning Code should be amended to recognize the "built reality" of the Historic District and reduce the need for automatic Zoning Board applications for variances. This subject remains an important concern for the IHDC, and we would like to assist in the Board's review and consideration of recommendations from the Comprehensive Plan Committee and qualified zoning consultants engaged by the Village.

Adopt procedures to reduce the time and expense of processing applications for renovation projects in the Historic District

Adopt incentive provisions to benefit property owners who wish to maintain the historic and architectural character of their properties and encourage them to consider engaging in the local landmark process.

Efforts should be made to eliminate utility lines constructed above ground on Main Street.

Continue to provide educational support and resource information on materials and services that could *assist property owners with improvements, alterations or renovations of historic properties.* The IHDC would like to offer some additional recommendations for the Board's consideration.

We thank you, the Village administration, and the Comprehensive Plan Committee for your efforts to preserve and enhance our beautiful community.

Earl Ferguson, Co-Chair & Members of the Historic District Committee

cc: Lawrence Schopfer, Village Administrator

Larry Schopfer

From: Bruce Keltz
Sent: Thursday, March 22, 2018 11:04 AM
To: Brian Smith; Larry Schopfer
Subject: 2018 Comprehensive Plan

As long time residents of Hudson House we are strongly opposed to the following components of your 2018 Comprehensive Plan:

1) Modernize the Zoning Code's provisions on on home occupations (Airbnb and VRBO) in residential districts.

2) Special events such as weddings, fund-raising events, tours and lectures, should be permitted, by special permit, in formally designated historically and/or architecturally significant residences.

Our experience with one such residence last summer was sufficient for us to voice our opposition to the use of any residence for the purposes expressed in 1) and 2) above.

In simple terms residences are to live in and not for business ventures.

Respectfully submitted,
Bruce and Barbara Keltz

Larry Schopfer

From: anne altman
Sent: Thursday, March 22, 2018 1:53 PM
To: Brian Smith; Mark Gilliland; Connie Kehoe; Larry Schopfer; Larry Lonky; Janice Silverberg
Cc: Larry Schopfer
Subject: Irvington's Comprehensive Plan

Dear Mayor Smith and Board of Trustees,

That the Village of Irvington has considered an environmentally-conscious idea like bee keeping is an extremely exciting and progressive step! Giving wildlife a place in our overdeveloped cosmetic landscapes is crucial to their survival (and ours). But without enforced laws to protect hives - let alone the human population (residents *and* crews) - from the dangers of pesticides and highly-polluting industrial machines like gas mowers and blowers, bee keeping is impossible to suggest. One can't keep honey bees if a neighbor has a contract with a mosquito service spraying pyrethrins - compounds toxic to bees, ducks, aquatic life, and a myriad of other invertebrates.* To suggest residents would need insulation from neighboring bee hives is misinformation in a critical time when our food pollinators need all the help they can get.** Nature needs protection from mankind and not the other way around.

"Sustainable happiness," according to Catherine O'Brien is happiness that contributes to individual, community, and/or global well-being and does not exploit other people, the environment, or future generations." In Elin Kelsey's book "Not Your Typical Book About the Environment," she reveals the results of Professor O'Brien's global study, Top Ten Qualities of Delightful Places:

- 1) A pleasure to walk or bike through
- 2) Peaceful
- 3) Beautiful
- 4) Appealing to kids, adults and seniors
- 5) Lots of nature and green spaces
- 6) Welcoming
- 7) Lovely sounds of water, the wind, silence, people talking, and birds
- 8) The smell of earth, water, flowers and food
- 9 A perfect place to relax
- 10) Endless opportunities to camp, canoe, garden, hike, swim, nap or simply think.

If a comprehensive plan is a plan for the future, Irvington must have forward-thinking, far-sighted goals. Where to start? Due diligence, observing the world around us, paying attention to our own habits, and doing things differently. We can learn from Bedford's ambition to reduce carbon emissions 20% by 2020 with programs which include the promotion of healthy, ecologically-responsible, yard maintenance. We can look to Rye for their plastic bag ban, Dobbs Ferry for their success with recycling, Scarsdale with curbside composting, and states like Maine and Maryland for legislation on pesticides on private and public land. Serious traffic-calming, enforcement and penalties to discourage speeding motorists on Main Street/Station Road/Broadway are necessary. For the Village to retain the claim of "walkability," we must welcome, encourage, and protect the pedestrians.

Little changes add up. For two years, instead of tossing out his apple core at school, my 2nd grader has brought it home each day to be composted. With this one simple act, he has conservatively prevented over 100 lbs. of organic material from entering Irvington's trash haul, saving tax payer money and toll on the environment. Imagine if he had started earlier or if every student did the same thing! A Mayor and Board who lead by example to incorporate, promote, and demonstrate environmental stewardship strategies will be the keys to the cultural shift Irvington needs to be a thriving, sustainable community (and truly clean and green)!

Sincerely,

Anne Altman

* <http://pmep.cce.cornell.edu/profiles/extoxnet/pyrethrins-ziram/pyrethrins-ext.html>

**<http://pollinator.org/assets/generalFiles/NAPPC.NoFear.brochFINAL.pdf>



Virus-free. www.avg.com

March 25, 2018

Hon. Brian Smith and the Board of Trustees
Village of Irvington
85 Main Street
Irvington, NY 10533

Dear Mayor Smith and the Board of Trustees,

As a longstanding resident who has donated thousands of volunteer hours for the beautification and betterment of the Village of Irvington, I am very disappointed that you have chosen to place the interests of a few property owners, their "guests" and tourists over the well-being of our quiet, family-oriented neighborhoods and their tax-paying residents. **I strongly oppose your recommendation to change the Village Code to allow for short term rentals of private residences (via Airbnb and VBRO) and for the use of "historic homes" to host third-party events such as weddings, fundraisers, lectures, etc.**

Twenty-first century technology may have enabled the development of short term rentals; however, the current situation in Irvington can be placed entirely at your feet. You have been completely unwilling or unable to enforce the current code that clearly disallows these illegal activities. For example, the owner of the residence of 2 Clifton continues to openly and consistently flout the Village laws. You do nothing about it despite the fact that neighbors who are suffering have registered their complaints. Your dereliction of duty is appalling and gives residents of Irvington no reason to believe you would enforce any of the proposed changes—except collection of the "fees." The reality of what you propose is to place the interests of a few owners and your greed for "fees" above the welfare of the Village as a whole.

Commercialization of residential properties to satisfy personal property owners' needs, at the expense of neighbors' rights and well-being, should not be a 21st century reality in Irvington. Personal financial decisions and circumstances, such as burdensome property taxes or costly residences, may often require difficult personal decisions. However, it is not the role of the Village and its residents to share that burden. Rather, Village leadership should look for ways to reduce Village expenses. Properties may be sold, even at a loss, subdivided or even demolished if maintenance becomes too costly. However, infringing upon other residents' rights and expectations is never the solution.

Ardsley Park and other longstanding neighborhoods in Irvington represent the charm and allure of this wonderful community. These proposed changes to the Village Code will destroy this community, its property values and the appeal of living in this village.

Sincerely,

Anne Myers
5 Bertha Place

The Office of
Joseph Pell Lombardi
Architect

March 23, 2018

Mr. Lawrence Schopfer, Village Administrator
Irvington Village Hall, 85 Main Street
Irvington, NY 10533

Re: 2018 Comprehensive Plan Update

Dear Lawrence,

For 40 years, I have owned the Armour-Stiner (Octagon) House at 45 West Clinton Avenue in the Village of Irvington. The house is a National Historic Landmark, meaning that it is 1 of only 2,500 nationally significant historic places designated by the Secretary of the Interior as having exceptional qualities in illustrating the heritage of the United States. In recent years, the cost of maintenance, taxes and insurance have increased out of proportion with traditional home ownership.

I am sending you this letter in strong support of the *2018 Comprehensive Plan Update*. Specifically, I am urging you to consider the recommended goals in Chapter 4, section G "Preserving and Enhancing the Historic Character of the Village."

There is a substantial financial burden for property owners to maintain historic resources. The burdens typically require significantly more maintenance (they were built at a time when labor was inexpensive), taxes (they are often on larger parcels with tax assessments based upon sub-division) and insurance (replacement costs are prohibitive). The amendment of the Zoning Code to permit **Action Item G1**, would assist property owners in managing the financial hardship of perpetuating these historic resources. In addition, permitting owners to host events, tours and lectures would contribute to the cultural heritage of the Village of Irvington.

In order to offset some of the burden of owning a historic residence, municipalities throughout the world assist in their continuing existence by allowing museum and event use to produce off-setting income. The Village of Irvington should be applauded for their forward looking efforts to facilitate preserving its precious built environment. During the coming centuries, future Irvington residents will look back to these efforts with gratitude.

Sincerely,



Joseph Pell Lombardi

March 23, 2018

Hon. Brian Smith and the Board of Trustees
Village of Irvington
85 Main Street
Irvington, NY 10533

Comments on Comprehensive Plan

Dear Mayor Smith and the Board of Trustees,

As a resident of Ardsley Park for the last 15 years, I would like to express my strong support for the comments that Nicholas Moore has made to you and the Board in his letter dated March 19, 2018 on behalf of APPOA and its members. I echo all of the concerns Nicholas has raised.

I do not believe that the rules governing our residential neighborhood should be changed with the stroke of a pen, given that all property owners in Ardsley Park purchased their properties in good faith knowing that their homes lie within a residential neighborhood and they have thus committed themselves to being good neighbors and upholding those values. Occasionally, however, we have seen instances of neighbors trying to profit on their residences at the expense of their neighbors. This seems often to occur when a home for sale lingers on the market due to the owner's unreasonable opposition to lowering the asking price. We saw that with our former neighbor at 65 Field Terrace. When their house lingered on the market for years, they decided to supplement their income by renting their house out for movie shoots. The last movie shoot a few years ago illustrates exactly why changing residential houses into commercial venues is a bad idea. The owner obtained the necessary permit for a movie shoot, and we were advised (as required) by mail of this date/time/activity. Unfortunately, the time changed at short notice from one day to the next. The notice did refer to possible loud noises and gunshot sounds but specified that this would end by 11pm on that Friday night. That deadline was ignored, and explosions continued, despite calls to the Irvington police and eventually conversations with the officers stationed in the area apparently to monitor the activity. Those officers repeatedly stated, as time passed and 2:00 AM came and went, that they had no power to enforce the limits stated in the permit. This seemed quite puzzling to us, because if a permit's limitations can be ignored, what is the point of a permit process in the first place?

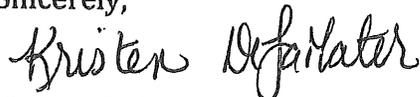
At the APPOA meeting that coincidentally was held the next weekend, I expressed my concerns to you, Mr. Mayor. You were very honest in your reaction and offered sympathy for what had transpired. The only good news in this story is that our former neighbors ended up lowering their asking price on their house and it sold to a lovely family that moved in last year.

However, this experience leaves me very concerned that references in the proposal to a "special permit" being required for commercial events at residential properties will similarly be an empty limitation that will not be enforced and not stop the activities from ruining the quiet enjoyment owed to neighboring properties. You have received the letter from the Sykes family protesting repeated transgressions at 2 Clifton Place, which clearly are occurring in the absence of any permit or other legal authority, but once again there has been no effective enforcement. This has left me convinced that there should be no commercial event activity permitted at residential properties, because the Village seems unwilling to enforce its own requirements. If existing requirements can be ignored without remedy, any "permits" are likely to be abused too.

If the point of an exception for properties of historical or other significance is to permit owners to raise funds to maintain the properties and protect their historic or other noteworthy character, then at a minimum it should be required that any funds raised from the commercial event activity should be held separate and used only for such expenses, to ensure that the stated purpose of this exception is actually respected. However, for the reasons stated above, I have no confidence that the Village would be able or even willing to enforce such requirements, and so they likely would be ignored by the historic homeowner in the same way that existing laws are ignored and neighbors abused.

I encourage you and the Board to strongly consider all of these issues with Airbnb and the commercial use of properties in a residential neighborhood before adopting any changes to the village code.

Sincerely,



Kristen DeLaMater
5 Belmont Drive

CC: Nicholas Moore, President, APPOA

Larry Schopfer, Village Administrator ✓

Larry Schopfer

From: John Esposito
Sent: Tuesday, March 27, 2018 12:08 PM
To: Larry Schopfer; Brian Smith
Subject: Re: Using historically significant residences for such uses as weddings, parties, tours, and lectures.

Dear Mayor Smith & Village Administrator Schopfer,

I am writing to express my disappointment that the village of Irvington is considering allowing older homes to host commercial parties for profit. I guess as an owner of a large historical home at 33 Matthiessen Park I could gain financially but that is not why my wife and I purchased this house. Allowing for this type of activity in residential districts will dramatically change the characteristic of these neighborhoods, and if the practice is abused like it is in Ardsley Park, it will then destroy the property value you claim this change is suppose to protect. Why should the few who own such homes gain monetarily at the costs of the many who do not own such homes. AirBnB and laws like this have destroyed many a village such as Montauk, Point Pleasant etc... In fact many towns are now taking steps to stop these nuisances. Why should Irvington go down a path that has been proven a loser in so many other places.

Have either of you spent time in Ardsley park during one of these parties? Have you gone by to pick up the garbage afterwards? Have your children tried to sleep when weekend after weekend a wedding is happening across the street? Our house has 5 acres with plenty of parking as I own the 2 acre road that leads to the house, so if this law passes I guess I could have a wedding for 300 plus people every weekend. Who wouldn't want to have their wedding at a beautiful home overlooking the Hudson that is only a train ride and short walk away from Manhattan. We might have the highest taxes in Irvington so it would definitely help us defray the cost. However I am pretty sure my neighbors wouldn't be so happy. I guess some of them could claim they have a historic house, and have their own parties, but definitely not all of them, but that is what they get for not buying an expensive historic home. Obviously I am being facetious, but this is the scenario that could play out in different areas of Irvington.

As for the worry that these homes will be torn down or subdivided because of the burden of maintenance, as an owner of an historical home with 5 acres I find this a weak argument. We purchased our home with eyes wide open on the costs and maintenance. If we ever were to have financial difficulties the answer isn't to change the laws and zoning but to sell our house at a price that make sense and moves the house. Expensive houses sell all of the time in Westchester. Are the tax codes in Westchester a massive burden that should be addressed, of course but why should the rich who can afford nice old homes benefit from these new laws while a citizen who lives in house not deemed historic not. Why not allow all houses to benefit and have parties through rentals? Riverview has some nice homes that might not qualify as historic, but I am sure that NYC people looking for a break from the city wouldn't mind having a weekend party up there? If you lived next to one of these homes that was having large parties every weekend I think your recommendation would be different.

Finally, when my wife and I tried to build an attached cottage so that her elderly parents could live with us on our property the reaction of the town was to protect the neighborhood. To protect our neighborhood the town has put in place the most restrictive coverage laws in the town. The board looked at every detail of our plans and forced many changes and even then it wasn't a sure thing we would be approved. The constant question brought up was "will this renovation change the nature of our neighborhood". All of this for a well designed addition that all of our neighbors approved of and signed letter stating so. If the town is so worried about the nature of neighborhoods why would it ever consider a law like this that will definitely destroy the nature of the neighborhood we chose to buy into.

Sincerely

27 March, 2018

Mayor Brian Smith,
Village Administrator Larry Shopfer,
Village Trustees,

I am unable to attend tomorrow night's public hearing on the draft revisions to the village's comprehensive plan. I would, however, like to express a few thoughts about the proposed regulations for short-term rentals, specifically those governing special events held at privately-owned "historic/architecturally significant homes."

My understanding is that public feedback from the village's online survey is heavily in favor of allowing events such as "weddings, fundraising events, tours, and lectures" at historic/architecturally significant homes, provided these events are subject to unspecified "restrictions." I hope that you know better than to rely on online survey results when making public-policy decisions, but just for my peace of mind as a political scientist: because people self-select into participation in online surveys, the sample is non-random. People with strong opinions (for or against the question) are more likely to participate. Perhaps the sample is more favorable than general public opinion because would-be event sponsors participated at a higher rate than "average" homeowners due to their financial interest in the outcome. Or perhaps the sample is more negative than general public opinion because the most vigorous opponents of the new rules participated at higher rates than the "average" homeowner. Because the sample is likely biased (in an unpredictable direction), it is difficult or impossible to draw meaningful inferences about overall public opinion from the survey. Take it with a grain of salt, if you take it at all.

Personally, I can see both sides of the issue. I have attended a house-tour fundraiser for the Irvington Historical Society at the Armour-Steiner house in my own neighborhood. This was a wonderful daylight event that was certainly worth the minor parking troubles on West Clinton. The house itself is a meticulously-restored gem, the event was organized with the greatest care, and there's clearly a public interest in allowing similar events in the future.

On the other hand, we have friends in town who have suffered considerable hardship due to raucous private parties at properties that have been rented out for profit: traffic congestion, illegal parking, trespassing, drunken and disorderly conduct, and even physical threats by belligerent partygoers. These sorts of problems are borne by the immediate neighbors of significant/historical properties, and I would guess that most village residents aren't even aware of them. There have been numerous news stories about neighborhoods around the country confronted with problems from "party houses" created by the "new sharing economy." There is a clear public interest in preventing large significant/historical properties from becoming public nuisances.

As I read the language of "Goal/Action Item G1," the intent behind the proposed regulations is to

allow only certain types of events (weddings, fundraising events, tours, and lectures), implicitly—but not explicitly—excluding other sorts of events like raves, amplified concerts or amplified dance parties. The “action plan” calls for the creation of a layered permit system: property owners would be obliged to seek a general permit establishing the general parameters for events permitted at the property, plus an additional subsidiary permit for each individual event. This seems like a good first cut at the problem, but I urge you to give the new regulatory regime some additional thought.

The problem, of course, is how to allow “good” events without writing language that leaves loopholes permitting “bad” events, and that is no small task. In general, permitting for-profit events (rather than just charitable fundraisers and the like) makes this task more difficult by creating a financial incentive for owners of significant/historical properties to look for ways to circumvent any regulatory regime. Neighbors do not share in the profits, but they do suffer a host of spillover costs.

I think the village should re-consider listing “weddings” among the specific permissible classes of events, unless they are carefully distinguished from post-ceremony parties with alcohol and amplified music. I think that the village should consider adding language that holds the property owners responsible for the behavior of their guests, lest property owners write contracts in bad faith with a wink and a nod and then plead ignorance when their guests deviate from the agreed terms. I think that the village should add language to the new regulations for short-term rentals and Airbnbs to explicitly prohibit parties hosted by renters in order to close an obvious potential loophole (preventing property owners from contracting for high-cost weekend “residential” rentals to guests who then put on events “on their own”). I think there should be specific language governing the consumption of alcohol at private events at significant/historical properties, and it may be advisable to make property owners responsible for any additional public safety measures needed during events. In general, I urge the village to carefully review and revise the language to be included in the new comprehensive plan to make sure it protects the neighborhoods where significant/historical properties are located.

Jeffrey M. Ritter
5 Half Moon Lane

2 Dows Lane
Irvington, New York 10533

March 27, 2018

Comprehensive Plan Update Committee
Village of Irvington
85 Main Street
Irvington, NY 10533

To the Committee:

I am writing this letter because I will not be able to attend the postponed March 28 Village meeting where residents can express views about the proposed Village Comprehensive Plan update.

I do believe that the concerns expressed by some residents about the Village proposal to legalize "third-party events" in Village homes are well taken. They are correct that the proposal, if enacted, may decrease the value of homes of neighbors, may potentially increase the frequency of events that diminish their ability to enjoy peace and quiet in their homes, and would act as a value transfer by the Village from neighbors to the third-party event sponsors.

The problem the Village faces, however, is that these events are already taking place in Irvington but the Village apparently does not have the means or process to deal with them. Why then include in the Comprehensive Plan update a proposal to permit these events? In my view, the justification is that the process proposed by the Village offers the possibility of effectively regulating and restricting these events in the future. Sponsors in the future would have to apply for and receive a general permit, which would require them to demonstrate that their location, facilities, parking and other aspects of the property would allow them to even be considered as an approved sponsor. If they pass that test, then before each and every proposed event, they would have to submit a separate application, which would lay out the specifics of the event, such as type of event, number of attendees, hours of activity, arrangements for parking and traffic control, and other factors. If the result of the general permit application and the specific permit application is that an event can occur under reasonable and controlled circumstances, in particular without unreasonable annoyance to neighbors, then some events may occur with appropriate restrictions. If on the other hand, the proposed sponsor cannot demonstrate that such an event should be approved, then the Village should not permit it. There is no inherent right to sponsor income-generating parties in residential areas, and if the proposed future process results in few or no events being permitted, so be it. Sponsoring a non-approved commercial event should lead to a substantial fine and additional legal action.

Of course, the proposed process will only work if the Village enforces it. I am disturbed to see letters from residents stating that, in the past, restrictions in permits have not been enforced. If the Village does not enforce its rules, than this aspect of the Comprehensive Plan's update, in my view, is counter-productive.

If this proposed procedure does not eliminate obnoxious party events, then some other rules will have to be enacted, and enforced. But the present situation of party events occurring without formal restrictions reportedly is not working, so the Village must do something else.

Very truly yours,

A handwritten signature in cursive script that reads "Bruce E. Clark".

Bruce E. Clark

March 26th, 2018

Connie Kehoe and Bruce Clark
Historic Irvington sub-committee co-chairs

Just a few thoughts to share for Wednesday's meeting:

1. Committee process. Thank you to the Village leadership, the committee and sub-committee members, and to the many survey respondents for their involvement and empathy. Following the Town of Greenburgh tax re-valuation, establishing this process was quite timely. I was very grateful to be involved.
2. Recommendations. Our family fully supports the recommendation to allow supervised short-term rentals through modern booking systems and also the proposals to allow historic district property owners the "B&B option" as a tool to help optimize and retain their homes in the face of ever-escalating property taxes and elimination of deductions. Having lived on Main Street for many years, I know these options will be welcomed.
3. Historic homes. The issue, as we all know, is that Irvington has lost 50 historic homes over 100 years, including 3 or 4 in the last 15 years. These beautiful homes are lost to a religious or other not-for-profit group, and then they are lost as taxpayers and they are lost to the community, or they are lost to the bulldozer when developed with higher density properties. We fully support the committee's recommendations as they relate to the historic homes across the Village of Irvington.
4. Villa Nuits. Our family would like to say THANK YOU. Villa Nuits is one of a few thousand residential properties designated by the National Trust for Historic Preservation as having exceptional qualities in illustrating the heritage of the United States. Our goal is to keep Villa Nuits as a private residence and on the Village's tax rolls. Yet, with 18 bedrooms, and a historic designation, high taxes, very high insurance and with high specialty maintenance costs, our options are limited. We have been offered religious and health care/not for profit options in the past -- the Village and our neighbors know we have turned these offers down due to our appreciation for the impact on the Village and the neighborhood as a whole.

Within the Village's recommendations we see a promising path to allow us to (i) have a fighting chance to remain as a private residence, (ii) open further the access to Villa Nuits to the local community; and, (iii) increase (not decrease) our tax contribution through

permit fees. Thank you for considering this opportunity which we believe will benefit the community as a whole, today, and in the future.

5. Implementation. Of course, specific details matter, and mistakes will be made, across the changes recommended by the historic as well as other sub-committees. We've made mistakes at Villa Nuits: I apologize profoundly for those. We are well aware that we have 100+ happy Village residents next door at Hudson House, and many others in our neighborhood. These are also our friends, not just our neighbors. They, and the Village, want to be proud of Irvington's historic homes. That is our goal too. We need and welcome your feedback to get it right.

As everyone knows, Irvington is a special place. Whether it has been raising funds for the McVickar house, moving the library, developing Bridge Street, expanding the High School, you name it, (speaking from 60+ years of our family's experience) the Village administration and its neighbors, neighborhoods, and residents have always looked past the individual 'zero sum game'. This civic spirit has allowed Irvington's leadership to balance the reality of required changes with the need to appreciate the past and to respect everyone's perspectives.

We look forward very much to supporting the Village as these various policy changes develop into law. We will do all we can to contribute.

Your sincerely, on behalf of the Dolan family as a whole,

Martin Dolan

2 Clifton Place

Irvington NY 10533

Larry Schopfer

From: Richard Pascoe
Sent: Tuesday, March 27, 2018 10:23 PM
To: Brian Smith; Larry Schopfer
Cc: Clare Giffin
Subject: Opinion regarding the draft Comprehensive Plan

Dear Mayor Smith and Village Administrator

We are writing to you to express our strongest possible objection to the proposal in the 2018 Comprehensive plan that "Special events, such as weddings, fundraising events, tours and lectures, should be permitted, by special permit, in formally designated historically and/or architecturally significant residences"

We are the owners of 10 Hancock Place. We moved to the Ardsley Park neighborhood specifically for its family oriented and residential feel. We have already experienced the negative impact of events being held at 2 Clifton Place in violation of town ordinances. This includes increased traffic, loud music that can be heard several streets away and an influx of non-residents that raises concerns about the safety and security of both our property and our young family.

We do not agree that the desires of a small number of residents to run businesses within their properties should be allowed to outweigh the rights of the vast majority of homeowners who should be allowed to enjoy their properties in peace and security. We share our neighbors and APPOA's concerns about the impact of this proposal on our quality of life and also on property prices across Irvington which will surely be negatively impacted in the event that this measure passes.

We believe that the interests of the majority should be favored over the commercial interests of a very small minority and that this commercialization will negatively impact the residential nature of the neighborhood.

We request that this material be entered into the public record.

Yours sincerely,

Richard Pascoe and Clare Giffin
10 Hancock Place

Larry Schopfer

From: Julie Civale
Sent: Wednesday, March 28, 2018 12:08 PM
To: Brian Smith; Larry Schopfer
Cc: Mikey
Subject: Opposition to Ardsley Park plan

Hello,

We live on 21 Langdon Avenue in Irvington, part of the treasured Ardsley Park neighborhood, with our family of six. With four young children I do not have a lot of time to write an extended letter or attend the public hearing tonight, but please know that we stand firmly opposed to the proposed comprehensive plan to allow commercial events to be held in private homes in our community. For the reasons outlined in our neighbors' letters (see letters from the Sykes and Moore families), we believe this would deal a terrible blow to the livability, character, charm and appeal of our neighborhood. We have been considering a move to another house on Bertha Place and may consider moving entirely elsewhere if this bill is passed. I imagine many might feel similarly. Please enter this email into the public record to demonstrate our strong opposition to this plan.

Warmest regards,
Julie and Michael Civale

Sent from my iPhone

Christopher Johnson
205 S. Broadway
Irvington, NY 10533

March 28, 2018

Hon. Brian Smith and the Board of Trustees
Village of Irvington
85 Main Street
Irvington, NY 10533

Re: Comments on Draft Comprehensive Plan

Dear Mayor Smith and the Board of Trustees:

Thank you for your hard work on revising the Comprehensive Plan for the Village of Irvington. I appreciate the opportunity to formally comment on a specific aspect of the plan.

As a member of the Ardsley Park Property Owner's Association, I am concerned that changing the Village Code to allow for use of residences for short-term rental, and, especially, allow for the use of historic homes for third-party events such as weddings, fundraisers, tours and lectures, will result in negative impacts to neighboring homeowners – as well as increased cost to the Village for regulation, enforcement, public works, and policing.

My wife and I purchased a historic home in Irvington's Ardsley Park neighborhood in March 2017 because of the neighborhood's residential character, the non-commercial commuter train station, and the relative quiet of this area as compared to our prior home in Bronxville. There is no question that these houses are expensive to maintain; however, those costs are well-known prior to purchase, and there is a solid resale market. I believe that enabling whole-house rentals for events more than once or twice a year, or for short periods of time via services such as AirBNB or VRBO, puts an undue burden on neighboring homeowners – and in fact turns these homes into commercial enterprises.

I agree with the APPOA's letter of March 19, 2018 that *"all property owners in a residential community share equal rights to the use and 'quiet enjoyment' of their property. The Village's apparent course to increase some residential property owner's rights to allow for commercial uses is at the expense of other residential owner's rights and is wrong. It unfairly disadvantages the immediate neighbors and negatively impacts the surrounding community. No property owners should be able to benefit economically over the rights of their neighbors. [...] A property owner has a real expectation that the local municipality will uphold the basic precepts of its zoning code that separates residential and commercial uses and not act arbitrarily and capriciously to inequitably alter them."*

In sum, I believe that permitting short-term rentals, or allowing historic properties to be used as event spaces, is an unwanted commercialization of our residential community.

I appreciate the opportunity to comment on this particular aspect of the Village's Draft Comprehensive Plan, and I appreciate your service to our Irvington community.

Warm regards,

Christopher Johnson

Larry Schopfer

From: David Krauss
Sent: Wednesday, March 28, 2018 3:39 PM
To: Larry Schopfer
Cc: Brian Smith
Subject: Fwd: Heidi and David Krauss in support of APPOA, 14 Bertha Place

>
> Hello Brian & Larry,
>
> Heidi and I have lived In Ardsley Park for six years and we consider ourselves incredibly fortunate to live in such a wonderful community. We love the beautiful neighborhood, the sense of community and enjoy raising our daughters here. Taking nice long walks along the streets will never get old.
>
> We support APPOA's position on restricting residents that are renting out their homes for commercial events and other for profit endeavors. It's against the fabric of the neighborhood and needs to stop. We have been made aware of the situation at the Syke's house and we find it to be appalling !!! This needs to be rectified. The mere thought that the Syke's are considering moving due to the (parties, events) at Marty Dolan's house is very disconcerting. As the parents of two middle school daughters, it is very disturbing to us that random strangers are walking into our neighbors home unwelcome and there are used condoms and alcohol bottles strewn across the Syke's lawn after parties. The fact we are even dealing with such nonsense in a neighborhood where we pay a premium for the calm and peace is ridiculous.
>
> Thank you for considering our position on this serious matter. We look forward to the proactive measures that the town of Irvington will be taking.
>
> Regards
>
> Heidi and David Krauss
>
> Sent from my iPhone

Larry Schopfer

From: Charlie Myers
Sent: Wednesday, March 28, 2018 5:35 PM
To: Brian Smith; Larry Schopfer
Cc: Meghan OBrien
Subject: Comprehensive Plan - Action Item B2: OPPOSED

Mayor Smith and Mr. Schopfer -

My name is Charles Myers. My wife Meghan, our two young sons and I moved to 8 Hancock Place in Ardsley Park, Irvington in November 2017. In addition, I grew up in Ardsley Park on Bertha Place from when I was born in 1977 until the time I left for college, and have come back to spend time frequently over the last 25 years. Having spent the entirety of my life in and around Ardsley Park, I can say I know and love this special neighborhood, and as a result we made the decision to move back here to raise our family.

And so it is with great disappointment and shock that we have learned since moving here that the Village of Irvington has not only looked the other way and effectively allowed one of our neighbors to commercialize his residence right down the street (illegally), but that it is now considering changing the zoning code to allow it!

We share our fellow neighbors' well-founded, grave concerns that this has and will continue to upend the tranquil character of our neighborhood and make it unsafe for children. In just the last few months we have already seen many new, lost-looking drivers roaming the neighborhood, speeding and barely looking where they are going, in search of an Airbnb rental on Clifton. This is an unnecessary danger for our young children playing on our quiet streets and around the neighborhood.

We cannot imagine what it must be like for residents on Clifton who also have to tolerate loud parties, drunk trespassers and garbage in the streets on a weekly basis. It defies logic and belief that the Village would let this go on as it has, and it is even more outrageous that the Village would actually change the law to endorse this type of reckless and destructive activity.

This action potentially benefits one household (financially) at the certain expense and to the detriment of quality of life for everyone else in Ardsley Park. It makes no sense.

We want to register our strenuous and formal objection on the record to "Goal / Action Item B2" of the Comprehensive Plan. It is misguided, inequitable and dangerous.

Regards,

Charles and Meghan Myers
8 Hancock Place