

Village Board of Trustees
Special Meeting
January 8, 2007
7:30 p.m.

A Special Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Briarcliff Manor High School Auditorium, at 444 Pleasantville Road, Briarcliff Manor, New York of the 8th of January commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
David Venditti, Deputy Mayor
Robert Mayer, Trustee
Elsie Smith, Trustee
Gayle Waxenberg, Trustee

Also Present

Michael Blau, Village Manager
Ingrid Richards, Assistant Village Manager
David Turiano, Village Engineer/Building Inspector
Clinton Smith, Village Attorney
Christine Dennett, Village Clerk

Public Hearing, Chapter 220 Zoning, commonly known as the Bulk Housing Law

Mayor Vescio stated the rules of procedures for the Public Hearing.

Upon motion by Deputy Mayor Venditti, seconded by Trustee Smith, the Board voted unanimously to open the public hearing.

Deputy Mayor Venditti gave an overview of the current law. He stated none of the proposals were set in stone and the Board was there to listen to the public's comments. He stated the proposed changes were modest and would not result in substantially larger homes. He stated compromise was lacking when the law was passed in 2003 and he and Trustee Smith both opposed it.

Trustee Smith discussed the distinction between the comprehensive plan and how it related to the Bulk Law revision process.

Trustee Waxenberg gave an overview of the intentions of the Land Use Preservation Committee. She stated the Board was trying to make the law more environmentally responsible.

Trustee Mayer stated the public hearing was to hear input from the residents. He stated the Board would continue to seek input from both the Zoning and Planning Boards. He urged all participants to conduct the meeting in a respectful manner.

Mayor Vescio explained the proposed changes and discussed the proposed tree planting plan.

Mr. Nick Evanchik of 119 Alder Drive stated he would like to comment on the remarks made by members of the Board. He stated the Board requested the public be civil and he was called a liar and a conveyor of misinformation. He stated to put action where your mouth is. He further stated if he provided any misinformation he would be glad to correct it. He stated there was reliable testimony that the Board was moving in the direction of allowing bigger homes with less distance between neighbors. He stated the "Bulk Law" is contrary to the public opinion survey and the Bulk Law may not work with the Comprehensive Plan. He stated it can be inferred that the Comprehensive Plan is being force fitted with the "Bulk Law". He stated the cart was being put before the horse and the Board should considering postponing the enactment of the law until the Comprehensive Plan was adopted. He respectfully requested the Board make available all discussions and records relating to the "Bulk Law" and Comprehensive Plan. He stated the Steep Slopes Law and Wetlands Law work hand in hand with the Zoning Law. He requested the Village identify all development projects that aren't fully operational and indicate whether or not they would apply to the "Bulk Law".

Mrs. Liz Peldunas of 50 Ridgecrest Road read aloud a statement written by her husband. She called on the Board to remove the proposal and stop spending their money.

Mr. Bill Gorlin of 100 Central Drive stated as a member of the Planning Board he would have ample opportunity to provide comments to the Board and will do so in writing. He displayed a chart showing the basic trends in the GFA increases and setback increases. He stated the current proposal makes it more difficult for smaller homes to expand and easier for larger homes to.

Mr. John Lacey of 581 Sleepy Hollow Road asked why the public had to continue to speak out time and time again. He stated the law provided incentive to developers and the majority of the community was against changing the law. He stated if it wasn't broke don't fix it. He stated the residents wanted stricter zoning restrictions.

Mr. Brian McVeigh of Pine Road stated the article in the Journal News stated currently in Chappaqua you could build an 11000 square foot home on a 1 acre lot. He stated Briarcliff Manor had more restrictive Zoning Laws and Mr. Lacey made a complete misstatement.

Ms. Hillary Messer of Sleepy Hollow Road stated all of the members of the Zoning and Planning Boards had been asked for their opinions. She stated she understood how invested the authors of current law were but it was the right of the current elected officials to review the law. She stated they were elected by the majority and when the opposition is elected by the majority they can then state their opinion.

Ms. Bonnie Fenster of Chestnut Hill Lane stated she went through the process this summer. She stated a home was built very close to hers and they didn't even have enough room for landscaping on their own property. She asked that the Board bring in consultants who are experts in this area. She stated she didn't understand the nuts and bolts of the law but she did understand surveys and the survey should be the Village's guide. She stated the majority of residents didn't want change.

Mr. Mark Santiago of 353 Sleepy Hollow Road stated he thought it was incumbent of the Board to explain the law to the public. He stated that people were confused with the difference between GFA and square footage. He asked in homes would be bigger. He asked that everyone stop throwing innuendo and just discuss the facts.

Trustee Smith stated setbacks had more of an impact on smaller lots than on larger lots.

Mayor Vescio explained the difference between GFA and square footage in living areas.

Mr. Santiago asked about the landscaping plan. He asked if there was any kind of insurance to make sure the screening was maintained.

Mayor Vescio stated under the law there was very little the Village could do. He stated there currently was no property maintenance law and the new proposed law would require the tree to be maintained for 1 year.

Deputy Mayor Venditti stated there was no real way to guarantee maintenance however he thought it was a good start and homeowners could generally be counted on to maintain their properties.

Mr. Gary Herbst of 33 Purdy Court stated he was a real estate appraiser and had worked with many municipalities and no other municipality included, decks, attics or basements into their GFA calculations. He stated it shouldn't be this difficult and Briarcliff Manor had the most difficult law.

Mr. Alex Socoloff of 70 Tuttle Road stated maybe the right thing to do was to have a referendum and let everybody vote on it.

Ms. Bonnie Fenster stated the Board was respecting the survey for the open space but not for other reasons. She asked how the law compared to other communities.

Mayor Vescio stated a comparison of other Village's was shown at the last hearing. He further stated the Village was far more restrictive.

Ms. Nancy Pine of Aspinwall Road stated the "Bulk Law" wasn't supposed to address GFA it was supposed to address visual impact. She stated as one of the primary authors of the Residents Association literature she would stand behind everything that was written in it. She read excerpts from the Comprehensive Plan Survey Results. She stated it was clear that the residents had established a direction and the Board wasn't going with it. She stated that GFA and square footage was the same thing and the Board maintained that the law is not permissive but the setbacks were considerably higher in the current law than what was proposed.

Deputy Mayor Venditti stated he agreed with about 97% of what Ms. Pine read but most of the comments had nothing to do with the "Bulk Law".

Ms. Pine stated that Mr. Gorlin's charts made it abundantly clear.

Mayor Vescio stated the Residents Association mailings contained misleading information.

Ms. Pine stated the Board could send out their own information.

Mr. Alan Gherkin of 147 Birch Road stated he was currently meeting with architects and they told him to not bother trying to expand his home with the current law.

Ms. Elaine Heyda stated she was born and raised in Westchester County and there was a lot of development all over the County. She stated she thought Briarcliff Manor did a good job of trying to keep open space. She asked that the Board vote on the revisions and be done with it. She stated she had faith in the current administration.

Mayor Vescio stated that the majority of the residents that responded to the survey wanted open space but only 4% were willing to pay for it.

Mr. Nick Evanchik stated he was the proud secretary of the Residents Association and everything was checked and double checked. He requested that any discrepancies the Board had with their mailings be submitted to him in writing.

Mayor Vescio stated there would be another public hearing on January 29, 2007 at 7:30pm in Village Hall.

Adjournment

Upon motion by Trustee Waxenberg, seconded by Trustee Mayer, the Board voted unanimously to adjourn the public hearing at 10:00pm.

Respectfully submitted by,

Christine Dennett