

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
JULY 20, 2006**

A **Regular Meeting and Public Hearing** was held by the Planning Board on **Thursday, July 20, 2006 at 8:15 p.m.** in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Chairperson Patricia Speranza, Boardmembers David Hutson, Fred Wertz, Jamie Cameron, Eva Alligood, Bruce Dale, Deputy Village Attorney Marianne Stecich, and Village Planner Angela Witkowski.

ABSENT: Boardmember Logan

I. Roll Call

II. New Business

1. Public Hearing. Accessory Apartment Renewal. Joseph & Kathleen Dragan, 40 Clunie Avenue (Sheet 38 / Block 725A / Lots 17-19). Waivers required for square foot area excess over maximum allowed.

Chairperson Speranza: The first item on our agenda is an accessory apartment renewal for property at 40 Clunie Avenue. My understanding is that, based on the application that we have, this is a renewal. There are two waivers required for this. Marianne, why don't you go through this.

Village Attorney Stecich: The applicant's requesting a renewal. There haven't been any complaints over the last three years. It needs a waiver on the square footage because there's a 25% limitation and this apartment is 29.8%. Not because it's such a big apartment, but it's a fairly small residence -- a 730 square foot apartment and a 2,452 square foot residence. It also needs a waiver for parking. These are both waivers it had the last time. Apparently, there have not been any complaints over the three years.

Chairperson Speranza: Since this is a public hearing on this renewal, I do want to invite anyone from the public who wishes to speak; and if the applicant is here, if they want to make any comments. Yes, Mr. Dragan.

Joseph Dragan, 40 Clunie Avenue: The one comment I'd like to make is if the permit renewal could be easier and simpler. I think this is the fourth time I'm renewing. If I could sign an affidavit that I made no changes, and have it notarized and turned it in with my fee instead of having to go through all these notarized papers and running back and forth.

Chairperson Speranza: Yes. You know, we had submitted a recommendation at one point to our Board of Trustees to modify the renewal process. There were some changes that were made a couple of years ago, I think it was. You are not the only applicant who has to go through this and has made the same comments. Maybe it's time for us to approach the Board *again* about making this process a little less complicated for renewals, particularly in those instances where there has not been any change or any kind of complaint. So we will try.

Mr. Dragan: Thank you.

Chairperson Speranza: Anyone else in the audience that wants to speak to this application? Then we will consider the public hearing on this application closed. Any vote that we take at this point we do have to make contingent on the mailings all being in order, which Angie can tell us when she comes back up. So if there are no further comments or questions from the Boardmembers I'll entertain a motion on this action.

On MOTION of Boardmember Cameron, SECONDED by Boardmember Wertz with a voice vote of all in favor, the Board resolved to approve the accessory apartment application with the waivers.

2. Public Hearing. Adam Anuszkiewicz & Ann Schiffers; 349 Warburton Avenue; (Sheet 4 / Block 10 / Lot P63). View Preservation to allow deck.

Chairperson Speranza: The next item on the agenda is a public hearing for view preservation approval for a deck at 349 Warburton Avenue. Our role with this application is to make a recommendation to the Zoning Board of Appeals, who will hear this probably next week or at their next meeting [should] we recommend approval for this.

The property is located at 349 Warburton Avenue. My understanding is that this is an existing deck. I'm wondering if the applicant or a representative is here.

Adam Anuszkiewicz, 349 Warburton Avenue: You can just say Adam.

Chairperson Speranza: Okay, if you can just explain to us...the plans that we received in our packet are pretty clear. I am curious as to exactly what it is that was added.

Mr. Anuszkiewicz: Yes, it's a little hard to tell from the plan because there's a deck that we added below our basement, outside of our basement.

Chairperson Speranza: Right.

Mr. Anuszkiewicz: It's directly underneath a deck that was already there. So if you look, about 2 feet of it sticks out a little bit further than the existing deck. This deck is on top of it, that deck is below. So if you look at the photos, there's one photo that's number 6 which actually kind of shows that pretty well. You can see we have an existing deck on top from our first floor. The land falls away very dramatically behind our house. When our house was built the basement had windows and doors put into it, but we had never finished it off so when you opened the doors you effectively would just fall off. So we put a deck outside of those doors and we utilized an existing retaining wall to support the deck, which is right here.

Chairperson Speranza: Right, okay.

Boardmember Dale: I stopped by the house and we spoke to Adam. The water line easement — I'm not exactly sure what restrictions that has with it. There's a water line easement between the two houses. The way the deck was built, the stair that leads from the deck down to the ground below it has four columns that sit on the water line easement. Adam explained that he had spoken to the water board and that they essentially said you can do what you want, but if it gets in their way they'll knock it down and won't replace it. I'm just curious whether that had any significance for the approval that we give for the deck.

Chairperson Speranza: That has no bearing on this application for View Preservation.

Village Attorney Stecich: It doesn't, but I was wondering why did you build this without coming...I don't understand why it's already built and you're coming for view preservation approval. Did you get a building permit?

Mr. Anuszkiewicz: I have applied for a building permit.

Village Attorney Stecich: That's why you apply for building permits, because if you applied for the building permit presumably this easement thing would have come up.

Mr. Anuszkiewicz: Actually, I spoke to the Building Inspector about it, Deven, and he said that he had essentially no opinion about it. There's nothing that the Village regulates with water line easements. He said as far as he was concerned it was not an issue. Basically what he said is that I should come before this board to get approval for the view preservation. The rest of the deck is all within the allowable setbacks on the property, so part of the permit process for me to complete is to get view preservation.

Boardmember Dale: And the extension was done to that width so that you could take advantage of that wall?

Mr. Anuszkiewicz: Right. The whole reason we built the deck and the reason that we have the stair is because the property is so limited in terms of space. We have two kids. There's an area down at the bottom of that stair that's flat because somebody originally put in a little stone retaining wall. So that area down there we wanted to make use of for a swing set or a sandbox, and the only place to put the stair is on that side. Okay, to put a stair on the other side it would have come right down over the top of that flat area. So this is pretty much the only option that we have.

Chairperson Speranza: Okay, so you built a deck not knowing that you needed to get a building permit to go through, measure the setbacks, and review your plans. So that's why you're doing this in a backwards way. But there are no other variances that are required as part of this, no back yard...

Mr. Anuszkiewicz: No setbacks.

Chairperson Speranza: So the easement, my understanding about the sewer line easements from the county is that you can't have a permanent structure, you can't build a permanent structure over the sewer main. I am sure that they will knock down anything that's in their way, particularly if there's no clearance for it, if they need to get there to repair it. I don't know if Deven needs a formal sign-off by the county, but that certainly doesn't have to do with the application before us.

Boardmember Hutson: It's supply, right?

Chairperson Speranza: I thought it said a sewer line.

Mr. Anuszkiewicz: It wasn't clear. It doesn't say. It says water line easement.

Boardmember Hutson: Is it the county sewer or the water company?

Mr. Anuszkiewicz: I don't know. I don't know whether it's county or...

Boardmember Hutson: No, but is it supply or is it sewer?

Mr. Anuszkiewicz: I don't know.

Boardmember Hutson: Whose property is this?

Mr. Anuszkiewicz: It's my property.

Chairperson Speranza: Westchester County sanitary sewer, that's what's on the survey.

Boardmember Hutson: But I think where it's built...is it built on that, or is it built on the...

Chairperson Speranza: Oh, this. I see, that's a different easement.

Boardmember Hutson: So I'm not sure. It looks like we're talking about the water line easement.

Mr. Anuszkiewicz: The water line goes like right on the property line, but the easement for some reason comes from the property line all the way over to our...almost to our house.

Boardmember Hutson: Well, that's why Patty's raising the question as to whether the easement really has to do with the sewer, which is nearby, or the water line.

Chairperson Speranza: Which is behind it.

Boardmember Hutson: The contractor did this without talking about a building permit, or you did it yourself?

Mr. Anuszkiewicz: Right. No, a contractor did it.

Chairperson Speranza: Okay, the application before us, if there's something that has to come back to us, we'll certainly hear from Deven ... if there was some other action that we needed to take he would have let us know that. But before this board right now is the view preservation. Does anyone in the audience wish to comment on this? Okay, thank you.

What we need is a resolution to recommend to the Zoning Board of Appeals for approval of the View Preservation application.

On MOTION of Boardmember Dale, SECONDED by Boardmember Hutson with a voice vote of all in favor, the Planning Board resolved to recommend to the Zoning Board of Appeals approval of View Preservation application, assuming, of course, that the water line easement isn't under our jurisdiction [and has no impact on the issue.]

Village Attorney Stecich: Just to clarify, this vote has absolutely nothing to do with the easements. It won't affect the easements whatever they've got to do with respect to them... But I'll call Deven tomorrow and raise the concern.

III. Old Business

1. Public Hearing. 10 West Main. Continuation of SEQRA and Site Plan Review issues for revised proposal.

Chairperson Speranza: The next item on our agenda is a public hearing for property at 10 West Main Street. There are a number of action items which this board needs to take. If you recall, we are trying to get to the point where we can make a determination under the state environmental quality review act. We've received an environmental assessment form. The Village had hired consultants to look at plans that were prepared by the applicant. Discussions initially were concerned with consistency with community character and visual impacts, traffic, as well as building on steep slopes and whether or not there would be any kind of impacts from constructing on the steep slopes. We had hired a consultant who looked into that. I have just distributed to our new Boardmembers the report from Buckhurst Fish & Jacquemart, who are consultants for the Village.

We need to make a decision about how we're going to complete the environmental review process for this application. This is a public hearing to go through a number of items. Marianne, maybe you can remind me, we've got View Preservation, we've got site plan.

Village Attorney Stecich: What I don't have is the public notice. I didn't see the public notice. Actually, in the summary I see that there's one other item that's not in. I just want to see what was noticed on this one. Okay, it was on for SEQRA review, site plan review, view preservation, and steep slopes review. There's one other approval it needs, and that's the approval for the residential on the ground floor in the CC district. This is a mixed use building, and the Board of Trustees modified the definition of mixed use building to permit, in certain circumstances, residential units on the ground floor. So the hearing would also be on that. The Board is going to have to make a determination whether that's permissible.

So that's actually five separate determinations. Obviously, the first one, before you make any of the others, would have to be the SEQRA determination because everything else is contingent on that. You can't make any other decisions until you've made your SEQRA determination.

Chairperson Speranza: Okay, I see we have some new materials from the applicant, so why don't we go through those and then we will open it up for public comments.

Eric Anderson, Urban Green Equities: Good evening, and thanks for the opportunity to present some new material which we hope goes to some length toward edifying and clarifying some of the questions, some of the conversation, that continues to evolve and to which we specifically spoke to last time.

Chairperson Speranza: Can I stop you for a second? I don't know if there is a way to be able to turn those a little -- we've got sets -- so that people can see.

Mr. Anderson: I think basically the nub of the question that we were considering at our last conversation with you all continues to be about the size of the project and the appropriateness of the size, and how that size affects or impacts the view of the neighbor. What the architects have done, what Asaf has done, is a series of studies that have attempted to describe this volume, to set it on its various well-discussed, well-described public elevations. And then also to give you some new information as to how the footprint feels in an aerial, and then specifically to the point of the neighbor's view shed on the board on the left. I think Asaf can speak to this much more eloquently than I can.

I do want to correct one part of the record from the last conversation. That was that there was some comment as to the size of the building and to the size of the units in the building. I understood that the implication of that comment was that the units that we are proposing were these enormous McMansions essentially in the downtown and that there was actually an opportunity to reduce the size of the buildings by going from the McMansion model to a more human scale. The example was given was that the building is approximately 39,000 square feet and there's nine apartments, and I think the quote was, "You do the math." If you do the math, that's a 4,000 square foot apartment. That 39,000 square feet actually includes the parking garage, the commercial space, and all of the circulation within the buildings. So, in fact, the total square footage of the apartments is 18,090 square feet and the average apartment is thus slightly more than 2,000 square feet, with the largest apartment being 2,400 square feet and the smallest being, I don't know, smaller than 2,000. Which is slightly smaller than 45 Main Street.

Asaf Yogev, Urban Green Equities: Sorry, the smallest apartment is 1,640.

Mr. Anderson: Which is slightly, about 20%, larger than what we did on Main Street, where the unit types are much different. According to Carnegie's recently released study, that the average American home is 2,400 square feet. We are significantly smaller than the average. That's the number of units -- created apartments, houses -- divided. So we're below average, and in fact well below, I think, the McMansion model.

And then further to this point, when we started this conversation in August, 2003 -- which is not when we started this conversation but when we actually started to calculate the size of the building -- we had 15 apartments comprising 30,429 square feet. So we've gone from 15 apartments to nine apartments. We've gone from 30,400 square feet to 18,090 square feet, and essentially maintaining the size of the units as we decreased the actual overall gross number of units to be produced. This reduction of the apartment square footage from 30,400 to 18,000-plus is also indicative of the decrease in the overall size of the building. I just wanted to make that one point.

Chairperson Speranza: Thank you. You want to take us through the materials we received?

Mr. Yogev: Sure. There's only one new rendering that I did since the last meeting, and that was based on the images that I got from our neighbors at 8 West Main. I did the whole construction of the image so you could see how it's done. The image we got is the one here on the top. Because our survey, that you can see in the small area...actually, you can see that the survey includes the building at 8 West Main and the little shed in the rear yard. It's really small there, but it's West Main and then the shed is right here. I was then able to locate -- with our existing building on the site, which is the red lines frame, and the frame of the shed on the 8 West Main site -- the model in relationship to the image. This is the existing building that we have at the site right now. This is the shed that is found in the rear yard of 8 West Main. And then I just inserted the model to the location of it here, and completed the rendering here at the bottom right. Do you want me to switch between them so you can see?

Chairperson Speranza: So the last photograph, what you have your finger on, that's part of your [building]?

Mr. Yogev: Yes, this is a part of 10 West Main, this here. And what you see here is the existing building, right there.

Chairperson Speranza: The existing building at 10 West Main.

Mr. Yogev: Yes.

Chairperson Speranza: Okay, and this photograph is from...

Mr. Yogev: This photograph was taken from 8 West Main from the second floor, I think from the eastmost window. But obviously this is not taken from the window looking straight outside the window; this is taken from the window at an angle towards our building.

Chairperson Speranza: Well, it's not going to be any better at any other angle.

Boardmember Hutson: Sure.

Mr. Yogev: Well, if you look straight out from the window you don't see our building at all. These are the south-facing windows, so if you look straight outside that window you're looking south. You won't see our building at all. This is taken from the window on a 45-degree angle towards our building.

Boardmember Dale: So this would be the worst view that you would have.

Mr. Yogev: I think so.

Boardmember Hutson: And explain the relationship of the blue, the red, and the white.

Mr. Yogev: This is just a frame of the model, of this model. So first of all, this is the existing. This is what's existing on the site.

Boardmember Hutson: That's the red on both of them.

Mr. Yogev: Right, and then added to the existing is the actual model of the new building, which is the blue lines, all the mesh that you see there. And then the final one is, once everything is rendered that's how it looks.

Village Attorney Stecich: I'm just confused procedurally. What's the purpose of submitting these pictures? Just to show the view from next door? This isn't your View Preservation submission, is it?

Mr. Yogev: Yes, it is. We were asked to provide these images.

Chairperson Speranza: Right. It's not the formal View Preservation submission. This is in response to what was requested at the last meeting.

Village Attorney Stecich: But you understand that for the View Preservation application you have to submit pictures of the impact on the views from a bunch of locations.

Mr. Yogev: We have all of them here. It's just that this was another image that was just submitted.

Village Attorney Stecich: I just wanted to make sure this wasn't the whole View Preservation application.

Mr. Yogev: This is the only new image that we did since the last meeting.

Mr. Anderson: Or to say it differently, I'm sorry to interrupt, this is the only image that has been requested that hadn't already been provided. Meaning that there had been a sort of rolling accretion of different views. There was from the parking lot to the north, and the parking lot to the south, and the train station. Then there was from Village Hall, from in front of the library. There's a series of other views that were asked for over time that have all been provided. This is the one view that had not been provided, and we were waiting for the position of the photograph from the neighbor in order to provide it.

Boardmember Cameron: This view is taken from the second floor of the adjacent house, not the first floor.

Mr. Yogev: Correct.

Mr. Anderson: I think the first-floor view's probably blocked by the neighbor's shed.

Chairperson Speranza: Okay, any other question about these?

Mr. Yogev: Then the second two images are just the insertion of the building, when you look at it in footprint, into an aerial view with more context of the downtown area. Again, the framework for this is on a side. This is the survey that we have. It's just overlaid on the aerial image, and then it's rendered, and the final image is right there.

Mr. Anderson: The importance, I think, of this aerial map, this Google map, is we tried to differentiate the buildings from the open space within the site -- the building from the plinth, if you will. So that's why the colors read so differently.

Mr. Yogev: Also what you see from this is that either the actual buildings in the downtown area or the clusters of buildings have the same footprint, if not bigger, than the footprint of what we consider to be three smaller buildings that are situated on a platform.

Boardmember Hutson: I think I asked this once before and you probably have answered it, but if you take just a square footage footprint of your property as it relates to the frontage of your property on 10 West Main, and the square footage of footprints of the other four buildings as it relates to the frontage on West Main, what's our ratio there? In other words, It looks like on that rendering that the 10 West Main Street property, in terms of building footprint, that there's more length to the building than the four other buildings slightly, right? I'm talking in your top rendering on the right-hand side.

Mr. Yogev: On this one?

Boardmember Hutson: Yes, if you just take the distance along 10 West Main going all the way from...

Mr. Anderson: This dimension is greater than this dimension is your question?

Mr. Yogev: The actual frontage is from here to here.

Boardmember Hutson: Okay, from there, yes. Those about the same?

Mr. Yogev: Yes. It's about 100 feet from this point to this point, divided by 5.

Mr. Anderson: One-fifth is actually not building there. This is an open space right here.

Boardmember Hutson: Right, but I'm looking at the view that you would have from this perspective. I mean a lot of different perspectives, you're right. And in terms of the total footprint of the other buildings, do we know what those are?

Mr. Yogev: I don't know those.

Boardmember Hutson: Because looking at the aerial...

Chairperson Speranza: I was going to say, if you look at the aerial...

Boardmember Hutson: ...you know, it seems that the footprint is quite a bit more than the combined of the four.

Mr. Yogev: Well, when you look at the aerial, the thing with this aerial is that it's not...

Boardmember Hutson: That's why if we had real numbers it would help.

Mr. Yogev: Right, but it's not a real flat image. Actually, there are many perspectives in that image. The only way to do it the right way was to actually overlay the survey on the aerial view to locate the building exactly where it should be. The problem is that all the buildings are so many different perspectives that it's really not a flat image.

Mr. Anderson: I think it would be safe to say, David, that the West Main building is significantly less lot coverage than the Main Street buildings and, as we have pointed out before, it's significantly less coverage than 45 Main Street.

Boardmember Hutson: Right. What I'm looking at is that part of it that is just the nature of the topography there. In other words, if you take the relatively flat surface, not include the very steep slopes and, I'm sure the other properties have some steep slopes behind them...

Mr. Anderson: Steeper.

Mr. Yogev: No, it actually gets steeper as you get close to the bridge.

Boardmember Hutson: Right. But I'm just saying if you took on each lot, each property, that space which is really to be built that's relatively level, before you get into the real steep grades and so on, then I don't know that that's the case. In other words, you're counting property line, and it probably is the case there that there's more open space, you're saying, and un-built space on the 10 West Main as proposed.

Mr. Yogev: Right, about 40% of it is...

Boardmember Hutson: But if you take the part of 10 West Main that, as you look at it, well, this is really 10 West Main or not, the steep slopes going down, then I think it's something less dramatic of a difference. In other words, if you take the part of 10 West Main as a lot that has anything near level to it, it's not nearly as much as we're talking about with the whole property. So in terms of it's impact...because a real concern is not the size of this building compared to other buildings in the downtown, it's the size of this building given where it's located in terms of the topography and the height and its relationship to the river and so on. I mean, we've been over this several times. Not to beat it, but that's why I say that to know what those footprints are relative to each other and relative to lot size I think is one of the things that is instructive just in terms of the impact it has.

Chairperson Speranza: So the proportion of, say, 8 West Main Street, what is the proportion of that building compared to the lot.

Boardmember Hutson: Right. And particularly the visual impact that this has. Because it's at the end, it's out there, and it's three sides. You know, the others don't have that same perspective. I mean, you're looking at this from...

Chairperson Speranza: Well, you're right. I think this application clearly is taking advantage of the topography in terms of being able to build down the hill.

Boardmember Hutson: Right.

Chairperson Speranza: Which is something that's not...

Mr. Anderson: And also, again not to beat it, but include indoor parking.

Boardmember Hutson: Yes, it's definitely a factor.

Mr. Anderson: Which none of the other neighbors have to do, or have done. But again, I'm not sure exactly where you're going and I'm trying to understand, but the lot coverage of 45 Main when you talk about the building...

Boardmember Hutson: No, 45 Main you don't see from the road. I mean, it's totally different. I mean, you walk down Main Street, and you look up and see a building. It's not like viewed from a distance...nobody...even sees 45 Main from a distance.

Mr. Anderson: I'm not sure anyone's going to be seeing this from the distance either.

Boardmember Hutson: I think it will. I think a lot of people will see this from a number of perspectives much further away than they'd be looking at 45 Main.

Mr. Anderson: I think that you'll notice this as much as you notice the buildings on the south side, which is pretty much not at all.

Boardmember Hutson: Say that again?

Mr. Anderson: You'll see this building as much as you see buildings on the other side of the ravine which are actually taller than this building, i.e. you'll see this building not at all.

Boardmember Hutson: On the south side, you're saying?

Mr. Anderson: The buildings on the south side of the ravine, which is a very dense-built environment, those buildings have much greater lot coverage and much greater density than this building does and you don't see those buildings.

Boardmember Hutson: Right, but those buildings come down to street...I mean, you have buildings coming down to street level at ground level on Railroad Avenue.

Mr. Anderson: But we're not concerned about street level. We're concerned about from the parking lot or from the train. And on the downslope side the buildings on the south side, in fact, are much taller than this building.

Boardmember Cameron: But the buildings on the south side are actually farther away from the train platform than yours will be. Yours will be a lot closer to the train platform, and therefore even if it isn't as tall it will look a lot taller.

Mr. Anderson: I'm not sure that that's the case.

Boardmember Cameron: I think that's perspective. You're looking up like this versus looking like that. If it's further away you don't see a building as being as tall farther away.

Boardmember Hutson: It's really a matter of just trying to get hold of this. As I said before, I think the use there, I think the nature of the architecture, I think all of that's great. It's just that this is such a leap in terms of size for that location that something will have to convince me of proportionality, I think, before we are able to feel -- before I'm able to feel -- comfortable with. Let me put it that way.

Boardmember Cameron: The other question I'd like to ask, in a lot of your renderings you make different parts of the buildings different colors, yet when we asked the question last time I think you said actually it's all going to be the same material and not different material.

Mr. Anderson: No, actually you misunderstood it. We either misspoke, or you misunderstood. The materials are differentiated on purpose in order to accentuate the module notion that's been taken through from...

Boardmember Cameron: And that's how they're going to be constructed.

Mr. Anderson: They're constructed in brick and wood on alternating modules.

Boardmember Cameron: Is this rehabilitated or restored wood that you're planning to use?

Mr. Yogev: Recycled.

Mr. Anderson: And then there's other materials that are introduced, just like the buildings on the south side. For instance, there's the notion of the rubble base which is meant to further soften or further differentiate the facade, the downslope.

Mr. Yogev: I think you could see it better in the other images.

Boardmember Cameron: Even in some of these images, what I think is the wood portions end up in different colors.

Mr. Yogev: This is the shade because this is not on the...

Boardmember Cameron: It's on an angle. I know it's at an angle. That's the alleyway.

Mr. Yogev : Right.

Chairperson Speranza: And I think that is one of the difficult things about this, is being able to show all of the different, call them, nooks and crannies: the alleyway, the setback, the set-off.

Mr. Yogev: Well, the hope is that if I introduce the shadows it does reduce that. But I guess the result is the opposite. A flat drawing would probably be clearer here. Not as far as the material, but how to read the building in relationship to the other buildings there.

Boardmember Dale: I do think the designer has gone to great lengths to try and mitigate the actual square footage of the project in its perspective. You talk about proportionality. It very likely could be in separate buildings.

Boardmember Hutson: I think you're right. I think the view from that parking lot is our best. I mean, that effect that has been developed over time is, I think, terrific.

Boardmember Dale: I also think it ends West Main Street in a punctuation. It ends the street, it's the end of the building, then you take the stairs down to the railroad. I think it's a strong statement, but I think it works. And the willingness to put it between parking lots I think is very useful. You know, it's an area of the Village I can't see a great deal of interest in developing, and here is something I think that solves that urban problem of what do you put next to that parking lot. By building something that's already angled towards the waterfront, but at the same time has the commercial use right on that street, I think helps define the edge of the Village.

Boardmember Cameron: One more sort of question at this point. I think we talked about this last time. The roof on the buildings I understand, I think, that's it's going to be copper or lead-covered copper or something like that?

Mr. Yogev: Zinc-coated copper.

Boardmember Cameron: I actually have such a roof on part of my house. I mean, it's on a very flat roof, which is why we had it. The shine coming off of that in the sunlight is just unbelievable. I have to put a curtain on it. So I'm trying to figure out how much shine will come off of your roof from the perspective of the people in the parking lot in the summertime when the sun is north of us, and what effect that will have on people. I know you may be planning on this same roof farther up on Main Street, but I have a feeling that roof's going to be extremely bright and really stand out as people look at it. I know lead-covered roofs are..

Mr. Yogev: Our experience was that after it weathers it just turns dull and it's basically a very, very light gray. I mean, it's not going to be like a reflection, a mirror, or something like that. Both with zinc- and the lead-coated copper.

Mr. Anderson: We certainly don't want to create a fishing lure on 10 West Main Street.

Boardmember Cameron: No, it's not bright, but it's not quite Frank Gehry in Los Angeles.

Mr. Anderson: We could do Frank Gehry.

Boardmember Cameron: But it's actually going to be pretty bright. Mine's three years old and it's still pretty bright. Maybe I've got to wait another five, I don't know.

Chairperson Speranza: That is certainly something -- once we get through the environmental process -- that's still something that we can, in fact, deal with during site plan approval and the next steps, which I know you're really looking forward to hearing our comments on, right? Eva, did you have anything you wanted to add?

Boardmember Alligood: I guess my comment is, I would agree with Mr. Dale. I appreciate what it's doing at the end of that lot there. I think that's an unresolved corner in the parking lot. And architecturally I think it has merit. I guess I still have concerns about the view from the train station and that lower part of Hastings. I still need to be convinced that it is going to be hidden from view the way you describe it. I'm concerned about the trees. If they're going to get destroyed during construction, that will make the building more visible. I think if it is obscured by greenery I'm less concerned about it, but it's still a lingering concern.

Mr. Anderson: And it's been lingering. You're new to this conversation, but you're stepping right into the right place. I think Asaf said something very wise last time that I didn't quite realize before, and that is that a lot of the trees that are screening the property aren't even on our lot. Or if they are on our lot they're below the easement, which we're not going anywhere near in terms of construction at least except in one place. So there's a lot of green that has nothing to do with us but that will help to screen us. So can I commit that there's not going to need to be any loss of trees on the site beyond what we hope for during construction? We certainly will make our best effort, and my hope is that we maintain all that green, all those trees. But even if we were to lose some I think that a lot of the screening actually is beyond our property line.

Mr. Yogev: And I did mention last time that we marked all the trees that are outside of the footprint of the building. And if you just walk around the site, not even on the site, and look through the trees that are on the parking lot side -- even the stairs, once you start going down the stairs -- you'll see that. I mean, like I said before, if I have to do the rendering again from the train platform I think I'll have to show even less than what I was showing before because I don't think I'll be seeing anything. If I stand right at the edge of the platform looking up, it's almost not visible.

Chairperson Speranza: Because of the vegetation.

Mr. Yogev: Right. And most of that vegetation there actually is not on our site. I mean, there are three very large trees that are basically on the curb level at the parking lot. Our building is just going to be barely above them. You'll see it, I guess, in the winter.

Mr. Anderson: It'll be barely taller, and it'll be set back well from them.

Boardmember Dale: Whose property is that, the lower portion of the slope?

Mr. Yogev: I think it's the Village.

Mr. Anderson: No, I think it's actually ours. The ones that are right at the parking lot?

Mr. Yogev: No, there's a few trees that are below the retaining wall, and that's Village property.

Boardmember Dale: The land below your property, is that the Village? That will be protected?

Chairperson Speranza: One of the things that is required is the landscaping plan. And the landscaping plan is going to have -- we can insist that it show -- the vegetation that is going to be remaining. And should something happen during the construction process, at least make it a condition that there's got to be that kind of landscaping. You can't replace a tree one-for-one, and it's a shame. But at least it provides some incentive to really take good care during any kind of construction to make sure that the vegetation doesn't get lost.

Mr. Anderson: And that seems reasonable to me on its face: catalogue the trees, make a judgment of what's going to stay.

Chairperson Speranza: And if there were Village trees that were damaged, we would insist that they be replaced.

Boardmember Cameron: So are we saying that although they can't build on the 16-foot wide sanitary sewer line they can take the trees down on that line? Or where are we on that? I thought they weren't going to take them down to the sewer line, either.

Mr. Anderson: If we're not building over it, the idea is to not...

Boardmember Cameron: The question was whether you were going to take down any trees on that sewer line.

Mr. Yogev: No.

Mr. Anderson: The intention is to not take any trees down on the side opposite us on the sewer easement.

Boardmember Cameron: On the sewer line. There's a 16-foot wide right-of-way.

Mr. Anderson: And on the other side, on the south and west of the sewer line, as well. So if you will, on the north side of the stairs down there's actually a couple of pretty good trees that screen the view from the northwest. And then a lot of these trees down here...

Mr. Yogev: Actually you can show it on the site plan.

Mr. Anderson: Here's the sanitary line.

Mr. Yogev: Right. Everything below this retaining wall right here is not our property. I think it's Village property. There are quite a number of trees right there that are pretty large.

Mr. Anderson: And I think, not to be disagreeable, that some of that property is our property. The larger point which Mr. Cameron is making is that any trees south and west of that sewer easement are not trees that we have any interest in. And there are trees that are north and east of the sewer line which we hope, and expect, to retain.

Boardmember Wertz: My concern remains nothing new: the bulk, the size of the building and its visual impact. I think we also have to consider the impact in the winter. The trees are going to be much more concealing in the summer. But there are views of the river in the winter, particularly the view from the parking lot behind the stores on Warburton is a view that I think is going to be affected. So that's something I'm thinking about. But the character of the building, and its fit and its proportional size in relation to the other dwellings on the street, make it stand out in a way that doesn't fit to me in terms of size, style, and overall visual impact in relation to the character of the setting apart from that proposal. So that's my concern.

Chairperson Speranza: Okay, we've done a lot of talking. We need to hear from the members of the public.

Mr. Anderson: Thank you.

Jim Stadler, 8 West Main: Not to be redundant, but I could use the same pictures for my argument about view preservation out my back windows. This is a rendering looking out my second-floor window, but basically it would have the same effect from my third-floor windows and the back windows of every building on West Main Street because they all pretty much share the same views as that upper left-hand photo does. What we'll be looking at is brick walls. You know, I don't understand how they say this is not impacting anybody on the street. And I'm not even mentioning that on my third floor I have windows looking directly west. Even though this is a three-story building, the three stories is higher. So right now I have a two-story building next to me. I'll have a three-story building, so now my west views will be gone also. As far as visual impacts...

Chairperson Speranza: Grab the mike, and then you can go to the boards.

Mr. Stadler: The view preservation is also concerned with views from public rights-of-way. The parking lot, the back of the stores, the walkway, the sidewalk going down to the train station -- right now when you're in the parking lot the views are seasonal but you have spectacular views of the Palisades and the river looking south. When this building -- when this last structure, the aluminum building here -- is torn down that'll even give you greater views of the river and the Palisades. So if anything, these pictures are proving my point. Thank you.

Chairperson Speranza: Okay, thank you, Jim. Anyone else?

Jim Surdoval, consultant - Urban Green: I'd just like to make a comment while it's fresh in everyone's mind with regard to the view from the public space because that photograph was also presented at the last meeting. When you look at the parking lot during the winter, if you do look in that direction you do see the river. But if you look straight out, just to the right of the tree in that image, the panoramic view is a head-on, amazing view of the river. So that does somewhat lessen the significance of the view in that picture because the best view isn't even in that picture.

I would also point out that the intent of view preservation is not to not allow a developer to develop his property. And on the argument of whether or not our building is too big, that view would be gone if we were a one-story building. I think that's important to keep in mind. If it were just one story that view is gone. The reason that view's there now is it's an asphalt lot.

Chairperson Speranza: Thank you. Anyone else?

Mr. Anuszkiewicz: I have a question. My question about this building is, just looking at it, what's nice about West Main Street is the way the buildings follow the slope. I think what is not contextual about this building is that it doesn't. The fact that the roofs are flat and they're all the same height, I'm just wondering was there ever any consideration to having this building step down to follow the grade the same way the rest of the buildings do on West Main? I understand that there's parking and there's an enormous parking deck there, but because the walkway down to the train station is on the north side of this building, when the sun is setting in the afternoon that walkway is going to be completely in shade. Having this building step down would probably help alleviate that.

Chairperson Speranza: Okay, thank you.

Mr. Yogev: We've done that before, and I think we got pushed down and down to make the building lower and lower until we ended up with what seems to be in this rendering like a flat roof. But it's not really a flat roof because on every elevation it actually does step down, especially towards the south.

Chairperson Speranza: Okay, thank you. Any other comments from the audience?

Danielle Goodman, 28 Ashley Road: Good evening. I'd like to respond to Mr. Anderson's first comment. Jim Metzger is not here, and he was the one who made the point about this building not being in scale or character with Hastings-on-Hudson. The response from the builder was that he somehow ... miscalculated the square footage. I think Mr. Metzger's point all along has been that the individual apartments are not in scale with most of our houses in Hastings. So then the builder looked at what was an average scale for America. I'm pointing out in response to that that I don't think our code or statutes are looking at what's in scale in Hastings versus average America. My sister lives in a small farm town in Illinois, so I would assume when Mr. Anderson is talking about what's in scale for America, the average home in America takes in, you know, everything from a hut to a skyscraper. Our codes, I think, call for the Planning Board, respectfully, to look at what's in scale with Hastings, not to use his average. So I would ask you to please take that into account.

I heard numerous references about this building versus the building at 45 Main Street. I think that's a poor example to use because I think it's one in which the Planning Board took a neg dec vote for SEQRA. Am I correct? I think that there wasn't a full SEQRA hearing.

So that was a neg dec SEQRA, and I would respectfully point out to you that 45 Main Street was a terrible mistake and it's the prime example of why you should consider having a full SEQRA for this building. Forty-five Main is too big, it's out of character to the Village, it's out of character to every single structure that surrounds it.

And now I have to say, and I think most people will only realize this after it happens, when we used to drive into the downtown from Broadway you coasted in and there were these buildings, and you passed them, and you had a breath of fresh air above you. Now you're going to be hemmed in by an oversized Community Center building. Also, I don't think the Board of Trustees, who retained jurisdiction of that building, ever did a full SEQRA on that side of the street. You didn't do a full SEQRA on the other side of the street. I tell you, I'm going to be in my car and I might as well be on Wall Street because we're going to be going through a canyon of buildings there. I don't think that's the kind of precedent you want to have for the Village. So I think that you should have a full SEQRA for this site.

Lastly, discussion about the trees. I know that we all want to preserve as many trees as we can, but the trees that are on the Village property that the builder pointed out tonight were large trees, and they would screen. The soil that they'll be digging in is clay. This isn't rock that they're going to have to blast. I just don't understand. When they have to practically move the hillside, which they're going to have to do to build their foundation, where's that dirt going? Trees can't have dirt piled up next to their trunks. It strangles them. I would hazard a guess, but I guess I'll go take a look. And I'll take one of my neighbors who's a landscape design expert -- she works for the Bronx Zoo -- to look at the trees that are there. I'll hazard a guess right now that they're referring to the American Sycamores. Those trees are probably over 100 years old, and I don't think that we can say, "Well, it's a shame, but if we lose some trees we'll insist on replacing them." I don't think that you go into this process with the idea that you're going to have to replace trees. I think if they're Village trees and they're over 100 years old, and they're the tallest trees that are going to be screening this building, then I think you have to say then we need scientists to come in, we need arborists. We don't need people running around wrapping the trunks of trees and saying, "This is not going to be on-site, it's not going to be affected." I didn't hear one scientific reason within a reasonable degree of horticultural certainty that these trees aren't going to be destroyed. Because I think they will be if we aren't careful. I think you, respectfully, have a fiduciary duty to the property and the landscape to try to protect it. I don't think making a deal up-front to replace things one-to-one, or to have landscaping done during the site planning process, is the way that I, a member of the public, would ask that you treat the situation .

So I would ask a full SEQRA be had, and that you hire, retain people, to survey the trees on behalf of the Village. I guess the developer could bring their experts in, but if the building is going to be out of scale and out of character the last thing you have to protect your character is going to be your vegetation which is there. When the view preservation is spoken of, there is a view shed from the train platform and it's an important one. Thank you.

Chairperson Speranza: Danielle, I really take exception to your characterizing the conversation tonight as a “deal up-front” to replace. It is not in any way that. Let me finish. I really take great exception to your characterizing it that way. If that’s the way it came across, let me assure everyone that was not the way that it should be interpreted. My point was that we have powers to make sure that things will happen in a proper way. That should not be interpreted as a “deal up-front”. I want to make sure that everyone realizes that.

Ms. Goodman: Excuse me for calling it a deal up-front. But as a member of the audience, I thought you were going to be discussing whether or not there’s going to be a full SEQRA. To launch ahead, and to start talking about the site planning process, does cause alarm. And that’s exactly how it sounded. So I’m happy and grateful...

Chairperson Speranza: I hope I’ve made my point.

Village Attorney Stecich: Patty, could I just clarify one thing? In any event, including on 45 Main, full SEQRA was done. The issue is whether you have to go through an environmental impact statement or not. The Board has never taken that it didn’t complete SEQRA. SEQRA can be completed in one of two ways: by a neg dec (negative declaration), it’s over. Even a neg dec is full SEQRA. Or you pos dec (positive declaration) it. You go through an EIS and then you find a final. Either one is full SEQRA. Just to clarify that it’s always a complete SEQRA. The question is whether you do a full environmental impact statement or not.

Ms. Goodman: Then so I make it clear, and it’s clear to you, the application I’m making as a citizen is for a full environmental assessment. And that was not done for the Community Center or for 45 Main. Thank you.

Boardmember Hutson: In regard to this, as we’re talking about trees, I agree with Fred’s point. Not that I don’t like trees, but I don’t think we should depend on them as a means of hiding something that we would find not so pleasant. I would like to see something here that is pleasant if there’s not a tree standing down there; something that really is appropriate to the site without any camouflage of trees. So I think we can talk about the foliage and so on. It would be nice to have trees, obviously, and there will be some trees. Whether they be enough or not to hide the buildings is another question. But I think Adam’s point -- and we had talked about this earlier on in the process -- about the need to step down toward the river, how that was an appropriate river village kind of concept. Even though it does, on the south side, attempt to deal with that to some extent, on the north and the west I still think that’s something that might help to address this impact question, this visual impact question, if we looked at that further or if you considered it further as a development team.

Chairperson Speranza: Okay, any other comments on this?

Elizabeth Felber, 415 Farragut Avenue: I just have a quick question. I'm trying to understand what standard you apply when you evaluate the view preservation. I've only come to a few of these meetings, but I do remember the one on Riverview Place with the Rybergs and the Presses. My memory is that you ruled against some of the renovations because it completely blocked the Presses' view. My understanding, and maybe I'm misunderstanding this, is this is going to completely block Mr. Stadler's view. So I'm just wondering what standard you apply when you evaluate view preservation.

Chairperson Speranza: In accordance with what's in the code. Everything's got to be done separately. The situation on Riverview, if you recall, there were some aspects of that proposal which we would not let proceed; there were other aspects of the proposal which we felt would not hinder the view. So we have to look at it from many different aspects. The view from 8 West Main Street from this perspective is one of the things that we considered. The public view is another thing. Marianne, do you have the code? I wish I could remember exactly the language.

Village Attorney Stecich: It's to minimize the impact on the view to the greatest extent practicable. And I think the issue with that application where you denied for part of it was that there was the initial application that came in, they showed the impacts on the view, and there was no effort made to change it.

Chairperson Speranza: To change it, right? To mitigate it.

Village Attorney Stecich: To mitigate that impact. That was why the Planning Board, rather than voting it down the first time, asked them to come back and see whether ...Now I'm getting confused whether it's the Planning Board or the Zoning Board because it was before both boards. And said could you do something to reduce the impact of the view.

Ms. Felber: So you have not gotten to that stage with view preservation with respect to 8 West Main?

Village Attorney Stecich: That's what this hearing is on.

Chairperson Speranza: No, we haven't.

Ms. Felber: So you have to reach a finding...

Chairperson Speranza: There has been no action taken because we haven't decided how we're going to proceed with this under SEQRA; whether we're issuing a positive declaration or a negative declaration.

Ms. Felber: But that is one of the factors you'll have to consider, a finding on whether it does indeed block Jim Stadler's building.

Boardmember Hutson: I don't think Jim is saying that it blocks all of his view. He's just saying it has a significant, very significant, impact on his view to the west.

Boardmember Dale: Can I ask for clarification on what the view preservation is? If, for example, a property like this case next door is undeveloped, and somebody has a house and hence has a view, does that mean the owner of that undeveloped property has no right to build?

Boardmember Hutson: No.

Chairperson Speranza: No, it means the impacts of the view on the adjacent property owners and public. And my recollection from the last meeting is that it was the adjacent property owners that this law was developed for initially, and then it was added later to protect public view areas. So it doesn't mean that they can't build, it means that things have to be done in a way that's going to minimize the impact of the construction.

Village Attorney Stecich: Patty, if I could just add language which I should have the first time, it says that it should be configured and sited in such a way. So it envisions that there's going to be something built in the View Preservation area, but it has to be configured and sited in a way to minimize it.

Ms. Felber: Okay, thank you.

Michael Curtis, 328 Warburton Avenue: I agree with Mr. Cameron's position that viewing this structure from the train station is a little different than viewing the buildings to the south from the train station. It just occurred to me, when I get off at Greystone -- and I know that's a much bigger building, the apartment building -- you have that sort of presentation of a massive structure that's above you and it really is a fairly intimidating barrier or wall to encounter when you come off the train. It's quite a different view experience and psychological impact than it is to look -- whatever that is, a quarter-mile south -- to structures that are resting at street level. So I think the esthetic impact, the first impression when we, the residents of Hastings and visitors to the community come off the train, is important. And do we want to present a wall, a barrier? The thing has a real monolithic quality to me, and I just wanted to voice my agreement with that point of view. Thank you.

Chairperson Speranza: Anyone else in the audience want to comment on this? Marianne, do you have the language? You want to go through it once?

Village Attorney Stecich: Okay, instead of bits and pieces, the way I was doing before. "It shall be referred to the Planning Board for its report and recommendations as the best siting, dimensions, and configuration of principal and accessory structures so as to cause the least possible obstruction of the view of the Hudson River and Palisades for neighboring properties and adjacent public property and right-of-way." Elizabeth, it's Section 295-82.

Boardmember Wertz: That's pretty strong language, actually. It sounds a little stronger than what we were remembering: "the least possible obstruction" is a pretty strong statement.

Village Attorney Stecich: But it has to be taken with the language “siting, dimensions, and configuration.” I was trying to address Bruce’s concern. Does that mean you can’t build at all? No, it doesn’t mean you can’t build at all. But if you do build, you have to...

Boardmember Wertz: Build according to the least possible obstruction.

Boardmember Hutson: But given whatever the code allows you to build. You’re still allowed to build what the code allows you to build, but you have to do it in such a way it has the least impact.

Boardmember Cameron: So one of the issues would be, can you have a building which is 90 feet deep next to someone who has a building which is only 50 feet, where you were talking about configuration, site, and things of that nature.

Boardmember Hutson: Well, I won’t separate for you, Marianne.

Boardmember Cameron: I’m not saying that’s the answer, but the implications of the language.

Boardmember Hutson: I don’t think you could say, as I understand it and have always interpreted it, that because someone has a house that only goes partway out to what they could do, that the next-door neighbor couldn’t go out to what they could. The smaller house on the property, even though it may be more aesthetically pleasing and so on, or more proportionate, really can’t limit the other person. But you might say that that person, rather than put their house toward the rear of the lot which blocks the view more than if they moved it forward on the lot where they still would have room as a setback, that you could require easily within the code, I think.

Boardmember Cameron: One of the problems these people have with their house is, of course, the slope is so steep they couldn’t possibly build it farther out.

Boardmember Hutson: Right, exactly. Well, I think in regard to this application, one of the features is [that] the fourth story is not automatically assured in the zone. So therefore, that gives us some control as to the size of this building. Am I correct in that?

Village Attorney Stecich: As a theoretical matter you are. I did raise that with the Board, and maybe the builders would have to explain this. I think it was Bill Logan who explained why that still wouldn’t affect the height because they can take away the lower story.

Boardmember Hutson: They could, but then it would come into play, I think. Where you can say, Hey, you have this capacity to build that down, therefore it would make sense, without your right to build and what you could build, the amount that you could build.

Village Attorney Stecich: Maybe, I don’t know. But that’s an architectural question.

Mr. Yogev: I'm sorry, but I think the fourth floor below ground is...what would be residential is only the screening of the garage. So we dropped the garage below ground to make it not visible. And then what we did is just screen around it. Residential fourth floor below ground. That's the only thing. Most of it is the garage. So even if we did lose that we wouldn't be losing much of the footprint of it.

Village Attorney Stecich: I was talking about the height.

Mr. Yogev: But the height is not four floors. It's only three.

Mr. Anderson: There's no point of the building that's four stories. But there's different parts of the building that are three stories that are on different levels. I think actually the last time you were here that was a moment of confusion that we had.

Mr. Yogev: Right. So that's why we actually did this for the last meeting, where we broke it into the pieces and we showed where this is a platform that holds the parking garage and screening around it. And then on top of it we have the one, two, and then the third building.

Boardmember Hutson: But I think what we would have to do is talk about whether being elevated on a platform somehow, and because you didn't have anything below, it didn't count toward this. In other words, if you look there you easily see, even above the platform, four stories right?, to your left.

Mr. Yogev: Here? No, it's...

Boardmember Hutson: Not counting that fourth one. We'll have to explore what that really translates to.

Mr. Yogev: But the height of the building in this corner, even if you didn't have any residential, would still...

[BREAK IN MEETING]

Chairperson Speranza: Okay, we're back. Eva, you were making the point that no matter what was to be...people aren't going to see the different levels, people are going to see the building in total when they're at the train station.

Boardmember Alligood: Your view is uniquely different with his project in its site in the sense that you're going to be looking up, your eye is going to count that closed-in level that's holding up the building that it's going to read as part of the mass of the building. That's my concern. I think that is something different from what we see in the Village. I'm not concerned that it doesn't look traditional enough and that the architecture isn't in keeping with the rest of the Village in the center of town. It's more a concern about the mass of it, and your view from the train station. Coming down, looking through the parking lot at Maud's, I think, there aren't really trees.

Mr. Anderson: The building doesn't read from that parking lot at Maud's. There's that retaining wall that blocks your up view.

Mr. Yogev: Actually, from Maud's there are trees on the other side of the stair that are not on our site at all, north of the stair.

Boardmember Alligood: We're getting back to the question of trees.

Mr. Yogev: But the thing is that they're not even close to our site.

Mr. Anderson: I think we're also getting back to a place where you get to an argument of whether it's important to have good architecture introducing a community or important buildings introducing a community. I frankly think that, as I study communities, communities have historically introduced themselves with important structure, impressive structure, i.e. large structure. I think there was no mistake about that, and I think that we're trying to have it, frankly, both ways here. I think that this site deserves a really spectacular, really impressive building. That's just the way I think that communities organize themselves. Personally, I would think that Hastings would want something more than a beat-up asphalt parking lot introducing the Village to a new arrival walking into the Village, and personally I think that building does that. Without doing the other thing which I want to see, without becoming a monument to itself, or to the architecture, or to the builders or developers. It doesn't do that either. It's a fairly soft, fairly reflective building of what is in the downtown. And if you look at how much building we are proposing as opposed to how much building we might build there according to the law, we are building a building that's a fraction, a third, of what the law allows in terms of FAR. So, in fact, we're actually building something that's quite modest in terms of what the law allows.

We're not blocking anyone's view. I'm sorry, we're not blocking anyone's view in its *entirety*. In fact, if we're blocking anyone's view we're blocking a view which is some relatively modest arc in a 180-degree view, which is by definition what your view is as you look out a window. Of course, the reality of it is that your view is significantly less than 180 because you'd have to stick your head out of the window and look left and right in order to get that full 180. So I think actually Mr. Stadler is exactly right: I think we are impacting his view, no doubt about it. But I think that we're impacting his view in a very modest way -- my definition, not his. And the way that we actually moved the building through the iterations -- some of the new folks probably don't appreciate this -- we've actually dropped the building on that corner, on that southeast corner, substantially. We've actually lopped off two entire stories on that side in order to alleviate, or mitigate, some of the impact that we admittedly have on his view. But the impact on his view is a portion of an arc, and to say that we're taking his entire view is an entire misstatement. And to say that we're actually blocking his best view is also a misstatement. Like it would be to say that we're blocking the best view from the parking lot above.

Jim Surdoval's point earlier: if you want to enjoy the Palisades and the Hudson River from the parking lot, you're not looking south, you're looking west. Because west is this panorama, this world-class view, and looking south you've got a beat-up parking lot, you've got a [run-down] garage, and you've got a tree screening your view. And I think that I'll argue this one to my last breath: the view impact from that parking lot is modest because we're blocking the view that's the least important view to the river. And because we're providing this view platform to the public, we are, in fact, activating the view to the south into the bridge in a way that's not available today. And we're activating it in a way that makes the view to the south toward the bridge as brilliant -- in fact I would argue more brilliant -- than the view to the west from the parking lot above.

Chairperson Speranza: Can you show me where...

Mr. Yogev: There.

Chairperson Speranza: No. I know that's where you're talking about. No, you've got to move it back over. Sorry, no, move it up where it was. The lower right-hand photograph.

Mr. Yogev: You want to know where the building was...

Chairperson Speranza: Where is that on the large map?

Mr. Yogev: This corner here is this corner here.

Chairperson Speranza: And what about the other one?

Mr. Yogev: The tall one is that one.

Chairperson Speranza: Is that one, okay. I wanted to make sure I had that.

Mr. Yogev: Originally, this wall was right against the garage here. So yes, if we did this a couple years ago this would probably just be a wall.

Chairperson Speranza: Right, okay.

Mr. Anderson: That wasn't activated, that had no windows, and then per this conversation, we pushed it back, right?

Mr. Yogev : So right now, when we dropped the two floors here, originally the building line was right here. When we dropped it here, we provided this here.

Mr. Anderson: So as we said before, our building actually starts some number of feet further west.

Mr. Yogev : At West Main it's actually 5 feet away from the corner. But at this location, from where we originally had it, we pushed it 15 feet towards the west, away from the lot line.

Boardmember Hutson: How deep is the building from West Main going back toward the commuter parking lot at its deepest point?

Mr. Anderson: The deepest point?

Boardmember Hutson: From the front of the building on West Main?

Boardmember Dale: Actually I think it shows better on the board on the left.

Mr. Yogev: I was looking for this. This one is 110.

Mr. Anderson: 110 feet.

Boardmember Hutson: To the setback, or all the way down?

Mr. Yogev: To the southernmost point.

Chairperson Speranza: Okay, anything else right now? I think we do have to bring this to some conclusion. You got the environmental assessment form tonight. My suggestion is that our meeting in August -- everybody will be here and Mr. Logan will be back also -- that we go through and we make our determination, or SEQRA determination.

Mr. Anderson: Thank you.

Boardmember Hutson: Thank you.

IV. Other Business

1. Discussion of Large Tracts

Chairperson Speranza: The next item on the agenda is a discussion of the work that was one on the large tracts in the Village. Let me just get the document. There were some pieces of the material you received in your packet. Angie Witkowski, our Village Planner, had put together a chart to update the assessed value of the properties which were looked at. This document is something that we were charged to do. There had been discussion after the Vision Plan was released that there needed to be some implementation strategies moving forward. One of the items had to do with the section of the Vision Plan that dealt with large tracts. In fact, there were two action items that were included in the Vision Plan with respect to the large tracts. Essentially, it was to develop a greenspace overlay zone with related legislation. As part of the work that had been done by the Vision Plan committees, which was in 1997, the idea of being able to protect the entrances of the Village with a buffer...and we had talked at the time about a 100-foot setback to protect the feeling that you had when you arrived in the Village of being in a very nice area, a green area. Because there were many of the properties that seemed to have what were considered to be large tracts, we wanted to be able to legislate some sort of protection of a buffer. Hence the action to develop a greenspace overlay. The second was to review the zoning of a level of the large tracts.

Now, at some point during the discussion with the members of the Board of Trustees and the Village Manager those two kind of morphed together. What we ended up coming up with was a charge to look at the large land tracts, of which we looked at essentially six tracts, some of which were combined because they were smaller properties that are located near each other. But to look at them, and look at them not so much with respect to should we rezone them to 2-acre if right now they're zoned for a half-acre, so much as what are the important characteristics of those properties that we need to maintain for the Village for environmental reasons or historical reasons or to protect that feeling of open space that we knew existed, particularly along the properties that bordered the Village entrances.

So that's how the committee came into being. I will say that initially there was very good participation. I think we started with probably 12 or 15 individuals who came. And, in part, I know that that was driven by a concern with what was going to happen on the Andrus Home property. The property owners were invited to participate, and they did. And, in fact, they ended up being the people who, in the end, were always at the meetings because they were concerned with what was going to happen.

You've had a chance to read the text and look through the way in which the document has been set up. Essentially, it's kind of a summary of where we were and the things that came out of the discussions. There was in just a couple of instances where the Village had considered acquiring a property. Two instances, I believe, where we looked at rezoning of the properties. But most importantly, and what came across most clearly through the discussion, was that there needed to be additional ordinances, additional techniques employed, in order to protect what have now become scarce properties and large properties, and looking at that. What we need to do, I want your opinions on what's in here and what the format is. And then what I would like to do is make the changes that are recommended by this board, and then get it to the Board of Trustees and, in fact, give a presentation on everything that's in here; going through the properties and what we've done and what we looked at. I've got a number of digital photos that were taken by some of the members of the committee in their work on this.

Boardmember Hutson: I think that the point you just made that when this all began we were kind of thinking that there's some broad statements that can be made of all the properties. But the fact of the matter is, as you point out, they each have their unique attributes and possibilities. I think it's almost a benefit to the Trustees, particularly since they're talking about another Comprehensive Plan initiative, to almost not provide raw data, but rather try and really get an overview that speaks to all of the properties to have almost the individual kind of presentations about them. That would perhaps be the most helpful, rather than press too much: to, Okay, what does this all mean?, which is kind of where we started out. That was just one of the things I thought in terms of the procedure or approach that might serve what they're thinking of well.

Chairperson Speranza: What you've gotten tonight are the appendices, which were omitted. There was a tremendous amount of work done in terms of walking the sites, and the property owners were cooperative in letting people come on and pointing various things out. I think it was a very good effort to really inventory and assess the importance of what's on the properties.

Boardmember Dale: What's interesting, Patty, was your comment about this would fit into a master or comprehensive plan. That there are a number of points in the recommendations here, for example the 100-foot setback from the road following the view corridor and how that actually does, in fact, become something that would go into a comprehensive plan where you decide that this corridor has to be defined in a certain way, and setbacks from the property applying to where you can build would be the beginnings of a zoning forum.

Boardmember Hutson: And that is one of the things that, even though it's not written ... in stone, because it is in the Vision Plan when people come before us now it has some weight in terms of what the expectation is. It's come into play every time we've had a proposal along - - which is only a couple of times actually -- along rights-of-way, to where people listened to that. In effect, what happened over on 9-A, not because it totally required that setback. But there we said, well, it's not so crucial because we have the trailway on the other side so we don't want to force everything up against the Saw Mill River so maybe we give a little bit on that. But it became a clear part of the discussion and we felt, and I think the applicant felt, that it carried enough weight that they had to pay attention to it. But it could be made even stronger, as you say.

Boardmember Dale: I don't know where 100 feet came by, but I do think the point is well-taken, that kind of decision about view and how you respect the existing corridor...

Boardmember Hutson: Which is something that would fit across all properties ...

Boardmember Dale: Yes, it does. The details and the fairness of the report are really good. It's got a lot of information, and they are each individual sites that need their own considerations. But the two things that do seem to be general principles, and the first that you mentioned -- the 100-foot setback rule -- that's consistent among almost all of the sites. So I think it takes on more weight when it becomes a kind of norm that almost covers all these large tracts. It becomes kind of a principle, and that's good.

The other thing is the cluster concept, which appears repeatedly in almost all of them, really. So it seems to me that those are the two most important kinds of consistent general principles that are applied across these sites, despite their variability.

And then the other issue has to do with creating and strengthening laws that concern wetlands and steep slopes. I think the report recommended a consultant to help us understand various tools for creating these goals. I guess that's also something that would help, that we need help on.

Chairperson Speranza: Yes.

Boardmember Alligood: I have sort of an overall comment, which is that I was just extremely pleased to see this kind of forward thinking, planning for what might be. I mean, if there's a transfer of ownership what does the Village want to see happen. And that's so critical because sometimes these things come up really quickly, and we haven't thought about it, and we have to just sort of respond. And that's where a lot of conflicts come up. I think this is critical for having a plan in place, to know what we want to see happen in cases where there are transfers of ownership. What aspects of this, what characteristics, do we want to keep in place? I think that speaks to the broader goal of having a comprehensive plan, thinking ahead.

Boardmember Dale: And also the consistent care about preserving history and historicals, wherever they exist. I think you picked up on that, and you said let's make sure that those buildings are preserved. So I think there are a bunch of general principles here that are ones that we affirm and that can stand up, and in that way be proactive in preventing things that we don't want to fight about on an ad hoc basis.

Boardmember Cameron: I agree. I think the proactive part of it is perhaps the most important part, and that we get in there ahead of it. Because often, as we know, you get a developer who's going to buy a site, and it's so many acres, and your dreams go wild and so do the seller of the land of how much they can put on that. I was looking at these numbers on how many units people could have based upon the zoning, and then said to myself, "Well, how do we place some smaller sites with people wanting more?" I think we need to get ahead of the game and lay down the game rules so we don't sit there with an owner of the property who's looking for some fabulous sum and the developer's the same way because they decide they can put a lot more there than we want. So I think it's very important we do get ahead, and I agree with the view corridors. I think that's excellent to try to maintain the greenspaces of Hastings, at the same time not unduly hurting the existing owners, given what their existing zoning is. I think that tradeoff, if done properly, would get us a long way to where we want to go. I have some comments on it. I'd like to do it next time.

Chairperson Speranza: And that was something else that I think is something which can't be lost in terms of process. The property owners who were participating in the process in many instances love their properties and they want to see them maintained. They want to work with the Village to find a way to get some sort of tax relief or something with respect to right of first refusal. There are tools that are out there that we can make use of. We haven't done it much in the Village. And the thought of, Well, let's see what we can do in order to make sure that the property owner gets their property, keeps their property, and if it's something that really is very important in the Village, how do we work with them to make sure that we can take advantage of that.

Boardmember Hutson: Yes, it's always come up in regard to -- well, as Jamie knows -- the trailways question. Because we've seen these properties as providing particular opportunity for additional trailways or special trailways, but property owners are a little reluctant to have extra intrusions without some benefit to them. A lot of people I know have spent a lot of time trying to get a handle on that, and it's hard. Maybe there's a way to emphasize this ... as something for this comprehensive plan that could be also a point of emphasis to deal with.

Chairperson Speranza: Okay, please get me your comments. I have a list now of e-mail addresses, and I'll make sure that everybody gets a copy. So e-mail any comments you have.

Boardmember Hutson: Let me just ask one thing. At a practical level in terms of things happening with properties, because I know that Mr. Frietag recently passed away, Paul Frietag. That's a property open there.

Chairperson Speranza: Mr. Aranow's property has been sold.

Boardmember Hutson: It was already sold?

Village Planner Witkowski: I met with the new owners. That's going to be their family home. They brought pictures of their kids because they had heard people thought they were developers. But they also have an offer on the Tudor...

Boardmember Hutson: They made an offer on this? So it's a compound development?

Village Planner Witkowski: Sort of a family compound. But they don't have any plans to change the property.

Boardmember Hutson: I have a hunch that that may be coming.

Village Planner Witkowski: I did, though, talk to them. I asked them if they would give any consideration to having an easement. We had met county planning, and you know they're really trying to get the Riverwalk to link all the way along the river. I asked them if they would be at least be open to talking about maybe having an easement along the riverfront part of their property. They said they would at least like to talk about it. So I try to plant that idea into people's heads when I get the opportunity to do that.

Boardmember Wertz: Patty, one last thing is I'd like to see the public get access to this. It's such an important report. Is it ready to be disseminated, or put on the Website, yet?

Chairperson Speranza: I would rather do the presentation to the Board and get all the input at that point. I mean, I don't know how they do things at the Board of Trustees level. We have a Trustee here. Are materials that are on the agenda made public before the meeting as part of the agenda? Do they go out as part of the agenda? Are they on the Website? I have no problem doing that. Because I'd rather have it all at once rather than wait and make changes from the Boardmembers, and put it out to the public and make changes, and then go to the Board of Trustees and get more input and make changes.

Boardmember Wertz: You just want to get the feedback from the public before it evolves to a mature state. When the Trustees review it, it would be nice if the public had access to it so they could make their comments to the Trustees.

Chairperson Speranza: I would like to do that. That's exactly what I would like to do.

Boardmember Wertz: That'd be great.

Hastings Trustee Jeremiah Quinlan: Maybe I can answer that. It's interesting, one of the reasons why I'm at the meeting tonight is that the Mayor, at the organizational meeting in April, appointed me as the liaison to the large tracts issue for the view preservation, and the Planning Board to the Board of Trustees. So I wanted to introduce myself to you. My understanding of my role in that is that I'm your conduit to the Board of Trustees. I do not know the answer to your question, but I will find out. I will ask at the August 22nd meeting how we should proceed. I'll speak to the Mayor in terms of whether it should be made public before the meeting, after the meeting, or when it's finalized. So I'll have an answer for you after the next meeting.

My understanding of my role is I'm just a conduit. So if there are any concerns that you have and you need any answers from the Board of Trustees, I understand my role is you ask me, I ask them, and then I answer your questions, okay? Thank you.

Village Planner Witkowski: The LWRP draft we put on the Website right after it was distributed to the Board of Trustees, if that's any help. I think that is probably the more efficient way of doing it because I think the Board would have to see it first.

Chairperson Speranza: I don't know, I would refer to the discussion at the Board. I mean, it goes in their packet and then it goes on the Web. I don't know, we'll work that through.

Village Planner Witkowski: Yes, but they would have to see it first. When there's something being reviewed, I think it has to go to them first and then it goes on the website.

Chairperson Speranza: Okay, I'll work that through with Trustee Quinlan and Susan. All right, any more discussion about this?

V. Approval of Minutes: June 15, 2006 Regular Meeting.

Chairperson Speranza: Angie, because you weren't here at the beginning of the meeting because you were doing something else for us, I realize that we didn't approve the minutes. This is the second meeting in a row where I waited until the end.

Village Planner Witkowski: Also, the accessory apartment. Was that...

Chairperson Speranza: That was approved, assuming that all the mailings were in order.

Village Planner Witkowski: All the mailings are in order, yes.

Chairperson Speranza: All right, then it does stand.

All right, so we had minutes from the June 15th meeting. I had one comment, and I think I already threw them under the table. This one I think is somewhat significant because I don't want people to misinterpret or misunderstand part of Urban Green's application. Mr. Anderson is speaking, page 8. It's the second paragraph. He's talking about the buildings, the buildings that are being constructed at 422 Warburton and 45 Main Street. The way that it reads now, it reads: "...both buildings we expect to have 'lead' certification on." I'm sure he means "green" certification.

Boardmember Alligood: It's LEED, L-E-E-D.

Chairperson Speranza: LEED certification?

Boardmember Alligood: Yes ... that's the body that certifies the building as being green.

Chairperson Speranza: Oh, really? Okay, so it does have to do with green building.

Boardmember Alligood: Yes ... LEED. That's the acronym.

Chairperson Speranza: It's an acronym, so it should be all caps.

Village Planner Witkowski: L-E-E-D, okay.

Boardmember Alligood: My husband's an architect.

Chairperson Speranza: That's helpful. I didn't want people to think that there was a problem with lead contamination or anything, so that's why I wanted to change that. Anyone see anything else?

On MOTION of Boardmember Cameron, SECONDED by Boardmember Wertz with a voice vote of all in favor, the Minutes of the Regular Meeting of June 15, 2006 were approved as amended.

VI. Discussion

Chairperson Speranza: All right, any other business, any other issues we need to talk about tonight? Angie, anything else going on that we should be aware of? I know you put in a transportation enhancement application.

Village Planner Witkowski: The enhancement application, I was going to do one for the TIP but I don't think I'll have enough time because they're due tomorrow. I did, however, get some feedback from the county on the projects around the schools so that when a funding round comes up I'll know at least we've had an initial contact with them. It was Kevin Roseman. He did get back to me. I might be able to put something together, but it just depends. They have to be in by 4 o'clock tomorrow.

Chairperson Speranza: Okay, so we can talk about that more. Or we can talk about the whole transportation initiative more.

Village Planner Witkowski: Yes, we may want to have a meeting with our consultants fairly soon on that just to go over the project. I've been giving them any input that people have gotten to me. I have been e-mailing to them and discussing with George Jacquemart. He's been away a lot the last month or so with clients upstate. I know most of the comments have been positive for the projects that they've talked about. The only one that there was some controversy over was the roundabout. But those things, we'll just have to set up a time. And I think I can talk with him about that and see what their schedule is, too.

Chairperson Speranza: Our next meeting is scheduled for August 17th.

Village Attorney Stecich: That's bad for you? It's bad for me, too.

Chairperson Speranza: There's been a request that we do it August 24th. Is that better?

Village Attorney Stecich: There's no ZBA meeting ... They're not meeting in August.

Chairperson Speranza: Are you done already by then? What do we have? Because we've committed [to 10 W. Main] ...

Village Attorney Stecich: No, you want everybody here.

Boardmember Cameron: I could do the Monday. I can't do the 24th.

Chairperson Speranza: Are you gone the entire week?

Village Attorney Stecich: When do you go David?

Boardmember Hutson: I'll be on vacation the last two weeks.

Boardmember Alligood: I'm away the week of the 14th, so I can do anything up to then.

Chairperson Speranza: Okay, so who definitely would not be here on the 17th? One, two, you're not a voting member.

Village Attorney Stecich: I know. I'm just concerned because of the... That's the only reason I mentioned it. I mean, obviously, I can send somebody from my firm. If I had to I could rearrange. I have a trip away. I'd just have to switch it, I guess.

Chairperson Speranza: I know, August is very bad. Why don't we do a canvass? Or you know what? Let's make it easier. If everyone could send -- for people who are out for a week, or weeks, at a time -- send when you're going to be gone to Angie and this way we can try to find a date. We do have to worry about notice. Well, no, we don't have to notice this one, but there may be other applications that come in that we have to worry about in terms of notice. So we'll have to watch that ... I'm not wedded to Thursdays.

Boardmember Cameron: Could you e-mail us all tomorrow with everyone's e-mail address so we could e-mail you back?

Chairperson Speranza: I have them. Send your e-mail to Angie.

Village Planner Witkowski: Yes, send your e-mails to me... awitkowski@hastingsgov.org. If you go to the Website, my e-mail address is on department contacts.

Chairperson Speranza: We have a list here, but I do want to add Bill Logan so that we have a complete list. So we'll get it typed up and mail it around to everyone.

Boardmember Hutson: I wonder if you aren't better off, and whether it's possible legally, just to put it off until September. Because otherwise I don't think you're going to get seven.

Village Attorney Stecich: I would say the vote on this is going to be a really close vote is my guess, and you may want seven people here. Because you definitely need four for a decision. You need four on one side. Any decision has to have a vote of four on one side. So even if there were five people here, and it's 3-to-2, nothing happened.

Chairperson Speranza: Right. I wonder if we can do something early in September, and have two meetings then in September: Our regular meeting and then maybe one the first week in September right after Labor Day.

Village Attorney Stecich: September 7th is a Thursday. Patty, the fourth Thursday in September the Zoning Board is meeting on the 14th -- earlier -- which means that the 28th is free. See, they usually meet on the fourth Thursday, but because they're not meeting in August...so you could do the 7th and the 28th of September.

Chairperson Speranza: How does that work? And then we'll have a free August.

Village Planner Witkowski: That works.

Chairperson Speranza: Okay, so the 7th and the 28th. All right, and we will confirm all this with e-mails and send out everybody's contact information.

Village Planner Witkowski: And I'll let Eric know and also I will let Susan Newman and Bruce Lozito know, because I think that they wanted to get...

Chairperson Speranza: Not the same night, please.

Village Planner Witkowski: Okay, I'll tell them they have to wait until the regular September meeting. That'll give them more time.

Boardmember Hutson: You better talk to Bill Logan right away.

Village Attorney Stecich: About the 7th.

Village Planner Witkowski: Right.

Chairperson Speranza: Now what I'd like to do is have a session for advice of counsel. But we can adjourn in anticipation of the end of that meeting, right? We're adjourning this meeting now.

VII. Adjournment

On MOTION of Boardmember Hutson, SECONDED by Boardmember Alligood with a voice vote of all in favor, Chairperson Speranza adjourned the Regular Meeting at 10:20 p.m.