

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
BOARD OF TRUSTEES & PLANNING BOARD  
SPECIAL MEETING, MARCH 7, 2006**

**A Special Meeting of the Hastings-on-Hudson Planning Board and the Village Board of Trustees was held on Tuesday, March 7, 2006 at 8:30 p.m.** in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Wm. Lee Kinnally, Jr., Trustee Michael Holdstein, Trustee Bruce Jennings, Trustee Marjorie Apel, Trustee Peter Swiderski, Planning Board Chair Patricia Speranza, Boardmember Rhoda Barr, Boardmember Bill Logan, Boardmember Robert Lee (8:40 p.m.), Boardmember David Hutson, Boardmember Fred Wertz, Boardmember William Smith, Village Attorney Marianne Stecich, and Director of Planning Angela Witkowski

**Mayor Kinnally:** This is a continuation of the public hearing on the concept plan that was submitted by Ginsburg Development for the MUPDD site up on 9-A. I am going to turn the proceedings over to the chairperson of the Planning Board, Patty Chemka Speranza, who is going to lead us through this evening.

**Chairperson Speranza:** Okay, thank you, Mayor. As the mayor said, for the Board of Trustees this is a continuation of the public hearing on the concept plan. For the Planning Board this is a public meeting to entertain questions and comments on the Supplemental Final Environmental Impact Statement (SFEIS) which was accepted by the Planning Board at its last meeting.

The way I would like the meeting to proceed this evening is, first of all, to have our counsel, Mark Chertok, followed then by Marianne Stecich, to go through exactly where we are in the environmental review process, and then the concept plan for the MUPDD process. These two processes are proceeding on a parallel track and it's very important for people to realize what the distinctions are between them. Then I'm going to ask the applicant to provide a very brief overview of the project, 5 minutes maybe. And then we will hear from the consultants that were hired by the Village on certain aspects of the proposal. I will then open up the meeting for questions from the public. As we get closer to that, I will explain the way in which I would like that portion of the meeting to be conducted.

So first off, Mark Chertok, would you take us through the environmental review procedure, please?

**Special Counsel Chertok:** Good evening. What I'm going to do is outline this process from it's origination, which goes back a number of years, and give a somewhat detailed presentation because there's a fair number of complexities and it explains why there are a variety of projects analyzed between the draft and final EIS. So if you'll bear with me, and then Marianne's going to go into the so-called MUPDD in terms of the concept plan and the status of that.

The application really has its genesis back in 1999 when the ShopRite proposal was rejected by the Planning Board. There was litigation brought by the then-applicant, a different applicant than today, challenging the Planning Board's decision.

The Supreme Court upheld the Planning Board. At that point, when the appeal was pending, the Ginsburg Development Corporation stepped in with a new application. That application was for 157 residential units called Riverwalk Village. Now, at that point in time the zoning was limited industrial, which did not allow residential, so that proposal ... was a request to rezone the site to the Trustees, as well as, for site plan and subdivision approval from the Planning Board. The SEQRA process under that continued with the Planning Board as the lead agency, and basically, it was determined that the EIS to be prepared would be a Supplemental EIS. That is, supplemental to the ShopRite EIS because we have the same site and a lot of the information was obviously unchanged in terms of natural ecological features, for example. That continued in the normal SEQRA process for that project. There was scoping. There were iterations of the Supplemental Draft EIS. That document was reviewed by the Planning Board's consultants at the time, eventually accepted by the Planning Board in April of 2002. There was then a public meeting/hearing on the DEIS with the Trustees and Planning Board both present.

The applicant then submitted the preliminary Supplemental Final EIS in the fall, in September. However, at the same time roughly, the Trustees adopted a moratorium on development of the site, which lasted for approximately 18 months. That obviously held the EIS in limbo for some extent of time. The Trustees directed the Planning Board to study zoning alternatives for the site. The Planning Board retained Stuart Turner Associates, which issued a report in December of 2004. Basically, the report recommended that--and I'm going to quote--"the preferred use of the site should be for multiple residential purposes at a density and scale which will be consistent with the Village objectives, including the range of housing opportunity, limiting peak-hour traffic, providing open space, and assuring an open corridor along Route 9-A and providing a fiscally positive use." Based on the report, the Planning Board recommended for the Trustees that creation of a new zone, the infamous MUPDD, called Mixed Use Planned Development District. I'll probably never use that full term again tonight. As far as I'm concerned, it'll be the MUPDD district. Marianne will be talking about that shortly. The Trustees voted 2-to-2 to approve that new zoning district. However, there was a protest filed by Perdue Pharma, which meant that you needed a super-majority, which did not exist. That protest was subsequently withdrawn and therefore the MUPDD became effective last fall, in September or so of 2005.

Now, to add to this complicated history already, in the interim period during the moratorium, the LI zone was effectively amended when the downtown zone was amended to allow certain types of mixed uses. So when we fast forward now to the EIS process, to the spring of last year, at that point in time there were mixed uses allowed on the site. The applicant put in the EIS with a proposal for a 60-unit residential mixed use proposal. As that proceeded forward with review, the MUPDD became effective and the applicant switched his proposed project from mixed use under LI zoning to the MUPDD Saw Mill Lofts, which is the proposal today. It's slightly different from the other, but they're all in the EIS and the EIS tries to explain this. At this point in time the Supplemental Final EIS that was accepted by the Planning Board has as the proposed project the MUPDD Saw Mill Lofts, which the applicant will describe in a few minutes.

So that's kind of where we are today in the SEQR. And obviously, that EIS went through iterations, as the earlier version did with consultants for the Planning Board approving and requiring more studies, and you'll hear from them in a moment. That EIS was accepted last month. The hearing tonight, as you heard, is not required. Or the meeting for the Planning Board is not required, but that's a tradition in the Village, and the concept plan approval hearing is a continuation of the prior hearing.

The next step in the process for the Planning Board is the issuance of SEQR findings relating to the project--which could approve, disapprove, approve with conditions--and also to make a recommendation to the Trustees with respect to the concept plan. We anticipate that that will be in a single document, recommendation/findings, but that will be the next step for the Planning Board and then it'll go on to the Trustees, which is my segue for Marianne

**Boardmember Barr:** I'd like to just make one comment. Two times Mark mentioned accepted. Accepted in this terminology means accepted for public discussion; not that it's been approved. Some people might not have understood that word.

**Special Counsel Chertok:** The EIS is accepted. The EIS describes the project, its impacts, means to mitigate potential impacts, and alternatives. It is a document for informational purposes. The findings and recommendation become the decisional type of documents.

**Boardmember Barr:** Except it isn't the equivalent of approved.

**Special Counsel Chertok:** That's correct.

**Village Attorney Stecich:** I'm going to talk about two things, the MUPDD process and then, at the end, the ZBA's role in this. The first step in the MUPDD process, which already happened, is for the Board to determine whether it's going to move the project for a public hearing. The applicant submitted the proposal, the Board of Trustees looked at it, decided it was worth considering, sent it on to the Planning Board for an advisory report-- SEQRA was already in process--and also schedule the public hearing. So the Board of Trustees held its... first session of the public hearing on November 15th. Left it open while waiting for the Planning Board's advisory report, which presumably the Planning Board, as Mark said, will give along with their SEQRA findings. It'll probably be two documents, but probably done at the same time.

The Board of Trustees' next step then is to close the public hearing--the public hearing is still open--and decide whether to approve the concept plan, disapprove it, or conditionally approve it. There are standards in the MUPDD statute for what the Board should consider and whether to approve it. That's the extent to which the application implements the legislative purposes and intent. Those purposes are to create planning and zoning flexibility, an environmentally sensitive, economically beneficial, and socially desirable development that would minimize traffic impacts, protect the Hastings-on-Hudson central business district, protect the character of neighboring properties, respect culturally and environmentally significant resources, and provide access to Village and county trailways.

Before the Board of Trustees approves the concept plan--it [has] to do its own SEQR findings. You can adopt the Planning Board's findings and incorporate them as your own; you can adopt them with your own modifications; or you could do your own SEQR findings, which would be unusual in a situation like this. If the concept plan is disapproved, obviously that's the end of it. If it's approved, or approved with conditions, it will go back to the Planning Board for site plan review. And I think this requires subdivision approval because you're changing a lot line. So even though it's not being broken up as maybe being one parcel, it needs something. And that would be the end of the Board of Trustees' role in it.

That's it on the MUPDD. Any questions on that?

On the Zoning Board: although the Zoning Board ordinarily wouldn't have a role in the MUPDD process, in this case, because there was a new use proposed--live/work, and the zoning code doesn't have a parking requirement for live/work--it has requirements for virtually all the uses that are permitted in the Village, but the code has a provision that if the use isn't listed, then the Zoning Board decides what the parking determination should be. It gets a [recommendation] from the Planning Board and makes a determination. The Planning Board made a recommendation to the Zoning Board. The Zoning Board used that as sort of a baseline. They worked ... four meetings on coming up with what the parking recommendation should be. They did it a different way from the Planning Board, but they ended up at roughly the same number -- maybe a couple more parking spaces -- than the Planning Board did. That number is 174.

But what's really important is, when the ZBA came up with this number it did it on the condition that the concept plan approval, and then later on the site plan approval, incorporate certain conditions. It also, as a condition of its coming up with this number, required--although it can't require, it would have to be required through the MUPDD, the concept plan approval, or the site plan approval--that these conditions be included in the restrictive covenants in the condominium declaration, to make sure that they would be enforceable not only by the Village but by other people in the condominium. I'm going to read what these conditions are because they address a lot of the concerns that have been raised during the public hearing on this.

The other thing I should say is, the Zoning Board decided rather than to come up with a number per unit--which they were having a really hard time with and didn't think it worked--they came up with a number for the entire project. And that's how they came up with the 174.

The conditions that they say should be made part of the conditions of approval of this project are:

- That the work business establishment in the live/work unit has to be operated by a legal resident of the unit; you can't rent it out to somebody.
- The work business establishment in the live/work unit may have not more than one employee other than the legal resident of the unit. This is a similar requirement, actually, to what you have now for professional offices, accessory professional offices, or accessory home uses.

- The following uses are not permitted in live/work units: barbershops, hair salons, nail salons, health clubs, day spas, building construction offices, offices for building cleaning and maintenance services, and diaper services. The reason this list came up is, this is a list of uses that would now be allowed. Some of them don't really make so much sense. Dry cleaning pickup and delivery depots, including on-site clothes pressing. No individual work area can be larger than 800 square feet.
- No business work area can be sold or rented for use by anyone other than a resident of the live/work unit, which is a restatement of the first one.
- This is a very important one: artists studios, offices, and personal service establishments in the live/work unit shall be limited to no more than three visitors an hour.
- No business work area can be converted to a bedroom area. This is also important because a lot of people have expressed concern about, well, maybe you're saying they're two-bedrooms but they'll actually make the work area into another bedroom. That would be illegal both under the restrictions that the apartments are under and then under your own approval.
- Any permissible retail in the live/work unit has to meet the established parking requirement in the zoning code. So if your work space were retail space and if it's 400 square feet you have to have two more parking spaces because it's one space for 200 square feet.

I made copies of this for the Board. Some of these things might come up. Let me just make sure there wasn't anything else. No, I think that's it unless anybody had any questions.

**Chairperson Speranza:** Okay, what I'd like to do now is have Mr. Bruce Lozito from Ginsburg Development Corporation give a very brief overview of the project, and then we'll go into a little bit of the background with respect to the environmental documents that have been prepared. But let's first hear, for those of you who may not be very familiar with it, a brief overview of the project that's been proposed.

**Bruce Lozito, consultant - Ginsburg Development Corporation:** Good evening, ladies and gentlemen of the Village Board and the Planning Board, staff, and members of the public. My name is Bruce Lozito. I'm a development consultant representing Ginsburg Development, the applicant. I'm sure there will be questions from the Boardmembers and from the public, so we brought with us several of our professionals who can best answer the questions that might arise, including Phillip Greeley, our traffic engineer from John Collins Engineers; Richard Hyman, who does studies of school children generation, which is an issue of concern; Tony Castillo from SESI Engineering, who is our site and storm water engineer; Susan Newman, who's been with the project from its inception; and Bob Davis from Bryan Cave, our counselors in this application.

To be brief, I want to give an overview of the project for those who are not that familiar with

what's actually been proposed. I think both Mark and Marianne did an excellent summation of how we've gotten to this point. The project that is now before the Village Board for concept plan approval and the Planning Board for environmental determination under SEQRA, as well as a recommendation on the concept plan to be rendered to the Village Board, is the so-called MUPDD Saw Mill Lofts. There's a site plan here that depicts that particular project. The fundamental aspects of it can be discussed in terms of the architecture, the density, the parking, traffic, and those kinds of considerations. MUPDD Saw Mill Lofts is a 60-unit project, which compares to the 157-unit Riverwalk development that first was proposed for this site. The site is 7.45 acres on the west side of Route 9-A at the northeastern portion of the Village, adjacent to the Town of Greenburgh where there's light industrial uses. Across Route 9-A there are also commercial and office uses in the Town of Greenburgh. To the south there's county parkland within the Village of Hastings. To the west is Westchester County's South County Trailway, the bike path that was put into use several years ago along the Putnam Railroad right-of-way.

The project itself consists of 60 units in two buildings, 30 in each. They're three-story buildings. All of the units, all 60, are condominium apartments--that is, one-level units. Fifty-four of those 60 units would have a work component, and hence are live/work units. The other six units are affordable units that are required by the Village's code, and those would be six two-bedroom affordable units. The 54 live/work units consist of six one-bedroom units, six three-bedroom units, and the remainder are all two-bedroom units. So on average, over all of the 60 units, it's a two-bedroom average apartment size.

The buildings are set back from Route 9-A, and also about 100 feet from the Saw Mill River which borders this site on the west. That was an issue of great concern--to provide a protection along the Saw Mill River corridor--and so the buildings have that setback. Virtually no improvements are proposed at the rear of the building. It would be landscaped areas, natural areas, and water quality features that we'll talk about later to provide the water quality that's required on the site.

Parking is provided in the front of the building and in garages. There would be 60 parking spaces in each of the two garages, and then an additional 54 spaces, to reach that 174 parking space total that the Zoning Board determined would be appropriate for the uses as proposed. There are three access points: an ingress only at the south end; an in-and-out at the center of the site; and an exit-only at the north end of the site. That configuration evolved over the review of the prior plans to be the most safe and best-functioning means of providing access to the site. In connection with that an important element of the proposal, or certain off-site traffic-related projects, that would not only mitigate any impact that this project would have but would also improve existing conditions that are deficient on the local roadway system at this time.

Specifically, the project includes an upgrading of the intersection of the Route 9-A/Jackson

Avenue/Ravensdale Road intersection by providing upgraded controllers and additional signal phasing so that traffic can move better through that intersection than it currently does; and it's a rather significant improvement. To the north of the site, at Lawrence Street and Route 9-A, certain site improvements will be made to allow vehicles to exit Lawrence Street onto Route 9-A more safely and more expeditiously, and that would improve traffic conditions at that intersection as well. Again, as I said, the one-way in and-out is also designed to have minimal impact on the Route 9-A corridor with traffic from the site.

The storm water system we can get into briefly. In terms of storm water, there's an actual reduction in the amount of impervious surface on the site. There are 2.3 acres of impervious area on the site at this time, and that would be reduced to 2.1 acres under the proposal. As a result, both the volume of runoff and the rate of runoff from this site will be reduced by the proposal. However, there are very stringent water quality requirements that were imposed by the state and also by the Village to deal with not just the quantity, but the quality, of runoff that leaves the site. It presently leaves the site completely untreated, which is an unacceptable condition. So we have proposed a fairly sophisticated but fundamentally sound approach to dealing with storm water management through the use of what are bioretention basins. These are all described in detail in the FEIS. I won't get into extreme detail but, essentially, water from paved areas such as parking areas are directed to these bioretention areas, which are used to filter storm water runoff from paved areas. Similarly, storm water runoff from the roof areas, will also be directed to bioretention basins at the rear of the building. All of this providing filtering before the water is ultimately discharged through existing piping systems into the Saw Mill River, but in a treated fashion as required by the ordinances.

To the south end of the site we are proposing the dedication of 1.75 acres of open space to the Village to be used either as a passive open space or as an active recreational facility as the Board and the Village may deem appropriate. In connection with that, we're also proposing a pedestrian bridge over the Saw Mill River that would connect from the parking area that's proposed on the south end of the site to the South County Trailway. It's an element that was deemed very important in linking the project to the community -- making additional recreational opportunities available, allowing the public to come onto the site to park in this area so there'd be a new trailhead created that would benefit not just the residents of this community but of the larger community. Also in relation to that, we will be obligated to provide up to \$465,000 toward the newly-enacted recreation fee fund that was created recently, in 2005, by the Village.

I think those are the most salient features of the plan. Just to mention, there's existing water in Route 9-A which will serve the development. There's an existing county trunk sewer at the rear of the property, actually in an easement, that will provide sewer service so that Village facilities will not be encumbered by the development as far as the provision of water or sewer. [Unless] there are any other questions on the basics, that would be it.

**Chairperson Speranza:** Okay, thank you. So people are aware, the Supplemental Final

Environmental Impact Statement was released a week ago Wednesday, I believe it was. It was put on the Village's Website. It contains responses to a number of issues that were brought up several years ago as well as comments that were heard at the Board of Trustees public hearing that you had on the concept plan back in November. So that information is all in here.

As Mr. Lozito said, his firm had a number of consultants who worked on the development of the proposal from GDC's point of view. The Village, recognizing that we don't necessarily have the expertise to look into things like storm water, we also hired our own consultants and we hired someone, a firm, to look into the traffic, and a firm to look into the storm water management. What I would like to do is to have our consultants now speak of what their findings have been with respect to the proposal as exists now and some of the additional information that was requested of the consultant--because they really did put them to task--and make sure that the information was the most up-to-date and the most accurate. So why don't we start with Steve Garabed from Carpenter Environmental. If you would, come up and talk to us about the storm water topic and what you found doing your work, again, for the Village.

**Steve Garabed - engineer - Carpenter Environmental Associates:** We were retained back in the fall of 2005 to, at that time, look at the SFEIS for the Riverwalk with Saw Mill Lofts alternative. At that time our major concern was that there was very limited information on the storm water management plans for the Saw Mill Lofts alternatives. We really couldn't offer an opinion as to the adequacy of anything because it was really missing a lot of details. At some point after that we said our comments at the public hearing, I believe, in September. After that, the MUPDD Saw Mill Lofts alternative was selected as the proposed project alternative.

In early December of 2005 I attended a meeting with the applicant's representatives and other representatives from the Village to ... discuss the proposed storm water management plan. At that time, the applicant presented a plan that was based upon the New York State DEC's redevelopment strategy. That strategy is a guidance document which allows you to reduce the water quality and water quantity controls on the site if you are redeveloping it. The DEC has put that forth for those sites where, if you're developing in a city and you've got limited space, they allow reduced storm water treatment and quantity storage.

The applicant also put forth that they had spoken to a representative from the DEC and they agreed that portions of this site would fall under the redevelopment strategy. My reading of the redevelopment strategy was such that I didn't agree with that opinion, and during that meeting we asked that the applicant go back and see whether they could meet the requirements of the storm water management design management, which is New York State's design manual for storm water quality and quantity control. The applicant did go back, and they revised their proposed storm water management plan to comply with the water quality design manual.

I also want to point out that at that December meeting, or as part of that meeting, we took a site



visit. There had been public concern that the pavement at the site was in very, very poor condition and that it really wasn't fully impervious. In other words, there were a number of cracks in the pavement, and that most of the water was just getting into the cracks and infiltrating right into the ground. So we wanted to go out to the site and check that out. We did do that, we all inspected the site, we took photos. While there was a number of cracks out at the site, the pavement was fairly well intact and you could see evidence of when storm water was pooling at the edge right where it would leave the pavement and flow towards the Saw Mill River. So we concluded that the pavement was in fairly good condition and was truly impervious.

At the end of December I received a storm water pollution prevention plan and a pipe capacity analysis from the applicant. I reviewed those documents, developed another set of comments, and participated in a conference call with the applicant's representatives and representatives from the Village as well. During the conference call I provided my comments to the applicant. At that time my concern was the sizing of these bioretention facilities. I felt that they were undersized, and there was an area of the driveway to the north of building A that there was no treatment provided for. So we provided those comments to the applicant and they went back and they revised the sizing of the bioretention facilities and they put in treatment for that driveway area. I believe they turned those revisions right around, and that is the design that is before you now. Based on my review of what the applicant has done--the reduction in the impervious surface, the proposal to put in these water quality practices to treat the storm water--in my opinion, I feel that they're treating and addressing the storm water to the maximum extent practicable and that they satisfy the requirements of SEQRA.

**Chairperson Speranza:** Okay, thank you. Now, we also hired a traffic consultant, Patrick O'Mara--Mr. O'Mara, if you're here--from STV.

**Patrick O'Mara, transportation engineer - STV:** We were hired back in September of 2005 to look at the traffic and transportation issues with the Riverwalk Village SFEIS at that time. We looked at the study, looked at the traffic report study, intersection capacity analysis, the methodologies that were used in the traffic study. We looked at the traffic data collection plan, the traffic volume networks that were developed for the local roadways. We took what their findings were, the identified impacts and what mitigations they had proposed at that time. We also reviewed all the SDEIS comments and responses that had accumulated up to that point, as of September, 2005. We had a number of technical concerns regarding the SDEIS at that time. Overall, we had about 40, which are listed in the SFEIS at this time. Specifically, some of our concerns consisted of such things as the existing conditions. In the report, they examined a 2000 existing condition, and at the time we were reviewing it was 2005. Some of the data, we thought, was obsolete. There were newer developments in the area, traffic volumes had changed, and we had recommended that new traffic data be collected for the area roadways.

In particular, one key intersection, the Route 9-A at Ashford Avenue intersection, there were

improvements on that intersection by the New York State DOT since the year 2000, and that was one location where we definitely recommended a brand-new traffic count at that location to reflect the improvements that were made at that location since the year 2000.

Also in the SDEIS they analyzed a 2003 build year which, at the time we reviewed it, was two years in the past. So again, we had recommended them updating to a more reasonable 2007 build year. And with a reasonable 2007 build year, looking again at the no-build projects that they will incorporate into it; looking back at what they originally had, seeing which projects may have been built by 2005, which ones may be new at that time and which ones may have been taken off the board and are now obsolete.

Another issue is the proposed mixed use live/work development. It's sort of a new type of development, and there's not a lot of historical data in terms of trip generation with regard to a mixed use development. We were concerned about trip generation for this development. We asked the applicant to either survey similar sites locally in the tri-state or Westchester County area, or to develop more sensitivity analyses to determine the best and worst case scenarios of what could happen with a mixed use development in terms of trip generation.

And a fourth concern, which came out a lot in the comments, the SDEIS, is that there was a lot of concern about the number of commuters who would probably be coming from this site going down to the Metro-North station. There was census data indicating that 25% of Hastings residents commute using Metro-North. We had recommended that they assume, as a reasonable worst case, 25% of their trips through the Village of Hastings down to the train station; and, in particular, analyze the key intersection of Main Street, Broadway, and Farragut Avenue just to see what happens when you put 25% of the trips through there.

We had a few more detailed comments based on the site-generated traffic assignments, some of the intersection geometry and the signal timings used. We looked at the reasonableness of their level of service findings. We also got the consistency of their findings as compared to the Ridge Hill Village EIS that was being done by Yonkers. There were about four or five intersections that were similar between the two studies, and we wanted to make sure that there was consistency between the two and one was not showing something drastically different than the other. Again, we looked at the appropriateness of the improvement measures that were recommended, and the site circulation and access issues to the property

So then in November, 2005 we discussed all comments with the applicant's engineers, with the Village Attorney and director of planning, and we developed a plan for revising and updating the traffic study for the EIS. This encountered a brand-new traffic data collection program. The applicant's engineers collected traffic count data in 2004 and then 2005, including the Route 9-A and Ashford Avenue intersection.

We reviewed that new traffic count data, made our recommendation to the applicant as to how to re-baseline their existing condition from 2000 up to 2005. We submitted that to the applicant and to the Village Board. They used those recommendations to update their study. And they went ahead and revised their EIS, analyzing both a reasonable action in the Saw Mill Lofts proposal and the Riverwalk Village alternative. In January of this year we once again completely reviewed the entire traffic study for the revised EIS, which now includes the Saw Mill Lofts and Riverwalk Village as the alternatives, and we did the same things again: looked at their existing condition, their traffic networks, make sure things were consistent to the original study in terms of intersection configuration timings for intersections that didn't change, checked the new configuration for the Ashford Avenue/9-A intersection, reviewed the traffic networks again and the assignments for the trip generation.

They also updated their no-build analysis to include new no-build projects that are expected within the Village or in the area by the year 2007. They also performed a sensitivity analysis for the Saw Mill Lofts mixed use development to determine the number of trips that might be generated based on the number of residents, the number of visitors who might come to the site, and the number of workers. They ran several different scenarios, which are summarized in the EIS. What they did was, they analyzed a reasonable case for the Saw Mill Lofts. And the fact that they also analyzed Riverwalk Village, which has a higher trip generation than the worst case for the Saw Mill Lofts, the Board can see a range of a reasonable case and a worst case scenario for the traffic impacts for both conditions from this analysis.

In addition to doing the sensitivity analysis for the trip generation, they also performed a sensitivity analysis at the Broadway/Main Street/Farragut Avenue section with 25% of the trips going through that intersection. They did a sensitivity analysis also at the 9-A/Lawrence Street intersection with the proposed site distance improvements, as Bruce Lozito had mentioned earlier. And they also, going one step further, examined the intersection of Route 9-A, Jackson Avenue, and Ravensdale Road, implementing the improvements recommended by the Ridge Hill development in Yonkers and seeing if this development would have any adverse impacts on the improvements recommended by that EIS.

So again, we reviewed this entire work. Again, we had some comments or clarifications that we wanted to resolve with the applicant's engineers. And we had a conference call again, including the Village Attorney and the director of planning. These were responded to and clarified in the report, so they revised it one more time with our comments. We reviewed it one more time. In the interim, the applicant's traffic engineer and the permit coordinator for New York State Department of Transportation made a field visit to the critical Route 9-A / Ravensdale Road/Jackson Avenue intersection just to again visit the site and review and discuss the proposed mitigation at that location--which is upgrading the control, and providing signal phasing improvements.

At the meeting, the permit coordinator agreed that the improvements being recommended in the EIS are reasonable for that intersection. Just to confirm, a couple weeks ago I called up Glenn Boucher, the Region 8 permit coordinator, to confirm the field visit meeting, and he confirmed that yes, he agreed--based on his field visit with Phil Greeley and his review of the analysis--that there were reasonable improvements at that intersection for this study.

So in summary, in our opinion the traffic and transportation section satisfies the requirements for SEQRA and the potential impacts that were identified were met to the maximum practicable level achievable. Thank you.

**Chairperson Speranza:** Okay, thank you.

Now it's time to hear from the audience. There are a lot of people here. What I would like to do is start out with questions. First of all, anybody who has a question with respect to ... the way that this project is going to handle storm water. While we have our consultants here I'd like to do storm water first, then traffic. Just one question at a time, and then we'll get through the cycle of the individuals who are here and start over again. Does anyone have any questions on the storm water plan? The Mayor reminded me, when you have a question you have to give your name and address for the record, please. Okay, nothing on storm water?

**Lorraine Kuhn, 38 Judson Avenue - Ardsley:** I had prepared a lot of comments, but I'll just take storm water first. Storm water plans call for four bioretention areas. Ponding in these areas can reach a depth of 1 foot. What are you going to do if condo residents want to cut the vegetation and drain the swamp? Stormceptors, which collect oil and grease, only operate in low-flow conditions.

**Chairperson Speranza:** But Lorraine, can we start with just one question at a time first so we can get answers. I want to make sure that everybody gets their questions answered, and it looks like you have a number of them there. So I want to make sure that they get answered. Mr. Lozito, do you want to talk about that? The responsibilities that the condominium association will have to have with respect to maintaining these?

**Mr. Lozito:** Yes, and I may ask Tony Castillo to chime in if I forget something of importance. There is a very sophisticated program now in place, the so-called phase 2 water quality requirements that the DEC promulgated and the Village now follows. It requires the submission of what's called a storm water pollution prevention plan: SWPPP. That not only describes what you're going to do on the site, but it also described how you're going to continue to maintain those facilities that you're installing to ensure that the water quality treatment isn't a proverbial one-shot deal but it's an ongoing improvement that functions in perpetuity. So that plan that gets filed with the DEC spells out the maintenance program for the facilities, and also assigns responsibility for those.

As is ordinarily the case in matters of condominiums that involve the common property and not the individual unit, the condominium association would be designated as the responsible party to ensure that the facilities are properly maintained. Now, of course, they won't do it themselves, but they'll hire contractors who will have to be retained to perform certain maintenance operations on a periodic basis, be it a monthly, quarterly, or annually as the plan specifies. Is it the DEC, or the municipality, that is obligated to oversee that the maintenance is carried out under the plan? Yes, the state designates the municipality as the reviewing authority in a sense in terms of ensuring that the applicant and the project does continue to maintain the facilities as they are supposed to be. So there is an ongoing monitoring process, and an obligation on the part of the condominium to keep those facilities operable and they couldn't simply bury them, move them or "what-have-you" without staying in accordance with the plan.

[ END TAPE 1, SIDE A ]

[ START TAPE 1, SIDE B ]

**Chairperson Speranza:** That's something that can be handled during site plan review and approval. So there is some recourse that the Village has to make sure this work gets done.

**Mr. Lozito:** Right. Including a declaration of covenants and restrictions on the property that make it a matter of public record that that obligation exists and that the Village can enforce if the condominium didn't perform.

**Ms. Kuhn:** A storm water management plan is not a flood prevention plan. Storm water management deals with treatment of runoff. Nothing in this document discusses flooding or flood management. Westchester County planning can no longer provide flood prevention for the Saw Mill riverbanks because they're already too built out. They caution that further building in the flood plain will exacerbate flooding.

**Chairperson Speranza:** Do you have a question? I want to get to the information, and make sure that people are satisfied with the information.

**Ms. Kuhn:** All right. Water moves sideways, not just down, as stated in the EIS Section 614. During heavy rain the entire site gets saturated. Everyone has seen standing water on the eastern vegetated strip for as long as two weeks following heavy rain. The underground garages, at 10-foot height, account for 25% of the underground available area above the 10-foot water table in the 5.7-acre parcel.

**Chairperson Speranza:** Okay, Ms. Kuhn. I want to make sure that the information gets out. We'll have plenty of time to hear your comments.

**Ms. Kuhn:** Will there be a comment period following the questions?

**Chairperson Speranza:** Oh, absolutely.

**Ms. Kuhn:** Fine. I'll come back. Thank you.

**Chairperson Speranza:** Thank you. Storm water? Anything else?

**Michele Hertz, 62 Euclid Avenue:** I have a question for you, sir. Who in Hastings, in our municipality, is going to be responsible for checking and maintaining the storm water system?

**Mr. Lozito:** That would be a Village determination, I believe, under the phase 2 requirements. A party must be designated.

**Tony Castillo, SESI Consulting Engineers:** That's a very good question you ask. This EPA phase 2 storm water management regulation is a new legislative work that is finally making its way into all the municipalities throughout this state and also throughout the country. In the case of Hastings, for example, when this project gets from this point forward there are a couple of steps that take place. Number one, we have to obtain the DEC permit at some point in the future. And once that's obtained, there will now be this storm water pollution prevention plan, as Bruce had indicated before. That indicates, number one, how everything was designed. What maintenance measures are going to be provided. And also it will indicate there will be a document that eventually says who is going to take responsibility to maintain this. The next step is, who's responsible for oversight. It is the municipality, but at the same time it's also you. Because every municipality now is responsible to promulgate these regulations to make sure that whatever we build is in accordance with all the regulations. It doesn't just stop with getting a permit. This is now a dynamic document, that once everything is built there will always be oversight because it's a federal regulation.

**Chairperson Speranza:** And frankly, that's something that the Village will have to determine. We've got a Building Inspector.

**Ms. Hertz:** Right, but do we have to hire people?

**Chairperson Speranza:** Will we have to hire people? Someone to just go in and check this?

**Ms. Hertz:** Well, I don't think that I could do it. I don't know if regular people can just do this.

**Mayor Kinnally:** Obviously, we're going to have to analyze the type of person and the qualifications and see whether or not people on staff at the present time have the qualifications, whether we have to hire somebody, or whether or not we're going to designate somebody.

**Ms. Hertz:** It just seems like it could be a large cost.

**Mayor Kinnally:** Well, not unusual.

**Ms. Hertz:** I don't think there's anything wrong with the law.

**Mayor Kinnally:** It's not unusual that the state or the federal government saddles the municipalities with an obligation without a corresponding revenue stream.

**Ms. Hertz:** Right, but we don't have it now that we have to worry about, except for all the things we have to worry about. And we're talking about building something and implementing something new for our Village to deal with that costs us money.

**Mayor Kinnally:** It appears that regardless of whether or not this building is built we're going to have storm management problems throughout the Village.

**Ms. Hertz:** But not at that site at the moment. That's all I'm saying.

**Mayor Kinnally:** Right, that's true.

**Ms. Hertz:** But we do have to hire someone, or we have to pay someone, to do this.

**Mayor Kinnally:** No. I said we'll have to analyze what the requirements are and see if we have anybody on staff at the present time who could fit that role.

**Ms. Hertz:** Just one more question. Do we have anything else in the Village that does require this at the moment? Does anybody know that?

**Chairperson Speranza:** Well, the entire Village is subject to the storm water pollution prevention program. The new regulations that have been passed. I think they're being phased in right now. The state is requiring them to be phased in.

**Ms. Hertz:** For new developments, or for...

**Mayor Kinnally:** For existing.

**Chairperson Speranza:** Everything.

**Mayor Kinnally:** We've had analyses and surveys of our storm water management throughout the Village for the last few years. Susan, two or three years is it now?

**Ms. Hertz:** So we just have to add that on to our...

**Chairperson Speranza:** Right.

**Mayor Kinnally:** Yes.

**Ms. Hertz:** Okay. Thanks.

**Mr. Garabed:** I just wanted to try to clear up some of the requirements and the cost. The applicant ...or the homeowners association will be responsible for maintenance of all the storm water management practices. With the phase 2 regulations in place, all storm water management practices need to be maintained. If they're not maintained, they won't work. So the DEC requires that. Like Mr. Lozito said, the storm water pollution prevention plan identifies exactly who is responsible to maintain the structures and the frequency of maintenance. So the homeowners association will periodically go out and clean the catch basins and maintain any of structures, remove any accumulated oils, greases and sediments and so forth. Now, the Village does not have to provide a major oversight role. If the Village sees that there's a bunch of ponding water sitting over a bioretention facility for three weeks, then there's a problem. They should be able to call the homeowners association and say, "You need to maintain that." If the homeowners association doesn't take care of it, then you would likely have legal means to push them because the storm water pollution prevention plan is a legal document, and it identifies exactly what needs to be done. So I don't believe it's going to require a great presence or a lot of cost to be borne upon the Village. It's really the homeowners association who's required to do so, and that storm water pollution prevention plan gives you the legal means to make the homeowners association maintain that structure. Hopefully that answers your concerns.

**Chairperson Speranza:** Thank you--or generated a new one.

**Ms. Kuhn:** Do you have any other Stormceptor systems in Hastings right now? Because they can't be vacuumed with the catch basin vacuum. They have to be specially vacuumed, and it's an expensive process.

**Mayor Kinnally:** It's a process that will be borne by them.

**Chairperson Speranza:** Okay, anyone else for storm water?

**Danielle Goodman, 28 Ashley Road:** This would be a question posed to all of the storm water management engineers. I'm not hearing any bases for the opinions that the storm water management won't cost the Village very much oversight, like our experts. So I want to know if anybody can state within a reasonable degree of engineering certainty what the costs for the Village are, what the man hours are, what the job description is, and what the qualifications are for the individuals we will have to hire. Thank you.

**Chairperson Speranza:** Do you want an answer to the question?

**Ms. Goodman:** Yes, I would.

**Special Counsel Chertok:** Since the Village has to hire people under the law, whether or not this project goes forward, I'm not clear whether you're asking for this project or you're asking generally for the Village.

**Ms. Goodman:** Well, since I heard two answers, for the project and for the Village, could we have a discussion, then, of both?

**Special Counsel Chertok:** I think you heard that with the project the homeowners association has to undertake the maintenance and is responsible for paying for it.

**Ms. Goodman:** All right, so I'll stop you right there because I could make this simpler for you.

**Special Counsel Chertok:** The Planning Board can impose conditions that will assure, for example, if the Village inspector finds that maintenance was not implemented, the Village can do that and make this an exact charge to the homeowners association to make sure there's no Village charge.

**Ms. Goodman:** So can any of the experts tell us, within a reasonable degree of engineering certainty, how often the Village is going to have to look in on the homeowners association? Do we know, or is it all hypothetical and we just don't know?

**Special Counsel Chertok:** I think the Village will have to determine, when it moves into this program, what types of inspections they believe are appropriate, how often they will occur, and what other provisions they're going to implement. Since their program has not been implemented, you're asking the Village to determine now how it will implement the program in the future. I'm not sure the Village can answer that.

**Mayor Kinnally:** I think you're right, Mark. I just want to clarify that what we incur in costs is separate and apart from this particular project. The cost and the responsibility and the



obligation and the oversight is imposed upon us not because of this project, but because the government has said this is something that you have to undertake.

**Ms. Goodman:** But this project is being built on the banks of a river, and it's in a very sensitive area that already floods. So I would assume that we're going to have to be vigilant. I was wondering what degree of vigilance. I thought this was the time to try to get answers so that we're not...

**Mayor Kinnally:** I'll give you the answer: we don't know. It's a brand-new program. We don't know. We don't know what our basic costs are going to be. We don't even know who the person or persons are going to be. It's a fair question, and I hope it's a fair answer.

**Ms. Goodman:** Thank you.

**Chairperson Speranza:** I think it's important also to realize that should this project be approved there are going to be people who are living and working here, and they are not going to be interested in living in a development that has a problem with respect to the maintenance of the storm water.

**Jerry Quinlan, 39 Hillside Avenue:** Two quick questions. Are the affordable housing units, the people who live in there, going to have to assume the cost of this? If it's going to cost the homeowners association money, then I assume that they're going to be charged extra money. The six affordable housing units, I'm very concerned that they have smaller units anyway. And are they going to have to pay extra money for the homeowners association to solve this problem?

**Chairperson Speranza:** The preliminary discussion that I've had with Mr. Keaney about this is that it's got to be affordable. All fees have to be within the Village's and the housing policy's definition of affordable. It's not the affordable amount, and then association fees slapped on top of it. Okay, let's get back to storm water. Again, I want to keep this organized.

**Boardmember Barr:** As I understand this, if nothing was built on this then the Village would have the responsibility for storm water control on the site as it exists right now.

**Chairperson Speranza:** It's a piece of Village property.

**Boardmember Barr:** Just as it would in Ravensdale Park or any other place.

**Mayor Kinnally:** It's a piece of property in the Village, it's not a piece of Village property.

**Chairperson Speranza:** Right.

**Boardmember Barr:** Right. But this isn't all triggered by having something built there. The law and the regulations apply to the fact it's within Hastings' boundaries.

**Chairperson Speranza:** Okay, anything else on this topic? If not, I want to move on to questions with respect to the traffic analysis. That was worthy of its own couple of volumes. So let's start there.

**Gil Harris, Bramblebrook Road - Ardsley:** I'm here actually speaking on behalf of the Ardsley traffic, parking, pedestrian, and cycling safety committee. I'm the chairman of the committee. A

question for the traffic consultants. When the study was done, and I've gone through volume 3, what I didn't notice, however, was what happens. Did they, in fact, take into account parents driving their children to school? I don't know if it's a Hastings phenomenon, but it's an Ardsley phenomenon. So when I looked at the traffic counts, I didn't sense that those counts reflected parents driving through the Ashford Avenue/9-A intersection on their way to either the lower school or the high school, or up Jackson to Sprain to get to the middle school. I'd like to get a sense from the traffic people, what would happen if, a) the numbers that were put forward as far as the number of students that would be living in this community was, in fact, accurate and; b) what would happen if they were off by a factor of 300% which, based on our experience with some of the Ardsley Estate projects and other projects around, is pretty close to what the error factor was.

**Chairperson Speranza:** Okay, thank you. I'd like to ask Mr. O'Mara, if you could just come up and address that from the work that you've done on behalf of the Village. I know there was discussion at one of the previous meetings about how peak hour is determined, if you want to talk about that. People going back and forth, dropping their kids off.

**Mr. O'Mara:** In terms of the traffic analysis, we analyzed the a.m. and the p.m. peak hours. In this case, with the schoolchildren, that would definitely be the a.m. peak hour. The typical procedures are determining a trip generation for the site, and that trip generation includes not only people driving kids to school but also people working, commuting to work. And it also includes people who, because this is a live/work development, coming to the site to work in one of the live/work units. So the trip generation incorporates the fact that you have people dropping kids off at school, commuting trips, and work trips to the site. Now, the issue regarding the number of students if that should be, say, 300% higher than it is right now and they're going to the Ardsley school district, they'd be traveling up 9-A to the Ashford Avenue intersection. Right now, the number of trips going through that intersection that we're adding to that intersection on that approach, and I don't have the number in front of me, is about three to five additional trips in an hour. By multiplying that by three you're moving up to about 10 to 15 trips per hour. You'll get one additional trip every four to five minutes at that intersection. It's not likely to cause a significant traffic impact at that location. If it should cause an impact, it increases it by three times, something of that level of just 10 to 15 trips typically is not a need for widening the intersection. It's maybe a tweaking of the signal timing or signal phase at the location. Not an order of magnitude that would require major improvements at an intersection.

**Boardmember Hutson:** Let me know whether the recounts were done on days when the school is in session on the '04 and '05 recounts.

**Mr. O'Mara:** Yes, typical procedures you do it when school's in session during the school year on a typical day, not a holiday, not during any recess. Correct.

**Chairperson Speranza:** Thank you. And just so people are aware, based on what's in the Environmental Impact Statement, which you have agreed with professionally, during the a.m. peak hour we could expect to see 38 trips generated by this development; six heading into the

site and 32 heading out of the site.

**Mr. O'Mara:** Right, that's in total. That includes all types of trips.

**Chairperson Speranza:** Okay, thank you. Anyone else? Traffic?

**Jean Halpern, 26 Ravensdale Road:** Do you have any idea of the number of extra cars that would be going on Ravensdale?

**Chairperson Speranza:** It's in here. Mr. O'Mara, the Ravensdale leg of the trip distribution?

**Mr. O'Mara:** I don't know off the top of my head. Maybe Phil will know. But one thing that the applicant's engineers did do, based on earlier comments from the Village prior to the Riverwalk Village, there was concern that people commuting to the city would use Ravensdale Road and get onto the southbound Saw Mill River Parkway by going westbound on Ravensdale Road. The traffic analysis, in response to the comments from the Village from a previous version, added traffic onto Ravensdale Road just because of that issue. Maybe Phil could add, in terms of volume that were added there.

**Chairperson Speranza:** I know that the analyses that have been done did not show a change in the level of service at any of the intersections along the way.

**Phillip Greeley, John Collins Engineers:** Just to add to that, we had projected on the order of six trips along Ravensdale based on the MUPDD project. However we did, as part of the sensitivity analysis that Patrick referred to, look at trips to the train station, which we had increased to 25% of the trips. We looked at as many as 20 trips that would be added along there, and we analyzed that as a sensitivity kind of worst case scenario. It did not show any change in the level of service. With respect to Ravensdale, we also looked at Stanley and some of the other roadways just in terms of accessing the Parkway, and that was also part of the document. So we did look at a range of numbers. Because we also evaluated in detail the Riverwalk Village alternative, analysis was done at even higher levels of traffic along that stretch. I think the 25% of the Riverwalk Village would equate to around 22 or 25 vehicles an hour. Again, that was really a worst case. That's not what we feel is going to happen in this case here.

Part of the reason for the improvements was not only to deal with the existing problems, I'm talking about the improvements at Route 9-A and Ravensdale, to deal with the existing conditions, but also to accommodate those increases.

**Chairperson Speranza:** Okay, thank you.

**Ms. Halpern:** When you speak of mitigation in terms of the number of cars on Ravensdale and you're talking about 20 extra trips a day, are you talking about 20 extra trips an hour, or is that just in the morning and evening rush hours?

**Mr. Greeley:** All of the traffic analysis that we perform are based on a one-hour period. That is the standard analysis period. So when we refer to it as a worst case 20 vehicles, that's 20

vehicles in an hour.

**Ms. Halpern:** Every hour?

**Mr. Greeley:** Again, when a traffic study is done, and this is described in the documents, you look at morning and afternoon commuter hours. Really, the morning hour also happens to be the school hour. But you look at a one-hour period because you want to see how the design is affected. In this document, as with any other study, we focus on the a.m. and p.m. peak hours.

**Ms. Halpern:** You talked about mitigating the traffic and you talked about doing mitigation at the Ravensdale/Saw Mill River entrance to Ravensdale, but how do you mitigate the sheer number of cars on Ravensdale?

**Mr. Greeley:** The mitigation at the intersection of 9-A, Saw Mill River, and Ravensdale is to deal with improving the efficiency of the processing of the volumes that are there today. In terms of the increased traffic on Ravensdale based on the increases, there would not be a change in what's called the level of service along that roadway. So the mitigation is intersection-specific to deal with existing, as well as the added, traffic in there.

**Chairperson Speranza:** Okay, but it doesn't look to me like you feel like you got your question answered. Knowing that there may be as many as 20 additional car trips on Ravensdale Avenue during peak period during the week, that is something that's noted and it's something that we balance with everything else with respect to this project. It just is.

**Elizabeth Felber, 415 Farragut Avenue:** I don't know who this question goes to. I didn't see anything in there about another rush hour, which is at 3 o'clock coming both from Ardsley schools and Hastings schools. Particularly, I also didn't see anything...was there a study of Rosedale and Ravensdale? Because at the morning hour the cars back up very far on Rosedale trying to turn left onto Ravensdale. So I'm wondering if those two questions were addressed.

**Chairperson Speranza:** Mr. O'Mara, maybe you can give just a little bit of information with respect to how the peak hour is determined. There is something that we've learned along the way: you have peak hour that is based on the absolute peak time. And in some instances it may be during school time, but in this instance you found that it's not. So your design is for peak.

**Mr. O'Mara:** What is typically done, and what the applicant's engineers did, is determine the peak hours. They place what is called automatic traffic recording tubes out in the roadway. I'm sure people have seen them and driven over them. Those count continually for 24 hours. Usually we put them out for a seven-day period just to get daily variations and hourly variations on the roadway. From this information, we can see over the course of a day where the traffic peaks towards the morning, just maybe a little bit during the middle of the day, gradually increases during the middle of the afternoon.

There's usually a mini-peak around 3 when school lets out, but then it peaks even more in the evening during the rush hour when people come home from commuting from work. What we

have to do is not only balance the peaks of the roadway but also the peaks of the site itself. So we overlay what's coming from the site during that hour with what's on the roadway. Wherever the overlay is the greatest between the site generation and the roadway are the peak hours that are selected for this project. Given that for this site, since it's mostly residential and work-type units, the peak hours are usually your typical commuter hours. As the roadway also mimics those peak hours, the a.m. and the p.m. peak hours were selected as being the commuter hours. If, for example, this was a school that we were looking at on this site, then definitely we'd probably look at the midday 3 o'clock hour because the overlay from the school itself, plus that peak/mini-peak during the middle of the afternoon, would probably govern as a peak hour if there was a school on that site.

One other clarification regarding the earlier peak hour issue. I can understand how people may be wondering, if you have 60 units here--and in the peak hour you only have 44 trips on the site but there are 60 units, there's probably two people per unit, everyone probably has a car--that could be 120 trips right there. But again, we look at the peak hour and it's possible there could be, over the course of the morning, 120 trips between 6 a.m. and 10 a.m. But what we look at is the peak hour, and from that is where our analyses are based. For this site, for 60 units, it's on the order of about 50 trips during the peak hour.

**Chairperson Speranza:** Was there any information, or any reason for you to believe, that the additional traffic generated by this development could cause the peak to change? Would there be the potential that the traffic counts for a certain time of the day actually end up creating a new peak hour time?

**Mr. O'Mara:** Sorry, say that one more time.

**Chairperson Speranza:** Is there any reason to believe that the traffic that would be generated by this development end up creating a new peak hour?

**Mr. O'Mara:** Correct. That's the case. Say if this site was a school and it had a peak hour in the middle of the afternoon, then yes, we would analyze the peak hour at 3 o'clock in the afternoon, not during a typical 4 to 5, or 5 to 6 hour.

**Chairperson Speranza:** So there's nothing here that would make you think that could change?

**Mr. O'Mara:** No.

**Mayor Kinnally:** Let me ask another question, if I can. The issue of the peak hours on any of the arteries that were studied, did you find that there was a change of level of service with the introduction of this particular development?

**Mr. O'Mara:** What we had noticed was, at the intersection of 9-A, Ravensdale Road, and Jackson Avenue because it's operating at a poor level of service today, by adding the additional trips, many of which were heading south from the site, you were impacting approaches that were,

from a traffic standpoint, unacceptable: left service E, or level service F. And that was the reason why the applicant proposed the mitigation measures at those locations in terms of upgrading the controller. Similarly, just north of the site--the un-signalized intersection of Lawrence Street and 9-A--there, because of the site distance issues, the additional traffic may cause additional delay on that approach which, clearing it of vegetation, would have improved sight distance and improved conditions at that location. So to answer your question, adding traffic, it didn't change the level of service from what it is today. But it did make some approaches that were poor today deteriorate a little bit more within that level of service.

**Boardmember Hutson:** Following up on the Mayor's question, at 9-A and Ravensdale/Jackson, are you suggesting that the mitigation will actually improve the level of service, or just improve the already lousy situation and just be a little less lousy?

**Mr. O'Mara:** Typically, with an EIS, what you want to do is mitigate it back to the no-build condition, as if the project never existed in the year 2007. The mitigation that's being proposed here is actually going to make it substantially better than the 2007. There are still going to be delays at that location, but they're bringing it below what a no-build condition would be.

**Boardmember Hutson:** But it doesn't change the level of service from poor.

**Mr. O'Mara:** It would actually make it better.

**Boardmember Hutson:** Okay, but what will the level of service be? Do we know?

**Mr. O'Mara:** For example, the critical westbound approach on Jackson Avenue, which was cited in the report being up to 5 minutes of delay, you'd be knocking it down to about a minute. Which, from level of service standpoint, you're down to an E from an F.

**Boardmember Hutson:** I see.

**Mr. O'Mara:** So you're improving a grade. I mean, it's still poor, but you're improving it.

**Mayor Kinnally:** Thank you.

**Chairperson Speranza:** Okay, thank you.

**Ms. Katsellas, 155 Overlook:** I'd like to know if the traffic experts have been informed that our school district is considering bus service by changing the boundaries. You know, determining which children will be driven to school. Have they been informed about this potential change and the impact that it'll have on the amount of cars that will be on Ravensdale and the neighboring roads?

**Chairperson Speranza:** Unlikely, since I don't think any of us...anybody hear this?

**Mayor Kinnally:** I didn't know about it.

**Ms. Katsellas:** I have it right here from Jay Russell's...

**Mayor Kinnally:** What's the date of that?

**Ms. Katsellas:** February 27th, 2006.

**Chairperson Speranza:** Wow.

**Mayor Kinnally:** Didn't know about that.

**Ms. Katsellas:** Yes, they're going to change, potentially, the boundaries by a half a mile. That will put a lot more cars on the road. So I think that should be something that should be considered with traffic.

**Chairperson Speranza:** Could we get a copy of that? Oh, it's on the e-mail list? All right.

**Jim Metzger, 427 Warburton Avenue:** The question that I've asked at at least two previous meetings is, the 25% trip generation to the train station, which they're assuming is going to be 22 to 25 cars per hour. As we all know, if you take 100 items and you spread them out over an hour, very easy. You put those same 100 items and say they all occur within 10 minutes of people rushing for a train, whole other ball game. Anybody that's driven by Hillside School in the morning, they know what I'm talking about.

My question is, where are we going to put the cars? Where are they going to park? We're bringing in a huge new development to the Village. People cannot walk to the train station. Where are those 25 cars going to park? Are we going to lose more parking in the small parking lots that we have? Someone needs to think about this because it's becoming a critical issue. Thank you.

**Chairperson Speranza:** Again, Jim, that's something that is what it is, and that's something that we have to weigh.

**Mr. Metzger:** Excuse me. I don't believe that that's a proper answer: it is what it is.

**Chairperson Speranza:** Okay, you're misunderstanding my intent here. That is the result of the review of what's been proposed. It will be our decision when we make our findings to determine whether or not that is something which can be absorbed by the Village and the lot.

**Mr. Metzger:** Okay, thank you.

**Mr. O'Mara:** Just to address that comment, we looked at the 25% of Riverwalk Village going to the station, which was about 22 to 25 trips. That was a reasonable worst case scenario for the Riverwalk alternative--which is not the preferred action at this time, which at this time is the mixed use Saw Mill Lofts--which, because it's a live/work unit, may not generate the 20, 22 trips to the station. Actually it would be less than 10 trips to the station; possibly less than five. The fact that it's a live/work unit and is smaller density than the Riverwalk Village scenario. Just to clarify.

**Chairperson Speranza:** Thank you. But there are no mitigation measures that have been proposed for that as part of the development. That's all there is to it.

**Mr. Metzger:** My comment to that is, all of this is based on assumptions being provided by

Ginsburg to the engineers about who's going to be occupying these units. Originally, these units were going to be work/live, and then they became live/work. Now no one really knows what these units are going to be; how many people are actually going to work there. As evidenced by the problems that the Zoning Board had in trying to determine the number of cars to put on the site, they spent two incredibly long nights debating this very amorphous question: who's going to actually live there, what are they going to do there? So I believe that we can say it's high, it's low, but we're working on assumptions. And the assumptions were information given by the developer. I think we need to keep that in mind.

**Chairperson Speranza:** Okay, well, it's not assumptions given by the developer. It's assumptions that may be made with respect to the makeup of the units that are being confirmed by people that we have hired to advise us with respect to those assumptions.

**Mr. Metzger:** The people that we've hired, as I understand, were asked to review the information presented by the engineers that were hired by Ginsburg. I don't believe they did independent studies of the site. They were strictly reviewing information that was being passed on from the engineers that were hired by Ginsburg.

**Chairperson Speranza:** And told how they wanted modifications made. And again, I do not want to get into a debate with anybody tonight. That's why we're doing these questions and answers. The baseline traffic data, when our consultants that were hired by the Village reviewed it, they said you can't move forward with this, it's all got to be updated. That is something that was a major step that had to be taken before we could go on with this.

**Trustee Apel:** Sort of on the lines, I was trying to find out if they could explain to me how you determined the amount of people that were going to go to the train, and how many were staying home, and how many were working. Because I heard earlier that there are not a lot of places that have this. So on what do you base your numbers that were chosen? If you're going to have 60 units, and one could be staying home and working and the other one is going out to work, that's the worst case scenario. You could have 60 people going to New York City and taking the train. I just want to know how you...

**Mr. Metzger:** I agree.

**Mr. O'Mara:** That was our exact concern as well when we had our first meeting with this. This is a relatively new type of land use. There's not a lot of historical data out there, even for transportation engineers, as to what the trip generation rates are for this type of land use. That's why we went through several sort of what-if scenarios. What if everybody here lived here? What if half the people lived here, half the people worked off-site? What if half the people lived here, a quarter came here to work, a quarter went off-site to work?

These are actually itemized, or listed, in the EIS, and it's arranged. It went from as low as, I believe, 28 trips to a high of 77. So to cover the bases we also did Riverwalk Village, which had a higher number of units in it--I believe 157 units in it--that generate more traffic than the worst



case that we could develop for the Saw Mill Lofts. So by looking at the traffic for Riverwalk Village alternative you can sort of see more than a worse case than for the Saw Mill Lofts.

**Trustee Apel:** Yes, I understand that. But I want to deal with the 60 units and what's the worst case. Is the worst case scenario that 60 people are going to go to the...

**Boardmember Wertz:** Seventy-seven was the range. So 77 would be the worst case that you estimated.

**Mr. O'Mara:** Right.

**Trustee Apel:** And 77 could be parking spaces that are needed in the Village.

**Boardmember Hutson:** Seventy-seven trips.

**Mr. O'Mara:** Seventy-seven trips.

**Trustee Apel:** That's not, I think, what I was concerned about. I understand that.

**Boardmember Hutson:** That's where the 77...

**Trustee Apel:** But I meant like if we were going to end up with 77 people that needed to park in the Village, that that would be the worst case scenario, that they all went to New York City? I'm trying to figure out how you got to those figures.

**Mr. O'Mara:** In terms of when we had requested about the 25% going to the train station, that was looking at traffic impacts at the intersection of Main Street, Broadway, and Farragut. So it was 25% of the peak hour trips. Now, I understand what you're saying: what does that mean to parking. What about 25% of the number of units, number of residents, might the community need to see. That's a possibly larger number. That if it's, again, hypothetically, 60 units, say two people per unit and 25% went to city, you're looking at 30 additional people going to the train station with that scenario.

**Trustee Apel:** No, I think the question was how did you arrive at 25%.

**Mr. O'Mara:** Oh, sorry. That was census data, existing census data for the Village of Hastings, that showed that 25% of the people commuted to New York City.

**Chairperson Speranza:** And actually, isn't it less than that?

**Mr. O'Mara:** It's actually like about 22-point.

**Chairperson Speranza:** Yes, so there's a little bit of an increase.

**Mr. O'Mara:** Right.

**Trustee Apel:** Just trying to understand this.

**Chairperson Speranza:** Okay, anyone else on traffic? Questions?

**Mr. Harris:** Just a couple of questions. With regard to the Lawrence Street intersection, was

there any consideration given to recommending that a traffic control device, a traffic light, be put there as a way of creating a safe situation? A second question added on to that, when I took a look at the numbers with regard to counts of people taking that intersection and getting onto the Saw Mill, I thought it was interesting that the vast majority of your estimates were going north as opposed to south. Where were you expecting people who were going to go south on the Saw Mill to get on the Saw Mill? Because they're not doing it from Farragut Avenue, and there was no other street given with counts south of the project for getting on Saw Mill River Parkway.

Last question. We do have a traffic situation in the Village of Ardsley between 2:30 and 3 o'clock in the afternoon on a number of streets that are not on your map. In particular, American Legion, which has become a bypass because of the problems with 9-A. If you did not do any testing of those streets during that time, then how do you know what the impact of traffic will be, since we have this unique situation: this is Hastings, but the kids are going to the Ardsley school district. Thank you.

**Chairperson Speranza:** The developer has committed to undertaking a warrant analysis should there be determined to be a need for additional mitigation measures at Lawrence Street. Mr. Greeley, if you want to go through that?

**Mr. Greeley:** Yes, as part of the traffic analysis we looked at the traffic volumes at the Route 9-A/Lawrence Street intersection and we identified the possibility of signalization in the future. As the chairman points out, we had, and committed to, a monitoring of those traffic volumes. There are certain criteria that have to be met before you can install a traffic signal. That intersection is under the control of New York State Department of Transportation, and our study did recommend and identify the need to monitor that for potential signalization. In terms of the travel movements to and from the parkway, we look at various scenarios in terms of signing trips. For example, traffic under existing conditions accessing the parkway. This was a concern raised in some of the prior hearings of the neighborhood along Ravensdale. For example, Stanley Avenue. There is traffic that uses Ravensdale, turns left onto Stanley Avenue, and gets onto the Saw Mill Parkway south at that location. And that's because you don't have the same access if you're coming back from the south, you could get off at Farragut Avenue. But getting onto the parkway, we looked at different routes. We looked at Lawrence Street, we looked at Stanley Avenue to see what the impact would be, and that's all contained in the document.

In terms of the traffic generation, we talk about the sensitivity analysis. In terms of looking at traffic generation towards Ardsley, the Ashford Avenue/9-A intersection is kind of the key link there. We looked at a worst case in terms of the traffic generation. As I pointed out before, as part of the condition associated with the Riverwalk Village project--which was a larger project, more units, more traffic generation--even under that scenario there was not an impact at that intersection. So in terms of the projections and the analysis, do take that into account.

**Chairperson Speranza:** Okay, thank you.

**Mark Grosner, 24 Branford Road:** To answer your question, the district's budget information is available publicly on the Website. Next Monday evening will be the non-instructional portion of the budget presented, and that's a good time to find out details.

**Chairperson Speranza:** Thank you.

**Boardmember Hutson:** Thank you, Mark.

**Chairperson Speranza:** Okay. Any more traffic questions?

[ END TAPE 1, SIDE B ]

[ START TAPE 2, SIDE A ]

**Ms. Goodman:** I just wanted a clarification on the restrictive covenant, about no more than three cars per hour. Did the traffic engineer consider that at peak hours between 8 and 9 AM... How will that be enforced?

**Village Attorney Stecich:** ... is that a traffic issue? I don't know if you want to...

**Chairperson Speranza:** Well, yes, because I can see where Danielle's making the connection as to whether...

**Village Attorney Stecich:** Okay. Well, yes, you're correct. There's a limitation. Not every apartment, but that if you had an office or a studio or something you couldn't have more than three visitors an hour. Being a doctor's office, you couldn't have more than three visitors an hour. But my guess is, based on when the peak hours are, usually office hours aren't during...what hour was your peak hour, 8 to 9? So that's earlier than things would open, so it probably wouldn't have any effect on it.

But on the enforcement of the restrictive covenants, is that the one you want to do? Well, it would be enforced in the first place by the homeowners. Presumably they would want to do that because if there's too many cars there, and if they come home and can't find a parking space, they're going to do something about it. The restrictive covenants would run obviously in favor of the people who live there. Then in the worst case situation--let's say, for some reason the homeowners association didn't enforce it because they have a lax board or something--you could make a complaint to the Village. Then that would be a violation of site plan approval and a violation of conditions in the certificate of occupancy, and the Village would have to enforce it.

**Ms. Goodman:** So do we know what the worst case scenario would be? Do we know how many of these apartments are going to be personal service apartments?

**Chairperson Speranza:** Danielle, can we stick to traffic for right now? We're almost done.

**Ms. Goodman:** Doesn't it generate traffic. I'm sorry, I'm not trying to be off..

**Chairperson Speranza:** The traffic analysis that was done has already been based on all of those different kinds of scenarios. What mix of different...

**Ms. Goodman:** Okay, I guess I just didn't hear when the presentation was being made that that was factored in--how many cars per hour were...

**Chairperson Speranza:** Yes, because it's based on live/work units, unit types.

**Mr. Greeley:** It was visitors, residents, and workers.

**Chairperson Speranza:** Anyone else?

**Trustee Swiderski:** There was mention of action being taken at the Ravensdale/9-A intersection that would improve the condition of that intersection from F to E. And that Ginsburg Development Corp would pay for...wasn't clear if it was part, or all, of that. I'm curious as to what exactly that is that can move along traffic. Are they widening the road? Are they improving the light? What is the nature of that improvement?

**Chairperson Speranza:** Okay, they can go into detail with it, but it's not road widening. It's improvements to the signals. And my understanding is that GDC is going to pick up the tab for it. This is not a question of partial.

**Boardmember Hutson:** I'm not sure that all directions improve.

**Mr. Greeley:** The improvements that are proposed would be paid for by the developer. They include replacing the traffic signal controller, new actuation, upgrading the signal. No major widening. There may be some pavement repair work as part of the work that's out there, some re-stripping. The biggest problem at the intersection in the afternoon, for example, is the queue westbound. We see delays in excess of five minutes there. And that's what Patrick was referring to before, where you're going from an F to an E level of service. But as part of this improvement, you don't negatively impact the other approaches, where you make that a much-improved situation and then you make one of the other approaches an F. That's one of the things in terms of the analysis and the improvements that was looked at. All the improvements will be done by the developer. It's under... the highway work permit process with DOT. Once a project gets to an approval stage, then DOT will issue a permit to the applicant and oversees what gets done in terms of the equipment and its installation as part of the improvement.

The one other thing, I guess, just while we're talking about that intersection. To give you a handle in terms of on Ravensdale Road west of that intersection, under current conditions in the morning peak hour there's about 800 vehicles. That's total both directions on that road. Based on the projections that we have, we're looking at adding about 20 total vehicles. That's including anybody that would use Stanley to get onto the parkway. And then we ran a sensitivity analysis. But just to give you an order of magnitude, we're going to make this improvement but we're looking at 20 out of 800 just on that approach. So just to give you a feel for that.

**Chairperson Speranza:** Thank you. And I do want to make sure that it is clear that our consultant did confirm with the state DOT that these were improvements which were doable and that the state DOT did not have an issue with. Because what we, the Planning Board, were concerned about was that they would say that this is what we want to do, and then come to find out the state DOT wouldn't allow it for whatever various reasons they might have. But it's been confirmed that this is something which is a legitimate project that could be undertaken.

**Vanessa Merton, 111 Pinecrest Drive:** That last comment really succeeded in getting my

attention. Do I understand then that there is a set of improvements that could be done at that intersection now that would improve the dreadful situation we have now? I'd like to know how much would it cost, and why aren't we doing it regardless of whether this is built or not?

**Chairperson Speranza:** That's a good question.

**Ms. Merton:** Well, I'd like to know. How much does it cost? Because there are a lot of things that we spend money on in this village that it would make sense to me perhaps not to spend money on if we could fix that. How much does it cost? You were talking about fixing a controller and a traffic light and striping? How much would that cost?

**Mr. Greeley:** The preliminary estimates on the improvements are somewhere on the order of \$35,000 up to as much as \$50,000. It requires replacement of signal heads, the controller itself, detection loops in the pavement, re-striping, and, of course, the detailed design of that. So that's the order of magnitude.

**Ms. Merton:** Thank you. I sure hope that we will see some action on this by our village if we're talking about \$50,000 to fix that kind of problem.

**Chairperson Speranza:** Okay, do you have questions on the EIS?

**Ms. Merton:** Yes, I do. I have two. I do have some other questions that have been raised in my mind. The other question about this enforcement of three visitors per hour. Now first of all, I don't know about you, but where I live homeowners don't like to call the cops on each other and don't like to hassle each other and don't like to give each other a hard time. It's kind of a live/let live way that we try to operate. At least that's the way it's been in Hastings for awhile. I am really interested, did we factor in the cost of police enforcement? And what would be the penalties that we would have for violation of the three-visit...I'm just trying to imagine the proof issues involved in proving that someone had actually had four visitors per hour.

**Village Attorney Stecich:** Okay, if I could explain why the Zoning Board was sensitive to it.

**Ms. Merton:** Oh, I can imagine why they're sensitive to it. I'd just like to understand what the enforcement would be.

**Village Attorney Stecich:** Fair enough. You said how would we know. The reason we know...fortunately people don't like to rat on each other, but when a situation gets bad they do, and they have. There was a situation that came before the Zoning Board earlier this year which made them very sensitive to particular professions and the number of people they might have.

**Ms. Merton:** Well, I understand that it's a problem, and I understand why people are...

**Village Attorney Stecich:** And what's enforcement? You know, as a practical matter I don't think anybody's going to stand outside with a counter...

**Ms. Merton:** I don't either.

**Village Attorney Stecich:** ...and see if somebody's having three an hour, and I don't think that

was anybody's intention. But the point is, if the situation gets bad...if the situation's not bad, it doesn't matter. I mean, you're not saying three people for...no, hear me out, Vanessa.

**Ms. Merton:** Yes, I'm listening.

**Village Attorney Stecich:** Just being practical about this.

**Ms. Merton:** Yes.

**Village Attorney Stecich:** If one person has six people an hour and there's no traffic problem, well then it's not a problem. But if it gets to be a problem for traffic or parking, then you've got a mechanism for enforcing it.

**Ms. Merton:** And have we factored in the cost of enforcement? Are we going to add a police officer, a quarter of a police officer, to cover that enforcement? I guess that hasn't been considered because we really don't know what to anticipate with respect to that. Is that right?

**Chairperson Speranza:** We can anticipate that the normal course of business would be followed. That there's a complaint made to the Building Inspector that there is a violation. I have no reason to believe that there's going to be 60 units of housing where everybody's getting more than three visitors an hour.

**Ms. Merton:** Well, you also have no reason to believe that there won't be. I mean, that's the problem with this whole analysis. For example, realistically, there's no way a Building Inspector could verify that or not. I mean, I'm telling you it would be virtually impossible. Unless you're going to set up video cameras and have people signing in and out, which I really think is dubious, so let's stop talking about that as if it were a meaningful device, okay?

**Chairperson Speranza:** Okay, do you have another question?

**Ms. Merton:** Yeah, the other question I had is, I just want to understand this live/work classification. Am I correct in understanding that once someone is living there, there's absolutely nothing that prevents that person from working wherever that person wants?

**Chairperson Speranza:** That's correct.

**Ms. Merton:** And that person can go to the city, or go south on the parkway. There's nothing in this setup that would prevent people from doing that.

**Chairperson Speranza:** Right.

**Ms. Merton:** Thank you.

**Chairperson Speranza:** Yes, is this [traffic]? We kind of got off the traffic.

**Ms. Hertz:** Right now at Jackson Avenue and 9-A and Ravensdale it's an F. Does that mean failing? Okay, so they would like to improve it to an E. What is ideal?

**Chairperson Speranza:** [Level of Service] A.

**Ms. Hertz:** Thank you.

**Chairperson Speranza:** Any other questions with respect to traffic? If not, then we will move

on to other topics.

**M.J. Madigan, 26 Mt. Hope:** I wonder if any consideration has been given to pedestrian traffic with regard to this new community in terms of domestic help, walking up from the bus on 9-A. Or an issue that's come up before in the Village about nannies with strollers and children with no sidewalk.

**Chairperson Speranza:** There is some pedestrian facility included within the proposal.

**Ms. Madigan:** And what will that be?

**Chairperson Speranza:** I ask Mr. Lozito if you would explain that, the sidewalk. You've got an internal walkway that's going to be part of this.

**Mr. Lozito:** There would be an internal walkway within the development along the front of the building. Not out on 9-A in this proposal because it's anticipated that there really are no other destinations that would be likely to be visited by the residents of the community. There's an office building across the street, there's a light industrial building. We would have a connection, however, to the South County Trailway which one could use to go up to Lawrence Street. If one were going to the bus stop they would walk up on the South County Trailway. Likewise they could walk down to Ravensdale using the South County Trailway and not have to walk along Route 9-A.

**Ms. Madigan:** So that would be how, in theory, domestic help would get there if they were coming up, say, from Yonkers or whatever? I've driven many times across Jackson Avenue and I felt for the people who are trying to make their way along there, and it seems you would have another situation like that here.

I'm also wondering if any consideration has been given to whether the traffic light at Lawrence will need to be re-jiggered, if the connector trail that we're talking about goes through, to allow more time for people to cross that. And, if so, how that would impact the pile-up of traffic, or any of the studies that have been done.

**Chairperson Speranza:** Are you referring to the Hillside Woods connection?

**Ms. Madigan:** That's not happening?

**Chairperson Speranza:** That's not part of this at all.

**Ms. Madigan:** It's not part of this, no. No, it isn't, but if a light were--fixed to make it easier for people to cross and not get killed, you'd have a longer light.

**Mayor Kinnally:** Well, one way of dealing with the volume of traffic on the connector trail would be to keep the light the way it is, and that would cut down the number of people who would be getting to the trail. Yes, you'd be killing them.

**Ms. Madigan:** Okay, thank you.

**Boardmember Logan:** Patty, I think along that line, as long as you bring up this pedestrian

action, I think perhaps part of another discussion is the potential link that we have from the trail to the Ravensdale bridge. It's a short hop, if we could make it, with a stairway up to the bridge. It would be a very direct pedestrian link. Because now we have the bridge across the Saw Mill River, the railway. The missing link is a stair up to that bridge, which would reinforce that connection. How that happens, how it gets built, how it gets funded, is part of a separate discussion. But there ought to be, in the back of our minds, a potential.

**Chairperson Speranza:** And that is something I know that's being followed up on.

**Mr. Harris:** Just one quick point. The South County Trailway is an interesting idea as far as for people. But it's not plowed in the winter, and purposely it's not plowed in the winter. So you lose that as a route for people to walk, or with strollers, per se. So it's not a valid route.

**Boardmember Logan:** I question that because I use the South County Trailway a lot. Right after a heavy snow, you're right, it's hard to pass. But it is clear very quickly, and it's been clear consistently through most of this winter.

**Mr. Harris:** That's true, but I will point out to you that down by the Lawrence Street section, which is where it was referred to, it was quite icy. In fact, there were many sections that are icy because of the overhanging trees. So you now have a liability situation, if that's how you're directing people as opposed to having other sidewalks. So I don't think Parks would take too kindly to that.

**Chairperson Speranza:** Okay, thank you.

**Diggit McLaughlin, 19 Williams Street:** Years ago at a Planning Board meeting Mrs. Barr was discussing Coachlight Estates, and she reminded the people in the audience that if Coachlight Estates was built the people there would be Hastings residents and entitled to all the considerations of the Trustees and the Planning Board that the people sitting out in the audience at that point were. I'm curious about the idea that people who live in this development are not going to want a sidewalk connection to the rest of the Village. The idea, for instance, that you could use the South County Trailway to connect the Ravensdale. How is that going to happen? And if we're talking about nannies and strollers, is it realistic to assume that nannies and strollers are going to stay within the development? Has this been addressed?

**Chairperson Speranza:** Do you have anything else you want to add on the pedestrians? Otherwise, there's nothing in here about...

**Ms. McLaughlin:** No, I'm just curious to know, what is the pedestrian connection to the rest of the Village proposed to be here? Because if people don't get it when the place is built, they're presumably going to come back to the Village and ask for it.

**Mayor Kinnally:** You know, it's an interesting question about sidewalks, and we've wrestled with it for a long time. But even if the developer were to put sidewalks in front of the proposal



there is a long stretch from the end of this property down to the intersection of Ravensdale that goes by county property that I do not see the Village putting sidewalks in. There are so many other areas in the Village that have sought sidewalks for years. But it would join a long list of areas in the Village that do not have sidewalks, including areas along Ravensdale, along Broadway, along Tompkins, along Villard. So it's not an obligation. But I don't see it happening. In front of the Burke Estate, for instance, there are pathways but not sidewalks, and along stretches of Broadway also that areas cannot be accommodated by sidewalks.

**Mr. Metzger:** Since pedestrians have been brought up, and it was just stated that there would be no pedestrian connection, that the walkways would stay entirely within the development, I thought one of the concepts here was to not create enclaves within the Village. This has to do with pedestrian access. Last Wednesday between 11 and 12--bright, nice, sunny day, very easy to see--I went out and took some photographs of the site. People at home, they can see this and I will be happy to pass this around to the Board. This site is located on a fairly heavily-trafficked road, a lot of truck traffic moving, I would say conservatively, 35 to 40 miles an hour. It is buried within a lot of other light industrial and commercial spaces.

**Chairperson Speranza:** Okay, you have a question? You'll end with a question, correct?

**Mr. Metzger:** Oh, I'll end with a question.

**Chairperson Speranza:** We've got a lot more to cover.

**Mr. Metzger:** We've been hearing about statistics which are conceptual ideas, and we've all determined that these statistics can have high values and low values. I'd like to present some hard evidence about the nature of this site, the traffic that flows around that site, and the problems that are created by building residential in this area. I think that's part of the traffic and it's something that should be looked at. I will make this as brief as I possibly can.

I went out with an adult because we decided to take a child out in that area would be way too dangerous. It's a bright, sunny day. This person's wearing a red jacket, highly visible. You will notice that large trucks are drifting over the yellow line, even though there's no other traffic on the road. School buses which use that, drifting over the yellow line. Going back in the other direction, heading towards Ravensdale/Jackson Avenue, we have, I believe, 47 inches between the guardrail and the stripe. Not very wide. It's the only area that would possibly be for a sidewalk. Trucks drifting over the yellow line, similar situation. Coming up on the Ravensdale bridge, possibly the only current pedestrian access because the bridge that's being proposed just goes to the South County Trailway. Extremely narrow, extremely dangerous, in need of repair. Coming from the other direction, from Hastings towards 9-A. Once again, there's virtually no sidewalk on one side. On the other side, the sidewalk is in serious need of repair. So again, the question with traffic goes down to the fact are we creating an enclave in Hastings that is only available by car? And if we are, doesn't that go against the Vision Plan? Thank you.

**Chairperson Speranza:** Okay, I was reminded that we did also have someone who looked into the fiscal impacts of this development on the Village. This was not something we as the

Planning Board had requested, but it had come up during the public meeting of the Board of Trustees. This individual is here tonight. If you could just very briefly speak to what your findings were with respect to the SEQRA document, and then we will talk about the fiscal, and then we're going to open it up for questions from everyone.

**Molly McQueen, Associate - STV:** Yes, I was asked to look at the fiscal impact analysis and the techniques to generate the potential schoolchildren related with the MUPDD. First and foremost, on fiscal impacts, there are two sides of this. One is that there would be certain taxes generated from this. I've looked at the 60-unit MUPDD, and then looked at that with the potential costs that would be associated with this new development in the course of providing services for the residents at this location. I chose those words because some might already be here in Hastings and some may be in-migrants to the Village. When estimating fiscal impacts for a condominium development, as I think these boards know, the basis for tax generation is as rental units, which is a different basis than you would use for a single-family or a two-family tax base. That generates a certain level of money, and I believe that the analysis shows, correctly, a fixed contribution to Village funds. And also where we take that next is, how could demands for Village services change as a result of this proposed development. In particular I looked at police, fire, recycling, garbage collection, and those are the four principle areas. The questions that were asked to determine the potential impacts related in particular to a need to add routes for the sanitation service or recycling, or any changes that would be necessary to the site plan to accommodate that type of use. Based on the discussions I've had with, principally, the Village, I'm recommending to both boards that there would not be a significant or adverse impact to Village services. There would be no need to add garbage routes; there would be no need to add personnel to assist in collecting anything from this location, and police and fire services would not be expected to be a significant addition in any manner.

With respect to schoolchildren, this is a very interesting question at this site. The original analysis was developed on the basis of using the Urban Land Institute development impacts handbook. Very nice piece of work, it's 12 years old, it also develops nation-wide averages. So while it's a good jumping-in point, it's not the best point to consider what happens in localities in Westchester.

This was followed up by the applicant by surveying a number of similar condominium developments in this area of Westchester County. In particular, Hastings was surveyed, Irvington was surveyed, and developments around Mamaroneck were surveyed. There were eight in total. In this county, in this locality, and in other similar suburban localities condominium developments have a much lower rate of schoolchildren generation, if you will, than if we were looking at a 60-unit single-family development we would be looking at a substantially higher number of children.

What the surveys bear out, what ULI always recommended many years ago, and what is borne out in other communities in Westchester and Rockland counties is that there would be a very limited additional number of children from this development. I agree with the finding that it

would be between 10 and 12 children across grades K through 12. I can't tell you what classes they're going into. When you look at the other developments, you're seeing a snapshot of where those children are. So you'll see a little group in K through 5, a number of them showed no children in middle school, and then there are a couple of kids in the upper school. Children have this annoying habit of growing up. You're going to see a different distribution in the next couple of years, but you will not see an increase in the number of children from those developments. The purchasers of condominium developments are somewhat different from purchasers of single-family homes, and their expectations for the services and the space and the amenity of a home are very different. That's what results in them showing a very different level of generation by development. I think that's it. Thank you.

**Chairperson Speranza:** Okay, thank you.

**Trustee Jennings:** I was just curious. Did you do that analysis and come to those conclusions prior to being aware of the Zoning Board's stipulation that the work space not be turned into an extra bedroom, or was that restriction a part of your analysis?

**Ms. McQueen:** That restriction was not part of my analysis. But when I looked at the surveys of other similar condominium developments in this immediate area of Westchester, I believe that work is very comparable for this reason. The units are very, very large. They range from--you can look at the survey work, and I don't know all the numbers--they range up to 5,000 square feet. So you're looking at a single-family-plus home; there is ample opportunity to have multiple bedrooms in those. You will see as a matter of course in most of these surveyed communities, bedroom distribution is one, two, and three units. You'll see some that are four. And then there are these maisonettes which are very, very large. Experience with joint living work quarters in other localities shows two things. One, very low children occupancy; and two, certainly in the city--which is not entirely comparable by any stretch of the imagination--artists do use that space, people who would like to be artists but don't, in fact, work at home by joint living/work quarters. Other localities that have this have very low...and I think of Kingston up the river a bit also has a very low occupancy by children and very large units.

**Trustee Swiderski:** I may very well agree with analysis on the police and the firemen because it mirrors what was determined earlier, and the police and fire departments have indicated that. I'm at a loss, however, to swallow how can you not have additional garbage pickups?

**Ms. McQueen:** It's my understanding that these will be an extension of existing routes. For condominiums, it is common procedure for homeowners associations to be responsible for their own garbage and recycling. And that was my question: would that be the case here? The answer was no, it would not. It would be an extension of existing routes already administered by the Village. Thus, the homeowners association will have to pay, in part, for that service.

**Trustee Swiderski:** We don't pay for our garbage services as a separate service, do we?

**Ms. McQueen:** You pay a tax for it.

**Trustee Swiderski:** It's embedded in the taxes.

**Mayor Kinnally:** Yes.

**Trustee Swiderski:** But what we're talking about here, still just to pursue this point, there will be an extension of an existing route. But that extension, you feel, does not put the stress on that route to require an extra truck or whatever it is, the step function, up to the next level of additional people or trucks or whatever?

**Ms. McQueen:** Yes, sir, I think that's a reasonable conclusion for this development.

**Chairperson Speranza:** All right, my understanding from Village administrators was that there was sufficient time during the pickup day for people to be able to pick up garbage and recycling at this location. That's what we were told.

**Mayor Kinnally:** And it's not just a question of the time. It's a question of the capacity of the curb trucks. And is the opinion of the management that our trucks are sufficient to absorb that additional waste?

**Ms. McQueen:** Based on the information I have, yes, it's not an enormous additional load.

**Chairperson Speranza:** Any other questions with respect to fiscal impact on the Village?

**Elizabeth Felber:** I have a question about schools. Is this the right time to ask that question? I'm wondering, in the Village view preservation Walden Woods is listed as one of the condominium units that's looked at. Did you look at Walden Woods in Dobbs Ferry?

**Ms. McQueen:** I'll be honest with you. That's not a name that rings a bell.

**Ms. Felber:** Because it wasn't in the one that Mr. Chertok kindly gave me, which he relied on at the last Planning Board. It's significant because they have a much higher multiplier. And I'm also wondering, if you looked at caliber of schools--because I think that's a huge relevant factor here--I don't know if you're aware, but the recent *Westchester Magazine* just rated the schools, and Ardsley was rated right up at the top. I don't think you can compare Ardsley school district condominiums with Kingston. I don't mean any disrespect to the Kingston school district. I just think, what's the caliber of the school district considered? Because this is an outstanding school district, and that's got to be a factor.

**Chairperson Speranza:** Do you have a response?

**Ms. McQueen:** The data that was supplied--recognizing that Ardsley is a fine district--doesn't reflect that. But when I did my multipliers for children, I bumped up my numbers to allow for that. So I still believe that we end up with a relatively low level of additional students. And there's no manner in which I would mean to compare Ardsley to Kingston.

**Chairperson Speranza:** There is a table in the EIS that does outline the fiscal analysis, the projected impacts versus the taxes.

**Boardmember Barr:** Page 9.2. It gives a list of tax generation and fiscal assessment.

**Mr. Metzger:** This may or may not be an appropriate time and, obviously, you'll let me know.

In terms of the number of schoolchildren and the number of bedrooms, my question is, in a 5,000 square foot unit you're dedicating, say, 800 square feet to a studio space. What prevents that homeowner from using their dining room, their living room, the family room, the home office for additional bedroom space? So even though there's a covenant that's been said you can't use that studio for a bedroom, nobody says you can't use the other 4,200 square feet to subdivide and make as many bedrooms as you like. I believe the covenant should be changed: that you cannot change the number of bedrooms in a unit. And that would solve all of the problems.

**Mr. Lozito:** That's fine, but I just want to make one thing clear. These units are not 5,000 square feet. These were units in another development that was surveyed. These average 2,150, including the work space; under 1,700 for the living area.

**Joann Sold, 20 Delard Lane - Ardsley:** Later on I would hope I would have an opportunity to comment in my official capacity as a board of trustee in the school district. But as far as the question in terms of projection of school age children, this is going to impact the Ardsley school district. Can you please tell me why you did not look at one condo development in the Ardsley school district? I will share with you what I have found out in terms of the specifics for Boulder Ridge, which is another Ginsburg development which I believe is comparable to this in that we also have a situation there of lofts--you want to call this live/work--that have impacted, I believe, the number of kids there. But there are other developments, condo developments, in Ardsley that you certainly should have or could have looked at, including Boulder Ridge, Hunters Run, Stonegate which perhaps would have given you a better basis for which to project school kids for our schools. I would like to know why you didn't choose to do that.

**Ms. McQueen:** Our charge here, and I appreciate your comments, was to look at the data that we were given and assess its rationality. I think it is a rational method for assessing how many kids. I would be very pleased to look at data for Ardsley condominium developments as well

**Chairperson Speranza:** I don't know if you have an answer, so why...

**Mr. Lozito:** These studies were done...the work that we provided was done in response to comments that had been made on the preliminary FEIS, and that wasn't asked of us when that document was reviewed. It's only recently in the long history of this project that anyone has come forth with this particular, relatively recent, question. So we did a sampling. We took studies that RH Consulting, Richard Hyman, had prepared, he had done, for another project in Hastings. And those were the projects that were analyzed that Molly reviewed. But we did, since the last meeting of the Planning Board, ask Richard to take an additional look. It's not always easy to get this data from the schools. It takes a considerable amount of time. But I do want to hand out something that we did get since the last meeting that addressed that. Let me put this on the record, as well.

The first sheet was an attempt to try to explain how looking at Boulder Ridge and looking at Saw

Mill Lofts is somewhat of an apples and oranges type of a comparison. The projects are very different in their nature. Two similarities: 1) they were built by Ginsburg Development and 2) that they're in the Ardsley school district. This tabulation shows the differences that are quite significant. Boulder Ridge is a single-family attached townhouse community on 53 acres of land. If you've ever been up there you'll note that the development is clustered. There are significant landscaped buffers between the roadways that surround the site and the residential areas. It's a very comfortable, private residential area. Each of the units, the townhouses, have individual back yards that are quite private. There's a phenomenal recreational facility with two swimming pools, a clubhouse, four tennis courts; one of those swimming pools being a wading pool for children, the other one being one for adults. The units range from 3,500 square feet for a two-bedroom to more than 5,000 square feet, as was mentioned before, for a three-bedroom. They're on four levels. The loft that was referred to in the last comment, the loft at Boulder Ridge is the highest floor of the unit, typically above the master bedroom. It was only intended as a home office for personal use, or as a studio or a rec room or for recreation equipment. It was not the type of loft space or workspace that we're contemplating at Saw Mill Lofts, which has access from a common corridor directly into the workspace. At Boulder Ridge it's a much more residential space. The number of bedrooms: the project has 17% four-bedroom units, 54% three-bedroom units, 29% two-bedroom units; whereas the Lofts has 80% two-bedroom units.

So we're talking a very different type of project. Boulder Ridge being very family-oriented for all of those reasons, and Saw Mill Lofts not, with no recreational facilities for families, an exercise room for the people who live there. And also, Boulder Ridge is gated, a sense of security, more family-oriented type of a situation. So it's not expected to have similar characteristics. But what we did do in the attachments, one of the attachments is the study that Richard Hyman had done that Molly had reviewed. But the first one, the one that was dated March 7, 2006, looked at some additional ones, including Clarewood, which is a townhouse type of development. And it did look at Boulder Ridge. Even if you did take the student generation from Boulder Ridge, and adjusted for bedroom count and applied it to Saw Mill Lofts, you'd have 20 schoolchildren, whereas we had been estimating 16 in the FEIS. So we're not talking about a significant increase. But again, it's not really applicable because Boulder Ridge is a place that attracts families. This is not designed to do so. So even with the 20, if it were in a hypothetical world, the 20 students that paralleled the Boulder Ridge generation, it would still be revenue-positive for the school district; which was, I'm sure, an issue people were concerned about. Saw Mill Lofts would still pay more than its way as far as educating the 20 schoolchildren with the taxes that it would generate. So I just wanted to make that point.

**Chairperson Speranza:** Okay, thank you. Could you get that to our friends from Ardsley?

**Joanne Sold, Ardsley Schools:** I assume this is not the proper time for what he just brought up.

**Chairperson Speranza:** If you could wait and see if anyone else has got a question about this.

**Ms. Kuhn:** If you want to talk about the scrupulous way that they've done their school projections, I think if you look at volume 1--I think it's page 10.6--there's reference made to

something called Ardsley Park, which has 186 units, in the Village of Ardsley. They project that 12 schoolchildren will come from that. Well, that's our senior living. We actually have something that was drafted by the Village that precludes anyone under the age of 18 living there. As part of that parcel there were 14 private homes? Is that correct? That's where the 12 schoolchildren might possibly be coming from, but there's no figures on that. This development's called the Woodlands. Citing this for a school projection in this document is fabrication bordering on fraudulent. I don't think they're particularly scrupulous here, and we wonder how scrupulous they are anywhere. Thank you.

**Mr. Lozito:** Those figures for student generation were referring to the single-family home portion of that project. It may have been called that at one time. Now the senior part is called Woodlands, and that was not where we, obviously, counted the schoolchildren from. It's from the single-family homes.

**Mr. Harris:** Yes, but why are you [including] 186 units? Just for clarification. That's what he called that in the document.

**Mr. Lozito:** That was also referred to in the sense of their being...we've talked about how Route 9-A is not entirely a commercial corridor, it is also a residential corridor. And that was one of the projects that was cited as a significant and recent residential development on Route 9-A. We weren't attributing the 13 students to the 175 senior residences.

**Ms. Hertz:** Before the Riverpointe development was built I remember that it was said that there would be no children there either. I want to know if, like you did there, there'll be an advertisement in the *New York Times* with a woman holding a baby in front of Riverpointe advertising Riverpointe. Will you be advertising this for children like you did that, after you said there would be no children there?

**Boardmember Hutson:** I think I might clarify that. In our review of Riverpointe there were projections--a small number of children were projected for Riverpointe.

**Ms. Hertz:** A small number of children... But the ad in the *New York Times* had an illustration of a woman holding a baby... are they going to advertise with women holding children.

[ END TAPE 2, SIDE A ]

[ START TAPE 2, SIDE B ]

**Chairperson Speranza:** Well, it does say in the environmental document that it will not be marketed for children, and I expect that we the developer would, in fact, hold to that.

**Mr. Lozito:** We don't have intentions of doing that, but I just want to point out there's one child, one public school child, at Riverpointe. So if that's what we said, there'd be very few children, then that's what occurred.

**Ms. Hertz:** But you did advertise it for children.

**Mr. Lozito:** I don't recall.

**Ms. Hertz:** I do.

**Chairperson Speranza:** Okay, now you had some comment specifically on the schools. It's getting very late. I think we'll have one more question about the fiscal, and then move on to

general comments.

**Boardmember Hutson:** Since we have Ardsley folks here, and the busing thing comes up, what is the Ardsley school district policy regarding busing of children? Do you have busing at all?

**Ms. Sold:** We do provide a very liberal busing policy. My recollection is if you live a distance of 0.6 from the elementary school you get busing; 1 mile from the middle school you get busing; and 1.2 from the high school you get busing. So we provide a lot of busing for our students.

**Boardmember Hutson:** Thanks.

**Mayor Kinnally:** Would this site qualify for busing?

**Ms. Sold:** Without doing an actual calculation, my estimation would be that yes, it would be clearly all three schools. Because if Boulder Ridge gets it for the middle school, this is further. I can point to other points for the elementary and the high school that get it that are closer, so this is further. So I would say yes.

**Mayor Kinnally:** It certainly is farther than the elementary school.

**Ms. Sold:** So yes. And is this my opportunity to comment?

**Boardmember Logan:** Regarding that point, if this would be within the busing range I'm curious what impact that would have on the trip generation. Any assumptions regarding that?

**Mr. O'Mara:** For the trip generation, usually--I'm not familiar with the Ardsley school busing--but there's typically a bus route for each school. If it's broken up into three schools-- elementary school, middle school, and high school--whether they're picking up one child or three children for that school--there's going to be one bus trip to the site to pick up those children.

**Boardmember Hutson:** He means the trips. Daily trips.

**Boardmember Logan:** That would be the place, but parents taking their kids to school.

**Mr. O'Mara:** I mean, that would be a trip reduction then. It's not parents taking the trips, right.

**Boardmember Hutson:** Of course, it's like Hastings. Depends how many kids ride the bus

**Ms. Sold:** The bus has to go whether there's no kid on it or not. The bus goes.

**Mayor Kinnally:** The bus wouldn't necessarily stop at the site if there were no children there.

**Ms. Sold:** Oh, no, it'll absolutely stop at the site. If there are no children that move in?

**Mayor Kinnally:** No, I'm saying if there are no children enrolled in that particular school the bus isn't going to go there.

**Ms. Sold:** No, that's correct.

I'm here with Mark Cohn, who's another trustee from the Ardsley school district. We are in our long-range planning. I've said previously it's not our position to comment on whether or not we're for or against this project. Our concerns are school district concerns and the projections for school-age children as well as the estimated costs, and that's what I'm here to discuss this evening.

I understand the information presented this evening regarding Boulder Ridge and the assertion that they're not comparable. While they may not be comparable in size, I do believe that the



projects are comparable and Boulder Ridge should be considered in the calculations when you're determining the projection for school-age children. I happen to wear two hats this evening, as a trustee and as somebody who did live in Boulder Ridge for 10 years and lived in two separate units in Boulder Ridge, and has a lot of practical experience with that community. I have different numbers than were presented this evening in terms of the number of units of two-bedrooms compared to three and four. So I'm not sure why we have different numbers. I sat with the offering plan and amendments to get my numbers.

So my numbers for Boulder Ridge are 82 two-bedrooms--I'm missing two units--so 52 three-bedrooms, and 20 four-bedrooms. We're on the same page with the four-bedrooms. The other piece of information that this document has in terms of the number of school-age children, from my school district office I have a number of 97; he has 79. So we have some differing information, but what's important in terms of Boulder Ridge and the projections is, Boulder Ridge, at the time it first came was marketed more for empty-nesters. I don't think at that time--initially, when the offering plan came out, before they were able to acquire the adjacent swim club--there were going to be as significant recreational facilities. Were not as significantly planned for it. As it started to be sold, I think that somewhere along the way they got the picture that it really was attractive to families, like myself. I moved in with two preschool-age children at the time--a four-year-old and a one-and-a-half-year-old, and had a third child while I lived there. It was attractive to families because--and the only reason I moved to Ardsley was because of the schools--it was attracting numerous families. And I think the recreation facilities impetus flowed partially from that. They also indicate in here that there's a tot playground, which there is. And that was not envisioned, nor was that provided by the developer. That was built later on because the community needed it and because of the number of children.

So I do think it's important that the 97 children that do attend the Ardsley schools, based upon the information provided by my school district office--52 of which are in the elementary school, the balance of which, a little bit more in the middle school, and less in the high school--be factored into it.

I know also Lorraine did point out the error in the Supplemental Final Environmental Impact Statement regarding the Woodlands senior community housing. If that number of 186 residential units, whereas projected school-age population of 12, has been factored in anywhere into these calculations I think that we would ask that it be corrected and be re-factored because that's a big difference; 12 students in either 14 homes versus 12 students from 186 units.

I don't have any information on the other condo communities in Ardsley, but there is also Hunters Run, there is Stonegate, to look at. I think it would be prudent to ask the people that have done this work, because it's going to impact the Ardsley school district, to look at those condominium projects that are within the school district if they really want to get a sense of what the impact will be, what the projected students will be.

True, Boulder Ridge is larger but, certainly, Hunters Run is a smaller townhouse development. They could access that information. I still assert very strongly that I believe the impact of the

Lofts at Boulder Ridge, particularly in the two-bedroom units...which the Lofts only have skylights, there are not separate windows...but they have indeed in many instances been used for bedrooms. And while I understand there is the covenant to prevent the workspaces from being used as bedrooms, I do not see, practically, how you're ever going to be able to police it, just as it cannot be, and is not, policed in Boulder Ridge. So who is to prevent somebody from the day after they close to take that nice 400 square foot work area and say, "Yes, I want to use part of it to work in, but you know what? I think I'll divide it and put part as a bedroom and use the other part to work in."

So I am greatly concerned that your one-bedroom now leave the option of being two-bedrooms; your two-bedrooms have the option of being three-bedrooms; and your three-bedrooms now have the option of being four-bedrooms. I would ask you to have them look much more carefully at how they projected these numbers because it's critical for the school district that we have, even though it can be a certain number, a more accurate representation of what we can expect if this project is approved.

There are two things I just want to address that I know that GDC has brought up as far as why it's no problem for us to have as many school-age children as this project would bring. One of the issues that has been repeated to me is in regard to our tuition students. There are two points I want to make clear on this. In terms of the regular ed population, which we have approximately 55 students who are tuition-paid, please understand that's completely within our control. If we find on any particular grade that is an issue, it's within our rights to not take in tuition students and to say that we have too many other developments impacting this, that we will no longer be accepting students on any particular grade. We control that entirely. We do not control who will move in to a condominium project. Of course, we gladly accept all children at our doors and are committed to their education no matter how many of them do ultimately come.

The other point that I have heard has been brought up repeatedly is in terms of our special education program. We have 73 tuition students in our special education program. I want to make very clear to all of you that the only reason we have tuition-paying students for our special education program is because we have our own children that have special needs.

We believe very strongly in our school district that it is our responsibility to educate all of our children if at all possible with an appropriate education within our own school district. They're part of our community, they're our children and they're our neighbors, and we want them with us. So that has enabled us to, when we do create a program for our children to open up the doors to other school districts so that we provide them a similar opportunity to educate their special needs children in our schools, in our strong programs, and we receive tuition. But in no stretch of the imagination if we said no to every special ed tuition-paying student would we have any extra classrooms because we would still have our students that occupy them. That's what I have to say in regard to the projection of students and the questions that have arisen around that.

I want to go to the financial part. Just in terms of the financial part, when I've looked through

how they projected--and I'll try to make this quicker than the last part--when they projected the 16 kids they've indicated that we're going to be making money. Because we start out with a per-pupil cost that we take away certain costs to get to the instructional level. So we've reduced capital improvements and debt service, and those things that aren't typically considered part of the instructional program. So the per-pupil cost is reduced but, of course, the numbers they have are old. So based upon the last year's budget, not the one going forward, that instructional cost would be \$17,673 per student just for the instructional part. So now we're assuming that we don't have to add any other costs because we're getting more kids in terms of classroom space and such, which is fine. However, they then go on to indicate that the tax levy is 75% of that amount, and therefore it's even a lesser number that it actually costs to educate the average student in Ardsley. I have a couple of problems with this. They're assuming that after you take away that number, which would be \$13,254, that the instructional part--the \$17,673--is all aid-able. So they've assumed that our non-property tax revenue, which we already took out of the instructional part, is going to be aid-able in the same way, and it's not. So this is an erroneous number, at least to a certain degree. Because as I'm sure you can appreciate, the overwhelming majority of the instructional costs are teachers and teachers' salaries and their benefits are not aid-able. So they've reduced the cost per child in terms of the instructional level by an amount that includes state aid which we're not getting. So I think it's important to know about that.

The other thing that they have not taken into consideration, while they do look at the fact that we have a 3% population that goes to private or parochial schools, they haven't looked at the other end of the spectrum. Which is, in our school district, similar to other school districts, we have an approximate 10% special needs population. If you work with their numbers, that means that 1.6 students will be special needs. The cost of educating a special needs child is far greater than that of a regular education student. So that has not been factored into this calculation at all. They're also, of course, assuming that all things stay equal. State aid stays the same percentage, our interest income, our rentals stay the same--and those are fluctuating numbers. Frankly, state aid only goes down, our rental income has gone down, as our number of students has increased. So those are concerns in terms of how they've calculated the actual revenues that we can expect.

**Mayor Kinnally:** When you back out those numbers and make the adjustments that, for purposes of my question we'll assume are accurate, do you come to a number that's revenue-neutral?

**Ms. Sold:** Revenue-neutral? Based upon what I believe the projections of this...

**Mayor Kinnally:** Well, you're here. Whatever numbers you have, does it come out revenue-neutral? I know you're saying that their projections are too rosy that you're going to make money. Is it going to be revenue-neutral?

**Ms. Sold:** Based upon what I believe the projected student enrollment? No, it'll cost us money, and that has been our experience. It will not be revenue-neutral.

**Mayor Kinnally:** Would it offset?

**Ms. Sold:** ...offset the cost?

**Village Attorney Stecich:** It's based on the number of students that she used. That's what you need to know.

**Mayor Kinnally:** Yes.

**Village Attorney Stecich:** How much per student that you're recommending.

**Ms. Sold:** I think the best way to look at it--because if I use Boulder Ridge as a comparable and you don't--I don't even suggest that we need to do that.

**Mayor Kinnally:** Well, with the 16 children is it revenue-neutral?

**Ms. Sold:** With the 16 children, if you take...it depends what number you're working at.

**Mayor Kinnally:** The numbers that you're working with.

**Ms. Sold:** Okay, if you take the 16 children only, and you're working at my numbers, with the instructional number...I just want you to know I'm working from the instructional number, which is \$17,673, without taking into consideration any special needs students. Then we would be, yes, we would actually still be making money.

**Mayor Kinnally:** So would it be safe to say that when you start getting up around 20 children it starts getting into the red?

**Ms. Sold:** That would be more than safe to say.

**Mayor Kinnally:** So 20 is the tipping point?

**Ms. Sold:** Well, the easiest way to do it is, they projected the taxes to be \$348,581 for the school. That's based upon the Saw Mill Lofts. If we divide that by the current per-pupil expenditure for the instructional part--\$17,673.

**Mr. Lozito:** Which year are you using for the costs?

**Ms. Sold:** I'm using 2005-2006.

**Mayor Kinnally:** So the answer's 20.

**Mr. Lozito:** Just one second. She's using costs from 2005-2006, based on taxes calculated from 2004-2005. The tax rate went up from \$420 per thousand to \$470 per thousand during that period. So there would be a higher tax...

**Ms. Sold:** So you're saying there would be more revenue.

**Mr. Lozito:** It would be more revenue.

**Mayor Kinnally:** Twenty, 21 we're talking about, right?

**Ms. Sold:** Right.

**Mayor Kinnally:** Okay, so that's when you start having...using your numbers, it starts costing money.

**Ms. Sold:** Right.

**Chairperson Speranza:** Okay, was there anything else that you want to tell us?

**Ms. Sold:** Let me just make sure there's nothing else.

Oh, the only other thing I wanted to bring up this evening in terms of what we've been

approached--Mark and I have been approached--as the long-range planning committee from some of our residents, which we'll be bringing forth to the entire board. And some people have proposed that we consider looking into--because of the specific nature of this project, it's proximity being so much closer to Hastings, it being so much further and not contiguous to any of our school district residential areas, and the likelihood that the kids from that, going to the school, will one, be part of the Ardsley school district for all the other things they do and the attendant issues that come with that--we've been approached to look at whether or not there would be a way to redistrict that property so that students would attend the Hastings school district. Now, only Mark and I have been approached on this issue, so we have not explored it in any fashion whatsoever with the board. I do not know any of the implications, legal or otherwise. But this is something that we are going to explore with our board. Because to a certain degree while I would never, ever suggest that this is an appropriate thing under ordinary circumstances and I do believe we're responsible for educating all of the children within our boundaries, this is so atypical, it's so far from us, it's so out of the ordinary that it really might be better suited for the Hastings school district because the kids are so much closer to the Village and the opportunity to be closer to other kids in their neighborhood. As I said, it's not anything we've discussed with the board. I don't know the costs of going forward with something like this, the legal implications, but I think it is something that we're going to look into.

**Mayor Kinnally:** I don't know if it's within the school district's purview.

**Ms. Sold:** I don't know.

**Mayor Kinnally:** It may have to come out of Albany.

**Ms. Sold:** I don't know the answer to that.

**Mayor Kinnally:** Is it out of Albany, Mark?

**Special Counsel Chertok:** No, it's generally within the purview of school districts.

**Mayor Kinnally:** To redistrict? Okay.

**Ms. Sold:** And, of course, we would have to work with the Hastings school board, as well. Thank you for your time.

**Boardmember Hutson:** We can definitely look into it.

**Mayor Kinnally:** Yes, interesting point.

**Jane Gross, 1 Ashley Road:** I don't know if this makes any difference, but I have no children in either district but thought that this might be interesting supplementary information to what the Ardsley school people said. They have the best special ed, for sure, in the county and probably in a much larger area than that. And the best programs for autistic children anyplace in the suburbs. I know any number of people who would move to Ardsley in a heartbeat because of the quality of the special ed who can't afford a house in Ardsley. I have no idea what these apartments are going to cost, but those families would happily live someplace that they might otherwise not choose within the Ardsley school district in order to get that special ed.

**Chairperson Speranza:** Okay, thank you. We're going to open it up for general comments.

**Special Counsel Chertok:** You mentioned two other projects, the prior speaker: Stonegate and Hunters Run. If those are in Ardsley, then the school district, presumably, can get information about the number of schoolchildren from those premises, and provide them to us.

**Ms. Sold:** I'm sure we can get the number of schoolchildren. I don't know how many units there are or what their makeup is.

**Special Counsel Chertok:** Then perhaps if you provide the schoolchildren, then somebody else will get the number of units because that would be helpful. It would also be interesting to know from your analysis on Boulder Ridge, in the first several years how many schoolchildren were there when it was marketed differently in the first several years because you indicated that it changed. So if we're getting data, that would be helpful to know, as well.

**Ms. Sold:** That's a little hard, but we'll try.

**Arthur Riolo, 2 Fairmont Avenue:** I believe St. Andrews is also in the Ardsley school district. Is that not the case?

**Village Attorney Stecich:** Yes, Arthur, I just said that.

**Mr. Riolo:** Oh, I'm sorry. I didn't hear you. Forgive me. So that should also be in the mix.

**Chairperson Speranza:** Right, okay.

**Ms. Sold:** Can I just make one other real quick point, one other concern?

The other issue that I don't know if you have found this to be, but we have found it to be in the Ardsley school district is in terms of certiorari proceedings in condominiums.

**Mayor Kinnally:** Yes.

**Ms. Sold:** Unfortunately, it seems, every time we have a condo--at least for the number of years I've been on the board, I've only been on the board for 11 years--the experience has been, and this if for, in particular, Boulder Ridge and St. Andrews and the more recent ones that we are hit with significant certiorari proceedings. It is a very, very costly give-back based upon these wonderful projections of real estate taxes because condos are taxed differently than the rest of the residential properties that we have a tax base from. It's a significant concern here. It's great to project taxes, but if four years down the road I'm going to have to give a lot of it back it really becomes much less meaningful. I don't know if there is any opportunity here in terms of...because it'll hit the Village just as it hits the school district, to perhaps get some commitment in writing from GDC in terms of unsold units or some indication that they will waive their rights to certiorari proceedings if they own the units. I don't know if they can bind future homeowners. But for a certain period of time, I would really appreciate if this could be at least looked into. Because it's a given, it appears and from our experience in the school district, you're going to be hit with a certiorari proceeding and it's a given it's going to be a significant impact on your budget. Thank you.

**Chairperson Speranza:** Okay, thank you. Any other comments on anything?

**Ed Weinstein, Hastings:** I'm an architect, planner, and, in the interest of full disclosure, I also

have done consulting for Ginsburg Development Corporation although not on anything in the Village of Hastings. I am deeply impressed with the intelligence of the people in this village and the people in Ardsley, and I'm also somewhat impressed with the number of hypothetical and sometimes somewhat implausible situations that are raised. I mean, we've been sitting with this property, which is a vacant eyesore. It's been studied, I guess, for the last six years, since I was on the Planning Board and we turned down ShopRite. I think it's time to stop splitting hairs. I think it's time to listen to the Village's consultants and the developer's consultants. Everything I hear says that there's no significant or adverse impacts in conjunction with this project. It's a project that is significantly reduced. It's going to be built in harmony with the environment. And I strongly urge the Planning Board and the Board of Trustees to be reasonable and approve both the concept plan and the change in zoning and allow this to move forward.

**Chairperson Speranza:** Thank you. Yes, I think Lorraine was next, and then you, sir?

**Ms. Kuhn:** Before you leave, you said that you had spoken to Mr. Farakain. Did you speak to Mr. Farakain about the underground garages?

**Tony Castillo:** I did not speak to him about the underground garages.

**Ms. Kuhn:** The underground garages are over a half-million cubic feet, and that would be a volume of 4-million gallons. If even 10% of that area was available for water to percolate through--and water does move sideways, it doesn't just go down--that's about 400,000, almost a half-million gallons of water that are no longer going to be available. That space won't be available. That's more water that's going to go off site, more frequent flooding, more volume. The other thing about the garages is, there's no depiction of these garages anywhere in the EIS, nothing. Not a single arrangement, nothing. It's a pivotal element that makes this proposal work. Can 60 spaces really be accommodated under each of these buildings? Can the space be kept dry? Is it really feasible to have living spaces directly over a garage that's packed with 60 cars? It's enclosed, it's underground. What about the noise, and the fumes from the exhaust? I really think that you think that this EIS is complete. I don't see how it can be complete without the parking plan. It's a glaring deficiency and I'm surprised it got this far. I do have some comments about some other items. Should I make them now, or should I come back again?

**Chairperson Speranza:** Let's circulate the room, okay? I want to make sure everybody gets...

**Ms. Kuhn:** Okay, thank you

**Chairperson Speranza:** Thank you. Yes, sir.

**Mr. Harris:** Speaking on behalf of the traffic committee, I respectfully disagree with the traffic engineering firm that the developer brought in. I can't tell you much about Jerome because I don't know him. All I know is that we've had traffic consultants come in from developers with regard to gel Sprain, with regard to Ardsley Estates, with regard to the second section of Ardsley Estates and their numbers have all been wrong. Their numbers have been low, and we have seen the impact of that on Ardsley traffic. We're just going to see the impact of this, as well. And the only thing it's going to do is exacerbate travel throughout the region.

This is a regional problem, it's not just an Ardsley problem. And I tell you now, when the

Ashford Avenue bridge project begins you are going to see traffic that's going to back up and that's going to now begin in 2008, which is after this is supposed to come on line anyway. You're going to see traffic on Jackson Avenue and Old Sprain, and you're going to see 9 traffic that's going to be astounding because people are going to be taking Farragut Parkway up to 9 to get down to Dobbs Ferry. You're going to be seeing traffic at Lawrence Street, where they're going to be crossing over and going over to Ogden and around.

What we would like to see are legitimate numbers. We are more than happy to meet with your consultants and their consultants to see where these numbers came from. But I've looked at enough of these studies already to see these numbers are low. And a point made by somebody else about, you can spread it out over an hour. But the problem is that when they're going to school it's 15 minutes. When you see the impact in these 15-minute jumps, and not these hour jumps, that's when you begin to see traffic going from C's and D's to F's as you're approaching Ashford Avenue. That's all we're asking for. We're asking for somebody to look at this thing with a real pencil as opposed to just looking at the flowery possibilities. Thank you.

**Chairperson Speranza:** There was someone else who had their hand up.

**Dylan Gilbert, 21 Ravensdale Road:** Like many other people, I have a lot of concerns about the reports that the consultants gave tonight. I'm opposed to this project, as are, I could say, probably a couple dozen of the neighbors who I know in my area who are also opposed to it. Primarily for traffic reasons, but also for concerns about flooding, financial issues.

One of my concerns is this idea that 25% of the people will be going to the train from this place, and that's been brought up tonight. Maybe the figure of 25% of Hastings takes the train, but most people ... moving into this town, take the train to work in Manhattan. I've lived here 10 years. Ninety-percent of the people I know who have moved here, people in their 30s and their 40s, they take the train to Manhattan to work. I don't think that 25% is realistic. Even if 25% of the people in Hastings do, that's including a lot of older people, people who have been here for a longer time. People who come in here, most of them the only way they could afford to live in Hastings is if they're taking the train to the city. That's just realistic.

Also I have concerns about Ravensdale Road, in that, as the other gentleman pointed out, there's going to be certain times at school when the traffic is very bad. There's also certain times when the trains leave. That 8:19 train is very popular. There are certain times when everybody will be rushing to the train station, and I don't think it'll be 25%. I think it'll be much higher than that. There's a lot of problems already on Ravensdale Road. As was mentioned by the Mayor, there's no sidewalks on parts of Ravensdale Road. There's one place where there's three stop signs and not a fourth. Cars are constantly running through there. There's so many accidents on that road. There was even a sign on Jackson, I don't know if it's still there, that there were more accidents on this strip than... I can't remember exactly what the sign said, but it listed like 1,100 etc., etc. So there's so many problems already on this strip, I can't see adding a lot more cars to that. To me, it's not taking the whole issue into...it's just irresponsible in some ways.

The other thing I'm concerned about, and this isn't so much of a personal concern for me, but



just to come out and say that there's going to be very little impact on the garbage and the recycling, to me, just makes me question the validity of anything brought forth by Ginsburg's reports, or the people he paid to do reports. Those garbage men have a very difficult job. My figures are, if each one of those units has about three garbage cans of trash and recycling--that's what my family of three produces--that's about 770 cans a month. If you think those guys are going to be just going over there and they're not going to have to get paid, they're not going to have to have more trucks, to me it's completely unreasonable. So I just hope you'll consider these things when you're making your decisions. Thank you.

**Chairperson Speranza:** Thank you.

**Amy Henderson, 18 Eastern Drive - Ardsley:** I also want to talk about the estimation of the number of schoolchildren, but I'm not going to talk about the numbers. I want to talk about some of the words and the statements.

Numerous times it's stated that elevators and lack of playground facilities will discourage families from moving here. I just don't see how we can believe that. If people are moving out of the city and they have a choice between elevators and lack of nearby facilities and not great schools, they'll come here because they'll have the same facilities with good schools. The live/work arrangement would be extremely attractive to families with young children. I have a house with an extra bedroom so I can work at home and be with my family. Of course, the open space proposed to be given to Hastings, 1.7 acres, and the link to the South County Trailway would also be very appealing. I don't see how they can possibly say that it would be discouraging families to move here. I'm also concerned about the restrictive covenant, and how that can work. That's been discussed.

But one further thing is, when we're talking about the calculation, or miscalculation, of schoolchildren, the impact is not just on the Ardsley school district. For one, the more kids that will be in the development, the more this development will be focused on the Ardsley community, rather than on Hastings, rather than addressing the Vision Plan desire that new communities be integrated into the existing community. Of course, the more focus on Ardsley, the more I have to ask why more attention wasn't given to the traffic at the intersection of 9-A and Ashford, which seems to me just crucial. And I don't think it was addressed except to say that it was minimal. And an increase of minimal is still minimal. But thank you.

**Mr. Metzger:** I know you've heard all of these issues before, but I think it's important to kind of look at the big picture again. We're being asked to believe that 7.45 acres will be developed with 60 units of housing and 174 cars. From everything we've heard tonight, there's no impact on Hastings. It's not going to cost us anything. Traffic's going to be fine; in fact, it may even get better. This flies in the face of reason. There has to be a negative impact from bringing this size project into the Village. We need to be realistic about what that impact is and how it's going to affect everybody. They're building an enclave, let's not make any bones about it.

It was stated by the developer's representative. The sidewalks exist within the Village. There's

no way to get out of here unless you get in a car. If that isn't the definition of an enclave I don't know what it is. It sets a very bad precedent for future development. Every developer will come knocking; they'll try and find every isolated piece of property and say, Hey, we want to build here. That's not why most of us moved to Hastings. We want to be part of a community, not part of a group of housing projects.

Sending children to Ardsley, that's a bigger picture than I can address. We've talked about it. I don't think that improves our community at all. It creates a living situation where the kids will develop friends in Ardsley. They may not be developing friends in Hastings. I think there is an issue there. After-school programs, etc., I think the idea of trying to redistrict the school if there are going to be kids, I'd rather see us assume that burden, quite honestly. I think it would be better for the community than for the development. Taxes and costs, I also have great, great disbelief that there is no effect. Between fire department, police department--which, as I understand, already has offices working on overtime on a regular basis.

How can we expect that this level of development will not cause us to require at minimum an extra officer or two, an extra squad car? Our police department does an incredible job. I see them out every night checking the community. This is another area that they're going to need to check. Safety, we discussed that at length. For kids to grow up here is going to be the biggest thing because it's an incredibly unsafe place to be if you want to try and get out of the community.

So I just don't see the purpose in their saying, Well, we don't want families to come here, but all of these issues that we're providing will encourage families to come here. I think that they haven't defined their goals properly, and it makes it difficult for us to make a decision on whether this will be good or bad for us.

Last thing, and this was mentioned very briefly, not talked about. I'm sorry that Sue Smith isn't still here. Affordable housing. It was stated again tonight, despite objections at the last two meetings, the affordable housing units in this project should not on any moral standpoint be any smaller than any of the other units. Our affordable housing calls for those units to be built in the same mix as the rest of the units. They're providing six two-bedroom units. Why aren't there any one-bedroom or three-bedroom units? We need to state here and now in public that we will not accept affordable housing units that are any less than the other units in that project unless you want to take the people that are moving in there.

**Allen Katz, 25 Harvard Lane:** I'm one of those that takes the early morning train so I'll be brief. I'm speaking in favor of the project. Change is inevitable and it's time to change. We've gone from a "big box" to 157 units to 54 units. The time is now. We have a 25% give-back on property with almost a half-million dollars to fund some park, recreation, or ball field. We have affordable housing units and we have more green space than is there now. So I think the time is now.

I think everybody on this Board has done a wonderful job and the proposal is at a point that it

should be approved. I also don't think you can minimize the developer of the project. ... you hear all these studies and assumptions and ... who knows what's right? But you have to go with the track record of the developer and look at the developments Ginsburg has done in Westchester and other areas. They're all very successful. They're all valuable. They don't turn that way because projections are wrong. Look at the developments, look at the structures, the buildings, the projects that Ginsburg has done in this town and other communities; all successful, all have come through with the projections. And we also have a developer that lives next door and he's not going to run away. He's going to be here to answer questions. So I think it's time to accept this proposal. I respect everybody else's comments, but I think it's do it now. Thank you.

**Desiree Sheridan, Joyce Road, Ardsley:** I live in the Ardsley school district also. I just wanted to address that portion of this evening's [presentation]. What has me concerned as a parent with children in Ardsley Schools is when you get to that number 20, if it goes into the red is what happens to the budget and what happens to the school district at that point.

Also just in terms of the cost, I don't know if they figured in the cost of the buses, as well. From personal experience, I believe that each route gets one bus. So that bus comes in the morning to pick up the high school students, and then drops them off and comes back to pick up the middle school students, dumps them off and then comes back to pick up the elementary school students. Because of the distance that this project is from the school, I don't know how that's possibly going to work with only one bus, covering all three schools. Is that going to then increase the budget even more for this school district if they have to add another bus?

And I do believe that this development probably will attract many young families despite the projection that the children won't be living here and that it won't be targeted to them. I think people, once they move in and they can use that loft as a fourth bedroom, third bedroom, and it will be very appealing to young families who won't be able to afford larger homes. This will be a good starter for them. And I think that ultimately that's going to be the reality, and I do worry about how that will impact the school district.

**Chairperson Speranza:** Thank you. Okay, is there anything else? If you could hold the comments to things that we may not have heard already, given the fact that it's getting very late.

**John Maggiotto, 90 Cochrane Avenue:** This is the kind of housing that I had hoped to find when I first moved up to Westchester — a live/work space that really worked like the one I had in Brooklyn for ten years. By the time I get to it, there won't be any children. But it's on that level that wanted me to continue that tradition of artistic endeavors within the Village and that I see this as being something hopeful and good for the site. I would hope to be resident which means I'd have to move out of the house and somebody else could move in.

**Chairperson Speranza:** Thank you.

**Mr. Riolo:** I think that the project actually is in scale. I think it's the right size for the property. I'm absolutely in favor of it. I think that the three-story structure there is in keeping with what

is existing on that street. I also believe that the live/work opportunity is a growing one. I'm seeing more and more people asking to have an opportunity for live/work. So I see it as a viable alternative to the problems in our single family neighborhoods. And we all know what we went through in June and August with neighborhood problems.

[ END TAPE 2, SIDE B ] [ START TAPE 3, SIDE A ]

Last but not least, let's talk about taxes. If the projections are right or if the projections are wrong, I don't know... but I've been speaking to the assessor of the Town of Greenburgh. Hastings, at this point in time, is almost one-to-one taxes and assessed valuation. It will be the first community that will cross over. That the taxes will, within the next two years or so, be greater than the assessed valuation. So we have a serious problem with taxes in our community, and I think adding to the tax roll now is a very positive opportunity for us. Thank you.

**Ms. Kuhn:** It needs to be said. The most recent testing on pages 6 and 7 of Appendix G found nine positive readings of hazardous substances on the site. There was not a single comment made by a Hastings environmental consultant. The issue was completely ignored, and that's unacceptable.

On page 7.17 it states that residents will perceive Perdue as an office facility. That's nonsense. It's a chemical facility with chemicals trucked in and hazardous waste trucked out on a regular basis. There were at least 15 underground tanks at Ciba, according to the ShopRite EIS, which this document references. At least two tanks were located at annex west on the west side of 9-A immediately adjacent to the subject property. DEC report 9410349 documents a spill at annex west. There was no remediation.

**Mayor Kinnally:** What was the spill?

**Ms. Kuhn:** It was petroleum. It was from an old tank that was pulled. They decided not to do any cleanup because there wasn't anything there that would be impacted by it — like a housing development.

There has been for many years, and still at present, a huge bin of petroleum absorbent in the upper parking lot of the subject property. Is this spill preparation for a tank beneath the property that is still being used? The EIS doesn't answer whether any tanks were, or are, still located beneath the property. Thus, no remediation in place. The Village of Hastings especially needs to know what's under the 1.75 acres of open space and what problems it could be bringing you.

This developer has no qualms about putting people in harm's way. You should take a ride over to Tarrytown and take a look at Ichabod's Landing in Tarrytown, which is just a few yards away from a huge, two-story fuel tank. There are prohibitions there of taking any pictures on the site for either Homeland Security reasons, or perhaps the developer doesn't want you to see that. So you need to be reminded of these things at this time.

**Chairperson Speranza:** Thank you. Last question. It's a quarter to 12. Is this on a new topic? Something that we haven't heard yet tonight?

**Danielle Goodman:** Thank you for hearing me and I appreciate all the effort that everyone has put in this over the years. I looked back at how we got here and I was struck by the fact that it's always an either/or. It's either develop or not develop. We had an industrial zone, and I'm not a land use expert, but I did a simple Google search. There's just study after study after study that stands for the proposition that residential always requires..., over a period of time, which no one's talked about. I mean, are we looking at today that we're making money. What happens over time? What's the cost of community services? Middleboro, Massachusetts: residential \$1.08 in the red; commercial 47 cents; open space 70 cents. I mean, the studies just go on and on and on. Cornell University urges comprehensive consideration of the multiple values of open space. I mean, we just never had that dialogue for this property. We went from the big-box store to 167 units, and I say how did that happen?

I don't understand that in-between we had experts look at this, and no one ever did an analysis where you put the fiscal impact of open space versus commercial versus residential. And commercial and open space always come out in the black, and residential over the course of time...I mean, some of these studies urge a 30-year window projection. We haven't done that for this piece of property. And everybody's saying the time is right. I say, well, the time is right that we analyze this correctly.

I mean, I have studies from Florida, I have them from Ohio. If you want one closer to home, here's one that Scenic Hudson did. All for the same proposition. I looked at this time and time again, and I know what the statistics are saying and you had a financial person come in.

And then I find this startling thing and it's all about bonds. Studies that stand for the proposition that if a community has a proper open space program in place you would actually get a better bond rating. So now I go scrambling, and I say, well, what is our bond rating. And I find Moody's on-line and I see something very disturbing, and they say about us, first of all, that we floated 8.4 million dollars in bonds. And they say: "officials anticipate taxable values will stabilize in the medium term driven by plans for several residential and mixed use developments. So I kind of almost didn't want to show up today because I said, well, if I argue against the program does that mean that Moody's is going to give us a lesser bond rating because they're assuming they're going to build all of this development. I don't understand.

I wanted to thank two Trustees. I wanted to thank Marge Apel and I wanted to thank Peter Swiderski because they tried to get this zone to be made back to a commercial zone. The neighborhood is not anti-development, and I thank you both, too, because you also tried to advocate for an open space plan for this land. And we never got to discuss that because we were afraid of a lawsuit from the developer.

So I don't agree the time is now. I agree the time is to turn back the clock and go to the studies. Just Google then, and go to them. You'll see study after study after study, residential puts you in the red. Moody's seems to think we're going to do this, so I guess I have no alternative. I don't want to hurt my bond rating. By the way, the study that I pulled said that communities that do this right and conserve and plan get a triple-A bond rating. Our bond rating is A-1, which I

guess is good, but maybe we could look at something creative and take a leadership role. What can we put over there? How about an organic farm? How about a .... There's millions of things you do if you thought about it. But I thank the two Trustees who advocated for our neighborhood and we're grateful. We're grateful that you listened to us, and we're grateful for your creativity and for your advocacy.

**Chairperson Speranza:** Thank you. In terms of what happens moving forward... Planning Board Members we have a regular meeting... March 16. We will discuss ow we're going to go about handling the findings and how to proceed in developing the findings. We do have a full agenda, so we probably will spend some time handling that. Trustees, you will still be having a meeting on the concept plan once you receive our report.

**Mayor Kinnally:** We will be awaiting your recommendation. The Village Board will get guidance from our counsel and see what our next step is.

**Chairperson Speranza:** Okay, are we both adjourned?

**Mayor Kinnally:** We're not going to close ours at this point. It's a joint meeting, but ours is a continuation of the public hearing, and we will continue it to the consideration of the recommendation from the Planning Board.

The Special Joint Meeting was adjourned by Planning Board Chairperson Speranza at 12:05 AM.