

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
OCTOBER 19, 2006**

A **Regular Meeting and Public Hearing** was held by the Planning Board on **Thursday, October 19, 2006 at 8:15 p.m.** in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Chairperson Patricia Speranza, Boardmembers William Logan, David Hutson, Jamie Cameron, Eva Alligood (8:30 p.m.), Bruce Dale, Alternate Rhoda Barr, Village Attorney Marianne Stecich, and Village Director of Planning Angela Witkowski.

ABSENT: Boardmember Fred Wertz

I. Roll Call

II. Approval of Minutes

1. September 28, 2006 meeting

Chairperson Speranza: Just one thing ... on the title it says special meeting and the first sentence says regular meeting. I don't care how we billed it, but we need to be consistent.

Boardmember Dale: There's a word missing in the quote on page 28., second sentence. Quoting me, it says: "...is in spite of the fact that it's a double-loaded corridor so that there are problems behind..." It's: "...if there are problems behind..."

Village Planner Witkowski: Where was that again?

Boardmember Hutson: Page 28, second sentence.

Boardmember Dale: "...if there are problems..." Then in the middle of the page: "...what are the strengths of the floors in the building? It's [strength of] the material, or materials, that the floor's made out of."

Boardmember Logan: I've got one on page 24, bottom of the page. Quoting me, second sentence, it says: "...you can get steering construction, there's no debt ..." I don't think it makes any sense. I think what I said was: "...you can get inconvenience to construction... there's no doubt about it." That was my intent.

Chairperson Speranza: Bill, if you don't mind, I'll take the liberty of correcting one of your quotes again. On page 36, the second time that Mr. Logan is speaking, there's words missing at the end of that sentence: "...but if there isn't mechanical equipment on the roof, we'd like to know about how it affects..." How about "the design"? Okay.

Boardmember Logan: Yes, or “the appearance.”

Chairperson Speranza: Whatever you said. And I had another one.

Boardmember Hutson: Jamie, you saw your Xs on page 23 down toward the bottom there?

Chairperson Speranza: Right. And Angie, some of those you’re going to put in, right?

Village Planner Witkowski: Yes.

Boardmember Cameron: It is three Xs, though. Put the word “moved” in there for all the Xs and the word before and after.

Village Planner Witkowski: “Moved.” Okay.

Chairperson Speranza: And I had one other one, which is pertinent to our discussion tonight. Page 45, the second paragraph there, the way that the sentence reads now -- it’s the second sentence in the second paragraph. It says: “...the way in which the current ‘volunteer’ steep slope ordinance is crafted, no one should think it’s voluntary.” Just take that word out. And then, Angie, I’ve got a couple of other things, spelling and stuff. I’ll give these to you and you can take a look.

Village Planner Witkowski: And any others, I’ll go back to the DVD and take a look at it and correct those.

Chairperson Speranza: Okay, can I have a motion to accept the minutes as modified?

On MOTION of Boardmember Hutson, SECONDED by Boardmember Dale with a voice vote of all in favor, the Minutes of the Meeting of September 28, 2006 were approved as amended.

III. New Business

1. Public Hearing. Renewal of Accessory Apartment Approval. Deborah and Nicholas Frascone - 331 Warburton Avenue (Sheet 4/ / Parcel 2).

Chairperson Speranza: Angie, are the mailings in order on this?

Village Planner Witkowski: Yes, they are.

Chairperson Speranza: This is a renewal of an existing apartment. It will require the renewal, also, of a waiver for being over 25%. The apartment is actually, I believe, 32%.

Village Planner Witkowski: Thirty-three percent.

Chairperson Speranza: There have been no changes to the apartment, and there have been no complaints about the apartment. Is anyone here to speak about this? This is a public hearing on this application. Any comments or questions from the Board?

Boardmember Hutson: You say this one is over the 25%. I always get confused on this form. Why does it say “no waivers” again?

Village Planner Witkowski: I don’t know why. I think Charlie or Devan usually do these and I don’t know if [they just missed this one.]

Chairperson Speranza: “Waivers required” should be “yes.”

Boardmember Hutson: Unless I’m interpreting this thing wrong. Should be “yes”?

Village Planner Witkowski: It should be yes. That’s why I put in your notes that it was needed.

Chairperson Speranza: All right, so it should be changed on the application.

Village Planner Witkowski: Yes, it should be changed on the application. I’d already made the copies when I did the notes on it.

Chairperson Speranza: Okay, just so long as they change it in the official record.

On MOTION of Boardmember Dale, SECONDED by Boardmember Logan with a voice vote of all in favor, the Board resolved to renew the accessory apartment approval and the waiver for exceeding the 25 % of main residence square footage limitation.

2. Public Hearing. Renewal of Accessory Apartment Approval. Fazil and Shameeza Hatim - 16 Clarence Avenue (Sheet 36/ Block 717/ Lots 5-7, 11 & 12).

Chairperson Speranza: We now have another accessory apartment renewal. This is for property located at 16 Clarence Avenue. This is an existing apartment, this is a renewal; there are no changes to the apartment; there are no waivers required; and the application states that there have been no complaints received about this apartment in the past three years. Angie, are the mailings in order for this?

Village Planner Witkowski: Yes.

Chairperson Speranza: Does anyone here wish to speak about this application? Boardmembers? Comments, questions?

Boardmember Hutson: It looks fine.

On MOTION of Boardmember Logan, SECONDED by Boardmember Dale with a voice vote of all in favor, the Board resolved to approve renewal of accessory apartment at 16 Clarence Avenue.

IV. Old Business

Saw Mill Lofts

Chairperson Speranza: Saw Mill Lofts. They're not here tonight. They're working on making changes to the site plan. They're completing their site plans. There's a lot that they still have to do, many things that they have to complete, before we consider it a final application for us to act on. No rush. Let them take their time and do it right. We did send a letter to Ms. Newman at Ginsburg, kind of a summary of the things we had talked about at the last meeting, so they will make sure they present things in the correct way.

Boardmember Hutson: Marianne, was there anything else? In your note you said something about there may be a couple of other things once you looked at the minutes. Did you notice anything else in addition to what you had listed?

Village Attorney Steich: Before I sent the letter I went through the SEQRA findings of both the Board of Trustees and the Planning Board, and identified anything in there that we hadn't discussed at the meeting and added them in the letter. So they're already in the letter. Oh, I also looked at what the traffic guys had put in. I know. That would have been based on my having sent it over to Patrick O'Mara, the traffic guy, who hasn't yet gotten back to me. So those would be the additional things, if anything came from Patrick and the guy from Carpenter. He did give me his comments, which were passed on to them, Carpenter being the engineers. So that stuff was sent out.

Village Planner Witkowski: And I gave the plans to Jim Drumm, and he's reviewing those now. He said he has a call in to Tony Castillo (GDC's engineer at SESI) to talk to him about it and go over them.

Chairperson Speranza: Okay, good. When the fire department's reviewing those, one of the things that I had thought of the other day was, because it's a parking garage, we want to make sure that the clearance and the turning radius into the garage...that they're able to get their vehicles in there.

Village Planner Witkowski: Oh, yes, I'll mention that.

Chairperson Speranza: Yes, please. Because that's something we've never spoken of with them.

Boardmember Cameron: She did say that they had tilted the building, and the issue of the tree on the other side, in order to have the radius that they need.

Chairperson Speranza: For the trucks. And just as long as they can get in there.

Boardmember Cameron: She did mention that it was a concern.

V. Discussion Items

1. Transportation Plan and Pedestrian Enhancements Draft

Chairperson Speranza: We all received a copy of the draft document for us to review and comment on. Angie, can you just let us know? This is the culmination of several workshops that were held. Buckhurst Fish & Jacquemart had been hired to undertake this plan for the Village. I have been asked a couple of times when this is going to be made available for public review and comment. So that's certainly one thing. What I'd like to do is just get a sense from the Boardmembers if they have any specific items that they would like to raise and comment on as part of this plan now.

Village Planner Witkowski: That's why I wanted to get it to you first, so that you could go through and I could compile any of your comments and then I can pass them on to Georges to make any revisions. Then he'll make those revisions or additions, whatever you feel is appropriate to do. He was going to make more copies, but I told him to just hold off and wait until you all had a chance to look at it. That's why I said if you want to mark up your books and then give them to me, I'll compile them all and get together with him. Then we can make the revisions and make it available to the public.

Chairperson Speranza: I have to say, I think the format is very well done. I like the fact that it's a lot of graphics ... that it's not all text and verbiage. I think there are certain sections in here, though, that could have a little more detail of some of the findings. Traffic counts and traffic delays I think are some of the things that I think need to be in here to give people a greater sense of the scale of the problem. Certainly, the idea of spending a half-million dollars for a roundabout, if we were to have it, well, maybe it's a nice thing to have. I don't know what kind of a problem it would solve for that much money. And frankly, I'd rather see that much money go into sidewalk improvements, some of the other things that are identified out here. But that's my feeling.

Boardmember Dale: I agree with that, actually. Unfortunately I just now discovered that they actually did have the cost estimates for the projects. Because I think that's important to evaluate them in terms of some of the cost benefits in the Village based on what it's going to cost us. I think some of these are more pressing than others, and the sidewalks are one issue. Putting a median on Broadway, I'd be curious because I don't really see a problem there, where I do see a problem on Farragut. Of course, there are houses along there that have a hard time pulling out into traffic because they're on a blind curve. I think we need more time to consider it. We're not expected to vote on any of these, are we?

Chairperson Speranza: No. Think about what would be a good date for Boardmembers to get written comments to you.

Village Planner Witkowski: As soon as possible. Because what we'd like to do is, as soon as you make those revisions, we were thinking some time in November of having a joint meeting with the Trustees and the Planning Board to go over everything. BFJ can make the revisions based on your comments, and then I would give that revised copy to all of you and to the Board of Trustees, and probably to the Safety Council, too. I was going to give copies to the Safety Council, but I figured it was easier just to have the Planning Board, since it's a Planning Board project, do the initial review of it.

Boardmember Barr: Do you have an extra copy, Angie?

Village Planner Witkowski: I think I do have one. I thought I put one in your packet.

Village Attorney Stecich: Of the transportation report?

Village Planner Witkowski: If I have an extra one, I'll get it to you.

Boardmember Logan: We do have a lot of community feedback about prioritizing these things. I think this is a very valuable document, not only in the sense of the work that Buckhurst Fish & Jacquemart have done, but also in terms of the amount of effort the community has done. There were two meetings, 30 people showed up, we spent a lot of time going over this. There were a variety of opinions, they're quite well compiled here. So this is a very valuable document, we were lucky to get grants to have this study done, and I think we ought to leverage this as much as we can. If you actually go down the costs, some of these things are, relatively speaking, small-ticket items. It's half-a-million here, half-a-million there. Some of these are less than what it costs to build a single-family home these days. We do have to analyze the cost benefit. We have some costs that are estimated. We do have some sense in the community about the relative priorities here.

I'm just curious. They mention the next step, this will be submitted to Westchester County and to the New York State DOT for their input. But I'm just wondering how we, as a village, can leverage the work we've put in here and the investment in this to the maximum extent so we can emphasize this, getting a cue from public funds, or prioritize our own budget to start to address some of these things -- probably starting with the sidewalk improvements, but working our way down the list so this doesn't die a quiet death, but is kept alive and in the attention of the Board of Trustees in terms of our Village budgets.

Village Planner Witkowski: Yes, the Village Manager just put together a capital improvement program, which is very good ... it's really thorough. So it would be good, once this plan is...

Boardmember Logan: For restoration?

Village Planner Witkowski: I think it's a five-year plan, and he has it by department for all facilities and it's very well done. The Board of Trustees is just reviewing it now. Once this project list is finalized and agreed upon, those Village projects could go into a capital improvement plan. Those projects for roads that are eligible could get onto the state transportation improvement program. That's the other component of it, so that when funding is available for them, those projects would have some priority and we'd have demonstrated community support in getting funding.

Now, a couple of the sidewalk areas we already have funding for from CDBG ... Broadway from Main to Washington on the west side of Broadway, and the north side of Washington.

Chairperson Speranza: You know, since this is going to be reviewed I think that would be good to include in there, that the funding has been identified for this. Because then, again, in terms of priorities, one of the next priorities could be to continue that.

Boardmember Logan: Right, so start to nibble away at these. What I would like to see with these rankings of improvement -- you know, which ones come under New York State DOT, which ones come under Westchester County, and which ones are the purview of our village -- so we can start to divide and conquer these things, maybe the sidewalk improvements are the Village responsibility? I'm guessing -- I don't know.

Village Planner Witkowski: It would depend on where they are.

Boardmember Logan: Well, I don't know who can do this sort of analysis, but to have sort of an action list and responsibility column adjacent to page 33 so we could target who will take the next step, and how.

Village Planner Witkowski: And I think that's what they intend to do in the final draft because they will be identifying funding sources and whose responsibility it'll be in the different areas. But they still have the discussions with the county and also with the DOT, so that'll sort of be an outgrowth from those discussions.

Boardmember Logan: Is the Village dependent on the county and the DOT for all of these things?

Village Planner Witkowski: Not for all of them, no. Just the ones that are either on state or county roads.

Boardmember Cameron: I was particularly interested that evidently, according to the consultant, the state or the county was interested in narrowing traffic on Broadway. Because previously we always heard they wanted to have two lanes, and even more. So I would like us very much to go to the state and county and find out what they're in favor of. Because obviously some of the improvements are sufficiently costly that I think the Village may just say we don't have the money. But if it's a DOT thing, and they are trying to promote the idea, I think it would be very useful to get that input before we make a decision. Sometimes people will say, "Well, we don't want to do it if it costs too much money," whereas if they felt the state was going to pay for 90% of it, or some portion, it might be of some interest.

Also, a number of the improvements are interrelated, unfortunately. You know, people make comments about the roundabout, even though after I attended the second of these two meetings I actually spent a week driving in England, and roundabouts are the world's greatest things for getting people moving and crossing a road safely. But I'd point out that you can't actually have the median on Broadway and the sidewalks on South Broadway unless you have the roundabout because you can't narrow Broadway to a single lane and bring it up to a traffic light. Some of these things that are safety issues for the children

Also, I think it would be useful if we asked the consultant again to try to find some roundabouts that people can see. For instance, there is one in Bronxville just next to the station. I went and observed it for awhile and it's highly efficient, it really works very well even though it's not a modern roundabout. Modern roundabouts are supposed to be better.

But I certainly think we should start, in the things we look at, with the sidewalks and the narrowing of Mt. Hope near the school because I think that's the most serious concern in the town. I still have a concern of making it from the school into the downtown, across the Five Corners, but that's a different issue.

Boardmember Hutson: I, too, like the fact that this is presented in a very straightforward fashion. While I agree with you, there are certain things more detailed. I was at the meetings also, and I thought it was a great discussion. As Jamie said, I became convinced that the roundabout, in fact, would be an important thing to really explore in detail. Because I think there are a couple of things. I don't know whether it's because we need sidewalks so badly or it's the most cautious thing you can do is fix the sidewalks -- are one, two, and three. The things that are a little more challenging we kind of put in the middle. You know, the roundabout is sixth in priority and the Broadway raised median is five. You know, we kind of have those in the middle -- so we're toying with those ideas. A roundabout was the one where it shows it had the highest divergence of opinion in the group.

We're always talking about Village character and things like that. A couple of those things would do more for the Village character than the rest of them combined, as far as I'm concerned. I think those would be the exciting things to do. Not to say we don't need more sidewalks -- we do. I would really emphasize seriously looking at those things.

I know they cost the most and so on. I think people, when they see traffic calming, they often worry, "Does that mean traffic jamming? Is that what that translates to?" I think one of the problems, if you notice, down by Amjo's they have a barricade across one of the cut-throughs because of the accident that they had there. So they're concerned about that. I've talked to a couple of folks who live around there, and their concern is more with the high shrubbery and so on that is in the median than the fact that it has the cut-throughs there. Because it really has to do with keeping vegetation at a low enough level so that it doesn't really interfere with sight lines and so on. I like the fact that when you come in there, there's a median. It does give it a warmer feeling, and you feel like, "Hey, this is quite a little place you're coming into," you know.

Boardmember Dale: We have friends who live in one of those last three houses there on the blind curve. They have a hard time pulling out, and what they have to do is pull out in front of the turnabout at the Saw Mill River Parkway in order to go back into the Village, or run the risk of a head-on collision.

Boardmember Hutson: No, there are real safety issues. But I don't know, I just like some of these ideas and think it would really add to the Village. As I've said at those meetings and so on, it's hard for me to visualize quite how a roundabout works on the steep grade that's at Five Corners. But they're convinced that that's not an issue that can't be mitigated or dealt with. One of the things about that corner -- I walk through there quite a bit, and when it comes to crossing there you do really mind your Ps and Qs when it comes to crossing that area as far as what corner you're coming from, where, and at what time. People do go very fast through that when they're trying to make the light, which they would have difficulty doing with the roundabout -- that's for sure.

Boardmember Cameron: One of the things I dislike about that, and you see it all the time, people go through the stop sign in front of the high school. And if the light's just turned green, the automatic reaction, you watch people. They all accelerate like crazy to try to make the light at Five Corners. Actually, if you had a roundabout people would not be accelerating if it doesn't make any difference. Whereas people are racing to try to make it, and I think that's a very dangerous condition.

Boardmember Logan: That same thing applies on South Broadway, too. But I think, David, you've got a good point. There is a secondary effect to this roundabout thing in terms of Village character. You know, potentially greenspace in the middle and this little pocket park that can be opened up next to the Aqueduct. And there are, according to this, 13,000 cars that go through that intersection, at least, every day. So this is how a lot of people experience Hastings, and I think it does have a lot to do with the Village character. There are ways of improving that.

Chairperson Speranza: Eva, we were just talking about the transportation plan. We're going to be getting comments to Angie: anything we want formally to have, her request that the consultant change for the final, final traffic draft -- the next version.

Village Planner Witkowski: The next version of the final draft.

Chairperson Speranza: So if you have anything that you want to talk about in terms of your sense of the document and the things that are contained in there?

Boardmember Alligood: I attended both workshops, and read the report. Also, before being appointed to the Planning Board I was on the Safety Council for several months earlier this year. So we had numerous discussions about this plan. The place where it came up -- I'm on the Hillside Elementary School's building leadership team -- the administration there is very concerned about traffic and pedestrian issues up at Hillside. And I know those are issues around the middle school and the high school as well.

My overall comment is that what I was hearing in the workshops is really the community's need for a traffic plan and pedestrian safety measures around the three schools. That was what I heard was the number one priority. I think the plan does address, in terms of sidewalks, the safety issues. Because we do have a lack of continuous sidewalks around the schools. I live close enough to the elementary school that I walk my children every day, and it's a problem -- there are no continuous sidewalks to get there. What I think the report really could take a closer look at and could address in more detail is a traffic routing plan around the schools. I mean, how do we create pickup and drop-off points that would really not cause the bunching up of traffic that we have. It gets to the safety issue of walking, and even letting your children out of your car and allowing them to cross the street. But it's really about the traffic flow. That's why I think even further study of those areas around the schools at peak times...now, peak times doesn't mean rush hour times. What it means for the schools is 7:45 a.m. to 8:30, and 2:45 to 3:30; those are crazy times around the school. The study really took data from the state DOT and some other agencies that weren't looking at those specific times in those specific places.

Village Planner Witkowski: I know they did do some site visits at those times.

Boardmember Alligood: All right. It wasn't really outlined in detail in the report, so my impression was that that wasn't as much the focus. Maybe it was, but it's not really shown in the data in the report.

And then looking at some of the recommendations for safety measures around the school, they don't all flow from an understanding of those traffic issues at those times. For instance, the proposal to put parallel parking -- not parallel parking, I'm sorry, perpendicular parking - - on both sides of Mt. Hope right next to the school really doesn't make sense when you know how much traffic flows back and forth; not only for the Farragut complex, but for all the cars that go up to Hillside and back. That part of Mt. Hope is crazy enough as it is. Now if you have people backing out on both sides, I think traffic will stop and back up some more. Then there's also a possibility of somebody getting hit because you have cars bumping into each other. So that's a concern to me. That proposal didn't seem to really show an understanding of how that space, those roads, are used during that time.

The other major proposal in the plan in terms of pickup and drop-off is to take out the faculty and staff spaces in front of the school and use that as the main drop-off location. The issue I see with is just that if that becomes the queue and it's the encouraged spot, where do all those cars back up to? They go onto either, again, Mt. Hope or onto Farragut, and it's not really addressing the traffic flow problem that we have. So I was hoping to see some creative solutions that look at spaces around the school that aren't right in the middle of the problem. I think there are schools in other districts that are very specific about if you're in a certain grade you're to be picked up on this corner or at this time -- it's staged. I think actually to get to that level of detail there needs to be a lot of discussion with the schools. I'm not sure how much discussion there was with the middle school and the high school, but I know at Hillside the principal hadn't had a chance to speak directly to the consultants -- and I think that's something that really should happen. That, really, will create the information and generate some of the solutions that we think make sense.

I've covered all my points. Really, the school issues are my number one concern. That's coming from a personal perspective, and also from what I've heard at the workshops.

Chairperson Speranza: It's interesting, too -- and it's not in this report -- how this effort started: as a safe routes to school workshop and the walkable communities workshop where there actually was a field trip, a walk around the school areas -- the video that was produced showing all of the drop-off issues around the Mt. Hope Boulevard entrance.

Village Planner Witkowski: And that is what they started with, yes.

Chairperson Speranza: Yes, some recognition of that would be good.

Boardmember Alligood: That was something I was involved with, as well. There was another point that I wanted to make that I think would be really important to cover. One of the proposals is to put a sidewalk on Fairlane Drive, which is that street that has no houses -- the dirt road.

Chairperson Speranza: The dirt road, for the old Hastings folks.

Boardmember Alligood: I think it's a great idea. It's very unsafe to walk on that street, when it's open. There's no shoulder, really safe shoulder, and people do drive fairly fast because there are no houses. There's a pretty long stretch there. It's gated from 7 a.m. to 9 a.m. and from 2 p.m. to 4 p.m., with the idea that children can walk to and from school safely. One of the proposals that's been discussed, I think, in my different settings -- and I heard at the safety council, one of the meetings I attended -- there's been this proposal to open that up. Because what happens is, anybody who lives just on the other side of Fairlane has to go through, or pass by, the Farragut complex because there's no back way. It actually creates more of the traffic jam that we have around the middle school and high school. Now, there are reasons not to do it. Some of the residents in that area don't want the speeding, and the teens that might be enticed to come around that corner too fast. I've heard the concern that people from Dobbs Ferry will find it's a shortcut to get to the Saw Mill. I think that whole question of whether it makes sense at least needs to be addressed and looked at. It's an interesting way to try to get traffic out away from Farragut during these peak hours.

Village Planner Witkowski: Kind of disperse it more.

Boardmember Alligood: Yes. When I was on the safety council, a group of high school students came and proposed this. We said, "We're really hoping that this report will address it in some way, make a recommendation or talk about the pros and cons and give us some guidance." So I was looking for that as well. I think it really would change a lot of the traffic around the middle school and high school. Again, I'm not sure. It may cause more problems than we want, but it should be looked at. Especially if we put a sidewalk there, then one of our main reasons for shutting it down during school hours is no longer there.

Boardmember Cameron: I guess one of the issues is how wide of a sidewalk you would put on it. So another idea that just occurred to me from sitting here would be to make it one-way. One way to leave the school, and pick up on your idea that people can pick up their children then go down Fairlane to leave. That might be an interesting idea.

Boardmember Alligood: That is an interesting idea.

Chairperson Speranza: Rhoda, I know you didn't have the plans.

Boardmember Barr: I didn't have the plans, so wouldn't want to make any real comment.

Chairperson Speranza: Come up here, while I ask Angie. I just want to make sure that I'm understanding correctly the process here so that people can actually see the report. It will be put out for public review when the work session is announced that we're going to be having with the Board of Trustees? I mean, what are your thoughts? As you said, there were many people from the public who participated in this who I'm sure would be very interested to see this version of it. So you're going to have our changes, it'll go back to Buckhurst.

Village Planner Witkowski: Right, then I thought we could, after he makes those changes, have him make copies for the Trustees. And then we'll put a draft up on the Website so that people can read it before your work session.

Chairperson Speranza: Okay, that's good.

Village Planner Witkowski: I think that'll make the most sense. I just thought for this first look at it, it was best to keep it with this group so we don't have the same comments. And we want to make sure that somebody has seen it that has some authority over it.

Chairperson Speranza: So hopefully within the next month.

Village Planner Witkowski: Yes. We were thinking sometime in November, a Monday. I think a Monday was going to work the best.

Chairperson Speranza: All right, and we can talk about the date at the end of the meeting.

Jim Metzger, 427 Warburton Avenue: Just a couple of quick comments. I managed to make it to the first workshop, but didn't make it to the second workshop. But I was watching it on WHoH-TV and it had a very interesting animation showing traffic moving through the traffic circle. I have to admit I was very skeptical about the traffic circle when I first heard about it. I did a bunch of research on-line and found out that they work incredibly well. It seems that nobody has negative things to say about it. But I do have a comment about what I was seeing on the video relative to what I've read, and even Mr. Hutson and Mr. Logan brought this up. Coming up Main Street and turning on to Farragut, you have to cross directly in front of Broadway, and it's a relatively blind angle as you come up and make the turn up at the top of the hill. I believe if you look closely at the video they very cleverly show all the cars on Broadway magically stopping as a car is coming from Main, kind of grazing through the circle, and turning onto Farragut. And then the car from Broadway follows it in. I'm not convinced that would actually ever happen. So we need to make sure before we invest the half-a-million or a million dollars in all of this that that gets studied a little bit further.

Second question is, a lot of the problems around the school seem to be the number of people driving their kids to school. My question is, would it be cheaper to get a school bus or two and actually reduce the amount of people who are driving to the school in the morning? It would certainly be a relatively easy thing to implement. I realize there's an ongoing cost with that for buying the vehicles, maintenance, and drivers. But it may be an easier solution to all of this stuff that we're proposing. So it's something that we may want to look at.

Last but not least, in terms of safety, we're talking about sidewalks and traffic calming and circles, and millions of dollars. I've spoken to the Board of Trustees about this. Could we get together about 30 bucks, buy a can of paint and start painting lines on the street? I've had a lot of complaints from people in my neighborhood. It's extremely dangerous. Cars do not even remotely slow down at the intersection where kids are crossing. Painting those lines would go a long way. I know there's a machine that does this, but I also know we can go to Hastings Hardware and buy a roller and a can of paint, take care of it in a day. Thank you.

Chairperson Speranza: You're right. I was at one of the meetings when you brought that up with the Board of Trustees and it brought to mind when my youngest son was starting school. He used to hate it when he saw the crosswalks newly painted because it reminded him that summer was almost over and it was time to go back to school. And that's not the case, they're not painted this year. Hopefully public works will do that. Anything else?

David Skolnik, 47 Hillside Avenue: There were a couple of points I just wanted to mention. I was also at both of the meetings and I actually was going to present something to Angie earlier this summer, but I got wrapped up in the process of moving so that got put on hold. I was trying to address a lot of the points that Eva had mentioned, and have been thinking a lot about it, and still hope to have an opportunity to present it to Angie somewhere in this process. One of the questions I don't quite understand and maybe you can clarify is, just where in this process what remaining opportunity for the larger public participation is. While those meetings were useful, they were, in fact, only approximately 30 people. I think once some of these issues start actually moving closer to actualization people are going to understand a little more what's involved, and I think there's going to be a mixture of opinion.

Village Planner Witkowski: That's what would be in this workshop that we'll have after these revisions from the Planning Board are done. Then there'll be a joint meeting with the Planning Board and the Trustees. What I'll do is put the revised draft on the Website and then people can come to that meeting. We'll probably have it in the library -- I think that'll work out the best -- and that'll be another opportunity. So what you can do, because I know you had a lot of thoughts on that, is get the rest of the information together that you wanted me to have sometime next week. And then I can pass it on to George Jacquemart, along with all the other comments.

Mr. Skolnik: I don't know what the expense would be of actually producing a certain amount of additional paper copies. Because I know personally I find it difficult with the large documents like the waterfront to actually work off of the Internet.

Village Planner Witkowski: That was 360 pages.

Mr. Skolnik: Well, I understand.

Chairperson Speranza: You know what, though? That's a very good point because the graphics in here are very, very important. So I think in terms of having additional hard copies it's going to be necessary, because to be able to download these types of aerial photographs and stuff I think would be very taxing on many people's computers. So I think it would be good to have some.

To keep going with your thought of what further opportunities the public would have, we're talking now about the review of the document. I can foresee there being lots of opportunities for discussion because once the document is reviewed and, say, the final report is issued, there are still going to have to be meetings at which money is appropriated to undertake the projects. Grants have to be applied for and accepted to undertake any of the projects. Not to say that we're not doing anything with this for the next five years, if that's what's in the capital program. Obviously, the smaller things that we can do, we do immediately where there seems to be unanimous agreement. But I think that in terms of being able to implement things and have discussions, I think there are still opportunities getting past the document, and then project-specific things.

Mr. Skolnik: Without trying to throw ice water on it, my sense at both those meetings was that there wasn't as much consensus about something like the roundabout as I feel is being conveyed by the general comments. And while I think that it definitely needs to be looked at more, I'm tending to be skeptical of it and yet I'm trying to be open about it. But so far I'm feeling a certain amount of momentum towards it because it seems to fulfill a number of different agendas. But yet I still feel that it needs a lot more substantial review. Partly because of the specifics of this, the terrain of this particular area, and that, in fact, the ones that are reviewable...I know there's also the one up at the airport.

Chairperson Speranza: Right, which is not related to this.

Mr. Skolnik: It doesn't really apply. So I would like to feel also that there's some good review of that.

I was wondering about whether there's any way...that you're dealing with something like this, what I've noted -- because I started out going to the Safety Council meetings -- is that it's very frustrating that both of these happen at the same time. But I'm wondering, especially with something like this, is there any way that you can actually coordinate? I wonder if there has been much in the way of coordination with these kind of issues with the Safety Council. It seems like parallel.

Chairperson Speranza: Very good point.

Village Planner Witkowski: Yes, there has been.

Chairperson Speranza: We've never met together, and since we do meet at the same time it probably would be a very good idea.

Village Planner Witkowski: Yes, and I plan to also, when we have the joint meeting, invite the Safety Council, too, and I'll give them copies of the final draft for them to review.

Chairperson Speranza: I think you can hear from the discussion here, well, yes, there may be good things about the idea of a roundabout. There are also those of us here who are skeptical. I would really need to be convinced of the need for spending that kind of money. You know, what exactly are we saving there? Maybe things that are tangential to the actual traffic flow that could be obtained through the construction of a roundabout, but at this point I just can't imagine spending the money to do it.

Boardmember Hutson: I haven't seen this momentum. I wish I had. So you're basically worried about something you don't have to worry about.

Boardmember Dale: I'm also skeptical, but I did want to answer that other question about the traffic on Broadway and Main Street. There's a rule in the roundabout that you give way to the cars already in the roundabout. You have to wait your turn, yield to the cars that are in there. So the cars on Broadway should yield to the cars coming on from Main Street and going towards Farragut, by traffic rule.

Boardmember Cameron: Also, some of the roundabouts, like the one in Bronxville, actually have stop signs. You stop before you enter the roundabout, so that they prevent that.

Mr. Skolnik: Okay, thank you.

Mary Jane Shimsky, 35 Ashley Road: I just came from the Safety Council meeting and I thought I'd stop in and say hi to you guys as well. One thing that often happens in situations where you get these reports that have big solutions, little solutions, is there's almost a psychological momentum toward looking at the big solution and spending most of the time debating that because you think that's where the big gains are going to be and you end up with all kinds of controversy. There's so many little things that can be done that can be helpful which get pushed over by the wayside.

One of the things we were talking about tonight at the Safety Council is crosswalks. That's something where a big bucket can end up making so much difference. And it's a lot easier to push through the expenditure for something like that than it is to push through some serious construction project.

The general tenor of what seemed to be going on tonight was, essentially, there's so many minor to moderate fixes that can be done that if you do them all at once you may end up in better shape than you think. I would certainly encourage the Planning Board, as we move ahead on this, to keep an eye on the little things that are easy to fix. We can end up very quickly in substantially better shape on this, while we then think about the big, long-term projects. Thank you.

Village Planner Witkowski: I don't know if everybody knows, but Jen helped us in putting together a little video -- a public service announcement -- on the roundabout.

Chairperson Speranza: For those who don't know, Jen is the one behind the camera. So they can put it on the Website?

Village Planner Witkowski: They can view it on the Website.

Jen Corso, Village Technology Dept.: We can air it, too, if need be. It's still on the computer, so I could even make DVDs or whatever.

Chairperson Speranza: Okay, maybe you can run it sometime after the Planning Board meeting or a Board meeting.

Ms. Corso: No problem.

Chairperson Speranza: Okay, anything else on this topic? So should we say next Friday, Angie, for comments? Is that reasonable?

Village Planner Witkowski: That would be great, yes.

Chairperson Speranza: Okay, next Friday?

Village Planner Witkowski: Yes, and if you can't have it done by next Friday that's okay. I'll continue to pass things on to him. And I think what I will also do is give him a DVD or the minutes of this portion of the meeting, too, so he'll have the discussion.

Chairperson Speranza: Okay, sure. That'd be great.

2. Steep Slopes

Chairperson Speranza: The next item on our agenda is a discussion of the steep slopes ordinance in the Village. I'm very glad that Rhoda Barr is here tonight because she was chair when the existing steep slopes ordinance was passed. This has come up repeatedly, the adequacy of our steep slopes ordinance over the years -- certainly in the years that I've been on the Board -- with lots of different comments, lots of different opinions and discussion.

We ourselves, as a board, had said that we would be revisiting this. This is a good meeting to do it because we had a very light agenda. We were also requested by the Board of Trustees to really take a look at it as well. Our existing steep slopes ordinance is four-and-a-third pages long. The whole first part is the purpose or intent of it. There's not a lot to it. I'm not sure that there needs to be much more to it. Certainly, some of the discussions that we've had on the Board have to do with its applicability to different properties in the Village and how it applies differently to those properties which are being subdivided during the subdivision process. And then those properties which are already existing, they've already been subdivided, and they are considered to be just a lot. And there are some aspects of our current Steep Slopes Law that do apply only to subdivisions and some that apply to lots. We all received in our packets some of the history of that. We have history here, as well.

There was one suggestion. At the last meeting we decided that the way we would go through this was...I have received from Trustee Quinlan a marked-up version of our current steep slopes that he had asked that we consider, which essentially makes it the provisions relevant to lots as well as subdivisions. Marianne, you probably haven't seen it, but I'll give you a copy. You did see it, okay.

Village Attorney Stecich: I gave it to Brian.

Chairperson Speranza: But see, that is one approach that could be taken, was just modifying our existing law in a way to make it applicable, everything applicable, to lots as well as subdivisions. That's certainly an option. We had also requested at our last meeting that we be given some different types of ordinances that are existing in other communities within Westchester County, and we have received those.

Boardmember Barr: Patty, you made a few references to me, and I think maybe there's one comment since I am here. One of the critical issues that we struggled with for a long time, and I think it's still very valid, is whether the focus of the legislation should be on performance, on whether it has any impact, rather than people's particular judgment. I was looking here at one of the ordinances that was proposed. I think it's interesting, there's a phrase in here that says -- and this is Newcastle's -- "Areas that are highly visible from roadways are particularly important in maintaining the town's semi-rural character. Overdevelopment or improperly managed disturbances to these areas are detrimental to the character of the town."

One of the things that has been pervasive in all the years I served on the Planning Board is the character of the town. And one of the things, I think, that led us to where we were last time is a recognition that Hastings is built on hills. The things that make Hastings special are the very interesting people who live here; creative people, people who see something different. So the fact that you put a house in that doesn't actually fit some pattern, that's what the character's all about. We're not a big flat Levittown, cutting things in squares. What we do want to make sure is that we don't do damage.

That was the underlying philosophy. I went further into this one and it talks about: "The applicant shall have the burden of proof to demonstrate..." and on and on and on. The feeling was that if you get into this soft stuff you're going to have a lot of trees, you're going to have a lot of meetings, a lot of discussion, a lot of back and forth and people's opinions. And that the hard judgments of does this do any harm should be our criteria. Now, maybe you want to move it into individual lots, maybe you want to tweak it. But I really feel that the performance standard that we adopted after a lot of struggles was a very valid one.

Boardmember Dale: I agree with that. I think there's a real concern about overregulating, using the powers of the Village to control all forms of change that are actually personal decisions about your own property. What you want to protect -- in the introduction of all these documents they say it -- you don't want to erode the natural environment. But people have to live in them. I'd be afraid of overregulating at this stage. We have a lot of regulations, and this seems to be working. Are there any known problems?

Chairperson Speranza: Yes.

Boardmember Dale: It's actually in a lot of ways more conservative because it's every thousand feet, whereas the others it's 3,000 or 4,000, or 13,000 feet, before the regulations.

Boardmember Hutson: I think the things that we have seen -- and again, not on lots of occasions but on two or three or four occasions -- is, first of all, the concern about when people were building on steep slopes. In two cases I can think of the approach that they were using was not technically sound and did at least provide some risk to neighboring properties as well as to the structure itself. A couple of them where they had to redo walls and that wasn't engineered, and so on and so forth. So it may be that one thing to look at, based on the performance approach, if you will, is to see whether there's something more we could say about what we require in the way of presentation and certification. Because right now we require an engineer's stamp on things and so on. Not to say anything negative about engineers at all, it may be that there are issues related to steep slopes that engineers don't always fully take into consideration.

But I think the underlying thing is how big does a slope have to be and how steep does it have to be and where does it have to be located before you consider it an aesthetic resource. That's the thing, and that's the part that, depending on who you're talking to, to some people that matters a lot. I mean, I can remember Abba saying on a couple of occasions -- and Bob, too, Bob Lee -- pointing out that some of the most interesting structures and the most impressive and the most character-building and Village-like things are built on very steep slopes and it really adds a level of attractiveness that you could never get -- and I think you were alluding to that, too, Rhoda -- on flat ground.

So there is that, but it is also true that there are views of sloping ground and protruding rocks and so on that people value and they aren't there anymore because somebody built a house on it. I don't know, because it is a hard line to draw.

Boardmember Dale: Legislating aesthetics is a pretty tricky subject.

Boardmember Hutson: Well, it is, but it's done all the time.

Boardmember Dale: But it also causes a lot of harm.

Chairperson Speranza: And I think what we have to grapple with is, what is harm. Is it just the water? Is it just the fear that you're now going to have what may be an unsafe wall? You know, some of these definitions use this term "creep" -- how to avoid creep and how to avoid slope destabilization. Well, I certainly understand destabilization -- I don't know what creep is. So no, I don't understand that concept. But there are some things -- and the one that has always bothered me that we really didn't have much of an ability to prevent this type of what I would consider harm -- was the gentleman whose back yard, which had been a nicely sloped back yard, ended up with a very large retaining wall as his back yard now. Because the property owner above him was building a home and was entitled...his property went all the way down to the end of the slope. And I think that is, in my view, something else that the steep slope should protect against -- the steep slope ordinance -- but still be able to provide for creative and attractive people's use of the land.

Boardmember Barr: But I think Bruce's comment, legislating aesthetics. First of all, any change...you put any house anywhere, the people on either side of it are going to be disturbed by it even if it's perfectly flat. Nobody likes that. And Jamie forgive me, but hard cases make bad law. That one particular house, I know, has bothered you for a long time

Boardmember Cameron: Which house is that?

Boardmember Barr: I know the one you mean, but I don't know the address.

Boardmember Cameron: I don't know.

Boardmember Barr: I was saying, as a lawyer you may make that principle. Damage is damage. Having something that you don't like to look at is something else.

Boardmember Cameron: You made an assumption that it's a hard case to make a decision on regulation, and I'm not sure it is hard.

Boardmember Barr: That's not what I was saying, Jamie. What I was saying is hard cases.

Boardmember Cameron: I think actually no law produces atrocious results, and I think we do need to have some reasonable regulation in the town. And if there are some aesthetic values, hopefully we as a group are not overreaching, which I don't think this group is. I think it's bent over backward. I actually find it sort of silly that we have a law that applies to subdivisions but we don't have a law that applies to the sites. So if someone's subdividing a lot for the first time we can do anything we want to those things, but if we have a person with a large lot who wants to put up a monstrous house we cannot. And it seems that it's a little incongruous. We should have a law that evenly applies across everything.

One of the comments I was making as the meeting opening was that the interesting thing about the Newcastle -- which, incidentally, is the same as the others -- all of them are the same, yet they're very consistent.

Boardmember Dale: Very similar, where the language is exactly the same in most cases.

Boardmember Cameron: In some cases, yes. But the interesting thing I found out about them is that, in fact, when they go to define a moderately steep slope they base it on three-quarters of an acre, which is 13,060 feet, which is bigger than our R-10 or R-7 zoning, even though some lots may be bigger. So, in fact, if we have a 15% to 25% slope on those lots, if we had a regulation like that, we actually would not be affecting them because they could not have a steep slope. If they have a 25% to 35% degree slope it potentially could. One of the reasons I saw in the prior discussion ... was that we didn't want to have all this regulation of all these lots. So one of the interesting things I think we should look at as we look at this regulation is how much effect will it really have on all the smaller lots. It obviously won't have any effect on those 10,000 or less square feet. So we may not be having such a big effect. To me it would be useful to have something that applied both to subdivisions and to lots, and did it in an equal manner, because I think it should be done that way.

So I hope that we would consider something like this, and look at it, and bring something in along those lines without overly burdening the Board. And hope the Planning Board people would not be arbitrary and would be fair in dealing with what, in essence, is something between neighbors and this town.

Chairperson Speranza: And I think there is a way. The idea of being able to do this in a manner that does not create any more bureaucratic red tape, overregulation of things. You know, certainly for anything that is going to have such a significant impact on the environment we're going to find, likely, it's going to have to go through an environmental review process. Well, everything goes through an environmental review process. So that could be done, steep slopes compliance would be done, as part of any kind of SEQRA review, in any case. So I think that they don't necessarily have to be separate actions, they may be separate permits. Marianne, if you want to add to that.

Village Attorney Stecich: I think maybe I missed the beginning of what you said because you wouldn't do SEQRA on a one- or two-family home. Oh, in the subdivision.

Chairperson Speranza: Right, for steep slopes.

Village Attorney Stecich: Oh, if there's a steep slope. I see what you're saying.

Boardmember Cameron: One other comment I have on it is that I think we have enjoyed, as a community, having homes that aren't necessarily overly large. But I think we're kidding ourselves if we don't think, over the next 10 or 20 years, that we're not going to be going to visited by McMansions. We better have regulations in place to deal with that, and the visual effects on people in adjoining homes who get visited upon by overly large-sized houses.

Boardmember Hutson: I'm not sure that's a steep slopes issue. I think that's more of a setback issue.

Boardmember Cameron: That's true, but also on a steep slope it would stand out more.

Boardmember Hutson: Yes, it's more threatening.

Boardmember Alligood: I think the point, too, is that as people look for bigger and bigger homes and, you know, the lots are fairly small in Hastings. They're going to be looking to any piece of their property that they could possibly develop. I think we are in a different time now in terms of what people expect to be able to build out on. I do have concerns. I'm less concerned that we're going to overregulate. I think we can do it in a way that is fair and applies the law evenly but provides some protections. Because I do think we're in an age where people are looking to build McMansions and don't have regard for natural outcroppings or steep slopes. There should be some way that we can at least look at those.

Boardmember Barr: One small point I'd throw into the pot when you're talking about...I know McMansion is a very popular term, but if you looked at the houses that were built in the Victorian and the early era they are as large as anything that's being considered. You look at some of the houses up on Villard Avenue, you look at some of the houses around, they're huge houses but we've gotten used to seeing them.

Chairperson Speranza: They're on bigger lots usually.

Boardmember Hutson: A lot of them are R-10s.

Boardmember Cameron: Right, they're oversized.

Boardmember Hutson: Yes, some of them are more than 10,000 square feet.

Boardmember Dale: But the size is a zoning issue, it's not a steep slope issue.

Chairperson Speranza: Right. Okay, so in terms of proceeding, one of the things certainly that I definitely want to have -- and I'm hoping, Angie, that this is something that we can do now with technology -- I know that some of the other codes...you know, I did some on-line research for this, too, and I think one of them is in here -- it might have been one that I printed out -- includes mapping. I think that we really should take a look at what are we dealing with. I mean, yes, Hastings is on a grade down to the river in terms of steep slopes and 15% to 25%, 25% or more -- that kind of calculation, maybe with an overlay of the zoning districts -- and generally the tax maps also have structures on it. I think that would be really helpful. And I think we would have to do it for the SEQRA, for any kind of change to the Steep Slopes Law anyway, to have that kind of information.

Village Planner Witkowski: Next year sometime we will be getting some more detailed topo from the county and the GIS.

Chairperson Speranza: Right. We can't access it, we don't have topography now?

Village Planner Witkowski: It's not as detailed as what we will be getting next year, and I don't think it's going to be too far into next year. We'll be getting it fairly early in the year, according to what Ana from the GIS department said.

Chairperson Speranza: Maybe there's a way we can do something with it.

Boardmember Cameron: Can we find out which lots are bigger than 10,000 square feet or 13,000 square feet?

Village Planner Witkowski: Oh, yes.

Boardmember Cameron: Why don't we get a list of those.

Village Planner Witkowski: Yes, we can do that. And we do have some topo, but it's just that it's not very detailed.

Chairperson Speranza: Okay, well, maybe that's the first shot. Maybe it's lot sizes over whatever topo we have.

Village Planner Witkowski: We can do that.

Chairperson Speranza: Things haven't changed that dramatically, so I can't imagine that we would need...you know, a lot of these codes say 2-foot contours. I want to say that's fairly new. Five-foot contours used to be the standard. If that's what we have on the base map, then that's fine.

Village Planner Witkowski: I think it's more than that.

Chairperson Speranza: Did people have specific comments? They were almost all the same.

Village Attorney Stecich: I just had a couple of comments I wanted to make. One was just to be aware -- I'm sure Jamie knows, but just in general so the public understands it -- when he was talking about it would only affect lots of 13,000 square feet, if you want the Newcastle route or a similar route, that's only for moderately steep slopes.

Boardmember Cameron: Fifteen to 25.

Village Attorney Stecich: As the slopes get steeper it would affect a smaller lot. So if you had extremely steep slopes on it, then it would be affected if it were really under 5,000. Just to clarify that.

One other thing. If you decided that you wanted to go -- I say the Newcastle approach, but a lot of them are the same -- I only included the others because they might have particular language you want to import into it if you wanted to use that statute. I think Newcastle has site plan review, as many municipalities do, for everything; for single-family houses, too. So this statute doesn't address retaining walls. I have to assume that's because the retaining walls would come up during site plan review. So if we ever did something like this I think one of the biggest issues has been, in reviewing steep slope applications, the retaining walls. That really has to be addressed directly, just as a separate issue. There's a lot of issues, not just whether you want engineering for it. But can you have a series of retaining walls. Right now, I think, under the code, since you can build that 6-1/2 feet, you build one, then go in 20 feet or 10 feet and build another one and then another one. So that issue, and we saw that on one application. So I just want to point out that that would have to be addressed separately.

I noticed the statute doesn't say anything about submitting elevations. It suggests submitting cross-sections, but I think you would really want to see elevations. Again, I imagine that's because in site plan review they require elevations. So you would have to modify it.

And then the other thing is, I did give a copy of this...as you can see, the Board of Trustees was copied on this, just looked at it very briefly. Trustee Quinlan, who had submitted the draft just making our current law apply to all parcels...there's some really serious issues with that. It doesn't really make a lot of sense. Because under that, it doesn't say you can't build it. It's just there's this certain percentage that would have to be deducted. And you could still build something that sticks out like a sore thumb or as an eyesore. I think this Newcastle statute -- and it certainly does have more regulation than we do right now -- really is more a performance statute...it doesn't have development deductions or anything. I suggested to the Board of Trustees, that there be a work session between the Planning Board and the Board of Trustees only on the steep slopes issue. I guess a question would be whether it makes more sense, and I didn't talk about this with the Board of Trustees, to have a work session with a draft law in mind, or whether you meet and get some general agreement before you draft the statute. But I'll leave that to you.

Boardmember Hutson: You're right. A law that says you can only build one retaining wall and it can only be 2-1/2 feet high would solve the whole thing.

Chairperson Speranza: That's true.

Boardmember Barr: A drive around the Village of Hastings might be instructive.

Boardmember Hutson: My property has one that's about 6-1/2 feet that the WPA built.

Boardmember Cameron: There are very beautiful cities in the world where they have terraces.

Boardmember Hutson: In the side of mountains.

Chairperson Speranza: That's right.

Boardmember Hutson: I was just suggesting a simple way to handle it. We could make it 3 feet, then, all right?

Chairperson Speranza: All right, we've got to figure out how we're going to proceed. Come on up, Jim, and then we'll decide where we're going to take this.

Mr. Metzger: I think having a more restrictive law in the Village is a good way to go, and I'll tell you why. Everybody has the ability to apply for a variance from anything they feel is restrictive in the zoning code. The advantage of doing that is it gives the neighbors a greater opportunity to study this problem and come up with a good solution. If you don't have the restriction in place to begin with you can end up with a problem before you know it. And then you sit there and you say, "Well, how did my neighbor get to build this monstrosity, or create a water problem, on my property?" Well, there was no law that prevented me from doing that. So if the law is in place and it is more restrictive, the ability to go before the Zoning Board to apply for a variance brings in a greater number of people. There's a greater opportunity for the neighbors to have input and to do all of that.

That being said, as an architect, if someone like -- and this is my speaking personally -- Frank Gehry was in the Village and he was building, say, a 10 West Main Street. I would probably be tempted to say, "Let's all go home and let him do whatever he wants," and we'll come back and we'll say, "this is going to be a great piece of architecture." There are quite a number of architects who would satisfy that requirement. Some of the issues that we have here is we don't like what someone's doing and the aesthetics comes in. And I'm not sure that the steep slopes is affecting the aesthetics here. It's affecting the safety of the adjoining properties. And I think where we should be more restrictive is where we're looking to prevent damage to a neighbor's property. Thank you.

Chairperson Speranza: Just to be clear, steep slopes has been something that has been discussed by the Board for many years, starting back -- what we have in the minutes -- in 1991. This discussion has come up several times. It is not here now for any one specific proposal. We have a good time for a meeting to talk about this at this point, and it's still going to take some time to figure out what exactly it is and how we're going to approach it.

Mr. Metzger: I appreciate that, and I didn't bring up 10 West Main Street because it was a specific project. But it's a project that's currently before the Board, it's being discussed readily throughout the community, and I thought it would be a good focus to understand what we're talking about in terms of steep slopes.

Chairperson Speranza: So when you say "because we don't like the project," that is you.

Mr. Metzger: That's exactly right.

Village Attorney Stecich: Patty, one other thing to clear up the record is, right now -- and Rhoda will appreciate this -- one of the important things that the current statute does accomplish, I think, for all properties -- not just properties in subdivisions, lots or subdivisions -- is that no work can be done -- and the statute is written in such a way to ensure to the extent the Village can -- that no work could be done on a steep slope that would cause water damage, slide. I think by creep they mean, instead of landslide, slowly creeping down. The statute is really well-written to address that concern. So that is part of our statute now. The Board has been, I think, careful in requiring that. I don't think we've ever had anybody come in complaining because of development on a steep slope that they're getting water in their basement.

Boardmember Hutson: I was wondering about that, the extent to which over the past 15 years or so the Building Inspector has documented situations where what everybody would agree is damage. I'm not talking about aesthetic damage in terms of view. Because most of the things that I'm familiar with was just -- what the neighbor considered -- a very onerous kind of wall or structure came up so close to their property.

That was what they considered the damage. But there may be other things. I just wonder if there is any kind of record in terms of where we've really had a problem because of construction on slopes that led to not only the neighboring property, but perhaps to Village function, in terms of drainage and so on.

Village Planner Witkowski: I can look into that.

Chairperson Speranza: I've heard some anecdotal things. Saunders Street, I heard that there were some issues with water there. And there was the one guy, the wall was actually falling apart because it didn't have the right netting.

Boardmember Hutson: It might be instructive, not in any grand way, to see what the kinds of problems are even if we're looking at the very specific performance.

Boardmember Dale: The issue is, really, is the change necessary. And the record of whether or not there's been damage caused by approval under this law would be useful to know. If there has not been, then changing the law is...

Boardmember Hutson: I think one thing that would be helpful is a change -- and again, it might not be a very dramatic change, but in terms of just what Jamie alludes to that everybody's talking about -- in terms of which properties require a little bit more assessment or a further level of review to give an opportunity for that. Because very often you feel like, well, you can say, "Yes, well, maybe if you move it over here a little bit it'd be better." I remember the location of a house up on Sheldon Place. You know, moving it over enabled things to work a little better on that slope and it improved the view at the same time because there was both a slope issue and a view preservation issue at the same time.

Boardmember Alligood: I just wanted to note that, in terms of the appeals process, putting a regulation in place and then saying that the applicant can always go to the Zoning Board of Appeals, we would have to determine that that's the route you go. Because I noted that in New Castle they have to just appeal that to the Planning Board if they don't agree with a decision. In Harrison you can go to the Zoning Board of Appeals if you don't agree with the decision. But that's something to look at if we were to implement these new regulations. For us to decide whether we want this to be another issue that people go to the Zoning Board of Appeals for.

Chairperson Speranza: Right, that depends on how we set it up. There are some benefits to that, of course, and then there are some oddities, like view preservation. Which is not necessarily a bad thing, but sometimes it just seems like a waste of time.

Village Attorney Stecich: Well, right now the way it's set up, as a separate Steep Slopes Law, you couldn't go to the Zoning Board of Appeals because the Zoning Board of Appeals, by state law, only has authority to vary zoning requirements. That was a reason that we made it a separate chapter of the code rather than part of the zoning code, so that it wouldn't be appealed to the Zoning Board. Not because nobody wanted the Zoning Board to look at it, but just because it didn't seem like they should have a second chance in the Village. They try in the Village, and then they always have the option of bringing an Article 79 proceeding in supreme court. Just like if you don't like the Zoning Board's decision you can challenge it in the supreme court.

Chairperson Speranza: Marianne, do you know, is this generally the way that things are done, as a separate law rather than as a part of zoning ordinance?

Village Attorney Stecich: Well, every one of these is a separate chapter, which means it's not part of the zoning code.

Boardmember Hutson: Yes, because zone is zone.

Boardmember Dale: It's a different issue.

Boardmember Hutson: In a literal sense it's a...

Village Attorney Stecich: Because if you think about it, it's probably not the sort of issue that is really zoning...it really is a lot more a planning issue. It's more in the nature of site plan review. If you don't like something that the Planning Board does during site plan review it can't be appealed to the Zoning Board.

Chairperson Speranza: Right, the same with subdivision. Subdivision is separate.

Village Attorney Stecich: Sure. They don't like your decision, you go to court. It could be set up that way.

Chairperson Speranza: With the site plan and/or subdivision.

Village Attorney Stecich: But see, site plan and subdivision you don't really have any choice about because that's regulated by state law. Actually, our site plan and subdivision provisions are in the zoning section. But under state law, site plan approvals and subdivision approvals, to be appealed, go to court. I have to say, most of the municipalities I've seen, steep slopes has been a separate regulation. On the other hand, in Mount Kisco I think they included it in with their zoning. You could do it whichever way.

Chairperson Speranza: There was one community I saw on-line -- I'm trying to remember who it was -- that actually has environmentally sensitive land rules and regulations. And in that they cover wetlands and steep slopes.

Okay, so let's see before the next meeting what we can get in terms of what are we talking about in the Village laws, what's the geography that we're talking about with respect to where there are steep slopes, are they developed already, what are the sizes of the properties. I think that'll be helpful for both us and for when we meet with the Board of Trustees. I have a problem going from a document that's four pages to a document that is 13 pages, 14 pages. At some point, in my mind, it's overkill. And maybe some of this is duplicative of what we have in our other rules and regulations. Do you all agree that if we were to take the New Castle ordinance -- and between New Castle and our steep slopes and, of course, if anybody finds any other ones -- and just say what don't we need. How do we enhance the Village of Hastings' ordinance, and what don't we need in something like New Castle. I'm open to suggestions for an approach for this.

Boardmember Dale: I'm not clear that we need to change ours.

Chairperson Speranza: Okay, two. We've been in this situation.

Boardmember Hutson: Oh, yes, this is familiar territory. I think we have to look at it a bit. As I say, this includes some more properties. You know, the reduction or deduction approach that we kind of have is kind of a good thing.

Chairperson Speranza: For the subdivisions. The one that applies right now only to subdivisions.

Boardmember Hutson: You know, I've always felt that that same approach should apply to larger lots, or maybe even smaller lots as far as that goes. I don't know. I know we can get carried away. A person has a small lot and they end up only being able to build this cylindrical silo there.

Boardmember Cameron: I don't think we can make a decision on this until we have more information.

Chairperson Speranza: No, you're right.

Boardmember Cameron: I'd just really like to see, for example, how many lots in town are bigger than 13,000 square feet just because we want to use that as a marker, and then how many are bigger than the second one down here. Just so we have a feel for what we're doing, bigger than 8,700 feet, which is the next one down. We don't have to use those magical numbers, but to the extent we get to know that then we'll know where we would adopt one like this. How many lots we're really applying it to. Because I detect from the earlier discussion, from reading it, that that was part of the reason. We didn't want to get overburdened with too many lots.

Chairperson Speranza: And here our definition of a steep slope is 1,000 square feet.

Boardmember Cameron: Well, that's for the measurement of how steep it is. This was a larger area of land. That's before they put the walls up.

Boardmember Hutson: I wonder if there's any issue, Marianne -- all these people are doing it, so perhaps not -- that if you do, with some thought, say, "Well, okay, if you're under this amount it doesn't apply." Because the way we have it now, subdivision is one kind of process and single lot is another kind of process, so therefore nobody can say, "Well, you're picking on me." But if somebody has a lot that's 13,500 and somebody has one 12,000, and then we can do something on one and can't on the other, isn't there a recourse for the person with 13,500 to say, "Hey, how can you come down on me when my neighbor...I'll give the Village 1,500 square feet so I can do a little more of what I want." Do you understand what I'm asking?

Village Attorney Stecich: Yes, but it's not the size of the lot. It's the size of the slope. I thought 13,000 seemed awfully big to escape the law altogether. Do you know what I mean?

Boardmember Hutson: Because you're not talking about the lot size, you're talking amount of slope area.

Village Attorney Stecich: Right, and that's an awful lot of slope to escape regulation altogether. So I thought that wasn't so good.

Boardmember Cameron: That's for a model slope. The slope gets smaller and smaller.

Village Attorney Stecich: Right, although right now in Hastings if you have a 15% - to 25% slope there is regulation of it. It doesn't say you can't build on it, but there is regulation of it. I think under this there isn't regulation of it. Again, though, New Castle lots are bigger, so that can make a difference, too. So those numbers may not make sense for Hastings. Actually, I'm not going to look at them. Have somebody look at them to see whether they make sense for here. But I think you need not only to know the size of the lots -- and I assume you meant this, Jamie -- but the size of the lots with steep slopes. I mean, we don't care how many flat 13,000 square foot lots there are. It's just the ones with steep slopes.

Boardmember Cameron: I did mean that, but I thought that you would easily have in a database the size of all the lots. You'd have a much harder time telling us what the slope is. So just if we started to see how many lots were bigger than that, then we could understand better what we're dealing with. We could drive around with Rhoda and look at them all.

Boardmember Dale: Well, Patty's asking for a contour map. Only then would we be able to see what the problem is.

Boardmember Cameron: The Hastings law is the ground area of at least 1,000 square feet, so already you have the right to look at it a lot sooner than you do under these other laws.

Village Planner Witkowski: I think what we could put together...I was just kind of thinking what would be the best way to display all of that information. Because we have those GIS layers, and could color-code it for the different sizes -- like range of sizes -- and then have the building footprint on it so that we'll know that. We could get the topo that we have now, and then when we get the new topo we'll just replace it with that layer.

Boardmember Hutson: I think you have to have grade. If you don't have grade I don't think it matters terribly much on this issue.

Village Planner Witkowski: Right, and I saw a county map recently that has the different ranges of the slopes. I think I'll check to get the Hastings portion. Because they had the county-wide, so maybe I could just get a blowup from them. Because I think it had lot lines on it, too. I think I'll start with what they have because they may have it already.

Boardmember Hutson: If people really have a concern about this, if there is an album of laws having to do with a study with ugliness, kind of an ugliness thing -- something where steep slopes were sacrificed because they have a picture of before and after where there was this beautiful slope that was now lost or an outcropping that was lost and what's there now, where we could do a comparative analysis.

Boardmember Barr: Would you like to destroy about 90% of the Village?

Boardmember Hutson: Well, maybe we would think what's there now is more pleasing. I'm just saying I guess each of us probably has one or two places where we've seen something happen where we say that's really ugly compared to what was there in a natural state. I don't know how much of that there is, really.

Chairperson Speranza: If anyone has any suggestions, please send them to Dave Hutson.

Boardmember Hutson: I would be interested in looking at that. I'm not suggesting we tear these places down and restore the rocks.

Boardmember Dale: Hastings would never have evolved into the village it is if it had been restricted.

Boardmember Hutson: I'm not saying restricted. I just wonder, how big is this problem? Not only from damage to the neighbor's property in terms of runoff, because it's always runoff. Look, it seems to me it's basically runoff or being overwhelmed.

Boardmember Dale: I live on High Street, and it was originally two estates with a brick wall that separated them, and a dirt road. Now it's still a beautiful street, but it's not as beautiful as it was when it was two estates.

Boardmember Hutson: I'm not talking about sheer density.

Boardmember Dale: That's not just density. It's a question of evolution; it's a question of growth, modern growth. We pay the highest taxes in the United States in the county of Westchester, and we're preventing development which is the only resource that we have to increase our income. There needs to be a balance. Preserving nature is a wonderful thing, but not at...

Chairperson Speranza: Balance is what we're trying to do.

Boardmember Hutson: I'm not suggesting that there are all these things. I'm just saying how real is it, in our experience, that there's something we desperately missed, or lost.

Chairperson Speranza: One of these ordinances, and it may be ours, makes the point that land is more scarce than it was and people are coming up with ways to just put things...you know, you're not getting old Victorians any more.

Boardmember Hutson: You mean we have big ones, but they aren't as beautiful.

Boardmember Barr: Look, any new building is jarring. Nobody wants a building built next to them, I don't care who you are or what you are. Our house is one of those off High Street. It was covered with dirt before they built it. When they exposed it they found this huge rock formation there which had been hidden. Then we built a rock garden around it. But I don't know what the propriety is of our legislating aesthetics. We certainly have a right to protect people from damage. But even legally whether it's the right thing to do to say this is what...

Boardmember Hutson: Right. But before you even talk about legislating or not legislating, I'm trying to figure out in my own mind exactly how real it is for me. I mean, how real is it, the loss that we're concerned about? Because I think all of us sense that certainly there's some risk, or there have been a few cases at least, where it's not only less than ideal, it's really onerous. But I wonder to what extent that's the case.

Boardmember Barr: How about the flip side, where it was made better? As I say, where there was rubble we built a rock garden.

Boardmember Dale: “Falling River,” by Frank Lloyd Wright, builds right on a beautiful site. And yet it’s...

Boardmember Hutson: In other words, we may exempt certain people.

Boardmember Dale: But that’s regulating aesthetics, and who’s the judge of the architect?

Village Attorney Stecich: Can I just say one thing? What might be helpful is to think in terms of maybe some of the examples that the Board’s considered over the last 10 years and how it might be different if you had a different law in effect. I don’t think, Bruce, any of these statutes are saying you can’t build. They’re just saying you should build in a way that respects the slope. One example, without giving any names -- maybe it was five years ago -- of a house that came in and the builder wanted to put a pre-fab house on it. Which meant had he done a stick-built house he could have built it closer to the ground and built the house with the slope. But he didn’t want to do it that way. He had a pre-fab house that required lots of retaining walls, or maybe one huge retaining wall, and the Board felt kind of frustrated because they knew that wasn’t the best way to build on that slope, but under the statute there wasn’t anything the Board could do about it. Because if his engineer could show that it wouldn’t result in water problems and it wouldn’t result in rockslides, then it was okay. I think it was in that context that it came up. In fact, the reason I thought the set of statutes I gave you were better than some of the statutes.

We were looking back in the early 1990s, where they were saying you can’t build on steep slopes or you have to deduct the steep slopes from your calculation of how much you can build on. This doesn’t have this sort of arbitrary you can’t build on them but, if you are going to build on them, you have to build them in a lot of ways like the Hastings code does; it keeps you from doing it in a way that’s going to hurt your neighbor or somebody downhill. But also there are some other things you can look at just besides rockslides and water. I don’t think any of them say that you can’t build. And I also don’t think by doing that you’re necessarily legislating aesthetics. You could say it’s legislating aesthetics to say that you can’t have a building that’s more than 35 feet high because you don’t like how really high buildings look. When you’re thinking about it in terms of the retaining wall, in terms of steep slopes, a lot of it has to do with height and the measurement of height. So if you think about the drawings now that we have of defining heights, it may eliminate some of those issues, but maybe not, and I think a real focus should be retaining walls. Because you can get around an awful lot of law and height restrictions by building retaining walls and filling in the land.

Boardmember Logan: But don’t we already have some language about retaining walls? I seem to recall that there was a maximum height you could build a wall, a single wall.

Village Attorney Stecich: But we don’t have anything about series of walls.

Boardmember Logan: The fact that it’s terraced may mitigate a whole lot of visual issues.

Village Attorney Stecich: Yes, maybe.

Chairperson Speranza: And I think, too, some of these other codes also use that term, which has always bothered me, “maximum extent practicable.” And the pre-fab home that required a flat site was a very good example. I mean, yes, it’s disturbing the slope to the minimum extent practicable because this guy wants to put in a pre-fab which needed this much flat land. It was not the great architect who was going to be building with the slope and then really disturbed less of the slope. And I think that’s where we sometimes run into problems with this kind of language.

Boardmember Hutson: The Trustees, they kind of requested this review?

Chairperson Speranza: Yes. A revised law had been brought up at a meeting. I happened to be there at that meeting, and said, “You know, we have been trying to talk about this again for awhile now. Let us take a shot.”

Boardmember Hutson: Do we know whether the impetus there is to build less on steep slopes or to provide better protection for neighbors? Did they say what the impetus is?

Village Attorney Stecich: What it was, it would make the development deduction that’s applicable to subdivisions, applied to everything.

Boardmember Hutson: So it would be built less as kind of the driving force?

Village Attorney Stecich: Yes.

Boardmember Dale: But Patty, you were there. I saw it on the TV, but it didn’t seem to me that there was agreement on the part of the Trustees that the law had to change.

Chairperson Speranza: No, there was not. But there was discussion as to whether or not there should be action that evening. I said, “Well, let’s talk about it.”

Boardmember Dale: They sent it to us for consideration, but they themselves were nowhere in agreement about the proposal that was on the table.

Boardmember Cameron: I guess the one thing I’d like to dispel here is, just because we have a regulation like this, were we to adopt something like New Castle it doesn’t mean we won’t have innovative architecture in town, buildings we’ve never seen before, interesting things to see. It’s just that we will have some regulation if they get out of hand, and that’s really what I would like to see us achieve or consider at this meeting. I think we need to do that. I think it’s quite arbitrary that we have a provision that applies to subdivisions but we don’t have a similar provision that applies to, just on a single lot building, a very large place.

The other thing is, actually I find the deduction part somewhat arbitrary, and I would rather have a provision like this which gives you more flexibility, actually, rather than less than the mandatory deduction site. So I think actually a law like this would be better for Hastings than the other one.

Chairperson Speranza: Okay, any other Board comments?

Mr. Skolnik: I'm hoping that most of these are relevant -- I think they are, and in no particular order -- thoughts that I had. There's a structure that I noticed recently that I guess had an impact on me along these lines. I don't know if it would be more a question posed here or in zoning. That's part of what I'm trying to understand. This is a house that's currently under construction. I don't know the exact address, but it's on Cliff Street just off of the parkway. It certainly made an impact on me, and I know that a number of other people have mentioned that somehow there's some elements about it that seem to be out of context. So if I were to want to pose the question as to whether this was considered and whether this was approved in this way, is this something that would be more a function of zoning, or planning, or neither? Would this have been one of the aesthetic judgments?

Chairperson Speranza: We did a review of a house -- it came to us for steep slopes review -- on Cliff Street. I don't know if there's one house being built there. Because the proposal, you remember, was dormant for awhile. We had approved it, then several years later they came back to actually say they were ready to build.

Mr. Skolnik: So this would, in fact, fall into the...

Chairperson Speranza: ...steep slopes approval. That's it, we don't do anything. With single-family homes there is nothing else that we do.

Mr. Skolnik: In other words, it seems that somewhere in this discussion -- and where there's a certain sentiment against overregulation and also a sentiment against regulating aesthetics, yet it strikes me -- that somewhere in there, there would need to be room for some sense of judgment.

Boardmember Hutson: Well, what was your concern about the house?

Mr. Skolnik: It's my own personal concern, and I don't try to impose that.

Chairperson Speranza: Right. Because under the way that we now use the steep slope ordinance, is there going to be damage downhill with respect to runoff and so forth.

Boardmember Hutson: And is it sited so that it has the least, or less, impact.

Chairperson Speranza: Yes, is there a way that they could site it to avoid runoff.

Mr. Skolnik: But in all other ways it was conforming to the particular zoning requirements of that area. Okay.

Chairperson Speranza: If it didn't, it went for variance. It didn't.

Mr. Skolnik: I was just going to point out with regard to Jim's reference to the idea of Frank Gehry building a structure then he would just go home and let him build it, I was going to point out that there are -- even with what are considered great architects -- fundamental and deep differences.

Chairperson Speranza: And some people don't like his work.

Boardmember Dale: Yes, that's true. He's not universally accepted.

Mr. Skolnik: I was wondering whether in the process of...you've done some research with what other communities have done. In this area, just to try to limit it, are there -- and by this area I mean, maybe, Westchester -- are there communities that do what you would consider a more aggressive aesthetic regulation? Are there any communities that you either are aware of, or would be able to look into, to see if there's some? I suspect that there are, but I don't know. And I'm just wondering whether this is a sentiment -- whether it's a legal issue, that it's something that can't be done -- or whether it's simply the sentiment of this particular community as it's evolved.

Boardmember Dale: I don't know so much about Westchester, but there are like historical districts which establish a code for building within that district that would prevent a modern building being built. So there are legal ways of establishing...

Mr. Skolnik: No, I'm aware of that, but I would have meant more where it's approaching that line of legislating aesthetics.

Boardmember Cameron: You made a comment earlier about overregulation. I don't think anyone on this Planning Board's interested in overregulation. We may have different views of how much regulation you should have. As for regulating aesthetics, I'm not really in favor of regulating aesthetics. We have a wide variety of houses in this town of very different designs. But there are other parts of it which I believe you might want to look at as how I believe houses will get bigger and bigger as we go forward. I think we need to keep our eye on that, which is why I'm in favor of changing it even though I don't know exactly how. That's what we're trying to figure out at this time.

Boardmember Hutson: The Architectural Review Board is probably the group that's dealt most, in an advisory sense, with aesthetics. So there is a help there that we call on from time to time that speaks more to it.

Mr. Skolnik: The last point, which I'm almost reluctant to mention because it's like throwing a match, perhaps. I'm just wondering, as a group, as a board, have you...since recently the movement has been made towards establishing a comprehensive planning committee, which I'm assuming is intended to address certain large-frame issues that this board at least hasn't had the mechanism to do. I mean, I know you're thinking in those terms, but what I'm wondering is, while that's getting started, does it affect -- or have you thought about how the things that you're discussing and thinking about now, what the interrelationship would be between as you're dealing with it -- noted how this other committee would be possibly looking at these? You tell me.

Boardmember Hutson: My understanding is they're working to try and establish an agenda as to what their direction really is and to what should happen along the lines of a more comprehensive plan than the Village currently has. So I don't think that they actually have a framework that they've said, "Hey, here's the direction to go." They're doing some research and trying to think it through.

Mr. Skolnik: I guess it was Bruce that was mentioning about High Street and the idea that it evolved from where it was. There's always a continuing evolution. I guess the sentiment about a comprehensive committee would be to, in some way, be able to have some control over the direction. And I guess the sense that in the absence of that sort of view that the evolution would be truly uncontrolled.

Boardmember Hutson: Theoretically, a comprehensive plan may be to do a lot more development, only have it be greener and to have it be more tax efficient. That could be a direction of a comprehensive plan. I mean, the assumption that it's inherently more restrictive in terms of density, you're probably right. But I'm saying theoretically it's not necessarily so.

Chairperson Speranza: Or along those lines also, the comprehensive plan is where it is we want to get. Then you talk about, okay, so if, let's say, we're going to have more density in the downtown and we're not going to allow so much development in these areas of steep slopes, or we're going to expand the buffer wetland and we can do that and still be able to have development within the community, and ratables within the community because we're going to concentrate it here, again you go to that idea of balance and tradeoff. The plan is the plan. One of the outcomes of the plan may be, okay, we've got to go back now and change this regulation, this regulation, and this regulation to make sure that all of these things get implemented.

We're talking about steep slopes now because it's something that, as I mentioned over and over, keeps coming up. So we will keep doing it. You know, there are different opinions on this board. I don't know that should there be a decision made to take an action with respect to the Village's Steep Slopes Law, is that something that then has to wait to be implemented until the comprehensive plan is done. Well, I hope if we come to a consensus on something that it's not going to be held up waiting for the outcome of the plan. Because again, the plan can change things once it's developed. You know, we don't want to lose time on things either, and put things on hold.

Village Planner Witkowski: I'm working with the comprehensive plan committee, and they're just starting. What they're doing is looking at other plans in other communities and the processes that they used, and will make a recommendation to the Trustees. And then the Trustees will set up a committee to sort come up with the framework and which elements are going to be included. But I did do a grant application, which was funded. So we have \$15,000 so far towards starting it. And in that application I did put together a schedule because we had to have some kind of a schedule, and time frame, that lists all the elements. This will definitely be included in the comprehensive plan eventually, but it won't be finished for a couple of years. So there's no reason that everything else would have to wait until it's done.

Mr. Skolnik: No, I didn't mean so much specifically about waiting. I meant just the idea of it, moving forward, whether that was affecting in any way the way you thought about it.

Boardmember Hutson: At this moment, not at all.

Village Planner Witkowski: No, and it'll be addressed in the comprehensive plan.

Chairperson Speranza: Okay, anything else on steep slopes? We'll pick this up again in November. Hopefully we will not have...I mean, we might have the site plan and we might have something back from Ginsburg. We might have something back; I don't know if we're going to hear anything on 10 West Main Street.

Boardmember Dale: Have they been heard from since the last meeting?

Chairperson Speranza: He has not been in touch with me.

Village Attorney Stecich: Did you know about the Tarricone property? You'll have on for the next meeting, there's a request not only on the Tarricone property but around the Tarricone property on Saw Mill River Road. They filed a petition with the Board of Trustees for rezoning. Because all of the property owners seeking the rezoning signed it...

Boardmember Hutson: They want to be a MUPDD, I bet you. Right?

Village Attorney Stecich: No, they want to be MR-C. And the Board of Trustees set the public hearing for January and had referred it to the Planning Board because they have to under the code.

Chairperson Speranza: Right. It's their action.

Village Attorney Stecich: It's whose action?

Chairperson Speranza: The Board of Trustee's action because it's a rezoning?

Village Attorney Stecich: Oh, it's their action, right. But it's not their amendment. It's the applicant's amendment. Originally he had come and asked them. But in any event, that's on for November, too.

Village Planner Witkowski: And I have copies of that. Anthony Tarricone brought in copies, enough for the Planning Board members. So I can give those to you tonight.

3. Draft LWRP Comments

Chairperson Speranza: All right, the other thing we had on the agenda was the draft LWRP. The Board was looking for comments by last Friday. I hope they got some.

Village Planner Witkowski: Just give them to me because I'm the one that's going to be doing the revision.

Boardmember Dale: I actually like the plan a great deal. There's very little that I would want to change in the plan itself. There was just one comment in the plan that I thought did need discussion -- which is somewhat the same issue I raised on the steep slopes -- which is that the plan says that the goal of the plan is that it be economically feasible. By that, they meant that it pays for itself and it's not an expense to Hastings. I would want to take that further and say this is a huge resource, and for it only to pay for itself, I think, is a huge mistake. I think this is an opportunity for it to give back to Hastings economically in a way that would help benefit our expenses. Annual expenses go up every year, our taxes go up consistently. We do pay the highest taxes in the country by counties. I think this is an opportunity. I think that should be made clear; that in planning there, it should do more than just pay for itself. I think that should be a goal.

Boardmember Hutson: Well, part of what's involved there, again through many workshops, meetings, and so on, was the balance between the amount and kind of development that you would have at the waterfront which would be necessary in order to achieve the end you're talking about.

Boardmember Dale: Well, it depends on what you're talking about.

Boardmember Hutson: But the point is, if you don't have any development on the waterfront you're not likely to generate the revenue.

Boardmember Dale: But there is development right now.

Boardmember Hutson: Yes, there is. But I'm just saying that the idea was that roughly the amount of development that as projected, in part, was determined by some sense of what the amount of revenue necessary to pay for Village costs related to that development infrastructure and so on, along with grants and other things. So it was in that vein. Because so many folks are anxious not to have very much development. At the same time other folks said, "Well, at least you've got to have enough development to pay for itself." So that's the balance.

Boardmember Dale: I think it's a bigger issue than that. The same discussion that we had on 10 West Main also raises the issue about yes, there's a lot to be preserved here in Hastings and there are a lot of things that deserve it, but if you freeze...no development plans, no towns that have had no development plans, have proven to be economically totally successful. The greatest example is Portland, Oregon, whose school system is now on four-day weeks because they can't afford to pay for five days a week for their kids to go to school.

There has to be an understanding of what you're doing. That it can't just be let's preserve it. Because I don't think Hastings belongs under glass. I think part of the beauty of Hastings is its evolution as a village, and it is not architecturally gorgeous. I mean, there are a lot of other towns that are much prettier in terms of just the buildings and walking down the streets. The Village has a lot of character, and that character is the history of its evolution. I think by blocking all development you're...I mean, I'm not pro-development, but I think there needs to be a balance between the economics of this village. Otherwise it's going to end up being a rich man's enclave because the taxes are that high. I pay \$1,000 a month just for taxes.

Boardmember Hutson: Again, it just is a reflection of the people who are involved. Not that that's the last word by any means that it came to that kind of suggestion. But look, this is the beginning of the fuller discussion. That's what we're trying to get to.

Chairperson Speranza: Right.

Boardmember Hutson: I mean, that's what the LWRP committee's trying to get to at least.

Boardmember Dale: So I would like to add that as a comment.

Boardmember Alligood: I have a comment which, interestingly, really ties in with a lot of what we discussed tonight. First of all I want to say I think it's very comprehensive. I think it synthesizes a lot of the issues that need to be looked at at the waterfront. But there is one problematic area for me which is, actually, regulating aesthetics -- something we've talked about tonight.

Boardmember Hutson: You want more, or less?

Boardmember Alligood: In the plan, in section 2, page 26 -- I think that's how it reads, 2-26 -- it talks about the marine waterfront rezoning district. It says that "...the Village plans to develop design guidelines for the waterfront. Design guidelines are intended to establish a general design framework that will preserve and enhance scenic views, assure an attractive environment for public access to the waterfront, respect the architectural character and scale of buildings in the village center area, and preserve economic value'." The guidelines may include, for example, "...a provision to encourage the use of pitched roofs, dormer windows, and other architectural elements to provide visual interest and reduce the apparent scale of the development." I think that really is regulating aesthetics and, I think, going a little too far. But not only that, I think that the notion that we have to create this sort of village character on the waterfront is not in character with what was there.

I think that we all know the history of the waterfront: it was an industrial area with industrial buildings. Which is another one of my points. I do think they are worth saving. There is a report, I know we have read the report, that says there are ways to save the buildings and that they are architecturally significant.

But going beyond that, I just want to say that if we're going to talk about what buildings will look like on the waterfront, that the notion that they need to look like old-fashioned, pitched roof, dormer window buildings just doesn't make sense. If we're going to build new, we should be innovative. We should allow innovative architecture into our town, we should not overregulate, and we certainly should not create a kind of Disneyland that never was there. What was there was industrial. We should embrace that, and we should encourage designers who are going to build on our waterfront to reflect that history, be innovative at the same time. And I'm afraid that bodies like ours, or whoever's writing the regulations, will sort of discourage that kind of creativity and forward-thinking approach to things that also looks at the past. So I just thought it was interesting, and it ties into our discussion tonight.

Chairperson Speranza: Who's writing the design guidelines?

Boardmember Hutson: That would be determined by the Trustees. We're trying to get the thing in motion to do it. It hasn't been determined who will do the writing of it. Again, it's not we as a committee so much as all of the folks that are involved; again, many different inputs. For example, the pitched roofs. A lot of people were interested in that because the idea of looking down from the Village on flat roofs...I mean, it didn't have so much to do with trying to say this is the way it ought to look, but some people said they don't want to look down on flat roofs -- it's the ugliest thing in the world. Now, maybe there are good-looking flat roofs, too, for all I know.

Chairperson Speranza: Or a mix.

Boardmember Hutson: Again, it was to try and demonstrate...because there were a lot of people saying...I mean most folks involved have always been concerned that we don't want something that's so high and we don't want something that looks just like a bunch of apartment buildings that have no relationship to what you see when you look up the hill. We do want some integration of appearance, if you will. Now, maybe it doesn't have to be as much. Maybe we could have someone come out and do mini art museum down there. That would really challenge us a little bit in terms of our visual connections.

So it was, again, trying to satisfy the spectrum of folks that were involved as far as saying, hey, there will be some...the main message was that we're going to give some thought to what fits and what doesn't fit. Because the whole theme was to make it part of the Village and not something separate. Hey, what would be so terrible if you had a waterfront that had a more modern look that was a little different from the Village. I mean there was an industrial thing there that looked a little different from what was up the hill. So now you've got, even among the residential part, maybe it should look a little bit...that voice was there. There weren't a lot of those voices, and maybe now there'll be more than just one.

Boardmember Alligood: Actually, what I'm describing would be innovative, but I feel strongly would reflect the industrial past. In a sense, I feel that that's more in keeping with tradition of that area than a kind of artificial thing that we never had.

Boardmember Hutson: This was talking about the new structures. I think there weren't many people who were thinking about the new structures being built in more of that industrial look. But there is a lot in there about the preservation of some existing structures, if that's at all possible, to try and carry that forward. Now, maybe that's not enough of that and maybe the integration is to make the whole thing, you know, just like we talked about in Saw Mill Lofts now. I mean, that's moved from something that was very apartment-y to something that is more of a loft sort of thing. That's a good idea.

Village Planner Witkowski: We'll be getting into that in the next grant that we have that we'll be starting on as soon as this draft gets sent to the Department of State. The LWRP implementation, we have a \$60,000 grant, and design guidelines is one of the tasks under that. Also setting up a development corporation and revisiting the waterfront redevelopment plan because that was done several years ago. So it did kind of take another look at that.

Boardmember Alligood: Let me clarify, I'm not against any design guidelines at all. I think there should be height restrictions. But in terms of regulating the aesthetic look, I have more discomfort with that.

Boardmember Hutson: You may be right. We thought that that was -- and we may have overstated it -- we thought that was the sentiment that seemed to come through throughout this many-year process. But certainly pitched roofs, I think, was just an example, as I say. Because somebody said, or several people said, let's don't build flat ones.

Boardmember Dale: A Greek village on the hillside, and you'd be looking down on that.

Boardmember Hutson: Where were you when we needed you?

Village Planner Witkowski: A lot of those buildings had to be removed because of the remediation. There was no way they could be saved, and that's the problem with the two that they were studying. They may have to do some more digging around those... so it's going to be difficult. They don't have a really firm estimate of the cost. The water tower is not a problem. That can be taken down, restored, and put back up after remediation.

Boardmember Cameron: Bill Logan did, a number of years ago, a very nice drawing keeping Building 52 and it was really spectacular. I doubt they're going to be building new warehouses, though, when they tear them down. They'll be putting houses there. And there will be height restriction, and I hope -- even though it doesn't appear in this plan -- that there will be square foot limitations. Because they've talked about how many units and height restriction, but they never talked about how many square feet. People tend to build as big a building as they can possibly get away with. I think some idea was that if you built the piece down there in a manner similar to Main Street -- which is not, as you will point out, called pitched roofs -- then we might be able to maintain the two pieces of town so people actually went from one to the other. That, to me, is the key part. We don't want to have, "Yes, it's them over there and it's us up here." We want to create a continuous town from Main Street going down to the waterfront. It doesn't have to be pitched roofs, but it needs to [be linked]...

Boardmember Dale: Rather than aesthetics, that really is a zoning issue. And the size of the apartments are when you address the zoning. So you're not taking the typical suburban house that may have 2,200 square feet and saying every apartment has to have 2,200 square feet. I mean, you can control that through zoning. You just say this is an urban environment in a somewhat suburban town.

Boardmember Hutson: We could have the controlled section and the uncontrolled section, as opposed to one side of the tracks and the other side of the tracks.

Chairperson Speranza: Okay, I think we've reached that point in the evening.

Mr. Metzger: Very quickly, one of the issues that's near and dear to my heart is sustainability, and I think one of the things that really needs to be paramount is no matter what happens down on the waterfront it should really become sort of a beacon for the whole lower Hudson Valley that you can develop a waterfront with sustainable buildings that are energy efficient, that are recyclable. It's becoming a very big issue these days. There's a great exhibit in Chicago that's going to be traveling around called "Massive Change." It looks, actually, at the entire earth as an ecosystem and how are we going to sustain ourselves. And our waterfront would be a good place to start putting incentives, let's say, to developers who are going to be working down there. To say, "You know what? Let's make this a project that everybody can point to Hastings and say they were able to do this, we should be able to do it also."

The last thing I'd like to say is, about five years ago the biggest-selling architecture book in the country was called *Creating the Not-So-Big House*, by Sarah Susanka. In it, she poses the idea that you can start with a small footprint and by opening up various walls and having ceiling planes that carry through, doing molding details --similar to what they did in craftsman-style houses or the Frank Lloyd Wright houses...a lot of his houses were not very big, but they felt huge when you were inside because of the way they were designed. I think we should really start looking towards encouraging that type of design as opposed to saying let's just make it big. As an architect, I have that problem with a lot of my clients. They want to be able to go roller skating in their bathroom. I keep telling them it's not a real good use of money, not a real good use of material. We could all do more to encourage that. Thank you.

Chairperson Speranza: Okay, anything else for this evening?

VI. Adjournment

On MOTION of Boardmember Dale, SECONDED by Boardmember Hutson with a voice vote of all in favor, Chairperson Speranza adjourned the Regular Meeting at 10:30 p.m.