

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
APRIL 19, 2007**

A **Regular Meeting and Public Hearing** was held by the Planning Board on **Thursday, February 19, 2007 at 8:15p.m.** in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

I. Roll Call

PRESENT: Chairperson Patricia Speranza, Boardmembers William Logan, Fred Wertz, David Hutson, Jamie Cameron, Eva Alligood, Bruce Dale, Village Attorney Marianne Stecich, and Village Director of Planning Angela Witkowski.

II. Approval of Minutes

March 15, 2007 Meeting

Chairperson Speranza: Do any of the Boardmembers have any comments or changes?

Boardmember Dale: One small one. On page 38, bottom of the page, drop the word “like still have 15 feet of trunk.”

Boardmember Logan: I got one on page 32, bottom of the page. My comment, first line, is: “I think there may be a sweet spot here...” it says “when” and it should be “where.”

Also page 32, just past the middle of the page, my comment, it says: “So let’s call it 7,000 ‘times’ 35,000...” It should be “Let’s call it 35,000 ‘divided by’ 7,500.”

Chairperson Speranza: So let’s call it “7,500...”

Boardmember Logan: Let’s call it 35,000 “divided by” 7,500.

Chairperson Speranza: Okay, anyone else?

Boardmember Wertz: Page 35, right at the very top on the first line there. I’m not sure what happened there, but if you see where it says “site plan,” and just replace that with “area,” it will make sense: “...current use of commercial in the ‘area’ justifies an expansion of commercial zoning there.”

Chairperson Speranza: Okay. I had one. Eva, I don’t know if you noticed this on the first page, where you’re speaking. There are three “XXXs” that are in there.

Boardmember Alligood: Yes, I guess they just skipped over the sentence that I was reading so everybody could know where my place was. I can refer back to February 15th’s meeting to find those words.

Chairperson Speranza: We’ll do it in-house. We’ll find what should be in there. I had a change on page 2, the second time I’m listed as speaking, the second paragraph. The sentence says: “Change in the parking has come up. It never used to come up. It keeps coming up.” That should be stricken. It’s not a full sentence and doesn’t need to be there.

On MOTION of Boardmember Wertz, SECONDED by Boardmember Cameron with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of March 15, 2007 were approved as amended.

III. New Business

1. Public Hearing. Renewal of Accessory Apartment Approval. Teresa Snider-Stein, 125 Overlook Road (Sheet 31/Block 699/Lots 1-5, 10A-11A, 74-76, 74A, 76A).

Chairperson Speranza: We received the notice. The apartment has been in existence for quite a while, and this was a renewal. It did meet the square footage requirements. It didn't meet the off-street parking requirements. However, there was a complication when the Building Inspector went out to, take a look at, the apartment. I asked Marianne Stecich to please brief the Board on what was determined to be the case.

Village Attorney Stecich: The Snider-Steins had appeared at a Zoning Board meeting, and just a couple of things that they had said at the Zoning Board meeting prompted the Building Inspector to go out and make another inspection. He determined that there were quite a few sections of the state building code that weren't complied with and probably can't be complied with. He brought a fairly long memo. I'll summarize the most important issues.

The required minimum height for living rooms and bedrooms is 7 foot, 6 inches, and throughout most of the apartment it was 6 foot 3 and in some places smaller than that. Hallways, corridors, bathrooms, laundry rooms--you can have a ceiling height of not less than 7 feet, but in a bathroom it was quite a bit less than that. There were also issues about natural light and ventilation. There's a minimum percentage that windows have to be that weren't met. There didn't appear to be a building permit for the renovations that were done in the basement. Finally, it wasn't the current owners who got the accessory apartment permit. This has been renewed. I think this is the third time it's up for renewal.

Chairperson Speranza: I think you're right.

Village Attorney Stecich: It was different owners who got it the first time, so it isn't anything these applicants did. But when the house changed owners, the permit terminated. So your accessory apartment permit terminates unless you come in within 60 days. So this actually terminated quite a while ago because it's more than 60 days. They've been in there a couple of years. There isn't anybody living there now, so it's not a question of throwing somebody out in the street. But under the requirements of our accessory apartment law, you have to meet all the applicable building and fire codes, and this accessory apartment doesn't.

Chairperson Speranza: Right. Is the applicant here?

Stuart Stein, 125 Overlook Road: Yes.

Chairperson Speranza: Have you been informed of all of this?

Mr. Stein: We were not informed of the details of the last inspection. We did renew, actually, the apartment two years ago--three years ago?--whatever the cycle is.

Chairperson Speranza: Three years ago.

Mr. Stein: We did have it renewed once before. We did not know about the renewal process when we bought the house, so it did lapse once and then we did have it renewed. I think we had to wait a year, and we had it renewed.

If you're not going to renew it because of these conditions being the problem, there's nothing we can do to change them. I don't know how many years the apartment has been there. Obviously, the previous owners had it for years and years, so we made the assumption that it would continue to be renewed. There's been no changes made.

Chairperson Speranza: Given the fact--and I don't know how this passed muster, how the original application was approved as being compliant with the building codes--but we just can't renew it if it's not considered habitable space under the building code. We can't allow it for people to be there. So I think should you want to make changes to make it habitable, that would be fine. Then just come back with another application. But right now we can't...

Mr. Stein: It's impossible to make those changes. We're talking about roof heights across 30% of the space, so it's absolutely impossible. Okay, we're disappointed to hear that.

Teresa Snider-Stein, 125 Overlook Road: So we bought the house, it had an accessory apartment that was part of the package when we bought it. Then we didn't know about the lapse. Nobody informed us about that. So when we found out, then we did renew it. So we have had the accessory apartment allowed to be rented out in its exact same form. Because we said we didn't want our children to live down there when we were trying to do an addition, the other board has come back and been very punitive toward us. So it feels a little bit like you're slapping us down because we asked to have another something. There's been no change in the apartment, and you can live there if you are short.

Chairperson Speranza: But you can't live there under New York State building code, and that's what we do.

Ms. Snider-Stein: But when did the code change? That sort of seems like you're...

Chairperson Speranza: We have nothing to do with your other application at all. Our issue is the review of the accessory apartment. That's what it is. I cannot explain why we had a Building Inspector review in the past that said, this was compliant with New York State codes and could be an accessory apartment as habitable. But we can't approve this application because it doesn't comply with it. That's where we are now. We have nothing to do with the other things that you are doing.

Ms. Snider-Stein: So we're sort of left with our diminished amount of equity or whatever in the house because we bought it one way, you said we could have it, and you sort of just take it away. I don't know, that just doesn't seem...

Chairperson Speranza: We can't approve an apartment that doesn't meet building codes. That's the bottom line.

Mr. Stein: Okay.

Boardmember Logan: Patty, they could consult an architect and they could see what ways they could be...

Chairperson Speranza: Absolutely.

Mr. Stein: It's impossible to make the changes.

Ms. Snider-Stein: Unless we tear the house down.

Mr. Stein: The apartment has been approved for a long time: a big mistake on the part of the Village. We have the same position. It's a punitive action taken as a result of previous discussions, not by you guys. We're not happy about what took place, but it's done.

Chairperson Speranza: Okay, thank you. Good night.

IV. Old Business

1. Public Hearing. View Preservation and Site Plan. Mirjana Alilovic of Euro Deli, 575 Warburton Avenue (Sheet 12, Block 630, Lot 20) for proposed construction of a walk in cooler on a 10' x 10' raised platform in the rear yard of the property.

Chairperson Speranza: This was before us last month for view preservation only. For view preservation the Planning Board makes a recommendation to the Zoning Board of Appeals, which then takes formal action. During the view preservation discussion we realized that the changes that were being made to the building in the yard that this really was something that should be seen and noticed for site plan approval because it is located in the central commercial district. And that does mean that we should be reviewing it for site plan.

We're working now off of the information that was provided to us at a last meeting. Does everyone have it? Because there was no new sketch plan produced. Angie, do you have some extra copies?

Village Planner Witkowski: I also made copies of the pictures.

Chairperson Speranza: Is the applicant here? Do you want to come up and give your name for the record? Nobody ever wants to come up to the microphone.

Mirjana Alilovic, 12 Prince Street: I am here for 575 Warburton Avenue, for Euro Deli.

Chairperson Speranza: As you recall, and as you are very aware, there was some concern expressed by the neighbors to the rear of your yard with respect to whether or not there was actually going to be concrete, or something beyond the wooden structure, that you've got the cooler on now. I'm just wondering if since our last meeting you've had any further

discussions with your neighbor or the Village, or have you considered undertaking any other improvements back there.

Ms. Alilovic: I don't do nothing from last meeting because just waiting for you guys to approve that to be able to work with inspectors and everything. Whatever they tell me I have to do, I'm going to do it. You know, I just waiting for you.

Chairperson Speranza: Okay, so you want to know what it is that we want, what we would like for you to do.

Ms. Alilovic: Yes, I want to know what you want, and then I'm going to do it in separate time what you going to give me everything's going to be done.

Chairperson Speranza: All right, that's good.

Ms. Alilovic: Thank you.

Chairperson Speranza: I know that there was a question at our last meeting as to whether or not this, under code, constituted a structure. There were discussions at the Village level as to what this is, Marianne.

Village Attorney Stecich: Discussed it with the Building Inspector and we agreed that it was a structure, which is why it's before you for site plan review.

Chairperson Speranza: All right, well, Boardmembers.

Boardmember Hutson: As it's drawn here, does it meet all setback requirements?

Village Attorney Stecich: There's only a rear yard, so I'll double-check. It's in the CC?

Boardmember Hutson: Right. And I think one of the other questions was from the neighbors as to why it required additional height; in other words, to be on such an elevated platform. Now, I assume that the height of the platform remains the same? Is that correct? And the problem with it being lower to the ground so it is not quite such a formidable structure to the neighbor, that's impossible for what reason?

Zlata Pericic, Architect: I'm an architect, working with my friend. The reason why she cannot lower this is she needs to walk to the door and be able to go in. So it's to the level of the door. That's the only reason why she raised that, to go on the level with the doors.

Village Attorney Stecich: On the setback, there's no required front yard. Well, that's not relevant. A rear yard at least 20 feet deep at the ground floor and 20 feet above the ground floor. I don't think this is adjacent to a residence district, so then there's no side yard.

Boardmember Alligood: This information just doesn't show me that this structure or piece of equipment meets building code. I looked at it today: it's got a compressor, it's got some electrical that is already there so you can see it, and there's an apartment above the deli with

windows right above that piece of equipment. I'm very uncomfortable with approving something that I don't see the presentation that shows that it would meet the building code.

Chairperson Speranza: In terms of what? We know it meets the zoning requirements in terms of the area.

Boardmember Alligood: Yes, but in terms of the way it's constructed on those footings and the way that it has mechanical equipment right next to windows that are residences? I guess I'm saying where is the presentation that this actually meets building code

Village Attorney Stecich: You ordinarily wouldn't need that for site plan review, but the Building Inspector can't give it a building permit until it meets code. I have to assume, though, that there weren't electrical violations because the letter he sent out when he went out there...maybe there are, I don't know.

Boardmember Alligood: There's a violation on it. The whole thing is a violation.

Village Attorney Stecich: I know the whole thing's a violation. That's when he went out. He didn't also indicate that there were electrical problems. He did tell them they had to stop using it, which wasn't clear at the last meeting. But the Building Inspector had told them they had to stop using it because it wasn't legal. But before he would give a building permit for it he would have to make sure that it complies with the electric and all the other codes. But those aren't really part of site plan approval, so there wouldn't be a presentation on that.

Boardmember Dale: I seem to remember that the neighbor--I don't know if the neighbor is here today, perhaps she wants to testify first--but her complaint was more the accumulation of other objects around: garbage and bicycles and ladders and stuff. So as part of the site plan review I might suggest that there be some sort of screening to this object that could be done relatively simply which would make it at least visually acceptable to the rear neighbor and create a place where these things could be stored if they need to be there. I mean, that doesn't address where the Building Department approved the object itself, but I guess the process is you get site plan approval and then you get Building Department approval and then you build your buildings, or structure in this case. So I think with screening, assuming it meets code, it could be acceptable to the neighbor as well as an improvement to the site.

Boardmember Logan: I don't know whether there is an acoustic issue, but we should check into that; whether there are compressors that are going on and off all night long and whether those are adequately shielded from sound. I think there are requirements in the code for acoustic mitigations. So I think that ought to be checked. But I agree with Bruce that I think screening would go a long way to making this much more palatable from the neighbor's perspective, I would suspect.

Boardmember Hutson: I would agree with all these comments. I'm just wondering, Marianne, in regard to Bill's point on the noise, are we allowed in site plan review to address the question of impact on the neighborhoods even if it doesn't exceed the noise limitations as

far as decibels in the Village? It would seem to me we can have something to say about ensuring that it does not negatively impact...

Village Attorney Stecich: I would think that would certainly be within your site plan review authority.

Boardmember Hutson: Because I think that's part of her point. That where this is located and because there are so many, at least two, sleeping compartments close by there that it would be an important factor. Also, I'm just wondering in terms of the structure that is sitting. Was that reviewed by an architect, done by an architect? It looks somewhat sparse as far as the support there, but that's not for me to say.

Ms. Pericic: She did this vice versa. She's supposed to do first all this - build that, put that unit on, but whatever has happened we cannot file the Building Department drawings before she got approval from you. It's step-by-step. If there's any violation if she didn't apply that's going to be under the supervision of the Building Department, she's not going to be able to get a building permit if she didn't comply with the Building Department. So whatever, it's done structurally correct and she is going to file the drawings if she gets approval, whatever, need to be done from you.

Boardmember Hutson: I think you can file the drawings before you come to us. They told you no?

Ms. Alilovic: No. We have to get...

Boardmember Hutson: Is that the case, Marianne?

Chairperson Speranza: That's why we're struggling with this.

Ms. Pericic : This is not about the Building Department. This is preservation view.

Chairperson Speranza: Right, view preservation and site plan. Generally what happens is what the applicant has in mind to have happen on the property is what comes before us. So for instance, let's say that your client wanted to replace the wooden structure with a concrete structure and build a trellis or some sort of landscaping back there. That's what would come to us for us to approve, and then the Building Department could issue the building permit.

Ms. Alilovic: I spoke with the Building Inspector and he has the drawings and he checked the site, and he told me he's not going to go ahead with this before you approved.

Boardmember Hutson: I think what he means is that he won't go ahead with an approval. But in terms of us reviewing the plans...for example, are there footings to these legs .

Ms. Alilovic: Yes, he has the drawings showing the footings, and it's on the side.

Boardmember Hutson: Is this what the Building Inspector has? That's the extent of it?

Village Attorney Stecich: And he said that's okay.

Boardmember Hutson: That was adequate as far as he was concerned?

Village Attorney Stecich: Yes.

Boardmember Alligood: I think it sounds like we can approve something that actually won't be buildable because it doesn't meet code. Is that what I'm hearing you all say? Now, we can approve something in terms of how it's sited on the property. That's approved by us. But when they go and have this actually reviewed by the Building Inspector it may need to be changed.

Chairperson Speranza: That's why we don't proceed this way. First, the Building Inspector does the compliance review, and then we see it and approve the site work.

Boardmember Alligood: Yes, I met with him this morning. He does not feel for sure that this meets code.

Chairperson Speranza: Then this is how we're going to handle this.

Boardmember Alligood: Because I looked at the site.

Chairperson Speranza: This is another one. I don't want it to be one of those nights. Okay, you have to meet with the Building Inspector. I will speak with the Building Inspector tomorrow and make sure that there is a good understanding. I don't want something to come to us that has not had his approval, where the site plan would potentially be changed once we approve it because it's got to be constructed differently. Marianne?

Village Attorney Stecich: I was just going to say that what they haven't presented, and maybe they didn't have in mind, screening. But they heard from the Board tonight that they have to screen it. Well, there's no way you could even give it view preservation approval or any kind of approval if they're going to build something more there than what's on here. So they would have to come back to you with drawings that show what they're going to be building, whatever screening. So maybe the Board tells them that we want it screened, and we want it screened both visually and we want it screened to absorb the sound or whatever.

Boardmember Logan: I think we could quite simply describe screening, however. If you said that there was screening in the westernmost plane of the existing wood structure, not exceeding the height of the existing structure, that's basically it. We could very easily understand that on the site plan we'd understand the height of it. There wouldn't be any view preservation issues. I don't think this is an overly complex thing before us. I think this issue with the footings, that can all be addressed within the footprint that they described so I don't see any big repercussions from that. I think we may be in a position to recommend that this be screened and that it be suitably acoustically isolated in compliance with whatever building regulations there are.

Chairperson Speranza: Right, and that is something that should be done and should be included in a plan which then comes back to us for approval.

Boardmember Logan: That's not part of site plan, acoustic screening. Acoustic treatment could be.

Chairperson Speranza: Well, it could be, depending on how it's treated.

Boardmember Cameron: Some sort of insulated screen.

Chairperson Speranza: We will take no action on this tonight and work this through.

Ms. Alilovic: I have to close my door tomorrow. I can't afford that. I'm sorry, guys.

Chairperson Speranza: You have to come up to the mic. We don't have a plan that we can approve now.

Ms. Alilovic: Well, why not have the last time what you needed?

Chairperson Speranza: We will work this out tomorrow. There clearly is a disconnect. You're absolutely right, there is a disconnect and it's very unfortunate and I apologize that whatever happened, happened. But we will get to the bottom of this.

Ms. Alilovic: Okay.

2. Public Hearing. Subdivision and SEQRA. Application from Michael Foley for consideration of a three-lot single family residential subdivision. The property is referred to as Foley/Farragut Parkway Proposed Subdivision Sheet 43/ / Parcels 40, 41 and 41A. The Property includes 1.145 acres in the R-10 Zone to the west (rear) of 270 Farragut Ave. (aka Parkway). Access will be provided from Farragut Ave.

Chairperson Speranza: Next item on the agenda is the proposal for a subdivision on Farragut Avenue/Farragut Parkway. The applicant is Mr. Foley. We have SEQRA information. We do not have a revised plan, though, and I see Mr. Weinstein is here.

Edward Weinstein, architect: I am here. Madam Chairman, members of the Board, my name is Edward Weinstein. I'm the architect on this project. We have before you the same plan you saw, but what I've done is mark it up. I think there was some difficulty on the part of the Board understanding quite what it was because the drawing was kind of complex and had a lot of lines on it. What this shows you, what stands out is, the orange and green are the steep slopes. The green is the slopes that are greater than 25%, the orange is the slopes that are between 15- and 25%. Anything that's white is between zero and 15%. We have done the calculations, and the three sites after the deducts for the steep slopes as required in the code all have 10,000 square feet. The issues that have come up, and I guess were kind of exchanged in correspondence between myself and the Village Attorney...and I'll go through them quickly because I don't think they're major issues and I'd like to explain why.

First, to back up, for the Boardmembers who haven't seen this before, this is located adjacent to the gas station on Farragut Parkway/Avenue. It is a 49,000 square foot site that currently

has one home on it, and that's the home at the bottom of the page that is fronting on Farragut. The subdivision is creating three homes. Generally speaking, the density would be lower than density permitted in this zoning district, which requires 10,000 square foot lots. Hastings' zoning code sort of defines as a street any street, way, private road. This would be essentially a driveway. We've created it at a width of 22 feet. The New York State fire code requires a fire apparatus access road of a minimum of 20 feet. This road would comply in every respect with the New York State fire code. We've met with Mr. Drumm and confirmed that. Essentially what it means is, from a point 150 feet in on the road, if you draw a 300-foot radius, all of the structures had to be within that 300-foot radius if they're sprinklered. If they're not sprinklered it's 150, but under our code any new one-family home would have to be sprinklered. So these two new homes would be fully sprinklered.

Another issue that has come up is the width of the lot on lot number three. The code sort of assumes that everything lays out neatly in a 100 by 100 parcel in the R-10. As you know, if you applied that rule to all the R-10 homes in Hastings very few would probably comply. The requirement is a lot width of 100 feet. We have a lot width of about 60 feet, and it's primarily because of the unique geometry of this site. It's somewhat long and narrow going back behind Farragut Parkway. So what we're asking for is preliminary plat approval for a subdivision that would create two new homes that would be accessed via what is essentially a driveway and that would meet the fire code in every respect. Any questions?

Chairperson Speranza: We did receive the correspondence between you and our Village Attorney. At least from my viewpoint, that's all well and good. But I was surprised not to see a follow-up plan in our packet because there are a couple of specific things that we had requested, one of which--and which stuck first and foremost in my mind--was to be able to get a sense of the context of the proposed subdivision with the other features on Farragut Avenue. There was a question about the driveway and the relationship with the gas station.

Mr. Weinstein: I gave you a context drawing that shows our lot, which you can see is that long lot. The structure just to the left of it is the gas station. And then there's the commercial properties running, as you had, down Farragut Parkway. That's sort of the context plan. What you also have, if I could step away from that, this is a two-family zoning district to the south of our property. These homes have these narrow easements, so they're both flag lots. Those are two two-family homes located adjacent to the property. The Village Planner had asked us to take a look at whether it might be possible to work out some kind of easement to access our property through that driveway. The grade difference is such that that would be impossible to do. I think at one point the Village probably had a plan to create a street there, extend the street, but that never did happen.

Chairperson Speranza: Boardmembers, any other questions?

Boardmember Hutson: The 10,000 square feet per lot, is that including the driveway? The driveway is used as part of that calculation, or in addition?

Mr. Weinstein: It is not. In fact, in one way we could even use the driveway as part of those lots and just have easements. But the driveway is a separate parcel, it's not in the 10,000 square feet. As a separate parcel it would be, I guess, under a homeowner's association or jointly owned by the three property owners, or at least the two rear ones. The front, a home could access the street on Farragut.

Chairperson Speranza: We don't have that plan. We weren't given that plan.

Mr. Weinstein: Okay, I'm sorry.

Boardmember Alligood: I can't even see that, and I don't have it my packet.

Mr. Weinstein: Okay, well, I'd be happy to provide you with them.

Chairperson Speranza: We also had...and again, I'm just going through my notes because there was a question of the access from Farragut where--on the plans it was confusing as to where--the easements were. There was a utility easement shown on the drawings, and what about the tanks that were there, and how did that affect the entry.

Mr. Weinstein: Back to this drawing. There are no tanks. The parcel to the left on this drawing, that's the roadway. There are no tanks anywhere on this property. The tanks are on the gas station property. In fact, right now, if you're familiar with the site, there is a driveway that goes straight in. In other words, if you took that southerly boundary line, the driveway goes straight in. We have intentionally moved the driveway to the right to access this so that when the truck is there loading--you know, supplying gasoline to the gas station--it'll be totally off this property. That's the situation on that. That was taken into account.

Boardmember Hutson: What about the rear yard and the front yard requirements that Marianne mentioned in her correspondence with you? Those would not be code?

Mr. Weinstein: You know, the question was on parcel number 3, lot number 3. Because of its unique shape--and we do have an issue with lot width, it's only 60 feet, not 100 feet--the front yard, there's a full 30 feet to the narrowest..

Village Attorney Stecich: Oh, to the narrowest point?

Mr. Weinstein: Yes, the 30 feet runs this way. So there's a full front yard, not counting this. In other words, we're not using this to calculate the front yard. From the point where the lot gets wide enough, that's where we calculated the front yard. So it's from here to there. That's 30 feet, and the side yards are 12 feet, and the rear yard is over 100 feet.

Village Attorney Stecich: No, that doesn't work because the front yard, you have to calculate across the whole breadth. It has to go across the whole breadth of the lot, and it's got to be set 30 feet back. So it can't be 30 feet back at one point.

Mr. Weinstein: It is.

Boardmember Hutson: She's talking about the angle.

Village Attorney Stecich: Yes, that angle part. I'm not sure--and this I would have to have Deven measure because Deven is used to doing this--I think there could be an issue of whether it's 30 feet here from the edge. It is hard because it's an irregular lot. The code actually says that when you subdivide you're supposed to subdivide in sort of regularly-shaped parcels because this is hard. But this is an unusual piece of property. Anyway, I think that would be a measurement that the Building Department would have to make. They need some variances anyway, so if it doesn't meet the code they'd need a variance for that.

Mr. Weinstein: I did have a preliminary meeting with the Building Inspector this afternoon. That's not an issue that came up. But that particular structure could be--if that were an issue to have 30 feet to the perpendicular to that slanted line--we could still situate a house on that lot and comply with that particular dimension.

Boardmember Logan: Couldn't you just slide it all toward the back yard?

Mr. Weinstein: Exactly, yes.

Boardmember Hutson: So from your point of view, Ed, the only thing that does not meet code then, assuming we only require 22 feet for the roadway, is the lot width?

Mr. Weinstein: Lot width on lot 3. The other issues, I believe, are within the purview of the Planning Board to make a judgment.

Boardmember Hutson: Like what? What are the ones you want us to make a judgment on besides that?

Boardmember Cameron: The turnaround.

Boardmember Hutson: That's it?

Village Attorney Stecich: All the street requirements.

Boardmember Hutson: Right. The width I understand.

Village Attorney Stecich: Well, there's a whole list of street requirements, but the width is the main one.

Boardmember Hutson: And the turnaround is...

Village Attorney Stecich: And then the turnaround.

Boardmember Alligood: How long is the driveway, or street?

Mr. Weinstein: The driveway to parcel number 3 is about 300 feet. It'll all be finished in the same way. It's an interesting issue with the fire apparatus access lane. For one- and two-family homes it's technically not even required, which Deven and I couldn't understand why not, under the state code. But it's being provided. And I did discuss it with Jim Drumm and he was comfortable with that.

Village Attorney Stecich: And one other sort of waiver or whatever, approval, they need from the Planning Board is, because the lot has less than 70% of the street frontage, which would be 100 feet, they need Planning Board approval for that as well.

Chairperson Speranza: Right. We can waive that as opposed to having them go for a variance?

Village Attorney Stecich: Yes.

Chairperson Speranza: For the frontage requirement.

Village Attorney Stecich: Yes, that if you've got less than 70% of the required width, if you have less than that of street frontage, you need Planning Board approval. Not a variance, Planning Board approval.

Chairperson Speranza: Right. I'm looking at that. This is a public meeting. Are there any members of the public who wish to speak on the application?

Michael Foley, 270 Farragut Avenue: As you know, part of the property dimension is this spike that goes up into the woods. It's about 350 feet long, much over the length of the football field, but 53, 60 feet, 52 feet wide at various points. Since we're blessed with a 49,000 square foot property, of which 30,000 would be directly attributable to the lots, then the roadway and things like that are a deduction. There's still enough land to be able to donate to the park a chunk of that spear that goes into the park. On both sides of the spear are parkland now in the back part. In the front, there's a neighbor. So I would think that it would be in the interest of the Village to acquire additional adjacent land whenever that became possible, and it doesn't happen very often in Hastings.

Secondly, we need--I think you're probably saying we probably needed--12 feet or 8 feet or whatever number of feet variance, if that's the right word, for the second house to be built. It's also a vital concern to myself. I happen to really love the 1791 farmhouse that's not readily visible from the street, but is enormously authentic inside and very nicely appointed. So rather than tear down such a somewhat flimsy structure that's a couple of hundred years old, plus I'd like to keep that historic house intact...economics sometimes teaches you that you'd be better off tearing that down and putting some mansion type of apparatus, but that's not the intention.

Boardmember Hutson: Where is it located?

Chairperson Speranza: Where are you talking about?

Boardmember Dale: Where is it located?

Boardmember Hutson: The existing.

Mr. Weinstein: The existing house.

Boardmember Dale: The existing house on the bottom of it?

Mr. Foley: I'm sorry, the existing house that is right next to another house is right here.

Boardmember Dale: So the existing house that you pointed to is from the 1700s?

Mr. Foley: 1791, we think. And it's turned sideways because it was a cow path before Farragut existed. So it's nice that way. But a few hundred square feet of additional parkland would be created by drawing a line somewhat in the middle or towards the back point.

Mr. Weinstein: It really doesn't show on this map. This 9,000 square foot parcel, we're sure that it doesn't play into the three developable parcels because it's so narrow back there that we couldn't access them.

Boardmember Hutson: Ed, could I ask one question? If a turnaround were to be required, that would mess up the square footage for the lot? Is that the issue as to why...

Mr. Weinstein: No, we could probably still get by with the square footage, but by pushing it back it just would be so awkward to have a large cul-de-sac that would probably have to be about 60 feet wide. It would almost take up the entire width of this parcel, and it's not necessary. The fire department doesn't require it, and that would be the major reason for having it, so it's not a safety issue. It would only create more of a drainage issue and more asphalt, which we're not looking to do. We're looking to sort of minimize that.

Mr. Foley: We're trying to keep as much green area as possible. We could blacktop the whole thing ... but you'll proactively have a soccer field, a good one, as many of you have gone back to inspect. We'd like to keep that yard available for green and, hopefully, compatible for the neighbors to cooperate there and make that space usable and green.

Boardmember Cameron: I guess one question I have on the Pulver's Woods and the addition to Pulver's Woods, would you be planning to let people use your so-called private road as access to Pulver's Woods up there? Because one of the weaknesses of Pulver's Woods at the present time is it's very hard to get to, as you well know.

Mr. Foley: There are two or three of us that practically landlock the park. And while the public has access from all of those people, it still is not the kind of configuration you would normally find for a park. I would be in favor of having an access from Farragut, a virtual walkway of some sort, that could allow people access from the other side of Farragut, up Farragut, to get to the park by coming down towards 270. In other words, the answer's yes.

Chairperson Speranza: Yes, I think that was mentioned at the last meeting.

Boardmember Dale: If a fire truck were to have to go up that road, the only way out would be to back out the 300 feet?

Mr. Weinstein: No. Probably the fire truck would pull in about 150 feet and would just pull hose the rest of the way. But yes, they would have to back out.

Chairperson Speranza: Or turn around over the green. I mean, it's a fire truck.

Boardmember Dale: Well, you do see that's the other street that ends. It's a driveway and it is a fairly steep slope down. But it seems very logical that that would be the proper access, a much more logical solution.

Boardmember Hutson: Are all of the neighboring structures on that one drawing, Ed?

Mr. Weinstein: You want to see the...

Boardmember Hutson: The neighboring properties, the proximity of the structures.

Mr. Weinstein: Yes, this drawing shows all of the neighboring parcels and the structures on them, or at least as it was shown on the Village's tax map. It may not have accessory structures, detached garages and the like, but the primary structures are on there.

Chairperson Speranza: Okay, anyone else in the audience wish to speak about this? Yes, sir. My Hayden, I don't want to cut you off. We have the lengthy comments you had at the last meeting, which was very prudent of you. It was a good presentation.

Andy Hayden, 246 Farragut Avenue: Thank you.

Chairperson Speranza: They've not all been addressed, I realized.

Mr. Hayden: That's fine.

Chairperson Speranza: But they are among some of the things at least that I know that I'm concerned with ... [so] you don't have to go through them all again.

Mr. Hayden: I'm sitting here after a double hernia operation. I'm not going to go through them all, believe me. I'm barely standing. I'll save you that ... and I know everything wasn't addressed tonight. I took some notes while I was here. All I want to express is the power of the media, Jen. I guess my neighbor went around and many people saw this on television. But there's 23 people in opposition now, and I see they're all not in this room, tonight. Let it be known that there are other people in opposition. One thing that I picked up on that [someone] said was the evenly-divided lots. Most of the time we try to divide properties into perfect lots. It's funny you said that because I was going to say, it seems like if you're going to award variances or you're going to allow something to change--I remember one time ... in my old neighborhood, in my old house, somebody wanted to build a house on it. In fact, you counseled me on it. It was like 1 square foot they were missing. I understand things like that. You know, the rules are made for a reason, and there are reasons they can be changed. This is a drastic change. This is not the 1 square foot

And that leads me to my next thing: how it looks. Remember, I think I started my last time with, if you have property and you don't want anything to be built on it, buy it if you don't want to build on it. But I've been looking at it now, monitoring it for a little while. I looked at just aesthetically how it would look. I took the time now to walk through the property again with my neighbor, who seemed to have lived there since he was a kid and grew up in that house and knows it very well. Actually, these charts, I'll get to those in a minute. But

when you're actually standing on the property you kind of see how are you going to squeeze this all in. That's what it looks like to me. You're trying to change not only the property so you can put houses into it, but change the neighborhood drastically. I think I said it last time, it reminds me of like a Queens neighborhood: let's stuff it in any way we can. It is about the buck, it is about the dollar. You can talk about that 200-year-old house all you want, Mr. Foley, and I'm not being malicious in saying this, but it is about the dollar. You're building houses because of the dollar. That's fine, you should make money. It's capitalistic ways. But nonetheless, you're doing it now, I think, at the cost of anybody else, and it's going to last a long time for the money that you make on it. I do believe there are other avenues ... I think you know what they are, and I think it involves that house you're talking about not wanting to tear down. Not that I'm asking you to, but I think it should be mentioned.

Again, looking at the property, I looked and I'm standing in one spot. Teddy's pointing it out to me--Chaiko, my neighbor--and he's saying, "Look, Andy. Here's the house, from here to here. This is what they're going to put the house on." I think when you look at it off the chart and in reality you say, "Wow, they're going to put a house right here? This is where it's going to sit?" This is why I kind of have to not laugh, but this is the second time you've brought it up now with this giving back the Pulver's Woods thing. That's a nice thing to talk to the Village and say, "I want to give back. I'm going to give you back part of this property, and it's going to look nice," you know, just because you give back whatever the property looks at. Because when you go up there and you see how much property it is, again, it's from here to here. It's no wonder you can't build a house on it. His little orange flags are up there now so you get kind of a little view of it. That's not giving anything to Pulver's Woods. The Village isn't gaining anything because they've gotten a little more property. If anything, they've lost. It's not a very aesthetic park now because you've stuffed in these houses any way you could, with minimal setbacks and minimal side yards and so forth. So I don't feel like that piece of property that you're offering to the Village...and truthfully, if you feel that way, then give the whole thing to the Village. If you really feel that ... all that greenspace is necessary, then don't build on it. Let's be real. I like to talk plainly and without pushing anything aside. There's a motive here and you know what it is, and I have no problem with that. But please, I have the microphone now. I know ... I'm not being as soft-spoken as I'd like to be. But I'm being poignant and am trying to be respectful, but I'm also trying to get the point across, and the objectives. That solves my feeling on the greenspace issue, of the giving of the greenspace.

As for the Farragut Avenue access, I don't know where you fit a fire truck, I don't know what the minimal is. I leave that up to the experts, you guys. But I can tell you right now, I've been monitoring that, too. I talked about school buses before, I talked about the children walking there. I know Bobby Fromm next door to me. His kid's going to be going to school next year. It's only increasing now how many students are in the school. There's no way in the world you're going to tell me that's going to be safe by putting a roadway up into that

Farragut Avenue. I mentioned maids and everything last time, coming up there. The bottom line is. I watched an oil truck...and I don't know how far you're going to put that driveway. Maybe you want to put it through my property. But there's no way you're going to set it back far enough with that oil truck where it's not going to block anything. Come some morning, that oil truck's going to make a delivery--because either he's running late, or a different time--and somebody's coming out of the driveway because they want to go to work on the Saw Mill Parkway or get down to the train station, and it's going to be a disaster. I don't want to see that happen. And I know about disasters and I've been here long enough in my career to know that it can happen. It's not a matter of it can't.

As for the charts, I would ask for better charts. Maybe these are what you guys use for your charts. Maybe they're explainable to you. But I took notes on that. The highlighters were nice and all, and it doesn't tell me anything. These exploded views are not very big. And this chart apparently wasn't available to you, which means it wasn't available to us.

I'm going to leave you with two things. Again, I'm going to direct this at your architect. You know, last time I walked out of here I was very open to any discussion. I wasn't even necessarily opposed to the property or anything about it. I just found out about it, and property is not really my forte. But I obviously expressed vocal interest and, apparently, it caught the attention of the architect. I'll work with you. You give me a phone call, I asked you guys. Come over for tea, I'll be more than happy to look at the property with you. Well, I was just saying to the architect, "You grabbed me out here the last time at the meeting about this." And you said, "Can I have your phone number? I want to call you." I'm still waiting on that call. If you would have sat down I would have gladly sat down with you. You could have showed me this and I would have explained to you any concerns that I had, and maybe we could have walked up to the property together. You never gave me a phone call. And I didn't solicit you to call me. You solicited me. At least I thought so, that's the impression I got. I mean, you took my phone number. So I never got that either.

Chairperson Speranza: Mr. Hayden, you've got to talk to *us*.

Mr. Hayden: Okay, I'm sorry. Well, I'm trying to be respectful because I'm talking about the gentleman in back of me.

Chairperson Speranza: Okay.

Mr. Hayden: So I would have appreciated a phone call. Maybe that would have been helpful tonight. Instead, all I saw was a chart that I'm trying to read from the back of the room, with highlights and minimal explanations. I'm not going to be redundant because I told you I wouldn't be. You know the concerns.

I told you there were two things. Lastly, I think I'm just going to ask you to please...I know one of you at least has come out and looked at the property. I don't know that anybody else has, or if you have. But sometimes seeing is really believing, and I think that's what this

needs here is a look at the property in and of itself as the property. You know, you have a topography map, whatever. Anything's not going to do it: you got to look at it and I think you get a better view of it. And then if you make a decision and you decide, I'll feel better, too, that hey, look, you know, you made your best decision and it's a professional decision. Right now, with all we have, I don't think we're going there. So thank you, all right? Get home safe. And I'll go sit back down.

Chairperson Speranza: Feel better. Does anyone else want to speak? Yes, Mr. Foley.

Mr. Foley: No one has seen what the proposed houses would look like, as the architect has seen the brickwork or whatever we choose. I invite you to contact him. If you'd like to see the architectural plans these will be million-dollar homes, in our opinion. They would add to the neighborhood, they would enhance the neighborhood without being ugly structures.

Chairperson Speranza: Okay, thank you.

Mr. Weinstein: I would just like to address two of the technical things that Mr. Hayden mentioned. One, he mentioned the density. That we were squeezing homes onto the site. The fact is, as I mentioned previously, it's a 49,000 square foot lot and we're having three homes. So it's three-fifths of the density that the zoning contemplated. And the second issue, he questioned the access for emergency vehicles. As I said, we've sat down with the fire inspector and we meet the state fire prevention and building code. So on technical matters, we're confident that we meet the code.

Chairperson Speranza: Thank you.

Boardmember Dale: My biggest objection is that we weren't provided with adequate information to look at and study prior to the meeting, that we didn't have the plans that are being presented or we didn't have what we asked for.

Boardmember Logan: I'm generally sympathetic to this. I think Hastings is a Village with a lot of irregular lots and topography and overlays of history, so I think that ought to be taken into consideration given the awkwardness of the site. I would recommend approval of this.

Boardmember Wertz: I think I'd like to see the drawing better, study it a little more.

Boardmember Alligood: I don't have the information that we asked for last time.

Boardmember Cameron: I visited the site, and I think many of us did. I would like to see better drawings as well, particularly that one there if we could, to get a better feel for it. Just one very minor question is, can you tell me the difference in the floor height of the lot 2 building and the existing one on lot 1. You've given us before the other two. Because it drops between one and the other a bit, and I was just curious what it was.

Mr. Weinstein: If you look at the grading plan, the finished floor on lot 2 is shown as 98; the finished floor on lot 3 is shown as 114. And that has to do with the slope.

Boardmember Cameron: Compared to house 1.

Mr. Weinstein: House 1, that's an existing. I don't know if we have that.

Boardmember Cameron: I'm just curious what the drop is between that and see where it's going.

Mr. Weinstein: I'll have that information for you. I don't have it right now.

Boardmember Alligood: I have a procedural question for you, Marianne. At what point in the process do we go over the EIS.

Chairperson Speranza: You mean the Environmental Assessment Form.

Boardmember Alligood: I'm sorry, not the EIS.

Chairperson Speranza: We could do it, but I'm not comfortable doing that this evening because I do want to get the additional information. What I suggest is that you get the minutes from the meeting in February. Was it February, do you think? Get those minutes and go through because there were a number of specific things that we wanted. The site plan with context, very specific information. And this is fine but, again, we didn't see any of it so it's a problem for us.

Boardmember Cameron: I just have one other curiosity. What is the purpose of the Pinocchio nose on the front of this piece of lot 3?

Mr. Weinstein: It's a bit of I guess what you would call gerrymandering in order to achieve the 70 foot of frontage on that right-of-way. As a practical matter, because this will function as a driveway, you won't see that. Someone will be coming up a driveway. But that parcel that is to the left is the driveway, probably in the only way we could achieve the 70-foot frontage.

Village Attorney Stecich: Oh, that's part of the lot?

Mr. Weinstein: Pinocchio nose, yes.

Village Attorney Stecich: Oh, I thought that was the driveway.

Boardmember Cameron: This long piece here.

Mr. Weinstein: This is part of this parcel. This curve is to achieve a 70-foot frontage.

Chairperson Speranza: Okay, so just one other thing I would like to get clarification on. This is a driveway, you've proposed it as a driveway. As we know from other instances, our code does not have a definition of the term "driveway."

Boardmember Cameron: Street.

Village Attorney Stecich: It's a private street.

Chairperson Speranza: Right, a private road, private street. That's fine. Marianne, in your memo to us you mentioned that that's something that goes on the official map. Is that a change that the Board of Trustees has to make to include it on the official map?

Village Attorney Stecich: No, once a subdivision is approved it goes to the county, it's filed with the county. And then presumably the county communicates it to the Town of Greenburgh. Actually, it's the Town of Greenburgh that does the map.

Chairperson Speranza: The official map of the Village?

Village Attorney Stecich: That does the tax map, yes. That's what I had. The Town assessors makes the official.

Chairperson Speranza: No, I was surprised that it's not something that the Village itself does.

Village Attorney Stecich: No, not if it's a private street. See, you're thinking if it were a public street. Then they would have to get involved.

I wanted to ask one other question. To do this, there would be variances required. Now, they could be handled one of two ways. They could go to the Zoning Board to see whether the Zoning Board would give them the variances, or the subdivision approval could be granted conditional on their getting the variances. The latter may make more sense; so they don't get the variances, they don't have the subdivision. But I just wanted you to realize there were two ways you could move forward on this.

Chairperson Speranza: It seems to me that a lot of the waivers of some of the roadway requirements are in our purview, therefore we should be the first board that approves it. And then it goes to the ZBA.

Village Attorney Stecich: And one of the conditions of approval would be that they need to get the variances.

Boardmember Hutson: One thing I'm wondering about, Marianne. How will we get clarification on a couple of these just in terms of configuration as it impacts front yard setbacks as well as the thing that we were most recently talking about with the 70-foot nose?

Chairperson Speranza: Well, I think we need zoning compliance.

Village Attorney Stecich: Yes, actually I've been suggesting all along that they...

Mr. Weinstein: I also made a formal drawing with the zoning analysis to the Building Inspector, and he can comment on that.

Village Attorney Stecich: But I would say that you're not going to find a section in the zoning code that the Building Inspector could apply that says you can't have a lot shaped like that, like a jigsaw puzzle piece.

Boardmember Hutson: Well, it's not so much the shape that I'm concerned about.

Village Attorney Stecich: But that would be something you would determine whether you give the subdivision because part of your subdivision approval would be to look at the lots to see that the lots make sense. So I'm just saying that that particular issue is not something that the Building Inspector would probably have anything to say about.

Boardmember Hutson: So it's common sense as to how much front it takes to make frontage.

Boardmember Dale: Well, how deep that front has to be.

Boardmember Hutson: That's what I mean. Do you have to be able to at least walk on it?

Village Attorney Stecich: This issue has never come up. This is very creative and it will have to be dealt with creatively, and I promise I'll talk to Deven about it.

Chairperson Speranza: If that's the frontage, the front yard's got to be the entire way, the entire front yard.

Boardmember Cameron: Is the 70 feet you've done using the curve?

Mr. Weinstein: Yes.

Boardmember Cameron: So if you drew a straight line across that it wouldn't be 70 feet.

Mr. Weinstein: It would not.

Boardmember Cameron: So at some point someone's going to come up with a frontage plan that goes like this, and they get 150 feet out of it if we measure all the way down the curve and back up again.

Chairperson Speranza: Okay, so I think we're as far as we can go on this tonight.

Ted Chaiko, 250 Farragut Avenue: There are a couple of questions. The architect has mentioned that the width of the property is 60 feet. If you look on the survey of the map it's 51 feet. There's 9 feet added to it, to his verbal explanation. I don't see 60 feet. I see 51 feet there on the drawing.

Then as far as where it makes the Z there, where the house would be, there's an underground stream, which not many people know maybe in town, that goes out. It goes down underneath Prince Street and it come up eventually above grade in a moat on the north of High Street, and it flows into the creek into the Saw Mill.

Now, you disturb the water table, you start building there. There has been years ago, when Mr. Mills used to own the house next to 256 Farragut Avenue, they had an above-ground pool. The ground is collapsed after they built the houses on Green Street, which Mr. Foley's father built back there. What happened is there's water tables there. I have water sitting right now in my back yard which I've never had before. We had a tremendous amount of

water. But you start disturbing the water table as far as with building structures, as far as below grade or above me, north of me, you're going to have to put something more than drywells in. There's a tremendous amount of water. I have a well sitting on my property. My neighbor has two wells sitting on top of their property which are fed by underground streams. Where he intends to put that house there's an underground stream right underneath that house, right at that Z which is right in this area here. Right in here there's an underground stream that flows, and it's actually in a pipe behind the gas station. If you dig down--I can point it out to you--where are you going to lay out pipe, which is 3 feet there? It comes out on Main Street in between two houses. You can see it coming out of the pipe, and then it goes down. You can see it underneath the street, which comes flowing across those properties. When we were kids we used to play behind the gas station. Those were empty lots. The dead end part of Rose Street, those houses were not built. There's issues there that if you start putting up more houses there you're going to disturb the water table. Again up here, this strip, this piece of land here, comes straight down to Farragut. It's 51.28 feet, not 60 feet. You estimate you can do 50 feet. You don't estimate up by rounding off.

Those are some of the issues. He's got a patio here on this. This is between the patio here visually. You go out there and take a look at it. One of your Boardmembers was out there. They saw it, and we also looked at it. I see where you're encroaching, and it becomes what Andy Hayden said like a Queens neighborhood. Instead of having greenery, you go back there and there's woods back there. It's nature back there, Pulver's Woods there. You start building back there you're going to take the right-of-way from Pulver's Woods. That's why I'm not building on my property. I have the same amount of acreage as he has, if not more. I don't plan to build back there. I love nature. You can make millions, whatever it is. Andy mentioned it's all about money.

Chairperson Speranza: Thank you. I was just looking through the environmental. If in fact there is a stream, could that be noted somewhere in the environmental?

Mr. Weinstein: If there is a subsurface stream it's not something we are aware of.

Chairperson Speranza: Okay, if you could take a look. I see in the environmental that the depth of water table is greater than 6 feet. Just take a look and see if there's anything that's got to be changed.

Mr. Weinstein: Also, I'd like to just clarify for Mr. Chaiko, when I was talking about the lot width I was not talking about the dimension of the lot at the rear, which is 51 feet. I was talking about the lot width as you would measure in accordance with the zoning code.

Village Attorney Stecich: Our code has a long list of items that have to be included on the preliminary plat. Like they're showing trees ... Are there drawings submitted with that? I was just looking because I thought we only had so much here. Look at the subdivision.

Chairperson Speranza: I would say I think we need to get a little further along.

Village Attorney Stecich: So this is for your preliminary plat application.

Chairperson Speranza: Okay, I understand that. But I think there is more before we have them start to develop landscaping plans. That's my feeling.

Mr. Weinstein: Existing trees.

Village Attorney Stecich: No, no, no. It identifies some of the things you just asked for. It says the location of all structures and pertinent features, including water bodies, water courses, wetlands, rock outcroppings. We don't have that. And it also says that you're supposed to submit preliminary construction plans if you've got construction plans. I thought maybe there weren't any, but they referred the neighbors to the plans to see what they look like. I think somebody'd have to go make sure that we have all the information. I'm not talking about a landscaping plan.

Boardmember Hutson: The Building Department. Make that part of your discussion tomorrow maybe.

Chairperson Speranza: I neglected to mention ... the last time we talked about it ... that there was correspondence dated February 14th from Cynthia Alligood at 239 Farragut Avenue about the subdivision, who was concerned, and as strong as to say opposed to, the subdivision for the following reasons. It says adding to traffic. Again, the neighboring uses, the stores and the gas station and, again, related to traffic. The underground gasoline tanks being filled from large trucks which create changes in the traffic pattern. Parking on both sides of Farragut will increase because current off-street parking would no longer be available. Again, this is one of the things that I can certainly provide a copy of. Anything else on this application tonight? I want to leave the public hearing open because I think it is important that people be able to see additional information and comment on that. Thank you.

3. **Saw Mill River Road (Route 9A) at Holly Place. Petition to Rezone properties fronting on Saw Mill River Road from 2-R (2 Family Residence) to MR-O (Multiple Residence–Office) and text amendment to allow Self-Storage with State Road Access and other conditions in the MR-O zone. Prepare recommendation to Board of Trustees.**

Chairperson Speranza: The next item on our agenda is the proposed rezoning of property on Route 9-A and Holly Place, Saw Mill River Road, the Tarricone property. Our Boardmember Alligood will recuse herself from this application.

Boardmember Alligood: Do I need to state why?

Chairperson Speranza: [No.] Mr. Hutson, you wanted to request ...

Boardmember Hutson: I just wanted to ask the Board, I have a concern in terms of the use of our rezoning to address this request, really, and the appropriateness of rezoning for this

size parcel. I just wondered if it wouldn't be helpful to get advice of counsel on this before we go into talking about the details that the applicant is going to present.

Chairperson Speranza: Do we need a motion?

Village Attorney Stecich: Yes.

Chairperson Speranza: We're going to take a 5-minute session for advice of counsel.

[RECESS MEETING AT (9:30 PM)] [BACK IN SESSION AT (9:40 PM)]

Chairperson Speranza: We're back to order now. Thank you. Mr. Davis, you wanted to speak first?

Robert Davis, Attorney - Shamberg Marwell Davis & Hollis: I'm an attorney for two of the four petitioners. With me tonight are Anthony Tarricone and his architect, Joseph Cirocco. I will be brief. We last met with you on the 15th of March. We made a full presentation at that time with the changes we had made in the proposed amendments. You have a copy of that presentation. Just in sum, the petition, as you know, is now limited to the four properties bordering on Route 9-A. I believe there are 55,000 square feet in total. The request for a rezoning has been changed from MR-C to a more restrictive MR-O. The requested text change has been modified to make self-storage a special permit use, with more restrictions. And as we explained in depth last time, we feel we've now substantially addressed the comments which you raised in December.

Since the December report, as you know, there have been two recommendations in favor by the county planning board. Also since the December report there has been extensive community support for the amendments, including at the two Village Board public hearings last time at your March 15th meeting. Tonight, as everything has largely been said, we've asked people not to inconvenience themselves to come out. We have noted that the owners of all of the properties adjoining the one particular property, the self-storage use, and everyone directly across the street both in Hastings and in Greenburgh have signed a petition in support. Since the March 15th meeting Mr. Tarricone did send two letters to the neighbors soliciting any comments or suggestions they might have along the topics the Board was discussing at the last meeting, but no response was received.

At the March 15th session you asked us to prepare a conceptual plan showing the potential development of the properties in question and, in particular, a concept for the north corner of Holly and 9-A where the proposed new self-storage building would go, which would provide a more attractive gateway, including by possibly moving the building further to the north to provide a greater setback from Holly and more open greenspace on that corner.

We've done that, and that's primarily what we'll be showing you tonight and discussing, and asking for your recommendation to the Village Board, with the understanding that your board is the final arbiter of any site plan that may arise ultimately on this property anyway. Tonight we're basically exploring some conceptual possibilities with you with the hope that

you might feel more comfortable with the rezoning, and with the understanding that ultimately you will fine-tune anything that goes on there.

We're also suggesting your recommendation of two relatively minor modifications of the proposed self-storage permit requirements. As one of the members suggested last time, the reference to the 150-foot limitation from the state road is no longer relevant because of the properties that were omitted now from the petition. Also, to accommodate comments that were made last time, with respect to the setback requirements we would suggest adding a provision that allows a zero setback; in other words, allowing building to the lot line between two lots that have the same self-storage use as will occur here. That will enable us to move the building further from the corner, and it'll also resolve potential difficulties with construction financing regarding the construction that's now on the site and normally new construction financing we would have to get for a new building.

So those are basically the comments I wanted to make. We want to emphasize the plan tonight, and we'll show you some color renderings that we have that you haven't seen yet. You've seen some of these. I'd like to turn the floor over to Mr. Tarricone and Mr. Cirocco.

Anthony Tarricone, 15 Holly Place: I'd like to first thank my neighbors again and the Board for considering this plan. The other petitioners had family obligations and therefore could not attend the meeting. One is at a wake, and the other is viewing college campuses for his son. In the interest of time, and the fact that we've made a full presentation to this board, I would like to just summarize what we're talking about.

Last week, we did show you, I think, in excess of 12 zones that were smaller than the zone we're proposing. I didn't bring that chart because we presented it last time, but I'd be happy to share that again with you.

Chairperson Speranza: What is this we're getting now? Where did this come from?

Mr. Davis: That's not really necessary to look at tonight. All it is, is I made a copy of my own presentation. Anthony made a copy of his so you'll have it. What we did, there was simply one error that's relatively inconsequential on the zoning charts on your plans so I wouldn't get bogged down in looking at them. It's nothing to be concerned with tonight.

Chairperson Speranza: These?

Mr. Davis: Yes, don't worry about those at all. Those are just a copy of what you see on the plans there. There was simply one mis-reference to the required setback in one of the districts, that's all.

Chairperson Speranza: Okay, go ahead.

Mr. Tarricone: There are a total of four properties now applying for the MR-O zone designation, all of which are situated with frontage on Saw Mill River Road. Two of these properties are already commercial uses: the Nextel dealership and the existing self-storage.

These properties will have no physical change whatsoever. Therefore, what we're here to discuss is the removal of one home which is replaced by another home along Saw Mill River Road, further screening 9-A/Saw Mill River Road from the residential neighborhood; and the addition of a self-storage building residentially designed and screened.

During our last presentation the Board asked if we could present various options for the placement of the new self-storage building allowing for additional greenspace. To that extent, we've hired Joseph Cirocco, architect, to complete various streetscapes as it would apply to the MR-O zone. These conceptual plans have been presented previously to the Board, and Mr. Cirocco will be walking you through the various options.

In closing, we've done everything possible to meet the needs of the Village and the neighborhood while balancing a viable project. We have maintained open lines of communication with the neighbors, and asked for their feedback. We are pleased that all the neighbors that are adjacent to, and directly across the street from, the proposed self-storage building have signed a petition in support of the project. There have been over a hundred Village residents who have signed a petition and voiced their support for the project. We're pleased that Westchester County Planning has twice endorsed the proposal. Lastly but most importantly, we are confident that we have addressed the concerns of the various boards and the residents, and this is a good decision for Hastings. We appreciate the opportunity to present this proposal and respectfully request a favorable recommendation. Thank you.

Mr. Tarricone: You've received smaller versions of these plans. Then we'll show a potential rendering of the building that was completed today ... which you have not seen.

Joseph Cirocco, Architect: Good evening. I'd like to go to the boards... I have given the lots numbers for just clarity's sake. They don't relate to any tax ID. We had done a number of studies over the last month, and we've narrowed it down to what we feel are our two best scenarios, which we've entitled S-1 and S-2. What Mr. Tarricone first referenced in his proposal was removing one residence which presently exists on lot 4. The possible reconstruction of a residence would be on what we call lot 1. This would be accessed off Edison Avenue through an easement, hence no further curb cuts on Saw Mill River Road. It's a modest dwelling. It would comply with the minimum new lot size as proposed in the zoning amendment. Lot 2 would be what is the existing residence, and this parcel would have a conforming lot because, I believe, that's a two-family of 5,000 square feet. Lot 3, which is to the rear, we had proposed accessing their parking area through the same easement, hence creating considerable additional greenspace on this corner of Holly and Edison by removing what is now a parking area. Again, these are conceptual. We really don't have control down the road.

Lot 4 is our primary development area which we do have concern of. In our S-1 scenario, in order to create the largest greenspace on Holly and establish a 50% coverage, which the zone change permits, we would go to what we call a zero lot line setback by pushing the new

storage facility against, and attaching to, lot 5, which is the existing self-storage area. This would permit approximately a 30-foot width and, in some cases, 35 feet of greenspace which could be considerably landscaped and would screen what we feel is an aesthetically pleasing structure which we feel, because of mass and materials, would blend in to the neighborhood. Lot 6, which has been referred to as the Birelli property -- again this is just a conceptual, given the setbacks and the coverage--we show an office structure with parking under.

Going to the S-2 scenario, everything is identical to S-1 with the exception of our proposal on lot 4, where lot 4 would then have a storage facility. But it would have the required setbacks, at this time, of 8 feet, 15 on all the other sides. It would be a stand-alone facility. It would accomplish the 50% coverage, but does not allow us to have as big a greenspace fronting on Holly. The one thing I did not mention in both scenarios, we'd be accessing both lot 4 and 5 off of Saw Mill River Road. All deliveries, pickups, and other access would only be off of Saw Mill River Road. There would be no access off of Holly in either scenario. Both cases would share a common parking and loading area.

What we had prepared also in conjunction with the site plans is a series of streetscapes, which was also in your package. The top line, which goes across two boards because of the length of it, is kind of the existing condition. There's nothing present here. This is an existing dwelling. This is the existing house that would be demolished, the facility, and what I guess is known as the Birelli property. In proposal S-1 we'd have a new dwelling here, the existing house, the new storage facility, which is attached to the existing facility, and the possibility for an additional office structure north in the rezoned area. In the S-2 scenario, which is the final, or third, row of streetscapes, this is identical in both scenarios. Here you can see now there's a break between the buildings, which causes the storage structure to be close to Holly Place. Even though it leaves a void here, I think it's inconsequential to the entire overall view of the development. Again, this is the same. The last line on this board, which I'll move here at this point, shows the streetscape on Holly which depicts sort of a residential clapboard structure with double-hung windows and a mansard roof. This would be a residential siding-type material with an asphalt shingle roof, which we feel is in keeping with the residential character. It could be heavily screened with trees and landscaping. These are the additional buildings, at least three properties down on Holly, to give you a feel for the character. In the background is the existing storage facility which presently exists.

We have taken the liberty to prepare a color perspective rendition to give you a feel for the materials and the colors which we think might be helpful in understanding what we may be proposing in the future. None of this is cast in stone, as you're well aware. If this was to go forward, and hopefully it will, we will gladly work with the powers at hand to refine this proposal and make it a win-win situation for both the Village and the client.

Mr. Tarricone: We also decreased the screening so that you could see the building. But if we had put all the screening in that we could fit you wouldn't be able to see any building. Be aware that we can make that a much more effective screening as well.

Mr. Cirocco: Yes, this could be a much more luscious, lavish greenspace. But for the purpose of the rendering I had the renderer trim it back so that you could see something that resembled a building. This is the 30-foot setback. I'd be glad to answer any questions.

Boardmember Cameron: Yes, I guess I have a couple questions. You look at option 2, it and the other one had a footprint which was 7,602 square feet. And now, while moving the building over, we now have additional footprint, bringing us to 8,151, or another almost 550 square feet of footprint. I think when we sort of suggested maybe this would be an interesting idea we had sort of thought one of the things you might be thinking about, because the building is so massive, is moving that building you had before just laterally over 21 feet, giving us 36 feet of side view onto Holly Place. But instead of that, you've increased the footprint by 540 feet and you only give us 30 feet on a side. I'm sort of curious. I don't think my thought last meeting was that you were going to come back with a bigger footprint than you had before, and lo and behold you have. I'm sort of curious about what your thought pattern was in doing that.

Mr. Davis: I'll let Mr. Cirocco and Mr. Tarricone speak to that. But one of the things we were trying to accomplish--and again, there are so many permutations that we've taken a look at, and mainly we want your comments. We're not suggesting that any of these be etched in stone. But in general terms, what we were trying to do in moving it back off of Holly would be to pick up some of the extra space in between the two buildings. We also have a plan, we probably have it with us, that is sort of a compromise between the two and moves the building over to the lot line without connecting the two buildings. You know, Mr. Tarricone can speak as to what the economical square footage is. I'd like him to do that in depth.

Boardmember Cameron: I assumed last time the economic square foot is what you put before us. When we were aghast by the size of the building, at least some of us were, you've now come back with actually a structure with a bigger footprint. I'm just sort of curious about the psychology behind that.

Mr. Tarricone: Obviously, this project has to have an economic return, and every time it gets tweaked it changes. So we're trying to get what we can and still be in keeping with what the Village would like to see. This space that you're talking about actually falls onto this lot, so it's a little bit tricky with the financing. And I know that's not your concern, but that's the reason for it.

Boardmember Cameron: I assume that what you put before us previously is what you wanted, with something which was economical and worked, and worked for you, and made a profit for you. Otherwise you wouldn't have done it. Instead of that, what you've done is you've put before us a bigger footprint than last time.

You even now have one common wall and probably easier administration because you can all do it in one building. So the two together is actually an advantage to you. Yet you've

come back to us with a building with a bigger footprint, even though I assume the last one made economic sense otherwise you wouldn't have proposed it.

Mr. Tarricone: I don't believe it's a bigger footprint. I believe that this is the same footprint in square footage as the other one.

Boardmember Cameron: Well, that's what the diagram says. You can ask your architect to address that.

Mr. Tarricone: Wasn't it 7,500 square feet? It's always been 50% of the lot size.

Mr. Cirocco: I wasn't part of the prior meeting.

Mr. Davis: Actually, the lot coverage is less than 50% on both lots.

Boardmember Cameron: I'm talking about taking option 1, which has a 7,602 square foot footprint with no change to the original building, and option 2, which has two pieces of footprint, as I read the thing, one of 7,088 feet and another of 1,063 feet, which gives you 8,151 square feet. It's another 548 square feet over what you proposed in the other option.

Mr. Tarricone: Yes, that's true. See, our consideration was, again, we would say that that would be something that the Board would recommend for or against and would cover in site plan. But one of our feelings was, and you'll tell us differently, we felt that the Board was concerned more with the mass on the corner and was not concerned with the space between the two buildings. We had talked, for example, of connecting the two and using emergency access behind the new building to access the rear of the other one.

Boardmember Cameron: Well, one of the advantages of not adding the extra space is you can give us 36 feet on the side rather than the only 30 that you propose. I'm just pointing this out to you because I'm very curious of what you guys are doing.

Mr. Tarricone: I think that's certainly a valid suggestion and one that can be considered. We're not purporting to etch this in stone. We're trying to have a concept for a discussion.

Boardmember Cameron: I'm just curious why you did what you did.

Chairperson Speranza: Fred, anything? Any questions right now, I would say, related to this? And then I want to get some feedback.

Boardmember Wertz: I think I understand this. I think it flows from some of Bill's suggestions in our last meeting, and we had expressed an interest in seeing how it could be played out. We do have two options here. I know we did wonder whether it would be better to have a space in between the buildings or whether if they're connected how that would be. So I think we can visually see what we were thinking about in the abstract the last time, so that's good.

Chairperson Speranza: And I agree. This is definitely responsive to our request to see a scenario of how something could be constructed should the property be rezoned.

Boardmember Hutson: The height of the new structure would be what?

Mr. Tarricone: Well, the interesting thing is, under the MR zone...

Boardmember Hutson: On this drawing.

Mr. Tarricone: Well, it can't exceed, under your zoning, 35 feet in the MR-O zone.

Boardmember Hutson: And what's the height of the three neighboring houses?

Mr. Tarricone: I believe they're 35 feet.

Boardmember Hutson: I'm just going by the drawing. The drawing is to scale.

Mr. Cirocco: To the best of our ability, we couldn't measure the exact height.

Boardmember Hutson: The only reason why it matters to me is because the first building, in some ways, is the big problem because it's such a looming structure to the neighborhood. So I realize one of the arguments, or points, that was made by the applicant was that this new structure, in a way, somewhat screens the older, larger building. At the same time, you could also say that it adds to the looming quality in the neighborhood. Even though it's got windows like a house and so on, it's still a pretty big structure when you see it alongside of the three homes next door. So that's why I was wondering what the height comparison was. But it definitely looks taller than those homes.

Boardmember Cameron: Well, it's drawn taller in this diagram.

Boardmember Hutson: I was just wondering the extent to which it really would be taller.

Mr. Cirocco: We can get exact dimensions of the existing dwellings. They're 2-1/2 stories, they're probably 3 or 4 feet out of the ground, which would put them close to a 35-foot height. The other thing, you're looking at elevation views which, in perspective, the existing building would probably not be visible in your site plan. The proposed structure would definitely screen, at least at the corner, the building behind.

Boardmember Logan: I've got a question. On the lot 5 to the south, that 13-foot existing side yard, is there a requirement to maintain that for any kind of fire access or not? On scheme 2, that zone. It applies to scheme 1.

Mr. Davis: That's existing. There wasn't a specific requirement in that regard. Remember, first of all, that this is a fully sprinklered building, an uninhabited building. Access is obtainable not only through the Birelli property, but off the rear. But basically, under the connection alternative, if you will, the lots, in effect, for zoning purposes, would be merged. It would be as if one big lot. And then the access, the emergency access, as someone had suggested last time, would be to the rear of the building off of Holly.

Mr. Cirocco: On that, that's a building code issue, and I don't believe that there are potential increases for sprinkling a building and having frontage on a right-of-way or an

accessible way. I don't think the existing building, which was built what us professionals call under the old code took any increases for a) sprinkling, and b) for having frontage on a right-of-way because of the way it was built. I think the 13 feet was just the remainder of the required setback at the time, and it's there.

Boardmember Logan: I have the same concerns that Jamie does about this kind of extra square footage that appears. But you mentioned 35,000 gross square feet was your goal, I think, at the last presentation, which was basically five floors at 7,000 square feet each, four above grade, one below grade. Filling in that side yard, that's about a 500 square foot footprint. I would expect, in a gesture of trying to create a bigger greenspace to the south, that we take the square footage you were talking about and cram that right up against the building. That's how we could really leverage that, and make that an amenity for the neighborhood and maintain this gateway quality. Right now we've kind of got bonus square footage showing up, and it keeps ballooning a little bit. And we're losing some of the advantage we have under this concept in shoving it all to the north. So I would hope we would come up with an optimal plan along the lines that Jamie has suggested. That we get at least that 35 square feet to the south under these proposals.

Boardmember Cameron: 35-foot setback.

Boardmember Logan: 35-foot setback, yes.

Mr. Tarricone: Part of it is already, and part of it's within 5 feet. So we don't have any objection whatsoever, again, to working with you to do that, to accomplish that.

Boardmember Logan: So if we can transfer some of this square footage to existing lot 5 and help the whole neighborhood in that sense, that's kind of the direction that I would [like].

Mr. Tarricone: In other words, scale it back. Even though it's connected, scale it back a little on the Holly Place side.

Boardmember Logan: Scale it back on lot 4, and move it to the north and get some of that square footage on lot 5.

Boardmember Dale: If you're merging lots, then you know you're just moving part of the building on to lot 5.

Mr. Davis: It's not something we need to get into from a zoning perspective, but from a construction/financing perspective, since we already have a mortgage on the lot, even though they're merged for zoning purposes we may have to maintain a firewall between them on the lot line so that there can be separate financing on one lot as opposed to the other lot. That's not a zoning issue and it's not a physical issue, but we would probably maintain the tax lots, as often is the case, as a separate tax lot, for example.

Boardmember Logan: But I think it helps conceal the bulk to do that.

Mr. Tarricone: Yes, absolutely.

Boardmember Dale: You could also refinance the existing building.

Mr. Tarricone: Yes, of course.

Boardmember Dale: And add on the additional building.

Mr. Tarricone: Of course, and that would be explored.

Mr. Davis: The intent of the setback on Holly was to not be a straight wall. So yes, the minimum setback is 30 feet, but more than 50% of it is back more like 35 or 36 feet. So we can certainly relocate the portions that encroach into the 35 feet if that becomes a make-or-break situation. What I mean is, these that encroach closer than 35 feet, and we do have some area here, if my client's requirements are to go with 50% or whatever the Board decides is the requirement we certainly potentially could keep 35 feet on Holly. It's not an issue as far as we're concerned.

Boardmember Logan: But I agreed with you that those bumps do help the scale of this massive project. So I wouldn't want to have to lose one to maintain the minimum side yard setback to 35 feet.

Mr. Davis: I don't think we would want to do that either. We don't want to have a straight expanse either, and we wouldn't do it like that.

Boardmember Logan: It just puts another bulky...

Mr. Davis: No, we wouldn't want to show you something with that.

Chairperson Speranza: Bruce, did you have anything else specific to this?

Boardmember Dale: The windows in the doorway that are shown in the illustration as well as in the elevation, are those faux windows or are those real, functioning windows?

Mr. Davis: I think those are meant to be real windows, aren't they?

Mr. Cirocco: There's a number of options, from where we stand. They could be faux windows, they could be clear glass that shows the activity in the building, they could be translucent but opaque to the point where you can't see what's going on. We're open. There's all different theories on what you may want to see. There's a storage building off of the Saw Mill where you can actually see into the building. If you don't want to see into the building we can make them opaque, but translucent, so you can see light. We have all kinds of options to that respect. There is no intention to have any physical access to the building. If there are any doors down the road they would be for emergency egress only, and there's no access to the building from Holly intended or in reality.

Boardmember Dale: I had similar reactions that it seems to me the building had grown on the site, even though they had pushed it. They sort of partially attempted to meet those original concepts and tried to regain some additional space.

I thought we had a long discussion about that fire access at the last meeting, and whether it had to be maintained. Based on this drawing where the two buildings are brought together and there's this little addition put in between them so they become a single building, we lose the fire access. The piece on Holly on the south side of the building, if it's landscaped with trees then you're not going to have fire access from there.

Mr. Davis: Certainly we don't have to put substantial landscaping here if this was required to be a fire access. It could be considerably cut back. It doesn't really provide any screening except for the one residence which Mr. Tarricone owns at the present time. So if this was required to be some sort of access, it's certainly a possibility.

Mr. Tarricone: There's also a fire hydrant on that side of Holly.

Mr. Ciocco: There's a fire hydrant right here.

Boardmember Dale: Because I was looking at your plans initially, and it wasn't clear to me until I got to the elevations that that was a new building that was inserted between the two buildings. I kept expecting that to be a tunnel--that there would be a roof so it would be connected on the upper floors, but then the lower floors it would be open so there could be access between the two buildings that way.

Mr. Tarricone: That's a possibility, too.

Mr. Davis: That's a possibility.

Mr. Tarricone: That's actually a good idea.

Mr. Ciocco: This is not a flat area. This does slope from front to back.

Mr. Tarricone: But it might be possible to do that, too--to get a little square footage but to have an open space as well.

Boardmember Dale: And my other question would be, is there anything that can be done about the façade of the original building behind this proposed new building that would make it less of a wall? Because I think it currently does significant damage to Holly Place.

Mr. Davis: The first part of it, as you can see in the streetscape, will be largely blocked and no longer visible from Holly. But the issue would be what, if anything, could be done.

Boardmember Dale: About two-thirds of the building remains.

Mr. Tarricone: Right, to the rear portion.

Boardmember Dale: Those three or four houses that are behind the new facility have this huge wall in their back yard.

Mr. Davis: Well, there's two houses, and then there's basically the junkyard at the end. Mr. Tarricone owns this house, so we talked about plantings.

Boardmember Dale: Three houses.

Mr. Davis: One thing we can do right off the bat, I believe, is, we were talking about planting trees behind the one building, certainly, that Mr. Tarricone owns. That would take up screening behind that aspect of it. But I leave it to Mr. Cirocco, who's familiar with the site, to say what, if anything, we can do to improve that.

Mr. Tarricone: There's always more we can do. Whatever the pleasure of the Board is, if that becomes something that's a requirement, then we'll certainly look at it and address it.

Mr. Davis: Is there a feeling about the color of it?

Boardmember Hutson: We're thinking more about the height.

Boardmember Dale: It's 35 foot by 200-some-odd feet long. Forty feet: it's a massive wall to look out your window at.

Mr. Davis: To some extent you have to remember--it doesn't move to your question, which is a very valid one--but you have to recall the history of that site, what it was used for before it was put there, as well. The last use was a hundred school buses, things of that nature. So it was meant to be a quiet use as opposed to a more noxious and noisy use. If the Board has any suggestions as to how to improve the appearance we certainly would be willing to try it.

Boardmember Logan: I've got a question on lots 1, 2, and 3. This diagram you're showing, you don't own those properties, right?

Mr. Tarricone: Which one are you talking about?

Boardmember Logan: The one south of Holly Place.

Mr. Davis: Yes, they're part of the petition. That's why we keep saying that it's not just Mr. Tarricone. There are three separate petitioners involved here.

Boardmember Logan: So these are actual site plans by those petitioners?

Mr. Davis: On their behalf, yes.

Boardmember Logan: They've been discussed and approved by them.

Chairperson Speranza: And they're not site plans.

Mr. Tarricone: They're conceptual plans.

Mr. Davis: But the idea on this one--this is a 9,500, not quite 9,500, square foot lot--under your zoning, would have a variance.

Chairperson Speranza: Under the proposed zone.

Mr. Davis: Yes, if it were MR-O zone. That's what I was intending to say. You have a single-family home on 3,500 square feet. This is meant to show there's a two-family home on the corner, one of the petitioners. There's common family ownership of this corner. Mr. Richard Shea lives here, I believe his sister lives here but he has common ownership. It's a

two-family house. Right now there is a parking area on this corner, and one of the things we were trying to do where we can add some trees also to help screen the self-storage would be on that corner, moving that parking area and coming in behind this house. So really all that's happening here is one additional house, and we're suggesting the change of the driveway configuration serving those properties.

Boardmember Dale: One concern in the last meeting was whether there was enough land to build a second two-family home. It was enough to build a single-family home.

Mr. Davis: With that question in mind, at the moment it was showing it with a single-family that would fully comply with the zoning and wouldn't require any variances.

Boardmember Hutson: So that's proposed.

Boardmember Dale: Proposed two-story.

Boardmember Hutson: Single-family.

Mr. Davis: It says two-story, but it's not intended in our concept plan. We just want to show you something that complies with zoning. We're showing, in fact I believe, the intent now is to make it a single-family home. If we wanted to make it a two-family we would need a bit of an area variance or we would have to reconfigure the lot line between the property, which is probably possible to get the extra square footage. But we're showing you a compliant plan for those lots that shows a single-family dwelling.

Boardmember Hutson: That is your thinking? That in lot number 6 that such a new structure ... could be built?

Mr. Davis: Potentially, we looked at this. Now, for all this use it's kind of tight because of the parking. We did analyze it with the professionals in some depth. If it were changed into an office...with this one there's no present plan by Mr. Birelli to change that, to all of a sudden take down the stair and change it. But we wanted to show you what could be done. Probably if it was going to be converted to anything, you know, it's quite conceivable it would be an office. But it's quite conceivable someone would renovate the existing buildings as they now exist and make them nicer. This would be showing a new building and we would see it perhaps as a stilted building, unless there were a variance, in order to accommodate parking underneath that. It's a concept, as you requested, to give you a sense of what could be done.

Boardmember Logan: You're not proposing a text amendment for self-storage on that site.

Mr. Davis: No, not at all. That site wouldn't qualify, and Mr. Tarricone doesn't own that site. Mr. Tarricone owned that site at one time when we got the original self-storage approved. It's now owned totally separately by Mr. Birelli as an unaffiliated person.

Mr. Tarricone: And he is a petitioner as well.

Chairperson Speranza: Okay, what I'd like to do now...first I want to thank you. You did a really nice, complete job addressing some of the suggestions from the last meeting made with respect to providing the Board with some idea as to what could be done should a decision be made to rezone the area. What I would like to do now...I mean, technically our public hearing on the rezoning is closed, and our recommendation for the rezoning is closed. But I do want to hear from anybody who's in the neighborhood, if there's a real good sense of the concerns that many of you have expressed at previous meetings. I just want to get a sense if there's anything...if this, in any way, being able to see what potentially could be built there, how things could be addressed. Again, we've made no commitment at all. We just wanted to get a better sense of what potentially could be there. I just want to hear if it changes anybody's opinion about the potential for rezoning.

Marty Merchant, 35 Marion Avenue: Thanks for letting me speak. You can imagine how elated the neighbors were who haven't signed the petition that you turned the applicant down flat the first time around. Maybe you can imagine how distraught we were when you entertained it. In fact, even appeared to, at least in layman's eyes, to entertain modifications to this new proposal. I was prepared to come and tear out my hair. But, in fact, the applicant's plans visually address, and dramatically showcase, all the concerns that I have and certainly my neighbors have. If I could ask the applicant's permission just to flip a chart.

Mr. Davis: By all means.

Mr. Merchant: It's just interesting to me that all the residences there, the places where you have the nurses and the teachers and accountants there, they're kind of like ghost rectangles. And what you've got down here in the two proposals is an industrial park. I mean, to the layman--to the homeowner, to the person who's raised children, as a person's whose put money into their property--this looks like an industrial park. I'm going to flip these charts around in a second, but when you take a look at this footprint, whatever variation you go into, the potential plans to alter the Birelli property you really have a growth of this commercialization of this particular area.

Now, I know that most of you have gone down Saw Mill River Road, and it's been characterized in the past as being a commercial area. But when you actually take a look at the strip that goes from the foot of Jackson Avenue down to Holly Place, you've got a renovated restaurant caterer, you've got three half-million dollar new homes that were built, many expensive homes up on Hillside. You've got Walshen, who's been there forever, neat as a pin. You've got a new business for landscaping supplies, also fenced in, neat as a pin. There is a property there that the applicant owns that is probably one of the worst eyesores. And then you've got right opposite Holly Place entrance some beautiful stone and marble storage and a nice little office building. So, in fact, the commercial presence in this area is the applicant's presence.

If I could turn this around, the charts speak, as far as I'm concerned, for themselves. Actually I didn't need to turn this, but when you turn this around the bottom row, what view that the architect didn't show was that view from Holly Place at present. If you could see a view of Holly Place at present you'd see instead of that--which looks like to me covers half the space on the right-hand side--instead of seeing that huge, tall, monolithic addition you'd see a beautiful architecturally sound, structurally sound residence. None of us has an issue with a homeowner in our area going for variances and making the changes that they are entitled to make. But I would urge the applicant to reconsider. As I know you are, I would urge you to really consider the charts, the visuals. We last time went along with--perhaps due to our naiveté--a structure that ended up being...I remember the only plan that I saw last time was a one-story, drive-up, with doors on the outside, storage facility. Six, seven years ago we ended up with this. There's no way, shape, or form that you can stand on Holly Place and say that doesn't tower over those residences. In fact, I don't want to insult anyone's intelligence, but to say that huge addition screens the huge thing behind it is just sophistry.

So what you've got is commercialization and you've got those ghostly rectangles for homeowners. So I really hope that you keep that in mind, and I hope some of our other neighbors speak, too. Thanks again very much.

Chairperson Speranza: Okay, thank you. Anyone else?

Linda Ray, 37 Edison: I'm opposite where Mr. Shea's new driveway would come out, down one house. I'm the house that was renovated just recently. My question, I must be naïve in all of this, but I would really love to see Mr. Shea have a place for his son to live on his property. But under what was zoned now, there's a two-family house on the corner. And we're two-family, aren't we?

Chairperson Speranza: Yes.

Ms. Ray: That's a single-family house. So with variances like I had to get to take care of my house, wouldn't that be able to already exist? Why does that have to be changed? Because if they don't stay there, or they die, or move out or whatever happens, I'm going to be looking at maybe an office building. And that driveway where those cars are going to come in and out is going to come in a street where kids play in the road. That's wrong.

Chairperson Speranza: Okay, thank you. Yes?

Carolyn Caruso, 45 Marion Avenue: I have a couple of questions, and it's kind of hodge-podge in my taking notes so I don't know if this is the time when you're allowed to ask questions and have them answered. Because I know in previous (not here) meetings I've asked questions and they haven't been answered. So I'm not sure when that period happens.

Chairperson Speranza: Ask your question, and whatever we can answer we will.

Ms. Caruso: Okay. One of the things that was mentioned was to see sketches or renderings. Mr. Tarricone did send us a letter asking for our input. I had one question ... there's a vacant lot directly across from the self-storage that exists now. Is that owned by Mr. Tarricone?

Chairperson Speranza: That's not within the Village of Hastings.

Ms. Caruso: Okay, but it's zoned self-storage. I believe it's a parcel that he already owns. I'm sorry, it's zoned indoor storage. I'd just like to show you a picture because he keeps referring to a junkyard on Marion. This is what we're looking at now directly across the street. This is a big eyesore? Okay, you talk about the entranceway into the neighborhood. This sits right at the top of it. You know, that's something that I think needs to be addressed. Or why don't you put your self-storage there? It's commercial, you own it already, and from what I read of the Greenburgh zoning code it says "indoor storage." So I'm just wondering.

We also talked about tax benefits. I can tell you that of our 19 homeowners you would have all of us here the next day filing grievances to have our taxes reduced. So for one benefit you would have 19 other people claiming a problem. Mr. Tarricone owned the Birelli property next door and he sold that. He had a commercial property and he sold that property. Now he wants to take a residential home and turn it into a commercial property. I've also heard that there weren't going to be any changes to the other two properties; that the only changes were going to be to the Shea property and the Tarricone property at 15 Holly Place. But now we're talking about making...Al Birelli's there, is that now not going to be a two-family house? And it looks like more on the rendering...

Chairperson Speranza: Potentially. That was to show what potentially could happen.

Ms. Caruso: Because see, the way it's presented to us is that there aren't going to be changes on those properties. Then why are they included? So those are questions that I have because then it affects us down the road. We'll be back here again now fighting something else, or then now that's allowed to be. What's being presented isn't what can be, and I find that a little deceiving.

Also, I wanted to show a picture. Another concern we have is, there's supposed to be off-street parking. These trucks are big, they're massive. You can't see at least 100 or even 150 feet down the road. There's no way this truck can pull into the existing parking area. The UPS truck parks here. The school bus comes up and down this street. Kids play on this street. You have to come way out before you can see a car coming. And I'm concerned if there's more storage there are going to be more trucks and even more of a hazard in this area.

The last question I have, you talk about adjacent property owners. Do the properties that are included count, like that length of the storage facility that exists? Anybody that lives directly adjacent to that would be considered an adjacent property owner?

Chairperson Speranza: Sure.

Ms. Caruso: Okay, as well as the people across the street from that entire thing that runs down Holly Place.

Chairperson Speranza: Adjacent property owners as far as what, with respect to what?

Ms. Caruso: Well, one of the comments made was that all of the adjacent property owners have signed a petition in favor of this. So my question is, their current self-storage runs the length of Holly Place.

Chairperson Speranza: No, I'm sure that with respect to--and forgive me, I don't want to speak on your behalf--that it's the people on either side.

Mr. Davis: I was speaking only of the proposed new self-storage building, not the old one, which I specifically said...I said the people directly across the street from that.

Chairperson Speranza: The Sheas.

Mr. Davis: Yes, and the people adjoining it, and the people across in Greenburgh, which includes other commercial property owners.

Ms. Caruso: But my question is, do you count the other parcels?

Mr. Tarricone: The answer is no.

Ms. Caruso: No. It doesn't.

Chairperson Speranza: Well, it doesn't count...we don't count it.

Ms. Caruso: In this super-majority that I've raised, the issue that comes up not here but at the Board's question..

Chairperson Speranza: Oh, different.

Ms. Caruso: And so when you're saying adjacent, I'm trying to figure out if you count all of the parcels that are being petitioned.

Chairperson Speranza: That's a question for our attorney.

Village Attorney Stecich: Yes, the whole thing's been reconfigured and we'll just have to look at it separately. I can't answer the question now. But adjacent would be adjacent to any of the parcels in the zone.

Ms. Caruso: That are included in the petition.

Chairperson Speranza: Included in the rezoning.

Ms. Caruso: Right, which are the four petitions.

Village Attorney Stecich: You take all the property that's being rezoned, and 20% of properties adjacent to that have to have signed the petition for the petition to be valid.

Ms. Caruso: But what you're saying is...

Village Attorney Stecich: And that's totally...

Ms. Caruso: ...property to be rezoned are the four applications, no?

Village Attorney Stecich: This really isn't the place for that question.

Chairperson Speranza: I think it is something that should be..

Village Attorney Stecich: It's got to be addressed, but it's not an issue for this board. I'll take care of it with Susan Maggiotto. We'll have to look at it.

Chairperson Speranza: But the adjacent properties are those adjacent to the ones that are proposed for rezoning.

Village Attorney Stecich: Correct.

Chairperson Speranza: So it would be the four properties that are proposed.

Ms. Caruso: Thank you. Right.

Chairperson Speranza: So anything which is directly adjacent.

Village Attorney Stecich: Yes.

Chairperson Speranza: I think there was confusion with what...

Boardmember Hutson: The definition of what it is.

Chairperson Speranza: There's confusion with the petition.

Village Attorney Stecich: Oh, no, he wasn't talking about that kind of petition.

Ms. Caruso: No, neither was I. But I'm just trying to understand what adjacent means. For the properties included, or just the ones that are going to be changed?

Village Attorney Stecich: Can somebody flip that? I'll just show you.

Ms. Caruso: But I think you answered it. It's the four properties, so anything adjacent to those four properties.

Village Attorney Stecich: Like I say, I don't think this is the right place to discuss it. But to decide whether there's a valid protest petition you're going to have to measure not by number, measure the properties, measure all of this... [within 100 feet] ... across the street. And then 20% of the people who own property on the other side of the line that I just drew would have to sign the petition for it to be a valid one.

Ms. Caruso: But as you just outlined, it's all four properties. That's what my question was.

Chairperson Speranza: And it's the length.

Ms. Caruso: Right, it's the length of the existing building. That was my question.

Boardmember Cameron: Is the State one person?

Village Attorney Stecich: Yes.

Mr. Davis: We've already done the calculation under the amended...and, of course, Ms. Stecich will do it independently with the clerk. But because of the fact, as requested by the neighbors, we eliminated all of the properties in the interior. In our estimation the protest petition would no longer be affected.

Ms. Caruso: And my last question is, you mentioned underground parking for the existing Birelli property. Is that just something down the line?

Chairperson Speranza: Again, it's a concept. That was just a concept. It was under-structure parking.

Mr. Davis: Yes, I said it would be a stilted building to have additional parking.

Ms. Caruso: Okay. And my last point is, just with the heavy rains that we had I know the storage facility had a lot of flooding with the underground floors that it currently has. I mean, I saw the pumps there. I'm concerned with the current proposed building because I know he spoke about having more floors underground. Where is that rainwater going to run off to, or any water for that matter? If you're taking away greenspace and putting in concrete there it's going to now run some other direction. As it is this was an incredible rain, but you couldn't see the bike trail, you know. I mean, it was massive. And I'm concerned with the water runoff if you're taking away that amount of greenspace. Thank you very much.

Chairperson Speranza: Okay, thank you. Does anybody else wish to speak?

Sal Gargiulo, 1 Holly Place: I've been here now five meetings we've had ... here and all I've heard was Saw Mill River Road, commercial, storage, no encroachment at all about Holly Place. That's all I heard, five meetings. And it's not fair. There's 19 homeowners. And there's only actually two that are on Saw Mill River Road, and that's Anthony and Shea.

Now, I keep saying to myself, I don't understand this. If you had a duplex, two-family, on his property, and Shea would get a variance for his daughter, what's the problem? They'd be facing Holly Place. He'll get the same revenue, probably \$2,000 a month for each one, or maybe more, right?. And Shea would go for a variance for his daughter, and that's the end. And there wouldn't be any more problems. If you think about that, it's so true.

Here are pictures that we took that we have to contend with. Would you pass them? Now, we didn't say anything when he first built it. He had hard times. His father, they weren't a big business, good workers. I worked with his grandfather. I've been there 73 years. Fine, we never said a word about that super monstrosity, I call it. Because it's 40 foot high and it's 25 foot higher than every building that we have on Holly Place. Now, that's not fair. We never said a word about it and let him go, and he constructed it. It's a nice building, very good. But it looks, just like I said, like a city. Now he wants to put this up and it's not fair. These people here really put their money into it: put little porches, small little patios, doors, windows, and everything. The houses were small, but pretty. It's not fair, it's just not fair.

Now, there's 19 homeowners and there's actually only two that want this. Forget about Saw Mill River Road because he owns that. That's Saw Mill River Road. Now, the other day I measured the road and it's 25 foot wide. Now, you take a semi--I was in contracting--take a semi construction truck and a bus. There's only 2-1/2 feet between them, doing 45, 50, or 60 miles an hour. And we have a heck of a time trying to get up Holly Place to get up on Saw Mill River Road to get out of there. As I said before, when we get a flood on the parkway like we had, they were jammed there. We can't even get out of our house. So I know you people probably don't know the area, or you probably do.

Boardmember Hutson: We do.

Mr. Gargiulo: I say I commend you. But I'm sorry Anthony, I'm not going for it and oppose it. Thank you.

Chairperson Speranza: Thank you. Okay, it's five to 11.

Mr. Tarricone: I just want to rebut some of the comments. I've sat through a lot of it, and I've submitted this to you, and I really don't want to stir up old feelings. But everyone claims about the existing building--which isn't even in question here, however--that got built as a result of the neighborhood asking me to. If you recall, we had 100 buses back there because of the zoning of Hastings, and we presented a 35-foot, not one-story, building that had access to drive around. And the neighbors had asked for me to take the access out for driving around the building because they didn't want any cars in the back, and to build a taller, wider building because now you had access in the middle. I just wanted to say that.

The lot across the street, yes, I do own it. It's 7,500 square foot, it's unbuiltable, it is zoned LI. My tenant left me that glorious garbage, and I've just finished taking away two dumpsters of garbage. But that's what's going on with that. Westchester County's in the state of emergency. Yes, we did get some water. And Sal, with all due respect to Sal, operates a junkyard. And he calls my facility unsightly every time he's here, yet he has a tarp holding the roof on with two bathtubs that's, I guess, "sightly." I mean, it's a junkyard. I don't know and I don't want to get into that, but that's my rebuttal. Thank you.

Chairperson Speranza: Okay, it's five to 11. I do want to...

Mr. Gargiulo: Can I say something? Anthony mentioned the junkyard. And your water, 12 foot of water there, I saw the last time we had 12-foot water in. And all that water is going into my property, too. You had a drain. I don't know what it was, that white material, and it was going down into the sewer.

Chairperson Speranza: Mr. Gargiulo. No, Mr. Davis, please sit down. I've got to keep control here, okay? We've got to make a decision now. So it'd be great if you let us get through this. All right, I want to get a sense from Boardmembers whether or not you feel we will be able to make a recommendation to the Board of Trustees tonight. Are people ready? Have you heard enough, seen enough that we are willing to render a decision? Bruce? Everybody's very quiet. Nobody's saying yes, yes, yes.

Boardmember Dale: I think I basically agree with [the neighbors]. I think this is a huge facility and is detrimental to the residential community. We rejected the proposal initially because it was detrimental to the residential community and not consistent with the Village vision plan. There is a comprehensive plan in the works and it would seem to me, as we discussed it, approving this would not, in fact, be spot zoning. But I think it would, in fact, be detrimental to the residential community to allow commercial to enter into Holly Street. We have no guarantees what's going to happen to what they're calling site 1 and 2 and whether there would be actually residential, or if the owner died or sold his property it could end up being a commercial office building as well. So my tendency is to vote against it.

Boardmember Logan: I requested that we have some visuals so we could evaluate this, and Mr. Tarricone's been very cooperative in providing those. But even with it shoved to the side, it's still a very large, massive structure. I think you can only disguise to a limited extent. I think you're not going to fool anybody into thinking it's a true residential building, and I think it is going to have a negative effect on this community. So I would be reluctant to support it, even though we have looked at alternate scenarios.

Boardmember Hutson: I would recommend that we recommend to the Trustees that it not be rezoned. And it is a rather close call for me because I think that if it weren't so much on a residential border like that...and it's not just that there are a few houses there, there are a lot of houses. Many of the places along Saw Mill River Road where there's residential and commercial mixed in, and there are a lot of places--they may not be right across from each other, but in relatively close proximity--you know, it's usually not such a concentration of homes that run so deep away from the road. I just think that in this case that particularly using rezoning on this small a piece of property--so close to so many homes, using a zone that was designed for near downtown, which has many other uses we'd have to address if we were going to rezone it with MR-O--we'd have to look at how those other uses would fit into here. In regard to one of the speakers, this is not the applicant's doing in terms of looking at some of the other possibilities. We're interested in seeing what the implications would be if it were rezoned. Because what someone says now they want to do, 10 years from now may be different. I'm not talking about the applicant, but the other parcels involved.

So I think that it would not be a wise thing to recommend that this be rezoned, and it wouldn't be in the overall Village's interest. Even though I know we've talked about taxes, but I think there are other tax implications, as was suggested. If a two-family home were built on the existing property, if it was just a tax question and a revenue question, that would mitigate some of the difference. But I don't think there's enough benefit to the Village that outweighs the negative impact it would have on that area in terms of the residential folks.

Boardmember Wertz: I agree with what everyone has said. I felt that from the beginning. I wanted to take a look at the alternative that Bill suggested to see if increasing the setback would make a difference, would be able to give it a look that would have more a consistency with the residential areas.

But I think, still, my being opposed to the rezoning turns on the very brute fact that you're taking a residence and you're turning it into a commercial setting. The other part of it is just the bulk of the new self-storage facility. I think that changes the character of the neighborhood and also represents just too much of an encroachment, too much commercialization, in a significantly residential area. And I think that now that we see it, the increased setback and the greenery and the attempts to make it look more residential, just doesn't remedy all the difficulties that I think have been noted among the Boardmembers. So it's not that much of a close call for me.

Boardmember Cameron: I agree with the comments my colleagues have made. You know, we're all trying to figure out something that would work here, but I've been having real troubles with it because I still think it is too big and too massive and it's going to change the neighborhood. I think we all recognize that there is more commerce on Saw Mill River Road, however I think we should look at that in context of our comprehensive plan when we come to it and see what we should do at that time. I think doing this type of rezoning, under the circumstances, is not the correct thing to do for all the reasons other people have stated.

Chairperson Speranza: Okay, thank you. And I am also in agreement. You know, when we talk about the rezoning, you can look at the nonconformities, the area nonconformities, of the existing properties all you want. But in my mind the biggest change is the use, and this is a big use. You can characterize Saw Mill River Road in this area as commercial. I don't think allowing additional commercial helps the situation at all. We don't want it to be...well, you don't throw up your hands and give up. You've got to stick to your guns. The area's zoned residential, and that's the way I think that it should remain.

It isn't appropriate, I don't think zoning would fix it, and I think it would, in fact, would be something which is so tailored to one property that it's problematic. It's problematic to use zoning for this one small area. So that being said, I think we need a resolution to recommend to the Board of Trustees against the rezoning of these properties to the MR-O zoning classification.

Boardmember Dale: It seems we could just reaffirm the resolution we've already passed.

Chairperson Speranza: Except it's a different zone.

Boardmember Dale: They changed this. Okay.

Village Attorney Stecich: If you just take a vote, now I've written down the reasons and I'll write something up that reflects those reasons. Because I assume everybody agreed with everybody else's reasons, so I'll write something up.

Chairperson Speranza: So I need a motion to recommend against the rezoning of these properties to the MR-O zoning classification.

On MOTION of Boardmember Hutson, SECONDED by Boardmember Cameron with a voice vote of all in favor, the Board resolved to recommend to the Trustees that the petitioner's proposal to rezone the said properties be denied.

Chairperson Speranza: I do think that the Board of Trustees should know that we did take a hard look at what potentially could be..and that should be noted on the record.

Village Attorney Stecich: I'm sorry. Look at what? Do you want me to write out something and circulate it rather than wait until our next meeting?

Chairperson Speranza: That would be good, yes.

Village Attorney Stecich: Jamie, are you getting my stuff now? Can you open it now? My documents. He's not been able to open my documents.

Boardmember Hutson: E-mail.

Boardmember Cameron: Sometimes I can't, sometimes I can. Let's see. If you use both formats I can always get one of them to open.

V. Discussion Items.

Chairperson Speranza: Okay, we have a few other things on our agenda for this evening. Eva is coming back. What I want to do first, because I don't want to leave here because it's too difficult via phone and e-mail, we need to have a meeting on steep slopes. Maybe we do it as a meeting for steep slopes, and to also consider the proposed amendments that Marianne has suggested to the zoning code that were in our packets.

Boardmember Dale: Well, it sounds like that needs discussion because there are differences between having them and on the public meetings.

Chairperson Speranza: Right. We're not doing that tonight, but if we set up a special meeting to talk about that and steep slopes, that's certainly enough to fill a meeting. Now, I had suggested May 3rd, which didn't work, and May 31st, which didn't work. And I do want to see that we can get everybody here.

Boardmember Dale: Could I make a suggestion? This works sometimes in the office. If you have people submit three dates they can make it.

Chairperson Speranza: Well, give me three dates.

Boardmember Dale: I don't have my book, unfortunately. I didn't bring my calendar.

Chairperson Speranza: Let's do it this way. Now, Marianne, you're off that entire last week?

Boardmember Hutson: I will be away.

Village Attorney Stecich: No, I'm gone for three weeks. I'm going to Europe. Going the 23rd to June 12.

Boardmember Cameron: So it has to be before May 23rd.

Chairperson Speranza: Yes, that's what we have to do. So is anyone in a similar situation the week of May 1st, May 7th, or May 14th?

Boardmember Alligood: Yes, that's when I'm in Europe.

Chairperson Speranza: Make the first week, or the first and the second?

Boardmember Alligood: I'm sorry. I'm leaving on the 1st and gone for that whole week.

Chairperson Speranza: Okay, so the week of the 7th or the week of the 14th, remembering we have a regular meeting on the 17th.

Boardmember Cameron: Well, if we just go to the night of the 16th, I think you said that.

Boardmember Hutson: Well, the 16th, isn't that the waterfront...

Village Planner Witkowski: The 16th is the LWRP meeting. I was going to mention that.

Chairperson Speranza: Okay, how about May 10th, the week before? It's a Thursday.

Boardmember Hutson: The 10th is okay by me.

Chairperson Speranza: Jamie, you look really pained.

Boardmember Cameron: I was trying to stick it in the same week as our regular meeting because I knew I would be here that week.

Chairperson Speranza: How about the 5th? Well, that's the 15th, 16th, 17th.

Boardmember Dale: What day of the week was May 10th?

Chairperson Speranza: A Thursday. Want to do it the 14th? It's a Monday. Does that work? Marianne, are you someplace else? Angie, anything else going on Monday nights?

Village Planner Witkowski: No, Monday, the 14th would be actually better for me. Because the 10th, I think, will be affordable housing meeting and I normally go to those.

Chairperson Speranza: 14th? Marianne, that's okay?

Village Attorney Stecich: That looks good.

Chairperson Speranza: And we'll find a room. Going once. Okay, so we will then meet May 14th to talk about steep slopes and the proposed changes to the zoning code. We could start it earlier, if that's helpful.

Village Attorney Stecich: It's not.

Boardmember Dale: Not on a Thursday.

Chairperson Speranza: Well, the 14th is a Monday.

Boardmember Dale: I still have to wait for my wife to get home before I go anywhere.

Chairperson Speranza: Okay, so we're meeting on the 14th, steep slopes and proposed zoning changes. Jamie, you were going to be revising your steep slopes note to me, right?

Boardmember Cameron: I will, yes.

Chairperson Speranza: Eva, you're going to give me something. Fred, I think I have your old one. And Bruce, I have yours, and I think we distributed it at the last meeting.

Boardmember Dale: You distributed mine.

Boardmember Cameron: Is there any chance we could do it on the 15th because I'll be driving like hell back from Washington.

Village Attorney Stecich: Yes, that's better.

Chairperson Speranza: The 15th?

Boardmember Cameron: The 15th is a Tuesday.

Village Attorney Stecich: Is there a Board of Trustees meeting?

Village Planner Witkowski: The 15th.

Boardmember Cameron: Oh, is there a Trustees meeting? I mean, why go to the Trustees meeting rather than our meeting?

Village Attorney Stecich: Wait, are you sure it's going to be...because they're also meeting April 24th.

Jen Corso: I know it's the 1st.

Village Attorney Stecich: Of May?

Jen Corso: Yes.

Village Attorney Stecich: Oh, so they must be meeting two weeks in a row. Do you know if the 15th is, by chance, their budget meeting?

Jen Corso: They're approving the budget next week.

Village Attorney Stecich: Because the thing is I have to be at the Trustees meeting.

Boardmember Cameron: I understand that.

Chairperson Speranza: The 15th is possible? Does anyone have a problem with that?

Boardmember Alligood: I have to get back to you on that.

Jen Corso: That has to be filmed too, right?

Chairperson Speranza: Well, you know what? We can do it as a work session. We don't need to do it filmed.

Boardmember Dale: What time would that be?

Chairperson Speranza: 8 o'clock. Okay, so let's leave it then right now for the 14th at 8 o'clock, steep slopes. Angie, you're going to be setting up a public meeting for the transportation plan during May.

Village Planner Witkowski: Correct.

Chairperson Speranza: Maybe early June, or that last week.

Village Planner Witkowski: Yes, I met with George Jacquemart and Susan Fasnacht, and they're working on revisions based on our meeting with the Department of Transportation and the county. We want to get the final draft plan ready in the next couple of weeks, and then put it on the Website and then have a meeting to take any comments and make any revisions after that. So I talked to George today, and he said he's pretty much open the week of May 21st. Then the following week I think Memorial Day is the 28th.

Chairperson Speranza: Okay, so it'll be later in May. What I suggest you do is just firm up a date with him and just make sure that it doesn't conflict with anything. Bill, you are the liaison to that.

Boardmember Logan: Are you going to send me the actual dates? E-mail me?

Village Planner Witkowski: Yes, he said any of those nights he's wide open. Maybe what we should do is if the Planning Board members could maybe just e-mail me if there are some dates that you absolutely can't...

Chairperson Speranza: Not everybody because it won't work.

Boardmember Logan: What are the three days?

Village Planner Witkowski: The dates would be May 21st, 22nd, 23rd, 24th, and then the following week the 29th, the 30th, and the 31st. I just have to check to see when those board meetings are, any others. But those are the times that he would be available. He just told me to let him know what would be best.

Boardmember Logan: But those are all weeknights. I don't know of anything right now.

Village Planner Witkowski: So I'll just check the Village calendar and pick a date and just circulate it. Because I want as many of the Planning Board members and Village Board members that can attend to be there, and also Safety Council. It's important that they be available. So I think what I'll do is just e-mail Safety Council, Boardmembers, and Planning Board members and just ask them to let me know what dates they would not be available.

Chairperson Speranza: Well, I don't think you have to wait for the response from us because I think it's more important you set the date. Because we can't all make it.

Village Planner Witkowski: I know everybody can't make it, but I thought if I knew up-front.

Boardmember Alligood: Can I just ask that it not be on the 21st, Monday?

Village Planner Witkowski: Oh, okay. That's what I'm looking for.

Chairperson Speranza: Just watch the school board conflict.

Boardmember Cameron: On steep slopes, is there any interest in having that meeting next week? I mean, I'm hot to trot. Just to throw something out.

Chairperson Speranza: I don't have my calendar for next week.

Village Attorney Stecich: You mean next Thursday?

Boardmember Hutson: I can't do it Tuesday or Wednesday night, but I could do it any other night.

Chairperson Speranza: Okay, but we can still check into the 15th. Shall we bring in the certificates?

Village Planner Witkowski: Yes, just get those to me and I can make copies. I'm keeping track of all of that. The LWRP draft plan, I met with the committee. They had a few revisions. We reserved the high school auditorium for a public meeting May 16th, 7 o'clock. It's Wednesday.

Chairperson Speranza: That's the LWRP meeting?

Village Planner Witkowski: Yes, May 16th.

Boardmember Hutson: The presentation is at the high school.

Chairperson Speranza: Oh, wow.

Village Planner Witkowski: Phil Karmel and Meg and I are putting together a PowerPoint presentation. I prepared a notice similar to the ad that we had for the transportation workshop. It'll be a display ad in *The Enterprise*. Once I get those revisions done I'll put the revised plan on the Website. I want to try and get it up there three weeks ahead of time. We are also preparing a frequently asked questions summary sheet. I'm trying to get an executive summary done. My intern, Richard, and Susan's assistant, Melanie, were working on that with Richard, the intern. So we're going to try and put a summary together.

Chairperson Speranza: So we can plan to have a discussion. Why don't we wait until after the presentation, and we can talk about it. Because we've each gotten a copy of the plan.

Boardmember Alligood: I just have one question, actually. You said there's another round of revisions before the meeting?

Village Planner Witkowski: No, these were just some things that some of the LWRP committee members had noticed that they thought should be changed. The next round of revisions would be after the public meeting, anything's that's brought up there that can be addressed.

Boardmember Cameron: What's the date of the presentation?

Village Planner Witkowski: May 16th. That's a Wednesday.

Boardmember Alligood: I just wanted to note that the Board of Trustees on April 10th ... approved a resolution, regarding the preservation goals on Buildings 51 and 52 endorsing the efforts of the committee to preserve the historic waterfront--to have the Anaconda buildings reevaluated by the New York State Historic Preservation office. I just wanted to note that because I think it's important to what's in the LWRP, and it's very recent news. I'm sure it'll come up at the presentation.

Village Planner Witkowski: Another thing is the Board just set up the quadricentennial committee. Diggitt McLaughlin, Linda Knies--secretary to the Planning Board and also to the Village Manager--and I are on that. It's basically to coordinate things. So the three of us met, and we're going to put together an information pack and send it out to the different organizations in the Village for people to present proposals or events they might like to have for the quadricentennial. So there'll be more on that later. We've just met once.

Chairperson Speranza: Okay, any other business?

VI. Adjournment

On MOTION of Boardmember Hutson, SECONDED by Boardmember Cameron with a voice vote of all in favor, Chairperson Speranza adjourned the Regular Meeting at 11:30 P.M.