

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
PLANNING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
JULY 19, 2007 (and 20<sup>th</sup>)**

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

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

**I. Roll Call**

**II. Approval of Minutes: June 21, 2007 Meeting**

**Chairperson Speranza:** Does anyone have any changes, comments, revisions?

**Boardmember Hutson:** The only thing is, on page 26 those things in the first paragraph are outside of the first sentence, or first question. There's no way I could have said those things. They are much too technical for me so it must have been the representative from the applicant, talking about the 3:1 slope

**Village Attorney Stecich:** That was Tony Castillo.

**Boardmember Alligood:** On page three, it's one of Christina Griffin's comments, it's about halfway down in the paragraph. The sentence starts with: "We're planning to..." it's "convert," not "covert."

**Boardmember Wertz:** I've got a couple. On page 17, second line from the bottom, that's "may" not "many." Fourth word.

And then on 18, if you go five lines down, delete "toward" and say "forward without." So take "toward" out and put in the "forward without" -- "...move forward without the catering business."

**Boardmember Alligood:** Back to page 26 again, the very bottom of the page, on my comments, second line of my comments: "I was curious..." it should say "...about the goal of the berm." That's it.

**On MOTION of Boardmember Wertz, SECONDED by Boardmember Alligood with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of June 21, 2007 were approved as amended.**

### **III. New Business**

#### **1. Public Hearing. Renewal of Accessory Apartment Approval. Barbara Pichler, 33 Devon Way; Sheet 43A / Block 766 / Lots 10 & 12.**

**Chairperson Speranza:** If I can check now, Angie, are all of the mailings in order on this?

**Village Planner Witkowski:** Yes, all of the mailings are in order.

**Chairperson Speranza:** Do you have a little background?

**Village Planner Witkowski:** This is just an accessory apartment approval. Now, there was some question when I was looking at it about whether or not there was a waiver required on parking. It was correct, that there is no waiver required, because in 2001 Linda found some information that said that there was additional parking provided. So there is no waiver required. That is correct. I'm not sure if the applicant is here.

**Chairperson Speranza:** If you'd like to come up and have anything to say. Does anyone in the audience have any comments with respect to this apartment? Again, this is 33 Devon Way. It's an existing accessory apartment. There are no waivers required. It meets parking and it meets the square footage requirement.

Hearing nothing from the public, then we will close the public hearing on this application, and I will entertain any motions.

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

#### **2. Public Hearing. View Preservation. Ling Ho; 64 Pinecrest Parkway; Sheet 2 / Block 602 / Lots 26, 27 and 28. Second story addition to an existing one-story house in the R-10 Zoning District.**

**Chairperson Speranza:** The next item of business is an application for view preservation. This is something where the Planning Board makes a recommendation on view preservation to go to the Zoning Board of Appeals. This is for a property at 64 Pinecrest Parkway. It's a second-floor addition to an existing home. Angie, anything else on this?

**Village Planner Witkowski:** No, just that it is in the R-10 zoning district. It's an existing one-story house. It's located on the east side of Pinecrest Parkway, and with the second-story addition the building height to the ridge line of the roof will be approximately 25 feet. Thus it won't exceed the maximum height allowed in the district. The applicant is here, along with her architect. I think they have some pictures to present on the view preservation.

**Chairperson Speranza:** Mailings all in order?

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

**Chairperson Speranza:** Do you want to talk to us about what you want to do?

**Ling Ho's architect:** Good evening, ladies and gentlemen. My client, Ling Ho, is a 20-year resident of the Village. She has had a relatively small house, and now her family is growing bigger and bigger so she would love to expand the house within the existing location. The plan we have submitted is basically adding a second floor to the existing house, which is the most structurally feasible way of adding to it. She is very fortunate to have a lot that's really straddled between Pinecrest Parkway and Broadway with nobody behind her. So her lot is a through lot. For adding a second floor, she probably won't infringe on anybody's view or the aesthetic of the neighbors.

Here we have a couple of pictures showing views of the neighbors' houses of similar style. Some have second floors and some have second floors with a front porch. Our proposed plan is that we will step back the second floor a little bit to create a little porch in the front area and build to the side yard existing setback lines.

**Chairperson Speranza:** This is a public hearing. Boardmembers have any concerns or questions first on this? Okay, I do want to open it up. If there are questions or comments from the public, just come up to the mic and state your name.

**Neil Bogan, 72 Pinecrest Parkway:** I would just like to look at the plans, if that's possible.

**Ling Ho's architect:** The plans are here.

**Chairperson Speranza:** The plans for the second story you want to see?

**Mr. Bogan:** I just want to find out what's underway.

**Chairperson Speranza:** Gentlemen, why don't you sit back. Talk to us about how high you're going to be going up, and describe a little bit more about the second floor addition. It is difficult to be able to have people look at the plans right now. Angie, can you clip that to the board? My understanding is that this is being done within the parameters of the existing zoning district. There are a couple of variances that will be required at the Zoning Board of Appeals, but they have nothing to do with the new construction.

**Mr. Bogan :** So why do they need a variance?

**Chairperson Speranza:** Existing conditions -- the side yard.

**Ling Ho's architect:** The existing house is a ranch style house, one story, with a front gable coming up from the front wall. That's the entrance to the house, and here we show it as dotted lines. So in proposing the new second floor we'll be adding on top of the existing ceiling for about 8 feet. Then we have a pitched roof for another 8 foot 6. Basically, we are increasing the roof height maybe another 8 foot 6, which is not a whole lot because we're adding only one floor. Also, in front we're going to set back a little bit to create a front porch to enhance the view of that street, which is related to one or two houses along that same street.

**Chairperson Speranza:** You know what I'd like to suggest? Is there anyone else who has questions or comments about the application? What we could do is, we can leave the public hearing open, not act on it right now, and then come back if you want to talk about it and get a full explanation -- since you are neighbors -- of this. And then come back in if you have specific questions or comments about it.

**Mr. Bogan:** I think I'm satisfied. I just wanted to see it.

**Chairperson Speranza:** Okay, great.

**Mr. Bogan:** And I just wanted to know if it was going to stay in the same footprint.

**Chairperson Speranza:** Any other questions?

**David Skolnik, 47 Hillside:** It's a general question, more procedural. In this process, this is dealing with concerns about individual neighbors. But at what stage in this do you actually determine whether there's some issue within view preservation from public spacing, or is there an issue?

**Boardmember Hutson:** Right now.

**Mr. Skolnik:** So somebody would be able to tell just from the plans if there is, in fact ...

**Chairperson Speranza:** And the photographs. By looking at the site. We go out to the site, look at the photographs that have been taken. I did have one question of the applicant. I just want to confirm that you're not going higher than Broadway.

**Ling Ho, 64 Pinecrest Parkway:** No.

**Chairperson Speranza:** It seemed like that. And that's the reason why we request photographs, particularly from public accessways. If this was, for instance, set where the Aqueduct was above it, that would be a concern. But that's not the case in this application.

**Boardmember Hutson:** I think, on that score, one of the things that would be helpful is that as you have your photograph from Broadway to see ...

**Chairperson Speranza:** Number four?

**Boardmember Hutson:** Number four on here, right? It's hard to ascertain from that where the addition comes into play.

**Chairperson Speranza:** And I think because it doesn't show up.

**Boardmember Hutson:** Well, is that the case? In other words, when you look at the plan ...

**Boardmember Wertz:** It will be on top of this. It's an addition's going up.

**Boardmember Cameron:** How many feet is Broadway above, let's say, the existing ground floor of the house? Thirty feet, forty feet? At the northern end.

**Boardmember Wertz:** Yes, I took a look at, and it looked like it was set down. It was not a problem. But it would be helpful if we had a photograph that had a wider view and with the new addition drawn in so we could see exactly how it would look.

**Ms. Ho:** This will be it, number four.

**Boardmember Wertz:** But wider and broader, with the new addition drawn in, would be helpful to me.

**Ms. Ho:** This is like from Broadway.

**Boardmember Wertz:** No. I went there and looked at it and it looked fine. But I'm just saying that the photographs don't show us what the view would look like with the new addition, and it's difficult to see from this photograph.

**Ms. Ho:** That's not the reason that I'm doing an addition. I'm doing this for the space.

**Boardmember Wertz:** No, but we're concerned with the view from Broadway.

**Chairperson Speranza:** Any other comments?

**Boardmember Hutson:** You're assuring us that, standing on Broadway looking to the west, we will not see this addition.

**Boardmember Logan:** See, you can look down the hill.

**Chairperson Speranza:** Right, but it's view preservation.

**Boardmember Hutson:** That's what we need to hear.

**Ms. Ho:** When you're standing on Broadway looking at this house ...

**Chairperson Speranza:** You can't see anything.

**Boardmember Hutson:** And it's just two stories?

**Ms. Ho:** Yes.

**Boardmember Hutson:** That's what we're getting at.

**Mr. Bogan:** The neighbor on the other side does have a view across the roof. They couldn't be here tonight, and I certainly can't speak for them, but you can see from the photograph that...I don't actually know what the parameters of view preservation are, but there is a view from one neighboring home that's set behind this. I just want to put that out.

**Boardmember Dale:** Could you clarify that? I'm not following what you're saying there.

**Boardmember Logan:** It could be pointed out in the site plan because it doesn't look like there are any houses between ...

**Mr. Bogan:** This house is set back considerably, and I don't know that this will create quite a difference in the view from the front of their home.

**Chairperson Speranza:** Okay. But this building is going up and stepping back.

**Boardmember Dale:** You're saying that from their side window they have a view across the roof? I just want to understand what you're saying. So from the side windows of this neighbor you're talking about they can see across the Ho's house.

**Mr. Bogan:** I'm not saying that it's a beautiful view. I'm just saying that there is ...

**Boardmember Hutson:** You're just saying if there's any potential issue, that's probably it.

**Mr. Bogan:** Yes, that's the only one. Their house is literally behind.

**Chairperson Speranza:** Okay, anything else from the audience?

**Jim Metzger, 427 Warburton Avenue:** It's actually more of a general question, which I believe you alluded to. View preservation. Is there an angle that's involved that affects view preservation? Is it if the building plane actually breaks the view of the river? What constitutes impacting view preservation?

**Chairperson Speranza:** No, it's not if it breaks the plane of the view. You want to pull out our favorite? Every application. No, not just you. We deal with this. I'm going to wait, and let's hear it right from the code.

**Village Attorney Stecich:** Let me just read the language. What the Board's got to look at is: "...make a recommendation as to the best siting, dimensions, and configuration of structures so as to cause the least possible obstruction of the view of the Hudson River and the Palisades for neighboring properties and adjacent public property, and rights-of-way."

**Boardmember Logan:** So that's the view of the Hudson and the Palisades.

**Chairperson Speranza:** Okay, no one else in the audience?

**Village Planner Witkowski:** Patty, I just wanted to mention one thing. The neighbor you're talking about, I think she called me today and said she was going to be out of town. I explained to her that there would be a recommendation made to the Zoning Board, and she could go to the Zoning Board next week if she had any concerns.

**Boardmember Wertz:** Would she be back in town by next week?

**Village Planner Witkowski:** Yes, I told her it's next Thursday and she said okay.

**Chairperson Speranza:** Okay, Planning Board members. Questions, comments? This is a recommendation by our board to the Zoning Board of Appeals, which takes action both on the view preservation and the variances. So are we ready to vote tonight?

**Boardmember Dale:** I think so.

**Chairperson Speranza:** We can certainly recommend to the applicant that it would be helpful for the Zoning Board to be able to see that there will, in fact, be no encroachment above the site lines from Broadway. You might want to take another photo from your neighbor's house, and make sure that they're aware of what the plans are.

**Ms. Ho:** Say that again?

**Chairperson Speranza:** The neighbor whose house is set back, just to show what the view would be with the new structure.

**Ling Ho's architect:** Right next to the side yard line. It's just from this house out.

**Boardmember Dale:** Right, south.

**Chairperson Speranza:** That information would be helpful to the Zoning Board.

**On MOTION of Boardmember Hutson , SECONDED by Boardmember Logan with a voice vote of all in favor, the Board resolved to recommend View Preservation approval to the Zoning Board on the Ling Ho application.**

**Chairperson Speranza:** Pinecrest Parkway gentlemen. Do you want a copy of the plans to look at? Might as well recycle them off the dais.

**3. Public Hearing. Site Plan Approval and View Preservation. Howard & Iris Burkat; Unit 28 of River Glen Co-op, 645 N. Broadway; Sheet 14 / Parcels 124, 13A & 130 B. Dormer addition to second floor of residence in the MR-2.5 Zoning District.**

**Chairperson Speranza:** Angie, you want to tell us about this one?

**Village Planner Witkowski:** What they're planning on doing is constructing a dormer addition that will be similar to the others in the complex. They're putting in a bathroom that would go underneath that dormer. They don't have it; most of the other units in the development do have that dormer.

So it'll be the same design as the other ones that are there. The cooperative board is aware of it, and we did receive a letter from them saying that they approved of it. So the action would be to amend the River Glen cooperative site plan approval for unit 28 and make a recommendation regarding view preservation. The applicant is here, I believe.

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

**Village Planner Witkowski:** The mailings are in order.

**Chairperson Speranza:** Okay, Mr. and Mrs. Burkat?

**Village Planner Witkowski:** I don't know, I thought she was going to be here.

**Chairperson Speranza:** Well, this is a public meeting on the proposal. And again, it's the addition of a dormer. If there is anyone here who wants to comment on this application we can certainly make them available to you.

**Village Attorney Stecich:** Without somebody to make a presentation I don't see how you could act on it.

**Chairperson Speranza:** We have the materials.

**Boardmember Dale:** I don't understand why this is even before us.

**Chairperson Speranza:** It's in the view preservation district.

**Boardmember Dale:** This is the very argument that I was raising on steep slopes.

**Chairperson Speranza:** Okay, let's see if there's anyone from the public wishing to speak on this. Okay, why don't we leave this, then, to the end of the meeting to act on -- if anyone comes to even speak on it -- and then we can decide what we're going to do.

Assuming that the applicant's here, I'm going to change the agenda order a little bit. The next order of business will be site plan approval for the Co-operative Nursery School that's proposed to be relocated in St. Matthews Lutheran Church.

**4. Public Hearing. Site Plan Approval. Hastings Co-operative Nursery School; 7 Farragut Avenue (St. Matthews Lutheran Church); Sheet 23 / Block 671 / Lot 4. Renovation of existing space for reuse as a nursery school in the R7.5 Zoning District.**

**Chairperson Speranza:** Angie, you want to get us started on this? Site plan approval. Mailings are in order?

**Village Planner Witkowski:** Mailings are in order. The applicant's requesting site plan approval to renovate existing space for reuse as a nursery school in the R-7.5 zoning district. This is at St. Matthews Lutheran Church. The nursery school was formerly located in the Unitarian church, however severe flood damage at that site made relocation necessary. Hastings recreation department currently occupies this space, however they will vacate the space by August when they move to the new Community Center.

The nursery school plans to have the improvements completed in time for the September school year start date. The only exterior improvement will be a new banister. The interior improvements are necessary to meet the state of New York requirements for nursery schools. There are 14 parking spaces provided on-site, which meets the requirements. Although a church and meeting space are also on-site, the nursery school will not be in session when the other facilities are in use. We did receive a letter to the Planning Board from the family and staff of the nursery school that I distributed. Would you like me to read that?

**Chairperson Speranza:** Let's hear the presentation, and then we'll open it up.

**Josh Heitler, 2 Sunset Street:** I'm representing the Hastings Co-op Nursery School, partially as an architect and mostly as a father. These are the co-directors, so they can introduce themselves if they want.

**Irene Wemmer, Co-op Nursery School:** Hi.



**Cindy Niver, Co-op Nursery School:** Hello.

**Mr. Heitler:** Angie did a pretty good job of introducing the site plan. This is a re-application. This building, this structure, was built to be a school. It was built in 1947. It was used as a school until, we think, about 2002. And then it has been temporarily used, as Angie noted, as the rec department for the last couple of years. They're vacating, obviously, to the new Community Center. There are existing classroom spaces on the lower floor of this that we would be occupying and slightly reconfiguring to meet our space needs and the requirement of daycare licensing. But otherwise, fairly cosmetic changes. No changes to the outside, no changes to the footprint.

We're also renovating the basement space of the church building and there, again, no change to the outside. We'd be adding railings to the second means of egress. We are adding windows along the back edge to meet the vent and light requirements for the space, but they'll be below grade. There'll be in a window well at the back of the property so not visible and, again, no expansion of the footprint. I actually think there are 18 parking spaces on-site but, nonetheless, according to the code. We have eight teachers, one per teacher, and about 40 students. They asked for one for 12, so that's only 12 required.

**Chairperson Speranza:** Okay, thank you. Any questions from the public on this application? I have one question, and I know you're regulated by New York State. Is there any requirement for any kind of fencing or anything?

**Ms. Niver:** You are required to have a fenced-in playground, which exists.

**Boardmember Hutson:** One thing in terms of your state review, have they reviewed your plans and have you received their approval?

**Mr. Heitler:** We can't be approved until we do the construction, but we've talked to them preemptively to understand what the requirements are. We've done everything in advance to meet their requirements. Most of the build-out is to meet their requirements. But we should say that on day one we would be able to operate as a nursery school, which is what it currently is. Everything is in place, and has been in place. We meet those requirements. The more stringent requirements are for daycare licensing, which is something that we'll pursue after the construction is finished.

**Boardmember Hutson:** Oh, I see. Co-op Nursery has not had daycare in the past, or it has?

**Ms. Wemmer:** It has not. What we have is an accreditation by the National Association for the Education of Young Children. In 2007 one of the requirements to maintain our accreditation was to be daycare-licensed. That's from a safety standpoint, from New York State. I think that there was some overlap in the two organizations, and daycare licensing provides NASE with the comfort zone of knowing all the safety requirements have been fulfilled. Even if we're not running a daycare center we need to get daycare licensing in order to maintain our accreditation.

**Chairperson Speranza:** Anything else? Questions, comments? Anything from the public?

**Janet Collins, Yonkers:** I'm a member of St. Matthews Lutheran Church. I'm a Yonkers resident, but I've gone to church in Hastings. Moving here from Iowa to this little community is very much like the Midwest in its family environment and stuff. St. Matthews has had a school there...well, you know, the one from 1947. We've always had a school. They built that educational building where they want to have the nursery school before they built the church. They tore the old mansion down after they built the educational building, which is where the original school was, and then moved the church that used to be in the Village next to where the new rec center is, or the firehouse. Then they built the new church up there. They did make sure that there was another educational building in place before they built the school.

So it is very much a part of our church community. We want a place where children can be educated, whether it be Christian, or whatever. That is very important, and it really provides something for the community. That's why we felt this was really very much a good joining of their education and our church, that we could share the space and provide them with a home for their school. We are no longer able to operate the school because of membership and stuff. And people are working, so we don't have parents that can come in and do it. They provide that. So this is really a very good match for us. We're hoping that you'll look at it very carefully and see that it's something that's really good for the community, too.

**Chairperson Speranza:** As Angie mentioned, there was an e-mail sent earlier today from the families and staff at Five Corners Nursery School which, I guess, is across the street.

“Staff and families of Five Corners Nursery School cannot attend the meeting tonight, but would like to share some thoughts regarding the Co-op Nursery School's application to relocate to St. Matthews Church.

We'd like to welcome the Hastings Co-op Nursery School and wish them well in their efforts to relocate to St. Matthews. However, we are concerned about the potential traffic congestion their arrival may bring, given traffic from the Farragut Middle School, Hastings High School, and Five Corners Nursery School. We would request that the starting time for classes at the Co-op Nursery School be staggered so they would not be simultaneous with the start times at the Five Corners Nursery School.

Start times at Five Corners are 8:45, 9, and 9:15. We suggest that the Co-op's start times be 9:10 and 9:25. We would like to note that presently there are no traffic issues, and that we are hoping staggered start times will avoid any potential traffic issues.”

This is signed: “Contact Judith Rodyrody at Five Corners. Families and staff at Five Corners Nursery School.”

**Mr. Heitler:** Can we address that?

**Chairperson Speranza:** Sure.

**Mr. Heitler:** I guess I would just say that with regard to the high school and the middle school they are all in class by 8:30, the crossing guards have left. And for that matter, I happen to live at the top the hill, the top of Mount Hope, and there's nobody who's more frustrated than me trying to drive from there to the train station. But after 8:30 it's really very quiet there and all of the commuters have already made it to the parking lot, as evidenced by the fact you can't get a space.

So I think two nursery schools can arrive at the same time within the Five Corners, that supports major traffic in several directions during much more congested times of day. Obviously, the Hastings Co-op Nursery School values its place in the community and would be accommodating as much as possible to the community, but I would request that the Planning Board not legislate the hours of operation based on a competitor's request.

**Ms. Collins:** It wasn't a problem. I would like not to make a political statement or anything, but this is a school that was at St. Matthews four years ago and it wasn't a problem then with traffic and stuff when they were at our school. So I don't think it'll be a problem now, since they were there and the same situation was up, and it wasn't a problem with traffic.

**Ms. Wemmer:** I've been teaching over 25 years in nursery school, and the hours in most nursery schools are 8:45 to 11:30. Because of children's naps, because of after-school programs, our children do a second program at a different school -- especially children's special needs. So to change the hours really affects children, especially with special needs that may be in the school, to go to another school to receive their therapies or their education.

**Boardmember Hutson:** I was just going to ask, what building is Five Corners in exactly?

**Chairperson Speranza:** First Reform Church.

**Boardmember Dale:** And they have their own driveway so they're really off the street.

**Boardmember Cameron:** And you are dropping the nursery school kids across the street, so they'd be on different sides of the street.

**Chairperson Speranza:** That's true. I tend to think, as you've pointed out, the school is started and it's in session there. There's an appreciation for the traffic at Five Corners, but I can't image that. Now, how many children do you have? I'm just curious.

**Ms. Niver:** About 40.

**Boardmember Dale:** And how many do they have across the street? Any idea?

**Boardmember Hutson:** How many start times do you have? They apparently have three.

**Ms. Niver:** We all are up at 8:45.

**Chairperson Speranza:** Thank you. Are we ready to act on this?

**On MOTION of Boardmember Logan, SECONDED by Boardmember Dale with a voice vote of all in favor, the Board resolved to approve site plan as presented.**

5. **Public Hearing. Site Plan Approval and View Preservation. Michael Agate; 495 Warburton Avenue; Sheet 9 / Block 620 / Lot 23. Reconstruction of fire-damaged mixed residential / retail building in the MR-C Zoning District.**

**Chairperson Speranza:** Angie, you want to start us off?

**Village Planner Witkowski:** This application is from Michael Agate, 495 Warburton Avenue. The applicant's seeking site plan approval to reconstruct a fire-damaged mixed residential/retail building in the MR-C district on the west side of Warburton. The building includes one street-level commercial space and three dwelling units, though there is no change in the unit types. The new roof will be approximately 5 feet higher to accommodate a mezzanine and an unfinished attic. The building will meet the 40-foot height limit, and the applicant has included the ARB decision in the packet. Furthermore, photos are included that indicate whether or not the building will block any significant views.

The applicant is here, so he can present his case.

**Michael Agate, applicant - 495 Warburton Avenue:** I am the applicant for approval.

**Chairperson Speranza:** Is everything okay for notice? There is a question about it. Marianne, do you want to run through that?

**Village Attorney Stecich:** The Building Department contacted me this afternoon because when they gave the list of people to be notified, apparently because the building next door has four condominiums in it -- not because of that, but the building next door has four condominiums in it -- and there were only two included on whatever list the Building Department has. They work from the Town's files. The building next door has four units.

Two of the unit owners got notice, two didn't. The way they learned that was because one of the non-notified unit owner's architect, representative, came to the Village hall today and said that they learned that they didn't have notice. So the Building Department called me to say, "Well, can it go forward since they didn't get that notice?" I said, "Well, they do have notice so it's okay." But my concern is the fourth apartment in there. If apartment 3 had issues, apartment 4 may well have issues. So I said, "Why don't you see if you can contact them," and they did contact the owner of the fourth unit.

**Chairperson Speranza:** Our Building Department contacted them.

**Village Attorney Stecich:** Yes, I'm sorry. The Building Department contacted the fourth unit owner, who told them that she had seen the plans already.

So I would say in this situation everybody was notified. I mean, whether people want additional information is a separate issue, but I would say that if the Board is comfortable with it I think it would meet the legal requirements of notice.

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

**Mr. Agate:** So we do move forward?

**Chairperson Speranza:** Unless somebody has an issue.

**Boardmember Hutson:** The third person who did have a problem, are they able to attend tonight?

**Female Voice:** Yes.

**Chairperson Speranza:** Okay, yes, go forward.

**Mr. Agate:** All right, thank you. As most people do know me here, I used to reside in Hastings. I did purchase a building, I renovated it, it burned down in three weeks. Now I have to do it again. At the same time, what I'd like to do is change the building a little bit because I do not want it to look the same as it did before. Reason: I don't want to walk into the same piece of property that I did 5-1/2 years ago; and that's my reason for doing so. I did ask to go up 4 to 5 feet in height, which is within code because the code for Hastings is 40 feet high. That will give me a second level in my apartment, which is an unfinished attic. The center of the apartment will be an open space and a mezzanine towards the back. That changes the interior of my apartment itself enough so that I don't have the same floor plan or the same layout as I did the first time I renovated the building. That's why I'm here this evening.

At this time we don't have a floor plan. We are in violation, since it is 5-1/2 years. The Building Department is concerned that we close the building so we're here to close the envelope only. There is no interior work being done.

**Chairperson Speranza:** Public hearing. Let's do public first. Questions, comments?

**Amy Listerman, 491 Warburton Avenue:** I'm one of the four houses next door, here with three of our neighbors. I think our biggest concern is we haven't been able to review this in a lot of detail yet. We don't have the full plans for what this renovation's going to look like so we don't know exactly what the full extent of it is. We have some concern -- especially my neighbor who's right next door -- about her view. I don't think she has a full side picture to see exactly from her decks, and from her top deck, what this will be for the view.

I think in total -- I mean this has been 5-1/2 years.. This has been a condemned building for five years that we've lived near. I think we would just like to see the full plan, a timeline -- and the full floor plan including the footprint, which we do not have a copy of -- and just everything before we go forward. I mean, no one wants this completed more than we do, and finished, but I just don't feel we have all the details to be able to do that at this point in time.

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

**Mr. Agate:** I would like to add that this building was never condemned.

**Ms. Listerman:** I would like to add, it should have been.

**Chairperson Speranza:** Okay, who else wishes to speak?

**Eric Frank, 493 Warburton Avenue:** Can I just get a clarification? I got a good definition of view preservation, but what does site plan approval mean exactly?

**Chairperson Speranza:** We take a look at the building, the proposed building in this case, within the context of what's surrounding it. Site plan approval is usually much more full and meaningful when you've got a large piece of land with nothing on it and you're starting from scratch. Here you're in a built-up area, so the site plan review contains the same elements that we look for but, obviously, it's already a constrained piece of property.

**Mr. Frank:** Right, okay. So I guess I'd like to echo the concern about just lack of information. I think we haven't had a chance as neighbors to sit down and talk through what this looks like. We don't yet understand fully how the views will be impacted. We're particularly concerned, I think, about the decks. We don't know yet how the decks will come out the back of the unit, so we're not sure what that's going to mean for our decks. We understand that there may be some additional building-out in the back of this, so it's just a big question mark in our minds right now as you go back further what does it mean.

Personally -- I won't speak for all of us -- I'm not opposed yet. I just feel like I lack enough information to know whether I'm in support or opposed. I also do feel empathy for Michael for what he's going through, and I know that this puts him off from being able to proceed if he can't buy building materials and loses a month, and there's a cost associated with that. I would like to enter, for whatever it's worth...I don't know if there's a fee involved in him presenting, but I'd like to see us be able to at least have some time to review the plans fully -- sit down as a group of neighbors, try to figure it out -- and come back here without any additional cost to Michael, and see if we can move forward.

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

**Andrew Novak, 493 Hamilton Avenue:** Just a quick question. My mother, Villa Novak, is 493-A. I'm her son. May I speak on her behalf?

**Chairperson Speranza:** Sure, as long as she doesn't argue with you.

**Mr. Novak:** She's sitting right there. I think I echo a lot of what Eric just expressed. I've known Michael for some time now and I see him quite a bit. A couple of things I think we want to share. I think one, we want to be good neighbors. And I think in the duration of time that we've all been there we've shown patience and willingness to work with our neighbors, whether it's Michael or anybody else, to really do what we can to make sure that we keep up the place, so to speak. One concern I have that I think we want to share with this board is, I don't know if anybody else feels the same way but let me just state the obvious. This has just gone on way too long. My mother bought this place over two years ago and it was in that shape then. I know Michael's trying to do the work.

This is not a finger-pointing exercise, but it just doesn't seem to be progressing the way it ought to. So as much as I feel empathy for Michael, I want to say that we want to impress upon you at least our desire to work with whoever it is to see that this progresses and that there are no more further excuses and delays. I think that's one thing that we want to share.

More specifically, my mother's unit being Michael's immediate adjacent neighbor, we've had some ongoing concerns about potential degradation to our side of the party wall. It's exposed, and all that's protecting it right now, is essentially a tarp that covers the divider. So my mother has a little more particular concern to make sure that this work progresses in the most expedient fashion such that both Michael's and my mother's interests are protected. I'm not sure whether it's this board or the other board, or the Building Inspector or whatever, I think we've got to come together and do something about this situation. This is ridiculous.

**Chairperson Speranza:** This is the first we've seen this, just so you know.

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

**Chairperson Speranza:** But that's good that you're willing to work with us.

**Robert Knieseovich, 497 Warburton Avenue:** I think I'm going to repeat a lot of what you've heard. My building is on the other side of Michael's, 497 Warburton. We have been dealing with this, as you heard, for 5-1/2 years. We've been through winters of frozen pipes and cold. So I also, on behalf of the tenants that live in my house, urge you to move this project along because we do not want to have another winter, particularly in that apartment.

I do have some questions. I see that the building height has changed, and that certainly has visual impact. But the question that I have is, on the back of the building and the footprint of the house is the house extending at all? Because the 497 house, on the other side of Mike, is a very shallow house. So we already have quite a bit of distance that we see Michael's house protruding beyond ours.

So the question that I have, I think is really information about the layout, about the decks, and about the footprint of the house. So if you can tell us when that would be available for all of us to kind of collectively look at. And, of course, we are all rooting for you to put this house back together, Michael. But it would really help for us to take a good look at what you're doing so that we can kind of support what you're doing.

And I do have one other question. It had to do with something that you and I had discussed about the basement walls -- some changes and some reconstruction work to happen in the base -- that would have potentially affected *my* building. If you could just speak to that so we have some sense of how that's going.

**Mr. Agate:** Just to touch base on some of the questions that were asked this evening, we're not here to approve the footprint of the building. We're only here to approve the height of the building.

**Chairperson Speranza:** And view preservation also.

**Mr. Agate:** Well, the site plan exists as it is. And view preservation, if you're just going higher, we're not looking for an extension on the building.

**Chairperson Speranza:** Right. What I'm hearing you say, then, is that you're not going out any further...

**Mr. Agate:** Right.

**Chairperson Speranza:** ...than where you're going. I think that is something that you do need that would be helpful for us to see. But we can continue with at least some concerns that I have, and obviously some of your neighbors, too. Anyone else from the public?

**Villa Novak, 493 Warburton Avenue:** I'm the mother, and I'm going to speak up anyway. I did not get a letter. I don't know why I didn't. I think since I'm immediately adjacent I certainly should have had some notice.

**Chairperson Speranza:** And I think our attorney tried to address it. They did look into it, and it's got to do with the way that the names are registered within the town.

**Ms. Novak:** But don't you think I should have had a notice so I could have had some time to investigate and think about it?

**Chairperson Speranza:** You should have gotten a notice.

**Ms. Novak:** Right now I have some pictures. This is what it looks like. It just seems to me, with the line of the buildings on the entire street, it just would keep the integrity of the look of the entire block to keep it all the same height. I don't understand. If it's 5 feet higher, but I don't know, it's 5 feet higher than what? I mean, what was it, and it's 5 feet more? But no one seems to be able to give us that answer. I agree with the folks that have stood up and said it's been a long time. I've been there over two years. I think we do need something. At my age I don't even buy green bananas. Thank you.

**Chairperson Speranza:** Thank you. Anyone else in the audience?

**Mr. Agate:** If you look around Hastings, though, the diversity of the homes in Hastings do have different heights. There is very little uniformity in Hastings. That actually is the charm of Hastings itself. So the difference of the height as an issue to conformity with the other houses on the street, you know, it's not with the charm of Hastings. Because Hastings itself has the diversity of the different-size houses, different looks, and so on and so forth.

But the new homes that were built next to me, which is one of your homes, Villa, were built at a lower height than it's original height before they had burned down. The original height of my house was about 35 to 36 feet. Code is 40, so I just wanted to extend that extra few feet just so I can get the second level out of it, with the mezzanine and an unfinished attic. But that was the only difference that I was going for.



**Chairperson Speranza:** Okay. Let's see what we have. Bruce, go ahead.

**Boardmember Dale:** Do you have architectural drawings for the reconstruction of the entire building?

**Mr. Agate:** For the interior?

**Boardmember Dale:** For the whole building, yes.

**Mr. Agate:** No, not at this time.

**Boardmember Dale:** Just for the exterior.

**Mr. Agate:** Just for the exterior because we were told by the Building Department that we have to close the envelope and do nothing to the interior. That was the violation.

**Boardmember Dale:** And you're prepared to start construction?

**Mr. Agate:** We've already started construction. We were issued a permit back in February, we started in March.

**Boardmember Dale:** And that would be a reconstruction of the existing footprint.

**Mr. Agate:** Yes. The entire exterior of the building has to be rebuilt.

**Boardmember Dale:** Including the windows, or are you going to leave those?

**Mr. Agate:** Yes, the façade was approved. We have to put a façade on it because the idea was to close the weather out so that I wouldn't have any more deterioration on the interior of the house, plus it would look pleasing to the street.

**Boardmember Dale:** So your only request from us is the authorization to build...

**Mr. Agate:** The height.

**Chairperson Speranza:** Remember, we do make a recommendation for view preservation. So it's site plan for a building which you've made clear now you are going higher. The materials that I received in the application are a little deceiving. The photo array just showed it as is, at the same height. But then your concept drawing showed it higher ...

**Mr. Agate:** Architects' drawings?

**Chairperson Speranza:** ...but not within the context of the street. Well, there, it is within the context of the street. Okay. Bill?

**Boardmember Logan:** I sympathize with the view that architecture doesn't have to be all at exactly the same height, and it does add some variation in scale and some change of modulation. And I think it actually helps to have some irregularities. There are a lot of examples of that in the Village. I guess the other issue is, if this was somehow grandfathered to a certain height because that's where it was in the adjacent buildings, or also a similar height, I think I could support going a little bit higher.

I guess the balance has got to be to what extent does it impact view preservation. I would feel more comfortable about recommending approval of the view preservation if there was some history that showed that some of buildings were that height before.

**Chairperson Speranza:** You mean higher.

**Boardmember Logan:** Well, understand, this was originally 37'6" or something like that.

**Mr. Agate:** Between 35 and 36 feet high.

**Boardmember Logan:** So 35 and 36 feet high.

**Mr. Agate:** If you see some of the photos...

**Boardmember Logan:** Do you have the old photos by any chance?

**Mr. Agate:** These are original. The old photos were actually in the building when it burned. So the wall next to Robert Knieseovich's house is higher here, which is why it extends a little higher than his house. Because that wall continues to stand, but it's minus the roof rafters that go across, which are another 12 inches.

**Boardmember Wertz:** How about the heights of the buildings next to it, up and down the whole row of those buildings? Would there be any way we could just say that this one's 37, they're all 37; or this is 36, this is 35, that's 38? Could you break that down for us so that we could just get an idea of how the line along the tops of those various buildings would look?

**Mr. Agate:** I don't know if you know, but I think Robert's building is about 32, 33.

**Boardmember Dale:** That isn't the question.

**Mr. Knieseovich:** You see the visual right here. Mike is saying that it's going to go up another 5 feet beyond the height of my building. That would, in essence, make the height of my building 5 feet less than currently.

**Boardmember Dale:** They look all pretty similar to me. So I can understand irregularity, but regularity with one irregularity is a little different from general diversity.

**Ms. Novak:** And the pattern on the top is consistent as well across the whole...

**Boardmember Dale:** Right. It looked consistent to me rather than irregular in that vicinity.

**Chairperson Speranza:** It's diagrammed on that drawing. We just don't have that one.

**Boardmember Dale:** Yes, we didn't get that one.

**Heidi Frank, 495 Warburton Avenue:** From the street our unit is a three-story, plus a basement that you can't see that's underneath into the sidewalk. It's open in the back. Is your house going to be a four-story house or a three-story house?

**Mr. Agate:** As it's classified it's three-story with a mezzanine and an unfinished attic. That's the classification.

**Ms. Frank:** With a mezzanine? What does that mean?

**Mr. Agate:** A mezzanine is a balcony inside the house. In other words, it has an open-center floor plan with a balcony inside that overlooks the floor plan below. And then the front of the house, which are these windows here, is an unfinished attic. I had an unfinished attic before, but now it's a room-attic as opposed to a 4-foot ceiling.

**Ms. Frank:** So it's a 3-1/2 story plus an attic? Is that what a mezzanine is, half a floor?

**Mr. Agate:** I don't know the actual classification. An architect would probably...

**Chairperson Speranza:** It's three stories and an attic, right Marianne?

**Village Attorney Stecich:** It's three stories and an attic basically. I'm trying to visualize...

**Boardmember Dale:** I don't think a mezzanine counts as an additional floor. In New York City they had this issue -- some architect added it. It enlarges the high ceiling height of a floor, but it doesn't count as an additional floor.

**Boardmember Cameron:** But the new one seems to be having four floors.

**Mr. Agate:** It's not a complete floor on the interior.

**Boardmember Cameron:** But which part isn't complete?

**Mr. Agate:** If this is the house lying down, and this is the front façade, this is unfinished. This is an open floor plan -- in other words, a hole going down to the first level. And this is a mezzanine in the back.

**Boardmember Cameron:** Sorry. Is there a floor behind those three windows?

**Mr. Agate:** Yes, that's an unfinished attic.

**Boardmember Cameron:** Okay, and how high will the ceiling be in the unfinished attic?

**Mr. Agate:** If the plans work out right it's going to be 8 feet.

**Boardmember Cameron:** So once it's finished it would be more than an attic.

**Mr. Agate:** We can't finish it, though.

**Village Attorney Stecich:** Are you saying three stories plus this attic?

**Boardmember Cameron:** Yes, that's what we have. That's what he's got.

**Village Attorney Stecich:** You know, you don't have on your application what zoning district it is. You're supposed to put it on there. Is this the MR-C?

**Mr. Agate:** Yes.

**Village Attorney Stecich:** And then the maximum height is three stories, so it can't be higher than three stories. And it's a story -- if it's an attic, it's a story.

**Boardmember Cameron:** I thought it was a story when a certain part of the room was above a certain height. That's a story, so I think that's the issue.

**Village Attorney Stecich:** Well, it's that portion of the building including between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between the floor and the ceiling above it. It's not like your sloping roof. I'm going to have to talk to Deven, but it seems to me this would be a story -- that that would be four stories. It's just not allowed. You're still allowed three stories.

**Mr. Agate:** What Deven and Charlie have explained to me and my engineer is that this is not considered a second story, but a mezzanine and an unfinished attic.

**Village Attorney Stecich:** Without having [plans] it's hard to tell...

**Chairperson Speranza:** And I think there is a larger issue, too. I mean, there's the stories, there's what's permitted in the code, and then there's the character of this street as it is and the view preservation issues. David, did you have anything you wanted to comment on?

**Boardmember Hutson:** You know, at this point I wouldn't feel comfortable with the additional height in terms of its impact on neighbors, and not knowing more in terms of view preservation. Let me ask, in terms of the timing question, what has been the holdup as far as moving forward over the past couple of years?

**Mr. Agate:** I'm sorry?

**Boardmember Hutson:** What has been the delay, as far as moving forward, over the past couple of years? Has it been a financial issue or an emotional issue?

**Mr. Agate:** Both.

**Boardmember Hutson:** And in terms of when the Village said that it has to be closed to protect it, they're talking about reconstructing the exterior walls and the roof.

**Mr. Agate:** Yes. I have to put a roof on, have to finish the façade, and have to do the exterior walls so that it's weatherproof.

**Boardmember Hutson:** Are you saying then it wouldn't be the final shell of the building?

**Mr. Agate:** No. I would like to do an extension, but not at this time, if that's what you're asking.

**Boardmember Hutson:** Right. But in terms of what you're going to do now, is this the permanent shell of the building you're proposing ?

**Chairperson Speranza:** Permanent roof.

**Boardmember Hutson:** Or is part of it permanent and part is temporary?

**Mr. Agate:** Right. Actually no, the shell that's being built now is permanent. I would like to go back. In the future I would like to put an extension on, but it's not the same design.

**Chairperson Speranza:** Okay, you're talking about extension. Are you talking about extending up?

**Mr. Agate:** Down. Back.

**Boardmember Hutson:** No, out. In the back, right?

**Mr. Agate:** Out, in the back.

**Chairperson Speranza:** So what you want to do now to enclose this is the additional story.

**Boardmember Dale:** Just going up.

**Boardmember Cameron:** I guess I have a question. You've given us a whole bunch of pictures and one of the pictures has two apartment buildings in it, and that's picture F. Do you have any pictures taken from the windows of F looking across the top of your roof?

**Mr. Agate:** No, I don't. But those photos will show that that building across the street from me is already 10 feet higher.

**Boardmember Cameron:** The buildings in F are 10 feet higher. And the question is, if I'm standing in one of these rooms in F and looking out at the river, will I see less of the river once you've added your 5 feet to the top of your building that I'm seeing now? That's the question. We need pictures in order to make that determination.

**Mr. Agate:** I'll be honest with you. I don't know if I can actually answer that question because I don't know. But his building is on the corner. His parking lot is across the street from me, not his building.

**Boardmember Cameron:** Right, I understand. But they've got an angle view.

**Mr. Agate:** Right. So it's an angle view.

**Boardmember Cameron:** Right. But it looks at the river.

**Mr. Agate:** I would think, from that angle, if he's in his building and he's looking down at that angle he's going to come up with the back of the parking lot. That would be the angle that it would be on.

**Boardmember Cameron:** I think we need to get some pictures to give us an idea of whether...

**Mr. Agate:** Well, there is a site plan.

**Boardmember Alligood:** I think we don't have enough information to make a determination about view preservation. I just agree with your neighbors that the reason this comes to us is that we look at the full package.

**Mr. Agate:** Well, what information do we need? What information do I have to provide?

**Chairperson Speranza:** Fred, do you have anything else to add? We'll give you a list.

**Boardmember Wertz:** When was the current plan formulated, the change in height? When did you first develop that?

**Mr. Agate:** Three years ago.

**Boardmember Wertz:** Three years ago. So the Architectural Review Board reviewed this in January of '06.

**Mr. Agate:** Yes, a little over a year ago.

**Boardmember Wertz:** And they had a couple of recommendations only: to move the railing on the roof back, presumably in order to get it out of the view of those on the street. Would that be their rationale for that recommendation?

**Mr. Agate:** Yes. What happens is, they've recommended a railing and that the railing be set back about 5 feet off the roof line so that it cannot be seen.

**Boardmember Wertz:** Yes, that was what I assumed. And they wanted you to lower the windows by a foot, but that was on the first floor.

**Mr. Agate:** On the store itself -- the storefront -- the windows were lowered.

**Boardmember Wertz:** I wonder if there's any way we could get a fuller report from them on the way they assess the impact on the neighborhood visually. Evidently they didn't have a problem with the change in height. And to me, it seems like a problem. So I'm wondering what the thinking of the Architectural Review Board was when they approved it. And I don't see in their material any comments or any further discussion of their deliberations. I guess if they're approving it, and I'm leaning in the other direction, I'd like to hear their side of it. And the neighbors, I think, too, are uncomfortable with the impact on the character of that row of buildings. So if we could get that, too, on the table I think that would be helpful.

**Boardmember Dale:** The row of buildings were all built at separate times and by different designers?

**Mr. Agate:** The original structure, my structure, was built in 1910. I believe Robert's structure was added in 1918.

**Mr. Knieseovich:** In 1924.

**Mr. Agate:** In 1924. The other buildings that are off the corner, I have no idea.

**Boardmember Dale:** There's no consistent architectural motif for all the buildings.

**Mr. Agate:** No.

**Boardmember Dale:** They just happen to be built at the same height because of the local zoning?

**Chairperson Speranza:** Well, they're all three stories.

**Mr. Agate:** And the buildings that are south of me.

**Boardmember Dale:** For me, in terms of the height, the height doesn't bother me visually as an architectural element. But the question I think really is, is it a story. Or if it is a story, then you're in violation of the zoning for that area. So you could ask for a variance.

**Mr. Agate:** Again, it was explained ...

**Village Attorney Stecich:** I would have to discuss it with them. Because at the minimum I would think that it's a half-story. I really think it's a story, but even if it's a half-story it's more than three. The limit is three stories. So unless they're seeing something I'm not, I think I need to talk to the Building Department about it.

**Boardmember Wertz:** So we would need that reviewed, for sure.

**Village Attorney Stecich:** Yes, and then submit the right one.

**Chairperson Speranza:** Right, and let me just go through this letter that we received today. This is a letter from Edward Baldwin, Baldwin and Franklin Architects. There are a couple of points in the letter. I'm not going to read you the whole letter.

“Insufficient information is given to assure the building is not expanded in the plan. No longitudinal dimensions for the proposed structure. And the survey differs from the site plan with respect to the extent of Ms. Novak's house.”

Okay, that's right: Mr. Baldwin is writing on behalf of Ms. Novak.

**Mr. Agate:** So it's surveyed?

**Chairperson Speranza:** Yes. And, again, it's got to do with the papers that we've got here.

**Boardmember Hutson:** He can have a copy of this.

**Chairperson Speranza:** Yes, of the packet.

**Ned Baldwin's Letter-** “The vertical addition which Ms. Novak, as well as your three southerly neighbors, find most unfortunate is, it departs from the form of this original historic block which, in building the four houses south of this property, we tried to respect. It is not dimensioned accurately other than to state that the new building is not to exceed 40 feet. An additional decorative railing is shown above the site, but is not detailed and the scope is not shown. No information about the use for the new building is in the application. It's described as mixed-use retail building with three residential units, yet the street elevation shows two doors -- one obviously leading to a large retail space.”

**Boardmember Cameron:** It says “leading to retail space.”

**Chairperson Speranza:** “This is an application to restore a building, yet the drawings reflect an entirely new and enlarged building. How will storm water be handled? How will the south wall of the new building be flashed to the north wall of Ms. Novak's building? No details showing the finish. It is difficult from the information provided for Ms. Novak to understand how her view northwards from her deck will be affected.”

**Boardmember Hutson:** The roof terrace, right? Oh, no, I see what he's saying.

**Chairperson Speranza:** From the rooftop, yes. Okay, so I'm hearing a couple of things that need to be done in this case to move forward. First of all, yes, we have to resolve whether or not this is an additional story. Because if it's an additional story, even though you might be less than the height, obviously you can't do it without going for a variance. And I'm hearing that there is concern on this board, mixed, about going the additional height over the building lines. There's disagreement, but there is concern about that.

View preservation. You've got a number of pictures. But as we heard earlier this evening, view preservation is the view of how does this project impact views that others have of the river and the Palisades -- which is the reason it was brought up. What actually is seen, when your building is built, from, say, Washington Avenue? Some of the views from the neighbor across the street will be impacted, it may be, dramatically. And of course view preservation doesn't say you can't build it -- it says it's got to be sited in a way that minimizes the impact.

**Mr. Agate:** But those neighbors aren't here this evening.

**Chairperson Speranza:** But we need to see it.

**Boardmember Wertz:** Yes, if you could take some photos from various points of view...

**Chairperson Speranza:** From Washington. Go up to Washington.

**Boardmember Wertz:** ...which could potentially be impacted, so that we can see it. And we'd also like to see the form of your new proposed structure.

**Chairperson Speranza:** Exactly. That's something else, and I know it's hard to get this across. But, for instance, take your view B -- your B photograph -- you've got to give us this picture. It's a great picture. Show us how. Sketch in what the changes are going to be. We've got it there, but a) we don't have that, and b) it's got to be from several areas -- not just flat from whatever distance that may be.

**Boardmember Logan:** I think as far as the view preservation goes, if you could get access to one of these windows up on the upper floors of the buildings on Washington Avenue, I think that would give me the information that I need to see whether it impacts the view. I think that's the only place you can see it -- you've got about five or seven windows up there, see where I mean? -- or on the roof, or something at elevation.

**Chairperson Speranza:** You've heard from many of your neighbors tonight. I think it's really important you talk to them about what it is you want to do. Go through some of the plans. I'm sure that in an effort to recognize and realize what this would mean to their views they will let you go in and photograph from there. And again, sketch in on the photo the view from their back deck. Will your building, will your rear decks, block their views -- and if so, how much -- and just sketch it into the plan. Because this is what's important for us in terms of making the decisions.



**Boardmember Logan:** I have a quick question. If he rebuilt this façade to the height it was before it burned down, would we have any issues? We're talking about 2-1/2 feet, right?

**Mr. Agate:** Over the other homes, yes.

**Boardmember Logan:** To whatever it was. We could look in the record to see what it was.

**Chairperson Speranza:** To whatever it was. I think that's what the ...

**Boardmember Logan:** I mean, if this is too much aggravation, we wouldn't have an issue if it was built to whatever it was, right?

**Boardmember Hutson:** Right.

**Chairperson Speranza:** It may still have to go through this process because it's been more than five years.

**Village Attorney Stecich:** Yes, it would still have to go through the process. But I think Bill's question is about site plan review and view preservation.

**Boardmember Logan:** The odds are that there would be no grounds for objections for view preservation.

**Boardmember Cameron:** I would think it was whatever it was, and whatever shape the roof was. If you go to a flat roof and get another floor out of it, then it's not whatever it was.

**Chairperson Speranza:** And I can certainly understand your wanting to move this forward and do this all at once. If you want to increase the height, and you're talking about in the future doing an extension, well, again, what are you talking about in terms of an extension.

**Boardmember Logan:** Well, that's a separate submittal. It's a whole separate process.

**Mr. Agate:** It's a separate issue.

**Boardmember Dale:** It's a hypothetical.

**Chairperson Speranza:** Okay, but we still need to know. I know it's difficult in this instance, but I don't have any recollection of what the back of the building was like.

**Mr. Agate:** The way it is now.

**Chairperson Speranza:** It's the way it is now, okay. So there are structural elements that are not going to be changed -- because I see repairing walls and roof -- and we can put together just a complete, very simple, definition as to what it is -- much as what you've been saying now, that this is what it is you're going to do. Forget about the extension, and I think the next time will be much more clear for us. But I think you've heard some of our concerns with respect to increasing the height, if it even could be done.

**Mr. Agate:** So we are just not going to raise the height again.

**Boardmember Wertz:** No, we can't make a decision right now, that's all. We need more information.

**Mr. Agate:** No, I understand that. But the information you're asking is for any further plans that I would like to do as an extension of the house?

**Boardmember Wertz:** No, only this height issue, the present proposal.

**Boardmember Logan:** Only view preservation.

**Boardmember Wertz:** We need more information on the present proposal.

**Mr. Agate:** Okay, just the photos from my neighbors' windows from across the street.

**Boardmember Logan:** That, if we're adding to the height of the building, is within the zoning envelope. The photos and drawings, with some dimensions, will help us determine if there's a significant impact on the view. If you rebuild it, and you present us with a drawing that shows the same height that it was, I don't think we would have an issue because it basically is grandfathered.

**Boardmember Hutson:** So step one is to get clarification from the Village as to whether this is legal or not. Step two is, if it is legal, to get the photographs.

**Mr. Agate:** Okay.

**Mr. Knieseovich:** I think you've heard all of the neighbors concerns about the timing issue. Could you, Michael, or somebody here speak about there being a deadline on closing off this house? And regardless of whether you approve the height or not approve the height, can we get a sense in terms of the process and when this house is expected to be put into a shell. I think that's the right wording. And will this process delay that completion of the shell. Because I think that's the biggest concern that I believe all our neighbors have, particularly with winter coming and all of that stuff. So could you speak about the timing issue on when this is expected to be finished?

**Boardmember Hutson:** Let me just say, as of right now we've set him back a month because he's not going to the Zoning Board now next week because he doesn't have a recommendation from us and we have not approved the site plan.

**Mr. Knieseovich:** Which puts the completion date at?

**Mr. Agate:** First I've got to get the approvals and then I'll know when it's going to get done. I was trying to get everything completed before the wintertime, and this put an extra time delay on it.

**Village Attorney Stecich:** I just wanted to say, not one way or the other but just so people are aware, that the Zoning Board -- the approval of which is required -- doesn't meet in August. They meet in July, then they don't meet again until September -- although they usually meet early in September. I don't know the dates of the schedule yet.

**Mr. Knieseovich:** So does that mean that work is stopped on the shelling of this house?

**Mr. Agate:** Some of the work will continue, but I can't order all the material for the house because the height makes that much of a difference on how the ceilings are going to be laid out and everything else. Which is why I don't have an interior plan. Because the ceiling height, then, it's probably now going to go back. In other words, if the height does not go through, then the ceilings probably will be at the old height. If the height of the building goes through, then the ceiling heights on the interior will be at a different height.

So it all affects the interior plan. I'm trying to get the shell organized so that I know what to do on the interior. According to my architect, engineer, Building Inspector, and all the help that has been given to me, this is the way I was supposed to approach it.

**Mr. Novak:** Just to clarify, Michael. If I understand you correctly, just argument's sake, if this board had recommended that the Planning Board approve your proposed height, what would you -- all guarantees put aside because I know how things go in construction -- what would have been your ideal timing in terms of completing the outside? The outside only.

**Mr. Agate:** I was hoping to have it done before the wintertime. I don't feel like going through another winter with this building. I'm tired of going up on the roof.

**Mr. Knieseovich:** There is no roof.

**Mr. Agate:** There you go. I'm tired of it. This is what was recommended to me by the Building Department.

**Gordon Beckhorn, 493 Warburton:** I live in Robert's building next door. We live on that third floor. I look at the part of the roof that's there, and the tarp. There's a fact that I think the Board needs to be aware of. Robert's building was added in 1924 to the north side of his building. We have no south wall. Our building was added on to his building. We share a common wall. So whatever he does in his building impacts our building very, very directly. My business is in the basement. I share a basement wall with his basement. So when his basement gets water in it in the wintertime because the roof is not complete, and it freezes, I have a refrigerator next door to my business. These are things that it's hard to conceive of a building with no...it's not free-standing like the other people that spoke here earlier. We're really connected with Michael. Thank you.

**Mr. Agate:** I hate to touch base on the water issues, but my basement is lower than both my neighbors. If any water gets in my basement it cannot go above to my neighbors' homes.

**Mr. Beckhorn:** No, no. It's just cold. It's like a refrigerator.

**Chairperson Speranza:** There are a couple of things that need to be done. We meet in August, and certainly there's going to be a discussion with the Building Inspector, who I'm sure you've spoken with quite often on this. But this story issue has to be resolved as to whether or not you can even do this.

**Boardmember Hutson:** If we didn't have the height issues they wouldn't have to go to the Zoning Board because it wouldn't be a view preservation question? Is that correct, or not?

**Village Attorney Stecich:** I hope I didn't throw a wrench into the works about the third story, but it's just so hard to tell from this drawing whether there is an additional story. Now, on one of the drawings it looks like that's a cornice on the top, or is that a floor on the top?

**Boardmember Hutson:** No, it's windows and a cornice.

**Village Attorney Stecich:** But is it a floor?

**Boardmember Cameron:** There's 8 feet.

**Village Attorney Stecich:** All right. The question is yes, this would have to go to the Zoning Board in any event for view preservation approval.

**Boardmember Hutson:** Even if the building is not changed?

**Village Attorney Stecich:** Right, because it's construction in the view preservation district. So it's going to have to go to the Zoning Board in any event.

**Boardmember Dale:** Right. What you said about the floors is not affecting the time frame.

**Village Attorney Stecich:** No, no, no. The height issue is not affecting the time frame because there are other issues. Because you could approve it now, assuming the condition that it's allowed under the law. But there are other issues; the other issues being you don't know what the views are from the neighboring properties and the properties across the street.

**Boardmember Hutson:** My thinking, if it wasn't allowed -- if his additional height wasn't allowed for the reasons you speculated -- is that we could give approval to go ahead based on the same height. Then if it turns out that that's useful -- because you can't go higher, or you can't add the additional story or half-story or whatever it turns out to be -- then it could still go to the Zoning Board. In other words, making a view preservation recommendation -- based on the fact that it wouldn't go any higher. If it does, then all bets are off.

**Village Attorney Stecich:** You could do that, right.

**Boardmember Hutson:** I'm just saying that's the only way I can see timing benefited.

**Chairperson Speranza:** Okay. So we'll see you next month?

**Boardmember Wertz:** Does that require an action? I like David's idea.

**Village Attorney Stecich:** Were you asking me whether you could do that? Yes, I understand what you're saying and I think that would be okay if the applicant would agree to that. So plan B is, you build it as high as it was before, you don't go any higher, and you keep it three stories.

**Boardmember Cameron:** But you're changing the shape of the roof. His plan changes the shape of the roof.

**Mr. Agate:** It's the same as it was before.

**Boardmember Dale:** It's just higher.

**Mr. Agate:** Yes, it's just higher.

**Boardmember Dale:** Basically, you have the option that if you withdrew an increase in height that you're asking for and it was approved -- or we conditionally approved it based on you building to the previous height...

**Boardmember Hutson:** Previous height and previous roof.

**Boardmember Dale:** ...subject to discussion with Deven on whether or not it's legal to build the extra height, the extra half-story or whatever it might be -- in that case you could go to the Zoning Board this morning.

**Mr. Agate:** The next meeting in September?

**Boardmember Wertz:** But that would be next week.

**Village Attorney Stecich:** No, you're already noticed for next week.

**Boardmember Wertz:** If you could get a determination on the number of stories within the next week, and it turned out that you couldn't build another story and therefore you resolved yourself to reconstruct the building as it was, then you could go to the Zoning Board next week, get an approval, and you'd be right back on your time frame. Although you wouldn't be able to build it as high as you wanted.

**Boardmember Cameron:** And if he gets the approval that it's not an extra story he's got to come back to us in August.

**Boardmember Wertz:** That's right, but he has to do that anyway.

**Boardmember Logan:** Our view preservation doesn't affect whether there's an extra story or not. We're talking about obstruction of views. What's happening with the extra story is an internal thing, so I don't see how...we're not even involved with that decision.

**Boardmember Dale:** Right, but we have to make a recommendation. If the building is taller, we have to take into consideration whether views are being obstructed.

**Boardmember Logan:** I think we could approve the height of the building if it was no higher than it was before it burned down. And it would have to come back to us for our consideration if they decided to go to the 40 feet. So he would have control over whether he wants to extend the process or not, and it wouldn't be in our court.

**Boardmember Cameron:** Right. I agree with that.

**Boardmember Dale:** It's a good idea.

**Boardmember Logan:** So we can make that statement if we want to right now.

**Boardmember Hutson:** Well, we have to take that action.

**Chairperson Speranza:** Right. We would have to act. Yes, sir?

**Mr. Frank:** I'm sorry. I know it's getting late, and this is taking a lot of time.

**Boardmember Hutson:** No, it's early.

**Mr. Frank:** Just a point of clarification. I understand we're talking about the shell and we're talking about the height issue. So that sounds like we're getting to a clean recommendation on what to do there. Does the shell site approval include or not include structures on the back of the property, decks or any of that? So that's not part of this discussion at all.

**Chairperson Speranza:** My understanding is that there is to be no change to the back of the building.

**Mr. Frank:** No change from the original.

**Boardmember Logan:** You have a site plan that shows it basically as is.

**Boardmember Dale:** Unless he puts a new application together requesting an extension to the building. That may be something he will do in the future.

**Mr. Frank:** Sure. And I understand that's a subject for a different discussion. But if no change means...so did you have deck structures on the previous building in the back. So it's a straight back.

**Mr. Agate:** The decks were not approved before the house burned.

**Mr. Frank:** Okay, so clean. Thank you.

**Chairperson Speranza:** So it's kind of your decision.

**Boardmember Logan:** So do we make a recommendation now, and phrase it in such a way that if he decides to keep within the existing height limit he can just run with it? Do we give him that option?

**Boardmember Dale:** Would we need to vote on that?

**Chairperson Speranza:** Yes, we would have to recommend.

**Boardmember Cameron:** You're basically saying that we recommend view preservation because he's grandfathered with that height. We're not even looking at it, so I don't think we can make a decision on view preservation. We make a decision it was grandfathered.

**Chairperson Speranza:** No, it's not grandfathered. "Grandfathered" is not the right term.

**Boardmember Dale:** We're approving the fact that what was there before was okay.

**Boardmember Cameron:** Well, that's grandfathered, I think. That's how I use the term.

**Boardmember Dale:** Grandfathered would say he has the legal right to build to that height.

**Boardmember Logan:** What did you formulate?

**On MOTION of Boardmember Hutson, SECONDED by Boardmember Logan with a voice vote of all in favor, the Board resolved to recommend view preservation approval on the condition that the building is no higher than it was previously, and that the roofline remains the same as it was before the fire.**

**Chairperson Speranza:** And are we approving site plan?

**Boardmember Hutson:** I would assume we have to.

**Boardmember Dale:** He's only building what was.

**On MOTION of Boardmember Hutson, SECONDED by Boardmember Logan with a voice vote of all in favor, the Board resolved to approve site plan on the condition that the building is no higher than it was previously, and that the roofline remains the same as it was before the fire.**

**Chairperson Speranza:** So maybe we won't see you next month.

**Boardmember Hutson:** We will or we won't.

**Chairperson Speranza:** Okay, we're still not finished. Let me take this opportunity to see if Howard and Iris Burkat are here. No. Okay, so we will leave that one still. Maybe they'll come out at 11 o'clock when we're done.

**Boardmember Wertz:** Who is that?

**Chairperson Speranza:** The application for River Glen.

#### **IV. Old Business**

- 1. Public Hearing (Continued). Site Plan Approval. Restaurant Renovation. Thomas Devlin, 555 Warburton Avenue. Sheet 12 / Block 630 / Lot 28. Establishment of expanded restaurant in the former Hastings House Restaurant.**

**Chairperson Speranza:** Hi, Christina.

**Christina Griffin, project architect:** Good evening. We are back now to address some of the concerns that were expressed at the last meeting. I'd like to just make it clear to the Board that after discussing the question of the banquet facility with Fay Devlin, the owner, and Paul Walter, who will be the general manager, it became clear that for this type of restaurant and this major renovation of the building that the banquet facility is essential to making this project economically viable for the property owner. So we looked very carefully at how to handle the parking requirements for the banquet facilities.

I'd like to hand out some additional information to the Board. First of all, I want to state that when I said "this kind of project," this kind of restaurant is intended to draw visitors from outside the area. Also it's going to entail a major renovation of the building, one of the few buildings from the early 1900s that is mostly intact. The intention is to do a full restoration of that building. The banquet facility is something that helps to support this size of restaurant and the cost of this type of project.

I have just distributed a letter from Chase Manhattan. It's a very large corporation and it could be a slow process to get the actual agreement, but there have already been discussions with the owner of this property and Chase to come up with an agreement so that they will be able to have a lease agreement to use the parking lot to satisfy the parking requirements for the banquet facility. It is the intention to have that agreement in place so that there will not be any demand on parking for the banquet facilities. Also, customers who will sign up for catering on the third floor will be required to use the valet parking. When you have these events like weddings and bar mitzvahs most people are dressed and will use valet parking, and there will actually be a requirement to do so. They will be dropped off at the Chase parking lot and then this will take care of the parking for those cars. I have also distributed to you our original parking analysis, which is on one of the site plans, but I enlarged it so you could see that. I just would like you to look at it just to refresh your memory.

In our parking analysis we indicated that the original restaurant had 170 seats; the new restaurant 173. So it's very similar in capacity. When it comes to the banquet facility, the current use of the top floor is a karate studio. The requirements for that use, according to the zoning code, is five spaces. For the banquet facility it will be 41 spaces, based on number of seats. The difference -- 41 minus 5 -- means we need 36 additional parking spaces for the banquet facilities. The Chase lot can handle 39 spaces. The 36 additional spaces I mentioned is not just for seating. It's also for the employees working up on the third floor.

I'd like to review the concerns that were expressed at the last meeting. One of the major concerns was to get a better understanding of the traffic flow to the restaurant, customers' delivery, waste areas. One of the first items that is in the packet I just distributed is a schedule of deliveries. We were asked to be more specific about this, and Paul Walter is here to explain in case we need a little more detail. But with regard to deliveries, we're planning to use the entry that was historically used for the restaurant and have the delivery vehicle, which is approximately 26 feet long, come along Spring Street. These deliveries will be made Monday through Thursday. There will be three to five deliveries 10 to 4. This is after rush hour in the morning and before rush hour in the evening. There will be eight deliveries on Friday, and then on Saturday one delivery. There was concern that perhaps this might occur during the rush hour. This is not going to be the case. We have a chart that we gave to you to describe the deliveries that are made every day so that you have that information.



We were asked to give a little more information on how the waste will occur with the building. We're going to use the same location where the waste was stored, but we're going to expand this by about 18 inches so that we can still maintain the parking spaces currently here. Just for your information, just to clarify, this is part of this property, 555 Warburton. So we're going to expand this enclosure slightly. There are grease barrels for the restaurant, and they're emptied once per month -- takes 5 to 10 minutes. And there's a dumpster 3 by 6 that'll be emptied three times per week between 8 and 4 o'clock, and it'll take about 5 to 10 minutes. This is historically where the waste was for the previous restaurant. The waste vehicles will be around 26 feet long, and come up along Warburton for 5 to 10 minutes.

We were also asked to address the schedule of employees coming to the restaurant. Well, they come in at different times, and Paul could answer that more easily than I can. Some come at 10 o'clock and some come as late as 5 p.m. I have distributed a chart to describe that. There are cooks, and we have more details that Paul can tell you.

**Paul Walters, future restaurant manager:** Do you need any explanation on this? The chef would come in first, I would come in at 12. Then my kitchen staff usually would come in at 2 o'clock. On slow days that's four guys, and on busy days that's still four guys. You have your busboys and waiters. Half your staff comes in at 4, sets up the restaurant. We open at 5. The other half comes in at 6. The hostess, my assistant, would come in at 5. So your bulk is coming basically from 4 to 6.

I anticipate 23 maximum employees on a busy night. It could go a few more, it could go less. In all actuality, it'll definitely be more the first couple weeks because you don't want to give a waiter in a new restaurant -- I don't care if they've got 30 years' experience -- four or five tables, when he's still doing this, because it's a new situation. So in opening all the restaurants I have...no matter how experienced the waiter is, you're giving him two tables.

So in the beginning, opening parties in the first weeks, of course, that's where you weed out your weaker waiters. But eventually you do get down to...in this type of restaurant the maximum they're going to get is four tables. That's basically a standard for high-end steakhouses. There's too much demand. You have to open wine bottles, you have to open bottles of water. You know, all this has to be done by the waiter, and he's got four tables and they're going to buy a \$200 bottle of wine. He can't have six tables. You lose your business. So you limit him to four. I have 32 tables -- that means eight waiters. Maybe yes, it'll be six waiters on a Sunday night because I won't fill up the place like on a Saturday night. But the same with the busboys. You're going to have four busboys on busy nights. I listed them as Thursdays, Fridays, and Saturdays because that's basically what it is.

**Chairperson Speranza:** How does this change with the catering facility? This is just the restaurant?

**Mr. Walters:** Yes.

**Boardmember Hutson:** Eight more -- you're saying eight more people. Is that what you said? Or did I misunderstand you, Christina, when you add the staff for the banquet hall?

**Mr. Walters:** Well, most of the banquets are going to be done on Saturdays and Sundays. If I did have a banquet, say of 50 people -- on Thursday night upstairs -- that would be, I'll say, 48. That would be four more waiters.

**Ms. Griffin:** We indicated 11 for banquets.

**Mr. Walters:** That's if you completely max it out. You know, you have two waiters per each banquet table. I mean two tables for each waiter per banquet. That's six, then you have the bartender and you have the busboys and, basically, the food runners. I have a separate kitchen. There would be one food runner running out with the trays, 10 to each table.

**Ms. Griffin:** In any case, one concern was where do the employees park. Even though the spaces required for employee parking are in our count for the restaurant, we have employees for the catering facilities in our total count of required spaces. But where exactly will they park was one question at the last meeting. We'd like to have an employee policy so they would use spaces that are in the outer areas away from the downtown. We know that there have been many discussions about putting that policy in place. By the time this is renovated I hope finally we can come up with a way to get merchant parking so that they can use -- or maybe have permits so they can use -- parking away from the center of the downtown. I know even my own employees don't like to go out and feed the meter. I've already started talking to different people about that in the downtown. I think that would be a terrific idea to get as many merchants and their employees who are right outside the businesses. If we can be part of that kind of policy it's something that should be put into effect.

**Mr. Walters:** I originally proposed using Zinsser Park for my employees. She took it further and talked to the Village Manager, right?

**Ms. Griffin:** Right.

**Mr. Walters:** He actually said he is working on that. Because you do have the parking lot for the now-closed Catholic school, which would be ideal if the town would rent it out and maybe pass that cost along to the businesses as per how many employees they have.

**Ms. Griffin:** I know this has been initiated. So we don't have an answer now, but I'm sure, if we can be part of a policy, I think that should be put into effect so that at least the employees wouldn't have to take spaces in Boulanger Plaza or Steinschneider near the downtown.

**Chairperson Speranza:** So you're talking about a Village initiative.

**Ms. Griffin:** Yes. We've already gotten involved in it. I just don't have any answers tonight on exactly how. I'll give you one example. The Zinsser field parking is underutilized in the day. If you gave the merchants, or merchant employees, permits instead of feeding the meter it would encourage them to go to merchant parking areas.

**Mr. Walters:** And Zinsser Park isn't used at all in cold weather. I live up on Palisade Avenue in Dobbs and I walk down there. In fact, when I was moving my mom I walked through that from February through until it was warm, and there's nobody there. Dogs, people walking dogs -- there's one or two cars in there. It's a huge lot. I wouldn't mind parking there and walking, and it's not a very long walk, you know.

**Ms. Griffin:** The next chart that I gave out was parking available in public parking lots in the commercial district. This was put together to try to address what is actually the flow of people coming to the restaurant and how will they use available parking spaces in the downtown. The information on this chart is actually based on our original survey -- which is under our parking analysis -- which was conducted March 19th to April 1st. We have the first column "available number of parking spaces" just overall in the downtown from Monday through Thursday 5 to 8, Friday 5 to 8, Saturday and Sunday 5 to 8. We chose those periods because 5 o'clock is when the restaurant opens and up to 8 o'clock is when most people will be coming to the restaurant.

This chart was put together just to see if we can show you how, when people come to the restaurant, if you're looking at the maximum capacity of the restaurant; where at 5 o'clock you actually have, say, half the amount of tables you have. There are 32 tables in the restaurant. The reason why we're using tables that you can actually measure that, there's 141 seats. Even though we've indicated 173, the difference between 141 and 173 is 32. That's the seating at the lounge in the bar. But based on the number of tables, which is easier to measure, we will have a maximum number of 32 in the restaurant. Let's say that half of the restaurant is full at 5 o'clock.

The second column shows the available spaces minus guest or customer parking. We've taken 16 tables. Assuming that we're getting two cars per table, which is probably more realistic than the zoning requirement which is four persons per car or one car per table, let's assume this is even double that. At 5 o'clock -- if half the tables are full, if you deduct 32 spaces, two cars per table, from what's available -- you'll have 35 available parking spaces; at 6 o'clock you'll have 65; 7 o'clock, 74.

**Mr. Walters:** The right column shows if you have 65 after 6 o'clock, assume another 32 cars. But you still have to subtract from that 65 the 5 o'clock people who are still sitting down. On the bar side you have 33 parking spaces left. Now at 7 o'clock, on average, you have 106, minus 32 that come at 7 o'clock: 98 would be worst case scenario. The 5 o'clock people got up, but they didn't leave. They got up and walked out of the restaurant -- they're in town ... So subtract them from that 74 and you still have 42 spaces left. At 8 o'clock you do the same thing. I need another 32 cars because the 6 o'clock people left. Then, worst case scenario, your 5 and 6 o'clock people that got up and left are still in the Village and still parked -- going down to the park in warm weather, or whatever -- that you would still have 22 parking spaces left. That's worst case scenario. That's saying that somebody came to my restaurant at 5 and was still in the Village after eating at 8 o'clock.

**Ms. Griffin:** There was concern expressed at the last meeting about the Farmers' Market. The restaurant opens at 5 o'clock on Saturday. The Farmers' Market's closed at 2. The banquet facilities will only use the Chase parking lot to satisfy parking requirements.

There's another chart. The next page is a description of parking available by specific area. The reason for doing this is to look at Maple Avenue. There was some concern about people being displaced, residents who park there. This is by specific area, and it does not include the small streets like Spring Street, Whitman, Southside, and Maud's. We have the same time frame of 5 o'clock to 8 o'clock, per hour the number of spaces available, again based on our original survey conducted March 19th to April 1st, '07. You can see that as the evening gets later ...from 5 o'clock to 8 o'clock, parking lots open up in the downtown. There are more spaces available in Steinschneider and Boulanger and Warburton Avenue on Saturday and Sunday than during the weekdays. You see, down at the bottom Maple Avenue, some concern about parking in that area. Later in the evening parking spots open up.

I think some of the concerns about displacement have a lot to do with residents that come home at night -- I lived on Warburton Avenue once -- when you have no parking and the residents that actually live there have to not only switch from one side to the other if you come home too late at night, too many people coming home at the same time you can get displaced. But most of the people coming to the restaurant are coming from 5 to 8 or 9.

We also have a video that we were able to get from the Village. I didn't want to take up your time with it, but we could give you copies. It's a video done for 10 West Main.

**Village Technology Assistant Corso:** Do you remember it?

**Boardmember Dale:** Yes, we remember it.

**Ms. Griffin:** It just indicates Steinschneider and how it opens up in the evening as it gets later in the evening.

**Village Technology Assistant Corso:** We'll have copies.

**Chairperson Speranza:** You know what? That's an important distinction. Because my recollection was, when we were looking at 10 West Main, we were most concerned about what happened there in the morning and early into the day. We weren't looking at it from the evening perspective.

**Village Technology Assistant Corso:** I don't remember what times we had on it because it's been over a year since I looked at it. But Raf made copies of it, so we'll give it to you and you can watch it this weekend.

**Chairperson Speranza:** Thank you.

**Ms. Griffin:** I'd like to also address traffic flow. We touched on the banquet facility. The idea is that there will be signage to indicate "valet drop-off here." Every customer for the banquet facility will be required to use valet parking, and then they will be walking down the streets into the restaurant. There'll be two entrances here. This plan indicates that we are showing a total of 39 spaces. If you look at our parking requirements by zoning, we need one space for four seats and 30 plus one space for employees. We need 41. But the difference between the banquet and karate school requirements is actually a difference of 36.

Another question that was posed at the last meeting was how construction will affect traffic. What we're planning to do is have a dumpster on Spring Street. There will probably be scaffolding going up along the façade. There's going to be cleaning and new repair work, a new cornice to match the old, and new utility window on the building. Most of the work is going to be interior so we won't have cranes and big cement trucks like we did for 45 Main.

The last piece of information I distributed was a comparison of available parking in Hastings versus Tarrytown. I thought it was interesting to see what other towns have in their downtown. Tarrytown has a lot of restaurants and the music hall. The population of Hastings is 7,702; Tarrytown's 11,000. The number of businesses: 107 in Hastings, Tarrytown 156. We were able to get information on businesses' private parking. But the businesses dependent on public parking are, Hastings at 95, Tarrytown 140. The point we're trying to make is that the parking spaces for businesses dependent on public parking -- the ratio is 3.21 for Hastings; and for Tarrytown it is 2.45. We found that Tarrytown Music Hall, which has 840 seats, on July 28 had sold 401 seats. Based on four seats per car is 100; 2.5 seats per car, 150 parking spaces. So you can see when a business is a destination, even though they have less parking for business, they still can have a very strong, healthy business in the downtown.

**Boardmember Cameron:** A question on these numbers: 305 doesn't seem to add up to the Hastings numbers, which are bigger. And then in Tarrytown, are you including their train station parking lot in the 243? Because it seems to me they'd have a lot more than that.

**Mr. Walters:** The 305 in Hastings doesn't include your lot, and the 343 doesn't include...it's basically downtown Tarrytown.

**Boardmember Cameron:** It does include the Zinsser parking lot, the 305 in Hastings?

**Mr. Walters:** No. This is metered parking for Hastings, and then this is the metered parking counted for Tarrytown.

**Ms. Griffin:** If you look at our original summary of public parking spaces in the commercial district, total spaces 588 -- 283 at Zinsser, 305 at other areas. It's important to look at that, and the reason why we looked at it that way is there is a question about whether people would ever walk that far. So we decided to keep that out of the total.

**Mr. Walters:** And of course up until 6, 6:30, it's full. You know, it starts really emptying out from 6:30 to 8, but how are we going to get our patrons to go down there, direct them, at 8 o'clock? Or what happens to the 5 and 6? So we have to look at what's available up here for 5, 6, and basically 7 o'clock.

**Boardmember Dale:** Christina, did the owners talk to the funeral home? I mean, there's this large parking lot right next door. Has there been any discussion with the funeral home?

**Ms. Griffin:** I think it's been very difficult to get them to communicate with them.

**Mr. Walters:** And supposedly they're selling. So if we went into some kind of...

**Boardmember Dale:** It wouldn't hold.

**Mr. Walters:** It wouldn't hold because it's going to take a year. So what happens in the year? We have an agreement. We get up in front of you and say, "Okay, we have another 22 parking spaces in the funeral lot," and he sells it.

**Boardmember Alligood:** Is he selling the business, or the building?

**Mr. Walters:** I think he's selling the building.

**Boardmember Alligood:** Well, that's the thing the owner really needs to look at. That solves all the problems right there.

**Mr. Walters:** So you're asking him to buy another building?

**Boardmember Alligood:** And take it down and put up a parking lot?

**Ms. Griffin:** I'm just not sure if you recall some of the information we gave last time on Chase Manhattan. This strip of land is owned by Fay Devlin, and there is a lease agreement that will be up in August that allows Chase to use these spaces. They originally were seven, and it became six maybe 20 years ago because of the handicapped space. And it's just that Fay feels it's time-consuming dealing with a big company. But in order for them to have these spaces they've asked them if they can use the parking lot. We just need to get the actual agreement to you. So the intention is that we will need to have that in place in order to provide parking for the banquet facility.

**Chairperson Speranza:** At our last meeting we talked about getting some funds in escrow so that we could do an independent assessment of the parking.

**Mr. Walters:** Yes, I was finally able to convince him today. So I'll have a check, if you need it, tomorrow. I'll bring it to Angela?

**Ms. Griffin:** I think we were just trying to give you some more information, if you want, in your commercial study. The owner's agreeable to that.

**Chairperson Speranza:** That's good. Because you have given us a lot of supplemental information, and it is very helpful. I'll tell you, one of the concerns that was expressed by other restaurant owners and businesses in the community at the last meeting was what happens when the restaurant opens and... if somebody's coming, somebody that's been there, and says, "I'm not parking there. I'm not going to wait on the valet line. I'm going over to the Boulanger Plaza because I know there's parking there, and I'm going to park my car there." I don't know how you prevent somebody from doing that.

For instance, the table that you gave us that shows available parking spaces in the village -- minus the seats, minus the spaces that could be expected by the seats at certain time frames and then what would be left -- that's what would be left in the business district. So conceivably, at 8 o'clock Monday through Thursday, there would be 22 spaces in the business district.

**Mr. Walters:** But that's saying that the 5 o'clock people who came and left at 7, and the 6 o'clock people who came and left at 8 are still parked in the Village. They didn't go home. That's worst case scenario.

**Chairperson Speranza:** But is that reasonable to expect? Not as reasonable that they'll still be around. Your available parking space number is what you've gone around and seen as vacant?

**Mr. Walters:** Gone around in the hour, every hour ... I walked all the way around, and I counted the parking spaces here -- and there were 28.

**Chairperson Speranza:** What was empty?

**Mr. Walters:** Twenty-eight empty parking meters, parking spaces, at 9:15 ...

**Boardmember Dale:** So the assumption is that all the other restaurants who have patrons were parked wherever they were parked, and you were still...

**Mr. Walters:** At that time there were still those.

**Chairperson Speranza:** Got it.

**Mr. Walters:** If you take that 22 number -- and assume that the people who came at 5 and 6, meaning I filled my entire restaurant -- and said, "Okay, we'll grant you that they did leave, especially in the winter and the fall and the spring. Maybe not so much in the summer, but we'll add 64 spots to that 22." Because I'm subtracting 64 spots, saying they're still in town. That's worst case scenario I'm showing, and you still have some parking spaces left.

**Chairperson Speranza:** Right. Okay, that's clear now.

**Ms. Griffin:** Patty, you asked how do you enforce valet parking...

**Mr. Walters:** You have them sign a contract. But does that mean that they're all going to? No, but think about this. If you're going with your families to a christening or to a baptism or to somebody's bar mitzvah or to a wedding you dress like this. You're not going to schlep around, especially in the wintertime, going to a different parking space. Maybe more so in the summertime, but for the most part the bulk of the main parties and christenings is all relatives. They're all going to be like boom, boom, boom. Can I guarantee it? Absolutely not. If I have business guys, the business guys certainly don't want to schlep around looking for a parking spot. They'd be more than happy...and, of course, the valet's free. We pay the valets. The valet company pays their guys \$5 an hour plus their tips, and then we pay the valet guys \$8. So they get \$3 per hour per guy, or whatever it happens to be.

So yes, I cannot guarantee... that all 30 businessmen aren't going to come and park down here. But you can reasonably assume that most of them are going to valet park.

**Chairperson Speranza:** But at least you've got some way, you're hoping.

**Mr. Walters:** It's on the contract where it says "minimum number of guests -- 75." So you're saying "guests 100, but minimum is 75." And I'm prepping for 100, but if 50 come you get charged for 75. So it's on the contract. That I can enforce. Can I enforce...I don't know who their guests are. I can't enforce it, but it's reasonable to assume most of them will use the valet parking. I guarantee you not all will use it even if it's available.

**Ms. Griffin:** I think the only way to try to enforce that is have some kind of contractual agreement that they're required...and then, of course, you have some that may...

**Mr. Walters:** Really, it's not enforceable.

**Boardmember Hutson:** Now, are you thinking that the parking at the bank would be available valet-wise whether there's a banquet affair or not, or only when there are banquet affairs? In other words, for regular restaurant business, is that space going to be available?

**Mr. Walters:** That space?

**Boardmember Hutson:** Is that the agreement you're going for with Chase?

**Mr. Walters:** It's use after their hours.

**Boardmember Hutson:** I understand.

**Mr. Walters:** One of the things was that the volunteer firemen park there. Well if we don't have a function, couldn't care less.

**Boardmember Hutson:** Okay, well, that's important because..

**Mr. Walters:** If we have a function, just say on Saturday, we would probably rope off, chain off, the thing. Because if I have a function at 2 o'clock and somebody parks at 12, that just disrupts my entire valet. But we have no objections...it's not for our use during regular business hours.



**Boardmember Hutson:** I think the thing to realize when the bank is not open, it's not only volunteer firemen that park there. That lot often has many cars parked there.

**Mr. Walters:** Often. And tonight at 9 o'clock it had two.

**Boardmember Hutson:** The point is, you're not starting from zero and adding 41 spots or 39 spots. Those cars now are somewhere in that lot. So if they're not going to be able to be in that lot they're going to be somewhere else downtown. We're not only talking about volunteer firemen.

The other thing, when you use Tarrytown, people who live in the downtown area in Tarrytown go crazy because of the parking issues. I mean, it's a big thing, and you probably didn't count the spots they use in the schoolyard at the end of Washington, down the south end of Washington in Tarrytown. So Tarrytown, it's true you can compare it as having perhaps the same number of downtown spots. But they are also having tremendous parking problems. So I don't think we would want to emulate them in any way. Although they do have concerts in the music hall there.

**Chairperson Speranza:** I always get a space when I have to go there.

**Boardmember Hutson:** And you can find spaces, but very often you have to..

**Chairperson Speranza:** But I walk.

**Boardmember Hutson:** A lot of people walk from the middle school parking area there.

**Boardmember Alligood:** I want to comment on the parking issue and the other issue that I brought up last time. You know, the parking issue, I do think to some extent people want to be close to where they're going. And if they're forced to be a little inconvenienced and park somewhere that's a couple blocks from where they were going, there might be a feeling of vibrancy that we get from kind of just filling up the lot. So while I'm not saying it isn't an issue, if there's going to be a banquet hall there has to be some sort of parking solution that goes along with it.

But I want to go back to my other issue, which was the deliveries. I thought that chart you provided was very helpful in providing us with further information about what that would look like. What jumped out at me was, on Fridays, an estimate of...it's not the same on this chart. Yes, on Fridays eight deliveries which will take up to 15 minutes each. Which is really two hours of a big 26-foot truck sitting on Spring Street on a Friday. I still see that as a big problem. It's the main thoroughfare.

**Mr. Walters:** Well, once again, that's worst case scenario. You know, I'm giving you worst case scenarios; saying that I was so busy Monday, Tuesday, Wednesday, Thursday that Thursday night I had to order from every single one of my purveyors. Which, if you've been in the restaurant, that's not always the case.

**Boardmember Alligood:** Let me just throw something out because I think I recall this being mentioned before. Maybe not, but isn't it possible, since you own those spaces in the Chase lot ... and you wouldn't be using that as a valet spot during the time you have deliveries, why would you want to have the deliveries happen there, away from...

**Chairperson Speranza:** Chase is open.

**Boardmember Hutson:** It's a reciprocal kind of agreement.

**Mr. Walters:** We'll let you use it during the day...

**Boardmember Alligood:** You could only give them some of it. I know it reduces your negotiating power, but it is a way to solve your delivery problem.

**Mr. Walters:** They want all or nothing. If they don't take it, then I'll make a driveway and we'll back the trucks in or something. But they want it all. Because the other day I was up here and the lot was entirely full, especially the ones along here. I saw some cars leaving. I think probably some of the bank employees park there.

**Chairperson Speranza:** And I have to say, for deliveries there I don't have that same concern. And I think it's because as I was walking down the street the other day I realized, because you have parking further down. So people are not hugging the curb as they go down Spring Street because you do have that row of parking there on the other side of the funeral home driveway.

**Boardmember Dale:** You think it's wider there.

**Ms. Griffin:** And I can tell you, my office is right here and what we find very funny is sometimes the delivery trucks for Food for Thought come and all of a sudden the whole office gets dark. There are cars here, so their delivery trucks go on this side. But in the day that street is very, very quiet. Most traffic is always rush hour, train time.

**Boardmember Alligood:** And you could guarantee that -- again, this is one of those questions. How do you enforce it? How do you enforce the notion that they can't come during rush hour, the delivery trucks?

**Chairperson Speranza:** I think they just don't.

**Boardmember Dale:** But there's parking space there now, so the trucks' presence doesn't cause a problem. It's when the truck comes and goes and mixes with the rush hour traffic. There's parking in front of the grocery store. There's a dog food store.

**Boardmember Alligood:** But I'm saying where do you want to put that truck.

**Boardmember Cameron:** In front of the funeral home.

**Ms. Griffin:** There's no parking there. The parking starts at the side.

**Boardmember Alligood:** Yes, I understand that. I just want to clarify it.

**Ms. Griffin:** Yes... I always notice a rush of traffic after 5, but never any delivery trucks.

**Boardmember Wertz:** There's space for parking, but there's no parking there so no one parks there. The space is there, so if a truck pulls in there it's not blocking the traffic. That's the point. It's there, but it's not interfering with the traffic.

**Boardmember Alligood:** You think that cars can get by, and it's not going to be an issue.

**Boardmember Wertz:** Because the street's wide enough.

**Mr. Walters:** And as far as grease and waste pickup, I know it is basically a bus stop but I've sat there and counted the cars and I've seen buses sit for 20 minutes and traffic easily goes around it. Yes, it is one big dumpster, and they're going to have to pull it out, put it in front of it, and then it gets dumped over and then it goes like this. But it's probably not more than 10 minutes. And the grease truck pulls up with a big hose. They sit on the street, they pump it into one. It sucks it out and comes to the second one, and then they do the third. So that issue, I can understand your point -- you know, eight deliveries. To be honest, in Brooklyn it's 1 o'clock. My guys are coming in at 2, and I'm the chef there -- I was also the maitre d' and the general manager and the bookkeeper -- but they all would come at 1 o'clock. So you had one truck here in front of me, and then you had a truck that couldn't find a parking space. So he went around until the 15 minutes came.

You can't guarantee anything. I ask them, you know, please split it up. But it always seemed like one truck after another just pulls up, pulls up, pulls up. And yes, that's a 2-hour process if every single purveyor comes on Friday. I'm hoping I actually manage my restaurant so I'm not having to order liquor every week and beer twice a week. In the beginning, yes, everything's hectic because you don't know what kind of business you're going to do, you know. But as your routine gets down it comes a lot easier.

**Chairperson Speranza:** My sense from our discussion is, I certainly can't feel comfortable giving any kind of an approval until I know that there is at least an agreement in place.

**Ms. Griffin:** We were just trying to keep the process going, and give you more information.

**Mr. Walters:** And the survey.

**Chairperson Speranza:** And we will make haste to get that funding in escrow.

**Mr. Walters:** I'll bring it tomorrow.

**Chairperson Speranza:** Yes, there are some fees also for our law, professional fees.

**Village Attorney Stecich:** Just make a motion to set up an escrow account to pay for the professionals services.

**On MOTION of Boardmember Wertz, SECONDED by Boardmember Hutson with a voice vote of all in favor, the Board resolved to set up a fund for professional services in escrow for the application.**

**Chairperson Speranza:** That, we could do for you.

**Mr. Walters:** The amount is \$5,000 you said?

**Chairperson Speranza:** I think that's what we start with normally, yes. Any other questions or comments? No one's come up with a solution for the parking, right?

**Mr. Metzger:** First I want to say how happy I am that things are moving forward. I'd love to see this building become a centerpiece in Hastings. The question I had, which I think I had voiced two meetings ago, was with the valet drop-off if they're having an affair on a Saturday afternoon. I hope they fill the place up, I really do. You may potentially have 25 or 30 cars backing up on Warburton Avenue waiting for the valet to get in and move cars. That's just an issue that I'd like to make sure we keep an eye on. I love the fact that they're moving along and trying to figure out how to make this happen. Thank you.

**Mr. Walters:** That sort of goes back to sitting on a stoop counting cars, and seeing the bus sitting there and having to go click-click because five cars went past. So even if we have a backup there is still...and Saturday afternoon, as well, isn't Monday or Tuesday or Wednesday afternoon either. You're a lot busier in the afternoon.

**Ms. Griffin:** I just want to make one point. I think one reason why we compared Hastings to Tarrytown is to address the fear from the Chamber that if you have a business that adds to the parking requirements in the downtown how it affects other businesses. So even though Tarrytown has some serious parking problems, you can see that even though they have less parking for business they still have the music hall and thriving businesses there.

**Chairperson Speranza:** People still want to go there.

**Mr. Walters:** If I could just address that one more time. I can understand you said parking on Washington, but that's like saying people would park at Zinsser Park. They don't. The people that live around town park in Hastings -- they park on Maple and everything. So you're saying that the residents in Tarrytown park at the school. That's like saying your residents park in Zinsser.

**Boardmember Hutson:** No, but they do in Tarrytown. They do park there.

**Mr. Walters:** Do they?

**Boardmember Hutson:** Oh, yes. My son lived there. I've parked there many times myself.

**Mr. Walters:** When I walked around, during the day in the 90-degree -- but then I went up on Saturday and I walked at 7 o'clock and 7:30. My parents just moved there. And yes, it's definitely very tight. But every business is full, every restaurant is full... a car comes out, a car comes in. Two cars come out, two cars come in. You know, listed on there are parking...Windle Park is up by the YMCA. There's metered parking strictly for the YMCA. It doesn't even say hours that you can park -- after 8 o'clock or after 6 o'clock. It's strictly YMCA. They say they have 18 parking spaces, and they only have 10. Then people going further down from Windle Park towards the train station, you know what kind of walk it is up the hill? I wouldn't park down there. I would keep circling and find somebody leaving.

**Boardmember Hutson:** But Tarrytown residents downtown, they have many strategies for parking, I assure you. They have plans.

**Chairperson Speranza:** And they're used to parking on hills. Okay, I'm going to cut this off because we still have another applicant.

**2. Public Hearing (Continued). Saw Mill Lofts. Site Plan Approval for proposed mixed-use development with 54 live / work condominium units and 6 affordable residential condominium units on 7.45 acre parcel on Route 9A (Sheet 22, Parcels P4 and P4A) zoned MUPPD. Concept plan was approved by Village Board of Trustees on 6-20-06.**

**Chairperson Speranza:** Okay, Saw Mill Lofts. Mr. Normoyle, good evening.

**Patrick Normoyle, Community Development Specialist - GDC:** Saw Mill Lofts is, again, last on your agenda.

**Chairperson Speranza:** Yes.

**Mr. Normoyle:** I was beginning to question that, but I felt better earlier today when Angie told me that you actually save your favorite projects for last. Anyway, just kidding.

It's late, so we'll try and be as concise as we can. There are a number of issues we wanted to follow up from last month's meeting. I'll just list them out real quickly. The berm, which we had discussed last month; plantings along the Saw Mill River embankment -- one of the three Norway spruces we had discussed last month; the stone wall and the ornamental railing, which was also discussed last month -- we did visit the Architectural Review Board since the time of our June meeting. And then a couple other follow-up items. I know, Patty, you had mentioned reviewing the lighting plan -- whether we want to go over that tonight. Steep slopes, I'm not sure if we had gotten any feedback from Deven Sharma at this point. And then also at the last meeting you had wanted me to kind of go through all of the conditions that were imposed. So I actually have a handout on that. So those were the items I wanted to cover.

We have one of the members from the Architectural Review Board, so maybe we would start there so at least somebody can go home sooner rather than later, if that's okay. So Vivy Lee, who you've met at previous meetings, and I attended the July 2nd Architectural Review Board meeting. I think it went pretty well. Essentially, I think the two substantive comments and constructive comments that we heard back about were on the height of the parapet wall at the top of the buildings. I think the general feedback from the Architectural Review Board was maybe it was bigger than it needed to be. I think Vivy agreed with that comment, so we are doing additional studies to basically revise the height of that parapet wall at the top of the building.

Then the second piece was essentially the center module where the lobby and exercise rooms are. I think they commented that it didn't really relate to the rest of the building that well and was frankly a little bit plain. So both of those two comments Vivy agreed with. Essentially, we were going to do more studies, and go back to them at the August meeting. In addition, they asked for more information as far as more materials. In fact, they wanted to see if we could distribute materials that each of the Boardmembers could review in daylight, potentially even at the site. So Vivy is preparing those materials that we can leave at the Village Hall and the Boardmembers could pick up. In addition, they wanted an enlarged elevation, where it really showed the different elements and how they related together. I think the materials we had presented initially were good, but I don't think the Board had a clear sense of how it tied together. That's my take on the situation. Maybe you could elaborate, if you would like.

**Ellen Hendrickx, 136 Circle Drive:** We wanted, as far as the boards were concerned, the samples were very small and not clear, to see them in large format so that we could see the relationship better ... The designs were fairly preliminary, and we felt that we wanted to see a little more detail. We understood the concept, and we thought that the concept was good.

**Mr. Normoyle:** So we do plan on going back for their August meeting. Vivy is pulling together the information they had requested. We're going to try and get that in as soon as we can. I know the deadline is about a week. Beforehand we're going to try and get it to them in advance of that, if possible.

So if that's okay, we'd like to move on to the berm to discuss first. As of the last meeting, we had come in here with two proposals essentially showing a baby berm -- I think David had mentioned -- and a little bit bigger berm. Just to get some direction from the Board, again, as far as our understanding, which we've recapped in May and June. Essentially the berm was to create some visual screening. So our take-away from the June meeting was essentially to use the two, and three on one slope, for the berm to try and build it up as much as we could -- you know, more than 6 inches, which was shown on one of our previous plans. And also incorporate some plantings that actually help create a softer feel along Saw Mill River Road. So I'll let Tony describe from here.

**Tony Castillo, SESI Consulting Engineers:** With that said, basically that's what we did. These three cross-sections, we took them two across the front of building A and Saw Mill River Road. What we show here is the fact that sections A and C we do have an approximately 30-inch berm. We show some trees, and also we wanted just to show some of the extent of the minor plantings that you would expect within the bioretention basin in the front. And also cross-section C, which is a little further to the north, same thing. You have the road, existing edge of pavement. You'd have trees breaking that up, and then you'd have the bioretention area with its shrubs and interior planting areas. But again here, as you move further to the north, because of the topography it got a little less. The berm was about 12 to 14 inches high, but that's the best we could do, given the topography.

**Boardmember Logan:** Could you give us a scale on that drawing? Like what's a foot, for example?

**Mr. Castillo:** The scale here horizontally, if you're looking at this across, 1 inch equals 3 feet. And then vertically 1 inch equals 2 feet.

**Boardmember Logan:** So that's one-quarter of full size, basically. One inch equals 3 feet?

**Mr. Castillo:** Right.

**Boardmember Logan:** Just show me with your fingers, what's a foot? How big is a foot?

**Mr. Castillo:** A foot is...you see this grid here, it's half that.

**Boardmember Logan:** So the thickness of your finger or something like that. I'm just trying to see whether those are trees or shrubs. I can't, from here, tell the scale of this.

**Mr. Castillo:** We're trying to depict these more as shrubs, these as trees.

**Boardmember Logan:** So that tree is like 20 feet high on your scale there or something?

**Boardmember Hutson:** No, it's not that high. It's about 10, 12 feet the way he's talking about it. That thing there is 2 feet.

**Boardmember Logan:** Those are 12-foot trees, okay.

**Boardmember Wertz:** The shrubs ... in the bioretention area are about 3 feet tall?

**Mr. Castillo:** Approximately, yes.

**Boardmember Logan:** Do you know what the sight lines are, for example, from the street? Where would somebody's eyeball be in a car going by?

**Mr. Castillo:** A car would be, let's see, probably up to the top of this text.

**Boardmember Logan:** Okay. That's helpful, thank you.

**Mr. Castillo:** So again, just to basically give you the cross-section of just how much we've tried to make this organic. And especially given, again, the topography, try to raise that berm as much as we could -- 13 inches up on the northern. As we go further to the south, for example across from building B, cross-section B, we were able to obtain here about a 30-inch berm. Again, providing additional trees...just to show you the trees, and also the shrubs and plantings within the basin. As you asked before, if you were driving you would be probably at the level my finger is here.

**Boardmember Logan:** Your eye would be about that level, sitting down in a car.

**Mr. Castillo:** Correct. And that's just to give you a perspective. So we feel that we have provided the best we could to address the berm condition. Any questions?

**Boardmember Hutson:** I think just to reiterate something Fred brought up last time, that there be as much natural kind of vegetation and not too formal is our thinking.

**Mr. Normoyle:** On this plan, and since the time of the last meeting we were able to...for the submission purposes I think we had gotten the berm reflected on the plans that you've received. But subsequent to the submission, we worked with David Ferris Miller to basically flesh out the plantings. So the next landscape plan, the next LA-1 and LA-2 that you'll receive for the August meeting, will show essentially what is shown up here on Tony's presentation board -- which basically does show a variety of trees, shrubs, and different plantings. I know one thing we had suggested at the June meeting was some kind of hedge. I think uniformly the Board thought that was too formal and basically wanted something more organic and softer. So that's essentially what we tried.

Moving on to an issue Eva had brought up from one of the conditions of the concept plan approval, relating to the plantings along the Saw Mill River embankment, David Ferris Miller's original conception for the landscape plan here was essentially to disturb the Saw Mill River bank as little as possible. Basically it had good native species, it was a stable embankment. So to do any work in there that destabilized it, he thought, was not productive. After the June meeting, following up on your comment, we asked him to visit the site. Unfortunately, since the time he was last at the site -- which was probably on the order of two years ago -- the vines that are prevalent up and down the Saw Mill River Parkway have essentially overgrown the site. And especially along the Saw Mill River embankment he said the vines were growing out actually into the Saw Mill River. So we've actually ordered the vines to be removed, and we will probably have to change the plans that we've submitted as far as the landscape plan. Originally we wanted to essentially leave the embankment alone, not destabilize it. I think we're going to have to come back and actually do some plantings of the native species and the herbaceous shrubs or whatever's mentioned in the conditions. So I think we're going to have to come back with something.

We're clearing the vines out first. David's going to be back on-site. So for the August submission we will have a revised landscape plan. Essentially along the embankment, the only thing we're changing as far as the landscape plan is along there. Again, previously we thought the native species were intact and had created a stable embankment. What David saw is essentially that these invasive vines have overrun the site. So that's something we will have to come back and revise.

**Boardmember Alligood:** I'm glad you're mentioning that point because I had highlighted on the landscape plan, LA-1, that there's a note here: "Existing vegetation to remain -- only dead trees, shrubbery, or any unsightly debris to be removed."

**Mr. Normoyle:** Correct.

**Boardmember Alligood:** That part, is that the vines? Because it's a wetlands, so who's definition is "unsightly?" I'm actually not asking to have things cleaned up that are part of what's supposed to be there. So I just don't want to push it too far with that comment.



**Mr. Normoyle:** No, no, and I think that's where David was...again, he was on-site and he was disappointed with what he saw. And it was different than the last time he had been on-site. His belief was, previously the embankment was stable and was productive but, unfortunately, with the vines -- which you see them everywhere, driving up and down the Saw Mill Parkway you see how prevalent they are and they are actually pretty resilient. So I think it's going to take a few treatments on our part to get rid of them and keep them gone.

So we'll come back. But maintaining a stable Saw Mill riverbank is very important. He has ideas in terms of how we'd accomplish that. So in our next submission -- we just couldn't get it ready in time for today's meeting -- the August submission, we'll have it. It's going to be a little tricky in order to maintain a stable bank while planting new plantings in line with what the requirements were. But that's what we have to do, so that's what we will do. That's the only part of the landscape plan -- aside from the revisions to the berm, what we'll do now along the Saw Mill River embankment -- the only changes to the landscape plan. Everything else will remain intact as far as our proposed landscaping.

**Boardmember Hutson:** Good.

**Mr. Normoyle:** Then moving on to the Norway spruce. James brought that up last month. Since that time we did meet. We had Richard Sharp -- of Hawthorne Tree Brothers, who was our arborist -- myself, and Dr. Fred Hubbard meet on-site, I think it was last week. Our arborist did submit a report I think Angie distributed to the Board. I don't know if Dr. Hubbard commented on it yet. But essentially what our arborist reported is that when we did do the site visit Dr. Hubbard agreed that the southernmost Norway spruce, the one in question, should be removed.

**Village Planner Witkowski:** He did tell me that and I didn't get anything written.

**Mr. Normoyle:** I don't know how he reports back to the Board. I know earlier in the day I had met him he was also up at St. Matthews evaluating four trees up there -- and two had to come down, two were remaining. I don't know how that affects it in terms of what we do. That's our recommendation in terms of unfortunately...we would prefer to have the third tree up there. It's a more regular pattern. But just given the shape of the tree and the toppling hazard, it's our recommendation that it come down.

**Chairperson Speranza:** And our Village Naturalist also.

**Mr. Normoyle:** Correct. If that's okay or, if there are any other comments, let us know.

Now, another issue mentioned by James, who is entirely correct as of the last meeting. We have the proposed stone wall and ornamental railing running along the eastern side of both buildings B and A -- building A being the northernmost building. James pointed out that it looked like there was a 10-foot high stone wall with railing. I reread the transcript today. Tony, myself -- everyone on our side -- said no, that's definitely not what we intended. However, that's exactly what was shown. So what James pointed out was entirely correct.

Since then we've actually had Vivy re-study how we could deal with that wall. I have an elevation I'd like to hand out that we will address. As of the last meeting, the area in question -- what James had pointed out -- was that the north end of building A...which, in fact, if you did take the height of both the stone wall and the ornamental railing above it was somewhere on the order of 10 feet, which is not what we intended at all. The proposed solution here was, essentially towards the northern end of building A you can see we're proposing to step down the stone wall. Now, the original, from our perspective, this stone wall and fencing and railing have been added sometime earlier this year to help create a sense of private space for the first-floor units. The other function of the stone wall and railing was essentially to shield the first-floor units on that side of the building from the headlights of the cars parking on the east side of the building. So that's where it came from.

What this shows, essentially, at the north end of building A, the tallest point of this wall is actually just before the stone wall steps down. And there are a few measurements on your plan. You'll see that the stone wall portion of the structure is 4 feet 10 inches. Then on top of that would be the additional 2-foot railing. So adding together that highest point of the wall and railing combination gets you up to 6 foot 10 at its tallest point. At the northernmost point of building A the stone wall is about 4 feet 3 inches high. And the railing above, for the last run we actually increased it from 2 feet to 2 feet 5 inches. Essentially, we made the railing a little bit taller during this last section to essentially make it less of a visual disconnect from the rest of the wall and railing. So at that area the wall and railing get up as high as 6 feet 8 inches.

**Boardmember Cameron:** Viewed from the patio side, those people have a 2-foot stone wall viewed from the patio side, and 2-1/2 feet of rail.

**Mr. Normoyle:** Exactly. That's very close. I'd have to check my notes, but that's exactly right. And there again, at this point the first floor -- the elevations of the finished floor -- are up higher so, again, there's going to be less of an issue with the headlights. Because since the grade is sloping down, the cars will already be at a lower level and that will be less of an issue in terms of light shining into the units at the north end of this building.

**Chairperson Speranza:** Questions anyone?

**Boardmember Logan:** I have some comments on the lighting plan when we get to that.

**Chairperson Speranza:** All right, but nothing on the wall. Good, I'm glad you have found a way. Thank you, Jamie, for pointing that out.

**Mr. Normoyle:** He was right. I spoke with Patty a couple days after the meeting, and readily admitted that he was totally correct. You were right on. It was, unfortunately, at that point a surprise to us and not intended. So, again, glad it was caught, and glad we could come up with something better.

The only other real things I have are the lighting, then steep slopes. We did hear from Deven and I have a handout on the conditions that we could go through as well.

**Chairperson Speranza:** Let me just say with respect to steep slopes, we did get a communication from Deven Sharma, our Building Inspector, that said everything was complete. All the information and submissions are complete as required by the Steep Slopes Law. So we're okay. Check that box.

Okay, the lighting plan. We had deferred discussion on the lighting plan until our Board expert, Bill Logan, was in attendance here.

**Boardmember Logan:** Yes, I'm sorry I couldn't be here for the last meeting and given you some response a little earlier. But I have taken a look at the plan. I see a little bit of a contradiction in terms of the way the lighting is indicated on the plan as being sort of apparently directional -- the ones on the building side oriented away from the building, which is logical, and the ones on the east side of the parking lot oriented toward the building. However, the fixture you show is kind of an omnidirectional fixture, which really doesn't achieve that goal. I think, from the Village's point of view, we want to avoid creating glare which is visible from the road. Obviously, your tenants, or your owners, are not going to want to have lights from the parking lot shining in their windows all night long.

So I think we probably have a mutual goal here. It just seems like another type of fixture would be appropriate, a fully shielded fixture. It may be just like a rectangular box, where you don't see the source. That source is invisible, but you achieve the light levels on the ground where you need them. So I think if we have a no-glare lighting fixture where the source is not visible everybody'll be happy. At least I will be. But it's not what's shown right now, so we'd like to see the fixture you're actually going to use and a photometric chart of how the light is dispersed, and where the fallout and where the cutoff angles are. I think, based on that, we'll feel a little more confident in approving this, or at least I will. But right now we're not quite there in terms of the fixture you're showing.

**Mr. Normoyle:** Yes, I think what you describe would be exactly what we want to achieve.

**Boardmember Logan:** I mean, these have a quaint kind of a village-like look to them, but the light quality is not really appropriate for that type of use.

**Boardmember Dale:** They were also inconsistent with the architecture.

**Boardmember Logan:** Yes. Stylistically, frankly I don't care. I just want to have the light directed where it should be directed.

**Mr. Normoyle:** Sure. That's a good comment and, I think, very easy to address and fix.

**Boardmember Logan:** And there are plenty of fixtures out there now that are fully shielded. They're basically flush bottoms, the light is recessed within the fixture, and you can't really see the source.

**Mr. Normoyle:** Good, we got that. Thank you.

**Chairperson Speranza:** We did receive public comment primarily dealing with the storm water and the drainage issues which were brought up at the last meeting from Lorraine Kuhn. We talked about at the last meeting the need to inspect and make sure that the storm water system is constructed as it is designed and has been approved. Her comments were sent to Robert Pape, who is from Carpenter Environmental, the Village's engineer. Some of her concerns were not quite exactly the way things happen, particularly with respect to having a professional engineer. He uses this term, and maybe you know what this is: CPESC.

**Mr. Castillo:** Sure. It's a new classification. It's called a Certified Professional in Erosion Sediment Control. My understanding is it's a nationwide certification.

**Chairperson Speranza:** All right. And that that erosion and sediment work does, in fact, have to be performed either by the CPESC or the licensed professional engineer. Ms. Kuhn was looking at a plan that showed detention ponds at the western side of the property, which Mr. Pape stated are only there during the construction phase for erosion and drainage control. So they did not need to be fenced, as was stated, etc. I just wanted to make sure that that went on the record. And you have that, Angie, right?

Also from Carpenter Environmental, from Mr. Pape, we do have correspondence. And his comments that were raised with respect to storm water control have been shown -- that you have your plans to show -- the bail dikes between buildings A and B on the plans, and a series of things that he mentioned at the last meeting. Also, that the plans were revised to show that sediment base and volumes meet the required standard of 3,600 cubic feet of volume per acre to drainage basins, as per the New York standards and specifications. Now, there are a couple of other things. Patrick, you have a handout for us to show how you meet what the conditions were. Is that it?

**Mr. Castillo:** Yes.

**Chairperson Speranza:** Okay, you should give that to us because there were some things that did come up during the last meeting. I'm just wondering where things are.

Traffic mitigation measures -- the signalization -- that's what sticks out in my mind, especially as you're driving down Jackson Avenue there. Notice that there are flags along Jackson Avenue. Has anybody noticed that? Both sides of Jackson Avenue there's little flags as if they're marking out something.

**Boardmember Dale:** Yes, colored flags -- different colors on either side. Blue on one side and yellow on the other.

**Chairperson Speranza:** Yes. No one knows about that?

**Mr. Metzger:** They're putting in an IKEA.

**Mr. Normoyle:** Just briefly first, what I just handed out were the first four pages. I printed on double-sided paper. The first four pages are ...you'll see they're numbered one through probably 29, then either verbatim or paraphrase the condition. This is coming from the concept plan approval by the Village Board. Then a status report, which we can go through. Then behind it I also provided the 10 pages of the concept plan approval document just in case you wanted to read the conditions verbatim. In some cases I just re-typed them verbatim already. So we could go through them one by one or people could read it, however you want to proceed. The DOT issues are noted in here as well.

**Boardmember Wertz:** Are there any conditions that you haven't met?

**Boardmember Wertz:** That you have compromised in some way?

**Mr. Castillo:** Then it's probably easiest to go through it. I don't think so. I think we came up with something for everything. Why don't we go through it.

**Boardmember Alligood:** We're going to get the offering plan draft that shows that you've met these conditions on page 3, right, at some point?

**Mr. Normoyle:** Well, let's see. We've just begun working on the offering plan, and there are several conditions that need to appear in that, as well as other restrictions. So the offering plan...we're months away from having a complete plan. One thing I discussed with Marianne was having a form -- maybe you could jump in here, Marianne -- as far as like a form of deed restriction. We could have that prepared and submitted.

**Village Attorney Stecich:** That was a concern I raised at the last meeting. There's a lot of documentation I need to see, and I think I should see drafts of them before you give your final site plan approval. I think Patrick communicated that to Mark Ginsburg, the legal. So when they get them to me we'll review it, but that would be pre site plan approval, I think.

**Mr. Normoyle:** Right. We can get a draft offering plan prepared with these conditions included, but we're not going to have a final offering plan... we need a lot of other things.

**Boardmember Alligood:** We just care about these conditions. We don't need to see everything.

**Mr. Normoyle:** This is something we didn't have in time for this...

**Chairperson Speranza:** You're right.

**Boardmember Alligood:** We really don't need to see everything.

**Mr. Normoyle:** Right, good. So that is items 15 through, and including, even 25. Like what either has to appear in the offering plan or, it says, in restrictive covenant binding on the condominium. Item number 25 also includes that the declaration of covenants and restrictions also needs to include these additional three provisions. I'll work with Marianne as far as figuring out what legal documents we should provide, and provide that for the next meeting. But that won't be a problem. I just want to be clear: we're not going to have our whole offering plan done. We can definitely get everything else completed.

**Boardmember Cameron:** I just have a question. I know you raised the buildings so they're 2 and 4 feet above the 100-year floodplain. Is there anything in the basements of those buildings that if it flooded it would adversely affect the building other than everyone losing their cars? You know, do we have switch boxes, electrical boxes down there. Because I'm, quite candidly, concerned about that. I think in this day and age to be just 2 feet over the 100-year floodplain is not really what I call forward-thinking. But it may be what's legal.

**Mr. Normoyle:** Yes.

**Boardmember Cameron:** What's in the basement there that could be adversely affected?

**Mr. Normoyle:** Essentially we'd have the parking garage, so around 57, 58 parking spaces. We have the elevator, the elevator machine room, and most probably one mechanical room at least in the basement. Again, it's not designed yet, but that's tentatively what's shown in the basement. Each floor may also have their own utility room, so some of the utilities would be located there. But for the most part I think they're going to be coming in through the garage.

**Boardmember Cameron:** But the electricity into the building .. is it through the basement?

**Mr. Normoyle:** Yes, it's going to be in one of the mechanical rooms in the garage. Again, we've engaged an MEP engineer to begin that design process, but we're very early. But without doubt there's one room in each garage for that purpose, and that's correct.

**Boardmember Wertz:** This goes back to some of Lorraine Kuhn's points. I did have a question about that. Maybe we can go back to it; maybe I missed something.

It looks like our engineer from Carpenter Environmental Associates, Mr. Pape, addressed some of the issues regarding the maintenance and dredging and so on of the inspections of the storm water bioretention areas. But there were a number of other points there that he didn't address at all. I'm wondering if his not saying anything about them is an implicit message to us that these are not problems. And I'm wondering if maybe we would want to get an explicit message from him that these other things are not problems, or do we need to look at these things. Jamie raised one of them, and it has to do with the 100-year floodplain. From what Lorraine is saying, further upriver they are getting regular flooding beyond the 100-year plain. So if that's happening three times a year, then it's kind of hard to see as credible the idea of a 100-year. If we're going to be getting a similar experience at this site maybe we could learn something from what's happening upriver and predict, as Jamie's saying, that this basement's going to be flooded, if that's it. Now, I don't know -- I'm no expert on that -- but since our engineer didn't address it, I'm wondering if...

**Chairperson Speranza:** We can certainly have him come to the next meeting. But that issue was raised at the last meeting.

**Village Planner Witkowski:** Right. And that's what he said when I spoke with him.

**Chairperson Speranza:** And he said it doesn't make a difference.

**Village Planner Witkowski:** It doesn't.

**Chairperson Speranza:** Particularly the amount of fill. Because I asked that question, you know. You're going from 80 to 450 cubic yards. What does that mean? It doesn't make that big a difference is what we were told.

**Boardmember Cameron:** The only point I'm really making is: so everyone loses their car if it's flooded. I would bet it's going to be flooded long before 100 years comes by. Just as you're constructing a building, and you're putting all the power and electricity in the basement and all this stuff, it's just going to be a disaster if that gets flooded. So you've got to think about even if you raise it up higher off the ground in the basement, I don't know, but I just don't believe the 100-year flood scenario. They'll be revised in a couple of years, and suddenly you won't be above the 100-year floodplain.

**Mr. Castillo:** New Jersey, a state that also experiences quite a bit of flooding...later on this year will also revise what we call the New Jersey Flood Hazard Area Act regulations. What they're going to say is that if you have a piece of property that's located in the floodplain, and you want to construct a building like this one, they would require that if you know what that 100-year flood elevation is that your finished floors -- habitable spaces -- are located at least 1 foot above that 100-year flood. They also extend that standard for driveways in order to provide access to the property. That's in cases where your property is low, they want to make sure that you can get in and get out. Just to provide a perspective from New Jersey.

In this case here you have a situation where the driveway entering into the garage is way above the flood elevation of the Saw Mill River. And the finished floor elevations of all the habitable...everything is way above the floodplain elevations. We looked to try and put a factor of safety by elevating as much as we could above that 100-year floodplain elevation in buildings A and B. That's trying to make the grading plans and everything work, but also trying to keep in mind that 100-year flood elevation. That's why we did that extra step and raised building A as much as we could -- 2 feet above that 100-year flood.

**Boardmember Cameron:** I'm not worried about people's actual apartments because I think you've probably got a period of time before that. I just worry about whether water going into the basement would make the building uninhabitable, and that's the issue I'm raising. Because all right, people can drive their cars out of there. But will the building become uninhabitable, and shortly after becoming uninhabitable become uninsurable and that's a different problem that people are going to have.

**Village Attorney Stecich:** I just finished drafting this afternoon for this Village the new flood hazard management law. The Board is going to be calling for a public hearing on it, and it has to be adopted by September 28th. So it'll get adopted. That actually has specific provisions about if something is in a flood area -- which I think this probably is -- how electrical equipment has to be handled. It refers to standards. Apparently, there are standards in the state building code about electrical mechanicals in a flood area. So it will have to be addressed under our flood management law, that particular issue, Jamie.

**Mr. Normoyle:** And one thing that we can do probably by the August meeting, our MEP engineer is working away. They're working on load letters and things like that. But they easily already have a concept for what will be in the mechanical rooms. Most things are mounted, and they probably already comply with the standards Marianne stated. So I think at the next meeting we'll get some info from them and can report back.

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

**Mr. Normoyle:** Again, it's not going to be a finalized design, but I'm sure they already know what's going to go in that mechanical room.

**Village Planner Witkowski:** Could I just add on why our engineer didn't address that? I did speak with him this afternoon. The only reason that he didn't get into the other issues was because they were addressed at the last meeting.

**Chairperson Speranza:** Jim, did you have something on this? Is it on the storm waters?

**Mr. Metzger:** Yes, it's exactly about that. I happened to be at the Greenburgh Town meeting last night, and I believe they've just adopted their new storm water regs. They've said that the buildings need to be a minimum of 2 feet above, not 1 foot. I know that doesn't have bearing on Hastings. I appreciate that. I'm just saying that Greenburgh... everybody in the area is looking at this issue and trying to make sure that we don't have problems.

**Chairperson Speranza:** Thank you. Why don't we all take a look at this and see if there are things that we don't feel...I don't want to go through this condition by condition.

**Mr. Normoyle:** I will mention one thing that I think is problematic that Bruce was asking.

As far as the conditions of the concept plan approval...I should pull it out, it's probably number eight. "The applicant shall undertake site improvements at the Saw Mill River Road/Lawrence Street intersection" -- no problem -- "and signal timing modifications at the Lawrence Street/Saw Mill River Parkway intersection." I spoke with our traffic engineer and his response was, New York State DOT will determine when and if there are any modifications to that signal, factoring in demand from our project as well as overall growth. So that's something that's not in GDC's control, I don't think. It's in the Village's control.

**Chairperson Speranza:** Okay, but that relates to number nine. That you will be responsible for...

**Mr. Normoyle:** Yes, at Lawrence Street and Route 9-A versus Lawrence Street and Saw Mill Parkway, which is what number eight says.

**Chairperson Speranza:** Right.

**Mr. Normoyle:** And that was the one thing that's actually... even if we wanted to...

**Boardmember Hutson:** I'm not sure that's what we meant.

**Chairperson Speranza:** I know. I don't think that's...



**Village Attorney Stecich:** Wasn't signal timing...

**Mr. Normoyle:** Well, it's definitely signal timing at Jackson Avenue. That's done.

**Chairperson Speranza:** It says Lawrence Street/Saw Mill River Parkway intersection.

**Mr. Normoyle:** That's why I put the original in just in case.

**Chairperson Speranza:** Yes, you did.

**Mr. Normoyle:** It is Jackson. There's another one on Jackson. Seven is on Jackson, Saw Mill River Road and Jackson and Ravensdale. So that's fine. Number eight was the only one that was confusing to me. If it did pertain to the Parkway, our traffic engineer is saying we have no control over that.

**Chairperson Speranza:** You don't do the parkway, right.

**Mr. Normoyle:** So aside from that, I don't think any of these conditions are a problem. I think we're on all of them, but you guys can read through it.

**Chairperson Speranza:** Okay. Have you been in touch with the state DOT about this?

**Mr. Normoyle:** Yes. We filed a highway work permit to address all the ingress and egress for the site before. It also includes the site clearance improvements at Lawrence Street and Saw Mill River Road, the timing modifications to Jackson. We already submitted a plan for the berm along their right-of-way. Anything we do as far as the berm and the plantings is subject to the DOT, so we already submitted an earlier version of this berm plan without the plantings. We wanted to get feedback from you if this was okay, then Phil Greeley of John Collins Engineers will submit an updated berm plan to them. But all of that has been filed with the DOT as part of the highway work permit, we've paid the fee and that's in process.

Going back further, Phil Greeley had already been in touch with them as far as the timing modifications, or signal modifications, at the Jackson Avenue/9-A/Ravensdale intersection, and it's just left-turn signal. So they've already had a back-and-forth in terms of what we were proposing. ... He thought it would be a 60- to 70-day for approval from DOT. Then we have to meet with them at some point to go through the bonding requirements and some other things, but it's basically on the order of 2-1/2 months from now -- 2, 2-1/2 months.

**Chairperson Speranza:** Mr. Drumm, and the fire inspection of these new plans. Do we need something from him?

**Mr. Normoyle:** We talked about going back to him. I haven't, since before the May meeting. I did contact him in June. He said why don't we wait a little bit.

**Chairperson Speranza:** Wait until July?

**Mr. Normoyle:** But I think now we can go back.

**Chairperson Speranza:** I think that's because the buildings have changed, and we do want to make sure that he feels comfortable with getting equipment and personnel in to fight a fire.

**Mr. Normoyle:** Yes, so we can meet with him again.

**Chairperson Speranza:** Especially vehicle fires. I think of the underground garage, and I know some changes were made so that they could get people in there. But it would be good to have his sign-off on this.

**Mr. Normoyle:** Yes.

**Village Attorney Stecich:** One other thing that wouldn't be in the conditions, and I did talk to Patrick about it, is because there are trees coming down, there have to be tree permit applications, which then have to come back to you. It has to go before the Tree Board and then come back to you. So whatever you've got to do, the Board can't give you site plan approval, until the tree stuff is done. You have to get before the Tree Board and then back before this board.

**Mr. Normoyle:** Yes. So I think we'll submit that early next week. That pertains to all trees 12 inches and larger, per the requirement.

**Village Attorney Stecich:** I forget what it is. I think it's 12 inches.

**Mr. Normoyle:** So we'll do that. We'll submit that to them early this week. Marianne mentioned that there's also a mailing to neighboring property owners, so we'll do that as well. But we'll get that underway. We can file that probably by early to mid next week and start that process too.

**Chairperson Speranza:** Take a look at this, and if there are questions send comments or anything to Angie for transmittal and we'll see where we are in August. So in August you go to the ARB. I think we're okay with the berm is what I heard tonight from people?

**Mr. Metzger:** I'm just curious why, on your drawing, your horizontal scale is different than your vertical scale.

**Mr. Castillo:** Just to try to accommodate everything.

**Mr. Metzger:** No, I understand. But you realize that gives a very distorted picture of what the reality of that berm might be. In 30 years of practicing architecture I've never seen a drawing presented where the horizontal scale is different than the vertical scale.

**Mr. Normoyle:** On profiles they're done all the time.

**Mr. Metzger:** I'm not saying there's anything wrong with them, but I've never seen that.

**Mr. Normoyle:** Road profiles are commonly given with two different scales. You take a look at most road profiles, just given the distance that you need to cover in terms of showing on one plan -- similar to what we wanted to show here -- they are shown on two different scales. So we could easily do the same scale both in the horizontal and vertical direction, but you're going to essentially lose out in terms of showing. But we could easily show that. It's just going to be a smaller portion. But road profiles basically always show that -- two different scales. That's common.

**Boardmember Logan:** I think this is clear ... it communicates the basic sight line ideas.

**Village Attorney Stecich:** I thought of one other thing. I didn't bring my notes with me, but I went over most of this stuff with Patrick this week. Eva had asked for a statement from your landscape architect about the plantings. Not only what the plantings are, but that the plantings you're putting in are suitable as habitat and food sources for wildlife. So we need that statement by the next meeting too.

**Mr. Normoyle:** Yes. I was expecting to have that, anticipating there was no problem with the Saw Mill River embankment. We found that there is, so we'll have that by next time.

**Chairperson Speranza:** Berm, we're okay. Vegetation along the river, we'll hear back on all of that that was just brought up. Everyone's fine with how that 10-foot wall is no longer 10 feet tall? All right, steep slopes we're okay on. And changes to the lighting plan we're going to be looking for.

**Boardmember Alligood:** I think it doesn't sound like we're going to be able to resolve the concerns we have about the floodplain and just how that's handled, but I do want to express that it looks like it's potentially going to be a problem in the future. But we're getting information from our engineers that it's not so I'll put that out there.

**Chairperson Speranza:** We can ask Mr. Pape to come for the meeting in August.

**Boardmember Alligood:** Well, I won't be here so it's okay.

**Chairperson Speranza:** I don't know how many times we can ask the question.

**Boardmember Cameron:** Well, I think our problem is, our expert is relating to what the governmental 100-year floodplain is. And the problem is that I think a lot of people have lost confidence that that is going to be a true measure for the next 100 years.

**Boardmember Wertz:** And if we look up the river and in other places where we can see if that's happening -- places that are exceeding the federal regulations, and see how people are dealing with it -- if the federal regulations and the code that's on the land as it is now is not in synch with the actual events that are taking place -- let's go by the events that are taking place. And maybe look around up and down the river, and see what the problems are and what people are doing about it. Go by that rather than the federal regulations. I think that's what the sentiment is, let's be real about this rather than just go by code and then have major problems that everybody else is having up and down the river.

**Mr. Normoyle:** I do want to say Ardsley is terrible...we'll check on the facts as far as the 70-year floods happening every three months. We'll check, but there are certain areas that are far worse than where we are. And Ardsley, we've all driven by it during a flood event.

**Boardmember Wertz:** Well, that's what scares us.

**Mr. Normoyle:** Those buildings are 8 feet, and the water is covering their entire basement, it's a problem. I want to say that's a different situation than being 2 feet above the floodplain.

**Boardmember Wertz:** But we've seen a lot of water right around here, too, recently.

**Mr. Normoyle:** Oh, I know. I grew up on Clarence Avenue.

**Boardmember Wertz:** In our basements.

**Boardmember Cameron:** I don't expect you to lift the building another 8 or 10 feet. That's why I raised the question about what's in the basement.

**Mr. Normoyle:** Yes, I think that's a good question.

**Boardmember Cameron:** People might lose their cars if they don't get them out of there, but we don't want to have the building so it's inoperable.

**Boardmember Dale:** Patrick, what's the elevation of the rise at the 100-foot plain? How high is the water rising from what its average height is?

**Mr. Castillo:** The normal water surface is approximately elevation 114 to 115. In that 100-year flood event you anticipate flood elevations to go to 122. So that's a 7- to 8-foot rise in water surface.

**Boardmember Dale:** Right. And the top of the slab in your basement is 2 feet about that.

**Mr. Castillo:** Correct, in building A. Building B is 4 feet.

**Boardmember Dale:** Any electrical equipment would be at least 3 feet above the slab level.

**Mr. Normoyle:** Yes, we'll check on that. But that's exactly what we can find out between now and the next meeting.

**Boardmember Dale:** So it would be at least 5 feet above the current 100-year floodplain level which is, you said, about 10 feet or 11 feet above normal. So it gives us a 50% margin.

**Mr. Normoyle:** The elevator machine room -- that might be something that does go out of commission if the garage did flood. But it's different to fix an elevator machine room versus having a whole building down mechanically and electrically. But we'll clarify that by the next meeting.

**Boardmember Dale:** Your heating system and your elevators would be vulnerable.

**Mr. Normoyle:** No, all of our heating is in the individual units, basically powered by gas and electric. So if we could maintain the gas and electric, then the heating and the air conditioning would be unaffected.

**Boardmember Cameron:** Individual gas units?

**Mr. Normoyle:** Correct.

**Boardmember Dale:** So there wouldn't be that much vulnerability.

**Mr. Normoyle:** No, so I think that's something we can clarify exactly what's located where and how high it is.

**Chairperson Speranza:** See, we can all feel very uneasy about the flooding, and the flooding that has occurred, and the new type of flooding that is occurring. But in my mind, a lot of what has happened in the past is resulting from development which did not take any of this into consideration. That's why I think, given the plans that have been developed, the fact that we have had people and engineers and people looking at it, to me the next piece is just to make sure that this is constructed in a way that lets us be able to say, hey, look, there can be development of what may be considered borderline areas. But it's just got to be done in a very, very good and sensitive way.

**Boardmember Cameron:** But a lot of that actually comes from people paving over things upriver, and that's where the water comes from.

**Chairperson Speranza:** Okay, so we'll see you in August?

**Mr. Normoyle:** Yes, thanks.

## V. Discussion Items

### 1. Transportation Plan

**Chairperson Speranza:** Okay, we still have people here in the room. Mr. Skolnik, are you here to talk about the transportation plan?

**Mr. Skolnik:** I was going to listen to it.

**Chairperson Speranza:** You're going to listen to our discussion.

**Mr. Skolnik:** Sure.

**Chairperson Speranza:** All right. We did receive a survey. Angie has asked that we fill out what our sense is of the recommendations that were put forth in the transportation plan. You didn't do it yet.

**Boardmember Hutson:** No. In my mind.

**Village Planner Witkowski:** That's okay if you don't have it done, just give it to me. Because the Safety Council didn't get theirs yet.

**Boardmember Cameron:** Did we ever get any clarification on whether -- I see the estimated cost numbers -- whether any contribution is coming from a third party on those costs? Or we should look at this thing as if the Town would pay for the entire cost?

**Village Planner Witkowski:** No, the estimated cost is the estimated cost. And then as grant opportunities become available, it would depend on whatever grant was available and what the matching requirements would be.

**Boardmember Cameron:** Well, just to use an example, using something done on a state road, which Broadway is, comes with a state contribution. And I don't know whether that's a grant opportunity or whether they would pay X percentage of the cost. As you try to look at these things and make choices, I think we need to know what the net cost to the Village is. Maybe we're supposed to assume we'll get grants for it.

**Village Planner Witkowski:** Maybe assume that any grant is going to either require a 50% match or it could be as low as a 20% match, which is the case with the enhancement program. So assume a 50% match requirement on a worst case scenario, then if you do have an opportunity for a 20% match, so much the better. But it's just going to depend on each one. For instance, the CDBG project, which is the sidewalks that we'll be doing this year coming up, that's a 50% match.

**Chairperson Speranza:** And it does depend on the type of improvement, too.

**Village Planner Witkowski:** That's right.

**Chairperson Speranza:** I know the state DOT's not going to pay to put sidewalks on Broadway.

**Village Planner Witkowski:** No.

**Boardmember Cameron:** Right.

**Chairperson Speranza:** But maybe we could get grants to do that. They are not necessarily averse to it, but they certainly don't want to pay for it. We do have to have two meetings in September if we can't get two meetings in August, and I can't imagine how we would.

**Boardmember Dale:** I'm away from the 14th to the 26th in August.

**Chairperson Speranza:** Because we should have more of a discussion of this than just filling out the surveys. Eva, do you have some thoughts? We'd spoken, and you were speaking about...I know, Mr. Skolnik, you're here to talk often times about what can we possibly do. In my mind it would be a shame if another September comes and some of the quick-hit items didn't get done.

**Village Planner Witkowski:** Right. The intention of having this was at least to have a starting point for people to say what they think are the priorities, and if they're in agreement with what came out of the workshops and the entire planning effort. So you didn't need to have it done tonight. In fact, I only got one back from the Board of Trustees. The others haven't given me theirs yet, so don't feel bad if you don't have it done. I still need to get it to the Safety Council. I thought they were meeting tonight, but evidently they didn't meet tonight so I'll just mail it to them so they can get it back to me.

**Boardmember Alligood:** Just to follow up on requests to Patty. You know, we had talked a little bit about just the whole question of a process for moving forward in terms of the different decision-making bodies that need to get involved in some of these projects. Now we have a report, we can prioritize. That's one thing, apply for grants. But to me, another part of the question is ongoing community feedback. Just to give an example, let's say we were going to go ahead and do the project around the school with changing the parking. You know, how would we actually do it? We'd obviously want to talk further with the school and the neighbors. Some of them came to the meeting where the consultant presented, and had some concerns. I think they can all be worked out. Again, what's our process? How do we want to move it forward? And is it that we create some sort of task force where there are representatives from different bodies?

**Village Planner Witkowski:** I think you have to do that on a case-by-case basis. Because remember when Georges did the presentation and said to keep in mind these are concepts. You know, the drawings that were done by Charles Sells were not intended to be for construction use. This is just the starting point. I could put together an appendix in the plan itself, and give sort of a catalogue of the types of grants that would be available for each of those projects. Like a matrix. That's one of the things I wanted to do with these after I looked at everyone else's feedback, the additional feedback.

**Chairperson Speranza:** Maybe we should have a discussion with the Board of Trustees. I mean, I think you're right. I think we need the Board of Ed., the Board of Trustees, the Safety Council. We've just got to set it up and do it.

**Boardmember Alligood:** Funding is one question.

**Boardmember Cameron:** The community process.

**Boardmember Dale:** You're talking about an implementation plan.

**Boardmember Alligood:** Exactly.

**Boardmember Dale:** Would that fall under the purview of the Village Board?

**Chairperson Speranza:** Is it us, is it the Board of Trustees?

**Village Planner Witkowski:** Well, the Board of Trustees will make the final decision because they have to do a resolution any time you do a grant application or anything like that. But I think ... I'll draft up an appendix, that would have sort of a matrix. Because it depends on the project. Some of these projects you don't need a task force for. You just need to say this is where you do a survey of where the sidewalks are going to go.

**Chairperson Speranza:** But we don't know that everybody is in agreement, all of the policymakers. Why don't I draft a memo to the Mayor, to the... head of the Safety Council?

**Village Planner Witkowski:** Joe Rodriguez. Maybe have a joint meeting.

**Chairperson Speranza:** And the school district and say, "Hey, let's get together and let's work on this." Suggestions?

**Mr. Skolnik:** Maybe try to clarify at least what I've been thinking about with this. First of all, I think basically we've spoken. What Eva was saying, I think, is basically what I've also been feeling. I think the issues around the school have to be considered separately. Let me see if I can say this. The longer-range plan that basically encompasses the whole Village obviously needs to go through this process, and go through a grant process and prioritize and get the funds in place. I think, though, that the area around the school and the issues we've talked about there seem to me to have to be on a different track entirely. I think it's much less grant-dependent than some of the other major proposals. A lot of what I think was felt was that even some of the points made in this plan could be accomplished in a much more low-key, less capital-intensive way. For example, the difference between actually building a median and painting lines. To get the basic concepts and some of these larger issues is so hard to actually grasp.

So I think what you've started, to move towards is the idea of actually getting all of you together, is the right direction -- though even there I think it's going to be hard because it's not necessarily representatives. I don't know if the Board of Ed this morning dealt with the issue any further. But even that group, it's not as if they all have a cohesive plan that they could bring to the table with these other groups. So the task force idea, the more I've thought about it, is appropriate to me in terms of intensiveness. That you put together a group where actually that's their singular focus.

The sidewalk issue is going to be, apart from any funding...we've talked about it a little bit, but I think it's going to be a very complicated issue to deal with, even if money was in place.

**Boardmember Hutson:** Why? Are there people who don't want the sidewalk?

**Mr. Skolnik:** Oh, I'm sure.

**Boardmember Hutson:** Is that right?

**Chairperson Speranza:** You have to maintain them.

**Boardmember Alligood:** There's some legal issues that we have to figure out in terms of if it's people's private property or who maintains it.

**Boardmember Hutson:** Well, what do we do with sidewalks now? I mean, the sidewalks in front of my house.

**Chairperson Speranza:** You are responsible for it.

**Boardmember Cameron:** I go out and dig mine out every time it snows.

**Boardmember Hutson:** Okay, so do I. So let's just do that.

**Boardmember Cameron:** Do what?

**Boardmember Hutson:** Put the sidewalks in. The school thing, there was a group that met on the school thing for a long time, right? Was there no consensus?



**Mr. Skolnik:** I'd say no. There hasn't really been a school thing.

**Boardmember Hutson:** Wasn't there a group that really studied that and looked at it, a community group that really spent time on that? No? I thought there was.

**Mr. Skolnik :** It's been wrapped for quite some time in the context of other issues. But the problem as I've seen it in the brief time that I've looked at it is that because all these different bodies haven't really been together on it -- and the authorities, it's always been basically the school -- might have some issues, but they don't have the authority to actually do anything. They might want to do something with the parking, but it has to be the Board.

**Boardmember Hutson:** I do know when they had their joint meetings with the school board and the Trustees. Was there no direction that came from that? I frankly don't think we have, as a board, as much to say or as much insight or as much awareness of those specific issues as some people from the school. There was a school-organized, sponsored group that talked about that and met about that. Are there any good ideas about that?

**Mr. Skolnik:** I think there are a lot of good ideas, but with all due respect I think it would be a mistake to see this body as not being very much intrinsically involved in it. Just because it is around the school, it still relates to all the issues.

**Boardmember Hutson:** Right. I was trying to go along your line, to separate it out and get something done with it.

**Boardmember Wertz:** I think what makes sense about what you're saying is the need for an implementation plan. And not only to look at these different projects in terms of their priorities, but in terms of which ones go together as a total package and who would be the people who would move that package forward and see if it makes sense as a whole. And what Angie said: that different projects may have different problems and different issues that need to be addressed, and we need to break it down that way and really go after them systematically rather than just a prioritized list.

**Village Planner Witkowski:** In the housing and community development plans that we used to have to do years ago for HUD entitlement communities... we had to put together an implementation matrix. And that's where you prioritize your projects. You say who would be responsible for moving that project forward, which departments, which agencies, whatever; what funding sources might be available to supplement any HUD funding. So that's what I had in mind. Just to put together an implementation matrix with any accompanying notes, and then also indicate whether there would be a lot more input needed.

**Boardmember Hutson:** I think in regard to this school thing it's making it much too complicated. I think there must be three or four things that people have come up with that make sense, and get them done. No?

**Mr. Skolnik:** No.

**Boardmember Hutson:** Nobody's got a good idea about what to do about these?

**Chairperson Speranza:** *You've* come up with good ideas.

**Boardmember Hutson:** I wish I could remember.

**Chairperson Speranza:** You did, we got them. Yes, he wrote it.

**Mr. Skolnik:** I still like some of those ideas. But I personally haven't gotten away from the sense that it's extremely complicated and it's just not easy. I think it would be a mistake to just try and put things in there.

**Boardmember Hutson:** But I bet you if we took Eva and two people from the Board of Ed and a couple people from the PTA and two people from the Safety Council, and tell them they have...

**Chairperson Speranza:** Two weeks.

**Mr. Skolnik:** The problem is there are different constituencies involved and conflicting interests. Teachers in the school want their parking spaces. They don't want to have to go park half a mile away. Parents want to be able to drop their kids off right in front.

**Boardmember Hutson:** Have they ever thought of valet parking?

**Mr. Skolnik:** It is a much more complex issue.

**Boardmember Hutson:** Okay, I'm not saying it's not, but I was thinking how to get something done.

**Mr. Metzger:** One of the issues that we have to consider, it's easy to say, "Oh, we'll put in sidewalks and people have to maintain them." But if you look at the plan, the sidewalk along Broadway runs primarily along the Burke Estate. Guess who has to maintain that? The Village.

**Boardmember Hutson:** No, the school.

**Chairperson Speranza:** The school.

**Mr. Metzger:** No, we have Hillside Avenue. From what I can see from the aerial photograph it looks like a lot of Village property. And I believe the Edgewood Avenue sidewalk improvement, that's all Village property.

**Boardmember Hutson:** All the more reason it should be done.

**Mr. Metzger:** I just want to point out that on Warburton Avenue we have about 100 feet of sidewalk that belongs to the Village that's up above the DPW. I will tell you that every time it snows it requires a special phone call to try and get that little section of sidewalk plowed. So there are additional, ongoing costs, associated with this after you put the sidewalk in. It may involve bringing in ... two or three more people for the DPW during the winter. So we have to make sure that the money's in place to maintain the projects that we're putting in.

**Chairperson Speranza:** We can have Adopt-A-Sidewalk.

**Mr. Metzger:** I'm not saying we shouldn't do it, but we need to make sure that's wrapped into the plan.

**Boardmember Hutson:** All I'm saying is, if we can't figure out whether we want to run a sidewalk along Broadway -- that it's simple and not that it doesn't cost money -- but it seems like the kind of thing that reasonable people should be able to do. That's all I'm saying.

**Chairperson Speranza:** So does it make sense that I talk to them? No, you can't give up on it.

**Boardmember Alligood:** We're not giving up.

**Mr. Skolnik:** But do you see some way of actually creating something, a task force, something that will bring...

**Chairperson Speranza:** I always see a way.

**Boardmember Hutson:** Will you share it?

**Chairperson Speranza:** First thing you've got to do is pick up the phone to everybody. Yes, there's a joint Board of Trustees/school district committee, but they cover a whole wide range of issues.

**Boardmember Hutson:** And they don't meet that frequently.

**Chairperson Speranza:** It's, okay let's talk about this and this and this and this. I'm not talking about 25 people. I'm talking about if you're going to have somebody in attendance, if you're going to delegate...I say to the Mayor, "Who's your Trustee on this?" But we've got to do something and there's got to be a commitment to do it. I'm willing to try.

## 2. St. Matthews Statue

**Chairperson Speranza:** Father Fernan, you've been here a long time also.

**Boardmember Hutson:** We'd like a benediction if you have one.

**Father Fernan:** We could do that as well. Good evening everyone, and thank you for your patience. I know it's a late evening. I'm sure you know in some way or another of John Condon -- John Condon who had the Condon Tree Service so long around here -- and that he had recently been called home to God. The family is hoping to do something, as they say with the funerals, "in lieu of flowers." Our parish, much like the diocese, has had its bicentennial campaign to raise money to do things for the actual building itself. Instead of just having a name going on a painted wall we were thinking possibly of putting up a statue to Our Lady outside on the property of the church itself, they said. And the family, because he was very dedicated to what's referred to as The Legion of Mary -- which is a group that he was a principal in, starting over 50 years ago, that goes out and services people in many different ways -- they felt that, again, since he was so dedicated to Our Lady, that we put up a statue. And the family was very pleased about that possibility.

So various different plans go forward. We're talking to the families. They have a lovely little statue. What we'd like to do...do you have the papers there in front of you? Thank you very much. They said that we were looking to put that actual statue in between the rectory and the church. There was a piece of that property that had a very large tree that had been taken down that was blocking some of the building and was causing other little damage over there. So we took that down out of necessity. That's a perfect position, then, to go and put that actual shrine itself in. We were hoping to have that little shrine, in effect, mimic the rest of the buildings.

So as you're looking at the various different paperwork, they said it would be built much like the wall. And we had a permit to do that about three years ago, the wall that goes up across the steps leading right up to St. Matthews. So the same brick and the same cement cap would go all the way around. Because he was a tree man, we said let's bring in some wood. So we have the wood posts that go up. And then a type of roof that would go over to protect the statue that would, again, mimic the roof of the church and of the rectory itself. That would be like this Spanish type of style. And then behind that we'd put live trees. So you have some arbor vitae or something else like that to give that same type of look -- a little bit of life behind that statue of Our Blessed Lady.

So we were hoping to go forward on that, and then we were advised from the offices that we would have to come before yourselves for that possibility. Fran asked us to come here this evening. I know it's not this evening, but it's this morning at this time so I appreciate your understanding. Pat, you had said that we're at this step of just basically notifying and we would have to then go through a process of notifying various different public people. Would you please?

**Chairperson Speranza:** Right. This has been determined to be a structure, is that right? It's a structure.

**Village Attorney Stecich:** You know, I'd really love to find that it wasn't, but Deven and I talked about it. No matter how you slice it, it's a structure.

**Chairperson Speranza:** Right.

**Father Fernan:** May I just ask for clarification? What does "structure" mean?

**Village Attorney Stecich:** A structure means anything permanently mounted on the ground, situated on the ground. It's not a big deal. It'll be a quick site plan approval, but its required.

**Chairperson Speranza:** Right, and it's got to be noticed to the public. It's got to be published in the paper that we are going to be taking an action to review this structure being constructed on the grounds. That's done through... site plan approval is you, Angie, right?

**Village Planner Witkowski:** Right.

**Chairperson Speranza:** You've got the right person right here.

**Gina Mastrangelo, St. Matthew's Parish Administrator:** The reason we're here tonight is because Fran had us come, and I spoke to Angie today. We went to Fran and Deven on June 27th of this year for a definite plan. But he said you do not need a permit, go and start the work. So we already contacted George Capuano from Cap-Con for doing the work, and he was going ahead and doing the work. Last week I had Fred Hubbard up at the school looking at trees that we're taking down. And he gave me permission to take two trees and said, "Just call Deven and let him know that I'm sending him paperwork so you could take down trees." As I'm talking to Deven, he said, "Oh, by the way, you can't put up the structure." Two weeks later -- he never informed us.

So when I spoke to Fran he said, "Come in, maybe we can do something." Because we have a bishop coming on September 9th to bless the structure that's already going to be up. We have people in place. We have Marines that are coming in because John was one of the Marines. So that's why Fran said, "Come in tonight. See what you can do." And that's why I spoke to Angie today. That's the only reason. Because if there was a procedure, we would have taken the procedure that we needed to do, as I spoke to Deven myself. He said come in at the end because it is a special circumstance. I did go to him. I did drop off the plans 2-1/2 weeks ago. And to hear, "Oh, by the way" on a different issue...I didn't get a phone call and say it's a structure and you have to do this, this, and this. Because then we would have gone through the right procedure.

**Village Attorney Stecich:** It's not me. I talked about this a long time ago. We made this determination a month ago.

**Father Fernan:** Well, I'm sorry. If we had been given notice tonight, then we would have been before you awhile ago ourselves.

**Village Attorney Stecich:** Could I speak to the Board privately? Is that room open? It'll take 2 minutes.

**[BOARD LEAVES ROOM TO SPEAK PRIVATELY WITH COUNSEL]**

**Chairperson Speranza:** We're certainly sensitive to the timing of this and the schedule of this. What we would like to do is, we have been grappling with our schedules coming up, August being a big vacation month. What we would like to do is, if you could work with the Village to get the mailings out, the public notice put in the paper, we will have a meeting as soon as possible right after the public notices are published.

**Father Fernan:** Very good. I appreciate that.

**Chairperson Speranza:** We will fit in a special meeting before everybody disappears.

**Boardmember Dale:** It'll be a one-item meeting. We'll get together, we'll deal with it.

**Father Fernan:** And especially at this late hour we greatly appreciate that. Thank you so very much. I know that Gina, the parish administrator, will be in contact with yourselves later on today to go in and take care of that.

**3. (Continued) Site Plan Approval and View Preservation. Howard & Iris Burkat; Unit 28 of River Glen Co-op, 645 N. Broadway; Sheet 14 /Parcels 124, 13A & 130 B. Dormer addition to second floor of residence in the MR-2.5 Zoning District.**

**Chairperson Speranza:** One more thing because we don't need this to hang over our heads. The view preservation for the dormer at River Glen.

**On MOTION of Boardmember Hutson, SECONDED by Boardmember Wertz with a voice vote of all in favor, the Board resolved to recommend to Zoning Board of Appeals that the view preservation be approved, and approve the site plan.**

Chairperson Speranza: Anything else?

**Boardmember Logan:** I'd just like to say that, for the record, this is I think the longest meeting I've ever attended in 13 years of doing this.

**Chairperson Speranza:** This is a record.

**Boardmember Logan:** Let's go for it. I think we should stay here for another 20 minutes just to be sure.

**Chairperson Speranza:** Well, wait until August.

**Boardmember Dale:** Let's just savor that for a few months.

**Boardmember Cameron:** I want to make sure the minutes say "our meeting on the 19th and 20th of July."

**VI. Adjournment**

**On MOTION of Boardmember Logan, SECONDED by Boardmember Dale with a voice vote of all in favor, Chairperson Speranza adjourned the Regular Meeting at 12:30 a.m. (Friday, July 20, 2007)**