

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING
JULY 16, 2009**

A **Regular Meeting** was held by the Planning Board on **Thursday, July 16, 2009 at 8:25 p.m.** in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Chairperson Patricia Speranza, Boardmembers Fred Wertz, Jamie Cameron, Eva Alligood, Bruce Dale, and Village Attorney Marianne Stecich, Administrative Assistant Kevin Hay

ABSENT: Boardmembers William Logan, Edward Dandridge

I. ROLL CALL

II. APPROVAL OF MINUTES

1. June 18, 2009 Meeting

Chairperson Speranza: Any changes or modifications to what's been submitted? Go ahead, because I have one, too.

Boardmember Dale: I've got a couple of little ones, actually, on page 26 in the middle of the page, where I'm speaking: ". . . *where they just overlaid one of the . . .* " and the word should be ["LEED," L-E-E-D] instead of ["LEAD," L-E-A-D.].

And on the next page, at the top of the page, where I'm speaking: ". . . *somebody who networks . . .*" it should be "somebody who "works".

Chairperson Speranza: I just had one item on page 2, when the description of the accessory apartment renewal for 40 Clunie Avenue is given, the second paragraph of that item, there's a sentence that says: "*There have been substantial changes to the property.*" It should read, "There have been 'no' substantial changes to the property."

On MOTION of Boardmember Wertz, SECONDED by Boardmember Dale with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of June 18, 2009 were approved as amended.

IV: NEW BUSINESS

1. 385 Warburton Avenue - Application For Exemption From Required Site Plan Review/Approval

Chairperson Speranza: Deven is here and he's going to be briefing us on some of this, if you would just like to explain what this particular circumstance is, because it's a little out of the ordinary.

Building Inspector Sharma: This property has recently changed hands, 385 Warburton Avenue. It's currently somewhat nonconforming, and the new owners and architects have plans to modify and change the property. While they have plans to do some major changes later, they came to me for a building permit to do some alterations to the upper two floors – currently what exists there is six apartments – to make one apartment on two floors and an attic for use by the new owner.

There was a thought, perhaps, that this does not have any kind of environmental impact that would require review and deliberation by the Planning Board. John Adams, who is the architect for the project, has asked me for suggestions. I asked him to send a letter to the Board and let the Board look at it, think about it, and act on it. John Adams and his client, the new owner, are here to present their case.

Chairperson Speranza: That would be great. Let me just preface your presentation by saying the letter that we've received does explain what's going on. I just would like you to reiterate it for everybody who's here now. Normally an application like this, in the district, requires site plan approval before the Planning Board. The applicant wants to see what can be done. Since there is no change to the site, there are no view preservation issues. We'll talk with counsel once we hear the whole process. I'm not sure there's anything that we can do, but we'll talk about it.

John Adams, architect for 385 Warburton Avenue: I think we're just here to get a clarification on that, primarily. This is Ben Diep, the owner of the building. He bought it from Dr. Kanor.

I also wanted to just give sort of a little brief synopsis of what the overall plan is for the building. Ben is an artist; he has a business in the city called Color Space Imaging. He does basically fine art photography printing for fine art photographers, and quite a few of them happen to live in Hastings, as it turns out. His goal in buying the building was to move his family into the residential portion of the building. That's something that he's eager to do as quickly as he can because he's paying a mortgage where he lives now in Scarsdale and also a mortgage here.

As the commercial lease is finished, in about two years – or if Dr. Kanor decides to leave before that – then he would convert the commercial part of the space for his own use, as well. He would move his business up from the city to the space there. There's also a strong thought that he would start a photography gallery on the first floor, where he would present the work of his own clients and, hopefully, new clients he picks up; as well as offer some

classes for the community and teenagers and stuff as far as PhotoShop and photography printing, etc.

But the first phase is really to try to accomplish the conversion of those apartment units into a single triplex for his family. Currently there are three active apartments there. To do that conversion it could be sort of a long process through the state, so that's why we specifically tried to tailor our application to something that could be accomplished within the confines of the building itself, the building envelope, as it is now. There is some thought in the future that he would like to have someplace to park his own car. So at some point we anticipate presenting to you an application showing some way to accomplish that on probably the north side of the building. And that's one of the issues that I wanted to discuss, too: how you felt about the time frame and the incrementalization of those applications.

Chairperson Speranza: First thing, I believe – and Deven you can check that, if other Boardmembers remember this – that there was an application to provide parking for this building. I can't recall the disposition of that application. I think it was somewhat approved. Do you remember this? Down the driveway and around the back.

Village Attorney Stecich: Was this the one near the restaurant, where the neighbors came?

Chairperson Speranza: No. I don't think there's anything down there.

Building Inspector Sharma: I think they withdrew their application. They came to the meeting and withdrew, and didn't go ahead with those plans at all.

Mr. Adams: I believe it was withdrawn.

Chairperson Speranza: Okay. So you might want to see what happened with that.

Mr. Adams: I have looked at that one. That one was, I think, a lot uglier than what we would submit.

Chairperson Speranza: Now, I certainly don't have any issue in terms of converting the units; taking the three units and making it into one unit and having the retail down there. It's something which is allowed. How that gets phased, I don't think it makes any difference in terms of process. I think the only thing that is a process-driven requirement is the application for site plan approval. I don't think we necessarily need, since it's an existing structure, every single thing that's required in the site plan approval regulations with respect to the lighting fixtures and the trees unless something's changing. But I'm hearing that the only thing you're doing is the internal renovation. And that's all, Deven, that you've heard.

Building Inspector Sharma: What they might do in the future he has alluded to, but the current application he brought to me for a building permit only modifies the two floors and the attic. Of course, the plans indicate proper fire separation between the floors and the commercial area, which is a code issue that we'll address. But from the plan point of view of impact on the use of the building – the number of the rental apartments being done away with, and one single-family dwelling for the owner – it's being developed on the two floors and a attic.

Chairperson Speranza: Right. Realizing that anything in the future – for instance, providing off-street parking – would, in fact, be something which comes to site plan approval. I mean, you would want drawings for it.

Any other feelings? Marianne, what's your take?

Village Attorney Stecich: I already advised them that site plan approval's required. They seem not to make a lot of sense in this situation. But under our code, there's no waiver provision. I know you compared it to Irvington. Irvington specifically has a waiver provision.

Mr. Adams: Yes, they do.

Village Attorney Stecich: We don't, and this is not unusual. In Ardsley, I know they would have to come before them even though it says any reconstruction, alteration, renovation, or demolition has to have site plan approval. So I don't know how you get around it. A lot of this stuff is part of the application provision. You can just put "not relevant." It could be a pretty simple application. But any site plan review requires a public hearing, so there is an issue of time. I went through this with Mr. Sharma before. I just didn't see any place in our regulations that would say that you could just waive it.

I think in other situations we've had like this – where it seems like it's no big deal – you just do it all in one meeting, very abbreviated. That was my suggestion: just put in the application and let's just go through and do something quickly. But I don't see anything in the code that would allow the Planning Board to waive site plan approval. I did advise both the Building Inspector and Mr. Adams of this previously.

Mr. Adams: Just to follow up on that, if you were doing a commercial space downtown and you were redoing the interior to configure it for your shop or whatever, that would go through the same process?

Village Attorney Stecich: It depends. If this were a smaller deal you could argue, hey, it's not an alteration. You know, just moving things around a little bit in the building isn't an alteration. But this is a big physical change inside. I know it's not outside. And you can't just say it's based on whether it just happens inside the building. Because let's say it was the reverse, and you were switching from one apartment to six apartments. Because you have the space, even though you're not doing anything outside, it would have very definite impacts on parking.

Chairperson Speranza: The site plan approval would be required.

Building Inspector Sharma: It wasn't because there is no impact. The impact is making things better.

Village Attorney Stecich: We understand exactly what it is. I think everybody understands what the argument is. The problem is, the code doesn't have a mechanism for saying you don't have to have it. Unless the Board wants to make a finding that they don't consider this an alteration.

Boardmember Wertz: What are the criteria for an alteration?

Village Attorney Stecich: Sometimes the codes define it. We could see if our code does. Usually it involves something like the structural parts, but I'll see if our code defines it. "*Alter: to change or rearrange the walls*". See, that's the problem, and I assume you're rearranging walls.

Mr. Adams: Yes.

Village Attorney Stecich: That's it.

Boardmember Dale: Are the apartments currently occupied?

Mr. Adams: There are three of them occupied now.

Boardmember Dale: And the folks who are living there who have leases are moving out?

Mr. Adams: They have leases, and that'll be a process that he's already started with the New York State Housing Authority.

Chairperson Speranza: To terminate the leases?

Mr. Adams: Essentially. Maybe Ben can describe that process better, since I haven't been involved in that.

Ben Diep, owner - 385 Warburton Avenue: We are in the process of destabilizing it.

Boardmember Dale: It's rent stabilized now?

Mr. Diep: Yes. The process is to destabilize 385 Warburton from rent-stabilized status because the current actual apartment arrangement is only five units. One is not occupied. And the minimum that's required to make it rent-stabilized is six. So we are appealing to the [PACR] that that is not the case in this building, and are in the process of destabilizing it.

Chairperson Speranza: So there's time here.

Boardmember Dale: If your application is denied, how does that change your plans?

Mr. Diep: The way I understand is that by law, as the individual owner, I have the right to live in the space of those units. So we will appeal to the appeals court.

Boardmember Dale: I think it's murky. That's not an automatic.

Boardmember Wertz: I think the issue for us is how long is it going to take. And from our end, all we can do is try to expedite the application and process it as quickly as we can. It sounds like you have some time considerations where you're not ready to build right now. So the way to go is to move as quickly as possible, we'll cooperate as much as we can, and, hopefully, everything will be in order by the time you're ready to move.

Mr. Diep: I was told by my attorneys and the people involved that basically we're trying to get as many things done as possible while we're going through these processes and procedures.

Chairperson Speranza: This is a process that you're going to have to go through, the site plan approval process.

Mr. Adams: We really just needed that clarification, that's all.

Chairperson Speranza: You have gotten us thinking, though. I was speaking with Mr. Sharma earlier that there may be situations where we have to look at finding a way to

perhaps streamline some of these things where some things don't seem to make sense to go through a lot of the requirements.

Mr. Adams: Other villages seems to have reduced the workload of the planning boards for certain categories of alterations.

Boardmember Wertz: Some do and some don't, and I don't know if we want to discuss that right now. But I'm sure Marianne would have some input on that. I don't know if we want to get into that right now.

Village Attorney Stecich: The truth is, I think what this board has done over the years on these applications where the impacts are minimal, we have streamlined the process. Say, "Listen, you don't have to put this in. Just put that those particular elements aren't relevant." You've often done that. I know that perhaps you're thinking about Irvington, where you can be before site plan approval for a year, depending on the application. Generally, the things are in out of here, if it's not big deal, in a meeting. So the easiest thing to do is put together your application and go through it. If there are issues, the Board's going to consider them extensively. But if there are no issues, there are no issues. And it's probably just easier to just do it.

Mr. Adams: No, that's fine. We had started on one path because I was under the impression that there wasn't a Planning Board review for this part of it. That's all.

One other question that Ben had brought up that I wanted to ask you, since we have the mic here, because of the renovation of the pathway that goes right next to the building.

Chairperson Speranza: Right. The Quarry Trail?

Mr. Adams: You're familiar with the building. Right? There has been a fair amount of teenager activity at night, etc., and his tenant, Dr. Kanor, is finding beer bottles and all kinds of stuff. So they're a little concerned about easy access to the lot because there's no fence or anything there. To put a fence up, should that be part of our application? Because I think they want to close off something to keep that access limited.

Boardmember Alligood: We'll respond that it's on our agenda for tonight.

Mr. Adams: Oh, really?

Chairperson Speranza: Yes.

Mr. Adams: So we should stick around.

Chairperson Speranza: I was going to say, there's nothing that says you can't put in the site plan application everything that you want. Come up with the drawings. If you're thinking about off-street parking, put it in now; the fence, put it in now. Do it all in one application to us, with a true site plan. Because now you're doing something outside and it does impact the site, and it does impact especially our Quarry Trail.

Mr. Adams: Right. Okay, so the answer to that is yes.

Chairperson Speranza: Yes.

Boardmember Dale: I have a further question about the occupancy. Is there a request to downzone this so it would fit? If we agree to this, and their application to the DHCR is denied, would we be making those six units nonconforming by accepting the change?

Chairperson Speranza: No. Because the MR-O zone still allows mixed-use buildings.

Boardmember Dale: But it talks about modifying their use from an R-2 to an R-3. Is that not part of the application?

Chairperson Speranza: I don't think it's R-2/R-3 as zoning code.

Mr. Adams: It's a use.

Chairperson Speranza: I think it's from two stories of residential to three stories of residential. Because the R-2/R-3 is not our zoning code.

Mr. Adams: That's New York State building code.

Chairperson Speranza: Yes.

Mr. Adams: That's a use. R-3 is single-family; R-2 is multi-family.

Village Attorney Stecich: Bruce, let's say you approve it from six to one. You would make it subject to their getting whatever they need for the state.

Boardmember Dale: The DHCR's approval.

Village Attorney Stecich: So if they don't get that, they don't have the site plan approval and their six units are okay. He doesn't want you to give up being able to use the six units if he can't get the one. But if we make it conditional on that approval, it wouldn't happen.

Chairperson Speranza: Actually, it's not one of our conditions. It's an out, then, for the applicant. We've approved the change in the site and in the building. . . you know, you've got to start work within a year of the site plan approval. But in this instance, if you don't get the units . . .

Boardmember Dale: I don't want to make those units . . . unless they get DHCR approval, I don't want to put it in the position . . .

Chairperson Speranza: You don't want to make it a have-to.

Village Attorney Stecich: So that's why you would do this subject to . . .

Boardmember Dale: Or at risk in any way.

Mr. Adams: You want to be able to keep those units if you don't get that approval.

Village Attorney Stecich: Exactly. So if you make it subject-to, you're okay.

Mr. Adams: Right. I think, though, that the DHCR does want to see an approved plan. Or they want to see that the owner is serious about doing what he says he's doing, which is converting those units for his own use. In other words, they don't want people to say they're doing that, and then they don't do that and they just raise the rent.

Chairperson Speranza: Right.

Mr. Adams: So there is already the understanding that they would like to see that approved application and our drawings and all those things as evidence that we are, in fact, doing what we say we're doing.

Chairperson Speranza: Any other questions from the Board? Public? Anybody want to speak about this?

Okay, thank you.

Mr. Adams: Thank you.

2. Omnipoint Antennas at 555-565 Apartment Complex - Pre-Application Presentation and Preliminary Review of the Proposal

Chairperson Speranza: The next item on the agenda is a pre-application conference with Omnipoint. If you could just hold one minute – Deven, do you want to talk about this for a minute just to introduce it?

Building Inspector Sharma: An application was submitted to us, I think, three weeks ago for this pre-application presentation to get the feeling of the Board about how it might feel about what they plan to do. They're planning to put antennas on 555-565 Broadway, the housing complex behind A&P. As we discussed earlier – and by the way, I hope you already know that's outside the overlay district – with that understanding and knowledge, I guess they're here to make their case and give you a chance to ask questions before they make the formal application.

Chairperson Speranza: Right. Now, my understanding is that because it's outside the personal wireless service overlay district there is a requirement for a variance before the Zoning Board of Appeals.

Doug Warton, attorney - Snyder & Snyder: I'm here tonight on behalf of Omnipoint, also known as T-Mobile Northeast LLC. Omnipoint is here tonight with a proposal for a wireless telecommunications facility on the rooftop of 565 Broadway. There are two buildings; it goes as 555-565. It's 565.

Chairperson Speranza: The Hastings Terraces.

Mr. Warton: Yes. And the building that we're proposing to go on is the northernmost of the buildings.

What brings us here is, I had originally reached out to the Village. I think I spoke with Angela Witkowski, and I just wanted to get a feel for how to commence the application. She said, "Well, submit a site plan and request a pre-submission conference. Come in, and before you submit your formal application talk to the Board, tell them what you are proposing, see if they have any questions, and see if you can get a sense from them for how the process would go moving forward." So that's what brings me here tonight: the application, the proposal.

We are proposing, as I said, a rooftop wireless telecommunications facility. It will consist of nine antennas and related equipment on the rooftop. The nine antennas are divided into three sectors. So if you do your math, it's three sectors each with three antennas; one sector facing

north, one sector facing south, and one sector will face east. The sector that faces north and the sector that faces south will be mounted to the existing parapet, the outer wall of the rooftop, as it were.

Chairperson Speranza: These are flat antennas.

Mr. Warton: They are flat antennas. Each of the antennas – by the way, I’m glad you brought that up – are flat and are called panel antennas because they are flat. They’re each 53 inches tall, 13 inches wide, and 3 inches deep. They’ll be mounted to the outer parapet. This is the northern and southern sector, and I think the height of the parapet is 64 feet and they’re at 71 feet. So they’ll intrude just a little bit, but they’ll be set back just a little bit from the edge.

The application also involves a third sector that will be mounted on the highest part of the rooftop, but will not be mounted above the highest part. In other words, the chimney is at a height of 79 feet above ground level. It’s sort of closer to the center of the building, I believe, and these three antennas – in the alpha sector, I think – will be sort of flush-mounted, flush with the top. They’re not going to increase the visual profile, in any way, of the building so the overall height of the building won’t be increased.

Now, the application also involves the location of some equipment in a 10 by 20 foot equipment area, fenced, on top of steel dunnage in order to make sure that the rooftop has the structural capacity to support them. It will be four equipment cabinets, and then one equipment control area for utilities. The equipment cabinets are each roughly the size of a small refrigerator, and the [PPC] utility area is significantly smaller.

Chairperson Speranza: Can I just ask you – I just want to make sure that it’s clear to the people – it’s four cabinets, but within this 10 by 20 foot area?

Mr. Warton: Yes.

Chairperson Speranza: Like a caged-in area?

Mr. Warton: It’ll just have a fence or a railing, I think, is the way it looks. It’s not appropriate to call it a cage. Let’s go with “railing.”

Anyway, that is the physical nature of the application. There won’t be any noise, there won’t be any vibrations, there won’t be any emission, fumes, or negative health and safety impacts as a result of the application. And just from an informal and unscientific drive around the community, it’s very difficult to see up on the top of that roof from the major and the minor thoroughfares in the area. That’s just my impression. You, of course, should rely on your own familiarity with the area, etc.

Really, that’s why we are appearing. Now, we’re not within, as it was pointed out, the wireless services overlay district. As part of our application we, of course, intend to show, through scientific means – including radio frequency emissions propagations maps – that we

can fulfill the significant gap in service that we have in the vicinity of the site by locating within the overlay district. That's because we rely for the deployment of our services on radio frequency signals. The frequency that my client has its services at, and basically all wireless carriers, doesn't really travel terribly far, particularly in areas of varied terrain with a lot of foliage. And if any two things describe this municipality and this beautiful area, it's that. So we intend to show why we can't locate in the overlay district.

That's an overview of the application. If you have any thoughts, and in particular if you have any thoughts on how the process should go from here, we'd love to hear them.

Chairperson Speranza: Okay. "Process." I know they've got to go to the Zoning Board of Appeals for a variance from us. I'm just wondering. You're here now. Is the formal application *first* to the Zoning Board of Appeals?

Village Attorney Stecich: The process isn't here, but I don't think it makes any sense to consider the details of it until you find out whether it can be there. I think there has to be a Zoning Board application first. Now, they don't have time for the August meeting, right? The Zoning Board? It's August 13th.

I don't know whether there would be enough time. I would do one of two things: you could have them go to the Zoning Board and get the variance; if they get the variance come back here. What they have to do, it's more than just a variance. There's very specific findings the Zoning Board has to make. Then they get the variance from here. And there'd have to be a public hearing before the Zoning Board. There has to be a public hearing before this board. Alternatively, you could just schedule one public hearing for the Zoning Board and the Planning Board, if you want it. I would not suggest that then you both meet on the same night. You could have one public hearing, then the Zoning Board could make their determination. And then if they grant the variance, the Planning Board could look at it. The Zoning Board isn't going to look at all the details that you're going to.

Chairperson Speranza: Right. And frankly, we've got some information before us now. I think one of the things we can provide is any input or questions; get them out there now tonight to you. Then it goes to the Zoning Board for the variance. Again, timing-wise, if you can make the August meeting and start that process there – the August meeting for the ZBA –start the process there.

Mr. Warton: Do you know that meeting date, and their submission deadlines, by any chance?

Village Attorney Stecich: It's August 13th.

Building Inspector Sharma: I believe it is on August 6th.

Mr. Warton: So we may have missed the deadline already.

Building Inspector Sharma: Yes, I am afraid so.

Mr. Warton: And do you know when the next meeting is of the Zoning Board of Appeals?

Village Attorney Stecich: I think it's the third week in September.

Mr. Warton: Third Thursday of September? Okay.

Village Attorney Stecich: No, I think it's the 24th.

Chairperson Speranza: We're the third. The 17th?

Village Attorney Stecich: You're the 17th, so I think it's the 24th. Sometimes they have it early in September, but since their August meeting's the beginning of August my guess is it's going to be September 24th, on their regular schedule.

Mr. Warton: And you don't know the submission deadline for *that* meeting, do you?

Building Inspector Sharma: Six to eight weeks ahead of the meeting.

Mr. Warton: Six to eight weeks ahead of the meeting. Okay.

Chairperson Speranza: Wow, you require a longer lead time than we do.

Mr. Warton: May I ask a procedural question? I'm trying to figure out just the complexion, how this process would look. My fear is this: if we go to the Zoning Board of Appeals, that they may wind up asking – prior to this board having had it's full opportunity – to review and apply the wireless law and wind up going through exactly all the same factors as this board would, such as, "Can you give me some radio frequency emissions testimony indicating why you can't go into the overlay district," etc., etc., etc. My fear is that what we'll wind up with is a duplicative situation, where they're doing everything the Planning Board should be in.

Village Attorney Stecich: No, it's not going to be duplicative. What they're doing, the Planning Board will also look at. But the other thing, Patty, there has to be SEQRA on this. I think all of our other applications have been within the district.

There was one application sitting for a long time, I think, on that building. And I think they just went away. Do you guys not have antennas up there now?

Mr. Warton: I don't believe there are any.

Village Attorney Stecich: So it was about 10 years ago.

Chairperson Speranza: I think it was this building that started it.

Village Attorney Stecich: It was either this one or the one next door – happened about 10 years ago – and then they finally went away. Because there has to be SEQRA on this, and that *is* the lead agency question: you know, which one's the lead agency. It'll probably be you, but we have to go through that process of declaring this board lead agency, which you can't do yet because there's not a complete application here. There's some drawings, but there's lots and lots of stuff that has to be submitted that's not submitted yet.

Chairperson Speranza: Why don't we talk to the Zoning Board, talk to Brian, just in terms of the scheduling. Because if you can't make the August 13th meeting of the Zoning Board, we're meeting August 20th. At that meeting we can declare ourselves lead agency. Then you'll have 30 days to still get your application to the Zoning Board for the variance.

Village Attorney Stecich: Then that's enough time for them to send it to you.

Chairperson Speranza: Then we're into September.

Village Attorney Stecich: Time for them to send it to you.

Chairperson Speranza: Right. For our September meeting, should they act. We meet before them, though, again. We have to work it out.

Village Attorney Stecich: Lets talk about it. You might want a joint public hearing on this, on that particular issue. It doesn't mean you wouldn't have a continuation, but you may want to have a joint public hearing with the Zoning Board. You make a good point: it's the same issue.

Boardmember Alligood: Based on previous applications, I think you have a lot of the same questions as we do. And we can carefully look at their comments and read their minutes. I think coordination is helpful because you're looking at a lot of the same things.

Chairperson Speranza: Let me just see. Are there any questions or comments, based on the materials we've received, that we can provide tonight?

Boardmember Alligood: Are these antennas attached to the outside of the parapet, or the inside?

Mr. Warton: Inside.

Chairperson Speranza: This is in the view preservation district, too. Right?

Mr. Warton: Yes.

Chairperson Speranza: So you know about providing photographs of it. There is something else that we do jointly with the Zoning Board. So we really do have to figure out how we're going to coordinate all this. Because of view preservation, we recommend to the Zoning Board and then the Zoning Board acts.

Boardmember Dale: The question is whether there is a time constraint. Because if they skip one month, then it would work if we're reversing the order of the planning meeting and the zoning meeting.

Chairperson Speranza: Right. Except that in September the zoning meeting is after ours again. So we will actually have two meetings . . .

Boardmember Dale: Before they meet once?

Chairperson Speranza: They will meet August 13th, then there's two Zoning Board meetings.

Boardmember Dale: And then they're behind us after.

Village Attorney Stecich: But for what it's worth, the date of the September meeting hasn't been set yet. So that could make it a little bit easier.

Chairperson Speranza: So why don't we resolve this off-line in terms of the scheduling.

Mr. Warton: Again, just nailing down some of the hard details here. The Zoning Board variance – I'm unclear what the nature of the variance is, use variance or area variance.

Village Attorney Stecich: Actually, it's called the special permit. If you look at [295-85N], it “. . . requires a variance from the Zoning Board and shall be permitted only if . . .” and those are the standards the Board has to look at.

Mr. Warton: I see that.

Village Attorney Stecich: So no, it's not a use variance. It's these standards; it's going to the Zoning Board for approval of these standards, or review under these standards.

Mr. Warton: I may be wrong, but my understanding is that under Village law the Zoning Board of Appeals has the authority to grant two kinds of variances: area variances and use variances. And it's an important distinction because a use variance . . . well, let me tell you why I think it is. You obviously know a great deal about this, and I want to make sure I don't oversimplify it because you obviously have a good grasp. But if you have a use variance, that might obviate the need for a special permit because it would be a permitted use on the property.

Village Attorney Stecich: No, it's not a use variance; it's a finding of these things. If you just look at [295-85N] I think it'll answer your question.

Mr. Warton: I promise you I have, and I came in here with this question after having looked at that. Because the Village law is what authorities the Zoning Board of Appeals to make its determinations, and they're authorized to make two, and only two, very specific kinds of variances: use variances and area variances.

Village Attorney Stecich: No. You're permitted to do whatever the Village authorizes the Zoning Board to do, and the code authorizes the Zoning Board to permit personal wireless service facilities outside of this overlay district if these three showings are made.

Mr. Warton: Okay. So the nature of the variance is, basically, four of the factors set forth in [285-N].

Village Attorney Stecich: Yes. That's just what I said.

Mr. Warton: Okay. And one last thing. It occurs to me – and the Board, it sounds like, may not agree – that a simple way to go might be for this board to exercise its review under the wireless law. Perhaps, if all goes well, grant a special use permit subject to the issuance of a variance by the Zoning Board of Appeals. And then refer it over to the Zoning Board of Appeals for that portion. I just want to throw that out there for the Board to consider.

Chairperson Speranza: We can't do it tonight because we don't have a formal application.

Mr. Warton: Understood. And that's why I'm here tonight – to talk about these issues with the Board.

Chairperson Speranza: Okay. Get the application together. We do have to decide how we're going to handle this in terms of a public hearing and the coordination with the ZBA, and we will do that, we can do that. Be in touch early next week as far as the dates and the process. We're trying to be helpful but, obviously, we're in the midst of August so meeting schedules are a little up in the air right now. Maybe we can do a joint public hearing. Maybe the public hearing will be held on a regular evening of the Planning Board on August 20th, and it's the public hearing for both the Zoning Board of Appeals and the Planning Board. But we have to have the application.

Mr. Warton: Okay. So submit the application.

Chairperson Speranza: In order to have the public hearing. No?

Village Attorney Stecich: I think August is really optimistic. I also don't think an August hearing is . . . I don't see that it's a big rush. You don't even have a complete application.

Chairperson Speranza: Agreed.

Village Attorney Stecich: Get the application in. I just know that we have difficulty scheduling August meetings for the Zoning Board. I mean, they never meet that late in the month. It's usually the first week in August, that's when it is. And they switched it to the second just this week.

Building Inspector Sharma: The August meeting for the Zoning Board is already scheduled for August 13th. So I guess a joint meeting would have to be a special meeting.

Chairperson Speranza: You know what? Let's discuss this off-line. There's too much stuff so bear with us. We will work it through in terms of what is going to be the most efficient, prudent manner of handling the various reviews for this.

Mr. Warton: Okay. So I'll hear from you. You'll give me a call sometime next week and let me know the results of the deliberations. All right. Well, I'm glad I showed up. Thank you all very much for your time, and I look forward to working with you.

Chairperson Speranza: Thank you. No other comments? Public, any questions about this? No?

Thank you.

3. Presentation of Draft Recommendations of CPC by Kathy Sullivan

Chairperson Speranza: The next item on our agenda is the draft recommendations of the CPC, the Comprehensive Plan Committee. Kathy, come on up. And I'm glad to see so many members here. It's great.

Kathy Sullivan, Comprehensive Plan Committee: Thank you very much for making time in your agenda. I think Patty and I have had a little bit of back and forth. We'd like to have a conversation with the Planning Board about the recommendations, so committee members will introduce themselves and we can go from that. Liz Leheny is also here from PPSA, so any specific questions about recommendations can be addressed to her as well as to the committee.

What we're hoping for is to start getting feedback on the recommendations that were presented at the various public meetings that were held by the consultants over the last couple of months. You've received an email with some of the committee's reactions to them. We can talk about that, but I'd like to get your input on some of the specifics, if possible. But I don't want to direct the conversation too firmly if you wish to go in that direction.

We are starting a two or three month process of reaching out to the community in different ways. We're going to meet with you folks tonight. We've set up a conversation on August 4th with the Village Board. We will be handing around the wireless mic and might have to be a little bit more formal, but we'll also reach out to them. Then we're going to organize ourselves to start talking to other of the various committees and boards that are maybe involved in certain specific issues, as well as probably setting up some subcommittees and reaching out for the community to help us kind of delve into things. That's sort of our plan. Fred, correct me if I'm wrong, but that's sort of what we've talked about as our next steps.

Liz is going to support us in this, come to some of the meetings. We will be working with her to develop more of the details of the recommendations, the time frame and potential costs. Those are all things that were in our RFP that we foresee being very important in the actual form of the plan when it actually comes back for a public meeting. We don't intend, necessarily, to hold another public meeting with PPSA, but we'll hold a lot of smaller public meetings with the community at this point. Again, we'd love your input and any comments that you have – taking in mind that these are draft recommendations. Thank you.

Chairperson Speranza: One of the reasons we were going to be in the Orr Room is that it was going to be convenient so we could all be sitting around at the same level.

Ms. Sullivan: I know. We're looking up to you now.

Chairperson Speranza: Let me just start. I'm glad to see the recommendations in here reflecting a lot of work that I know is already going on in the Village now, both by this board as well as the other entities that are spearheading some of these efforts. Some of these things were actually topics; a reaffirmation of some of the work that's been done previously and, obviously, building on work that was done previously – I think that's great – and then enhancing it that much more.

Fred, you've been our liaison to the Comprehensive Plan Committee. You want to speak to your interpretation, your sense of this? Then I'd ask the other Boardmembers to do that, too. I don't know if you want to go section by section through here for any comments. Maybe that's one way to approach it. Fred, what do you think?

Boardmember Wertz: I'm thinking that there are probably a couple of different levels and angles that would be helpful for the committee to hear the Board speak to. I think it probably *would* be helpful to get people's impressions of the overall plan.

The Comprehensive Plan Committee has already talked about the organization of the document and the categories, and also the objectives for the Village of the document. There has already been a lot of review of the document, but I think it's good to have the Planning Board weigh in there, too, to see if their views converge with the committee's. But probably most importantly, I think the committee would like to get a sense of the Planning Board's priorities: what do they see in the recommendations, and what do they see in a

comprehensive plan, that they think are the very most important issues for the Village, both in terms of their ultimate importance but also in terms of the time frame. What is it that we need to plan to do immediately; what's a more midrange goal; and then what would be more long-term.

Then I think the last level would be the very specific things. As you mentioned, there are references to work that's already ongoing on the Board. So I think for the Board to inform the committee of what we're doing, and also what we've tried to do and decided we don't want to do. I think the consultants want to know from within the Village are we making any recommendations that you've already discussed, you've already tried out and rejected because of good reasons that we want to know about.

I think if this board sees anything in these recommendations that we've already considered and rejected for some reason, that's worth talking about. If we're 100% behind some recommendations, and we're midway through a process of carrying them out, that's also quite relevant. And I think, finally, if there's any way that we're engaged in work – or we have tasks or projects that in some way this document could help us go with and facilitate us with – that would be very helpful, too.

So overall would be one thing. The second would be priorities in terms of importance and time frame. And then the third would be the nitty-gritty little recommendations and how they relate to the work we've already been doing or already have finished, and what we're doing now as they relate to go forward into the future. First, overall. Is that a good way to go about it?

Boardmember Dale: My only concern, which I might as well put up front, was that we received it last Friday. There's a lot in here, and even though I've attended some of the meetings and the public presentations this is the first time I've seen actual proposals with recommendations that could bring about change. I don't think a week is long enough for me to have considered a lot of the items in here, and we'll need significantly more time to think about it. I think there are a lot of interesting ideas that are being proposed – some I agree with, some I don't agree with, some I have questions about why they're in here; in some cases, what things mean or what the locations actually are. I've lived in the Village 10 years, but I don't think I know what Stanley Drive or whatever it is, is – what property they're referring to.

I think we need more time to consider what's been presented here to give it a fair response and hearing because, clearly, a lot of work has gone into this.

Chairperson Speranza: Maybe that's something in terms of follow-up. Let's go through the things you think we recognize and want to comment on now. There's going to be an opportunity for additional comments.

Boardmember Wertz: I think the other thing the Board could help the committee with is scheduling these meetings and conceiving of how the meetings ought to be conducted over the next three months to continue and finish the work that Bruce is suggesting. I hope this will not be the last meeting between the committee and the Planning Board. We may need to think in terms of a number of meetings that'll have different levels of depth and detail moving forward into the future. And the Planning Board may also have some suggestions on community groups that would be relevant to meet with on some of these issues, too, so you can really have input into the process, as well as the document that's up.

Boardmember Dale: The other thought I had is that in Kathy's letter itself she raises the question of considering doing versus doing something. I think because of the nature of the document ideas have equal weight in terms of what you really want to do as opposed to what's a suggestion for further study, and to explore other ideas on responding to certain issues which have been identified. Reading through it, I don't get a sense of an implementation plan and how the items would flow from here into actual implementation. I'm wondering whether that's something that's in the works and will come out later.

Ms. Sullivan: That was a big topic of conversation with the committee. We've gotten some very nice visuals from Liz since our last meeting from a couple of communities, what the recommendations looked like. Many fewer pages than ours. I'd have to say they gave us a bit more. And then what the plan looked like. So there's a lot of work to be done between the recommendations and the plan, and addressing things like priority and timing, like Fred had mentioned. That's something that we as a community need to work on and work out.

Boardmember Dale: There are things in here . . . the greening of the building code is something that we're in open discussion about. The recommendations in here are fairly consistent with the thoughts that we have had. We're at a fairly early stage in that process, but it's a time-consuming process and we need to move it more quickly.

Chairperson Speranza: If I can just add on this, maybe what we should do is talk about each of these sections as you're mentioning them.

Boardmember Alligood: Can we all first do the overall presentation because otherwise we're going to be jumping around too much.

Chairperson Speranza: For the overview?

Boardmember Dale: For the overview, that's essentially my concern. I think talking section by section would be helpful because there are ideas that I like very much; there are ideas that I don't quite understand why they've risen to the level of being incorporated in this. A sense of priorities between various things I would question.

Boardmember Alligood: I just wanted to say that I am extremely pleased with the way this is. There's some real vision in this document. There are a lot of ideas that I find exciting that I don't think are just picking up all the various things that have been going. Really

looking in new places that we haven't looked before, I think it provides some vision for the Village that I've been looking for. That's my overall comment.

In terms of anything that I completely say I can agree with, there's only one which stands out, and we've thoroughly discussed it: the roundabout. I think we have all gone over that one many times, and I really don't see that one going forward.

Ms. Sullivan: You're absolutely right.

Boardmember Alligood: It really is the only one that comes to mind.

Boardmember Wertz: Well, wouldn't it be fun to discuss that for the next three hours?

Boardmember Alligood: There's an alternative presented which I think is fine, and I actually feel that it's broken into logical pieces. There's an overall theme of adapting to climate change and trying to really put a lot of different pieces of planning work in the Village under that umbrella, which makes sense to me. It got me thinking a lot about our deliberations as a planning board in terms of applications that come to us, and what does that mean about our conversations with applicants and what we say to them.

I think it's very relevant that we look at it not just in terms of we want to improve recycling or do the best possible stormwater management we can, but what do we want to see in terms of development in the Village, private development that we can say to ourselves, "Well, it's a private owner. How much can we influence what they do?" I think this document provides some guidance about sending a message that we, as a village, feel that it's important to preserve resources and that development can be done in a sustainable and responsible way. I think this kind of document gives some teeth to that. It provides some guidance to us in terms of the message we send.

I guess those are my overall thoughts. There were a lot of things I circled and checked and said, yes, that makes sense. I don't want to get into the nitty-gritty because we're in the overall piece, but I think a lot has been accomplished. I know it seems like it's been a long time, but it's really actually a short time for planning. I was at the first community meeting, and this has come a long way from just those very open-ended conversations. I want to thank the committee for all the hard work, and I think this will be a good product.

And I agree with Bruce. My reaction to the notion of even prioritizing it at this point is, I'd need some time to really think about this. I would be happy to write up my comments with just broad strokes and provide them to the committee.

Ms. Sullivan: And maybe that's what you decide at the end of the meeting. We totally understand it because we haven't gone through it line-by-line yet. Our last meeting, we were talking about some of the general things. And that's why we sent that note, just to kind of tell you what we had talked about, like Fred had mentioned. A strategy like that would be

very helpful – if you wanted to spend more time and come back individually or in kind of a joint statement, whatever you wish, that could be helpful and maybe more reasonable.

Boardmember Alligood: It's a lot to go over, especially if we all want to comment on the different areas. Maybe we can just sort of pick out the things that stand out to us.

Chairperson Speranza: I think there's value to going through the sections tonight for the things that jump out at us, as was mentioned. Then we'll obviously have more time to get into it.

Boardmember Cameron: I'll start out by saying I think the roundabout's a wonderful idea.

Ms. Sullivan: We had that same kind of dissention.

Boardmember Cameron: Unfortunately, there are people who don't feel that way and it will take the development of a number of roundabouts in this area, where we can all see them and enjoy them, to change people's minds. I've spent a reasonable bit of time in Great Britain, and you couldn't live without roundabouts. People just love them, and they do make traffic a lot easier. But I will get off that topic.

I think one of the things you've done beautifully is to maybe help the population of this town with what we need to tackle with our taxes going forward. That is, to increase greatly the amount of sites which are commercial and not just residential. You've highlighted a bunch and suggested we change the zoning, even though it won't have an effect for quite a while. But I think that sort of visioning is very important, and I think it's very important to people in the town to understand that residential is a very hard way to raise the money you need to run a town. In fact, you probably don't make money off that. You need a lot more commercial. So I very much like the ideas of changing the sites on the south.

But I think one of the major things we need to get into this document and get into other documents is a method of educating our population on what the vision is. Because the strongest towns, once they've put together a comprehensive plan and have one before them, are people who work together, understand, and have a collective vision of the town. Once we have a collective vision – we may have the wrong one, but if we have the right one – it's a lot easier to run the town and manage the town if there is an expectation of anybody coming to the town that this is what we are: this is the kind of place we are, this is the kind of environmental, walking, vehicle-use type of town we are. I think that's terribly important. And you've got all the elements here. I just think you need a PR campaign in there someplace.

Chairperson Speranza: Jamie, now that you mention that, these are all good steps to achieve the vision. But I think we have to have these set within the context of the vision – kind of the introductory, the goal, the mission statement – where all these steps take us.

Boardmember Cameron: And it may take awhile for us to draft that kind of statement. You've gone through with the individual things that need to be done and, collectively, in my

view, they form a vision. And it's that vision which I think we have to convey to people in this town going forward.

Chairperson Speranza: That's a very good point.

Boardmember Cameron: I think one thing which would be useful here . . . I used to do a lot of work on pathways, or trailways, years ago. We had a bunch of pieces of land that were put off to become parks and places where you have trailways, but they were never developed. We have a whole bunch of open pieces of land that actually belong to the Village, but sit in other people's backyards. They get a very possessive feeling towards them. There are these little parks all over the place, and I think we need to bring those out into the open, too, because they're all part of our collective heritage. I actually do agree quite strongly with the comment here that the commercial district over in 9-A should actually be for commerce and not for housing. That's just in the wrong place. We need to have our housing in one place and our commercial someplace else. But that's something the Trustees are going to have to struggle with.

Boardmember Alligood: You refer specifically to the 9-A site near . . .

Boardmember Cameron: Yes, the Ciba-Geigy site.

Anyway, I think there are a lot of wonderful ideas here and I would like to comment on them individually. But I think, like other people, it's a little hard to do that right here. But I'm a big trailways, bicycling, roundabout person. So I'm going to stop at that point because I think we need to explore this individually.

Boardmember Wertz: I'll just make one brief comment about the overview. I guess one of the things that really struck me, and it resonates with Jamie's second point about the method of educating the Village and getting them behind this, is that I think intellectually the categories that structure this document, like adapting to climate change, make sense. I don't think they present the vision of the Village that the Village wants to see that's going to somehow show them what we are and what we want to become that's unique and distinctive to Hastings. I think the document overall, in the end, needs to put the Hastings of the future right in front of people rather than, say, general principles that concern greening our environment that could almost be a boilerplate for any village in this time.

So I think these principles are super-important and need to be integrated into the document, but I think that if the document comes across with a vision that's characteristic of Hastings distinctively it will excite people. They'll see what needs to be done, and the movement of implementation and cooperation will be much more vital and effective.

Boardmember Alligood: To add to that, because I completely agree with that, I think when we talk about vision I also think of visuals. I'm hoping the document has really concrete representations of these ideas because I think people can wrap their arms around things they see. Sometimes we assume, if we've been looking at something for awhile, that people see

the same thing we do when we're talking about something. But they actually have no image of it, except maybe something negative, just because they have nothing to refer to.

Boardmember Dale: A good example of that was the design guidelines for the downtown area.

Chairperson Speranza: Right. The ARB.

Boardmember Dale: And some of those ideas are actually in here, as well, but in that document it was easy to follow. The graphics helped a great deal.

Boardmember Cameron: We indirectly got into this whole visual thing when, at your meeting, we got to discussing what buildings should be protected in the town. You've come forth with a list which came from the Historical Society. I guess at the end of the meeting it was decided that maybe, while this long list might be a wonderful list eventually, it might be better to start out with a shorter list. Then people could get excited about things. It's an honor to have your building designated a historic building, rather than just a long list where some may or may not actually be that super.

I'd say the same thing on trying to make a point in Hastings of what our vision should be. We really should try to pick out certain areas in the town where we can make a change that makes a difference. That people could then say, "Look, we applied these principles to this area over here, and doesn't it look fantastic." Then sort of build on that theme to get us rolling.

Chairperson Speranza: Why don't we start on the various sections and, as you've mentioned, have the discussion.

Boardmember Wertz: What about overall priorities?

Chairperson Speranza: Those might come through when we're talking about the different sections. Because I think you're right. I think having something in short-term, mid-term, and long-term, there has got to be a characterization of the different kinds of actions; what's realistic to expect to be accomplished within the next year versus five years versus 10 years. Because some of the items – great ideas and easy to do – are changes that we really could get accomplished. Others, we know – doing an inventory, etc., changing procurement specification, whatever – may be more short- or medium-term.

Boardmember Alligood: The other thing that impacts how I view how to prioritize things is that some things are more urgent than others. So if we don't act on certain things, the opportunity is lost.

Boardmember Wertz: I really agree with what Jamie said about rezoning of the large tracts. Number one, to preserve the Village character, to make sure the aesthetics of those really, really important sites is preserved. And number two, the other things – maybe two of the very most important things for us – is the beauty of the Village and our tax problems. So if, in one shot, we can assure preservation of the aesthetic character of the Village *and* set the foundation long-term for a sounder tax base with commercial development – and we're vulnerable to developers coming in and doing something different soon if we don't do this –

there, we're looking at a high priority item. And I totally go with Jamie that that's kind of number one.

Anyway, just to throw that right out, I think it is important for us to know what we need to move on front and center, number one. And that looks like it to me. Then the waterfront, of course.

Boardmember Dale: I have a question for our attorney on the rezoning and those issues.

Chairperson Speranza: Could we just start? Because now we are starting to jump around. Let's start with the second one.

Boardmember Dale: The zoning was raised as a priority, and I think that's a loaded issue in terms of actually implementing it. I don't know where there'd be a mingled response from any of those properties.

Village Attorney Stecich: What's the question?

Boardmember Dale: If we were zoning from the current residential, a number of the fields, some of it is just public land. But some of it had to do with the Andrus site, etc.

Village Attorney Stecich: But I think the zoning is going to have to go through a full process in hearings and whatever. So the people would certainly have the opportunity to . . .

Boardmember Dale: So it'd be long and complicated, but it could be accomplished?

Village Attorney Stecich: It happens all the time when you rezone. That actually frequently happens with comprehensive plans. They end up in some rezoning, and people go crazy and sue and whatever, but they're given a chance. It goes through the whole process. They'd have to have public hearings, assuming the Board wanted to go forward with it. But yes, the property owner certainly would be involved.

Chairperson Speranza: Let's continue discussion on that more. We may get to that very quickly.

The section on global climate change. We know that there are many activities going on in the Village now. Again, I think it's not only the timing, but it's also the responsibility. Who are the responsible parties for some of these actions. It may be that, for instance, the enforcement of a no-idling law is something that's got to be raised as a priority with law enforcement personnel. And it may be that some of these things, once they're divided up or responsibilities given for undertaking some of these actions, may help in terms of the prioritization of some of these, too.

Ms. Sullivan: Some of you might remember, or maybe didn't know, but I was on that initial comprehensive plan group that put a report together for the Village Board before we were set up as the Comprehensive Plan committee. Some of the very effective plans were ones that had a task, a timeline, and who did it. That's something that we should probably consider adding in. That it's a responsibility and this is the individual, or individual group or board or whatnot. That's a very good suggestion because it gives teeth to it and gives assignability and responsibility to it.

Boardmember Dale: It's sort of an overlay of an implementation plan. So each item would have an implementation section.

Chairperson Speranza: Then I like the idea . . . one of the things that's listed in here, the creation of a green team, that's actually what we're starting to do simply through various meetings and people who are attending some of the same sessions together. Deven's been in touch with the folks in Greenburgh to find out about the realities of some of the codes that have been passed, been passed for some time and passed more recently. That's something which is good because it's progressing now, and it may be something that we're able to do in fairly short order in terms of Village priorities.

Liz Leheny, PPSA: Maybe the difference, though, is what we're suggesting in the plan is to concretize it and formalize it more.

Chairperson Speranza: Oh, absolutely.

Ms. Leheny: So what you're doing is terrific that it's starting, but I'm not sure that the Village is aware of it and it probably isn't open to more people.

Chairperson Speranza: Because it's just starting. As you said, it's just starting. Obviously, things will become more concrete and more formal as steps get taken. Right now it's who's doing what and what is this board doing, what is this committee doing, what is Greenburgh doing. And bringing it all together and saying, "Okay, so how does this all work?" We've had excessive discussions here, as a board, as far as how do we get our hands around all the different permutations of it. It's one of the priorities of Trustee Jennings to make sure this happens, so it will happen, through the right process. Right now we're really information-gathering.

My comment was specifically the recognition in here that it's a green team. It's not just the Planning Board, it's not just the Building Department; it's many aspects of the community.

Boardmember Cameron: One of the problems you always have with change is that when you want to achieve change you keep looking over your shoulder to see who else is doing it. So what we really are doing is trying to look at the other communities and say, "Well, they're doing it. Maybe it's all right to do this." We can then feel confident in going ahead in what we're doing. So I think we have to do more than just say "a homegreen team." We have to form a green team across Westchester. Because the only way we can convince the people in this town to do something which you've studied and decided is a good idea is by getting comparisons of other towns that have done it and done it successfully. They can go and look at it.

I would say one thing on the lights, since we're on that page. LED lights are fantastic, but also we really do need to do a better job of shading our street lights. I mean, they go right in on all sorts of people's homes, and that's something relatively simple to do and makes a lot

of difference. Because you'll find everybody has something which is a real pain: they have this light shining in on their property, and what have you. Those are simple things.

Chairperson Speranza: Actually, at one point, and I'm not sure if we're still doing it, there was something on the Web site that you could mail in a form or you could email it if there was a particular problem. Because there was an instance at the school where that was a problem. But you're right. Lighting has been an issue and will continue to be an issue.

I think what we also have to do is keep a focus on – and, Liz, I'm not sure if it's part of the task – how do we get the money to do these things in terms of the grants that are out there. We know NYSERDA, we know NYPA – there's all sorts of different programs -- and know that grants are fleeting. But just to be able to perhaps include some sources of funding to accomplish some of this work.

Ms. Leheny: I think that came up, actually, at the last public meeting that we had; that people also wanted to get a sense for how much these individual things might cost and are they ways to pay for them. And I think that is something that will probably be a part of the implementation plan.

Jim Metzger, Comprehensive Plan Committee: I just wanted to say that one of the issues that came up when we were interviewing firms is that after PPSA helped Nyack develop their plan they then used their plan to go get, I believe it was, state money to do a downtown improvement district. So the creation of the plan becomes that first step in being able to go get the money to implement the plan. PPSA has shown that they are people that are able to do that. So it was one of the things that we talked about when we were deciding who to hire.

Boardmember Alligood: Two things popped out for me in this section. Adapting to global climate change – again, thinking in my Planning Board role – I liked providing the incentives for green building by expediting permitting, reducing permitting, fees, and reducing taxes, as well as recognition. We've talked about this a lot: how do we make it happen without being onerous and creating a place where people don't want to do business in Hastings.

I think the incentives are really key. And I can think of specific cases where I was troubled by the amount of asphalt surfacing somebody wanted to put down, or just the size of the building they wanted to put up. You know, there are things that you could trade off. We could say we're a town that really doesn't want to encourage that type of building, that's not the vision we have for our Village. But it's your private property so let's talk about what we could give you so that you move in the direction that we'd like to see. So I think that's a really important tool.

Then the other piece that I really support is promoting adaptive reuse of existing buildings. There are many examples – not just the waterfront, but many examples – where I think we want to just send the message that it's environmentally sound to reuse our buildings. I see that theme throughout the document; thinking ahead to private owners or institutional owners

who may want to just tear down their buildings and start from scratch because that's the way we do it in this country. That's just really not what we want to see. There are so many creative ways you can use what you have even if, at the moment, it looks like it's an unattractive building. But I think there are environmental as well as aesthetic and neighborhood character reasons that we want to encourage adaptive reuse.

Those were just the two that stood out for me.

Harry Thomas, Comprehensive Plan Committee: Could I make a comment? My understanding about a comprehensive plan is that it is designed, among other things, principally to help promote positive development and prevent negative development according to the views of the Village. I think our recommendations about rezoning – and that's what I think I want to hear from the Planning Board – I want to hear Planning Board thoughts. There are only a couple of sections in the document about rezoning, and I think we believe these do represent the consensus of the Village and are phrased in terms that are not considered rezoned parcels. So I'm hoping that the Planning Board can use its considerable experience in things it's thought about on and off for years, and consider giving us advice on the specific elements which have to do with zoning and changing zoning. Thank you.

Chairperson Speranza: We can move right into that.

Boardmember Cameron: Are we along to the 100-year floodplain? I have a pet peeve of the 100-year floodplain because one of the problems with being over in the Saw Mill River valley is, almost no matter what you do in your own piece of the floodplain you're being affected by everybody farther up the stream. I know we've all listened to people talk about that. When they talk about the 100-year floodplain, they're really talking about the probability that you'll be flooded this year and they're not really talking about what's going to happen 10 or 20 years from now. I think you'll find developers who are selling the units are more willing to put up something close to the 100-year floodplain than people who actually intend to occupy them for the next 40 or 50 years.

We do have a particular problem in that there are regulations out there. But I think we need to go after developers in this area when they come into that valley because that valley is very sensitive to flooding. The Hudson side of the hill is not as sensitive because the Hudson's pretty far down and flows pretty quickly, but the other valley is very sensitive. When people start talking about the 100-year floodplain it sounds much safer than it really is. I think we need to look at how people construct buildings in that plain. One thing that did come up in our discussion was the fact that the developer wanted to put the electrical transformers in the basement and, to me, that is just foolishness even though it's a lot. I think we need to look at a way of trying to stop that from happening in the future.

Boardmember Alligood: This document actually recommends against allowing any building in that area.

Boardmember Cameron: This building was not actually in the plain, just out of the floodplain by 2 or 3 feet. And that's the problem.

Boardmember Dale: If I recall, we discussed the fact that the 100-year floodplain is more like a 50 or 60 year floodplain.

Mr. Metzger: Jamie, the situation actually even needs to be looked at in addition to the potential flooding. Every time you put a development up you have stormwater runoff that will be polluting the water. So it may not be creating flooding, but it could be creating pollution problems. That's one of the issues.

Chairperson Speranza: That's if it's not properly designed.

Mr. Metzger: That's exactly right. No, I'm not saying it's a given. I'm saying it's something we need to identify and make sure is addressed in future development. I happened to be reading a Westchester magazine today in a doctor's office, and they were talking about all of these issues and the fact that the 100-year floodplain is now coming every 10 years or something close to it. So the way we identify certain things as a 100-year floodplain, as you say, sets up certain expectations that are not necessarily the reality. One of the things we need to be careful to do in this document is make sure we identify the reality of the situation and not just identify it with sort of a soft title that people may feel good about.

I also just wanted to say that two nights ago the Board of Trustees had a very interesting work session on the LWRP. You know, great minds are starting to think alike in the Village, and I'm happy to see that the LWRP committee and the Trustees and Danielle Goodman, who has been asked to stay on and review the LWRP, all seem to be moving towards this same focus: we can identify all the technical things that need to happen:: zoning that has to happen, and construction code and greening. But one of the things that seems to be lacking – certainly in the LWRP document, and something I would like to see in our document – is the content of emotion and that we talk about how wonderful the Village is and components of the Village. Not merely that the waterfront is to be looked at either as a revenue-generator or as a place to develop, or whether it should be a park, but the fact that it occupies a very unique space on the face of the Earth.

I use that term very specifically. The Palisades are a geologic formation that exists nowhere else on Earth. We have that view; we have a stage on our waterfront. One of the things we've talked about as a committee is to not only develop this project as this series of issues that you have before you, but to identify some of the bigger issues such as the waterfront and the downtown and the large tracts and to, hopefully, put some emotional content into what the Village wants to see there and not just a zoning regulation or a code change. I really think we're at a point where we need to do that, and that's really what will define the character of Hastings.

Chairperson Speranza: Should we look at Page 4, where there's a discussion on the rezoning of the large tracts? I had a question about Reynolds Field. I'm not sure if it's been researched as to whether or not that's actually school property.

Boardmember Alligood: It's partly school and partly Village.

Chairperson Speranza: Is that what it is?

Boardmember Alligood: It's mostly school, but not all.

Chairperson Speranza: That's fine to rezone them as parkland, and there's no reason not to because the school can override any kind of zoning should anybody ever determine that there's a need for additional school property.

Village Attorney Stecich: I think the problem is that in a lot of these districts – I'm not sure about this one – it's zoned residential and you can have the school there. So if the school leaves, then it's residential. Even though the school can still say that, you rezone it for what you want it to be if the school closes down.

Chairperson Speranza: I think it's good that Reynolds Field is such a central area there.

Boardmember Wertz: So this is a good suggestion.

Boardmember Dale: I'm a little concerned about specifying cluster zoning as mandatory and then changing the North Broadway from multi-family to single-family. One issue, and we've had this discussion here, is limiting the ability of designers to come up with solutions that might be better than sort of general solutions which are being imposed that accomplish the same goal. I'm not sure that by just having cluster zoning that you're forcing people into a small area and, hence, the rest of the site stays green – accomplishes the goal that you're really interested in developing. It's not just preservation of green area, but having it well-designed in a habitable neighborhood that fosters the kind of village life that we're interested in. I'm not sure that being that specific about the type of design is useful.

I wonder if our concern about taxes holds true. I still think multi-family housing could produce more tax income than single-family houses. So there's a little bit of a contradiction.

Ms. Sullivan: I'll speak for the committee. This is one of the bigger topics we need to grapple with. We've looked at it, and I personally frame it in two ways. Liz has helped us look at a snapshot of different types of property in a hypothetical with different types of uses and what the tax benefits would be. Then there's also the ongoing issue we have living in Westchester and the State of New York, where you have tax certiorari that come to both multi-family – I should say buildings over three families – and commercial property. Both of them, you have certiorari that come to villages and school districts.

I think these zoning recommendations, many of them, come from past work, which is the large tract study with the twist of changing the zoning. So the issue of cluster zoning was there. PPSA reviewed those and thought they were very good suggestions toward the properties, and understood the areas – I won't say "properties" – to where the Town understood what was going on. That's their conversation, but the tax implication of what the

zoning does for us we need to understand. Because from the little I've seen so far, I question the fact that multi-family over a certain level is advantageous to the community. But we need to verify that as a community and help make some assumptions about how this zoning will help us. As Jamie was mentioning, the instinct is that commercial zoning is more tax-advantageous for the community, and I think we can support that as we look into this before the plan is finalized.

The other issue I want to raise, because it comes into this, is, in the conversations about the waterfront and possible development in the future there's been a cry from the community to understand how to evaluate the fiscal impact of any development – I'll say not just the waterfront, but any development – on the community. The little I've looked into it, we may want to ask for what Liz has as the last recommendation. When we met, I said this was, for me, the punch line. This was burying the lead, as journalists sometimes do: to me, figuring out how we can get a fiscal impact study and what that is. I would even enlarge it to an environmental impact statement. Maybe you have some of the elements of SEQRA that are identified before we get to that point. This brings back to what you folks might need as you go into your site plan review because it could be tied to that.

So I think these are things where we need to hash the details out and understand how that could be effective. Because we shouldn't, in my mind, debate any more what kind of development does what, in which way, to the community. We all have opinions about this. We're looking for the facts. Everyone was going "no" because we've been hearing some things about it. They are concrete things that we've started to identify, but we need to understand them together as a community.

Ellen Hendrickson-Comprehensive Plan Committee: What we've been told is that the highest level is actually very high-end, single, luxury housing. And then the next is commercial. We know that condos and co-ops and apartments are taxed less than single-family homes. Those are beginnings. Correct?

Ms. Leheny: I'm not sure that luxury housing is the most. I think it could be corporate headquarters. But, certainly, luxury, single-family housing creates more tax ratables than luxury multi-family housing.

Boardmember Dale: On the same size site?

Ms. Hendrickson: I think one thing you could mandate – and I know we did this when I worked in Ossining for their comp plan – is permitted attached families. So it would still be multi-family, but it was all fee simple ownership. That, of course, has very different tax applications. If you feel strongly enough, or if there's enough of a strong sentiment for, let's say, the North Broadway parcels, for example, you keep the multi-family but it would be fee simple ownership. So it'd be attached dwellings, and not apartment houses.

Boardmember Dale: I just think there's an issue there that really needs to be clarified. There are a lot of opinions about what means what and what results we want. I don't think

we've seen anything that's really clear and concrete about it. I do also, separate and apart, have the issue about limiting architects' creativity and coming up with having zoning defined – the end result – in such a way that the architect has no freedom within that to come up with design solutions. You use the term, I think, later in the report of Hastings not being a single design; that it's somehow an accumulation of a lot of different elements and that a lot of the character comes from that. I would hate to see us lose that possibility.

Mr. Metzger: If I could just speak briefly, as an architect, to the idea of architectural creativity. A creative architect will design beautiful structures in the most adverse circumstances. It has to do with the architect you hire and not with the zoning that's in place. There are sliver sites in Santa Monica, California that you would think would be totally unbuildable and it becomes the generating idea for this incredibly, inventive, beautiful piece of architecture. I'm not convinced personally, Bruce, that setting up a cluster zone is going to limit anybody's design concept. What it will limit is the amount of space that they can occupy with the building they're putting there. I believe the properties we're talking about would first be rezoned as commercial spaces. So there wouldn't even be the implication of whether you would have single-family housing or cluster housing. We're talking about a cluster zone for commercial use. That's my impression of the zones we're talking about.

Boardmember Dale: That's not what's stated here, though.

Mr. Metzger: I understand what you're saying, but you have to look at the whole document. In one area we talk about rezoning the large tracts as commercial, and then in another area we talk about having that zone be a cluster zone. So a commercial cluster zone is what we're proposing.

Boardmember Dale: Then that needs to be clarified. In response to your example about the architect, I am also an architect, as you know, and a number of years ago I worked with a man who later was on the planning commission of New York. He set out, as a goal for himself, to try and design good public housing that was well-designed. He took the law that was written for public housing, and no way was it possible to come up with something that was satisfying architecturally. The law defined the end result, and that's really what I'm concerned about.

Ms. Hendrickson: We all have that sensitivity, so we just have to go to great pains to make sure the laws are not so constrictive that it gets in the way of creativity.

Chairperson Speranza: I think the way this is written the recommendations to rezone does give a lot of flexibility in terms of what that rezoning is. I'm curious about rezoning and about some of the properties, the school properties. Traditional zoning says schools are always permitted uses in residential zones. My sense is that I don't know of a school zone, a specific school zone, as opposed to an institutional zone. But things can be written; the zone can be formulated. That's one of the things – when you talk about priorities and how long something's going to take – sure, it's easy enough to look and see what exists in our favorite village of Plandome as far as how they zone their schools or what the zoning is, and you can do that kind of search. But if we want to write something that's tailored to the Village so the

school properties don't get torn down and you don't have all this residential housing, we just have to find, search for, or develop the proper language in the zone so you can do something that is architecturally pleasing and serves the purpose to protect those elements of the properties that we want to protect.

I had one very specific question with respect to the parcel that's listed as the Children's Village parcel. I think it's important to clarify if that is the piece that was identified in the large tract report as opposed to the Children's Village campus. I think that's a distinction that should be refined in here because there are other parts of Children's Village that could be resolved.

Mr. Metzger: I don't think that's on our property.

Boardmember Cameron: It's not in our village.

Mr. Metzger: I believe there's only one small part of Children's Village that actually lies within Hastings.

Chairperson Speranza: I don't know that that's the case because they put a school there.

Mr. Metzger: We need to look at it.

Chairperson Speranza: Right.

Also I think, in the discussion of rezoning of the southern parcels, in one place it's termed "commercial." I'm not sure if it's specifically commercial that you're looking for as opposed to non-residential. Because when I hear "commercial" I think of retail mall shopping, and I don't know why we would want to promote something there that conflicts with the downtown. But I'm thinking if it's more campus/office, then the better word might be "non-residential" or "office" as opposed to commercial.

Ms. Leheny: "Corporate."

Chairperson Speranza: "Corporate," or simply "office."

Boardmember Wertz: What did you think of the listed uses under those recommendations? The next page, I think.

Ms. Sullivan: It's on Page 5.

Chairperson Speranza: Oh, I happen to think a conference center's great. I didn't realize it until I was recently in the Executive Boulevard Plaza how much has been built there. It's a great extension but, again, I wouldn't want to see retail there to compete with our downtown.

Boardmember Cameron: It might be the best return for these property owners when they get around to selling their property.

Chairperson Speranza: Should the institutional uses need to sell some land? Yes. Again, part of the reason for large tracts was to identify – and, Carolyn, you were very involved in that – things that are important about those parcels that we want to make sure get protected. So this is stuff that makes all the sense in the world.

Betsy Imershein, Comprehensive Plan Committee: I wonder, if it's not that we want to completely restrict retail, or we want to restrict the size that retail can be. If here's rezoning of some of these institutional parcels, if we're trying to be a more sustainable community, let's just say Andrus, to service that small part of the community, if there were small retail on the bottom so it was more mixed-use – but we limit it so it could be the equivalent of another Antoinette's or another Amjo's – that actually would be very good for the community instead of having to get in your car to come downtown, but where people can walk.

I think the concern is real, what we do, but I don't think we should limit either/or. I think we should try to be more creative, to have it limit the size of what each space could be. So, for argument's sake, if it was 20,000 square feet maybe each space could only be 2,000 or 1,500. So it would be broken up small if they wanted any retail at all, but that could be maximum. Something like that.

Boardmember Alligood: By the way, that's a very European concept which makes a lot of sense in terms of being more sustainable as a community: that you don't have to always hop in your car to get a loaf of bread or some milk. I love the fact that Amjo's is there and you can run over and get something without having to stand on line at the big grocery store. Sometimes you have to think out of the box and not be afraid of that term, as long as we keep it small-scale.

Ms. Imershein: So it doesn't compete.

Boardmember Alligood: Even a bike shop or something. That wouldn't have a high impact.

Chairperson Speranza: I would think you'd want it downtown.

Boardmember Alligood: What, the bike shop?

Chairperson Speranza: Again, it's the details of whatever zoning would be created for that area. Our non-residential zones might not work out there at all, and we would end up doing something like a planned unit development of some sort; something where the uses and the size and the square footages are all developed as one plan.

Boardmember Cameron: We want office centers to have places you can get a sandwich, too, so they don't have to jump in their car at lunchtime even if they were coming downtown.

Ms. Imershein: There are plenty of other uses along the lines of Jamie's suggestion. At a corporate center there might be a gym or something. Yes, it would be nice to have it downtown, but I don't think it would hurt downtown to have some other uses outside of the downtown area. Because that would service a community, if it is a corporate center, of commuters.

Chairperson Speranza: I'm in complete agreement, yes. But my biggest concern was with the term "commercial" as opposed to "non-residential." Is that good for rezoning? There may be other things.

Boardmember Wertz: What about 9-A? Any thoughts about that?

Chairperson Speranza: I don't know – 9-A is changing; there is a new company going in there. One other thing, and it's something we dealt with on 9-A and continue to deal with, is traffic. Non-residential traffic is more of a concern than residential. Again, how it's located and how the road network is changed to mitigate any of the impacts is something that has to be considered as part of the developments, too. It's almost two years now that there's been any action on 9-A.

Boardmember Dale: They're in trouble financially.

Village Attorney Stecich: That's one of the projects that hasn't abandoned, surprisingly.

Chairperson Speranza: But we know that Ardsley Park is going to be filled with a new pharmaceutical firm and everything that goes along with that in terms of a consolidated workforce.

Boardmember Cameron: As much as there's traffic, it will be interesting to know if the traffic will be going the other way. Right now, our problem at the end of the day is that traffic's coming over the hill towards Hastings. And an office building on 9-A would generate traffic going the other way, which is not heavily used. Not that we need more traffic there. What we need is a storage facility which, as we all know, has no traffic.

Chairperson Speranza: The one from down the street?

Boardmember Cameron: Yes.

Chairperson Speranza: But it's also my understanding that the Town of Greenburgh and the consortium – and Mary Jane Shimsky, I believe, knows about this, mitigating improvements – the money that came from the Ridge Hill development and those improvements are supposed to be starting soon, is my understanding, with respect to the intersection improvement at 9-A and Ravensdale. So, again, that's something else. It's a whole new context for the property. I tend to think the MUPDD zone, if there's a sense of no residential, will be a call of the Board in terms of how they're going to react to any kind of new plan that gets submitted, should they submit.

Natural resources? Anything?

Boardmember Dale: Hard to argue against natural resources.

Chairperson Speranza: Greening the infrastructure, same thing.

Circulation. We won't talk about the roundabout.

Boardmember Alligood: One of the other topics.

Chairperson Speranza: Bruce, any comments on this section?

Boardmember Dale: What is a "woonerf" concept? The top of Page 9.

Ms. Leheny: I believe it's a Dutch word, and it's a European concept of having these streets that become more park-like. They have cars, but they also accommodate children playing, that sort of thing. And it's usually accomplished through a different paving material, or they use bollards or some sort of traffic calming, so you can't speed through it. Then the cars are

downgraded a little bit. They're not the dominant presence, and it becomes more of a park-like area.

Boardmember Cameron: They have some of those streets in parts of Montreal, where you turn onto them. And because they have cobblestones in the street, you can't go more than 10 miles an hour without feeling very uncomfortable. So it works very well.

Boardmember Dale: I guess in this section I was a little concerned. I think Olinda's a problem. The design of narrowing the crosswalk area by bumping out – if you're on Broadway going north and you're making a right turn onto Olinda, and there's a car coming down – that's already a dangerous turn, and difficult. To narrow it at that stage I think would create a true hazard. Living on High Street, coming down Broadway often . . .

Mr. Thomas: Have you driven past with the new striping? The new striping already bumps out the traffic going north on Broadway so that it makes it farther from . . .

Boardmember Dale: Olinda disappears. It's two lanes again.

Mr. Thomas: Yes, but up until then you're one lane.

Boardmember Dale: But my question is, really, when you get to Olinda – if you're going north and you want to make a right turn to go up towards the school – that's a dangerous turn, particularly if there's a car coming down. Because to narrow that at that spot I think we just make it more of a hazard. And there was no Figure 2 in the copy that I had. There was only Figure 1 and 3. Two doesn't refer to Washington at Broadway. The one for Washington and Broadway is what's missing.

Mr. Metzger: Bruce, I wanted to say I agree with you about the Olinda intersection. When the discussion about the restriping was originally going on, that issue came up several times. That is, it's a terrible intersection whether you're trying to turn onto Olinda or trying to turn off of Olinda. It was my impression that Broadway was going to remain one lane, move towards the middle of the right so that as you come down Olinda and you look, the cars would be in the middle of Broadway and you would have a better sight line. But, in fact, it opens up into two lanes and it's the same problem we had before. And in some cases it may be a little bit worse because now people are trying to figure out which lane they want to be in coming off of that one lane.

I think it's something that's going to take a little bit of time for people traveling through that area to resolve. I was getting ready to make the left – I was coming south on Broadway getting ready to make the turn on Washington – and they've created a very nice left-turn lane in the middle of Broadway. The problem was that somebody who wanted to make a left turn onto Burnside got into that left turn lane at Washington when I was getting into that left turn lane at Burnside. So we started playing a little chicken there for a minute. It's going to take awhile to work that out. I'm not sure it was done quite maybe as well as it should have been, but we'll figure it out.

Boardmember Dale: I have a question in terms of the further recommendation because that's not resolved as an area.

Ms. Hendrickson: I think it's a big learning for the community how to deal with that road differently, and people are still playing chicken on it. It's definitely slowed things down and calmed things enormously, but we're at the beginning process of it. I actually think that's a good learning for us – ultimately, in a few months – how this is working relative to other kinds of traffic calmings. I'm not sure it's specific in the document now, but one of the things we did talk about – some of the traffic and possibly street changes – was not to do anything permanent, but to do things very temporary for the community; to live with it for a few months, or longer, to make judgments. So none of these are really recommendations saying, "Just do this, we think this is better." Even though there's planning thought and traffic planning behind it, it's recommendations that these are probably better. But before you make decisions to truly figure out ways of doing it temporarily, to decide.

Boardmember Dale: And bulb outs are permanent.

Ms. Hendrickson: But bulb outs you can do, where you space . . .

Boardmember Dale: Graphically, but I don't think they're as . . .

Ms. Hendrickson: You can also put things in the road that prevent people, but that aren't permanent. You can put heavy things that pull it out. I forget what they're called.

Chairperson Speranza: Bollards, and planters.

Ms. Hendrickson: Other kinds of things. So there are inexpensive ways that are relatively permanent to see whether it works.

Boardmember Cameron: I think this section, which has a lot of good ideas on improving circulation . . . I think we need a section on how we reduce traffic in the town by 20%. We need to actually come up with methods to cause people to use their car less.

Ms. Hendrickson: If we have local things people don't need to run in for bread.

Boardmember Cameron: Patty and I are lucky. We live downtown so we can just walk everywhere. But we just need to think of ways we can get people to use their cars less. Because all we're doing is redoing the pipes so the water will flow faster. That's what we're doing, and we have the same amount of water going through them. That's the problem.

Boardmember Alligood: As a follow-up to that, Jamie, I was going to add that I think this Create Safe Routes to School is very important. It's something this village has talked about for a long time, but I think we need to get very specific. The report that was done by BFJ, I didn't agree with all the recommendations. But I think being very specific about sidewalk improvements, we don't have continuous sidewalks in the immediate area around our schools. We just need to fix that. Hillside Avenue needs a sidewalk; Lefurgy's sidewalk needs to be fixed. There are a couple of other examples. We haven't resolved what we want to do on Fairlane.

We should have a list, a wish list, and just pursue it over time as we get funds. Because until kids can actually walk safely to school their parents are going to stick them in cars and drive two blocks. That's unfortunately the case.

Boardmember Cameron: An example would be connecting High Street somehow down to Burnside. Because we have a way from Burnside to cut through the back of Hillside Woods, but we don't have a way of getting from High Street down.

Ms. Sullivan: One thing we also heard, when we held a small discussion on circulation, people are really looking for ways to walk downtown. Some of the links that work to get kids to school are also things that help get people walking down into the Village. In the summertime, pool and school traffic is decreased; you know, help to decrease the traffic.

One thing, and I think graphics will be very helpful here, a connection that we've heard a fair amount about was sidewalks on James Street – James and High – to Farragut, and how that would help people get from the crossbar area, Mariana Drive/Tompkins, onto Farragut Parkway. Once I get to Farragut Parkway I'm good to go because that's a fairly good stretch of sidewalk. That was interesting, just that one of the areas that was not necessarily on the Safe Routes to School list. But to your point, it should be an area that we have on our list that we try to identify how we can fund sidewalks, or the types of improvements that would be needed there.

Ms. Imershein: Jamie talked about Burnside to High. So it might be rights-of-way from personal property that cut through, where you don't have to go James to Farragut. I mean, it shortens it enormously. Maybe those are things we need to think about if we can talk about rights-of-way, and that's a perfect example of it. I don't think we've really talked about rights-of-way to shorten some walks for kids to school, and it might be one of the other things that we should think about.

Boardmember Cameron: Many kids just created them, but then after awhile a new owner comes along and up goes a fence. We've got to find a way of making those permanent.

Ms. Imershein: I just wanted to comment, Jamie, when you're saying that we need to cut car traffic by 20% . . .

Boardmember Cameron: That's an arbitrary number.

Ms. Imershein: Right. We could say 50, but my comment was only in agreement with you. I think that's part of the sentiment that I would hope, that when we try to create the community vision, that's the top of this. That that's incorporated within it. That's a piece of what this is about, and we might think of a kind of global vision and then maybe have a couple points that are very specific. But I think that's a key piece that's part of it. So I just wanted to highlight that. I think it's very important.

Boardmember Dale: One of the recommendations that you make that I think is crucial is this regular-schedule traffic data collection. I think there's a lot of perception about what traffic issues and problems are, and a lot of it depends upon where you live and if you're using that street as opposed to living somewhere else; or parking issues, which we've

discussed numerous times, and had consultants come in and say that whether or not there's a parking problem it also becomes an issue of perception. I think we need data, we need real data, on it. There are specific streets that we know are problematic, and James is clearly one of them. There's barely enough room for two-way traffic now, and to create a sidewalk we just make what's a difficult situation more difficult for the drivers. I'm not saying we shouldn't have a sidewalk. We have a problem here, and there's a real conflict between the pedestrian and the use of that street since it is a main access street to a part of the Village that otherwise is isolated.

Chairperson Speranza: I had one question about a recommendation in here on Page 11, No. 8, with respect to the Holly Place neighborhood.

Boardmember Dale: How do you get across?

Chairperson Speranza: But the recommendation is: "*Provide an on-grade connection across the Saw Mill Parkway.*" I was just wondering what the thought was for something like that, realizing that it's parkway.

Ms. Sullivan: There may be an opportunity to connect the South County Parkway to Hastings along Farragut Parkway when you go to the intersection of Farragut Parkway and you're ready to go on the Saw Mill. Across the way, when you see the metal bumper guard, you're actually maybe 25 feet from the Cross County Parkway.

Chairperson Speranza: So the trailway across the Parkway?

Boardmember Dale: How do you get across the Parkway? There's a connection on the other side. The question is, on-site, how do you bridge the Parkway.

Boardmember Cameron: How do you walk across the Parkway without getting hit by a car?

Ms. Sullivan: The thought would be, if this would make sense for the Village to try to promote, we could look to have that intersection modified to be more like Lawrence up in Dobbs Ferry – where people, pedestrians, are crossing – where there's a way to bring your bike back and forth across the Saw Mill. It's not that it's an easy solution, by any means, and would involve coordination. But it was, again, looking at this as something that could be advantageous for people to bike/walk down Farragut Parkway, make a connection to the Cross County bikeway/trailway. And then it has the additional consequence of being able to make a pedestrian/bike connection from the Holly Place neighborhood, which is isolated in many ways from a pedestrian connection to Hastings.

Boardmember Cameron: We'd need a sidewalk all the way down Farragut Parkway, from High Street all the way down.

Ms. Sullivan: And a bike lane. Again, this isn't wimpy, like necessarily the short-term.

Chairperson Speranza: I was trying to think of where the thought was.

Boardmember Cameron: I actually don't think we need the four lanes from High Street down until you get about 100 feet from Saw Mill River Parkway. We could do it with two lanes. There's no reason for people going side-by-side down that hill. But just down at the

bottom, they want to have two lanes entering and two lanes exiting. So you could actually get your stripe down there, and then just have to build the sidewalk down to the bottom.

Ms. Sullivan: There are some similarities to that to what's happening on Broadway in wanting to narrow it down. Frequently, traffic coming off the Saw Mill, people are still feeling they're on the Saw Mill. And it's only when you get the visual signals around Amjo's that people go down to 25 or 30.

Boardmember Dale: There are three houses on the south side of Farragut at that point that have very dangerous driveways. Families who live there have to do strange motions in order to go . . .

Boardmember Cameron: Actually, I think there's a good argument for doing it. Because there is sort of this race mentality you run into as people are coming off of Saw Mill River Road and come into Hastings. They start going up that hill and people start trying to pass each other. It's just as well to stick them in a single lane. They don't need to pass each other going up that hill.

Boardmember Dale: The only place where you would need to go to a double lane would be where you make the left turn onto High Street.

Boardmember Cameron: Onto High, I agree.

Boardmember Dale: You need a turn lane there.

But the other question I had in this section, which is No. 10, is closing of Cliff Street, exit to Clarence Avenue exit and the Farragut Avenue exit. Why? I assume you think that by closing the exits you're reducing the traffic in those areas, but I think then you're concentrating traffic on Farragut. So I don't know what you're gaining.

Boardmember Wertz: That's the idea that on Farragut Avenue you have a lot of cars zipping up that road and there's a very sharp turn there. There are no sidewalks. It's a blind curve. So you have cars, really, in what's essentially a residential neighborhood. It's not a real thoroughfare-type street, Farragut Avenue. I know there was a plan some years ago to eliminate that exit in order to cut down the speed, the traffic, and the lack of visibility, particularly around that corner. Also it's very trashy; people throw trash all over the area, and it kind of ruins the neighborhood character down there.

Then I think people were afraid there would be more traffic up on Clarence and Cliff. So there was some consideration about whether we ought to think about closing the mall. But you're right. If, then, there would be more traffic on Farragut Parkway the question is, is that a problem. Now, that is a street that's built a little bit more for traffic. And it's regulated, too. I think there's a lot of screeching, and probably on the Parkway, too, because of the Farragut Avenue exit.

Ms. Imershein: Fred, I think the issue with Cliff and Clarence is also that they're very dangerous coming off the highway. They're very bad exits.

Boardmember Wertz: They're not built for high-speed right turns. People will slow down, and I don't think there are as many accidents as there are close calls.

Boardmember Dale: The positive side is that it disperses traffic a little bit. People who live on the other side of the Village prefer to use that exit instead of coming down to Farragut and then going back.

Boardmember Cameron: I'd be curious to know what the feelings are of people who live down close to the highway. Because now they would have to drive up to Amjo's, turn the corner, and come down to the exit onto the Saw Mill.

Boardmember Wertz: They were in favor of that change. They wanted to have more of a residential neighborhood down there rather than that. They didn't want those cars coming up. So I think the neighborhood was really a group that wanted to do that. But that could be investigated in order to make sure they still have that sentiment.

Boardmember Cameron: And you could put trees along there.

Boardmember Wertz: Sure. It would be a little dead end.

Boardmember Cameron: You get a little more privacy.

Boardmember Wertz: And there are parks on both sides of the street down there, too, at the Parkway.

Boardmember Dale: One small addition to your bicycle rack locations would be the Food Emporium on the upper level. People could bicycle there, leave their bikes there, and then walk into the Village. I think that would be a logical place to stop bicycling and walk.

Ms. Imershein: Isn't that where John was recommending we put a café?

Chairperson Speranza: I was curious about that as opposed to drawing people into the downtown.

Ms. Leheny: I think the idea was that it would be a nice gateway into the Village, people who come through Five Corners. I, for instance, who had never, prior to working here, made that left turn, didn't know what a great downtown you had. So it would be maybe some sort of visual signifier that there is something to draw people in. And it would add a certain activity to Five Corners.

Boardmember Cameron: Isn't that the regional headquarters for A&P, that little business office section up at the top of the building? I think it is.

Boardmember Dale: They may use it, but there's a whole plaza which is sort of always empty.

Chairperson Speranza: I see skateboarders there all the time.

Boardmember Cameron: Actually, they might be in favor of it because they might see it as a way of attracting more customers. People would be up there, be in the café, go down, go to the grocery store, or meet there.

Chairperson Speranza: The historic buildings, I think it's great; the idea of reusing the historic buildings. There's something in here, though, that I think should dovetail more closely with the ARB design guidelines.

Boardmember Alligood: Which page are you on? I'm sorry.

Chairperson Speranza: Thirteen.

Boardmember Dale: Before you go to 13, first of all I'm very happy with the affordable housing step. I think that's excellent, and parallels the concerns of the Affordable Housing Committee.

Chairperson Speranza: Eva, did you have something before that?

Boardmember Alligood: I had something before that, but you can talk about your thing and we'll go back to it.

Chairperson Speranza: I thought I saw something in here about mandating.

Boardmember Alligood: The recommendation of creating a historic preservation commission whose opinion would be binding rather than advisory, I agree with that.

Chairperson Speranza: I don't know that the fact that you have an old building . . . you know, you have a property. I don't think . . . binding scares me. You own a property, it is your own private property. I think the approach that was taken in the ARB design guidelines is a little softer. Again, we get back to incentive. Give people an incentive to reuse their building and preserve the things that are important or special about the buildings.

Ms. Imershein: I think that's an interesting thing to bring to the community. I think there are arguments on both sides. I think it's an interesting issue we might want to raise and see if people want to comment. And I think there are important personal property issues, and then there are issues about what community's about and what we want to preserve. I think there are arguments on both sides, so instead of committees weighing in and making changes I think we really should open that and see.

Chairperson Speranza: Definitely.

Boardmember Alligood: Also, there are precedents. When I attended the same workshop that you went to, Jamie, about preserving community character, that was one of the recommendations that was presented at this conference. To have a historic preservation commission that really has some teeth. Not necessarily the term "binding," but if it's just recommendations they often just get lost. So I don't know what the middle ground is, but it really is about community character and valuing the things that represent what's unique about Hastings. And not taking away an owner's rights, but saying there are certain things that we . . .

Chairperson Speranza: "Not taking away" – again, we need to have more iterations of that.

Ms. Imershein: But isn't there a way of phasing in, where a current owner . . . there may be different issues than, if the property is sold, what is demanded of a new owner. So there are also, I think, ways it can be in degrees.

Boardmember Alligood: Before we move on, I just wanted to flag something that I agree with and thought about many times: this resource we have in front of the VFW, which is really underutilized and could really be improved with just a better landscaping job and more encouragement of people to actually use the space rather than the few kids that hang out.

And the idea of connecting it to the library, which is really a signature building in our town. It has that beautiful landscaped area now.

I have to throw in there that I was so pleased to see they want to move the loading dock off Spring Street after the many times I argued passionately for that. It's in there. I don't know how it made it's way in there. I don't know how you move it to Maple Avenue.

Boardmember Dale: We approved a restaurant that's dependent upon it.

Boardmember Alligood: To have a plain document say that the loading dock does not belong on Spring Street was just very gratifying.

Chairperson Speranza: Right. We just had to find a different location that worked. And maybe it's through creation of an alley.

Boardmember Alligood: Right. Obviously, there's some thinking that there's an alternative. I was seeking alternatives, and it's being mentioned here.

Boardmember Wertz: But the idea of doing something with the VFW, and linking it with the library, is a very visually positive thing for the downtown; a real center.

Chairperson Speranza: It's an excellent idea.

Mr. Metzger: What's very nice is that they've already taken that first step and declared that Veteran's Way . . . and they've linked the VFW to the war memorial in front of the library. It's now time to take that next step.

Boardmember Dale: That's great.

Mr. Metzger: I'd like to add that one of the things that I'd like to see that would help a lot of the circulation issues is, we should try and develop a plan for better streetscaping – something that makes it more pleasant to walk down the street, rather than just saying, “Well, it's a nice store,” or whatever. I'm not sure how we accomplish this, but it could have to do with doing bump outs and benches and some planting. But do something. And I think to a small extent the banner art project in the Village last summer, people kept saying, “Please don't take it down. Don't take it down. We love seeing the art work downtown.” Something like that should be more of a permanent part of our downtown. I believe Meg Walker is looking into those sorts of issues. That's what's going to get people to want to walk from parking their bicycle at the A&P to come downtown; if that experience is a wonderful experience rather than just as a means to an end.

It'll be a much nicer way to go. When Charlie Murray was doing the planting on the poles during the summer, that was a beautiful thing. I have often said, “I'd like to see the Christmas lights up all year round.” I think it makes the downtown just very elegant. When the lights go down, I realize there's a cost involved with that. But it sets us apart from other villages. I think we need to do that as part of a permanent upgrade of our downtown. Make it a pleasant place to walk so that it encourages people to come down and do that.

Chairperson Speranza: I was going to comment on something on Page 14 having to do with parking. One of the things that I heard recently from someone who actually has an apartment downtown is the resident parking. We just have to make sure – for instance, putting meters on the Warburton Avenue bridge – that whatever happens, it be done in a way that recognizes that there are people who have to park there overnight. This woman was talking about having had the flu for a week, and she always had to be concerned about getting up in the morning and moving her car or putting money in the meter. So knowing that there are people who live there, we need to keep that in focus as well as the parking for all of the retail establishments down there.

Boardmember Cameron: My understanding is that while we can have a Hastings resident parking permit on Village-owned land, we actually can't do it on the streets because the legislature has control of that.

Village Attorney Stecich: No, you can't. You have to petition the legislature for a special . . . which can be done. It's done in a lot of communities.

Boardmember Cameron: Has it been done a lot?

Village Attorney Stecich: Oh, yes. Look in the McKinney statutes and you'll see. But there are certain showings you have to make, and you have to get your assemblymember and senator to put in a bill. But it can be done, assuming you can make the showing. There are some showings you have to make, but it's not a lot. I would guess 30 communities in Westchester have them.

Ms. Imershein: Does Irvington have it?

Village Attorney Stecich: There are a lot.

Ms. Imershein: Irvington does on the side streets in their downtown, and there are quite a number of communities that do allow it.

Chairperson Speranza: It's just a process.

Village Attorney Stecich: Yes, you've got to go through the process. I mean, you don't do it overnight, but it can be done.

Boardmember Alligood: I had a comment on the adequate parking recommendations for the downtown. Maple Avenue, it struck me that the goal in here is to change meters to shorter-term to improve shopper parking supply. But I think the residents of that street have expressed many times that they're in direct competition with shoppers. I'm not sure we can give shoppers their parking. I'm not saying we should restrict it to all residential, but to make it easier for shoppers to take their spots I think seems unfair.

Boardmember Cameron: I think we need to look very carefully at something Bruce brought up earlier. The times I've driven downtown I usually always found a parking spot in the two parking lots we have downtown. So I think we've got to test the myth of whether shoppers really have a hard time finding a place to park or not downtown, and it may well be a myth.

Boardmember Dale: I agree strongly with that. Maple Avenue, I think their biggest objection is on Saturday morning when the Market is open and not so much during the week.

Ms. Imershein: We also know there are a lot of other parking issues that need to be addressed. This is just a few of them. So if there are other issues that you're aware of it would be helpful, but we have a whole long list of problem areas. So it may be really looking, overall, at the whole Village.

Chairperson Speranza: Page 15, the downtown. I'm sure this is . . . "*consider hiring a part-time Village Manager.*"

Ms. Leheny: Downtown.

Chairperson Speranza: "Oh, I wonder if Fran read this."

Village Attorney Stecich: I read it a few times.

Boardmember Dale: Is this supposedly something you perceive as a permanent position, or is this a temporary somebody who's a consultant brought in generates a certain amount of activity and then it has a life of its own after that?

Ms. Leheny: I think we had expected it to be a full-time position. I understand maybe the Village doesn't have the resources to hire somebody full-time. And this is something that we've had discussions with Trustee Walker about; discussing is it a person that could be split between the River Towns, somebody who works in Dobbs Ferry and Irvington. But then the other side of that is, how do you know you're not, working across Dobbs Ferry, Dobbs Ferry gets the person you really wanted. The committee had kicked around the idea of what if you pooled resources with Nyack. Something where you wouldn't be competing for the same people, there could be some synergies there. I think the idea was, how could you get somebody who would do these things, knowing you have limited resources to pay for them.

Boardmember Wertz: Going back to the bottom of 14, I wondered what you all thought about the residential development at the tennis bubble. This kind of segues into the whole question of the waterfront and what can be done on a more immediate basis there. And whether the kinds of recommendations we find in this draft plan sound right to you all.

Boardmember Dale: The one presentation I saw that covered the waterfront was in a public session. One of the things that presentation did that I thought was extremely effective was, it separated out a lot of issues and created a sense of time. That the evolution of the waterfront is not that it's going to be designed, laid out, and built overnight. To try and solve all the problems at the same time made no sense. And also the recommendation to open the south side to residential was, I thought, brilliant as a way of creating the residential area. That the use of the bubble for residential seemed to make sense because there is going to be some residential. And the question is, where does it happen on the waterfront and what kind of neighborhood would it create. That's something that could happen relatively soon, and tie back to the Village.

One of the issues of developing the waterfront is the conflict between the downtown and the waterfront. Putting residential there, I think, ties it back to the Village. Those people would

depend on shopping in the Village and using Village services. So I think as a choice it's a fairly good one. Those, I think, were very positive elements in this.

Boardmember Wertz: There is a way to move forward with some development on the waterfront that's positive for the Village and that changes the character; gives us access, gets things going, and also would attract the kinds of tax-base enterprises that we want in the long run as the cleanup proceeds the time frame. And the thinking and planning is great. I guess my question is, do you think this is the way to do that. I'm not sure myself.

Boardmember Dale: I think we need an implementation plan.

Boardmember Wertz: And I think if it's not this we ought to think of something else. Because I think we need to do something relatively immediately. We need to create a stage for the kinds of long-term developments that are really going to serve the Village. And I think this plan needs to do something, not just wait for the cleanup.

Ms. Sullivan: One thing I mentioned in my email to you, Patty, was that I'd asked Liz to prepare kind of a summary from that particular meeting that you're referring to, Bruce. Because I think there were specific recommendations which I didn't see in this list for the downtown and the waterfront. And I think some of the large tracts, most of it may have made it here. So I think I'd like to have that be shared and kind of outlined in this same kind of form. I think that was potentially a really good base for us to move forward with some short-term/medium-term thinking about what the Village may want to see down there. But it's not in his document, as you've identified.

Chairperson Speranza: Actually, I think that would be helpful. Because just to consider zoning which would allow residential development on the site of the tennis bubbles, there's no context. So what happens to the rest of it, and why residential there? It's already economically developed.

Village Attorney Stecich: It's commercial.

Chairperson Speranza: And it's commercial. Right.

Boardmember Wertz: Here's where the organization of the document doesn't help us envision the Village of the future, particularly the waterfront. It breaks it up too much.

Boardmember Alligood: My understanding – just on the point of that specific idea of what you were talking about, Fred – was, can we move on something now that's connected to the waterfront that doesn't wait for this long-term process. There's property along Southside Avenue that the Village owns. We could move on it really quickly. That's the beauty of that idea. The tennis bubble is a bit more out there because it's privately owned. It's working just fine.

There are two ideas in here that are connected. There's the idea of extending the commercial streetscape connection from the downtown to the Zinsser parking lot with some commercial buildings, maybe with residential above, as well as the Southside residential idea. All of these put together actually would be an improvement to what you see when you come off the train in Hastings. Because right now you see a sea of asphalt and lots of cars and, if you're

new to the Village, you're looking for where the downtown is. You know, "Get me to it." This idea gives it to you as soon as you come off the train, and makes something happen sooner. So I think those ideas make a lot of sense.

Boardmember Cameron: On Southside Avenue, I think it would be wonderful if we did have development there. The only trick is that I would question how eager a developer would be to putting up such development until they know what their customers are going to be looking at across the way. That's the trick.

Boardmember Dale: They do get the Palisades.

Boardmember Alligood: I think the developers would be happy to develop it, then turn it over to somebody who has, as their problem later, what happens to the view. The problem you have is a built-in constituency that doesn't want anything to happen right in front of them. So it's not really the developers' fault, it's the new owners' problem.

Mr. Metzger: The other issue that John Shapiro brought up at that meeting, which I found absolutely fascinating, is when he had members of the audience call out what they would like to see in their wildest fantasies: "What would you like to see on the waterfront?" And 20 or 30 items were mentioned. He said, "All of those are possibilities." That's the thing we need to keep in mind. We keep getting back to where are we going to put the housing, where are we going to put this. Well, you know what? That may not be the thing that ends up being there. There is this wonderful thing that can happen where somebody may show up and say, "You know what? I've got the perfect thing to put on that spot. It's exactly what you're looking for, and it's perfect for me." These things do happen. We have to encourage that through what we put in our planning document, in our comprehensive plan, so that someone reading through this could say, "This is a village that's open to *my* vision, and it would benefit their vision as well."

The other thing that came up the other night at the LWRP meeting is that we tend to talk about mixed-use development. I think the same way Patty said, when she hears commercial she thinks of certain things. When people hear "mixed-use development" they think of a building with a mix of uses. Danielle Goodman said, "You know, perhaps we should start phrasing this as "a mix of uses" so we can get away from preconceived building types we think about, and "Oh, it has to go here or it has to go there." I think we need to open our minds up a little bit more. We've been talking about the waterfront for so many years, and everybody's kind of lasered in to, "Oh, if we're going to have housing it's going to go there. If we're going to have a performing arts space it would go over here. A hotel would go there."

I think we need to take a step back and look at this thing in its holistic sense, and try and encourage people from outside the Village that may want to develop this to look at it holistically as well and not necessarily give them a laundry list of things to plug in.

Chairperson Speranza: Anybody have anything else?

Boardmember Alligood: My comment is to the last one which, Kathy, I completely agree with: the idea of trying to get this fiscal impact study as part of our deliberations in what we want to see really makes sense.

Ms. Sullivan: I think it would be great. Fred said, “You’ve given us a lot of things to do” – “us” being the Planning Board. We’ll talk about that because there are laws that are recommended, and regulations. But you could help us by thinking about what you’ve received in your site plan review or other documentations, and could help flush this out and understand what are things that would be helpful to have as recommendations; things, links, that you see: “Oh, my goodness, that would give me the ability to make a decision,” or, “That isn’t what I need to make a decision, but this would be.” That’s very focused.

That’s not the only thing I’d love you to think about. But to that end, Eva, is that the right kind of document, what should that have, what are the elements that it should include. Things we’ll ask Liz to help us prepare as we get into detail. But from your perspective, from the kinds of things you see cross your plate here in Hastings, that could be really helpful, I think.

Boardmember Alligood: On the big projects, it’s come up. We’ve talked about the need for that.

Boardmember Dale: I remember in the discussion– here, again, this is the other project, the one he didn’t bring back, 10 West Main – there really was a question of the fiscal viability of the building and the limits that were being imposed on it. And whether or not, as a developer he could proceed with the project or not. And whether or not that was a correct analysis for us as planning people, who would just decide what, physically, we want there without any responsibility for whether it’s financially feasible or not. Or whether the fiscal or financial analysis of development actually plays a role in how you decide what you’re going to build or not build. I think that’s a crucial piece. It’s true on the issue of taxes, it’s true on assessments, and it’s also true on the financial viability of the recommendations that we, as a village, are going to make.

Chairperson Speranza: On the developers’ side.

Boardmember Dale: You can design a plan that nobody’s going to build because it’s totally financially unfeasible.

Ms. Sullivan: I wasn’t being so kind to the developer – that kind of request.

Chairperson Speranza: When ShopRite was proposed over on the 9-A property, we did require them to do the market analysis, the secondary market analysis; what kind of impact a store of the size and with the elements they were proposing would have on our downtown. To the point where they finally submitted – Raf, you remember this – they were not going to have a pharmacy, they were not going to sell videos. They were just going to keep it to groceries because of the analysis that was done that showed, well, yes, you could take the life out of this village’s downtown if it proceeds the way it was. So, luckily, that didn’t happen.

There are things that we have done and we have requested, and then it's up to the developer whether or not he wants to live within the constraints.

Ms. Sullivan: One thing I want to mention that came up in the last meeting we had from Fred's contact with Westchester County. We had a gentleman come, Bill Brady – who, Patty, may have spoken with. He came to share with us on some of the tools that they're creating for their planning for 2025. It's Westchester County's next strategic plan. They don't call it a master plan. We're very excited because they're looking at all the communities in Westchester and doing built-out studies based on existing zoning. Raf's been very helpful because he's gotten us into contact with Anna, a woman that he's worked with quite a bit on the GIS. It sort of dovetails into that.

So we're hoping to get that in the next month or so. And I think that's something that would be very helpful: to have people look at the assumptions, in particular, behind the model in what they're using as some of the residential parameters for estimating children, and all these things that are much more technical.

Boardmember Wertz: And tax ratables are a big part of the analysis.

Ms. Sullivan: Carolyn Summers, who was here, was also wanting to press him to make sure. Because with the GIS they already have identified certain environmental areas and he was already backing those out. But in a sense, our zoning doesn't do that yet, or in certain areas doesn't back that out. So we're going to try to get a real sense of that.

What I'm hoping is that we're actually going to get a scenario model, which may be a help to PPSA as we go forward with some of these zoning questions. But it also could be something, potentially, that's helpful to you folks because there are some visual tools where it may be easier for the Planning Board to ask. You can easily do that in Google Sketchup and show me what it really looks like at an early stage, as well. The county is coming up with a really great suite of user-friendly visuals. It's to your point, Eva, about how to make these be read a lot by people. I didn't mention 3-D, but there are things they're planning on producing for the different communities over the next year. So that could maybe, I think, be a useful tool going forward for the Planning Board. But we'll share the build-up study, of course.

Chairperson Speranza: Anyone else? This is great. It's an exciting time to move forward with this, it really is. And it's great that you've stuck by it for so long. I know it's been quite a long time now, your meeting every other Wednesday.

Ms. Sullivan: I also want to thank Liz Leheny very much for all her help. You thanked the committee at one point for the hard work, but we didn't put this document together. Please, I want to give credit where credit's due. So thank you. Thank you for your time tonight, too.

V. BOARD DISCUSSION

Code Amendments - Excavation and Fill - Fences & Boundary Walls

Chairperson Speranza: We have one more agenda item, which will go quickly. It's your fences and walls.

Village Attorney Stecich: There are questions on it.

Chairperson Speranza: Still? I wanted to find out.

Village Attorney Stecich: They're on the back.

Boardmember Dale: Section 3-B.

Chairperson Speranza: Well, let's see how many questions there are.

Boardmember Cameron: I have one on D on Page 2. It's not a big one. I think the concept on the fence on top of the retaining wall was for safety purposes. And in fact, when you read, the only place we have it – which is in the town of Plandome – their reference, too, is the fact that there are applicable New York State laws requiring a safety barrier on top of retaining walls. They actually cite to that; they don't give a section number. It seems to me that what we'd want to do is take that present paragraph, and, at the end of it put the words "for safety purposes," and then put a semicolon. It's not just an extra 4 feet. It's to provide that the *"height of the fence and retaining wall in total does not exceed 4 feet on the uphill side."*

That was the idea. That the retaining wall, the thing in total, doesn't exceed 4 feet on the uphill side. That was to give the safety feature. That was the whole idea of the thing. Then we still need to get in the concept that it's a wall you can see through.

Boardmember Dale: Just add the words "for safety," and it accomplishes it.

Boardmember Cameron: It could. Anyway, if you look at the end of Plandome, Section E in Plandome, it discusses the thing.

Village Attorney Stecich: Why don't you write out what you're talking about.

Boardmember Cameron: Okay. I'll email this to everybody.

Chairperson Speranza: The one thing I wanted to be sure of is – I didn't come away from our last meeting with this – we were talking about a fence on top of a wall that was a boundary wall.

Boardmember Cameron: A retaining wall.

Chairperson Speranza: I thought we were only talking about a retaining wall.

Boardmember Cameron: Where are you?

Boardmember Wertz: Top of Page 2; all through Page 2.

Village Attorney Stecich: No. This only deals with boundary walls. The reason this had to be in there is that the fence might be higher because it's on a retaining wall.

Building Inspector Sharma: Marianne, it may make sense – now that I see it – as, supposing there's a retaining wall at the property line between the two properties. Supposing

the two properties are not on the same grade. One property's lower, the other one is higher. So there's a retaining wall. And if there is one from the higher side you need a guardrail or a fence, and a combination of the retaining wall they want to extend beyond the higher grade – say a foot or two. The combination of the wall and the fence should not be more than 4 feet. And from the lower side, when you look at the wall and the fence, perhaps it should not be more than 6-1/2 feet, whichever works best.

Village Attorney Stecich: You get the issue. I've never pictured whatever this issue is. So draft whatever you want, write it, and I'll make sure that it fits. You and Jamie are obviously communicating – I mean understand the same thing.

Boardmember Cameron: An easy example would be the stone wall at the church, from the church at Five Corners. I could imagine the church coming along and saying, "We lost a couple kids over the wall. We want to put up a fence." And the answer would be yes, you could put up a 4-foot fence on top of that wall. That's what this will allow you to do.

Chairperson Speranza: Right. And I think that's what it says in here. Yes? That's what I read.

Boardmember Dale: That's how I read it also. If you add the words "for safety," that makes it clear what you're trying to prevent. The issue, in a way, Jamie, is that the retaining wall normally ends at the level of the earth that it's retaining.

Boardmember Cameron: As long as it does, it's fine.

Boardmember Dale: Right. And if it goes up, as a parapet wall goes, then you don't have the safety issue because it's already functioning as a parapet. So the issue you're concerned about, and I agree with, is that if it's at the level of the earth then you need a fence for safety purposes.

Boardmember Cameron: We just need to make it clear that if a retaining wall goes above the ground, then that portion that goes above the ground is considered a boundary wall for purposes of what Marianne wrote. And if you do that, then you're all set.

Chairperson Speranza: I wanted to make sure. If you look at Item C on Page 2: ". . . elsewhere on the lot, and fence, boundary wall, or fence on top of a boundary wall, in total may not exceed 6-1/2 feet in height." I guess that's the part that I missed; that you could have a fence on top of a boundary wall.

Boardmember Cameron: But it can't be higher than 6-1/2 feet.

Chairperson Speranza: I just can't imagine a fence on top of a boundary wall.

Boardmember Dale: But in total.

Chairperson Speranza: That's not a retaining wall.

Village Attorney Stecich: That's very common. Look up and down Broadway where there are stone walls and then iron grate fences on top of them. It's actually quite common.

Boardmember Dale: Somebody just did exactly what Jamie's talking about on High Street. They put a wooden picket fence on top of a retaining wall.

Chairperson Speranza: A retaining wall, not a wall.

Boardmember Dale: But it's also a boundary wall.

Chairperson Speranza: So you'll work through it?

Boardmember Cameron: I'll work through it. I'll come back to all of you.

Village Attorney Stecich: No. There are several questions as to Section 3 about retaining walls.

Chairperson Speranza: I like C because it recognizes that some of this we will see during site plan review and during steep slopes review. And we should, at that time, be able to make modifications that we feel are going to be beneficial in terms of the overall project.

Village Attorney Stecich: B was a question, though.

Boardmember Dale: I'm fine with 12 feet.

Village Attorney Stecich: Do you want that section at all?

Boardmember Cameron: Yes.

Village Attorney Stecich: I had gotten some sense, at the last meeting, that it was no.

Boardmember Dale: We don't want 15-foot high concrete walls.

Village Attorney Stecich: Yes, but do those numbers make sense?

Boardmember Cameron: Well, let's just look at it here. The problem with B right now is that you could have two 6-foot high walls a foot from each other. That's the problem.

Village Attorney Stecich: No, you can't. Because in A, the closest you could have it would be three-quarter.

Boardmember Cameron: Oh, one-half its height. Okay.

Boardmember Dale: A eliminates that option.

Village Attorney Stecich: These numbers came when we had, I think, 4 foot walls and there could only be so many. So the numbers I'm not sure even make any sense. In any event, I guess it should be 13 because you're talking about 6-1/2 foot walls. Before we were talking about 7. Four-foot walls, so I guess it would have to be 13. But wait. Does that make sense? Let's say the wall's 6-1/2 feet and you have 4 feet between them because A lets you have them at 4 feet. Then you could have another one.

Boardmember Cameron: No, this is 16 feet of each other. So there's 16 feet to stop you.

Village Attorney Stecich: Okay. So essentially what you're saying is, you can only have two 6-1/2 foot walls.

Boardmember Cameron: Right.

Village Attorney Stecich: Okay, if that's okay with everybody.

Chairperson Speranza: I think that's reasonable.

Boardmember Dale: If they're going to want more, then they're on a steep slope. Let them come in and talk to us.

Chairperson Speranza: Exactly, yes. I agree.

Boardmember Cameron: They want more if C applies.

Boardmember Dale: That's clearly a case where we want to be involved in the decision of whether or not they can go beyond that.

Village Attorney Stecich: Okay. And then there was the question at the bottom: whether you wanted retaining walls.

Chairperson Speranza: “. . . *within 4 feet of each other, totaling 4 feet or more in height.*” Do we need 4 feet, or should we keep it consistent with the 6-1/2 feet?

Village Attorney Stecich: Are you talking about D?

Chairperson Speranza: Yes.

Village Attorney Stecich: No. That’s just saying that they have to be engineered. If they’re 4 feet high they have to be engineered.

Boardmember Dale: You also want to make sure they don’t have an impact on water runoff.

Boardmember Cameron: Right. That was our original thinking: we would ask for any approval on a 4-foot high wall.

Village Attorney Stecich: If it were under 4 feet we wouldn’t need the engineer’s drawings.

Boardmember Dale: I just kept thinking of the situation where a wall might cause puddling behind it and then cause erosion. That would create problems.

Village Attorney Stecich: Right. And about a provision that retaining walls over a certain height have to . . . well, since we have pretty severe height limitations now I guess that’s not necessary.

Boardmember Dale: But you’re saying: “. . . *should be prepared by a design professional, indicating location and design of such walls and the resulting proposed changes in grade.*” I would say, in fact, “on water” as well. You could direct water off your property onto your neighbor’s property and have a negative impact about how you place the wall.

Chairperson Speranza: So we’ll go through this one more time?

Village Attorney Stecich: No. I’ll redo it. What happened to the excavation one?

Boardmember Dale: This is all we got.

Chairperson Speranza: I thought we were done.

Village Attorney Stecich: You were done with excavation?

Chairperson Speranza: I thought we were done with excavation. We were going to ask our Building Inspector to take a final look at it and make sure everything was fine, and it was.

Village Attorney Stecich: So what I’ll do is prepare a final of this in the excavation law for the next packet.

Building Inspector Sharma: I don’t seem to remember that. I was supposed to do something with it? I don’t remember that at all.

Chairperson Speranza: We’ll get it.

Village Attorney Stecich: You’ve got it, but I don’t even remember where we left off on it.

Chairperson Speranza: I thought we were done.

Boardmember Dale: I did, too.

VI. ANNOUNCEMENTS

Next Meeting Date - August 20, 2009

Chairperson Speranza: It sounds like there will be enough people here.

Boardmember Dale: I will let you know.

Chairperson Speranza: Then we're working to develop the agenda. We have worked out a process by which things get done. We'll proceed and see you in August.

VII. ADJOURNMENT

On MOTION of Boardmember Dale, SECONDED by Boardmember Alligood with a voice vote of all in favor, Chairperson Speranza adjourned the Regular Meeting at approximately 11:20pm.

NEXT MEETING

SEPTEMBER 17, 2009