

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
MARCH 18, 2010**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, March 18, 2010 at 8:15 p.m. in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Chairperson Patricia Speranza, Boardmember Fred Wertz, Boardmember James Cameron, Boardmember Eva Alligood, Boardmember Bruce Dale, Village Attorney Marianne Stecich, and Building Inspector Deven Sharma

CITIZENS: XXX

I. ROLL CALL

II. APPROVAL OF MINUTES

February 18, 2010

Chairperson Speranza: Changes, questions?

Boardmember Wertz: I've got a couple. This would be on page 10, where I'm speaking down there, the second line in my speech, right around the middle of the page. If you remove the semicolon after "*processes*," that's good -- that's one sentence. And then the next couple of words: "*costing*," the "I-N-G," just remove the "I-N-G."

And then in the next paragraph, second line, just put a period after "*density*" and a capital "T" on "*that*" in the next sentence. And that's it for me.

Chairperson Speranza: Anyone else?

On MOTION of Boardmember Wertz, SECONDED by Boardmember Dale with a voice vote of all in favor, the Minutes of the Meeting of February 18, 2010 were approved as amended.

Chairperson Speranza: We're going to reverse the order of the agenda for this evening, but let me first start out by saying the original notice that went out did also include the T-Mobile application. We will not be discussing T-Mobile. They're not ready to come in with additional information which we had required so that is not on the agenda.

III. DISCUSSION ITEM

Greening Our Code

Chairperson Speranza: We have some members from the Conservation Commission who are here tonight: [Kerrie Jane King], who is the new chairperson; and [Sharon Kivowitz]. So we're going to talk about greening our code.

At the last meeting we discussed a lot, and I think we made really good progress with respect to things that we would like to have, or the approach that we would like to take. As a result, when I went through the minutes again, I came up with a few things that seemed to be consistent through all of our discussion about greening the code. And there's really five steps, I think, five items that we really need to.

The first one, I think it'll be very good to have a partnership with the Conservation Commission to enable, to kind of flesh out, these ideas. Because the first one I know you're already working on -- it was raised at the last meeting -- advising people, giving people advice, on how to take the simple steps to improve energy efficiency within their homes, how to deal with stormwater problems they may have with runoff in their driveways.

So, again, advise people and providing them with education. I know, [Kerrie Jane], that that's one of the things that you're looking at developing on the Web site, to have a page, but you can talk more about that later. There was the idea that we not only advise people and educate, but also try to find incentives where we could.

And Eva, you came up with a really good idea: let's charge people, or let's provide free pickup of bulk weigh items -- the washing machines, the refrigerators -- if they show that it was an Energy Star appliance that it was replaced with. And this way, it's something that's out of the purview of the Building Inspector. It's not that stringent, but it's something that on a household-per-household basis is a nice service.

Keep it simple. Whatever we're going to do, keep it simple. Embed any of the standards that we may be looking for. Embed them within the zoning code. Specify exactly what's required. Bruce, I think what you sent around to us was a really good way to kind of quantify and insert some of this stuff into the code. Again, we can talk more about it.

And then reviewing. What that means, of course, is that we also have to take a real hard look at our zoning code -- and actually not just the zoning code, but the Village code as a whole --

and determine where we might have conflicts between things like maximum building heights and some of the energy efficiency or some of the green technologies that we want to encourage people on, such as installing solar panels on the roofs, or green roofs. You know, where are there potential conflicts between our code, but then also that may, potentially, be a way to incent people to do things.

And we also have to converse with our other village boards: the Conservation Commission, the Board of Trustees. I'm sure people are aware that Trustee Jennings presented to the Board the other night a sustainability plan, and I'm sure, as a village, we will hear more about that. But also it came to mind that the Architectural Review Board, in its design guidelines, also has a say in this. So, again, these were just some of the themes that I heard when I reviewed the minutes and that have come up in our discussion in the past.

Jamie, I know you pulled out some information from the New York City code. What I'd like to do before we start speaking more is, [Kerrie Jane] and [Sharon], if you want to say a few words about what you've been doing. Because I really think that we may need -- and I know nobody wants to hear this -- a little subcommittee effort here, inter-board effort. And I think that's the way to go because you certainly have strong members on the Conservation Commission, too.

Kerrie Jane King, chairperson – Conservation Commission: Yes, we would love to have some sort of subcommittee. [Sharon] has kindly taken on the task of looking into doing some research on green building codes for the commission. And I know you have all been working on this for awhile and have also been researching it. So that would be great to coordinate. Anything we can do to help you – you're obviously taking the lead on this – would be great.

As you said, one of the things we are going to be doing is developing the sustainability section of the Web site. So one of the things we will be doing is advising, or making suggestions, on things people can do within their households to be more sustainable, whether it's buying energy efficient appliances or ... so that's sort of a smaller detail. But, of course, what you said: that we would be looking at the building codes themselves for new buildings and also for major renovations.

With regard to appliances, I wanted to mention that NYSERDA currently has a grant for replacing appliances with Energy Star appliances, which is quite a good rebate for people. And I think there's also still a federal rebate. So that's something people should look into – state and federal. But that's the type of thing we will post on the board for a resource.

But I really wanted to let [Sharon] speak because [Sharon's] the one who's been doing most of the work on this. Thank you

Building Inspector Sharma: Excuse me. Would you please mention your name and your position on the Conservation Commission?

[Sharon Kivowitz], Conservation Commission: I joined the Conservation Commission a month ago, and was asked by Mayor Swiderski and Bruce Jennings if I would start to work on greening our building code. They wanted it done by May, and I work full-time. Needless to say, if it gets done by May ... I'll try, but I don't know what I can do.

But what I've basically done is just try to educate myself before I can pull something together. What I'd like to present to the Conservation Commission and the Planning Board is kind of an array of what other similar towns, villages, cities are doing. A lot of them are, you know, the city of Boston, the city of Seattle. And while we can pull things out of it, we are clearly in a very different place than those entities.

So that's my plan. My plan is, I'm educating myself, I'm trying to get a handle on what's out there rather than remaking the wheel; you know, what's out there, what have other localities done, what's working, what's not working, ideas for incentivizing that won't cost the Village money. So I have to get an education about it, too, because I don't really know what our process is. Can we jump people to the top of the line? Well, I don't know how long a line we have. So I don't know how much of an incentive that is, or things like that.

Basically, I'm getting an education right now. But one of the things that I think that we really do need, that will instruct us as we go along, is some help from our counsel. Because we have gotten Pace Energy ... one of the centers at Pace provided us with an analysis. And I have also read other things that were written by folks from that center at Pace. I think it's an interesting analysis. I think it's rather conservative. I think that I would like to share that with our legal counsel.

Chairperson Speranza: You received that. I sent it.

Ms. [Kivowitz]: I'm curious to know if we need to be as fearful as they seem to indicate in terms of requiring certification, say with LEED as an example. Because other entities are doing that. They're doing it all over the country, so what do they know that we don't know.

So I think that we need get some legal advice for the Village on whether that analysis is a bit conservative -- we should worry about it, we shouldn't worry about it -- because that is really going to impact what we decide to do. Are we going to require certification by some outside

entity? Are we just going to require that something be certifiable? There are big differences in that. So that would be very helpful and, I think, instructive to our process if we can get a read on some of those issues. So I'm happy to ...

Village Attorney Stecich: I point out that that was done by a law student.

Ms. [Kivowitz]: Well, I understand that. But ...

Village Attorney Stecich: So I'm not going to review the whole thing, but if you wanted to know would we be able to go this direction, would we be able to go this direction, I'd be glad to answer the questions.

Ms. [Kivowitz]: Well, I'm not going to put you on the spot now, obviously.

Village Attorney Stecich: I don't even know what the questions are. But I don't think it's fruitful for me to critique what the student's paper was because a lot of it may not be relevant, may not be the direction we want to go in anyway.

Ms. [Kivowitz] XXX: I think that was sort of what was presented to me as a place to jump off from.

Boardmember Collins: There's a mic there, where you're sitting.

Ms. [Kivowitz]: So perhaps you can send me Marianne's email address.

Chairperson Speranza: And it may be, if we do have a subsequent meeting of the two groups, we can certainly share all of the things. And you'll hear a little more about what additional work the Planning Board members have been doing.

Ms. [Kivowitz]: Yes, that would be great.

Chairperson Speranza: As a result of that, we may come up with specific questions. You may have specific questions that we can then give to Marianne.

Ms. [Kivowitz] XXX: That would be great. I think [Kerrie Jane] XXX was correct. We need to act quickly and act in a subgroup -- you know, just get a subgroup together -- and perhaps bring someone in from the Zoning Board. I don't know if they have a ... not necessary?

Village Attorney Stecich: It's nothing they do.

Ms. [Kivowitz] XXX: And the Building Inspector? Is that you? See, I don't even know that.

Boardmember Cameron: The Architectural Review Board.

Ms. [Kivowitz]: But we should at least try to designate one member from each of these boards and commissions to maybe get together a subcommittee meeting sometime in the next week or two. We can get our marching orders, and then come back together.

Chairperson Speranza: And I think, in part ... I'm not sure if there's someone here. It may be date-sensitive as to who will be able to attend. Again, we've been very ... there's a lot of things that we have been talking about. And also I want to make sure that you get a copy of the minutes from our last meeting because there were a number of things.

Ms. [Kivowitz]: Well, that'd be great.

Chairperson Speranza: And you're here now. We're going to have a report on a few of the tasks that we should go through now.

Ms. [Kivowitz]: OK, great. Thank you.

Chairperson Speranza: Particularly some of the New York City stuff. Jamie and Eva, did you want to take us through that?

Boardmember Alligood: Interestingly enough, we each looked at it separately and compared notes, and we picked out almost the exact same list.

Boardmember Cameron: Shift off back and forth. But the first one intrigued the two of you first because last week, in our minutes, we came to a tentative working proposition that we would not require LEED standards for houses in the town because of the all of the certification problems people are running into.

And indeed, the city of New York is absolutely avoiding it. They've done it for their public buildings, but they're not doing it for their private buildings. Because at one level, if you're really wealthy you can go for LEED standards, but if we're trying to change the town ... and I'll read what New York City said: "*New York chose not to mandate LEED for private construction. Rather, LEED is intended as a leadership standard. After all, the 'L' in LEED stands for 'leadership,' not a baseline.*"

"New York City leaders want to raise the baseline to achieve large-scale change. Greening the codes has significant advantages over mandating LEED for the private sector. Codes create economies of scale in both expertise and materials, thereby lowering costs. Codes are also enforceable, and they build on existing institutions and industry practices. They can be attuned to the priorities and conditions of a particular jurisdiction."

I'm not going to read the whole thing. But the other thing, the city came to the conclusion that they had to do this. And they also had to do it and force people who are doing renovations to make dramatic changes to their buildings, as well. I forget what the number was; 75 percent of the buildings will still be around here in 2050, and they have to make a major change in the city before that.

I like seeing the architects in the back nodding their heads. What I'm saying, I must be saying something right on occasion. But that was one of the discussion we had. Now, this is just a working supposition. It's not that we won't encourage people to go for LEED standards if they can, but we were thinking that we might actually work on other standards -- Energy Star being one of them -- and looking at a whole bunch of other things.

So we are looking basically, right now, at New York -- what the New York greening codes task force came up with. That's what Eva and I were assigned to look at. I guess, just to go back to LEED again, the real problem is that an awful lot of people can't afford to do it and it actually could add significantly to the construction costs. On the other hand, it's utopia: we should all go for LEED. But I think it might be a problem. Maybe we should throw that one open for discussion even though we discussed it last week, rather than just go shooting straight through them.

Boardmember Wertz: It seems as if we keep coming back to that conclusion again and again virtually every time we talk about it. So I don't know how much we really need to discuss that more now.

Boardmember Cameron: I think the Conservation Commission people were going in a little different direction is why I brought it up.

Boardmember Dale: The one point I would make in response is that there are not a whole lot of sites available in the Village for new construction. So defining the difference between what we want for new construction versus rehabilitation is, I think, going to be significant.

Pointing people in the direction of LEED for new construction -- because there's not going to be a volume of building going on -- might make a certain amount of sense. Although we don't necessarily have to adopt the LEED.

Chairperson Speranza: Right. We don't have to require the certification of it. That's something we've spoken of also. And that whole idea of embedding, particularly for new construction; getting it into the code what is going to be required.

Boardmember Dale: Your discussion last month, which I wasn't here for, pointed to using your checklist -- like the checklist that's used in White Plains -- which spells out some of the basic principles that we would want them to pursue. And that that can be the dialogue between the architect and the Building Department in terms of determining when plans will be approved and how much they respect the checklist.

Boardmember Wertz: Maybe I'm jumping ahead, but one of the advantages, it seems to me, to using one of these programs -- not necessarily LEED but, say, Energy Star or one of the other ones -- is that they allow an analysis of existing buildings, or even a planning process for new buildings, that involves a number of different options so that the builder or the home improver can really select and tailor the energy savings and the means of sustainability to their own interests, the particular design of the house.

In other words, there are many different ways they can go. And they usually have to achieve a certain standard as a whole. So it's a kind of whole-home approach that allows a good bit of flexibility when it comes to the owner, but does end up with a kind of functional standard in the end that will achieve the global goals of sustainability. So there's something to be said for the flexibility of programs like that, rather than writing into the codes "You must do this, you must do this, you must do this." That could be a little bit rigid.

So depending on how those codes are written ... plus, I think for us to do the work of going through every item in the code that has sustainability implications, and then determining exactly what needs to be written into it, that could be a process that could take a very long time and a lot of debate.

Chairperson Speranza: Probably not by May.

Boardmember Dale: We're not mandating...

Boardmember Wertz: But what I'm saying is that if we could select a program that will achieve global results it might allow us to offer homeowners and developers a more flexible approach to achieving the goals we want. And I think that would be an alternative to actually writing these regulations into the code that makes some sense.

Boardmember Cameron: In fact, in his conclusions he had quite a number there: decrease allowable size of solar shades is an example; cool roofs was something in the mandatory side; allow attaching rooftop solar panels; allowing thicker walls -- even though they go across the sideline restrictions -- if the person wanted to add six or seven or eight inches to the thickness of their wall.

Anyway, they're all listed here: "*Remove zoning impediments to alternative energy.*" I'm not saying we're going to do these. I erred on the fact of putting most of them in there.

Boardmember Wertz: Except there, Jamie, you're seeing things that are relaxing restrictions that enable people to do things.

Boardmember Cameron: Well, it's a combination of the two.

Boardmember Wertz: And that certainly makes sense.

Boardmember Cameron: Yes. I was thinking we would try to relax some of them, too. "*Reduce overheating in apartments.*" It's a reverse regulation. That's the New York City classic. It may not be as prevalent out here. If you're on the bottom floor you're sweating, and if you're on the top floor you're freezing.

Boardmember Dale: There's actually technology that can respond to that if you require it. And monitoring the heat that's being produced in the building and adjusting it according to the actual temperature in various locations in the building can be done technologically. What a lot of landlords do now to prevent complaints is just set their dial and they don't adjust.

Chairperson Speranza: No monitoring.

Boardmember Dale: No monitoring, and they don't adjust for the time of day.

Boardmember Cameron: It's set for the number of phone rings they have.

Boardmember Dale: Exactly. So that increases the cost of maintaining those buildings.

Chairperson Speranza: Jamie, this list that you and Eva have put together are these all things which are required? This is not the checklist to pick and choose, like some of the point systems we've seen.

Boardmember Cameron: No, no.

Chairperson Speranza: These are the major points that are in the document?

Boardmember Cameron: These are the suggestions by the task force. The task force went through...

Chairperson Speranza: Got it. OK.

Boardmember Cameron: They've suggested all these things. You then have comments from builders, who haven't actually fully commented yet. They say some of them they like, but many they think need further work. It's in the middle of the battle over what they can actually do.

Chairperson Speranza: Well, that's interesting.

Boardmember Cameron: They have some back here which are near and dear to my heart, which is that we should be creating and using the 2080 floodplain prediction rather than the actual one now because we know it won't be true then. It's nice to see a whole panel agree on that principle.

Chairperson Speranza: And you may get your wish yet; the ones that are impacted here in the Village.

Boardmember Cameron: Anyway, there's just a whole list here. I think upgrading inefficient toilets, showers -- they actually don't tell us how they're going to have these occur. They have much better control than we do because they actually have, I think, an ability to amend their code. Whereas we don't have the same level of ability, subject to what our legal counsel says after we present her with the specific idea.

Boardmember Dale: But we're more capable of creating a sort of performance standard that we're shooting for, as opposed to specific items that we want amended.

Chairperson Speranza: Let me ask Bruce. A lot of the things that are in here are things that I saw in the document that you had circulated with respect to how to renovate. This was a document that Bruce prepared, and make sure you get a copy also: the renovation, things that are required as part of renovations. You sent it around.

Boardmember Dale: My company has created a green program for financing the retrofitting of existing housing. The person who was hired to be our green expert created this list. It's 10 items that every building ... that we would like to see every building in the city do, or to review in their performance. Built in to this recommendation, these are 10 items --

relatively simple and straightforward items -- that produce great results in terms of energy savings.

They're things like making sure you're caulking and you have proper insulation between the roof and the interior of the apartment or building; making sure your heating controls -- as I mentioned before -- function, and adjust. There are 10 items in the document, and the total cost of doing all of these 10 items in a typical 20-unit building would be something like \$3,000 to \$5,000 per apartment. So it's very inexpensive.

These same 10 items can be used on a private home. So the recommendation that I would make is that any owner who comes in who wants to renovate the building applies for a permit to renovate the building. One, they'd be asked to get an energy audit. They cost about \$300. They come with a scope of work that is recommended to do, and that scope should be compared to these 10 items.

The owner should be required -- as part of the renovation of that building, part of getting that approval for the permit to construct -- to meet that standard. And in that case, we're basically guaranteeing that they're going to reduce the energy needs of that building by about 20 percent per year...

Chairperson Speranza: As a result of the renovation.

Boardmember Dale: ... as a result. And that's a significant savings financially to them, as well as improving the quality of the air and energy costs for the country.

Chairperson Speranza: And that goes along with the kind of thing that we were talking about at the last meeting also, where we had mentioned that we want to make sure that the applicant -- if, as Deven and you were clear on this -- that somebody comes in, and we're going to ask them to hold to a different standard, or provide them with a standard, that may not exist before this gets enacted. That we make it clear to them, or assist them in the realization, that these types of improvements could actually save them money in the end. I think that's good.

Now Fred, you were going to look at Energy Star. I'm not sure how far you were able to get. [Sharon] XXX also had a contact -- a good contact, right? -- at the EPA.

Ms. [Kivowitz]: You'd think it would be better than it is. It's something that could be so good.

Boardmember Wertz: I can talk a little bit about Energy Star. I think we're in a process now of educating ourselves, educating the Village, and educating each other about what's going on. And I think it really is worth it for everyone to know what Energy Star is exactly.

It's really a program that was started back in the Clinton administration in 1992, which started out establishing energy standards for computers. Computers would get an Energy Star label if they had a certain level of efficiency. Then it expanded from there, and by 1995 they went into appliances, kitchen appliances. And eventually they moved toward standards for whole buildings, for houses, for new houses.

And to kind of jump to the present, these standards have been adopted internationally by a lot of different countries that have formed partnerships with the United States in these initiatives. In 2006, 12 percent of the new homes in the United States got Energy Star certification.

Chairperson Speranza: For the entire home.

Boardmember Wertz: For the entire home. What that is actually, physically, is that there's a planning process that goes into building the home, that it aims to achieve a certain rating. They evaluate buildings -- could be commercial buildings, residential homes, really anything -- on a scale from one to 100. What they require for this certification is a 75. This is set in relation to the international residential code.

Just to give you an idea, the federal codes are relatively more relaxed. Energy Star-efficient homes are 20 percent to 30 percent more efficient than the federal standards, and they're about 15 percent more efficient than the international residential code. So in general, it is a good assurance of improving the global situation when this takes place. Either planning a home improvement or planning a new building, there are many analytic tools, software, that can explore various options for energy efficiency ranging from insulation to new windows to duct systems, plumbing, waste management, and then even right down to the appliances like your dryer or your heating system, your air conditioning system.

It's really the total package that qualifies a home, whether it's a new home or a renovated home or a commercial building -- a new or renovated commercial building. When they do get this certification, they put a sticker that says "Energy Star" on the electrical box in the basement. It's right there. Now, the incentive for this is that, first of all, it saves on energy bills, they estimate, between \$200 to \$400 a year.

It also assures a person who buys such a home that they are not going to have a lot of costs down the road as standards and codes become more strict and require investments on their

part in order to increase the energy efficiency of the home. So in a sense, you know you're going to have some savings on energy bills, and you also know you're not going to have to incur certain costs in the future because the home is pretty well set already.

Usually there's this planning process. Then, whether it's renovation or it's building, a certain combination package is chosen from among all the alternatives; the goal being this kind of rating of 75.

Then there are assessments that may take place during the process of the construction to make sure that the building, as it's taken place, is meeting the standards that were aimed at in the planning phase. But then in the end, there's an assessment of the outcome. That's where you actually get the sticker.

Chairperson Speranza: The statement.

Boardmember Wertz: The star, the blue code.

That's kind of how the system works. Anyone can have their home evaluated, and you can actually go a long way toward evaluating it simply by giving information into software packages that are available on online. There are a lot of resources at the Energy Star Web site for assessing one's home. And then I think, as Bruce was saying, one can also have a professional consultant do an assessment. There are contractors that are ... I'm not sure if they are, themselves, certified, but they're very familiar with Energy Star and are known experts at planning and assessing.

I think one of the things we could do would be to make available to our Village residents lists of contractors that will perform renovations in this way and help homeowners assess their situation, explore the options, actually do the work, monitor the outcomes, and then in the end have a kind of a professional assessment that would lead to the actual certification with the sticker.

So that's, I think, a lot of how the Energy Star system works. I mean, it would be quite possible for Hastings to say that all new buildings would have to have an Energy Star certification. It would also be possible for the Village to take an initiative to upgrade all municipal buildings to Energy Star status, or to even assess them and see where they are and then to devise a plan that would, over a certain amount of time, gradually bring these buildings all up to that standard and, in that way, kind of take a leadership role in the Village.

We have the waterfront construction. There is going to be development. One of the main points of the Comprehensive Plan which is, by the way, going to be reviewed in a series of

town meetings in April and should even go to the Board of Trustees as early as May of this year ... this May month is a month when a lot of things are converging. One of the things that's recommended, I think the Energy Star thinking and planning and resources have informed the Comprehensive Plan quite a bit.

One of the things it calls for is an energy manager and an energy team in the municipal government, which would take the lead in assessing all the municipal buildings and play a key role in the planning that would bring those buildings up to grade.

Boardmember Cameron: One of the things I think is interesting, New York City, in looking at Energy Star, rates it as the lowest-cost change. In other words, it's below 1 percent. This summary, this report's, eight pages. They have a full report which is much longer, but they have an appendix which actually gives the analysis of how they come to those costs.

Chairperson Speranza: One percent above a traditional renovation?

Boardmember Cameron: No, it's probably one-tenth of the percent. The percentage is a little unclear here, but it's very small, exceedingly small.

Chairperson Speranza: But that's primarily energy.

Boardmember Wertz: Well, Energy Star involves all the various systems: the ductwork, the insulation, windows.

Chairperson Speranza: So it could be a component of other things.

Boardmember Wertz: And also the appliances.

Chairperson Speranza: And water.

Boardmember Wertz: And water heating, and waste management. So it really is a whole-home approach that really takes all these things into consideration. But it also, as I was mentioning before, leaves a certain amount of flexibility as far as what standards are achieved in any particular area of the house. So there are many different ways of achieving the certification, depending on what you want.

Chairperson Speranza: So it's a Chinese menu again.

Boardmember Wertz: It really is. And by the way, there are more than 50 systems like this that are currently out and can be utilized. And they all do things a little bit differently.

Boardmember Alligood: Well, that's what we're finding.

Boardmember Wertz: So it's a dizzying situation if you want to try to select from among over 50 of these programs.

Chairperson Speranza: I know we're going to make our own.

Boardmember Wertz: I think that the Energy Star sounds like it's a really central one, since it has been guided by the Environmental Protection Agency and really spearheaded by the government and has had this kind of international success and has been going on for, now, 15, 20 years and has all these resources in terms of software and guidelines. It's very well spelled out.

I don't know this for a fact, but it seems to me that probably a lot of these other programs are variants of the Energy Star, perhaps trying to be stricter or whatever their particular bent is. But if we're thinking about these programs, without having really compared all 50, it seems as if Energy Star is a kind of standard and very basic, well-established approach. It's not quirky or offbeat or non-mainstream.

Chairperson Speranza: That's good.

Boardmember Alligood: I want to add that I think it covers buildings.

Boardmember Wertz: And it's comprehensive. It handles home improvements, it handles new buildings, it handles residential. So in that sense, it really does cover the waterfront that we're looking for.

Boardmember Alligood: I think what it doesn't cover, and what's recommended in the green task force -- and we talked about this last time, too -- is landscaping practices. This goes to our role as a planning board in site review, just the kinds of things that we want to encourage in terms of paving, stormwater management. Those kinds of things, I think, are critical and come to mind as I think of recent projects where I've had concerns. So I just think this wouldn't cover everything that we should be looking at.

Boardmember Wertz: It's more of an indoor situation.

Boardmember Alligood: Yes. It's the building envelope and what's inside it but, I think very critical, is a look at some of these practices.

Boardmember Wertz: Outdoor.

Boardmember Alligood: Which would really go into our site planning review process. So we can have a separate checklist in terms of practices that we want to encourage. I think we need to review some of our own codes that may be running counter to our sustainability goals. Because the one I mentioned last time is just the amount of parking that we require on some projects, maybe taking out some of the long direction. I think those need a close look.

I don't think we should reinvent the wheel on that. Hopefully, there's another municipality that has come up with a checklist for sustainable landscaping. Actually the workshop that you and I went to on stormwater management, I think that had some very good suggestions about what to say to homeowners who are doing renovations that are going to go beyond building. You decide where your driveway goes and how much patio you want to put down, and stormwater runoff management is the key issue for sustainability. It's enormous.

Chairperson Speranza: I think we're going to end up with a hybrid of some sort, and maybe it's a standard to be met or something to be included in the zoning code dealing with buildings and the building code and energy. We really do have to look at our code. We do, and that may not be something that ends up being done by May. Maybe it's the plan -- the implementation plan, the implementation strategy -- that we put forth, and say, "OK, this is something that we all feel very strongly about. Let's start this. This is the short-term action that we think should be taken. But then over the course of the next year, we need to do this and this and this and this."

But we can talk more about that. And Kerrie Jane, we'll just talk. We could do a joint meeting with the Conservation Commission or find a date that would work, and then however many of us ... if we're not doing a joint meeting, then we can't have more than four, or we can't have four, right?, members if we're going to do...

Village Attorney Stecich: You can have it, but you just notice it.

Chairperson Speranza: Well, we could do it as a work session. Right?

Village Attorney Stecich: You do it as a work session. You may as well make it a public meeting.

Boardmember Dale: And invite people in.

I was going to remind you, when I came back from that conference, that Greenburgh has adopted Energy Star as the standard.

Chairperson Speranza: And then LEED, but you don't have to be certified LEED.

Village Attorney Stecich: But in Greenburgh, the LEED is for commercial and public buildings. Commercial they define as including multi-family. So they have to meet LEED standards, and then everything has to meet ... one- and two-family, not commercial, and multi-family after three stories have to meet Energy Star. It's just one simple sentence in the code.

Boardmember Cameron: Could you draft that, and we could vote on it?

Boardmember Wertz: Just to your question about scope, Patty, one of the things I found interesting in Energy Star is that they have an indoor air package label which counts for a certain number of points within this. It has to do with dust, mold, and the whole indoor air quality. Which also kind of suggests how the flexibility can be used. If a particular family is very interested in that, then they may invest more into that and then it will be a special feature of that home with, actually, a label for that package within the total home.

It's not just about windows or insulation, or even fuel efficiency. There are a lot of different components to it.

Chairperson Speranza: This is an open discussion. We've got some people who have experience in the field.

Boardmember Wertz: Probably know more than we do.

Ms. King: I just wanted to mention, in reference to Bruce's comment, that NYSERDA -- when a homeowner has an energy audit done -- has a program with a list of certified contractors. If you use a contractor certified by NYSERDA you will get the \$300 for the energy audit itself covered if you proceed with the project. So they will cover 10 percent of the cost of the project, plus the \$300 audit. That's something that anyone who's watching should know about.

Chairperson Speranza: Sounds great. And that's in effect now.

Ms. King: That's in effect now, and it's ongoing. Actually, a neighborhood in Hastings, 11 households, teamed up with two NYSERDA-certified contractors and did energy audits and

had insulation and all sorts of other improvements made to their homes and are very, very pleased about it.

We're actually going to be preparing something for the Web site, and they're out looking to encourage other residents to do that. So that's something we can do on an ongoing basis through outreach and education for those people who aren't planning on making a major renovation or building a new home, but who simply are looking to save energy.

Chairperson Speranza: Save on energy costs.

Ms. King: Yes, thanks.

Boardmember Dale: The one problem with Energy Star standards is that it excludes ... if you mandate Energy Star standards, then NYSERDA grants and loans are not available in the same district because it's mandated, as opposed to an incentive.

Chairperson Speranza: Right. Because it's only one tier of grants? Anyway, we're trying to find more out about that limitation.

Boardmember Cameron: That's what I call shooting yourself in the foot. But that's silly. We should be doing it anyway.

Boardmember Dale: NYSERDA's whole program is under review right now by the state because there's overlap between what Con Edison and National Grid is preparing. Con Edison now has a program as well to offer incentives to homeowners to do energy audits and do the repairs that are necessary. So there's conflict between the two, and it's being reviewed. I understand the results are going to be announced very shortly, and NYSERDA's program will be changed as a result.

Keith Hughes, 33 Washington Avenue: I applaud you for the work. I just have two comments. Have you gone to the foundation center in Manhattan to try to research more grant opportunities?

Chairperson Speranza: No, but thank you.

Mr. Hughes: That's their job is to help organizations and individuals find grant money, and that might be a way to at least kick over another rock.

The other is, don't overlook geothermal heat pumps. Not only is it sustainable, you can do heating, cooling, and hot water all in the same thing. Thank you.

Chairperson Speranza: This was really good information, very good. And I think it will help to progress us sending report recommendations to the Board of Trustees. I'll follow up with [Kerrie Jane and we'll find a time we can get together and discuss it in greater detail.

Boardmember Cameron: Do we have a copy of what other than the couple sentences? What Greenburgh has done, or what their process is?

Chairperson Speranza: That's all it is.

Village Attorney Stecich: No. That's on Energy Star.

Chairperson Speranza: Oh, the LEED standards.

Village Attorney Stecich: That's right.

Chairperson Speranza: I have to figure out how to print that out.

Village Attorney Stecich: It's on the Web site. If you go to the Town of Greenburgh Web site, then it's actually chapter 233. It's a whole chapter in their code called "Green Building Initiative & Energy Conservation Construction Standards." In short, what it says is that public buildings and commercial buildings have to not be LEED-certified, but meet those standards. And most of the chapter is just procedure.

The provision about Energy Star is in section 100-15. It's in their building, fire and plumbing code. It's just one sentence. It says: "*No building permit shall issue for any new one- or two-family dwelling, or multi-family dwelling of three stories or less, unless the applicant certifies that the dwelling will meet the requirements for the New York Energy Star label.*"

But the other one, and you can look at it, is just mainly on how ... they don't even call it their building department. It's their "green building compliance official," which could also be their building inspector.

Chairperson Speranza: I think it's their commissioner of planning.

Boardmember Cameron: But do we know of any other communities, for instance New Castle or any other places that have done it which are the more progressive ones? Do they have anything about green code? Because I think we really need to copy people who are in

Westchester County, or we could go all the way up to Putnam or Dutchess. But it would be good to find people in New York State who have done this, and see what they've done.

Village Attorney Stecich: You know what? I'll call the municipal law resource center. The Village belongs to that. We pay to belong. I'll just call them and ask them to send me legislation. He has them all online, and then I should be able to do a search.

Ms. Kivowitz: There's been a lot of work done in various different villages and towns. I know New Rochelle has something, Mount Kisco has something. They vary, they really vary.

Boardmember Cameron: It would be great to get copies.

Ms. Kivowitz: I've been collecting, so I can share with you.

Boardmember Cameron: OK, that'd be great.

Ms. Kivowitz: The city of Telluride, Colorado has a really comprehensive checklist. I forwarded that to you. I was really impressed with that checklist.

Village Attorney Stecich: I have to say, when you're looking for model laws, New York, with all due respect, none of them are as good. They're much better out West. Colorado, California, and even some of the Midwest places seem to have more progressive statutes just generally.

But one other really kind of basic question is, I know that the state is working on this model energy efficiency code, whatever, and it's going to be in place, I suppose, in about a year. They have the model now. I don't know. Are we being repetitive of what's in there? Has anybody looked at that to see how much of that covers what we might want to do?

Chairperson Speranza: I haven't looked at it.

Village Attorney Stecich: I know, that's the booklet. I meant the actual code. It might be really helpful. I think the draft is available online. It's really long, though.

Chairperson Speranza: I'm sure it's very long.

Village Attorney Stecich: But it would be useful to look at that to see how much of that covers what we're trying to do. Because we don't have our own building code; we use the state model code. We don't have our own. There's a huge amount of time. There's already

been a lot of time, but I meant in terms of writing new laws and stuff it might be helpful to find out how much of it may already be in the works in this model code.

Boardmember Cameron: I agree with you on that. Even though there's a lot of things we can do in between in our own code to assist ourselves, a very simple example is driveways that feed most of the water into the street. That's where it comes from. And if you required people to have diagonal cuts in their driveway to draw the water off to the two sides of their property, rather than have it just flowing straight down the driveway into the street, we could cut out a lot of water. And we could do that in our code without it being part of a building code.

But I think one of the things I'm hearing from our two colleagues out here is that we also should be spending a lot of time educating the people in this town so we can get them to start moving in that direction, as well as trying to change the law. But I think we have to educate ourselves. I mean, I don't want to slow down on this thing. Because I want to learn all I can: we look at someone else's code and become more informed people on this board, and actually do something.

That's why I'm so eager to see these other codes and what people are doing, not that I'm going to learn a lot from one sentence, I suppose, in Greenburgh. One of the advantages that Energy Star is going to say, which is one of the things that New York's doing, is New York's going to require people who are renovating a building that they put all Energy Star appliances into the building. And that's something. We are different than New York City, but we are the same as New York City in the fact that our buildings are going to be here for a long time.

It would be nice to get people moving forward in trying to make their homes more efficient, particularly since I think a lot of us think that an Energy Star appliance will pay for itself. So we should do more than encourage people. We should actually push them over the cliff, so to speak, to get them to do it.

Chairperson Speranza: Right. And just remember, we're going to try to balance that with what is realistic to expect in terms of enforcement. That's why I think when we go back to some of the things we talked about last month, again, maybe the incentive is you're going to have to pay: if you want us to take your old washing away you're going to have to pay the Village \$25 to haul it away unless you're going to show us that you replaced it with an Energy Star appliance. I think that's a really good idea. Then Deven doesn't have to go knock on anybody's door and say, "So did you replace your dishwasher with an Energy Star dishwasher?" It's those kinds of thing.

Boardmember Cameron: They do say in this study here -- everyone on the committee said -- that one of the key things the city has to do is go into enforcement in a big way. Because people will always choose the lowest common denominator. So every last one on the committees -- and they had about, I don't know, 10 or 15 committees -- and at least half of all the architects on every committee had LEED after his name or her name. So they're already invested in that.

Chairperson Speranza: OK. So we will continue this discussion on a subcommittee or a work session level, with our colleagues on the Conservation Commission?

Boardmember Cameron: Would it be possible to get a copy of these documents Marianne has access to, on an interim basis?

Village Attorney Stecich: Greenburgh?

Boardmember Cameron: Well, what other towns are doing, to the extent that the municipal legal law center...

Chairperson Speranza: From the municipal law center.

Village Attorney Stecich: Yes, when I get it I'll forward it.

Boardmember Cameron: That would be great if we could do that because we could all be studying it in between.

Village Attorney Stecich: Sure.

Boardmember Cameron: And we could add the two of them to our list, our email list.

Chairperson Speranza: Definitely.

Boardmember Cameron: Email's cheap.

Boardmember Dale: Them, plus the rest of their commission.

Chairperson Speranza: OK. Anything else? Great. Thank you.

Boardmember Alligood: Thanks for coming.

IV. PUBLIC HEARINGS

New Business

- 1. Public Hearing on the application of Hastings-on-Hudson Property, LLC and Blue River Valley, LLC-for review and recommendation for View Preservation Approval for a new house to be constructed at 663-665 North Broadway.**

Chairperson Speranza: OK, we'll go backwards now. We have a public hearing. We'll start with either vision plan or steep slopes, or you can have one presentation and cover both issues. But it is a public hearing, so at one point we will take comments from the public.

David Steinmetz, Zarin & Steinmetz - for the applicant: I am representing Blue River Valley, LLC and Hastings-on-Hudson Property, LLC. With me this evening is Michael Robinson, a representative of both applicant entities; Noah Yaffe from the architectural firm of Steven Holl Architects; John Cavallero, from Huff Wilkes; and our project engineer, Paul Patretti.

I want to start by thanking you, Madam Chair and members of the Board, for accommodating me and taking your other item out of order. I was in another municipality earlier. I had mentioned to Marianne that I would do the best I could to get here on time, but I had a feeling I was going to be a little bit behind your 8:15 start, and raced down here. But 8:30 wasn't too bad.

Chairperson Speranza: Well, I hope you found it interesting.

Mr. Steinmetz: It was terrific. Actually, one of my partners is LEED-certified. It's now becoming in vogue not only for the architects, but for attorneys, to get LEED-certified. A lot of our projects these days, if they aren't seeking certification as you all were talking about, they're trying to hit the criteria; trying to hit that checklist. It's a vernacular we're all going to need to, obviously, become familiar with in land use, and environmental and planning.

And I'm certainly very proud to be standing in front of you in connection with this application because there are a lot of components of Noah's and Mr. Holl's design which are something that the Village will be extremely proud of from an environmental and conservation standpoint.

But tonight we are here on two specific applications, and we're going to take them somewhat together and somewhat separately. We certainly understand that before you tonight you have

both a steep slopes approval request as well as the vision plan. We filed with your Board in advance of this evening, with Mr. Sharma, what we believe to be all of the requisite documents for both applications. We sent out the necessary public notices to the neighboring property owners. I believe we filed all of the necessary confirmations of those notices. Mr. Cavallero provided that to the Village, as well. So we think we hit the procedural requirements to get us here.

You'll recall, when we last appeared before you in December, we were here in connection with our application for resubdivision, or lot merger, which was granted. Now we've submitted some additional materials that we're going to go over this evening. We submitted some materials that we think satisfy the necessary statutory requisites in your two provisions; one on slopes, the other on vision plan.

Starting with slopes, because our property -- which I should say for the benefit of the record, I know you're all familiar, 633 and 665 North Broadway-- our property, as you all know, extends from North Broadway out toward the Metro-North rail tracks. And as it proceeds westerly we encounter -- as most of the properties in Hastings -- along the right front, slope conditions.

We have, on our property, both 15 percent to 25 percent slopes, and some amount of 25 percent or greater slopes. We did the necessary analysis to determine the threshold, the analysis required by chapter 249 of your code. We satisfy [249-5A] XXX in the 15 percent to 25 percent category. We are not permitted to impact more than 35 percent of that slope category. We satisfy that because we're impacting only 26.49 percent.

Similarly, under [249-5B] XXX -- that's your statutory provision in terms of thresholds of impacting 25 percent or greater slope areas -- in that category, one is not permitted to impact more than 25 percent or more of that slope category. Again, we satisfy the requirement in that we only impact 20.81 percent.

All that material, all of that information, is contained within the slopes map that was provided to you. It categorizes the slopes. It indicates the areas of disturbance and the mathematical calculations.

With the help of our project engineer, Paul [Patretti] XXX, we also supplied you with a site plan, a stormwater runoff analysis, and a review of drainage courses within 500 feet of our property which, again, is something that your code requires. One of the other things that Mr. [Patretti] XXX did, in his certified statement that we provided to you, we indicated all construction measures, all mitigation measures, that would be taken during construction to safeguard the slopes, to safeguard stormwater runoff and sedimentation erosion control.

Then we also gave you a separate section where we identified the measures that the applicants are proposing, with the help of their team, post construction; the things that will be implemented on an ongoing basis to, again, safeguard slopes, et cetera.

The result of all of these engineering and construction protocols bring us to, essentially, the statutory standard. Mr. [Patretti] XXX was able to conclude, based upon the analysis and these measures -- and I'm quoting from the letter that we provided to you -- that "*the proposed mitigation measures will prevent, to the maximum extent practical, the adverse effects of any disturbance of the steep slopes area on the environment and any neighboring properties.*" And we were able to go and state that "*the proposed activity will disturb the steep slope area to the minimum extent possible.*" Both of those are standards that come right out of your code, section [249-7-A6] XXX.

I should also mention, in analyzing the site and reviewing construction options, et cetera, the applicants and the team have actually decided that rather than relocating a driveway and creating a new curbcut on Route 9/North Broadway the determination was made to just continue using the same driveway access that currently exists providing access to the site from the north. So by doing that, we eliminate any need to, as I said, create a new curbcut. And that's something that Noah will show you when we get to the plan.

Let's move on to vision plan.

Village Attorney Stecich: Actually, could we do the steep slopes? Because I had a bunch of questions. I compared what was submitted with what we require, and there's several things that I ... they may be shown, but I don't see it.

Chairperson Speranza: Yes, that's fine.

Lisa Zimmerman, 737 North Broadway: Can you confirm which properties ... I don't know how to do this.

Chairperson Speranza: I'm just wondering, is this steep slopes?

Ms. Zimmerman: It's relating to a letter.

Chairperson Speranza: OK. You know what? I'm wondering if there's a ... do you have a board that's got the steep slopes map on it? Because I think that will be helpful for reference for people who are here in the audience. If not, if you want to attach, you can attach this to a board.

Ms. Zimmerman: I live in one of the buildings in Hastings Gardens Cooperative, of which I'm a member of the board of directors. I'm just curious. We actually border on part of the Shaw property, the former [Freitag] XXX. I don't believe we received a letter to our organization outlining any of this, and I just want to confirm that we did get it.

Mr. Steinmetz: I'm sorry. What organization?

Ms. Zimmerman: We're with Hastings Gardens Cooperative.

Ms. Zimmerman: Was that on our list?

John Cavallero, project engineer - Huff Wilkes: This was a list provided to me by the Building Department, and a notice was sent to Hastings Gardens [Owners Corp., attention Erin Cyrus, noted] XXX at 1725 I Street, 600 Washington, D.C., 2005.

Ms. Zimmerman: OK, that is our previous mortgage holder. That's null and void now, so we'll need to speak to you to give you correct contact information.

Mr. Steinmetz: That's fine. Just so you understand, what we do is we rely on the records that are maintained at the Village hall.

Mr. Cavallero: And from the assessor's records.

Ms. Zimmerman: Right. Because NCB was our previous mortgage. We refinanced a year ago, so that information's not valid. OK, great.

Mr. Steinmetz: Just so the Board is aware, we did what we felt was a conservative mailing, and we actually did discuss this briefly with the Village. There was some judgment call as to what was across the street. We mailed to a fairly large spectrum of folks. We're glad you're here, and glad you got notice in some fashion. And hopefully, we can answer any questions that people have.

What we have done is put before you the slopes analysis map that was prepared by Paul [Patretti's] XXX office. As Noah has in front of us, it is a map of the site, with the proposed home with the driveway as indicated. We have the driveway curbcut, as you can see, straddling both our property and the property immediately to the north. It's got the slope condition on the left-hand side of that plan. That's where we see, predominantly, the 25 percent slope as it goes down to the railroad tracks. And then there are pockets of 15 percent

to 25 percent slopes located adjacent to the 25 percent, and then there are some a little further up to the east on the property.

Marianne, did you have some questions you wanted us to address?

Village Attorney Stecich: This one probably doesn't make a difference, and maybe it's because of the size of the property here, but I assume you could work with this. The scale was supposed to be at least 1:10. This is 1:20. But if that's OK with everybody, I think maybe because of the size of the property ... the percentages you have disturbance, saying that it won't be stripped or regarded or whatever, can you also ... the fourth other thing that can't be done is strip the vegetation. So can you just state, and clarify, that nothing more than those numbers you gave will be stripped of vegetation?

Mr. Steinmetz: I actually thought I went even broader by saying it won't be impacted -- those areas won't be impacted -- at all. And certainly, stripping would impact it. But Marianne's right. For clarity of the record, by no means will those areas be stripped of vegetation. Those of you whom we've spoken with, both at Board meetings and at the informal meetings, it is the intention of my clients to certainly maintain vegetation and enhance vegetation. There will be a rather attractive and extensive landscape plan that will be implemented in conjunction with this.

By no means do we want to develop this site and denude it of its vegetation. In fact, our clients are extremely proud and pleased with many of the trees on this site which, I gather, did survive the storm. We were very concerned as a development team that ... we spent a lot of time. Noah has designed a lot -- has spent a lot of time designing -- around some of these magnificent trees. We did not want to find that Mother Nature had removed them.

Driving here this evening, I see that some of your community got impacted. I live up-county. In certain sections of the northern part of the county -- I guess New Rochelle, down-county -- devastation. Scarsdale, devastation. I hope you all were lucky here.

Our site, we were fortunate that ... no?

Boardmember Wertz: Not that lucky.

Chairperson Speranza: No, there are still people without power here.

Mr. Steinmetz: Wow. Well, that's right. There was that traffic light on the way down that was...

Village Attorney Stecich: That's in Dobbs, yes.

Mr. Steinmetz: In any event, I'm pleased to tell you, Marianne, we're not going to denude that hillside.

Village Attorney Stecich: OK, that just has to be put...

Now the limits of disturbance, I see some limit of disturbance lines but not everywhere. For instance, if you go look around where the tennis court is, where's the limit of disturbance lines?

Mr. Steinmetz: If I can, the limit of disturbance line was implemented -- Paul, correct me if I'm wrong -- in the slope condition areas. So for the sake...

Village Attorney Stecich: Oh, you only did it on the slope part.

Mr. Steinmetz: What we did was, in connection with the steep slopes application we identified where the limit of disturbance line is. If anyone has difficulty we certainly can trace it out on the map.

Village Attorney Stecich: No, I did see it on there. So you just did it on the slope part.

Mr. Steinmetz: We did it in connection with the slopes.

Village Attorney Stecich: OK, so the same thing with the two-foot contours. I think that works. It's not what it says, but I think it works.

Are there any details on here for the house that's being removed? I could imagine that there could be impacts on drainage and erosion from the removal of a house, depending on how it's situated in the site. I didn't see anything about that.

Mr. Steinmetz: From a construction standpoint, we identified the measures that would be utilized in construction both for the demolition and for the construction, the safeguards.

Village Attorney Stecich: Well, only in general terms. It just said, "We're going to use hay bales," and we're going to use this, but it doesn't say ... it's not really very detailed about that. Usually it says where they're going to be -- where the silt fence is going to be, where the hay bales are going to be -- unless I'm missing something. Paul just has a list of general things you're going to do on page 2: hay bales and silt fences, temporary sedimentation basins. Is that stuff shown on the drawing?

Mr. Steinmetz: Paul, again, correct me if I'm wrong. Not every single mitigation measure is actually shown on the drawing. But under the code, the sections that we were looking at require a statement of the methods to be used to mitigate or eliminate water runoff onto adjacent properties, and the methods to be used to minimize the impact of changes in topo and to nearby properties.

So I thought we actually went very carefully through the requirements in your ordinance to give you that. If there's something that's lacking, or that the Building Inspector...

Village Attorney Stecich: But generally, when I see sedimentation control plans it shows where this stuff is. You're just saying you're going to use it. That's not a method, to say you're going to use it. It's usually detailed on the plan. I mean, it could be the Board's comfortable leaving that to the Building Inspector to make sure that it's going to work, but it's not on the drawings we have.

And also, I raise again the question about, I don't know -- obviously not being an engineer -- but it just strikes me that taking down a house could have some drainage and erosion implications. I don't know, maybe it won't. But it's not just enough to say, "Oh, yeah, we'll use hay bales." How are you going to...

Mr. Steinmetz: Neither of the houses are located in a slope condition. So I think one of the reasons ... and, again, maybe it's not clear in the code, but the code certainly didn't seem to call out for us to identify slope mitigation controls for removal of structures or, for that matter, construction of a tennis court in a non-slope condition.

Village Attorney Stecich: No. Then maybe the thing to say, because this plan doesn't show the houses being removed, that none of the houses are ... none of the affected houses, or the removed houses, are in a steep slope area. Maybe it's enough to clarify it for the record now, but that just isn't clear to me on the drawings.

Boardmember Cameron: Are you sure there are no houses on that 12 percent, 15 percent slope? There are no houses, I'm sure -- no, that 12 percent to 15 percent...

Mr. Steinmetz: That was certainly my understanding. I've confirmed with Mr. -- hang on. For the benefit of the record, neither the [Freitag] XXX ... neither of the two structures located on our property are located in a slope condition. The removal of neither home will require any kind of particularized slope protection measures.

Obviously, standard demolition measures will be implemented. We cannot remove, and have no intention of removing, either structure without complying with a fully-submitted demolition permit application to Mr. Sharma. I assume, Deven, we do need to submit a demo permit to you before we can remove anything.

Building Inspector Sharma: That could be part of the construction permit itself.

By the way, the pre- and post-development calculations from the runoffs and everything takes care of it: the built-up area pre- and post demolition. And the fact is that neither of the two houses happen to be in sloping parts of the property.

Village Attorney Stecich: That's been explained. It was not clear from the drawings.

Building Inspector Sharma: I looked at the plan, and I didn't necessarily see a discrepancy that needed to be brought to your attention.

Please speak in the microphone.

Ms. Zimmerman: I'm curious just because I'm getting up to speed here. The removal of the house you're talking about right now is only the [Mitzman] XXX house?

Paul [Patretti] XXX, project engineer: No, it includes the [Arno] XXX house, as well.

Ms. Zimmerman: But the [Freitag] XXX house...

Mr. Steinmetz: Is not part of this application.

Ms. Zimmerman: So it's going to stay there.

Mr. Steinmetz: It's not part of this application.

Ms. Zimmerman: OK. I don't know what that means, but OK.

Mr. Steinmetz: Nobody's touching it. We're not asking to do any...

Ms. Zimmerman: Gotcha. OK, I was confused. Thank you.

Noah Yaffe, architect - Steven Holl Architects: The border where the [Freitag] XXX property starts, but that's not part of this package.

Building Inspector Sharma: Noah, would you please identify yourself for the record?

Mr. Yaffe: I'm from Steven Holl Architects. I'm part of the architecture team working on the design for this project.

Mr. Steinmetz: If you have no other questions...

Village Attorney Stecich: That's it.

Chairperson Speranza: There is something that I think is a very ... you raise a good point, Marianne. I'm open to the opinions of my fellow Boardmembers here. During the construction ... one of the things that I take is the impact of the stormwater during construction, particularly the railroad tracks and the adjacent property owners. And I'm just wondering, without their being a plan for the ... how that stormwater gets handled during construction; how they are protected.

I don't want to be in a situation where, for instance, Metro-North says, "Hey, wait a minute. What's all this silt coming down onto our tracks?" or whatever. And there's nothing on the plan that shows that kind of mitigation, erosion control, that has to be put in place during construction.

Building Inspector Sharma: Those plans are expected as a part of the permit, erosion control measures and everything. When they file for the building permit, at that time I would expect to see them and make sure they're adequate before I'll issue the permit.

Mr. Steinmetz: If I may, Madam Chair, two things in response following up to Mr. Sharma's comment. Number one, it's unquestionably in our clients' interests to make sure, with regard to Metro-North or any other neighboring property owners, that all appropriate measures are implemented. And there's no question that they will be.

Having said that, you still need to make sure that that's the case. So I would suggest, and would offer for the record, that before any building permit is issued -- and, quite frankly, before any demolition permit is issued -- that we submit to the Building Department, to the satisfaction of the Building Inspector, all appropriate plans that locate the measures that we've identified.

We know we need to give you silt fencing, hay bales, vehicle washing areas, staging areas, et cetera. Before anything is issued from the Building Department, the location and the precise size of these things would be validated. Again, we can assure that we know we're working

on a site that requires protection. Any site does. It matters an awful lot to our clients and to the entire team that we do that.

Chairperson Speranza: Right. Comfortable with that? Does anybody feel that we, as the Board, need to see it, need to see these plans? We will accept the judgment of the Building Inspector that they are sufficient?

Boardmember Cameron: That's fine with me. But I take your point very seriously because a lot of people go to work every day on that railway line. And as you well know, that particular piece of the property has already suffered a landslide several years ago. So you're sitting on something which is pretty delicate, and it could go down the hill again.

Mr. Steinmetz: Comment noted. Our clients spent a fair amount of time, money and effort ensuring against any kind of failure of that slope for the benefit of others.

If there are no comments, at least at this point, on slopes...

Chairperson Speranza: OK, just let me find out if there's anything else from anyone in the public who wants to comment, particularly on the slopes. OK, yes.

Mr. Steinmetz: Certainly. If anybody comes up with any more slope questions, we're willing to take them out of order.

As far as view preservation, next we've also submitted a packet of materials in connection with section 295-82 because this property is an a VP, or a view preservation, district. Noah's going to explain the details of the plans and the photographs that we submitted. You'll recall we had discussed with you at the last meeting some of the locations where we were going to conduct our photographic comparative analysis. We've actually expanded that and gone somewhat beyond that.

We shall demonstrate how this building -- this structure, this single-family home that's being proposed -- causes the least possible obstruction of views of the Hudson River and Palisades for neighboring property owners and adjacent public properties. Again, that's the standard that's set forth in your code. We believe that our photographs and our analysis bear that out.

What we would like to try to do is walk through that. We would like your board ... after you conduct the public hearing tonight, we trust that we will be able to answer the questions that we have received from you and from the public. We're hoping that this evening you're in a position to close the public hearing and issue a report and recommendation.

The reason I say that, and I'm not certain all of you are aware, we are actually on the Zoning Board of Appeals agenda for next Wednesday evening. Procedurally, this board is supposed to make a report and recommendation. We hope you're able to do so. We think we're going to give you adequate, sufficient information to do so. We'd ask that you make that report and recommendation, and indicate that an approval would be appropriate.

Again, we would also, if possible, like to close the public hearing on the steep slopes application and conclude that so that we can really begin in earnest, once we have that, to work carefully to formulate our final building plans, work with the Building Department, and move forward with this application.

So that's our goal. I'm going to have Noah walk us through the analysis.

Mr. Yaffe: Thank you very much. David, I actually want to thank you for being late today. Because I was quite happy to actually sit in on your discussions regarding greening the code, and I really laud your efforts in that, and it's very interesting to hear.

Chairperson Speranza: Thank you. Any suggestions?

Mr. Yaffe: No, I think you're asking the right question. The conversation about metrics, and how you essentially ... what metrics you choose to enact what you're trying to achieve is quite important. We've done a number of LEED-certified products, but we've also done projects where we haven't pursued LEED certification, and conscientiously so, but chosen other metrics that we felt superseded LEED, for example. So it's interesting to hear the discussions you're going through.

But tonight we're here to talk about our proposal. So here is what we have, our proposal for the home on the now-merged lots. Really, when we first came to the site, and when our clients first came upon this property, it was really the amazing views, the great open spaces, and the unique trees that really captured and captivated their imagination and love for this place. That, for us, became really the departure point to how to begin the siting and design of this project.

So our primary concerns from the get-go were with maximizing views, maximizing open space, and preserving as many trees as possible. To that end, the home is sited more at the western edge of the property, creating a large open space and maximizing the open space between the home and North Broadway. So it's about 400 feet from here to North Broadway.

In our initial site analysis, we found that one of the primary viewing corridors for the public was actually this curbcut that exists here. It comes right down this swale along here and provides a great view to the Hudson, which we'll see in some other images. So we were very conscientious about siting the house away from that, up around this cluster of trees with, of course, the intent of preserving as many of those trees as possible and using the geometry of the house to accommodate that.

As I said, we were interested in maximizing the open space in this area. There is an accessory tennis court structure and a fence, and then this is what David was referring to regarding the driveway. This was in some discussions that came up with the neighbors, and something that's been decided actually, essentially, this week. So I apologize that they weren't part of the submission.

But the idea now is not to have this new curbcut, but rather to use this existing curbcut here and continue, which actually does allow ... as it exists now, there's a shared access to the [Mitzman] XXX, so continuing that. So substantially, this driveway, as you see it here, will link up there with the idea that it actually connects and is close to the spot where that [Mitzman] XXX turnoff is now.

Chairperson Speranza: So let me just make sure I'm hearing this correctly. Both curbcuts remain as they are.

Mr. Yaffe: Exactly. So this curbcut and this curbcut remain exactly as they are, and we are not going to be pursuing a new curbcut.

Boardmember Cameron: And you're not moving the posts on either side? The northern curbcut?

Mr. Yaffe: No. So all that entry from along North Broadway will remain exactly as it is.

Then one of the key things also for us was, in siting the house we felt it was very important to reduce the height and the massing. As you see, the way ... and that was also part of the impetus for siting it on the slope. But you see the existing house there actually measures 39 feet off of grade, whereas our proposed house measures 25 feet, approximately, off of grade.

Here you can see that large open space that I was referring to earlier in the planning. Again, to try and preserve that open space and reduce the heights, what we've done here is we have a tennis court accessory structure, but with a pool actually located beneath that, again to sort of minimize the footprint on this. With this here, you can see that essentially what we're

looking at with the [Mitzman] XXX currently is approximately 28 feet tall, and that we're bringing that down to approximately 10 feet.

Mr. Steinmetz: Quick question, Noah. The railroad tracks and the crossing, and the trains and the location, are those all to scale -- what we're looking at -- on that cross-section?

Mr. Yaffe: Yes.

One of the questions that came up in some early discussions was, what is the massing as seen from North Broadway. So we provided this elevation, which is the eastern elevation of the house that faces North Broadway, where I really think you can see the efforts to reduce the height and really integrate it. Part of the idea behind maximizing views, maximizing open spaces, locating with the trees really is a fundamental desire to integrate this house with the landscape as closely as possible. I appreciate those of you who have heard me discuss this before and are hearing it again.

Moving on, I have to flip these. What we've done in regard to the view preservation material, what we tried to do, was take views surrounding the property that we felt were indicative of the views that were of primary concern to both the public and the neighbors. So here, this map just is an aerial view that simply shows the points that we took these from. I think for those of you who had questions about the boundary of the property, now you can see there the [Freitag] XXX house.

Mr. Steinmetz: [off-mic]

Mr. Yaffe: This probably clarifies a bit for you kind of where we're locating this.

We really started primarily with -- or what you'll see on that first board really -- is the views of the Hudson and the Palisades, the primary public viewing places. So these are all the views, as you saw from here, east of the property primarily on this first board. The first one, you see directly across from that existing south curbcut. And I think, there, you can see the Hudson River and maybe get a slight glimpse of the Palisades.

But this really shows that viewing corridor that I was talking about earlier along that swale that we're trying to preserve. The way, essentially ... so those of you who haven't seen this material yet can understand it, what we've done is taken views of the existing condition and then used computer-generated models to scale to show what our proposed project will look like.

The other thing I should note is, we did, for the majority of these, try and take them in the wintertime to kind of show, let's say, the most open condition that you'll see for these views. Because, quite frankly, in the summertime it's just all green and trees.

Moving up, I think one of the things we talked about in the last meeting was the views from the Aqueduct in particular. So this is a view taken from up on the hill right at the intersection with the Aqueduct. There you really see this more is about the Palisades, which I know is also one of the primary concerns for the view preservation, and really see that we are maintaining that primary view towards the Palisades and towards the river with the project.

Moving down also into views from the temple where, quite frankly, there it's so far ... as I mentioned, we are 400 feet back from North Broadway with the house. So, quite frankly, it's difficult to even discern the presence of the house in that view.

Mr. Steinmetz: And that's taken, Noah, from just inside the entrance area.

Mr. Yaffe: Yes, as marked on the drawing.

Then the views from the north, still along North Broadway. And there you see that existing curbcut which, in what we've now discussed, is somewhat superseded because you won't have that additional curbcut there, just to clarify. Then some views directly south for the neighbors, and then also, of course, the view off towards the Hudson. And I think here you can also quite clearly see this reduced massing that we've pursued and the comparison to the existing house there.

From the south -- again these are primarily not public views but views of the neighbors -- their view directly across the property; and then, of course, their view to the Hudson, which is unimpeded by our proposal.

We feel that the views that exist towards the Hudson and Palisades really are ... we've sought to preserve those, and believe that we do preserve those through the careful site planning we've done. And we're happy to hear of any questions.

Chairperson Speranza: I have a question. The top pictures, the top photos, are you showing plantings, or a fence line, in proposed...

Mr. Yaffe: Yes. That's plantings, a green planting for the fence.

Boardmember Cameron: I have a question on that one, too. If you take this map here that you provided us with, and you go to the edge of this [root blind] XXX down here on this

building and you draw a crease straight up the map, the building extends actually about 10 feet to the south of this pier. I know it's the roof.

And yet if you go down to this picture here, you don't see the house at all except above the other piers. The house actually goes right down south of this [lap pier] XXX.

Mr. Yaffe: You're actually looking ... you're not looking...

Boardmember Cameron: Or you're looking at an angle.

Mr. Yaffe: Yes, you are looking at an angle.

Boardmember Cameron: Well, if you look straight down the driveway ... you can see, if you look straight down the driveway, there's the house. And I don't understand why -- since I'm apparently looking straight down the driveway -- why I don't ... unless you've drawn yourself off like this, is what you've done.

Mr. Yaffe: No, it's actually ... in that view, you're sort of standing here. So that's why you're seeing...

Boardmember Cameron: Well, then you really see the house. Because here's the house.

Mr. Yaffe: No, but you're ... sorry to ... so there, you're standing south of the...

Boardmember Cameron: No. Let's go back to this thing because [paper noise louder than voices].

Chairperson Speranza: I'm wondering if there's a way we can do it looking at the picture on the [paper noise louder than voices]...

Boardmember Cameron: You won't see it in the picture. If you take the map here, and you...

Chairperson Speranza: Right, I know. With the map, Jamie.

Mr. Yaffe: You can see it on this one.

Boardmember Cameron: Give me the mic. If you take this map here and you go to the edge of the roof of this house, which is here, and I put a crease in this map so I'm going

straight west, this crease goes straight down here and it comes down just south of the pier. There's about 10 feet south of the pier, the left-hand pier.

So by looking straight down the driveway, I will see the edge of the house. But when I look straight down the driveway in that picture I don't see the house. And I just wonder why. You have the house so that it's lined up above this pier over here. The picture is probably taken at an angle, a particular angle, and not straight down the driveway. But I think it looks like it's straight down the driveway.

I went and stood there today and I looked straight down the driveway. That's what I was doing [off-mic].

Mr. Steinmetz: [off-mic].

Village Technology Assistant Corso: You've got to use the mic, please.

Mr. Yaffe: I believe this is basically due to the angle that this photograph is shown from. Because right here you can see, this is the large ... so this right here is that large beech tree which is located right here. And as you can see from here, the house is just slightly south of that beech tree, which is that beech tree right there.

Boardmember Cameron: Well, I don't see the house south of it, though. I can see the house up there.

Mr. Yaffe: No. That's a piece of the house right there.

Boardmember Cameron: You know, I wish you guys would have taken a black line and outlined the house. Because it's all mushy in there; you can't see a thing is what you're trying to show, I'm sure.

And the other question I have, while we're up here, what's the fence made out of? I assume the fence is going to be as tall as you can make it, and what's the fence going to be made of. Because it goes around this thing and covers it. So what visual will we have through your fence? What kind of fence are you putting in there?

Mr. Yaffe: The fence, as we're intending to do is, what will be facing the public will be this green; basically a medium that green ivy is allowed to grow on.

Boardmember Cameron: OK, so we actually won't see this at all is what you're actually telling us.

Mr. Yaffe: There'll be some. As you view through ivy, you do get some view transparency there.

Mr. Steinmetz: So the fence is depicted, though, in the post construction situation [off-mic].

Mr. Yaffe: That's the fence right there.

Mr. Steinmetz: The fence is in that picture.

Boardmember Cameron: Oh, this low one is the fence, too?

Mr. Yaffe: Yes.

Boardmember Cameron: I don't think so. I went and stood there today. The fence is not lower than [off-mic].

Mr. Yaffe: There is a dip in the grade from where you're standing. There's quite a significant dip.

Boardmember Cameron: Well, I walked up and down the road. I didn't see [off-mic].

Boardmember Dale: How high is that fence?

Mr. Yaffe: It's going to be six-foot six.

Boardmember Dale: And that's the fence that surrounds the tennis court?

Mr. Yaffe: The tennis court fence will be slightly higher than that. We'd like the tennis court fence to be at 10 feet as an accessory structure. The tennis court's actually an accessory structure.

Boardmember Dale: That fence is higher than the code allows?

Building Inspector Sharma: As long as the total accessory structure doesn't have a height of more than 15 feet above the ground.

Boardmember Dale: We're talking about a fence, though, not a structure.

Building Inspector Sharma: Including the fence around the tennis court to keep the balls in...

Mr. Steinmetz: Our understanding was that a tennis court fence could be 10 feet in height as opposed to a perimeter fence which could not be 10 feet in height.

Mr. Yaffe: Just to be clear, our understanding was that the fence that is part of the tennis court would be considered an accessory structure.

Mr. Steinmetz: Correct.

Building Inspector Sharma: Then it's an accessory structure.

Village Attorney Stecich: It's the first time I heard it, but it sounds reasonable.

Chairperson Speranza: Frankly, I would say it's reasonable also.

Any other questions, Board questions? Public comments, questions? No?

Boardmember Cameron: I don't believe you can actually see that anymore, and I think that this fence is going to block you. And I don't think we're getting a proper picture down to the road. There you are. That's just my view.

Mr. Steinmetz: We have endeavored, Madam Chair, members of the Board to represent the fence in all of the photographs, if that wasn't made clear. A fair amount of time, effort, and energy was spent on computer-generating this six-foot fence with the vegetation that we are contemplating would be placed on it. We also think we tried to bring to life as best we could where you do, and do not, currently have, as Noah says, primary views of the Hudson River and the Palisades.

Where we found those primary corridors, we believe that we've shown you what impact there is. And when we go back to your code, your code says that it's our job to show that we are obstructing to the least extent possible. We think that, based upon how Noah and Steven Holl have sited the house, configured the house, we have done that.

Chairperson Speranza: How far back are you?

Mr. Yaffe: Four-hundred feet.

Chairperson Speranza: From the right to the...

Mr. Steinmetz: The house?

Chairperson Speranza: Yes.

Mr. Yaffe: Basically from here to here is approximately 400 feet.

Mr. Steinmetz: And Noah, just for the benefit of the record, how far is the existing house -- the easterly of the two homes -- currently from the road?

Mr. Yaffe: It's approximately 100 feet.

Mr. Steinmetz: So we're pushing back about 300. I thought that would be useful.

Chairperson Speranza: And the tennis court is 100 feet. That setback's being respected.

Mr. Steinmetz: Correct. We're keeping that green belt along the front.

Boardmember Alligood: I was just going to say, I do think that the fence was adequately represented. It struck me, I noticed, that you would definitely see that green fence from the street. From what I can tell, it's not going to block much of the view of the river. But it will be noticeable from the street. I took that when I saw this before.

Mr. Steinmetz: Thank you. You're right.

Boardmember Cameron: That's just going out here.

Boardmember Alligood: I noticed that there was a lot of green fence there, so it was representative.

Boardmember Cameron: The view you get of the river is because you've backed up Wagner Road to a certain height to get the altitude. If you walk back down onto the road you won't see anything, quite frankly, with that fence.

Chairperson Speranza: OK. Any other discussion on this? There are a couple things. First of all, I need you to go back to slopes.

Mr. Steinmetz: OK. We promised we would.

Chairperson Speranza: And I don't think it's a big deal, given what it is that's being constructed on the site. But I am a little concerned -- or I would like to understand -- how the new drainage is going to work. Because I had thought that on this plan I would see the elements of new stormwater management. When I first looked at this and I saw proposed pervious pavers, I said, "OK, so everything's here."

The earlier discussion we had made me look a little more carefully. And the only thing I see is see is existing. Because when we're talking about drywells and catchbasins, are there new catchbasins or is it drywells at the existing catchbasins in the slope? I just need to have a comfort level as far as how this works.

Mr. Steinmetz: Noah, you want to handle that?

Mr. Yaffe: Again, I think we will be providing all that. Our intent was to be providing all that information with the building permit.

Chairperson Speranza: OK, could you explain. What would we see if we were to get this on the plan? Again, the construction period on that, I would like to understand the finished condition and how it's all going to work.

Mr. Yaffe: It's best to let Mr. [Patretti] XXX explain that.

Mr. [Patretti] XXX: How are you doing this evening? All of this I did work out in detail. I did not just write it as a list of things. I actually drew it.

Basically, this is a very unique site as far as soils are concerned. What you have here is B soils. They're very nice soils for stormwater management. The architect has suggested very strongly, right from the beginning, that we use pervious pavers. So we're going to have kind of a disconnected hydrology. The road networks and the pavers in front of the building will drain to the side. They will also drain down because they'll be pervious, but they're going to drain to the side. So you get a very nice disconnected hydrology. You're not channelizing it.

Also, there's a couple low points. I'm showing catchbasins there. And they're going to be connected to drywells.

Chairperson Speranza: Excuse me. You're showing catchbasins where? Are they on the plan we have, or no?

Mr. [Patretti] XXX: They're not on there.

Chairperson Speranza: They're not, OK. All right, so I wasn't missing them.

Mr. [Patretti] XXX: This plan, I focused just on steep slopes, but I can point out to you where they are very easily. The driveway's going to come down, the ramp is going to come down, and this road is going to continue to the back. There'll be a low point in here, there's a high point here. It even says low point on the drawing. If you look there, it says "low point."

And at that low point, you have catchbasins. Those catchbasins will feed drywells. Again, these soils are very nice here. And whatever water that may run off the pervious pavers will be collected in catchbasins and can be shunted into the drywells. There's a high point here. And as water moves this way, on the drainage plan that I've worked out which is in the office, you will see catchbasins over here and several drywells over here.

So all the roof water can be contained and pushed in the direction over here, and we plan to use a cistern. We want to reuse the water. I've kind of found out in the last two years that this whole idea of a cistern, when I can use it I really would like to use it. We're not going to increase the flow down to Metro-North. The cistern will be quite a large structure. It'll be underground, and you'll be able to use it for re-irrigation.

I did do some calculations, and I did find that this would be a great improvement because we have macadam pavement here, we have a house here. None of this has any mitigation right now. It's all going down the slope. All of that is going to be corrected. All of it's going to go back into the ground, all of it's going to go back into the cistern. So that's it.

Mr. Steinmetz: And Paul, just a quick question. Those calculations are contained within the chart at the bottom of your plan where you did both the pre- and post-volumetric determination of how much water would be moving. Am I correct?

Mr. [Patretti] XXX: Yes, that's right. It's actually in the letter.

Chairperson Speranza: I just always have a greater comfort level when I can understand the flow of things. OK, thank you.

So we've got a couple of actions tonight? We can start with steep slopes. Steep slopes is a review and approval of the steep slopes application. We do have the required certification from the engineer with respect to the stormwater runoff and calculations. Is there any further discussion with respect to steep slopes? Then does someone want to make a motion with respect to approval of the steep slopes application?

Mr. Steinmetz: Madam Chair, you would need to close the public hearing.

Village Attorney Stecich: There's no public hearing for steep slopes.

Mr. Steinmetz: You noticed a public...

Village Attorney Stecich: There is not a public hearing notice. It's notice to the neighbors. There's no public hearing.

Chairperson Speranza: So people will know what's going on. Is there a motion to approve the steep slopes application?

On MOTION of Boardmember Dale, SECONDED by Boardmember Wertz with a voice vote of all in favor, the Board resolved [approve steep slopes application] XXX.

Chairperson Speranza: We will close the public hearing now.

Boardmember Cameron: I have a question on view preservation before that. We've never had a description of the two extra buildings here; how tall they are, and where they're situated on the property. They're not on the diagram from steep slopes.

Chairperson Speranza: OK, let's talk about that. You've got two extra buildings on your property?

Mr. Steinmetz: Right there on the steep slopes.

Boardmember Cameron: No, they're not part of steep slopes. They're in the view.

Chairperson Speranza: Oh, but they're not shown.

Boardmember Cameron: They're out here by the edge of the...

Mr. Steinmetz: The question, Noah, is the height of those.

Mr. Yaffe: [off-mic].

Boardmember Cameron: So they have no roof?

Mr. Yaffe: No. There will be like a pergola type structure.

Boardmember Cameron: I'm sorry. The pergolas I know have roofs on them, and I don't see any roofs going up.

Mr. Yaffe: So yes, they'll have a roof.

Boardmember Cameron: And it's only going to be nine feet tall?

Mr. Yaffe: We're not sure yet. Certainly a low structure.

Chairperson Speranza: Just pick up the mic right in front of you.

Mr. Yaffe: The maximum those could be is 12 feet by code because those are accessory structures. So certainly I can tell you, even though they're not fully designed yet, they will be no taller than that.

Chairperson Speranza: And can you just indicate for the public where they would be?

Mr. Yaffe: This, that, and that.

Chairperson Speranza: The other side. OK.

Mr. Steinmetz: Both of them are within the linear geometry of the house itself and well lower than the house itself?

Mr. Yaffe: Yes.

Boardmember Cameron: I just don't happen to think that you're depicting the roof of the house. And the pergola makes up the bottom of it far enough over. Because I just don't see how your diagrams work.

Chairperson Speranza: In any case, the public hearing is closed on recommendation for view preservation approval. Any other Board discussion, or is there a motion for a recommendation to the Zoning Board of Appeals for view preservation for the applicant?

On MOTION of Boardmember Dale, SECONDED by Boardmember Wertz with a voice vote of all in favor [except Boardmember Cameron, who votes no] XXX, the Board resolved [view preservation for the applicant] XXX.

Mr. Steinmetz: Thank you very much. Appreciate your time and your patience.

Boardmember Cameron: Our former mayor taught me that you could abstain, because he did that at the meeting when we were...

Chairperson Speranza: But it's counted as a no vote.

Village Attorney Stecich: It's a no vote.

V. ANNOUNCEMENTS

Next Meeting Date - April 15, 2010

Chairperson Speranza: Just a couple of things. There is a forum being held about freight in the lower Hudson Valley Friday, April 9 at the Westchester County center. If anyone's interested, go to the westchestergov.com. Web site to find out about that.

And then there is a forum being held entitled "Safe and Sustainable By the Book: The International Green Construction Code." And this may be something that we want to see if we can attend or participate in. I noticed there's no cost to this. But anyway, this is something else that will be taking place, and if anybody's interested they can get in touch with us.

VI. MISCELLANEOUS

Chairperson Speranza: Are there any other items for tonight?

Boardmember Cameron: Are we supposed to bring copies of certificates in to Susan? Is that what we're supposed to do?

Chairperson Speranza: Yes, you can do that. Either send them in to her...

Boardmember Cameron: Give her photocopies.

Chairperson Speranza: Don't forget, please. Everybody should have received from Susan the flier for the Westchester Municipal Planning Federation program. They're running classes again. You need to fulfill that.

Female Voice XXX: Send in those to me, yes. It's on the Web site right where Susan's email is. Just send those to me if you would like to do training, or not. And then me and her will go over that.

Chairperson Speranza: Yes, it is a requirement.

Boardmember Cameron: I do have one other thing. I'd actually like us to require anybody bringing up a view preservation to outline their building and yard on the diagram. Because you could not tell where that building was, and one of the reasons I voted against them is I just simply don't believe where the building is because it's just not where it is.

But there you are. We should require them prior. Unless they give us a dark line where the building is ... they have it hidden behind trees so you actually can't really tell where the building is. It's just not appropriate, in my view.

Village Attorney Stecich: I agree.

Boardmember Cameron: I have support from the other lawyer sitting at this table.

Village Attorney Stecich: But the times where you do have that, it's much easier to tell.

Chairperson Speranza: Well, we have requested it in the past: leaves on, leaves off; put the landscaping in, take the landscaping off.

Boardmember Cameron: The outline of the building in dark, drawn in. And if not, we should just ask them to come back to the next meeting.

Chairperson Speranza: Well, we can do that. Remember, some people follow what it is that's in the requirement. I don't recall what the requirement is in the view preservation. I know it's to show the building.

Boardmember Cameron: It's a reasonable interpretation of giving us appropriate pictures so we can detect how it's affecting our view that the thing actually could be seen.

Building Inspector Sharma: I believe the pictures of before and after -- exactly what you will see -- you will not see, in actuality, a dark outline. You'll see what you see. And they're showing here before they make the building and with the building. And if you don't see the building, you don't see the effect on the view. That proves the point.

Boardmember Cameron: I understand that, but they can still outline ... many other people have done that, and outlined it for us.

Chairperson Speranza: Some people have outlined it in white because they're green sites.

Building Inspector Sharma: But it may not be necessary.

Boardmember Cameron: Anything that's in a contrasting color.

Chairperson Speranza: I can appreciate that.

Anything else for this evening?

VII. ADJOURNMENT

Chairperson Speranza: If there's no objection, we'll handle it this way. I heard this today. If there's no objection we will adjourn. Great, thank you.