

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
MAY 19, 2011**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, May 19, 2011 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 Kathleen Sullivan, Boardmember Jamie Cameron, Boardmember Eva Alligood, Boardmember Rebecca Strutton, Deputy Building Inspector Charles Minozzi, and Deputy Village Clerk Mary Ellen Healy

I. ROLL CALL

II. APPROVAL OF MINUTES

April 21, 2011 Meeting

Chairperson Speranza: First order of business is approval of the minutes from our meeting on April 21. Are there any changes or modifications or comments on the minutes?

Boardmember Alligood: On page 15, where I'm speaking at the top of the page, the first sentence should read: "*You know what kind of information 'we're' looking for ...*" not "*you're*" looking for. So just change that one word to "we're," we are.

And then on page 27, towards the bottom on the second paragraph where I'm speaking, I refer to something called "*patterns*" in the first line, and that should be capitalized because it's a document. Otherwise it's confusing if it's not capitalized.

On MOTION of Boardmember Cameron, SECONDED by Boardmember Alligood with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of April 21, 2011 were approved as amended.

III. NEW PUBLIC HEARINGS

- 1. Accessory apartment permit renewal for Marie Artel-Wallace.
79 Southgate Avenue – Sheet 28/Block 688/Lots 31-32.
Waivers required for square footage and parking.**

Chairperson Speranza: We have two public hearings for accessory apartment renewals. So we will suspend the regular meeting and open a public hearing.

The first one is for an accessory apartment renewal at 79 Southgate Avenue, Marie Artel-Wallace. Mr. Minozzi, you've been to the premises and inspected the premises.

Deputy Building Inspector Minozzi: Yes, chair. That's correct.

Chairperson Speranza: And because the floor area of the apartment is in excess of the 25 percent that's permitted in the code...

[cross-talk]

Deputy Building Inspector Minozzi: That's correct. It's currently 25.2 percent, and that would be one of the waivers. And the second waiver would be for one on-street parking space – which are the same waivers as last time.

Chairperson Speranza: And it's all up to building code.

Deputy Building Inspector Minozzi: Everything is fine.

Chairperson Speranza: That said, this is a public hearing. Is there anyone here to speak on the application tonight? Yes, come on up. Just name and address for the record.

Anthony Gentile, 83 Southgate Avenue: I've lived at that location probably for 28 years, and I've been a neighbor of Marie and Marty for that time period. Excellent neighbors, great people.

But I don't get this. I don't understand, after reading the accessory apartment code, why Marie and Marty would even want to do this. I'll just refer to – I won't read, I'll spare you – but I'll just refer to section D, statement one, "statement of purpose, B," which states that this subsection is also intended to provide economic support for resident families, particularly elderly and those of moderate income.

What I don't understand is, I don't particularly view Marie or Marty as elderly, number one. I don't particularly view them as needy. And I know that on that block alone there are at least three people – two elderly women and one elderly gentleman – who this code was written for. If there is a financial reason for this need to turn this second floor into an apartment, I wholeheartedly concur. Let's get it done right now. But if there is not, I don't really want a kitchen window, 5 feet by 8 feet, 20 feet from my bedroom window. And I

don't think either James, Rebecca, or anyone up there would want a kitchen window facing their bedroom.

I've lived with this for 28 years, so I'm going to live with it longer if I have to. But truthfully, if there is no financial need ... Marty and Marie are a loving couple. They have each other. I think the two women next to Marie are the women that this code was written for. And I would ask the Board to see fit to make sure that people in this town who need accessory apartments or boarders... save the remainder of them for them.

That's all. If you have any questions I can answer them now. I will be at the town hall tomorrow at 11 a.m., as well, if you want to ask them then. But that's all I have to say. Thank you.

Chairperson Speranza: OK, thank you. Anyone else wish to speak?

Marie Artel-Wallace, 79 Southgate Avenue: I pull down the shades in the windows so that it wouldn't be a problem. I spent a fortune to put some blinds up in the windows that he's referring to.

And also, my parents got this place for me to have some income so I could live in Hastings. And that's why I have a tenant.

Chairperson Speranza: OK, thank you. No one else is here to speak on this. Then we'll close the public hearing, and I open it up for Board comment or discussion or question.

Boardmember Cameron: I don't think that we're particularly required to consider income. It's just illustrative reasons, and it's not exclusive.

Chairperson Speranza: Right. In terms of the code, in terms of the rationale behind the accessory apartment. Right, it's not a requirement of having an accessory apartment in your house.

On MOTION of Boardmember Cameron, **SECONDED** by Boardmember Sullivan with a voice vote of all in favor, the Board approved the renewal of the application for the accessory apartment at 79 Southgate Avenue with waivers required for square footage and parking.

**2. Accessory apartment permit renewal for Silvana Spinozzi.
31 Farragut Avenue – Sheet 23/Block 671/Lot 15.
No waivers required.**

Chairperson Speranza: The second public hearing that we'll have is for the renewal of an accessory apartment at 31 Farragut Avenue, Silvana Spinozzi. There are no waivers required for this application.

Deputy Building Inspector Minozzi: That's correct.

Chairperson Speranza: And, Mr. Minozzi, everything's ...

[cross-talk]

Deputy Building Inspector Minozzi: Yes, Patty. The only thing that happened was, upon my inspection I observed that the apartment had two floors. But the paperwork I was given – and for the past six years – only had one floor on it. So I had to go back into the file. And I did find the second floor in the file, but it was for six years ago. It had been missed.

So I got both floors, did the calculations, and they're at 23.8 percent. So they're still within the 25 percent of the square footage of the main house. So even though it was missed, it wasn't added on. It was just legitimately missed. Everything is still compliant.

Chairperson Speranza: OK, great.

Deputy Building Inspector Minozzi: So we just wanted to put that in the record.

Chairperson Speranza: OK. I do have a question, but I'll wait until I know if there's any public input; if there's anyone here who wishes to speak about the application. OK, hearing nothing we'll close the public hearing.

I do want to ask you about the letter that we received. Oh, never mind. The name is the same for another letter that we had about another accessory apartment. But I see it's different locations. So disregard.

Deputy Building Inspector Minozzi: Are you talking about the Spinozzi?

Chairperson Speranza: We're just talking about the Spinozzi. I'll ask you about the other one later.

Boardmember Cameron: I just have one question. Given that there are two floors – and it's very large, actually – there's only one apartment? In other words it was all rented as a single apartment.

Deputy Building Inspector Minozzi: Yes, as one apartment. The second floor is a sleeping area, and the first floor is the living area. There was no signs of any kind of a conversion or anything like that.

Boardmember Cameron: I was just curious, at 1,500 square feet.

Deputy Building Inspector Minozzi: I looked around pretty well to see, but there was nothing.

Boardmember Cameron: OK, great.

On MOTION of Boardmember Sullivan, SECONDED by Boardmember Alligood with a voice vote of all in favor, the Board approved the renewal of the application for the accessory apartment at 31 Farragut Avenue with no waivers required.

Chairperson Speranza: See, Buddy, I was a little confused because the ...

[cross-talk]

Deputy Building Inspector Minozzi: That's the one on Stanley Avenue.

Chairperson Speranza: The Carrozzi, which was this and crossed out. And it was 31 Stanley Avenue. So you're waiting to hear on that on?

Deputy Building Inspector Minozzi: Yes, that's correct.

Chairperson Speranza: So it may come before us, or there may be different actions.

Deputy Building Inspector Minozzi: That is correct.

IV. NEW BUSINESS

None

V. DISCUSSION ITEM

1. Scoping document for Rivertowns Square DEIS

Chairperson Speranza: The other item that I have on the agenda for discussion this evening is really very timely. Because Mary Ellen was preparing the agenda, and sent me an e-mail and said, "Oh, we just got the scoping document for the Rivertowns Square EIS." So I said, "Well, let's put it in the packet and let's just talk about it."

Now, since the scoping document has been adopted already by the Village of Dobbs Ferry, it's not as though we can make comments back to them. But I think it was important that we take a look at it and see how their environmental review is going to cover issues that pertain to our village. Just overall I was kind of surprised they did not amend the scoping document to talk about potential impact on our downtown, with the exception of the impact it could have on our grocery store. It's kind of odd.

Just so people are familiar with it, I'll just briefly go through things that I noticed. And anyone certainly can join in. But they did include intersections here in the Village, roadway intersections – Ravensdale and Farragut, Ravensdale and Kent, and Ravensdale and Clinton Avenue – although they will not be doing quantitative analyses at Ravensdale and Kent and Ravensdale and Clinton. So again, it will be interesting to see how that's handled within the purview of the EIS.

They also mention, under future traffic conditions without the project, they mention the Saw Mill Lofts project, but with a parentheses that only if approvals have not lapsed. So depending on how they treat it in the EIS, I think it may warrant comment on our part that certainly this proposal, even as it was, should be something that gets factored in there, particularly with respect to intersection and turning movements.

Boardmember Alligood: For the record, the approvals have lapsed.

Chairperson Speranza: Yes, they have lapsed.

Boardmember Alligood: But they can come back and propose the same thing again and go through the process. So just because they've lapsed doesn't mean there won't be something built there eventually.

Chairperson Speranza: Right. So they might as well take that into consideration. And, in fact, should there be no discussion of it in the EIS that's certainly something that we as a Village can comment on; that there had been a development proposal there and it should be included in their overall traffic figures.

Qualitative discussion of Saw Mill Parkway flooding and traffic diversion, the county detour for the Ashford Avenue bridge reconstruction. I think those are two items that are going to be particularly important. You never know, maybe the Ashford Avenue bridge will be approved before this development would be constructed. Don't know about that.

As I mentioned, it described existing conditions in downtown Dobbs Ferry and downtown Ardsley. They did not include downtown Hastings.

Boardmember Cameron: They didn't include our intersection at Farragut Parkway either.

Chairperson Speranza: Oh, the Saw Mill and Farragut Parkway.

Boardmember Cameron: Right.

Chairperson Speranza: You're right. That's right.

Those are the only things that I noted specifically. I don't know if people took a look. I mean, Kathy, I know you were considering sending something independently. And I'm wondering, did they include yours?

Boardmember Sullivan: No, they didn't. And I think the Village, as you mentioned, had asked for consideration for impacts in our downtown.

Chairperson Speranza: Right.

Boardmember Sullivan: I wasn't able to attend that particular meeting, and it wasn't even an open meeting. I went to the Web site because I was curious to see how they maybe recorded public comments that they had received in the scoping, and they don't seem to be there. So I'm not privy to the conversations of why.

I wouldn't assume they would include everything that everyone sent in, but it would be interesting to understand what they did, why they chose to include or not include things. I asked them to consider a cumulative impact analysis just under the environmental analysis. When I said that, it seemed to be kind of a way you can look at an area in a more global way rather than just piecemealing it.

By narrowing in on certain intersections you're maybe not connecting all the dots and understanding the full impact. And that would go for a variety of different things. One thing they did add – and it may not have been myself alone – but under the land use and zoning, let me see. It was considering the county plan made it in there.

Chairperson Speranza: Oh, the Westchester 20 to 25?

Boardmember Sullivan: Yes, that was under land use, number two land use: consistency with the Dobbs Ferry vision plan and the Westchester 2025 policies to guide county planning. So that was good to see because I don't think they had any reference to any regional planning at that point. And 2025 leads you to patterns which could open up the whole conversation of what kind of artery the Saw Mill Parkway is considered. So that was nice to see.

The only other thing I had mentioned, and I had added in a ton of intersections like everybody, I shared with them some of the things we had learned in the Comprehensive Plan about what kind of fiscal analyses could be useful. And so I gave that reference to them, and it did not make it into any kind of record.

So let's look at a fiscal impact based on – I think we were looking at Rutgers, I remember, Rebecca – and there was another one that I found a reference. So just kind of an institution or a process or methodology that would be helpful to sort out the financial impacts. Again, I just kind of shared that because we found that useful.

The only other thing I mentioned, this also was a very interesting point – I may have mentioned it last week, under air quality – the state allows you to look at climate change as part of that impact. So air quality can be changed to air resources, looking at climatic impacts as well as air quality impact.

So I think, going forward, that's just a very interesting distinction to make. They do have some reference where they identify greenhouse gas emissions from the site. But again, this is a little bit more current thinking of how you might analyze things with the impact on the climate.

So the state has given some guidance. And it's on the DEC Web site, so that's useful. Those are kind of ... again, I feel like the fiscal analysis would be very helpful, and I think that just seeing how that might actually play out would be helpful to any community as they look at a development of this size.

Chairperson Speranza: And that may not have been specifically identified. But if they're talking about impacts on the downtowns, they may use the Rutgers methodology for the impacts, for instance, on schoolchildren. And it may end up in more detail when they submit their Draft EIS.

Boardmember Sullivan: Just to share for everyone, I took a look at their Web site just because I was curious where we were going – where *they* were going, I should say – and they adopted this document on the 3rd of May. On the Web site, the Mayor had an update saying in 60 to 90 days they expect the applicant to prepare the DEIS, and then it will be opened for various reviews.

So later this summer we might be looking at being able to comment on this. They said that they had 60 to 90 days, they feel, to prepare it. They'll have 45 days to review it, and see if it's complete. I guess, then, it might go out for review to the Dobbs community as well as potentially others. So it's in the works.

Chairperson Speranza: Right. Wow, OK, anyone else have comments?

Boardmember Cameron: Yes, I have a couple of comments. First of all, the first one's really a question of whether or not we know ... it seems to be a very dense site, what they're planning on. And I'm not sure whether there is as-of-right to build that level of density there.

Boardmember Sullivan: They are.

Boardmember Cameron: I know they had adopted a new zoning code.

Boardmember Sullivan: I believe they are, Jamie. The new zoning, I believe, will allow them to do it.

Boardmember Cameron: You think it does.

Boardmember Sullivan: I'm fairly certain of that. When I looked into it with that question in mind ...

[cross-talk]

Boardmember Cameron: That's unfortunate.

Boardmember Sullivan: ...I think they were very clear in saying they were not asking for any waivers.

Boardmember Cameron: Well, one of the problems they have there even now – from even the sports place – people are parking all over the place on every available square inch of land. It seems to me we would be blind not to realize that that intersection ... if anything like this goes up, actually, it needs to have limited access to get on the road. It needs overhead and it needs ways to get on the road without actually waiting for lights. Otherwise, I don't think it'll ever work. Maybe the study will reveal that, maybe it won't.

But they need to leave land available to do that, and right now they're very limited in what they can do there. It really seems to me the county should be in there.

Chairperson Speranza: The state.

Boardmember Cameron: The state should be in there, even exercising eminent domain if they need to, in order to be able to keep this road working. Because I think it's a serious problem.

The other thing which is sort of referred to in this document, when that Sports Authority place went up I have to say it was the first time I looked at the Saw Mill River Parkway and realized it was about to cease to become a parkway. Because it was the first real visual impediment on that road as you go down it on any side. It just stands out and is unduly commercial for what was, and is, supposed to be a parkway.

I suppose those are my comments at the present time. I can't believe the density. Because there is so much going in there.

Chairperson Speranza: Yes, you're right.

Boardmember Alligood: I agree. I mean, I thought for the sake of the audience that doesn't have this document in front of them we could just quickly go through what they're proposing. Because it's a lot.

It's tearing down the three multi-story buildings that are there, which comprise right now 200,000 square feet. So they want to take all of that out and build a multi-story residential building with approximately 223 rental units and parking structures. They want to have mixed-use commercial development, which includes a hotel, a 70,000 square foot supermarket, almost 40,000 square feet of various retail space in three buildings, and approximately 6,400 square feet of retail and restaurant space in two buildings.

So just imagine all the traffic that those uses will generate at that site. It's a lot.

Chairperson Speranza: I know. And we think about it from the parkway side, but imagine if you live on the other side of Beacon Hill.

Boardmember Alligood: And as you said, Jamie, nothing along the Saw Mill is anywhere close to that – nothing, not even a gas station.

Chairperson Speranza: David, do you want to make any comments?

David Skolnik, 47 Hillside Avenue: Sure, on behalf of the entire audience.

Chairperson Speranza: Thank you.

Mr. Skolnik: I looked at the document briefly. I'm glad you've talked about it. I'm baffled, given what you just read as the description, why it seems that in spite of indignation, why something like this seems almost a fait d'accompli, while we talk about the traffic studies that are going to be done. And yet my impression is there's nothing that would tend to come up – and this is my own ... I don't know, and I would be happy if I'm wrong – but I don't get the sense that anybody thinks that there's anything that would be coming up in all of this study that would in any way limit the scope of this project.

Chairperson Speranza: Is that the impression that you're getting from us?

Mr. Skolnik: Well, it's partly from you, but partly from reading and partly from actually having gone down to Dobbs and having had a little bit of contact with the process there. I have to say, it's a dramatically different culture, to which, if I had a hat, I would take my hat off to you. Because I think this ...

[cross-talk]

Chairperson Speranza: OK, we'll take that.

Mr. Skolnik: Yes, you'll take that.

The way this Village handles the business – the transparency and the accountability – the fact that one thing that surprised me was, when I went down to try to find some record of comment, public comment, at what meetings that they would have had, there is none. There is no verbatim transcript, there's no video document like this.

So it's remarkable. I don't know what the public there actually thinks, and I don't know how possible it would be even to find out. But it just seems to allow for much more of an aggressive movement in a project like this. So I'm hoping that something ... specifically, the traffic, something that has come to mind before. I'm not an engineer, a traffic engineer. I read these things. I know that we've had a lot in the area, a lot of studies done recently.

I would love it if someone who was qualified could actually gather together both, cumulatively, the studies that have been done and any that have some degree of this to determine whether the predictions that are made actually have any relevance. So those are my thoughts.

Chairperson Speranza: That's a good point. It will be interesting to see what happens – and I don't mean interesting in a good way, I mean interesting in an interesting way – what happens when everything opens at Ridge Hill. I mean, I believe the movie theater complex is opening shortly, if not this weekend or next weekend.

So things are starting to occur there. But with respect to the traffic in this area, if you recall the site in the Village of Hastings – I'll call it "our 9-A site," the old Ciba-Geigy parking lot, where there was a proposal for a grocery store. I think it was 54,000 square feet. One of the reasons we turned that down was because we felt that the traffic, among other things, was a real big issue.

And the Village was upheld, the Village decision was upheld. So we know traffic in this corridor, and the Saw Mill and Ashford Avenue, is a major problem. I can't wait to read that part of the document to see what they say. You know, is it going to be one of those situations where because Ashford Avenue and 9-A right now are already at a level of service F they're not making it level of service G because there is no level of service G?

You know, they're pushing more cars through, but no, they're not making the rating of the intersection deteriorate because it can't get any worse. I'm curious.

Boardmember Alligood: No, it can get worse.

Chairperson Speranza: We know that it can get worse.

Boardmember Cameron: Well, one of the things that could happen to them, they could lose their Stop & Shop downtown because of this new supermarket and suddenly everyone's going up Ashford Avenue to try to go shopping. Now talk about a nightmare and a half.

Chairperson Speranza: Oh, and they're going to lose their downtown.

Boardmember Alligood: And just remember that there was a huge fight over the proposed expansion of their Stop & Shop, and that got shut down. I mean, there was a lot of activism around that and people did not ... even though in that case there actually were some benefits to the proposal. Not that I was, you know, as a bystander, in favor of it. But one of the benefits would be that that company was going to make investments in the downtown. They were going to create a better streetscape.

There were some issues that needed to be resolved, and they were proposing to help resolve them. But even under those circumstances and with those caveats, the community said no. So I want to sound more optimistic that it's not a fait d'accompli. I mean, this is nature. To me, this has many more negative impacts than the proposed Stop & Shop that got shut down, the expansion of the Stop & Shop.

So you don't know how the public process will go. Hopefully, there will be some people who speak out.

Chairperson Speranza: And the review of the document, and how they intend to mitigate so much additional traffic onto the parkway. Cloverleaf, Jamie?

[laughter]

Boardmember Alligood: Traffic circle.

Boardmember Cameron: Traffic circle! You know, I like traffic circles, but that would be a little ridiculous.

[laughter]

There used to be one. It was called Hawthorne Circle, and remember that's about 30 acres that one was, or 40 acres.

Chairperson Speranza: Kathy?

Boardmember Sullivan: Well, I have some new business.

Chairperson Speranza: Sure.

Boardmember Strutton: Kathy before that, just can you clarify so that ... they have 60 to 90 days after May 3 to come up with their document, right?

Boardmember Sullivan: Right.

Boardmember Strutton: And then there's 45 days that they have to review before they open review to the public?

Boardmember Sullivan: They said 45 days that their board of trustees has to make sure they feel it's complete.

Boardmember Strutton: Right.

Boardmember Sullivan: And so that means there could be some back-and-forth.

Chairperson Speranza: Yes, and that's exactly what happens. You know, they may submit the document and the board of trustees says, "Well, no. You didn't explore. You left out six intersections," or "This is not complete. Your alternatives are not complete, you didn't give a proper assessment." It could go on.

Boardmember Strutton: And during that period, is that document public?

Chairperson Speranza: No. It does not have to be public. And one of the reasons – and I am completely sympathetic to this, given the history in this community of EISs – people end up referring back to old versions. And as things get changed, it's very hard to have a dialogue on something which may be three or four different versions of a document.

So it's really kept to the board. But should Dobbs Ferry want to make them public, there's nothing, I don't believe, that prohibits it. I think for the final discussion of it, when it is released, it's a much more organized way to receive comments, once it's determined to be complete in terms of topic and in terms of compliance with the scoping document.

And also the 60-day thing, I think that's also something else that the applicant can say we can't do the traffic studies in 60 days, or it's been raining.

Boardmember Cameron: So the highway's flooded. Nobody can drive on it.

Chairperson Speranza: There you go, that's right. So we can't get accurate traffic information.

Boardmember Cameron: Actually that's missing. What happens when the highway's flooded?

Chairperson Speranza: It is in here.

Boardmember Cameron: Oh, it is?

You get someone doing a development, and they say they're going to put drywells on the property to collect the water. I keep thinking to myself, well, that's great. But, you know, they're still taking a part of the land and covering it in pavement. So that part of the land no longer will have very much water going into it.

And what they're doing is, they are forcing more water into a lesser piece of land. And I still think that may produce more water going down into the Saw Mill River valley. Because long-term, that's going to be a huge problem not only out there, but it's going to be a huge problem.

Chairperson Speranza: Downstream.

Boardmember Cameron: Down by Farragut Parkway. About 10 years ago, amusingly enough, when we had the last huge water down there my wife and I went up to Cliff Street and launched our canoe and canoed down the Saw Mill River Parkway and up Farragut Parkway as far as the sign. Well, you could have done it again last month.

Boardmember Sullivan: I hope you took pictures.

Boardmember Cameron: Oh, we did. It was on the front page of the *Enterprise*.

But it was very funny. As we were going down in the canoe there was this huge state yellow truck sitting there on a sideway. And just as we were coming next to it in our canoe he ran back into his truck to open it up. And I said, "Oh, no. He's going to report us to the authorities." He came rushing back out, and he said, "Mind if I take your picture?"

[laughter]

There you are.

2. Miscellaneous

Boardmember Sullivan: We had gotten an e-mail, but it hasn't come out from the Village, that the Trustees are holding public hearings on the Comprehensive Plan. Again, it hasn't come out through the Village e-mail so I don't know if their schedule's changed. Because I think Susan Maggiotto had sent it to the Planning Board and to the Comprehensive Plan Committee.

But they were planning to have a public hearing Tuesday, May 24, which is next week, at 7 o'clock. And then they had tentatively, or had scheduled, a hearing on the EAF on June 9 at 7. So I just wanted to mention it. I think maybe Rebecca and I would have to recuse ourselves at some point, but it may be interesting to get Planning Board comment on the draft plan.

I just wanted to mention that just for upcoming things. And then there are two things that are related, then a third. I was grateful to be invited to the Affordable Housing Committee's meeting last month, or earlier this morning. My goodness, it's going by. It was interesting because they're an amazingly active and productive group. I mean, they're just very inspiring, the energy and the work that they're trying to accomplish.

There is the model ordinance which the county has created. There was the beginning of a review by one of their committee members. I felt that it may be useful for us to work with them in conjunction to kind of look at our ordinance and the model ordinance, and how that should mesh. So being a new member to the Board, I don't know if this is work the Board could take on, given its role in the Village.

But it seemed like it could be a very useful collaboration to kind of bring some knowledge of what some of the criteria might be to the knowledge that the Affordable Housing Committee has, and how to actually put together the projects that they are planning and have put together. But I just thought it could be a potentially useful synergy.

Chairperson Speranza: Do you think that it would be worthwhile to have ... you know, and I can certainly invite Sue Smith to come join, or we could do it jointly. I know Bruce serves as liaison between ... is it time? Is this the appropriate time, do you think? I mean, I can talk to Sue also.

Boardmember Sullivan: Yes. I think it's the appropriate time. I think that the Village may have a deadline of – October of this year stays in mind – where every village is asked to look at their model ordinance. And not adopt it without thought, but to look at what you

might have in place, and look at the model ordinance and make sure your ordinances are synched up in some fashion.

And I just think it might be useful to kind of bring it out to more public discussion of what those things are. Because I think there's a lot of boots-on-the-ground, been-in-the-trenches work that that committee has done. And I think perhaps the Planning Board could potentially help bring their knowledge and expertise. And Bruce, I know, is the liaison. I feel badly mentioning this with him not being here because he would set me straight, I'm sure.

The other thing is what was brought to my attention. I know the Trustees have been working very diligently in helping put the remediation of the waterfront forward. In March, the Mayor and one of the Trustees put together a memo and a plan of the waterfront. The memo was given to Riverkeeper and the DEC, as they were sort of working on some of the potential engineering that needs to happen and some of the alternatives for some of the remediation.

I thought it would be potentially useful if we could offer our help to the Trustees to sort of be another set of eyes and a set of voices on what these sorts of possible plans might be for the waterfront. The goal of this memo was to look at water uses, water-related uses. So it would be stuff that came right out of the LWRP, some things that might have been referred to in the Comprehensive Plan.

I won't say "concern" is the right word, but the fact that the plan was sort of prepared and presented without really having it made available for review concerns me. It does concern me, to get back to that word. And I just think, again, being new to the Planning Board I would foresee that the Planning Board members could be potentially another useful set of resources for the Village in preparing something like that.

I listened to some of the Trustees meetings, and I know they prepared this memo and plan. It was given to Riverkeeper, and it was helpful as people are talking about some of the options. But again, it would be useful from sort of a planning perspective for perhaps the Board's input in something like that.

And I don't think this was a time-critical thing like the scoping document was for Dobbs. My goodness, who could keep track of when you could get your comments in. But this is an ongoing process.

Chairperson Speranza: Well, let me talk to Peter about that as far as what this is. And I know this is something that had been discussed for quite a while with respect to the need to make some assumptions related to the cleanup and the actual engineering of the site, and

what may be laid out in different areas, and how that relates to the remediation, to the areas that need a certain level of cleanup.

But let me touch base with him on this.

Boardmember Sullivan: Again, I may have the wrong view of what perhaps the Planning Board role is. And again, I'm new. But I just think they both kind of say, "You know what? This would be potentially useful to be involved and give a perspective for this."

And then the final thing is a very small thing. But I'd like to send to you, Patty, for your review and for you to pass on to the Board if you feel fit, I took a look at our steep slopes ordinance. This only is in reaction to a recent case we had, where there was someone who was coming here without having really disturbed steep slopes. I think a very small insertion of some language that would not have that kind of case come up in front of us.

Chairperson Speranza: OK. You know what we'll do? Let's get it on the agenda for the next meeting because it's something that we, as a board, would take up, as Jamie knows, very, very well.

Boardmember Sullivan: I know there's been a lot of work, but I felt I could just ...

[cross-talk]

Chairperson Speranza: I think it's been a year since we talked about the steep slopes ordinance. Hasn't it been a year?

Boardmember Cameron: You're right.

Chairperson Speranza: So it's time again.

Boardmember Cameron: Well, part and parcel of the problem that was there was the lack of education of the architects who were coming forward. Because, in fact, the matter is maybe a language change will help. But otherwise, really nothing had to be done.

It's just the architect had to realize where they needed to go in the month ahead of time and bring it up. Because then it would have passed right through, as it did very simply. It's really a lack of attention by the architect, and our failure to educate the architect – which our checklist may actually help do that.

I'd like to go back over affordable housing, if we could. I actually attended the meeting up at Greenburgh town hall ...

[cross-talk]

Boardmember Alligood: Fantastic.

Boardmember Cameron: ...and Bruce Dale and Sue Smith were there, and there was quite a large crowd and a very informed crowd. A lot of very interesting issues got raised, which I'm sure Bruce will bring back to us.

Interesting enough, whether affordable housing has to be in new buildings or it can be redone old buildings, even if you only do 25 percent rehab. Otherwise, you actually have to have a change of what the building is used for. So I think we need education on that as a Board.

Also, it was very interesting listening to an experienced affordable housing developer who was saying how difficult it is in some towns – and I was smiling a little bit – that if your approval process, particularly the EIS, is too long you just kill an affordable housing developer. Because they just don't have the money to go through the entire process, and then get told no, and have to go over here, and they go through the process again.

But two boards they have to go to. I think that's something we should discuss in the context of that. And Bruce, I'm sure, has a much better list. And Sue Smith, she has a list. It might be very interesting, as you say, to have them come forward and talk to us. Because there's a lot of activity going on and a wide variety of activity, different kinds of activity, going on in the affordable housing area. I thought it was extremely interesting.

Boardmember Sullivan: Well, I'm glad you were able to attend. I wasn't able to. That's great. Maybe a work session or something down the road.

Chairperson Speranza: Yes, I'll reach out to Sue and talk to her. Because I think you're right. I think there is quite a bit of benefit. And even as we see applications, things that come before us, and how we can suggest and encourage, where appropriate, affordable housing.

Chairperson Speranza: Something else?

Boardmember Cameron: I have an idea. What we were discussing a little earlier, I'd like to bring up in the meeting.

We have ... at these meetings, we have an applicant before us. And we go through a long discussion with the applicant. And at the end of the day, the applicant says, "Oh, yeah, I'll do that, I'll do that, I'll do that," and they agree to do a whole bunch of things.

And then about a year later, once they've finished their project, we discover they haven't done those things, even though they said at the meeting they had. I think sometimes – and we have to go back and look in our minutes – sometimes we actually put them in the minutes as one of the conditions.

How, you know, it's always awkward afterwards when a person hasn't satisfied the condition. What do you do? Go close the building down or something? It's a little tricky. I think we need to, first of all, have a process where we have somebody agreeing to do things at a meeting; in fact, that they specifically agree to do it in writing as part of the approval process. In other words, they have to sign and say they'll do it.

And we also have to have a way, I think, that if they don't do it we can go ahead and do it for them with third-party contractors and include it in their taxes the next year. Because, you know, we just have a bunch of things that we've asked people to do to make our Village look like a nice place – without going into what they are at this point in time – and I really think we should have some sort of enforcement method for doing that.

Boardmember Alligood: That makes a lot of sense.

Boardmember Cameron: Yes. So I'd like to bring that up with our legal counsel at our next meeting.

Chairperson Speranza: And our Building Inspector.

Deputy Building Inspector Minozzi: I will definitely bring it to Deven's attention also.

Boardmember Sullivan: It seems like not getting a C of O is a very important step.

Boardmember Cameron: Well, usually they have the C of O, and it's occupied. And they're working away, and they just never quite do it.

Boardmember Sullivan: That's where the C of O only comes until all those items are complete.

Boardmember Cameron: Well, they could be. But sometimes the place already has a C of O. The one here has a C of O, you can't do anything about it there.

Chairperson Speranza: Right. And some of it may be where it's on-site improvements that don't require an amendment to structure.

Boardmember Cameron: Somebody came in for approval of a very, very, very large wall and agreed, as part of the process, they would put ivy on that wall. Well, it's now four or five years later and there is no ivy. But they didn't need a C of O. It already has a C of O. We just need to make sure it happens.

Chairperson Speranza: I think we all ... I mean, I know I certainly have my ... the project that is really a thorn in my side when it comes to not being finished for a variety of reasons. And maybe we'll just, you know, compile them together and present them to the Building Inspector's office, and say, "Go out and see what we can do to put the teeth into this ordinance – into the site plan approval conditions."

Boardmember Cameron: And we have to come up with a document which they have to sign.

Chairperson Speranza: Right, and that will be Marianne.

Deputy Building Inspector Minozzi: We can most definitely send a letter to any project that you're speaking about that is not coming up with what they agreed to do.

Chairperson Speranza: Right.

Deputy Building Inspector Minozzi: I have no problem sending a letter out to these people.

Chairperson Speranza: Good.

Boardmember Cameron: Yes, but we also need ... and it's good that you're here, but we also need a mechanism that if they just continue to act placid and do nothing that we can, in fact, get to the right conclusion.

Chairperson Speranza: Right. Checklist.

Boardmember Cameron: Well, actually, yes. We're heading into the summer, and I'm hoping that we get our checklist.

Chairperson Speranza: Yes. And one thing that ... and I will circulate it. I will have copies made, and we'll circulate this. It's food for thought as we think about the format that we might want it to take.

And we've got to watch ... I think the balance we're trying to strike is between the application itself and all the requirements in the application and all of the detailed information as required on the zoning code. Because you might as well just Xerox the pages from the zoning code if we're going to get to that level of detail. But for something that could be more user-friendly to an applicant, and also serve to our benefit to make sure that we check it off.

I found, in my files, something which we received from the county planning board that they had developed a development checklist. And it focuses on projects that may be adjacent to, or have impacts on, county facilities, county parks, country roads. But they're good topics and some good ideas, both for an applicant to consider.

You know, just as a for-instance: *"A development that involves filling impervious surface, buildings in substantive loss of natural vegetation in a flood plane or flood zone, should be avoided."* So again, I think it goes towards the person who is actually considering developing a piece of property, as well as for us. *"Is the site served by public transportation; will the development connect to a public sewer line?"*

There are some things in here. And in terms of a format, it may be good. Not necessarily all the substance because, again, it's geared towards a different audience. But I think it would be good. And then we can talk about it. And we'll sit down – as you said, Jamie, summer's coming, that's good – sit down and go through what's required under the application right now, what's in the zoning code, and see where we can go from there.

Boardmember Cameron: Sometimes the advantage of internal checklists – and as an attorney you have them all the time – is, you have a real garbage checklist which you have internally. And, you know, maybe 30 percent of the things on the list don't apply. But it's just everything anyone's ever thought about that, and you just don't miss anything that way.

You just go, "Well, those don't apply, no. But that's interesting. Didn't think of that one. That one does apply."

Chairperson Speranza: And you tickle it, right. It's like a tickler.

Boardmember Cameron: Yes, and it's just a very useful way of staying organized. I mean, we couldn't live without checklists. So that was very good.

VI. ANNOUNCEMENTS

1. Westchester Municipal Planning Federation Dinner

Chairperson Speranza: And I just have one other announcement we all got in our packet. So for anybody who's out there in the public who's got an interest, on Thursday, June 2, the Westchester Municipal Planning Federation is holding their 38th annual awards program and dinner at the Whitby Castle at the Rye Golf Club.

If you go to the county Web site, and go to the planning department if you are interested, then you can certainly get an application to register to go to the dinner. I do know that one of the awardees will be the former commissioner of planning, [Jerry Mulligan] XXX, and congratulations, [Jerry] XXX. He is a dynamite commissioner so he deserves the award.

But again, they will honor communities and projects that show leadership within the world of planning. I've been to a couple of them. We, the Village, have been the recipients of a couple of the awards. So it's a nice thing to be recognized for.

Anything else?

2. Next Meeting Date – June 16, 2011

VII. ADJOURNMENT

Chairperson Speranza: See you June 16. Thank you.