

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
JULY 19, 2012**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, July 19, 2012 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 Eva Alligood, Boardmember James Cameron, Boardmember Rebecca Strutton, Boardmember Kathleen Sullivan, Village Attorney Marianne Stecich, Building Inspector Deven Sharma, and Deputy Village Clerk Mary Ellen Ballantine

I. ROLL CALL

Chairperson Speranza: We'll start the meeting now

Boardmember Alligood: Were you waiting for me to say that?

Chairperson Speranza: Good evening. I'd like to call the meeting of the Planning Board to order. It's Thursday, July 19. Mary Ellen, will you call roll?

II. APPROVAL OF MINUTES

Meeting of May 17, 2012

Chairperson Speranza: OK, we have two sets of minutes to approve, the first one from our meeting on May 17 which we could not pass at the June meeting. Is a motion, or changes to the minutes from May?

Boardmember Strutton: I have one change, on page 16, fourth line from the bottom. I say: "*I remember that one.*" I think I said I don't remember that one. When I read it back, I was like I don't think I was here.

Building Inspector Sharma: What page is that?

Boardmember Strutton: Page 16, at the bottom, fourth line from the bottom.

Chairperson Speranza: Anyone else?

Boardmember Alligood: I found something last time. Here it is. It's actually something that was left out of what Jamie said, on page 13. The sentence is: *"This is the first time we've ever voted on an ... "* and the word should be "indentation" -- it says "XXX" -- " ... 'indentation' as being a view preservation issue."

Boardmember Cameron: Right, I agree with that.

Boardmember Alligood: That's it.

On MOTION of Boardmember Strutton, SECONDED by Boardmember Alligood with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of May 17, 2012 were approved as amended.

Meeting of June 21, 2012

Chairperson Speranza: Any changes to this set of minutes? It was a very quick meeting, as I recall.

On MOTION of Boardmember Alligood, SECONDED by Boardmember Sullivan with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of June 21, 2012 were approved as presented.

Boardmember Cameron: I was absent.

III. OLD PUBLIC HEARINGS

None

IV. NEW PUBLIC HEARINGS

View Preservation approval - Application of Edward Baldwin & Gillian Anderson for the construction of a new single-family dwelling at the newly-created lot at 181 Washington Avenue. Said property is in the MR-1.5 zoning district and is known as SBL 4.70-53-1.1 on the Village Tax Maps

Chairperson Speranza: OK, next on our agenda we have a public hearing for view preservation approval for property located ... it's actually a newly-created lot on Washington Avenue, the application of Ed Baldwin and Gillian Anderson. That's the construction of a new single-family home.

Good evening.

Gillian Anderson, applicant - Baldwin & Franklin Architects: I hope that what I provided for you was enough in terms of view preservation. It's quite difficult to take photographs at this time of year because of the trees. Fortunately, I had a few that I had taken earlier.

There is nobody who has come up about this issue. I think the only people who are impacted are us, in the house 181, which is directly behind. The other two variances we are requesting at this meeting are ...

Chairperson Speranza: Well, let me just stop you there because we don't ... well, we could recommend to the Zoning Board, but we don't act on variances. That's Zoning Board of Appeals. So we handle view preservation aspects. But you can certainly describe what it is, just don't expect us to vote on it.

Ms. Anderson: No, I understand. But you can recommend.

Chairperson Speranza: Yes.

Ms. Anderson: Thank you. The only people impacted on the other two issues are the woman who lives in number 60. They were going to come to the meeting tonight, and then decided that they wouldn't because they had no problem with these two issues. One is the height for approximately 7 feet of 25 feet, the height of the elevation of the new house instead of 24, for approximately 7 feet. We located the house where they requested it so they could maintain light coming into the kitchen at the back of the building.

Chairperson Speranza: Right.

Ms. Anderson: If we raise ... we can raise the pathway to the front door to not have to request this. However, that would mean more of a retainage wall next to their existing fence. So landscape-wise, it's not as nice. And they don't have an issue at all with that.

And the other thing is that we are only allowed 1 foot for a canopy over the front door. We have requested 3 feet so we can screen the light that is over the door so that it will not shine onto their property. And they obviously are in favor of that.

Chairperson Speranza: Right.

Ms. Anderson: So that's it. Thank you.

Village Attorney Stecich: Patty, even though it's not relative, since it was that I just want to clarify. It's not that you're seeking a height variance. It's that because their side yard setback has to be 12 feet, or half the height, whichever is greater. So that's why the height is relevant. I just didn't want anybody to think they were seeking a height variance. They're seeking a side yard variance.

Chairperson Speranza: Boardmembers, any questions?

This is a public hearing. Is there anyone here who wishes to speak on the application? No? OK.

Questions or comments?

Boardmember Sullivan: I had one question, which I had e-mailed out to Deven. In looking at the lot, [off-mic] anticipated this [off-mic] the subdivision, there appears to be a substantial slope. My question was, does this involve steep slopes. Have you seen the topographic survey of this site?

Building Inspector Sharma: We talked about it.

Ned Baldwin, applicant - Baldwin & Franklin Architects: We looked at the entire site, and found no areas that exceeded 15 percent grade over an area of 1,000 square feet. The only area that does exceed 15 percent is where parts of the retaining wall along Aqueduct Lane have collapsed and fallen down into the slope. So you do have some steep slopes there, but they are very limited in area. And furthermore, they'll be total eliminated when the parking structure is built because there'll be a new retaining wall which will eliminate the slope.

And the rest of the site goes up to 9 percent, 10 percent at its most severe. So on that basis, we didn't think there was a steep slopes issue.

Building Inspector Sharma: Technically, we didn't think ... I mean, they have to be 1,000 square foot area with a slope of 15 percent or more. As we looked at the plans together, we didn't see any area [off-mic] that sloped more than 15 percent.

Village Attorney Stecich: That part I understood, but the last part Deven was talking about it did seem it's an area on a steep slope. But he was saying that's less than 1,000 feet?

Mr. Baldwin: Yes, it's very small.

Boardmember Cameron: So small is beautiful.

Chairperson Speranza: In the instance of steep slopes, yes.

Building Inspector Sharma: Well, see, that gets divided into three separate lots [off-mic] so it gets divided into three separate properties. Now they've not [off-mic] on any one property.

Chairperson Speranza: OK, Kathy? Anything else, Eva, Rebecca? OK, then can I have a motion for the recommendation to the Zoning Board of Appeals view preservation for the new house on the lot at 62 Washington Avenue?

On MOTION of Boardmember Cameron, SECONDED by Boardmember Alligood with a voice vote of all in favor, the Board approved a view preservation recommendation to the Zoning Board of Appeals for the new house on the lot at 62 Washington Avenue.

Chairperson Speranza: OK, that goes to the ZBA. Did we want to say anything about the variances, or have them simply handle them? We don't have to say anything.

Boardmember Alligood: I don't see any issues with the variances. I'm happy to recommend that they be given.

Chairperson Speranza: OK. Then we'll also move a recommendation to the Zoning Board of Appeals to approve the variances.

On MOTION of Boardmember Alligood, SECONDED by Boardmember Cameron with a voice vote of all in favor, the Board approved a recommendation to the Zoning Board of Appeals to approve the variances for the new house on the lot at 62 Washington Avenue.

Chairperson Speranza: OK, thank you.

Mr. Baldwin: Thank *you*.

V. NEW BUSINESS

1. Steep Slopes Application of Lester Sills for the construction of a garage at 2 Summit Drive

Chairperson Speranza: This is not a public hearing. It's new business, steep slopes application for the construction of a garage at 2 Summit Drive, Lester Sills. And we did receive some additional plan at our place tonight.

David Robak, architect – Robak Architecture: [off-mic] engineer for the water runoff [off-mic].

Chairperson Speranza: Got it. OK, and this is the plan. Are you Mr. Sills?

Mr. Robak: This project is a two-car garage, detached garage. The owner presently has a single-car garage beneath his house. He has young children, bicycles and things, and he needs extra garage space.

There was this little strip of land that was unused and pretty unsightly, and that's where we decided to place the garage. Also part of the scheme was that there's a pool and a patio up here. And there's going to be a flat roof deck on top of the garage, so you'll be able to walk out from this patio onto the garage roof. So it really has like a double purpose.

If you look at this other drawing, 8-2, you'll see the profile here. Here's the patio, the pool patio, up here, and you'll step down to this. We tried to make the building higher just to get this higher to make it more of an even level to get that little terraced effect, but the Zoning Board would not give us the variance, this height variance. So we had to knock it down 2 feet. That's where we're at now with that.

But it's mostly buried into the side of the hill, and I guess the reason we're here is because it's steep slope. It's about 33 percent slope, and there's a lot of rock on the site so it's difficult to place the garage. It's going to be like feel as we go, but that's our best guess about where it will be.

Chairperson Speranza: Can you talk a little bit about how the drainage is going to be handled?

Mr. Robak: Oh, sure. Yeah, the engineer did a report. He came up that we needed to capture 350 cubic feet. We're going to have a trench drain along the base of the driveway and we'll capture all the water coming off. The driveway will be essentially flat, with just a gradual slope to get water to flow off so it doesn't pond. But that will be captured by a continuous trench drain across the bottom at the base of the driveway. And also, we'll have gutters and leaders which will lead to these drywells here alongside of the building, and that will capture all the water that the engineer said needed to be captured.

They'll be shallow type drywells, cultecs, the plastic domes. So that's about it. The garage will match the house, and have a stone veneer and carriage house-style doors.

Chairperson Speranza: It's a very nice piece of property.

Mr. Robak: It's a beautiful house. We didn't want to place the garage over here because this elevation's very nice at the side of house. So we didn't want to put the garage in here and ruin that. I think it's nice, you know, farther away.

Chairperson Speranza: Let me ask you, one of the things that I noticed is that you've got to ... and somewhat a steep slopes issue when we talk about the dimensions of the proposed driveway, and that you've got to go for a variance because it's going to exceed the maximum permitted.

Mr. Robak: We already received the variances we needed.

Chairperson Speranza: Oh, you did?

Mr. Robak: Yeah, we did.

Chairperson Speranza: OK, you received them already.

Mr. Robak: One, the height variance, was not granted to us. We asked for it. We wanted to make the structure 14 feet high and the ordinance is 12 feet. Again, for that terraced effect we wanted to have it higher so you weren't walking down so much to the top of the garage, the deck. But we have received two variances. The variance was for being placed in the front yard, and also for the excess in the curbcut. I think the curbcut limit is about 30 feet, or something.

Chairperson Speranza: Yeah, 34 feet.

Mr. Robak: And we're over. We're at 35. I think this driveway's 10, or whatever. We received those variances already, the curbcut variance.

Chairperson Speranza: Yes. That's what I was wondering. If it was going to be necessary to retain the existing driveway, then, if it's not going to be used for vehicles. I mean, it's just a thought.

Mr. Robak: I think he still wants to keep it for bicycles, for kids. Yeah, I think he wants to keep that.

Chairperson Speranza: OK. Questions, comments? Open to discussion from the public, also. Marianne?

Village Attorney Stecich: Dave, I just had one. [Givens] XXX isn't coming tonight?

Mr. Robak: I don't believe so.

Village Attorney Stecich: Yeah. It's really technical, and maybe Deven could have him clarify it. You see where the seal is?

Chairperson Speranza: On the report?

Village Attorney Stecich: Yeah. It's not obvious, the statement about that it's not going to ... you know, the two statements that were required to be certified are on what would read as the last page of the letter. But then there's this thing that says "stormwater analysis," and he has a signature there. It's just kind of odd because that seems like an intended. So I would just ask Deven to have him certify the statements on what is the third page of his letter: the one, *"It's my professional opinion that the design would produce a zero net increase."*

Chairperson Speranza: On the report.

Village Attorney Stecich: On this thing, as opposed to what looks like an appendix. Do you understand what I mean? Just have him do that. I think that was his intention, but ...

Building Inspector Sharma: [off-mic] signature at the end. He certifies [off-mic].

Village Attorney Stecich: Yeah, but ordinarily it would, except that it depends. It has a separate title – "*stormwater analysis*." It's just oddly done. Ordinarily it wouldn't be an issue, but it's not so clear. And if he were here, he could just say, "I'm certifying to all of that – that was my intention," but he's not. So I think we have to get it if we ever needed to rely on it later. So if Deven just has him clarify that; maybe just stamp that page.

Chairperson Speranza: OK.

Building Inspector Sharma: I can get him to do that, yes.

Chairperson Speranza: There's also a short form EIF in our package, which I don't think we need to do anything for environmental, right?

Village Attorney Stecich: No, you don't.

Chairperson Speranza: OK, it's just here for our information.

Building Inspector Sharma: We also have the checklist that somebody's going to talk about later.

Chairperson Speranza: Right.

Building Inspector Sharma: So I've been asking [off-mic] subsections [off-mic] each and every one in some way.

Chairperson Speranza: Good.

Boardmember Sullivan: The only comment I have is that it could be I'm not seeing it because your drawings are really small: location of silt vents, or straw bales, or some kind of indication of protecting any soil erosion.

Mr. Robak: I didn't show it in this drawing. It will be on the construction drawings. The entire construction site will be surrounded with a silt fence.

Chairperson Speranza: Jamie?

Boardmember Cameron: Yeah, just a couple questions. One is, there is a very large oak tree on that property right now. Is that the 24-inch one your mentioning here? There's one that you have right next to your 25-foot mark. Or is there another one that you're taking down?

Mr. Robak: No, that oak tree is there now. We're hoping it survives.

Boardmember Cameron: Yeah, well, that really leads up to my other question, is that, for good reasons, you're covering a lot of that site. And I have a the opposite concern: that we're not going to get enough water in there to keep those trees alive. And I'm wondering if there isn't a way that when you do your drainage to have some of your drainage end up in some drywells near those trees. Otherwise, I don't think they're going to survive. They're going to have driveways on both sides. I know trees are pretty good, but that does bother me. So I don't think it's a requirement. It's a suggestion to figure out some way to get enough water for them to live.

The other question I have is, you put two cars in these garages. And if those are the actual sizes of the cars – and maybe they've been oversized for the picture – neither one of them can sit out on driveway in front of the garage, which is what 99 percent of all good Americans do rather than putting them in the garage. But I guess yours really can't actually sit out there if that's how long the cars are, unless they're trading them in for Mini Minors or something.

Mr. Robak: I'm hoping that one of the cars can fit on the left side.

Boardmember Cameron: The left side, yeah.

Mr. Robak: I mean, that's the Catch-22 about this project. The further left you move, the longer the driveway gets.

Boardmember Cameron: Yeah.

Mr. Robak: But you get closer to those trees. And also, we were kind of constrained by ... if you look in the upper left-hand corner that's our side yard setback. And so we're pretty much up against that; we really can't go left much more.

Boardmember Cameron: But that's a very narrow street, as you know.

Mr. Robak: Yes.

Boardmember Cameron: And we have difficulties going up and down the street.

Mr. Robak: I thought placing drywall on this side ... I mean, I don't know, but I thought placing the drywall over here would destroy the roots and do more damage than good. You

have to dig, excavate to place them. But if there's a way we can funnel water over, that would be a good idea.

Chairperson Speranza: Rebecca, Eva? Anything?

Then one more time. Anyone here in the audience wish to comment on this?

OK, then that's said, if there's no other issues can I have a motion for the steep slopes approval for the property at 2 Summit Drive?

On MOTION of Boardmember Sullivan, SECONDED by Boardmember Alligood with a voice vote of all in favor, the Board approved the steep slopes application for the property at 2 Summit Drive.

Chairperson Speranza: OK?

Mr. Robak: OK, thank you.

2. Steep Slopes Application Hudson View (2007) LLC for the clean-up of foreign matter on the slopes at 683 Broadway

Chairperson Speranza: OK, next on our agenda is another steep slopes approval, steep slopes application. And this is for the property at 683 Broadway. Mr. Steinmetz, how are you tonight?

David Steinmetz, attorney – Zarin & Steinmetz: Well, nice to see all of you. I'm representing Hudson View (2007) LLC. Good to be before the Board tonight in connection with this steep slopes application.

With me this evening representing my client, Michael Robinson. In addition, Marcus Carter from Steven Holl Architects, Marc Gallagher and Clay Patterson from Langan Engineering, and Howard Williams from Edmund Hollander, our landscape architect.

We're here tonight to discuss the removal of some debris in the cleanup of the western side of the property which is currently a steep slope and does require some attention. Currently – and we're going to talk about this tonight – the slope is not stable. It is susceptible to failure based upon its present condition, the materials that are on there. And it's our position that

regardless of what we are doing relative to the construction of the home of this site, the slope itself does need to be attended to, does need to be cleaned, and does need to be stabilized.

So we filed an application, a steep slopes application, with the Village. You'll recall, we filed it several months back. It was submitted by the Village to Jim Hahn's office to conduct a peer review. Our consultants have been working with Doug Hahn, Jim Hahn, and their office. And as you may know, Hahn's office has recommended that the slope be modified to achieve a factor of safety of 1.5. So in connection with that, we sought out to determine how best to address the material on the slope to begin to achieve that.

For those of you that may not have ventured that far west on the property, we do have some photographs that we're going to share with you tonight. But just a sampling of what's there current: tires, carburetors, hot water heaters, washing machine, refrigerator, radiator, iron pipe and, of course, my favorite the Big Wheel. So we have a collection of organics and waste, and it needs to be removed and removed carefully and sensitively.

So we're proposing to address our slopes application, more or less, in two phases. Phase one would be the removal and cleanup phase; phase two would be the re-grading and the final stabilization. We really can't do phase two, let alone precisely set forth the way we think that should be done in a prudent and safe fashion, until we complete phase one. We need to see what's beneath, literally in some places, 6 to 8 feet of debris.

So tonight, what we wanted to do, Marc Gallagher's going to explain existing conditions. We're going to walk you through the photographs so that it's as if you've been on the slope, as many of us have, to see and experience that condition. We're going to discuss existing conditions, and we're going to discuss how we propose to remove the debris in terms of the methodology, et cetera.

Howard's going to address the plantings and the stabilization that will take place that will allow us to then go forward and analyze, and then come back before you on phase two. He's also ... both Marc and Howard will be involved throughout this process, both administering the contract as well as Marc is the civil engineer. It has been requested that we have a civil engineer on-site reviewing and monitoring all of the contractors' activities, and that would obviously be done.

We're pleased that we submitted our means and methods to the Village and to Mr. Hahn's office. We received a favorable memo from Doug and Jim Hahn yesterday. Just so the Board is aware, we did provide written notice to the immediate adjacent neighbors months ago when we originally filed the application. However, we then went back and contacted each of the neighbors of Hastings Gardens, Shandon, Blue River Valley as well as Metro-

North. Metro-North received plans, Metro-North wrote us a letter that we just received, dated July 17. Metro-North's construction representative, Chris Beloff, reviewed our plans and signed off on the activity – the way it was going to be conducted – and they had no concerns about any issues there.

Chairperson Speranza: Can I interrupt for one minute?

Mr. Steinmetz: Sure.

Chairperson Speranza: Do we have a copy of that letter from Metro-North? I just want to ... I think it's important that we have a copy for our files.

Mr. Steinmetz: Absolutely. Was that forwarded to Deven? Anyone? No? We'll make that ... we literally just received this.

In addition, we were also sensitive ... you'll recall the county sewer line runs alongside the property. We contacted Marian Pompa, one of the consulting engineers in the Westchester Department of Environmental Facilities. Mr. Pompa sent us an e-mail today after he also reviewed our plans, means and methods, et cetera, again signing off on his level of comfort and the department signing off on that this activity may occur in and around the county sewer line.

So with that as the brief summary, I'm going to turn it over to Marc Gallagher and we're going to literally try to walk you through the slope and explain what we're proposing to do.

Marc Gallagher, P.E - Langan Engineering: Hi. Thanks for having us tonight. I'm going to walk you through sort of the technical aspects of this and the slope stability of the proposed work. I'll warn you, I'm a geotech engineer so I love this stuff, so if I get a little too far ahead of you just back me off and ask your questions as we go along.

This is sort of an overview of the site – you guys have seen it before – with the existing house. The slope area that approximately is going to be worked on is about half of the property, with the steep slopes starting approximately where the sewer line is – the very steep part – working up to about the house, and then a little bit shallower near the top. This is just to give you an overview of where we're looking at.

To set the stage on what the property looks like right now, we have a few photos of what you see when you walk down to the steeper part. This is approximately along the trunk sewer, looking up the slope, and sort of what you see towards the top of the slope. The debris that we see on here, that's hot water heaters, numerous ones. There's some white appliances up

here. There's cabling, old electrical cabling, and copper tubing from like plumbing supply stuff. So this is basically the upper part of the slope. This is all just visible from the surface.

A very nice picture of an old washing machine. This is down towards the base, towards the easement area. Again, here you can see we're about halfway down the slope. More hot water heaters, a shopping cart; these are the railroad tracks in the background. You can see it's all sort of piled up against the trees that are down near the bottom.

Chairperson Speranza: Was all this visible, or was it when you started digging that you noticed this?

Mr. Gallagher: No, no, this is what you see. This is sort of the visible stuff right on the surface that's out there. In summer, if you go out there now, you don't really see it too much because there's so many vines and weeds that are there you can't really see it. But in the winter, it's like wow.

Chairperson Speranza: So it wasn't that you were digging and just suddenly found all this.

Mr. Gallagher: No, no, no. We'll get to that part.

When we were here last time we were talking about the test borings we were doing because we saw all this and how steep the slope was out there to see how we're going to stabilize this to build the house. We did a series of five test borings across the site: two of the borings down near the sewer easements, two of the borings at the top of the hill, and one more over towards the driveway. So this is just the lay of the land of where the investigations were.

Boardmember Sullivan: What do the other symbols indicate?

Mr. Gallagher: Oh, test pits. The squares are where we just dug pits in the ground to see where the existing foundations were, mostly.

This is what we do to summarize what the subsurface looks like. Here, we'll start at the river, then go to the Amtrak right of way; then the slope going up to where the top of the slope is now – where the existing house is now – and, eventually, off to the other properties. These represent each of the test borings we did, the three that we have referenced down here. This is cross-section AA so, again, we're looking north, through borings 2, 3, and 4.

We represent the borings as these stick figures. It's showing each of the different type of materials we had. This top portion here, with this dashed line, is approximately where we found all the fill material. We then got into an SP, which is a sand material, followed by a

till, which is a very dense sand and silt material left by the glaciers. The top portion of this that we hit when we were both excavating to get in to do the test borings and in the test borings themselves was this waste material that came up in the borings as trash – a lot of debris from organic material, like yard waste – and then also manmade materials.

The native soil sort of follows this dashed line. It's kind of interesting. If you sort of follow the slope that's kind of created by this dashed line down to the river it's not a straight line, but much more representative than the steep slope down to where the railroad tracks are. So historically, you can envision this slope was sort of more natural down from the upper part down to the river, carved out by the river. The railroad flattened it a little bit by filling in some of the river and cutting into the slope, and created the flat area for the tracks.

While we were doing the borings – we can go back to the pictures – we did have to excavate some areas to get the drill rig onto a flat surface, and sort of discovered really how big of an issue we have here. So here's our Big Wheel, construction debris – this is corrugated plastic material, like roofing material – large duct work from plumbing supply and HVAC-type work. There was car tires, car wheels; like David mentioned, alternators, radiators discovered in just the two areas that we did the work.

Mr. Steinmetz: How far beneath the surface are you there, Marc?

Mr. Gallagher: This is, generally, a cut into the side of the slope. That's probably 6 or 8 feet high when you see the actual excavation area. This kind of shows, again, that area here where the slope's here and we came in to do the test boring, and it's got all broken-up demolition debris, drainage tiles, piping, old fencing material, miscellaneous metals. So it's sort of a whole mish-mash of materials that are there.

This is in the springtime now. I just wanted to show this to kind of show what we'll do sort of in the interim. Here's all of our radiators again. You can see, and this is only in the spring before all the vegetation came out, it's really starting to close over again. So once the spring and summer came, you can't even see most of this stuff on the hills. But I just really wanted to demonstrate that after we did the borings we reestablished the grade where it was with the waste material that we had taken out, covered it with an erosion blanket – which is a jute mat – seeding it, and the grass is starting to grow to stabilize and reduce the erosion. After we do the proposed work in this cleanup phase, this is sort of what it would look like down here in the temporary stage between now and the permanent construction.

Now that we have the conditions defined, we would like to remove this waste material that we encountered. This is just sort of representative between the borings and the excavations we did out there to get access for the rigs of what we want to pull out. A couple of

constraints. We are not going to pull out any material over top of the sewer. We don't want to expose the sewer yet to potential changes and stresses so we'll stop our excavation work basically at the earmark line, and then excavate down until we find the material, that sand material. It really changes once you get out of the waste – which is pretty obvious, it's black, it's got a lot of manmade materials in it – into a brownish sand. So it changes pretty dramatically. You can tell when you get to it. This is sort of representative of what we're going to carve off the top, if permitted. The idea is to reestablish that natural grade so that we can see what the slope is and how to stabilize it in the long term.

Now I want to get into the really good stuff, geotechnical analysis. To analyze this, we did some slope modeling of the existing conditions to see how the slope is behaving now, or theoretically is behaving, and what our future work is going to do to the slope. The first thing we did, Clay and I ran this model to, again, model the slope. Here's the Amtrak area, our existing grade at about a 1-to-1, and then the flat area at the top. This brown or tannish material here is sort of the upper material that we encountered digging into that denser sand, and then the till on the bottom is the light purple.

What it's showing is the first model we did using general engineering properties we would obtain from the soil borings and estimates of strength properties. It said the slope should be failing as we are now. But what this is really telling us is it should be failing on the surface. It's so steep that when it rains, or even just in natural conditions, it should be sloughing down the hill. There used to be 1 to 6 inch to a foot thick slides on the hill. Now, we weren't observing that. And obviously, one of the reasons is all the vegetation.

So what we did is modify the slope and added in this green vegetative layer, that we increased the strength of the material by adding roots essentially. So we mimicked ... the model doesn't say you want to add grass, but we essentially tricked the model into knowing that the surface was not failing so we wanted to get the failure down deeper. What we did, we established that once you get these failure planes, these curves, out of the surface material it shows the slope is essentially stable, at this 1.07 factor of safety. So what's a factor of safety? That factor of safety is something telling you how much stability any sort of material has.

I think one of easiest ways to explain it is, if you have a pencil in your hand and you're trying to break it, at some force that pencil breaks. So right before you break it, the factor of safety is one. If you need 100 pounds to break the pencil, you're applying 100 pounds right before it breaks. If you put 101 pounds on it, it's going to break. If you put 50 pounds on it, your factor is two. So you're only looking at half as much as you need to break it. Again, we go back to this first one. It says that the slope is unstable, it's 0.7 so it says it should be failing

right now. When we force it into a more realistic condition, what we observe in the field, we see that it's actually very marginally stable or barely stable the way it is.

What we want to show, really, in this, though, is that the future house is not really affecting the slope. This slope needs to be addressed regardless of whether a house is put in. When we put the house in, the loads for each of the columns where the foundations are, where the excavation is, it changes from a factor of safety of 1.07 to 1.08. Which really says it's getting better when we put the house on. That's because we're removing a little bit of the weight here, and it's the weight of the soil that drives this slope out, pushing it down. When we take out some of that weight it gets more stable. But, in essence, it's the same thing: 1.07 to 1.08 is ... you can't say it's any different. So when we build the house it's not affecting the slope.

Boardmember Sullivan: Are you showing, in your upper left diagram, the conditions as it is right now, or after you ...

Mr. Gallagher: As it is right now.

Boardmember Sullivan: So the one in the upper right, then, shows the removal of the debris?

Mr. Gallagher: No, this is where the weight is right now. This is what our first model was, and it said the slope should be failing all the time, which we know is not happening. So we went from this to modify it a little bit, to sort of mimic what's actually happening in the world.

Chairperson Speranza: With the vegetation.

Mr. Gallagher: So we added vegetation on top of it.

Boardmember Sullivan: So the one on the bottom shows if you left it as it is and built the house.

Mr. Gallagher: Correct.

Boardmember Sullivan: But it's not going to be what you ...

Mr. Gallagher: No. So this is just showing that the house is not destabilizing the slope. The slope condition doesn't change because of the house.

Boardmember Sullivan: The existing house, or the proposed house?

Mr. Gallagher: The proposed house.

Boardmember Sullivan: But that scenario will not ever occur.

Mr. Gallagher: Correct.

Boardmember Sullivan: Because you're going to remove some of those bad areas.

Mr. Gallagher: Correct. We just wanted to show that the house is not really driving the need to stabilize this, that the house isn't affecting it. The slope needs to be addressed regardless of whether there's a house there or not.

Boardmember Sullivan: I think you've made your point with the pictures.

[laughter]

Mr. Steinmetz: He warned you.

Mr. Gallagher: I warned you.

Boardmember Sullivan: No, it's great.

Mr. Gallagher: So I got one more, just to show what happens in the interim. More colors.

This is what you were sort of getting at, is this is what happens when we're removing the material. Here's the condition we start at. Now we've changed the green to be the fill material, the waste material, we want to take out. In the existing condition, again, we're marginally stable at a factor of safety of 1.09. This is the way we are now.

In the first stage of the cleanup we would attack it from the top, again removing the weight from the top so it doesn't drive the soil out, and take out this green chunk right here to create this sort of benched area here. And the factor of safety raises a little bit, to 1.1, just again showing we're not destabilizing the slope by the work. And then in stage two, where we're finishing – there will be probably a couple of these little steps, but I just wanted to take it to the end – at stage two, where we're stopping the excavation above the sewer, the waste material has been removed back to approximately the original ground surface; we're at a factor of safety of 1.2.

So we're increasing the factor of safety while we're doing this work removal. It's still not good enough in a long-term solution, at 1.2. But just showing that we're not destabilizing things while this excavation's going on.

So that's my dog and pony.

Village Attorney Stecich: I have a question about the drawing that you have there on the right.

Mr. Gallagher: Sure.

Village Attorney Stecich: Where the different colors go what looks like underneath the railroad track?

Mr. Gallagher: OK. So these are showing potential failure planes. Where slopes fail, they slide out along these curves. So you see this whole mass here rotating along that slope. When a slope fails it cuts sort of down here, and this whole mass rotates up. Everything down here would theoretically not move, and this whole thing rotates around this circle.

What this rainbow is up here are the centers of all those circles. So each of these circles is centered on a dot up here. What the colors represent is the factor of safety. The blue factors of safety are like factors of safety of 3 and 4. So these failures will never happen. The model cuts them to show you where the weak plane is, and it centers it eventually to the worst case, which is this slope here or this curve here. And the lowest point of strength is 1.09. Everything else is stronger than that, so that would be the weak link in where it would fail first.

Boardmember Cameron: This is getting the stuff removed, and then you're going to have a stage of putting new stuff in there. What factor are you going for, or is that the next book?

Mr. Gallagher: Sure, that's the next book. Come to the next lecture.

Village Attorney Stecich: Wait. Can I ask something about this one? I thought the goal of this stage was to take off the artificial fill, what you were showing as the tan stuff. But there's still a lot of tan stuff in the after pictures.

Mr. Gallagher: No, the tan is just simplifying so we didn't have to show all the colors to make it more complicated. This is just simplifying the upper part, then the denser sand and the till. So all the upper stuff we sort of melted together, including the waste material. This is just representative.

Village Attorney Stecich: But my question is, it's still there.

Mr. Gallagher: This is not the waste. This green is the waste material.

Village Attorney Stecich: As opposed to in the other diagram, where it was vegetation.

Mr. Gallagher: You're right. I should have changed to a different color.

Village Attorney Stecich: Oh, OK.

Mr. Gallagher: Yes, they're different materials. I apologize, yes.

Mr. Steinmetz: All of the waste is intended to be removed.

Mr. Gallagher: Yes, all the waste that's above the sewer easement will be removed.

Village Attorney Stecich: OK, you should you put a different color.

Village Attorney Stecich: We're a tough audience here.

Mr. Gallagher: Yes.

Boardmember Strutton: When you say you're taking it down to the sand level, you said before you're also taking off vegetative. Is topsoil in there somewhere? Topsoil is just decomposed vegetation, right?

Mr. Gallagher: Correct.

Boardmember Strutton: So are you taking off all of the topsoil down to the sand?

Mr. Gallagher: Well, there's only a little bit of topsoil on top of these hot water radiators and around it and stuff. So whatever little bit's there, yes, that's coming off. I mean, there's probably some native topsoil down at 8 or 9 feet, but once we hit that, if we can recognize it, we'll stop. But I'm sure it's mixed with all the waste.

Boardmember Strutton: And when you do this removal – maybe this is coming, as well – you're taking all the vegetation off, period. All the trees are going, all the vines are going.

Mr. Gallagher: Howard'll talk about that, but yes. The weeds and the vines and stuff, there's really no major trees here. It's too steep. There's hardly any trees on this steep part. I'm not sure there's any trees on the steep part.

Mr. Steinmetz: Why don't we let Howard address that.

Mr. Gallagher: So, Mr. Cameron, the last question you had about the next lecture, yeah, that's when we'll talk about the permanent stabilization. We can theorize on how we're going to stabilize it, but until we know what this shape is we don't know how best to address it. There's several different options we can have.

Mr. Steinmetz: But just to hit this question that you're asking. We've been asked by Hahn Engineering to achieve a level of safety of 1.5. So despite the fact that you heard lecture one here, this gets us to 1.2. We've been told that that's the goal that the Village wants us to achieve. And when we come back for lecture two, mathematically you will have established a 1.5.

Boardmember Strutton: And part's not being touched because of the county sewer line?

Mr. Gallagher: Yes.

Boardmember Strutton: That stability should increase on that because you're removing the weight from the top of the soil?

Mr. Gallagher: You got it.

[laughter]

Mr. Gallagher: Those will be next week.

Chairperson Speranza: OK, now can you explain the reason the Palisades rock slide happened?

[laughter]

Mr. Gallagher: No, that's rock mechanics. That's a whole nother class.

OK, any other questions?

Boardmember Sullivan: Yeah, I have two questions. The plan we received is very diagrammatic, which is fine. It shows the extent of where you suspect you're going to be removing waste?

Mr. Gallagher: Yes.

Boardmember Sullivan: What concerned me were two places. One was in the section that you cut through the site. You showed a change in elevation between the area over the sewer trunk line and the upslope area where you're planning on removing soil and waste. I don't know what you expect that change in grade to be. It's the black line.

Mr. Gallagher: This right here?

Boardmember Sullivan: Yep. How do you plan in stabilizing that?

Fire Chief Gagliardi: It'll probably be whatever we can get out before it starts to fall in, and then we'll just backfill it with some of the better material we find. It's not going to be left like that. It'll be flat there.

Boardmember Sullivan: And the other question I had is, what do you expect to find up by the house? Your hatching of the area where you're planning of removing the waste included the house. How are you going to stabilize next to the north property line, and what do you expect to do up there?

Mr. Gallagher: In this area here?

Boardmember Sullivan: Yes.

Mr. Gallagher: We'll chase the waste as far as it goes back, and then stop excavating. To stabilize, we'll put the soil erosion blankets in, and seed, to keep it from eroding.

Boardmember Sullivan: As you get closer to that property line you're going to have to certainly make some choices about not excavating as much.

Mr. Gallagher: Sure. Yes, we'll probably have to end up leaving some of it in there because you're going to have to slope so we don't go past the property line.

Boardmember Sullivan: Right.

Boardmember Cameron: Are you going to put the house on pilings to go down into the lower levels of the soil, or has that not been decided yet?

Mr. Gallagher: The preliminary plan has ... this is the schematic diagram of the house, with the basement level. These arrows back here are up higher because they're spread footings sitting on the soil. These ones are lower down here because the first 30 or 40 feet of the building will be on piles.

Boardmember Cameron: OK.

Mr. Gallagher: So the loads are getting transferred way down here and, again, we're not putting weight on top of the slope. So back here they're spread footings, and closer in they're piles.

Mr. Steinmetz: OK, I think Howard's up.

Chairperson Speranza: OK, next?

Howard Williams, Edmund Hollander Landscape Architects: Just to clarify one of the questions you had before about trees being removed, the only trees on this parcel actually are below the county sewer line. Since we're not doing any real work other than surface removal there, no trees should be affected by this effort. Everything on the slope where we're working is weeds and vines and some annuals, perennials.

I'm here to talk to you, really, about what's the icing on the cake. Marc really described what all of the fills were that we expect to find. I think you can all agree that I think one of the most important parts about any slope stabilization are the root masses that the plantings form on its surface. Currently, there's very little there. These vines and weeds don't really do very much for holding that surface.

We need to create a surface that I, as a landscape architect, can start to put in plant material that's viable for many different reasons. One of them, for our client, obviously, is for aesthetic reasons. But another is just the practicality of creating slope stabilization. So I think you saw from the photos, we can't do anything with that slope as it is. So I've been pushing all along in this project to really move forward with the slope cleanup so we really can do our jobs effectively.

At a certain point, we asked Marc to take a look at their borings and try and give us an idea of what kind of natural grade might be underneath all of this. And can we go from the one-to-one pitch that we currently have with all of the debris down to a 2-to-1, or even better 3-

to-1, pitch eventually. And that creates for us, as landscape architects, a surface that we can bring some plant material onto; we can bring shrubs onto it, we can put enough topsoil onto to it that will hold to put in grasses.

We're really talking about trying to get a landscape here that's mostly low shrubs and grasses. We don't expect to plant trees on this slope at any point in time. So a 2-to-1 to 3-to-1 pitch is very, very favorable for us. From our perspective as a landscape architect, that's the primary reason to be doing this effort, so we hope that you'll agree with us.

I think, also, I should address the temporary measures that we want to do after this work is done. You have before you the means and methods that our office put together with the contractor who's going to be doing this work. It describes for you the site protection measures, descriptions of the machines to be used in this work, the strategy for removing the fill and its disposal methods, and then the measures we're going to be taking to temporarily stabilize this slope in the interim, before we come back to you with our second part here. And those measures, of course, are, as Marc mentioned, the erosion control fabric and seeding. We also expect to temporarily irrigate this. We're in one of the worst droughts we've seen in quite a while now. If we're to be putting seed down, we have to put some water on it to get that to germinate. And then we'll do so until we have a stable ground cover.

So if you have any questions about the means and methods, I don't know if I need to walk through every single item in there.

Chairperson Speranza: No. I think the report describing them is fine. Jim?

Boardmember Cameron: I just have a question. The earlier description by your engineer was that we had a pitch of 1-to-1 going down that slope currently, and then we have this nice line underneath that shows you what the so-called "natural grade" was. And then you're talking about 2-to-1 to 3-to-1. So are we looking at one solution, not to fill in all the dirt again and have a more natural grade? Or is the house going to remain up at the same height, which forces the grade going down the hill to go back up towards one steeper than the original natural grade. I'm just curious about where the thoughts are, the group, on what you're going to do with that.

Mr. Williams: You could say that in the area of the house itself this work isn't really going to change that picture much at all. There is a veranda that sticks across the slope where this work is going to change the grades underneath that to some degree, and we do have to look at that as a design team to see what effect there is on that, and what changes we want to make

in that plan. The expectation, though, is that we will not go back to a 1-to-1 slope. That has its difficulties for a number of reasons.

Boardmember Sullivan: The gentleman from Langan said there were roots that were helping stabilize the existing slope, and you said not.

Mr. Williams: Yes, to some degree the vines and the weeds that are there do stabilize what little soil there is between all of this debris. Even calling that soil is a bit of a stretch. You know, it's mostly just organic material that's built up over time. It probably has not mineral content, which is essential for a definition of soil.

The roots that are there, most of the plant material there is probably an annual. It will die back in the winter, and its root system will also die back and it will not be stable during the winter months. In the summer, when it's growing and vigorous, yeah, there is some stabilization by roots. But that's a completely different thing than bringing in a horticulturally established plant – you know, a shrub – putting down a good ground cover of tall grasses that forms a deep-rooted mass. That's quite more significant than what's there currently.

Boardmember Cameron: About 15 years ago they did have a slide on the part of the property that the main house is going on, going down in towards the tracks.

Chairperson Speranza: Are you finished? I just want to have Mr. Hahn.

We have a report from you. I know you've been out there.

Doug Hahn, Hahn Engineering: Yes. Our main concern really was, obviously, the Metro-North and the county trunk line. That's why we wanted to go up to a factor of safety of 1.5. Everything they're doing seems very reasonable. It's something that I know we would look into. Our main concern was to have the engineer on-site, and then the means and methods, which we got a couple days ago. We looked it all over and it looks reasonable.

Village Attorney Stecich: You should indicate, Doug, there had been some back-and-forth.

Mr. Hahn: Yeah.

Village Attorney Stecich: It wasn't that they just sent you everything.

Mr. Hahn: Yeah, we did have some comments.

Village Attorney Stecich: The Board wouldn't be familiar with that.

Mr. Hahn: We did push to have the engineer on-site the entire time, which I believe they were kind of looking into anyway. That was the main thing.

Village Attorney Stecich: And the means and methods, which you've got the information.

Mr. Hahn: The means and methods, too, and a couple other little details that were more minor.

Mr. Steinmetz: You did request the 1.5 level of safety.

Mr. Hahn: Yes.

Chairperson Speranza: And based on your report, two of the things that you had requested was that there be contact with Metro-North and the county DEF.

Mr. Hahn: And I believe that they got in touch with them, and they did get the letter from Metro-North.

Village Attorney Stecich: Right. That, we haven't seen though.

Chairperson Speranza: And then I think your second comment was very interesting: knowing there's going to be a lot of hot water heaters and washing machines and stuff. Where *does* this stuff go? And you've mentioned you should be notified where the non-natural fill and waste material will be disposed of. Does that just go to a landfill? Oh, is that the answer?

Mr. Steinmetz: [off-mic].

Chairperson Speranza: Oh, wow. *"Material removed from the property in this proposed work will be divided into two categories: organic, including, but not limited to, composted leaf and other plant matter; and non-natural waste, including, but limited to, construction debris, appliances, car parts and toys. Clean organic material will be deposited at Custom Compost in Milton, New York, and non-natural waste will be deposited at IESI in Bethlehem, Pennsylvania."*

Mr. Hahn: So yeah, we did go back and forth, and they did a pretty good job of addressing it.

Village Attorney Stecich: This is the Metro-North letter. It just raises one question I'll pass up. It's dated July 17. It said, "*Should this scope for means and methods for the slope remediation change, a new submittal must be made.*" Now, you just got means and methods yesterday, right?

Mr. Hahn: Mm-hmm.

Village Attorney Stecich: So I guess they didn't review the new one. Or are they the same, or what?

Mr. Williams: Yes, I met with Chris Beloff at the site earlier this week and gave him a verbal description of those same means and methods.

Mr. Steinmetz: Same means and methods.

Village Attorney Stecich: Same, OK.

Chairperson Speranza: Well, that's even better. He was there. Mr. Beloff was there.

Mr. Steinmetz: He was there, he asked what was going to occur. He, like the Village and like Mr. Hahn, asked what type of machinery and the sequencing of the work. And all of that was covered verbally with the same means and methods.

Boardmember Strutton: Is there any concern that any of the material has hazardous ... like furnaces with oil in them or refrigerators with refrigerant in them or anything?

Mr. Steinmetz: We were concerned. There's no evidence of any of that at this point in time, based upon all the visual inspection as well as the borings. There's been no evidence of any contamination there.

Boardmember Strutton: And if you did find anything?

Mr. Steinmetz: Obviously, like any site, like any residential property, if you find something it's going to have to be addressed appropriately in accordance with any DEC regulations and Westchester County Department of Health. At the moment, there's no indication of that.

So Madam Chair, members of the Board, what we are hoping is that we can secure your approval this evening to begin this phase one effort; to do that in conjunction with the professional team that the applicant has assembled and, obviously, under the watchful eye of

the Village and its consultants. But we would like to begin that so that we then can complete that work and then return to the Village and return to this board for the second phase.

Chairperson Speranza: I'm wondering, how long does something like this take?

Mr. Steinmetz: We believe – and Marc and Howard will confirm – it's two to three weeks' worth of work.

Chairperson Speranza: OK. Marianne, you've giving me a look.

Village Attorney Stecich: No, it's just that the one tiny open ... not an open issue, but just make sure we have it locked up. Doug's letter says that Langan will be on-site full-time to supervise the work. I don't see it in the notes. Is it written someplace? If not, it should be a condition of the Board's approval that you approve it subject to Langan's being there on-site.

Mr. Steinmetz: We have no problem with that. And I believe it's in Howard's means and methods narrative that there will be a civil engineer on-site for ...

Village Attorney Stecich: It's in the means and methods? OK, I just wanted to make sure of that because I didn't read those.

Mr. Steinmetz: The written means and methods indicates that.

Boardmember Sullivan: Did you secretary draft the last sentence?

Mr. Steinmetz: Yes.

Village Attorney Stecich: I don't think I got those.

Chairperson Speranza: Right. *"All work will be supervised full-time by a civil engineer from Langan Engineering and Environmental Services."*

Village Attorney Stecich: OK. Just so it's something that we've got in writing.

Chairperson Speranza: Then Boardmembers, we have an action, if you're ready to take action, for the approval of the steep slopes application for the property at 683 Broadway.

Boardmember Sullivan: This would be for the temporary slopes [off-mic] location?

Chairperson Speranza: Yes, for temporary slopes. Now, let's be clear. Phase one is the removal of all this. Phase two then becomes the actual preparation of the slope that comes back to us for the construction.

Mr. Steinmetz: Correct. Phase one is, in essence ...

Chairperson Speranza: Phase one, slopes cleanup.

Village Attorney Stecich: Slope cleanup for the property.

Mr. Steinmetz: It's, in essence, the midterm. The final, we'll come back with Marc to prepare for the final.

Chairperson Speranza: OK, so we need the motion for the phase one slope cleanup for the property at 683 Broadway.

On MOTION of Boardmember Sullivan, **SECONDED** by Boardmember Alligood with a voice vote of all in favor, the Board approved the Phase 1 temporary slope stabilization for the property at 683 Broadway.

Mr. Steinmetz: Thank you. We'll see you soon.

Mr. Steinmetz: Marianne, we'll forward the Marian Pompa e-mail to you also.

Village Attorney Stecich: Oh, yeah, we got that. They gave us a bunch of copies of that.

VI. DISCUSSION ITEMS

1. Green Building Code

Chairperson Speranza: Next on the agenda is a discussion of the green building code. And I see we have representatives from the Conservation Commission, right?

Sharon Kivowitz, representative - Conservation Commission: Hi, how are you? I just want to start by saying thank you to everybody for your very thoughtful and really excellent substantive comments on the code. It was very helpful for us to kind of step back and hear your comments, see your comments, and realize when you read something over and over

again you lose perspective. So it was really great to give us the perspective that we needed. So thank you all very much.

And I just want to tell you a little bit about what we did after we last met. I sort of tinkered with the code a little bit, and then some of us met to kind of think theoretically about some of the bigger issues that some of you folks presented. And then we met with Marianne and, I think, refined even further and came out with this draft.

Then what I tried to do – and I'm sorry if my responses were somewhat brief but there were a lot of comments – what I also tried to do was to respond a little bit to your comments where we didn't make a change based on the comment, or where the Conservation Commission disagreed. If you want further clarification on that we're happy to respond to that today.

Before I go further, be aware that much of the wording of this code is likely to change; not substantively, but Marianne still has to take the code and put it into Hastings-speak, Hastings-code speak. Where I wrote it somewhat in an active voice, apparently the rest of our codes are not really written in active voice so she will be turning it into something that looks a little bit more like our Hastings code. And we'll also be renumbering so that it's consistent with our Hastings code.

The other thing that I wanted to mention, too, was that there a couple of outstanding questions that, unfortunately, I don't have all the answers to as of tonight. Some I do, but just didn't have a chance to fill in and e-mail it out to everybody. And there were a few other things that we're still tinkering with. But, hopefully, we'll have that very shortly.

So I don't know where to start. I don't know if Haven or Kerry-Jane want to say anything. I don't know if you want to ask us questions.

Chairperson Speranza: Well, I want to say I appreciate the time, obviously, that's been taken to address the comments, the things that you've heard. And certainly, I think that the organization of the document is much more clear than the initial version. One thing that I was thinking about – and I'll just go first, since I started talking – I was thinking about the applications that we had tonight and some of the applications we've had in the past. I'm a process junkie, and I've been trying to think of how this ends up becoming part of the review and application process.

Ms. Kivowitz: I think that comes ... I'm sorry.

Chairperson Speranza: Because I see that it is noticed in here, it's mentioned in here, that it becomes ... you know, it should be, these things should be considered for site plan approval

and view preservation and steep slopes actions, all of which we have had within tonight's meeting. And I think we have to give real strong thought to exactly how that coordination happens. One of the things that is really interesting to me ... and we go back and forth with the Zoning Board. You know, we both have ... or we make a recommendation to the Zoning Board of Appeals on view preservation, they take the final action.

So when does something like the proposal checklist become a part of an application that's going for view preservation? Again, I don't know the answers to it . I think it's something that we all, as the Village, have to think about how the process works. Like this evening, when we had the steep slopes application for the property on Summit, the Zoning Board of Appeals had already granted the variances for that particular project and design for the garage. But we have it for steep slopes.

Again, we just have to think about how this fits into all of the other processes that we have. Particularly since I know we've talked about is there a way to reduce some of the processes and have a site plan review committee or subcommittee of the Board. So again, I don't have the answers but I think it's something that we need to address in terms of how all these different processes work.

Ms. Kivowitz: I'm not sure it's as complicated as you think. I'm not sure it's even going to fit in to that whole structure that you talked about. What we anticipate – and Deven and Marianne can correct me if I'm wrong – and how I always thought of it is that the proposal checklist is going to come in when the permit application comes in. And on the proposal checklist – we haven't created it yet, but it will be attached when the code is finalized – it's really just going to be like complying with this, this, this and this, and these are how we're getting our five extra points, and we don't need to comply with this because of this. I'm not really sure that it needs to fit into that structure, but Marianne could speak to it better probably.

Chairperson Speranza: Well, just while I'm thinking about it, for instance the site plan approval process ... OK, so the checklist would say they're going to do this and this and this within the requirements, and then this and this and this to get the extra points. That's all done for, let's say ... and I know it's not ... well, it is. We don't have site plan approval for a single-family house, but let's say it's for the view preservation for that driveway.

Village Attorney Stecich: Oh, it's a multi-family building.

Building Inspector Sharma: [off-mic].

Chairperson Speranza: Well, it's mentioned in here as part of view preservation review.

Ms. Kivowitz: I don't think so.

Building Inspector Sharma: [off-mic] site plan [off-mic].

Chairperson Speranza: I thought I saw view preservation, as well. But, OK, just to continue my thought. At what point ... we get a site plan to review, the landscaping plan, for instance, then has to be evaluated to make sure that it's native plants. I mean, is that then something that becomes a part of site plan review?

Village Attorney Stecich: I think, Patty, the way it works ... no, it mostly doesn't come to you guys. This is mostly a bill ... if I understand the way it's drafted, it's done by the Building Department, just like the Building Department checks compliance ...

Building Inspector Sharma: [off-mic].

Village Attorney Stecich: Could I finish. Just so ... like the Building Department determines compliance with the state building code, with the state fire code, with the state energy code the Building Department would determine compliance with this. It's possible that during site plan approval some of these things could come up, as it does right now. There would a little overlap, but for the most part it would be it's a law, these are the rules, and the Building Inspector has to make sure that they're applied. And then I believe the appeal process that they wrote in is to the Board of Trustees.

But anyway, that's the way it's written. It doesn't need to be that way, but if I understand it that's the way it's drafted.

Ms. Kivowitz: That was our intention. I think probably what's confusing you in the paragraphs that deal with the natural resources survey, it says "*The natural resources survey shall be prepared prior to, and coordinated with, any other village approval process, such as ...*" and maybe the word "coordinated with" needs to be changed. Because we don't really intend it to be coordinated with just ... it just needs to be thought of as a ... it's not part of the site plan review, it's not part of the view preservation review or the steep slopes review. But it's at that time that they need to start thinking about it.

So maybe the words ...

Village Attorney Stecich: You could copy "*and coordinate it with.*" I think it works.

Ms. Kivowitz: Put it in, or take it out?

Village Attorney Stecich: Take out "*and coordinated with.*"

Ms. Kivowitz: Right.

Village Attorney Stecich: I think if you take that phrase out it works.

Ms. Kivowitz: "... *prepare prior to any other village approval process.*"

Chairperson Speranza: But do we then ... see, I'm just trying to figure out here ... the natural ... OK, so "*...the natural resources survey shall be prepared prior to any other village approval process, or submitted with, or*" ... I don't want to get too hung up on this, but I'm just trying to figure out how it works.

Village Attorney Stecich: But you know how when you get ... sometimes you get ... on some of the bigger projects with the application, you get building plans.

Chairperson Speranza: Right.

Village Attorney Stecich: Even though you don't review the building plans, but it's nice for you to know what the building is ultimately going to look like. For the most part, you don't do anything with the inside of the building. It's sort of this is something that probably the Planning Board's not going to do anything with, but it may be relevant to something you are reviewing in site plan.

Chairperson Speranza: So all of this would go to the Building Inspector prior to, or as part of, the application, let's say, for site plan approval. We wouldn't do anything.

Boardmember Sullivan: Not necessarily.

Village Attorney Stecich: For a building permit, it's the building permit application.

Boardmember Cameron: But to be fair, the sentence literally says that you have to prepare this survey prior to view preservation. That's what that sentence says. And that's not what it means, but that's what it says.

Ms. Kivowitz: So then we need to change the sentence, but that's not what our intention is.

Boardmember Sullivan: If I could, I'd like to explain some thinking that I put in my comments because I think it gets a little bit to the heart of what you're talking about, Patty,

and it was part of a suggestion I had made. After we last met, I called the New York State code official because I was curious about the status of their review of the finalized international green construction code. I have the name, and I ran copies of the things. But I spoke with a gentleman, a code official, and we had a long conversation about their review of that code.

He shared it with me privately, but it's New York State's internal review of a draft of that code. So this was just a conversation to find out the status of the code that we had chatted about when we were looking in the green code committee. But when I looked through the notes, one very interesting comment that they made that changed my thinking about some of the code ... because I was part of the group that helped prepare the residential code, so I'm invested in it occurring in some form or fashion.

But their review comments were very interesting because they said when the green building code, which parallels what Hastings is looking at, the green building code starts talking about land use. I have some copies of what are typically found in the building code. But everything, Patty, that you're talking about under the site category is not traditionally addressed in the building code. And they didn't agree or disagree with it being part of it, but they said this is unusual for this to be incorporated into a building code. Which started my thinking.

Part of it paralleled when we were starting to talk about the checklist, started looking. I went through, and I saw every item in the site sections for both residential or commercial could, with some modifications, green another part of our code, or existing Village code. It could be rolled into an existing review process that we already have. And I saw that as very interesting because it could also infuse, inform, affect, I think in a positive fashion, some of the reviews that already take place.

So what you're very conscious of and that you understand better than I – you've been on the Board so much longer and dealt with so many more issues – but in a way ... and I kind of challenged the Conservation Commission our ourselves as part of the people that helped do it: is it really as important to say this is in the building code or is it really important to get it in the codes that the Village uses. And maybe the better place for the site pieces is in our existing land use sections of our Village code.

And I just share that as something to think about. I'm convinced that it's worth pursuing. I think it's very valuable. I know when we talked in the initial committee we talked about the items – Christina and Doug and Deven and Bill and myself – where would, actually, land need to be thought about. So I toss it out for a piece of conversation.

The other thing I want to just mention, and this is it on my conversation with this gentleman, I like to figure out how you're going to get this thing approved. I believe ... and I found some of the code references in New York State law, but I believe this code, whichever form it takes, when it gets adopted as a local law does need to get reviewed by the New York State code officials. And they have the right to say yea or nay, agree or disagree. So I just share that with you.

So it's another step in the process, it'll be another set of eyes over this. The other thing just to share with the group is that this particular gentleman that I spoke with, because of some of the ARA, the American Recovery Act, funding that they've received, they've actually really ...

Village Attorney Stecich: Because of what, I'm sorry?

Chairperson Speranza: The ARA.

Boardmember Sullivan: Stimulus money. They've really enforced the energy code component for New York State's building code, and that's being ruled out. That also, for whatever reason, they will need to review as well under that. So there's a second review that will take place at their level. I mean, I don't understand the details of why. I said, "Even if it's site work?" "Yes, yes, yes, we have to, even though it's talking about creating a stronger energy code."

So I just want to share that one thought because it piggybacked a little bit.

Ms. Kivowitz: There are a lot of issues in what you just said, so I just want to try to comment on some of them.

As you recall, one of the main reasons why we decided to not [off-mic], first of all the IGCC, it's our understanding, by the time that actually gets approved on a national basis, and then adopted by New York, could be some time. So we don't want to wait for that.

Boardmember Sullivan: I'm not proposing that.

Ms. Kivowitz: No, I know. But one of the things that our original committee looked at and spent a great deal of time thinking about was whether we should take the IGCC and model ... and revise it, basically, for Hastings. And there were a lot of pitfalls in doing that, in part because it was very complicated, very long, there was a lot of stuff in it that we didn't need. And also it didn't relate to residential. We, as a committee, felt very strongly that that is the bulk of the building in this town.

So if we wanted to get the biggest bang for our buck we needed to include residential properties. And to try to adapt it for residential properties just proved to be too complicated. That's why we decided to basically look at the IGCC, take what works best for Hastings, and create a very short and simple document. That is the issue with that.

I understand what you're saying, but I'm not sure we want to revisit that.

Boardmember Sullivan: No, and that's why I wanted to be clear. I only called to find out on the status. But what I said is I was able to ... I was given, privately, the review comments. And because the codes are similar enough, the Hastings code includes land use components. That's very atypical, and used not even atypically; not found in the building code. And that was a comment that they said. So I started from that point, looking at the Hastings code, not at all talking about log at the IGCC.

Ms. Kivowitz: Then maybe we would not call it a building code. Then maybe we just call it Hastings Green Code. Because our thoughts about this ...

Boardmember Sullivan: You're going to get into an issue because you are talking about things that are involved – the construction of buildings and structure – then that's going to be ... there are two types of topics: things that are involved, the land use; and there are things that are concerned with buildings. And anything that touches the buildings is going to have to get rolled up to the New York State code officials to review.

You can call it anything you want, but because you're talking about modifying – you know, inserting the locality, inserting themselves into a building code review process, talking about how you want people to build or not build the structures – the state takes that right. They don't give it to the localities.

Ms. Kivowitz: It's my understanding that if we want to do something more stringent, we can, as long as they approve it.

Boardmember Sullivan: That's correct.

Ms. Kivowitz: So we have to [off-mic] them to ...

Boardmember Sullivan: Well, you just said don't call it a building code.

Ms. Kivowitz: Well, I mean, I guess because ... what I meant to say was, we view this as being bigger than just building a building. We are looking at the entire site, and we want

people to start to think about the entire site – where their trees are, where the sun is – and think about building their buildings with the entire site in mind. So it's kind of a more integrated approach.

Building Inspector Sharma: It's not a building code, but it applies to buildings as well. It will be a green code, and an energy component of it if it becomes more stringent than the current energy program, then, of course, we have to file it with the state and they have to endorse it.

Boardmember Alligood: I think the states going to ...

Building Inspector Sharma: But other sections, like the land use portion ...

Village Attorney Stecich: What are you ... I'm sorry, what do you mean by "the land use portion"? I'm missing something.

Chairperson Speranza: The portion that deals with the site.

Village Attorney Stecich: It's not land use, OK.

Chairperson Speranza: Well, as opposed to the actual ...

Village Attorney Stecich: Site development, OK.

Building Inspector Sharma: Water conservation, for example. There are components, you know, use of reusable, sustainable materials. There's no code currently, so we don't have to go to the state about it. The vegetation, the landscaping ...

Village Attorney Stecich: No, I think Kathy's right, though. I don't think anybody would disagree. I mean, you can't just send the state little pieces of it. You send them that ... and I think there are some pieces that do affect the building code, I think there are some pieces of it.

Building Inspector Sharma: Like which one?

Village Attorney Stecich: Well, there was something about ...

Building Inspector Sharma: Essentially, we spoke with the state [off-mic], see, energy-related. Because there is an energy code [off-mic] water conservation [off-mic] in there. So those [off-mic] in place then, of course, they have to verify.

Village Attorney Stecich: Yes, but that's not the point.

Building Inspector Sharma: [off-mic] component.

Village Attorney Stecich: Yeah, right. But I think Kathy's right, and I don't think Sharon disagrees. It'll probably have to get run past the state, and they'll review it just to make sure it's not inconsistent ... it may ... you know, with their energy, whatever.

[cross-talk]

Ms. Kivowitz: We had conversations with what was his name?

Building Inspector Sharma: [off-mic] and the other issue [off-mic] building code or green code, or how we place it in our local code, I don't think that that should be that much of a concern; you know, whether we call green ... I think we're calling it green code of Hastings-on-Hudson.

Chairperson Speranza: And I think what Kathy is saying is that in order to progress it and to move it forward, and to get it adopted and to really have it have some teeth, we need to send it to the state. And the state may have reservations about some of it.

Boardmember Sullivan: I made copies for folks of the law. So it's really clear what's happening ...

[cross-talk]

Ms. Kivowitz: We had conversations with Ron [Peester] XXX, who is the director of code enforcement.

Building Inspector Sharma: [off-mic].

Ms. Kivowitz: And he came to our village and we talked with him, and he gave a presentation. He, and the person who's from the IGCC, came and gave a presentation.

Building Inspector Sharma: [off-mic].

Ms. Kivowitz: And we had a lot of conversation with him about when we would have to get this approved. And when we decided to not go with the IGCC, and be an adopter – an early

adopter – of the IGCC, he knew that we were planning this code to be more inclusive than just the building of a building. And he never said anything to us about how ...

Kerry-Jane King, representative – Conservation Commission: I think he gave us assurance that if we produced something more stringent than the state requirement that they would pass it. I don't think he gave ...

Building Inspector Sharma: Would you do me a favor? Identity yourself.

Ms. King: Oh, sorry. Do you want to me repeat that? Do I need to repeat that comment?

Building Inspector Sharma: [off-mic].

Ms. King: Ron [Peester] XXX gave us every assurance that he would pass a more stringent code if we were to produce on. I don't think there's any problem with that.

Building Inspector Sharma: Yeah, I met him several times after that [off-mic] quite often.

Chairperson Speranza: You're not talking into the mic now.

Building Inspector Sharma: Excuse me? Oh.

Ms. Kivowitz: I also want to address Kathy's comments because they're good comments about ... that many parts of this code we could just include as amendments to already-existing code. And I see some merit to that. On the other hand, there's something really powerful about seeing this as one document. And when someone comes to do a renovation or to build a house or to build a commercial building or a multi-family building in this village, and they see this, and they say, "OK, we have ..." if they have ... I can't explain it. But I just think having it all integrated in one document is a real educational tool as well as an important working tool.

So if we break it up I think you lose that, and I think part of the reason for the Village wanting to undertake this for that educational purpose; is to push the envelope, is to get people to think more globally about their buildings, about what they can be doing to change their carbon footprint. I don't know if Kerrie Jane or Haven have anything they want to say to address that. So while we could do that, I'm not sure we need to do that. And I think it's better if one document ...

Boardmember Sullivan: I just think ... I mean, I understand that that's why I wanted to challenge you by saying you are actually greening the codes. Because I think you can very

effectively put the site improvement section and almost one-to-one find an immediate home for an already-existing view process in the Village. And so, for me, that's a great advantage because it's one less step/obstacle/place people have to go/form they have to fill out, and it fits organically into other things that have been in place already.

So that's why I challenged the thinking that it has to be in one place all by itself. I think you can have a great impact by taking the site improvement section and potentially linking it and improving other codes and other parts of our village laws, and make them be more powerful and meet the environmental goals.

Village Attorney Stecich: I understand what you're saying, Kathy, but why I think it can't work is 95 percent probably, if not a higher percentage, of the building that goes on in Hastings is single-family houses. And we don't require site plan approval for single-family houses.

Boardmember Sullivan: Maybe that changes. Maybe that's a change that we make.

Village Attorney Stecich: Well, I want to tell you, representing a village that does require site plan review of all single-family houses you have no idea how much work it is, how much time it is, how much longer it takes for ... Irvington, you know, I'm the attorney for Irvington. And they require ... I wouldn't say it's not productive, but, well, I've been working for them for four years. I would not it's not productive, but it is really burdensome to the property owner. I mean, that is really a huge ... a much bigger change than writing the green thing.

So if you wanted to do that, that's fine. But right now, I'm just thinking in terms of drafting ... what you're suggesting would work for everything that requires site plan approval. I think a lot of this stuff could go in there. But the problem is, you don't review most of the building that goes on in the Village.

Boardmember Sullivan: That's another radical suggestion I had.

Village Attorney Stecich: Wow.

Boardmember Sullivan: That's how to address residential. But I wanted to stay with the site plan approval.

Village Attorney Stecich: Well, that's a whole different question.

Building Inspector Sharma: See, I'm making a radical approach myself to remove some of the reviews from the planning and zoning code. Certainly, have a smaller committee with

discretion to decide whether or not even the ones that do come here for the site plan and view preservation issues, some small issues maybe don't need to. The benefit is not proportional to the effort that goes into it.

Chairperson Speranza: And that's a whole different discussion. Because you could say the same thing about this as an added layer. I mean, I saw the discussion the Board of Trustees had about the property on Main Street – was it 2 Main Street, or 1 Main Street? – where they were changing the location of the door. And how could this possibly take so long?

Building Inspector Sharma: They had to go for view preservation and site plan approval.

Chairperson Speranza: Right, and that's the way the code reads, that it's view preservation. OK, so if they didn't have to do that they would ... I mean, it would be interesting to see that application, how that application fares in fulfilling, and what are the implications on a project like that which everybody right now is saying, oh, it was so ridiculous that they had to come through the Planning Board and the Zoning Board of Appeals and the Zoning Board of Appeals twice, right?, for view preservation.

OK, so everybody's saying that that's ridiculous. Now, there'd still be a step if they didn't even have view preservation. They still have to get a building permit, and what would be the implications if they didn't have to do view preservation, but they had to do green building code compliance; you know, comply with this code, and submit the ... you know, I'm trying to find the way, as you were mentioning, is there a way that we can do this without adding.

Ms. Kivowitz: I'm not sure there is a whole lot added here. I think, you know, we're asking, when someone submits a building permit, that they just run through this checklist about how they intend to comply with this code. I think we're talking about a one-page checklist that gets submitted to Deven. And then when there is ... I think the way we worded it now, when there's a project that involves new landscaping, paving or impact on stormwater quantity there's going to be a form that gets ... and I think we talked about that form, the natural resources survey, being on a form. We're going to make a form also for that.

Building Inspector Sharma: We will prepare a form for the checklist, which is part of it. The new application is filed, there will, indeed, be a checklist with example samples in my office. So how to answer certain questions, what are invasive plants, what are not. So we would be holding hands and helping all of them.

Ms. Kivowitz: I don't think the plan is that people are going to have to come before any kind of a committee or come before Deven with pictures and colored glossies and big things, where, you know, here's a tree and here's a tree and here ...

Building Inspector Sharma: [off-mic].

Ms. Kivowitz: I mean, it's just to information when he's ... and to inform the designer and the builder and the property owner that these are things that you need to be thinking about when you're planning your ... in advance of your plan.

Chairperson Speranza: Right. But more than thinking about. Because by that time, there are things that are ... I mean, these are requirements now.

Ms. Kivowitz: Right.

Chairperson Speranza: Right, they're mandatory.

Ms. Kivowitz: Right.

Chairperson Speranza: So somebody comes in. Let's say the person on Main Street, they come in. They file a building permit because they're going to un-subdivide the store or whatever it is the internal plans are going to require. They then come in, they receive a copy of this. That this is the building code that's in effect in Hastings. And they have to submit this checklist certifying that they're ... and make sure that their plans are prepared so that they coincide.

Ms. Kivowitz: Right.

Building Inspector Sharma: And the checklist could be 90 percent, 99 percent non-applicable.

Chairperson Speranza: Well, that's why I was thinking about a building renovation. Because a lot of it *is* going to be applicable.

Boardmember Strutton: Patty, one thing that I thought we should consider doing is running through a few scenarios as part of this process. So I thought ... here are some that I thought of.

Ms. Kivowitz: Rebecca, before you do that could I just address one thing? Just to put to rest the issue with changing the other village codes.

Boardmember Sullivan: I don't think it's put to rest, but you can address it.

Ms. Kivowitz: Well, what I wanted to say is that the process that the Board of Trustees would like us to have is for the Conservation Commission to recommend that this be adopted, and for the Planning Board to also recommend. But we can recommend it with comment.

Chairperson Speranza: Right.

Ms. Kivowitz: So if that is a comment ... if you ... you know, you could say the Planning Board recommended that it be adopted, but not with respect to site planning. And that instead we should amend the other village codes that deal with it. However you want, whatever your comment might be. In other words, we don't have to ... we could agree, the Conservation Commission and the Planning Board could agree, to disagree on that issue. And it goes to the Board of Trustees with those comments.

I just wanted to say that. And that goes for anything that we're talking about tonight. Anyway, I'm sorry.

Boardmember Strutton: Sure. So as part of this review process, one thing that I thought would be helpful is to walk through some scenarios, including moving the door on the corner in Main Street, or putting on one thing ... if you put on an over-100 square foot roof, what happens. I'm sorry, not 100 – 1,000, over a 1,000 square foot roof – what happens. If you renovate your kitchen, what happens. If you put in a pool outside – you know, a large pool outside – what happens. And just walk through all those scenarios, and make sure that we're not ... well, make sure that we're covering what we want to be covering, and not picking up anything that we don't want to picking up.

Because when I read this – and, you know, because I asked for a black line yesterday afternoon, but I've spent precisely less than 24 hours looking at this, second time around – it seemed like if you put on an extremely large roof on an extremely large house you might be putting in a whole-house switch and other things that would not necessarily be related to a roof.

So I just think we should work through this. And if that's not the case because that's not how it's supposed to work, then I think we should just work through that. It would definitely be helpful to me, and if we don't do with this committee I'll do it anyway.

Ms. Kivowitz: So let's do that. You want to start with ...

Boardmember Strutton: OK, you want to do it now? I don't know how much time ... I mean, that, to me, seems like a ...

Chairperson Speranza: Ok, you know what? Before we do that, let's see if there are other comments from Eva or Jamie.

Boardmember Strutton: I mean, I have some other comments, as well.

Boardmember Cameron: Can I go first? I mean, some of the things that sort of puzzled me because I don't know what they mean – an example is paving materials – it says in both ...

Village Attorney Stecich: What page, Jamie?

Boardmember Cameron: It's 2.1-D, but it also appears in 3, as well. It says: *"For any new or replaced driveway parking spot, walkways, patios and other paved areas."* How does a driveway become new or replaced? I patch my driveway, I do half my driveway, I do a third of my driveway. Is it a new or replaced driveway, or is it just a patched driveway?

Ms. Kivowitz: Do you need to get a building permit for it?

Boardmember Cameron: No, I don't. Not for a driveway.

Ms. Kivowitz: Then you don't have to worry about it. This only applies to when you need a building permit.

Boardmember Cameron: All right. I'm building a house and I need a building permit for the building. And as part of my project I'm patching a quarter of it. People with apartment parking lots don't repave the whole thing unless you're about to kill them. They kill a little piece at a time.

And then while you're thinking of that, the second part is what is 50 percent of new paving materials must have 29 SRI. Does that mean half the material is SRI, or I can do a patch over here of SRI and the rest of it can be a darker color? I mean, the thing doesn't seem to work. I'm just ... you know, you've come up with an idea, and I do personally have a problem with home driveways. Because if you drive around this town you'll find most home driveways are under heavy trees and you're getting zero bang for the buck.

Your group seems to be totally reluctant to say to the town, "You've got to do something on your parking lots." That's where the buck is. You said bang for the buck earlier on. That's where you get all the heat saved, if the Village goes out and hits a couple parking lots with this material. But going around getting people's individual driveways, and having them put

in this material, most of them are under heavy trees. And all you're really doing is giving the light-colored material in the wintertime, and they've got to scrape the ice off of it.

I've been environmentalist. I've been on environmental boards for 30 years. So I'm really involved in this stuff, so there you are.

Ms. Kivowitz: I think when we say new or replaced driveways we mean a new or replaced driveway. If you're replacing the entire driveway or you're building a new driveway, then we'd like you to use these materials. And we'll get to the materials issue after. It doesn't mean that if you're patching a driveway. We're not capturing everything. We're capturing something.

Boardmember Cameron: Well, you should think about it for apartments because you'll never get parking lots, you'll never get apartments. Because they'll never do the whole thing. So you've just given away the entire game.

Ms. Kivowitz: Well, that's a very good point. So perhaps for the commercial properties and the ...

Building Inspector Sharma: Retroactively fixing some parking lots? Is that what you're suggesting?

Boardmember Cameron: Well, I'm just saying that you need to have something that works, you know. You know that. I mean, if people figure they don't have to put in this material unless they pave the entire parking lot you'll have people paving half of it one year, half of it another year. You've got something that doesn't work.

Ms. Kivowitz: I believe we did address it for the larger ones. Because under the commercial ... well, the nonresidential and multi-family and residential developments, we are ... with respect to the paving materials, we are saying for any new or replaced driveway, parking spots, walkways, patios or other paved areas. So if somebody is going to put in a ...

Boardmember Cameron: That wasn't what I was reading, actually, too. I just didn't read all this thing, and I don't think that addresses it. I just suggest when you come up with a good explanation that'd be great.

Just to go on down – I may just give up on it. I just think that the things are ... bicycle racks. I mean, we just went through a laborious thing of getting approval for that new restaurant on Warburton with all its new patrons. And if you count up how many bicycle racks you make

them put in they'd be littering the wall on the side of the building because they're having up to 400 people there. You know, 5 percent of 400.

I just think this is ... and maybe the Building Inspector can waive it. But people bicycling to a steak restaurant for dinner just doesn't seem to work. And by the way, I bicycled for 10 years to work when I lived in New York City to my office over in midtown. So I love bicycles.

But I'm just saying as I read these provisions they just don't seem to ... and maybe drafting will cure all, but just don't seem to work real well.

Building Inspector Sharma: Maybe a good idea would have been to do this instead. Here is a section, it doesn't quite read the way it should, and here's my suggestion how it should be done. I think that would be more constructive and clear, if you can do that.

Boardmember Cameron: Back to points, you mean?

Boardmember Strutton: Give written comments.

Building Inspector Sharma: Wherever we have something in the code that doesn't quite work, in your opinion, suggest what might work: taking it out entirely, or rewriting it a certain way.

Boardmember Cameron: OK, I sort of did that in my earlier set of comments. And I'm actually going back over some parts. This thing about paving a driveway and things like that, I commented earlier. But I will comment on them again.

Ms. Kivowitz: Well, I'm not sure we're at the point where we're ... it might be the comment that has to go to the Board of Trustees, I think, at this point.

Ms. King: At this point, you might want to pull your comments together, agree on ... you know, decide what you want your comments to be, as a group, and submit them with the document. And then the Trustees can review the Planning Board's comments and decide for themselves. Because I think what we're presenting to you is a document we fully back, but we completely understand you come from a different perspective. You have a different expertise, your capturing things that you already have an issue with. And that's why we're bringing it to you, to give you the opportunity to shape this code in the way you think it should be shaped.

So for the sake of expediency, the Trustees are very, very anxious to get this code. What we would like is for you to collect your comments, put them together in a document that's consistent, you know, between you. And then attach it to the code. And if you think this code is so far from what you would recommend, then I guess you can't do that. You would just have to simply say you cannot approve this code in any form because it's too different. You know, there's too much in it that you disagree with. So that's another alternative.

Boardmember Alligood: I think it makes a lot of sense to the next step forwarding the document and comments to the Board of Trustees. I don't think we've had the time, or really done this as an exercise in coming to some sort of agreement among ourselves about what our overall comments are. So I'm uncomfortable doing that, and putting it all in one document and sort of signing off as a group. Because I just don't think that's what we ... I think we've had a conversation, and certainly, you know, I agree with some of the comments. I have others that I haven't expressed.

I don't feel ready to say let's merge it all into one document and say this is what the Planning Board thinks. I think it would be better for us to, at this point in the conversation at the end of tonight, forward our thoughts.

Chairperson Speranza: Well, and maybe what we need to do as a board is to sit down at a work session, have a work session and run through the scenarios. You know, the whole process thing, which is my thing, is maybe much of it goes away when we actually go through a case. You know, take the different ... some of the different proposals that have come to us, and say, OK, so what would be the implications on this particular development or this particular application, and where would ... to make sure that, a) we understand them.

I don't know, were you here when the gentleman proposed the driveway on Summit?

Ms. Kivowitz: No, I came in at some point.

Chairperson Speranza: You know, that's an application that I could see might really benefit the construction of the garage and the driveway from this kind of more specific construction code for the garage and for the driveway. I mean, he's got blacktop on the pavement, and then I understand there's nothing that says that we can't force him to pull up the pavement to the existing garage. But maybe something like this makes it for a smarter project on that property, which is on a slope. You know, it's already gone to the Zoning Board, so we had little to say about other aspects of it.

Boardmember Cameron: Right. And the questions I'm bringing up, if you have an answer therapy, great. But you've got to expect that people from this town are going to go and sit in

front of their Trustees and hit them with these questions. And they are half as well armed to answer them as you and we are. And we really should resolve them before we get there. Otherwise, they're going to throw up their hands and go, "Send it back."

Ms. King: Yes, I completely agree. And I guess what I want to suggest is a different approach in the responses to last time. Because I think it will be easier to move this forward if you can come together as a board and come to some recommendations that you all agree on. And it may be possible ... we may take a look at them, and say, "Oh, yes. Maybe we would agree to some of those," and we just make the revision now before we send it to the Trustees.

But maybe that we feel very wedded to what we've proposed, and prefer to just submit your comments for the Trustees to decide. But, you know, it's quite possible, once we see what you all as a group are recommending ... it may be very easy for us to make a quick fix and adopt some of it, all of it, or to treat it as a separate document. But I guess for us, at this point, I think that would ... it would be hard for us again to take individual comments and wrestle with them, and try and make changes and come back to you with suggestions. Because we've been with this document for awhile now.

Building Inspector Sharma: We could have a work session, but maybe that's unnecessary. The idea, at this point, instead of just pointing at the thing you think doesn't work or we don't like, we come up with a suggestion here are the things we do to it. And we put them in if they work, or bring it to the Trustees and let the public and the Trustees decide. But I think what we need, some of the questions you're raising are about situations. Yes, I struggle with that; how am I going to enforce it? But I'm still seeing it as a document that evolves just like the regular zoning code. That certain sections in between, they're difficult and not quite black and white.

So this is evolving. As long as my office has some discretion to sit down with the applicant and agree that, OK, he says it doesn't apply to a patching of driveway, in his opinion, and it's all shaded. And I agree, we have conformed, we have complied with this code. This is what I'm personally counting on. That there is a certain amount of discretion and working together with different kinds of applicants who may come in and read the green code. I'll read the green code with them, and see what parts apply and which don't, and take it from there.

I think it is somewhere in the code that it gives me some discretion. You know, people will fill out the form, the inventory, and how they're going to handle it. Bring it to me, and either we'll agree or we will not agree. And if we don't agree, then we are saying to go to the Board of Trustees. I don't personally agree with that, but if that's what it is so be it.

Chairperson Speranza: So let me just ask this question. Again, I don't want to do too much more on this. But because you mentioned this, we get a site plan to review for ...

Village Attorney Stecich: Use for an example the renovation of the crummy buildings that were made into ...

Chairperson Speranza: Oh, the warehouse, the warehouse on Warburton Avenue.

Village Attorney Stecich: That's a good example.

Chairperson Speranza: OK, that's a very good example. So we get an application for site plan approval of that ... I don't know if you're familiar with it. An old warehouse on Warburton Avenue that's now going to be four townhouses. OK, so that's actually a very good scenario for us to work with, too.

So that comes to us for site plan approval. But before that, the applicant goes to you, Deven, and says, "OK, this is the proposal checklist, and this is what I'm planning to do." And he says, "But I can't do this because the terrain is" well, we won't talk about the terrain. For whatever reason, and you grant him an exception. It then comes to this board for site plan approval, and we say, "Well, how come you're not doing this? How come you're not managing the stormwater on the site in this way?"

And the applicant says, "Well, I requested a waiver and I don't have to do that." Then we, as part of site plan approval, say, "Well, we think you should redesign the stormwater management."

Boardmember Alligood: But there's a problem, Patty, with that scenario. Which is that how can the applicant go to Deven with a set list of how he's going to comply when he doesn't know what we've approved yet.

Ms. Kivowitz: I think he could get the building permit after the site plan approval.

Boardmember Alligood: Yeah, I think it happens after the conversation with us. Because I don't ...

[cross-talk]

Chairperson Speranza: That's what I'm trying to grapple with.

Boardmember Alligood: When he came to us, I mean, the project changed quite a bit in the process of the conversation with us. So I just don't see how it would work that he would go in and have a set conversation with Deven.

Chairperson Speranza: But then how does he develop his site plan if he doesn't have this list?

Boardmember Alligood: Well, he knows what's expected.

Ms. Kivowitz: He knows what [off-mic].

Boardmember Alligood: Yeah, he knows what's expected, but he just can't really set it ... he can't say, "Oh, this is my list of how I'm complying with it" because he doesn't know yet what he's been approved for.

Chairperson Speranza: But we, then, have to take that into ... we have to ask him, during the site plan ... as we're looking at the site plan, we then have to be cognizant of what might be ... what he may be considering as the ways that he is going to meet this code so that we then don't approve a site plan that prohibits him being able to meet these. Unless that's what becomes then an exception.

Boardmember Alligood: I think right now we already ...

Chairperson Speranza: But then why does Deven have to give him anything if we've already approved it? See, this is what I'm trying ...

Ms. Kivowitz: But Deven isn't giving him an exception. What Deven is going to be doing, when Deven approves the permit ... I mean, it's after the site plan approval has been done, it's after the view preservation, it's after the zoning variances have been granted, right? He doesn't give a building permit until after all those ...

Village Attorney Stecich: You've confused it with that natural resources paragraph.

Ms. Kivowitz: OK, so we'll look at that.

Village Attorney Stecich: I really think that confuses that. And I think what Eva's describing is right. It's the same sort of thing that you would come in at the end with your final building plans, and whatever you need for the building permit. Besides your building construction plans, you also need to have this green checklist. But some of the things you may have resolved. I mean, the stormwater's a good example, you know. You may have

resolved stormwater. And I would think that if the Planning Board had ... you came up with a requirement, a stormwater requirement, you wanted him to put some swales in or something, and then he came in and said, "Well, this doesn't really work." Well, Deven couldn't waive it because, you know ...

Chairperson Speranza: Because it's on site plan.

Boardmember Alligood: I think to your point, Patty, it's going to get ... in your scenario, these kinds of requirements would get folded into our review process.

Chairperson Speranza: Right.

Village Attorney Stecich: Some of them would. A lot of it you're not even ...

[cross-talk]

Boardmember Sullivan: Back to my point, the site plan permits could be part of it.

Boardmember Alligood: Only for the ones that come to us.

Boardmember Sullivan: I know it's late, but I'd like to say my last point. Because I wanted to toss up for discussion not making this mandatory for residential and making it ... when we talked about this during the comprehensive plan, Trustee Jennings had his 13 sustainability points that he was promoting. One of them included creating a building code. We knew those were going on, we were cognizant of those when we developed the sustainability chapter, the Comprehensive Plan. We were cognizant of them, and it was a very nice back and forth and he had many things to bring to us.

In the Comprehensive Plan, we didn't go to that extent. We didn't recommend the Village create a green building code. But we did talk about coming up with a first step for homeowners, which was make some kind of recognition program. People were not interested, and Becca mentioned this, I think: lowering permit costs or rebating permit fees if they would go through a process and get a LEED certification and come back with their certificate. And it would be, "No. Thank you very much."

But basically, a way to bring this into people's minds, encourage it, without going through the complication of adding on additional requirements for a homeowner. And I think people here have struggled a lot – how does this apply to my kitchen renovation? I have to say, when I saw the expanded language and the changed definitions, and talking about

condominium owners, not the sponsor, I'm like, "This is way to complicated and way to specific, and you're trying to address some kind of hole that someone perceives."

So I just want to toss it out that I think, in the residential component, it could be a very good educational program that is not mandatory by giving community recognition to someone who goes ahead and spends the dollars, spends the energy, doing some of these measures in their own way. I was grateful. I know Kerrie Jane was part of this. I saw the [das] XXX home, the passive homes display. But I wasn't able to visit Christina Griffin's LEED for Homes project that she's working on with the Murphy brothers.

I went to the Web site of the owner, and I looked through some of the things that she chose to do. And it's a very inspiring project, and it had a lot of wonderful components. Very expensive, all of them, having looked into some of them for myself and for other clients. And I think Mike Murphy talked about it in an article that I read, saying, you know, even with his level of clientele – which is a very high-end residential – that it's hard to make an impact, make an inroad, in encouraging people to take on the extra dollars to do some of the measures.

I don't have my notes with me, but I actually started by going to a Web site called toolbase.org, which is a very, very good ...

Village Attorney Stecich: What is it, Kathy?

Boardmember Sullivan: Toolbase.org. But it's a very good Web site that talks about a lot of alternative measures for homeowners. They actually gave some costs, and I started trying to cost out the residential component. I didn't complete it, I was doing it on breaks at work today. But some of the dollar figures are pretty high, and I won't say they're ones that everyone has to do, some of the choices. I know some of the point issues in the options sections. I think sometimes if someone's going to put in a geothermal they should get every point in the book. That's one of the most expensive things you could do.

But that's just my other kind of radical thought, is to really consider how appropriate is it to put this kind of mandate on someone who's trying to get their dream renovation, dream addition, done. Wouldn't it be better to look at it and try to encourage people in more of a carrot way and less of a stick.

Boardmember Strutton: I think we need a work session. I mean, I think we need to sit down and really ... because I think that what we're hearing is you guys feel like you're done and you just want to submit this with a list of comments from us. But I think that our comments need to not conflict. We need to have a unified approach that we're comfortable

with recommending. And if our recommendation is going to be that the residential part ought to be optional or aspirational or incentive-based, or however, then I think we need to discuss that among as many of us as can make the work session as possible, and come up with a proposal that we can submit.

Boardmember Sullivan: I've been part of you guys since the beginning, and it's been awhile. So I understand there's pressure from the Trustees. So I'm kind of on another side, going, "This board might need some time, too." So I don't know if there's any way to let the Trustees kind of know how many months one group had and how many weeks another group's being given.

Boardmember Strutton: I mean, I think that the Trustees would rather get something that's unified and easy to digest for them. I mean, I actually said to Peter on the train, right after we did this in April ... I said, "Oh, we had all these great comments. Do you want me to forward them to you?" And he said, "No, please don't. I have no interest in reading a list of comments along with the code. Just make it something that you're willing to support, and then send it to us as the Board."

So unless his tune has changed in the past ...

Ms. Kivowitz: That is different than what we've been told.

Boardmember Strutton: That is different than what you were told.

Boardmember Cameron: Or who killed it?

Building Inspector Sharma: Can I just say something, please? Stormwater, for example, we'll use as an example. Stormwater is not essentially a part of the green code as a separate stormwater management DEC department. There's a chapter in the local code. How stormwater gets handled and managed is not a part of the green code.

Now, where the site planning and the compliance with building or the zoning code comes, a driveway, for example, cannot be more than 960 square feet. That part, I make sure it complies. Now, whether the shape is going to be this way or the curbcut could be here or there, that is the site plan. So there would be similar issues. For example, when you review the site plan the local code and the building code, you only expect me to have checked, or will check, before the permit is issued.

It's the same thing with the green code. There's certain aspects of it you would expect me to either have done that or look into it before I issue the permit. Landscaping, for example,

what kind of planting can be permitted. Now, as to where can we site plan it, but what kind, would be the green code issue, enforcement of the green code issue. So these are some of the examples. It's not mutually exclusive that if I do, and then you can do it. But they're different aspects of the same code, which can be handled, or may need to be handled, differently from a site plan perspective and pure code enforcement.

Chairperson Speranza: Right. You can check and make sure that all of the shower heads are low flow shower heads. That's fine, but there is ... site plan approval requires a landscaping plan.

Building Inspector Sharma: Correct.

Chairperson Speranza: And we would expect that when the site plan comes to us that landscaping plan includes the appropriate percentage of native plants.

Building Inspector Sharma: Exactly.

Chairperson Speranza: Otherwise, there's no reason for us to get a landscaping plan, sign off on it. I mean, we're going to know, we're going to say, "Well, wait a minute. These don't include native plants. You've got to include those," during site plan approval. Otherwise, we're not ...

[cross-talk]

Ms. Kivowitz: You have to comply with the laws of the Village.

Chairperson Speranza: Exactly. We're not going to approve something that doesn't ...

Boardmember Cameron: And my comment's a little different. I mean, just to use another one – and it's not that I object to it because I understand it – you have a different SRI for low-slope roofs and steep slope roofs. But you don't define anywhere what's low-slope and what's steep slope.

Ms. Kivowitz: So that's ...

[cross-talk]

Boardmember Cameron: I mean, that's a missing thing and you don't ...

Ms. Kivowitz: We need to have a definition of that.

Boardmember Cameron: And does that mean that if somebody has a couple slopes in their roof they're supposed to have a two-tone roof?

Ms. Kivowitz: Of course not.

Boardmember Cameron: Well, I know. But that's not covered there either. I'm just trying to practical things that ... well, you need to present them with a law which they can adopt. They're not up there drafting a law, and maybe our council will take care of it. But it just ... and I understand why it's a different SRI for different slopes.

Ms. Kivowitz: So I'd appreciate, when you give us your comments, that you suggest we need a definition for this ...

Boardmember Cameron: OK, I'll be happy to.

Ms. Kivowitz: ...what happens when you have different sloping roofs that ...

[cross-talk]

Boardmember Cameron: Yeah, what's the definition of low and steep, and what do you do when it's a combined roof. Do you ...

[cross-talk]

Ms. Kivowitz: A comment that says for combined roofs use the ...

[cross-talk]

Building Inspector Sharma: Take the section modify or ...

[cross-talk]

Boardmember Cameron: That's what I'm looking for.

Building Inspector Sharma: ...you know, this kind of comments.

Chairperson Speranza: OK, I think we go to the ... my sense is, we, as a board, come up with a date – I know we're almost in August – for a work session to talk about this. And I think it will be helpful to run through some scenarios on it, too.

And I don't see that there's any reason ... certainly, we get direction from the Board of Trustees. If they want a document submitted, then the document gets submitted for their consideration. But it can't be, at this point anyway, as something that was endorsed by the Planning Board until we can better get our hands around how ... come into agreement, or ... and we can agree as much as we even can agree. Because we don't necessarily all agree.

Boardmember Sullivan: We might not agree.

Chairperson Speranza: But so that we can understand how ... and as I've said, my major issue is not with the kind of fixtures or the kind of ... but how it impacts the role of this board, or the role of the applicant who now already we are hearing concerns about, you know, you're going to talk to the Building Inspector, then you got to go the Planning Board, then you go to the Zoning Board. If there's a problem with the Zoning Board, you got to go back to the Planning Board. And that's actually what happened with the warehouse, and I think it's a good ... it was a good process, but ...

Boardmember Sullivan: You got a letter from the applicant today?

Chairperson Speranza: Yes, that's right. That it turns out to be a very ...

[cross-talk]

Boardmember Sullivan: [off-mic]

Chairperson Speranza: Yes, all those months that he spent. Which is fine, but how this then factors into it, or if it doesn't. But if you're going to ... if Deven ... this, the proposal checklist, goes to the Building Inspector after site plan review, after this board takes action, then I've got to believe most of that stuff – with the exception of the real internal building-utility kinds of things – is going to be ...

Boardmember Sullivan: Like you were never ...

[cross-talk]

Chairperson Speranza: Right. It's going to be addressed.

Ms. Kivowitz: I agree with you. I think that that's exactly right. That when they come to you for your various different review, and the Zoning Board for their various different views, they're going to have to come to you with the knowledge that this code ...

Chairperson Speranza: Exists, right.

Ms. Kivowitz: Exists. And so what they propose can't be in contrast to this code, or you're not going to be able to approve it unless there's some major hardship or something like that, in which case ... whatever your process is or Deven's process is.

But yes, I don't think the intention, and nor do I think the code reads, that there's going to be a whole other process. It's just an overlay on top of all of your processes that has to be complied with.

Building Inspector Sharma: Usually, with a code there is not discretion. The code says you do this or don't do this, that gets enforced by me, by my office. Wouldn't you think that this board can deal with things with some discretion? For example, a certain percentage of roof material has to have certain SRI. So that's the code provision, 30 percent or 40 percent. That becomes my mandate that this is what I need to see happens.

Now, similarly, as I mentioned, the size of the driveway is 960 square feet. So this board, you can only work with items where there is some discussion permitted.

Boardmember Alligood: Deven, I actually think that this ... if this is adopted the way it is, it has a huge impact on the review process. Positive, but I don't think it's just a matter of checking things off. There are a lot of decisions that the applicant is going to have to make: the way they design the building, they way they site it, all sorts of things that are part of this process that we go through with the applicants anyway.

So I don't think that ... I think that in the cases where these projects come before us, it's going to be integrally enmeshed in our thinking in that conversation we have. Because what I hear you saying is that it's sort of ... it's something that they go to you with, and they work out sort of how the point system works. But I just don't see it as separate from this process that we have, which is a rich process. And there's a back and forth, and sometimes the applicants are frustrated, sometimes we're frustrated. I mean, let's be honest here.

It's a back and forth, but there's a reason for it. We have reasons for other parts of our review. This is adding, as Sharon said, an overlay over what we already look at. And to some extent, I want to say – back to your point, Kathy, early on in the evening – I think when you said this is really looking at building code as having a land – you said the word "land use," and I could relate to that. We can call it "site plan," whatever it is ...

[cross-talk]

Building Inspector Sharma: Site development.

Boardmember Alligood: ...component to it. And I think that is ... that we've had that conversation in the past years. And it's important, and I think it's where our thinking is. Is that when you build something, it's not just about the walls that you put there, it is about the site. And we've been concerned about over-paving our small lots that we have, and how that affects neighbors. And we've been concerned about a lot of these issues, and we raise them in our conversation with applicants. This is just giving more teeth to the concerns we've had, and giving them ... it's giving them some tools to address the issues with.

So I think it enriches the process. I think to the extent that we don't add too many layers, that's good. But I think it's just going to be ... we're going to be informed through the process of looking at this and figuring out where we think ... I mean, there are some parts I still feel might be a little too onerous. I'm not sure where I stand on that exactly, but I think vast parts of it are very helpful and should be in there. And then there's a couple that I have questions about, and I think we need to hammer that out and give the Board of Trustees our comments on that.

But I do think that ultimately it's a really important process. It's an important part of what we should be looking at in our process.

Boardmember Cameron: The other point I'd like to make is that, you know, the last five years we've been involved with people who ... we've been ... we don't have any really big projects coming our way the last five years. If you go back more than five years, and even farther – before I was on this board and before I was on the board I was on before – they had projects here which had no right to pass. And the person would come and ask for three times as much or five times as much as they should appropriately get, and then you just end up going back and forth with them.

Chairperson Speranza: That's very true.

Boardmember Cameron: So you need to have those powers. Recently, you know, we've had people upset with us because it's something small and our process is a little bit too complicated for something small. But sometimes, when you have something very big, our project process is hardly enough. Like we had one recently where we insisted that he could tear down a building and build a new one and call it a renovation.

Ms. Kivowitz: So they left the front door. I think I know the one you're talking about.

Boardmember Cameron: All you need is to leave the front door.

[cross-talk]

Chairperson Speranza: That's an alteration under our code.

So we'll work through that. And that's a very good point. When we're thinking about the most recent applications we've had which have been fairly modest. And also the one other thing that we have to take into consideration as opposed to the building code process is that suppose somebody comes in and says, "I'm going to locate this facility," or you take the Warburton Avenue project. Suppose they wanted to have solar panels on the roof or something, and it impacted the way that the views were impacted from the people above, or that they had to be too close to the neighbor, or they ... in order to make the solar system work they had to take down this glorious tree right on the property line, and the neighbor says, "You can't take down that tree."

So that's another balance in terms of how all of this works within a process.

Ms. Kivowitz: Just from your process, you're going to have a work session.

Chairperson Speranza: Yeah.

Ms. Kivowitz: And hopefully it'll be sooner rather than later. Do you want ...

[cross-talk]

Chairperson Speranza: I'm just thinking ...

Ms. Kivowitz: But would it be helpful to have some of us sit in on that, or is that not ...

Chairperson Speranza: I think that would be very helpful.

Ms. Kivowitz: I mean, I think certainly Deven could be a part ... well, Deven, you're on ...

Chairperson Speranza: Yeah. And we won't do it like this. We'll do it at a table in the back or something.

Boardmember Alligood: A work session is a public meeting, and I think the more that we could be working in collaboration the better. I just think that we need time to kind of really hash through our thinking and come to some agreement.

Chairperson Speranza: Right.

Boardmember Allgood: Or say, you know, "There were two strong perspectives on this."

[cross-talk]

... but it would be one document.

Boardmember Strutton: It would still be useful.

Boardmember Sullivan: The Supreme Court, right?

[laughter]

Boardmember Strutton: Partial dissents?

Boardmember Sullivan: Who I want to be.

[laughter]

Chairperson Speranza: OK, so we'll circulate and find a good date. Who is here in August?

Boardmember Cameron: Can I make a suggestion that we have this work session either the day before or the day after our next meeting if we're having one in August?

Chairperson Speranza: That was my next question. Do you know if we have applications for August? I mean, maybe we can use the August meeting date, if people were going to be here for August.

Building Inspector Sharma: I don't know what I have for August. Let me check.

Boardmember Sullivan: That's a good idea.

Boardmember Cameron: Because otherwise ...

Chairperson Speranza: Well, if you can check if there are no applications for August.

Boardmember Cameron: The 16th.

Chairperson Speranza: Oh, that's perfect. Yeah, if there are no applications can you please not take any? We can do that. I mean, our agenda's full; you just tell them the agenda's full for the August meeting.

Building Inspector Sharma: I don't think we have any ...

[cross-talk]

Chairperson Speranza: I mean, we're not violating any rules, Marianne, right?

Village Attorney Stecich: Well, I think your deadline is probably pretty soon anyway, isn't it? Don't you have ...

[cross-talk]

Chairperson Speranza: For the 16th your got a 10 ...

Building Inspector Sharma: I usually give the applicant at least five weeks before ...

[cross-talk]

Village Attorney Stecich: Well, so then the deadline has already passed. So if he doesn't have anything ...

[cross-talk]

Chairperson Speranza: And I leave later in the month.

Building Inspector Sharma: Except for steep slopes, where there's no public hearing, those applications get up to two weeks before the meeting. But there's no public hearing. So if you don't want me to take any applications for the next meeting, I won't.

Chairperson Speranza: I think that would be really good, unless there's a real ...

[cross-talk]

Boardmember Cameron: I don't think we're going to surprise the people.

Chairperson Speranza: No, I don't think they'll be ready for the next one.

Boardmember Sullivan: They'll still be digging.

Chairperson Speranza: They'll still be digging out the debris.

Boardmember Sullivan: I want to give everybody ... this is sort of information on ... this is interesting. Building codes officials need to know. So kind of a primer on building codes so you get my perspective as an architect. This is sort of what's typically in a building code, and then the definitions of commercial and residential I think it important.

Boardmember Cameron: Are these extras? Do you have enough?

Chairperson Speranza: It's a package.

Boardmember Cameron: Oh, it's a package. This is mine.

Chairperson Speranza: I thought you were going to pass it down.

Boardmember Strutton: Should we try to write up any comments that we have, and send them around?

Chairperson Speranza: Yeah.

Boardmember Cameron: I'm going to send you all mine.

Chairperson Speranza: See, because, Jamie, you mentioning the Hastings House building. That's another good instance. That's a renovation, and there's not much site to it. But having gone through a review of that, would there have been anything in terms of the process, in terms of the outcome? It would have been done. If you would have been finished maybe it would have been open by now

Boardmember Cameron: But most of the ones I brought up are actually questions. So with your permission, I could send my questions over here. Maybe you could bring them to the work session.

Building Inspector Sharma: Questions, and answers too.

Ms. King: My suggestion would be very specific recommendations rather than questions. We are not architects. We have been ... that's why we gather together a technical group of architects and builders. We've depended on them for their expertise, and we've gone back to

them, you know, with all sorts of questions. I know that some of you are architects, and so if you can make specific recommendations – for example, with regard to the slope of the roof or those types of things – it's possible that we could just ... if we can get a member of the technical group here with us at the meeting we could just even agree, you know, make that change on the spot and be able to move on. That would be an efficient way of handling it.

Certain things are just ... I mean, obviously, I think we would be fine with agreeing to some sort of more specific slope angle. Obviously, it's something that's missing that should be incorporated.

Boardmember Cameron: If I can suggest a little differently. I really would like to send them to you because what we don't to have happen at the meeting is we say, "Well, our idea is we're doing this." And you go, "No, no. I don't think our group's going to like that." So we should get them to you before the meeting, and if you guys have a particular ... if you wrote the words, or your group wrote the words you have a particular meaning you want to get in those words you should come back and tell us what they are. And we can discuss them at our work session.

Ms. King: But I think, OK, that would fine. Except that rather than questions we would want suggested changes. Because it's easier for us to go to the group and say, "What do you think about this? Does this slope work for you" than to say ... than to throw the open question back to the group and have to wait for somebody to focus on that question and get us back an answer. It's just a much more efficient way to do it, I think.

Building Inspector Sharma: Good point. Rather than a question, we would like to have the answers. You know, this is how we suggest you do it. So then, "Oh, looks good, sounds good. It definitely improves it and makes it better." That kind of thing, to give us the thing that will make it work better.

Chairperson Speranza: And I will say, from my perspective, I don't know that I would be in a position to do that until we sit and work through some of the scenarios when we do the work session. And that may end up then being the product of that work session.

[cross-talk]

Ms. Kivowitz: Just to meet amongst yourselves and not as an official Planning Board.

Chairperson Speranza: Not all of us.

Boardmember Cameron: Any three of us.

Ms. Kivowitz: Oh, is that right?

Boardmember Cameron: Yeah, less than ...

Boardmember Alligood: Open meetings law.

Boardmember Cameron: Less than ...

Chairperson Speranza: Right, can't have a quorum.

Boardmember Alligood: If we go to a site and there's more than three of us, it has to be announced ...

Chairperson Speranza: Noticed.

Boardmember Alligood: ... so that people know that they can come and see what we're talking about.

[cross-talk]

Ms. Kivowitz: So you couldn't just go sit somewhere, have a glass of wine, and kind of hash this out a little amongst yourselves.

Building Inspector Sharma: By the way, Kathy and I are [off-mic].

Ms. Kivowitz: Right, I understand.

Building Inspector Sharma: [off-mic].

Chairperson Speranza: OK, so right now we'll plan that the August meeting is the work session. August 16.

Boardmember Cameron: The third Thursday in the month.

Boardmember Strutton: I will try to make it.

Boardmember Cameron: You better have all your answers.

Chairperson Speranza: You're on vacation then?

Boardmember Strutton: I'm on vacation the week before that, out of town, and then that week I am on vacation but may ... I've got to see what our plans are. I think we're going camping for the first half, and I might be happy to be back in Hastings.

[laughter]

I might be happy to have a good reason to be back in Hastings.

Boardmember Sullivan: I love camping that much, too.

Chairperson Speranza: All right, we'll get through it.

2. Application Checklists

Chairperson Speranza: Can we defer checklists 'til the August meeting?

Boardmember Strutton: Let's do them first.

Ms. Kivowitz: Good night. Thank you.

VI. ANNOUNCEMENTS

Next Meeting Date – August 16, 2012

VII. ADJOURNMENT

Chairperson Speranza: OK, then that's the end of business until our meeting on August 16. So meeting stands adjourned.

END