

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
APRIL 18, 2013**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, April 18, 2013 at 8:15 p.m. in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Acting Chairperson Patricia Speranza, Boardmember Eva Alligood, Boardmember Kathleen Sullivan, Boardmember Rebecca Strutton, Boardmember William O'Reilly, Village Attorney Marianne Stecich, Deputy Building Inspector Charles Minozzi, Jr., and Deputy Village Clerk Mary Ellen Ballantine

I. ROLL CALL

II. OLD PUBLIC HEARINGS

Acting Chairperson Speranza: Just a couple of things I want to make sure. There are not a lot of individuals from the public here tonight, but that people are aware that there were applications that are deferred until the main meeting. They were on the agenda, but we're not talking about them tonight. They have to do with property at 7 Warburton Avenue, property at 32 and 34 Warburton Avenue, and then a subdivision of 184 Farragut Avenue. Those are not going to be discussed.

Also, if anyone wants to hear about a discussion item that was on the published agenda with respect to lot coverage in multi-family and nonresidential districts that's just going to be a brief introduction at the end of the regular meeting. So that's something that there will be more about at the meeting in May.

****Deferred Until May Meeting****

- 1. Site Plan Approval – Application of Gordon & Neda Sokich for the alterations to an existing retail space on the first floor of an existing mixed-use building at 7 Washington Avenue to convert it into a beauty/hair salon. Said property is located in the MR-C zoning district and is known as SBL 4.70-48-36 on the Village Tax Maps.**

****Deferred Until May Meeting****

- 2. View Preservation and Site Plan Approval – Application of CCI**

Properties Inc. for View Preservation and Site Plan approval for the construction/addition of a new detached 12-dwelling-unit building to an existing three-story, two-family dwelling at 32-34 Washington Street. Said property is in MR-1.5 Zoning District and is known as SBL 4.70-53.11 on the Village Tax Maps.

****Deferred Until May Meeting****

- 3. Subdivision – Application of Hastings-on-Hudson Affordable Housing Development Fund, Inc. for relief from the strict application of sections 295-69E and 295-67.C(6) of the Village Code in connection with a sub-division of a parcel of land at 184 Farragut Avenue to create a new lot for the construction of an affordable one-family house with an accessory apartment. Said property is in R-7.5 Zoning District and is also known as SBL: 4.80-70-1 on the Village Tax Maps.**

III. APPROVAL OF MINUTES

Meeting of March 21, 2013

Acting Chairperson Speranza: Are there any changes or corrections to be made?

Boardmember Sullivan: I had two small ones, and let me find them.

Acting Chairperson Speranza: OK. I had one. If you'll note, but I neglected to bring the page number, but when we were talking about the fourth item, which was the Saw Mill Lofts proposal, it was introduced as being item number three. There was a duplication in the listing of the item.

Boardmember Sullivan: I had two small things.

Acting Chairperson Speranza: Kathy, while you're looking I will make an announcement. We have an announcement here from the Hudson Valley Regional Council. They are holding a forum, a conference, on green infrastructure dealing with water quality and neighborhood revitalization. That's being held on Wednesday, May 8. If there is anybody here in the audience today who would like to see it, come up and I'll leave the flier here. And certainly, if there's anybody at home who's interested in this, again, it's the Hudson Valley Regional Council that is hosting this so you can certainly go online and find out the

details about the forum.

Boardmember Sullivan: I can't find them, and they were small so I'll pass. The record will go unchanged.

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 , 2013 were approved as amended.

IV. OLD BUSINESS

Review for Advisory Report to Board of Trustees – Concept Plans proposed by Ginsburg Development Companies (GDC) for the development of their property at Saw Mill River Road.

Acting Chairperson Speranza: Our topic of the evening has to do with the proposal by Ginsburg Development Companies for the property at Saw Mill River Road. I don't know, Bruce, if you wanted to mention anything, if you wanted to give a very short recap. And then we'll go into our agenda with respect to our consultants and what they found. It doesn't have to be long and extensive.

Bruce Lozito, architect - Saw Mill Lofts: I think I spoke enough at the last meeting to fill everyone's needs. Michael Zarin from Zarin and Steinmetz is also here this evening. The only thing I really wanted to mention – because I understood from speaking from Marianne that this was basically going to be an opportunity for you to go over the comments that your consultants have submitted to you and we've just received – is that we really look at this as being your meeting tonight.

Acting Chairperson Speranza: Right.

Mr. Lozito: There were just two things I really just wanted to mention, one of which was we did submit, in response the Board's request, some revised and expanded-upon plans for the affordable building, which you have. And if there are any questions about those we could answer those.

And the second thing I just wanted to mention was that we had also received a request through Marianne – and Chairman Cameron was referring to, or alluding to it at the last meeting – about the possibility of expanding the open space at the south end of the property

by shifting buildings to the north. So we did a study, and we were able to do it. And, quite honestly, from a distance you may not tell much of a difference. But we were able to shift the buildings 30 feet, which added 2/10ths of an acre to the open space parcel, from 1.6 to 1.8. We were limited by a couple of things. One which was most critical probably was sight distance at this driveway. We could only shift that 30 feet to the north before a rise in the Saw Mill River Road created a sight distance issue.

And then there are some utilities that cross the site that constrained us also. We did lose one of the Norway spruces in doing that shift. So there's one left at this point. There had been ... the last time this project was approved the Board had approved eliminating one of them. So there were two remaining on the prior version of this plan that we saw last month. Now there's one remaining because of that shift. That was partly why we had placed the buildings where they were when we submitted the place to you to save the two that had been designated previously. But we wanted to show this as an option if the Village felt that having the larger open space, that had more value than preserving that tree, it was an option that you could select. So we'll wait to hear what your feelings are on that, or if you have any questions about it.

Village Attorney Stecich: Could I just clarify one thing? Although you're right, I conveyed the request to you, it was actually Jamie's request.

Mr. Lozito: Right.

Village Attorney Stecich: I don't want anybody on the Board to think I'm making my own requests.

Mr. Lozito: No, it was communicated to us by Marianne.

Village Attorney Stecich: Yeah, it was Jamie's request and we talked about it. I said I'm sure by doing that that it's going to mean that ... I thought both trees were going to have to come down if it was situated that way.

Mr. Lozito: I did, too, at first actually.

Village Attorney Stecich: So that's one thing the Board'll have to think about, and maybe talk a little bit even at the end of the evening whether you prefer losing that tree. You know, you have to balance the things.

Acting Chairperson Speranza: Yeah, and there may be a few other questions that I have as relate to the site plan and the land of where the driveway opening is. Because to go from 20

acres ... I'm sorry, you said that would increase it by how much, 2/10ths of...

Mr. Lozito: It would increase the open space by 2/10ths of an acre, from 1.6 to 1.8. Shifted the driveway 30p feet to the north. Right now, it's where one of the existing drives is to that parking lot, so it shifted just a bit north of that.

Acting Chairperson Speranza: OK.

Village Attorney Stecich: And on the approved plan it was 1.75?

Mr. Lozito: It was 1.75 on the previously-approved one.

Boardmember O'Reilly: And this tree that's being lost is not a tree that's there now. This is one that would have been planted, right?

Mr. Lozito: No, it's one that's there now.

Boardmember O'Reilly: Oh, it's there now.

Mr. Lozito: There's three very tall Norway spruces right at this portion of the site, and they've been sort of "revered" is probably an accurate term by everyone that's looked at the site. The Village Planning Board had an expert look at them in 2007 and had judged that one of them was not the healthiest and could be sacrificed. So when we drew the plan we took that into account – that was right here – and then there were two more that we had been working around on the prior plan. But this plan would cause them to be ... one of them to be eliminated. The building is just too close. You couldn't really save it so we'd end up with one.

Acting Chairperson Speranza: OK, thank you.

What I'd like to do, and this is also for Planning Board members, the Village hired a consultant, Langan engineers. As you know, the applicant has submitted revised environmental work, making the case that there's really no need to go through the preparation of a full Environmental Impact Statement when there was an approved plan in place. Our first step was to hire Langan to actually go through the documents and get their opinion, their view, of where there *should* be additional environmental review done, or environmental work or testing, or what have you, done.

It's important because it has been several years since the approved concept plan was put in place. Each of the Boardmembers has received the memo, the writeup, from Langan. We

also have a list of the concerns, the items, that have been noted by Jamie. And Marianne and I are going to kind of tag team with the consultant as far as each of the areas that was reviewed, and also talk about the concerns that Jamie had raised. And I want to make sure that as we go through each of the topics Planning Board members also chime in about how they feel about the different aspects of the adequacy of the environmental documents that we've seen.

So I'd like to introduce Thomas Devaney from Langan. You can stand there.

Thomas Devaney, Langan Engineering DPC: This one? OK. Well, good evening, Boardmembers. It's a pleasure being here in Hastings-on-Hudson on a lovely Thursday night. My name is Thomas Devaney. I'm a certified planner. This is my colleague, Kelly Tuffs, who is a civil engineer.

Our task, as Patricia mentioned, was to review the existing SEQRA documents for the two plans; the approved plan from 2007, and the modified recent plan. I'm sure you're familiar with the plan but, generally speaking, we reviewed the 2007 ... we compared the modified plan, which consists of 66 units, 12 of which are affordable units in three separate buildings, to the original approved plan, which was two buildings, 60 units in a sort of artists work-living development.

Generally speaking, our task was to, from a SEQRA framework, evaluate the SEQRA Environmental Assessment Form and the supplemental reports and supporting documentation, and to determine, one, the project's impacts – if there's any significant adverse impacts with the new development – and are there any other factors that have changed since 2007 which may affect the findings from the original approved plan in relation to the proposed plan.

So generally speaking, I think that we are in concurrence with the findings and we don't feel that the EAF ... that a Supplemental EIS is necessary. However, based on the memo that you have read, we have certain recommendations that relate to some of the technical aspects, the supplemental reports but also related to changes since 2007, the most significant of which in terms of public policy, is the Comprehensive Plan. And if it's easier, we could go over some of the recommendations that we have in the end of the memo.

Acting Chairperson Speranza: That's fine.

Mr. Devaney: OK. So generally speaking, in terms of the zoning and land use and the array of environmental impact categories, we don't really have any substantive issues. But the topics that I'd like to touch upon are related to hazardous materials and wetlands, and

stormwater management issues and infrastructure, which Kelly can speak about. And some of the natural resources evaluations and also traffic and fiscal impacts. So starting with hazardous materials, our recommendations are that ... one of the things, based on the materials that we reviewed, it appeared ... there was a phase one and a phase two done for the approved development in 2007.

So we evaluated what was addressed there. And considering the fact that it was five or six years ago now, we're addressing some certain changes in the way environmental analyses are done; not substantial, but we identify them. That there may be additional work that needs to be looked into. Mainly collecting soil vapor samples within the proposed building footprint on the affordable housing parcel to evaluate the potential for soil vapor intrusion. We weren't sure ... we didn't find any evidence of vapor intrusion evaluations in the previous phase two. And a soil vapor intrusion has become a bigger issue in recent years with New York State. So that's something that we have identified. Also collection of shallow soil samples for analysis.

Village Attorney Stecich: Wait. On that one, could I ask you, the reason you thought it only needed to be done on the affordable building was because it doesn't have a basement, right?

Mr. Devaney: Right.

Village Attorney Stecich: So could you explain why the other two buildings were ... just explain why the other two buildings wouldn't need it. What these soil vapor samples would show, and why they're not necessary for the two buildings with basements.

Mr. Devaney: Well, I'm not an environmental engineer.

Village Attorney Stecich: OK.

Mr. Devaney: So there's certain technical questions that ... that's the other thing that I wanted to address is that I assume there are going to be some technical questions tonight that perhaps myself nor Kelly can answer tonight. But part of the reason why I'm here is to field these questions, and we incorporate it into a final draft of the memorandum.

Acting Chairperson Speranza: Right.

Mr. Devaney: So that's one of the issues ... it's a good example.

Kelly Tuffs, Langan Engineering DPC: I can actually expand on the soil vapor.

Mr. Devaney: Oh, there we go.

Deputy Building Inspector Minozzi: Please walk to the mic and introduce yourself.

Acting Chairperson Speranza: Yeah, you just have to state your name.

Mr. Tuffs: The main reason for the determination of the soil vapor intrusions onto affordable housing building is because there's no basement. The reason for that is on the other two buildings there is a basement and it's below the high water line, or the high water table, within the soil. So therefore there has to be some sort of waterproofing installed in those buildings anyhow, OK? So that automatically sort of, you know, stops the vapors from intruding up into the building. Whereas the affordable housing, it's above the water plane within the soil, the high water table, so therefore there's no waterproofing that's required for that. So that's why we thought that it would be best if we just at least take that area of the footprint, do the tests, see what we have in the area.

Acting Chairperson Speranza: Thank you.

Mr. Devaney: See, that's why we bring the engineers in here.

Acting Chairperson Speranza: Right.

[laughter]

Boardmember Alligood: I do want to say that that memo was ... it was clearly written, and...

Mr. Devaney: See, that's my job.

[laughter]

Boardmember Alligood: ... because I got it from the memo. So I do want to say that that was helpful that some very technical information was made understandable.

Mr. Devaney: Sure. OK, thank you.

Collection of shallow soil samples for analysis, of TPH per ... now, [AKOF] XXX did a peer review a couple years ago. There's actually been a lot of oversight for environmental issues on the site, and we understand that. And basically, the vapor intrusion issue is something

that is ... like I said, it's a more recent issue so it probably wouldn't have been covered back for the Riverwalk project and for the prior development.

Prior to excavation and on-site disposal of soil, a waste characterization investigation should also be completed to classify soils in areas to be excavated for disposal. So that would be for the parking, underground parking.

Address wetlands, it wasn't ... the documents that we reviewed we actually went back to the Riverwalk EIS that was done in 2002. And it appeared that a delineation had ... a wetland delineation had been done, or some type of delineation had been done on that site. Because based on the maps, you could see that they had put a wetland boundary. Now, that was done at least 10 years ago. So our recommendation is that ... you know, keep in mind there are no mapped wetlands on the site. We do know that. There is ... obviously the ... it's a DEC-regulated stream, but there are no wetlands. So you don't have ... chances are you don't have an adjacent area that's regulated. But obviously, the pedestrian walkway, the pedestrian bridge is going to require permits from the Army Corps of Engineers and the New York State DEC. And that is clear in the documents.

But we do recommend that a new wetland delineation be done on the site just to make sure that there are no ... because sometimes you go to a site, and even though the wetlands aren't mapped you do a site walk and there may be small wetlands that you haven't noticed. I mean, I was on the site and I didn't notice anything, but it's not an official wetland delineation. So that's just a recommendation. And obviously, that can be done during the permitting process. But I think it would be important for the Board to have that information as part of their review.

Acting Chairperson Speranza: Right, and particularly since it's the environmental ... we're in the environmental phase now. And wetlands is certainly that we've got to make sure that we can close the book on.

Mr. Devaney: Sure. And this is a general recommendation. In the EAF, they mentioned that they would be using pesticides. Clearly, you have a stream, and it's just a recommendation that perhaps the Board can request that the developer maybe entertain using more sustainable, safe pesticides or at least identify what pesticides they're going to be using.

I'm going to skip ahead to terrestrial and aquatic ecology because it's sort of related to the wetlands. I could not find any further correspondence with the state National Heritage Program or any regulatory agencies that do database services for endangered and threatened species and habitats. The last documentation was part of the Riverwalk EIS from 2002. So I think that the developer team should send out new correspondence, new letters, to these

agencies just to confirm. Because databases change, they may identify something that wasn't there back in 2002. So that should be updated.

I'm going to skip the stormwater management because I'm going to give Kelly a chance to take the microphone again and wow you with science.

Village Attorney Stecich: Are you going to go back to steep slopes? You jumped over it.

Mr. Devaney: Kelly's going to handle that.

Village Attorney Stecich: Oh, he's doing the steep slopes, too. I'm sorry, I thought you said...

Mr. Devaney: I don't want to steal his thunder.

Village Attorney Stecich: OK, good.

Mr. Devaney: So the traffic evaluation, again we reviewed the traffic evaluations for both developments, and we did not identify anything that we thought was an adverse environmental impact that hadn't been evaluated or mitigated in the 2007 plan. But given the information that we have, we have some recommendations from our traffic people. And I'll read them for you. *"Recommend additional information should be provided on the Saw Mill Lofts trip generation methodology. Also, the Synchro 6 analysis file should be provided to allow for a more detailed review of capacity analysis."* Just so we understand all the assumptions that were used for the traffic analysis.

"The methodology description should be made consistent with the analysis methodology. The scope text should also be updated to show that the results may not be compatible with 2010 highway capacity manual guidelines." Again, it's not a significant issue. The previous evaluation used 2000 highway capacity manual guidelines. And it's acceptable, but it's just ... these are just recommendations. *"There's minor inconsistencies between the text description and the analysis of the northbound approach on 9-A, with Ravensdale Road, Jackson Avenue ... with Ravensdale Road and Jackson Avenue that should be addressed."* And, *"Recommend that the approval of the modified concept plan include contingencies to ensure adequate traffic flow after full occupancy of the Saw Mill Lofts development. A plan to meet these assurances should be included ... somehow include monitoring and reevaluation, as described."* – in the test.

So this is something that you would do after the development just to make sure that the road ... that the traffic generation that was evaluated in the EIS is what's really happening post

development.

Acting Chairperson Speranza: And you know what? I'm going to stop you before you go further because I think traffic is a big topic. It was a big topic when the site was proposed for ShopRite, and it remains a big topic. I want to say that given the fact that the traffic signal was put in at the intersection of 9-A and Jackson Avenue I know personally it's just made an incredible difference. But the idea, as you mention in your memo, that the delay at that light is now going to be going up...

Mr. Devaney: Twelve-point-six seconds.

Acting Chairperson Speranza: Right. We don't want to be in the same situation that we were in before that light went up. And this is not a surprise to you, we've talked about the need for being able to identify what some potential mitigation measures are.

Mr. Devaney: Yes.

Acting Chairperson Speranza: Because that is a significant delay.

Mr. Devaney: Right.

Acting Chairperson Speranza: Twelve seconds may not sound like a lot, but 12 seconds is a lot.

Mr. Devaney: It is a lot.

Acting Chairperson Speranza: Throughout the peak hour time frame, when you're in the car that gets stuck again. So that's something that we've requested and will, in fact, be in your memo. That 9-A and Jackson and also 9-A and Lawrence Avenue was another one, another intersection where just recently a light was put up.

Mr. Devaney: Right. And we can make recommendations on what has been done with similar projects. It's usually increasing signal times and that sort of thing.

Acting Chairperson Speranza: Right.

Boardmember Alligood: I have a question about traffic. Because previously, the assumption was that this would be marketed to people who are working mostly from home so they wouldn't all be leaving to go to the train station en masse at the same time. And now, since that's not the project, is there any difference in the analysis of the impact? Because just

saying a certain number of cars will be generated is different from saying they'll be going at a certain time to try to catch a certain train, and going through our small downtown. I think that's an impact we'd really want to look at.

Mr. Devaney: Right. And that's one of the first things we looked at. Because you're right, the approved development, it just makes common sense there would be less traffic because people aren't driving to go to work. That was the whole point of the plan. But just in terms of traffic generated from the site, it was a very minimal difference.

Boardmember Alligood: Right, right. But I think that's just something we'd like to look into. Because I think logically, when you think about it, that is a major difference. So even if the data, the number of cars, is not that different from one to the other I think the timing of when they'd be going and having to go through this intersection which we're now saying is possibly more. So I just want to put it out there, to Patty's point that it would be a concern that we'd want to look into.

Mr. Devaney: Absolutely.

Acting Chairperson Speranza: And, Thomas, didn't you mention also that once you get the Synchro files that that will provide...

Mr. Devaney: It'll help, it'll definitely help. That was the one information gap that would definitely help us with a more comprehensive analysis. Again, we assume that it's not going to change our judgment or our review of this. But in order for us to feel like we're addressing it 100 percent we would want those files.

Acting Chairperson Speranza: Does anybody else have anything?

Mr. Devaney: Any other questions regarding traffic?

Boardmember O'Reilly: I have several questions. You said in the context here that municipalities have different standards for what they regard as an objectionable difference, or delay. What's that range? Do we have one?

Acting Chairperson Speranza: No, we don't. But 12 seconds is...

Village Attorney Stecich: I think what Patty's saying is, what they found both at Jackson Avenue – I think it was Lawrence Avenue – that it was going to be 12 seconds.

Boardmember O'Reilly: Lawrence Avenue is the busier one.

Mr. Devaney: Yeah, 12 seconds.

Village Attorney Stecich: From Hastings' perspective, from this board's perspective, that's significant. So that's why Patty was asking to come up with some mitigation, suggested mitigation.

Boardmember O'Reilly: And you said there are ways of dealing with that.

Mr. Devaney: Excuse me?

Boardmember O'Reilly: And you said there are plans that have been adopted to deal with it?

Acting Chairperson Speranza: To deal with that kind of traffic.

Mr. Devaney: I think we put in the footnote in there about other municipalities. In New York City, it's a lot more streamlined in terms of they actually say in the ... there's a technical manual, and it will have ... it says 5 seconds. But this is New York City, so 5 seconds in New York City is a lot different than 12 seconds here. But state SEQRA doesn't have strict thresholds so there's some leeway. And that's where the mitigation comes into play. Because that's basically what SEQRA's all about. If you have impacts, if you've identified impacts, you mitigate them. And most of them are traffic. So as part of the SEQRA process that the mitigation would have to be approved.

So we would be happy to make some recommendation on what is typically done for projects like this. Usual signal timing, increasing the time, the signal times typically. But there's other things that we can do.

Now, fiscal impacts. Our team member, Urban Economics, did a fiscal impacts evaluation. And I can just read the recommendations. Again, it's the same as our SEQRA evaluation. Generally speaking, we concur with the findings. But there's additional information and some questions that we have that would make the analysis a little more complete. *"In the socioeconomic narrative, in general it appears that the Rutgers multipliers used are the same for both the market and a affordable units."* So they want to know why the decision was made using more specific rates by rent level. And then in current and projected assessed value the issue was, *"It appears that different equalization rates are used to determine assessed value from total market value for the Village versus the town, school districts and the county."*

"So we're recommending that detailed ... both sets of values and equalization rates. And currently, only one assessed value is given for current conditions, but two different assessed values ... but one equalization rate for projected conditions." So this just sort of like a methodology thing that we need to clarify. "Costs associated with the proposed project," again, "the methodology used makes. However, it would be useful to illustrate the narrative with the table showing the application multipliers on a unit, type and size basis so that the figures are more easily understood by the reader."

And finally, again, *"While the assumptions do not appear to be illogical, some documentation as to how the assumptions regarding shares of Village budget, where derived, would be helpful. For example, what were the assumptions used to determine the split between the fixed and marginal costs."* So, again, I think it's just a matter of adding this information to the impact analysis, and we think that it would be much more comprehensive.

Village Attorney Stecich: Before you start on that one, this was an issue that Jamie Cameron ... the socioeconomic was a set of issues that Jamie had a particular concern about. And you can maybe pass his concerns on to Urban Economics. You say that actually Langan doesn't have its own fiscal analyst, so that's why they sent it out to Urban Economics. Jamie's concern was on methodology, on their using the marginal costs rather than the full costs. And while they said it doesn't seem illogical, I guess he wants to know is that really the best way to do it and is that going to accurately reflect what the real costs to the Village are going to be 10 years down the line.

Mr. Devaney: OK. Now, from what I recall, Jamie has a list of questions. Would those be submitted to us?

Village Attorney Stecich: Yeah, there's some questions. Because a lot of them are real relevant to you.

Mr. Devaney: OK.

Village Attorney Stecich: That particular question, though, if you want more explanation on it, it would probably be a help ... it would be helpful from Urban Economics to talk directly with Jamie.

Acting Chairperson Speranza: Talk to Jamie, yes.

Village Attorney Stecich: He'll be back in another week or so.

Acting Chairperson Speranza: Right. And he had requested that. He thought it was better

to have it as a discussion.

Mr. Devaney: No problem, OK.

Village Attorney Stecich: But it's certainly an issue that he would want to discuss at the next meeting. But perhaps they could address this marginal as opposed to the full costs in writing before that, and then there could be the discussion at the next meeting.

Mr. Devaney: OK.

Village Attorney Stecich: But if anybody had other economic questions, Tom could pass them on to Urban Economics. That would be helpful, as well.

Boardmember Sullivan: I just want to clarify, under socioeconomic narrative, Rutgers multipliers are used for what?

Mr. Devaney: I'm sorry, I'm having trouble.

Boardmember Sullivan: What is the Rutgers multipliers used for both market and affordable?

Boardmember Alligood: Well, isn't that the number of children that will be generated by each unit? I think.

Boardmember Sullivan: I thought so, too. I just wanted to clarify.

Mr. Devaney: That's a question that I'm going to have to ask Urban Economics. Whether they made that assumption.

Acting Chairperson Speranza: Yeah, that's what I recall.

Village Attorney Stecich: Tom, I also had a question related to that. This was in your memo. But you may have just taken it from Ginsburg's submission. It was about the taxes. Maybe you won't know, but maybe from Ginsburg could explain. Why are the projected taxes so much lower for this go-round? Because there's the same number of market units. It's on page five. It's actually quite significant. The revenues to the Ardsley school district went down from [325] XXX to [306] XXX; Hastings from [127] XXX to [102] XXX. Then the summary. Did you just take this from them?

Mr. Devaney: Yeah, I just used that as a reference. I say in the text just to ... we used the

table from the EAF just to show the...

Village Attorney Stecich: Bruce, do you know why it's gone down so much?

Mr. Lozito: Well, essentially since the market has gone down considerably since then.

Acting Chairperson Speranza: Oh, because of value. So it's the value of the structures, the value of the apartments.

Village Attorney Stecich: OK.

Mr. Devaney: I'm glad you're here.

So I'm going to give the floor to Kelly to answer questions about stormwater management.

Acting Chairperson Speranza: And steep slopes.

Mr. Tufts: And flood plains. What I'll do, I'll start the steep slopes and then I'll move on to the stormwater and any sort of floodplain issues that you may have. As far as the steep slopes is concerned, our recommendations are more geared toward the site plan approval process. But I think it was something that we wanted to emphasize now. Which is, there are steep slopes present on the site. So therefore they will be required, or will need to submit, some sort of steep slopes analysis plan when they come back in here for the actual site plan approval process.

Now, they are intending to disturb some of those steep slopes and construct a retaining wall within that area. Now, I think it would be very beneficial for them, when they do come in the next time with their formal package, that they also include all the calculations as involved with the retaining wall to ensure that they are designing to the appropriate safety factors. And also take into consideration any of the soils that would be present on the site from a geotech report. And, in addition, if there would be any sort of slope stability, measures that would be required along those banks, along Saw Mill Run. So I think that was something that would be worth noting moving forward with this. Any additional questions on steep slopes?

For stormwater management, what we did is, first off I want to, I guess, emphasize the fact that we have reviewed this as a comparison of the original approved concept plan versus that of the modified, which is now. We did not review this from a technical conformance standpoint from like your typical site plan approval process. So to briefly summarize the original approved concept plan, the developer has noted that they are, in fact, decreasing the

amount of impervious surface that's located on the site. Therefore, there would be a reduction in overall stormwater runoff from the site. Therefore, there would be no detention required. There are proposing to construct water quality measures around the site. That is due to them having disturbed greater than 1 acre and are required to thus submit a SWIP [4-A speedies] XXX permit. They had two water quality what are called bioinfiltration basins at the front of the property, along with two bioinfiltration basins along Saw Mill Run.

The basins are then designed to essentially capture the stormwater runoff, allow it to infiltrate thus removing any sort of debris, solids, salts, things of that nature that would come off the parking lot. And then they would fill up, I believe they might have been, 2 feet deep. They were designed to essentially take what would be like what they called a "first flush" storm, which is just your standard storm rain event. And then therefore would overflow into an overflow device, and then back out into the creek. So that was previously approved, there was no problems with that.

Moving on to the new modified concept plan, they keep with the same schematic. Essentially, they are continuing to decrease the amount of impervious surface, therefore there's no detention required. The runoff on post development conditions is less than that of pre-development conditions. They are still disturbing approximately the same area, therefore they are required to submit a SWIP [in the speedies] XXX permit. They do have water quality devices installed around the site, however they have reduced the bioinfiltration basins from four to two. However, in doing such they have increased the size of the two bioinfiltration basins therefore the area is somewhat equivalent.

Those basins are located at the rear of the property along Saw Mill River creek, the river. They also are intending to construct an underground infiltration system which actually provides an increased level of water quality control for the site that is placed underneath the driveways that are there and outside of the 100-year floodplain. They continue to drain to the same locations as they had before and I think, overall, it's an improved design from what previously came to the Board.

Village Attorney Stecich: There were a couple things, though. They didn't make it to pages 29 and 30, but further on...

Mr. Tuffs: Yes, I guess ... I'm sorry. What we had stated, and that was on page 14, was what we thought would be sufficient or recommended was submitting some sort of erosion sedimentation control plan. We did not see that in the plan sets. That is a requirement for SWIP. We had reviewed the new SWIP and it was not in there. So it would be good to see what they were proposing along Saw Mill River, along with how the site is actually going to function while it's under construction to make sure we're not flooding anybody downstream

or have any sedimentation traps, basins. What exactly are we doing. So I think that would be beneficial to the Board to get an understanding of how that's going to function while it's under construction.

Village Attorney Stecich: A little further up on the page, about exaggerate the outfalls.

Mr. Tuffs: Oh, yes. One was actually the maintenance of the outfalls and also the underground infiltration system. There's no mention in any of the reports on who's actually going to be maintaining those throughout the life of the project. I mean, 99 percent of the time they would set up a homeowners association and they would do that. But it would be good to at least see that in writing that they intend to do that.

Village Attorney Stecich: Further up, are you looking on page 14? Further up: *"We see these outfalls should be examined to determine whether the current energy dissipation devices, the riprap, should be upgraded to increase."* Or would that be part of the approval?

Mr. Tuffs: That would be part of the site plan approval process. Again, it is a recommendation because we...

Village Attorney Stecich: I know a lot of this stuff ordinarily would happen at site plan approval, but here it's shifted up because this board is almost done with its review before it recommends to the Board of Trustees adoption of the concept plan. So if it's something that's got to be done it's got to be done at this point. Because even the last go-round the night of site plan approval was like 10 minutes because everything was done. Because pretty much it all has to be done before this board can recommend concept plan approval to the Board of Trustees.

Mr. Tuffs: OK. So what we were thinking on this matter was they're proposing to utilize existing outfalls. We don't know the condition of those outfalls. We don't know if they have a proper riprap installed, in what condition those are in. So it would be beneficial for them to at least provide in the report, if they have not already – and maybe we don't have that information – that they have at least addressed the additional flow that would be coming through those outfalls.

Acting Chairperson Speranza: And the rate of flow.

Mr. Tuffs: And the rate of flow. Because if it was a new outfall, then you would design the energy dissipation device for how much flow you have coming out of that pipe. And we just did not see that, at least in the material that was given to us.

Village Attorney Stecich: So, Tom, then when you redo the report you'll include all those things on these last two pages. Because pretty much everything else was there.

Mr. Devaney: You know, I deliberately left out the stormwater management recommendation because I wanted Kelly to have to sift through this.

Mr. Tuffs: And then forget what I wrote. Any additional questions?

Acting Chairperson Speranza: I wanted to ask one question. It's not shown as a recommendation, but I think it's been impossible because it was important in the last discussion that we had when we were looking at the live-work units being located and constructed on this site. You make mention in the writeup about the floodplains. We have heard, and people are very concerned about flooding, naturally. And there's been lots of discussion, lots of talk that FEMA's coming out with new maps. And I think you've address this in here, and I think it would be great for those watching at home to be able to hear your explanation with respect to the sense that there is no need to wait for new maps to come out.

Mr. Tuffs: Correct. What they did is, in the last few months after Hurricane Sandy they have released what they call ABFEs, which stands for Adjusted Base Flood Elevations. The idea of this was they are addressing not only the new flood levels that were experienced during the storm event, but wave action and a few other mitigating measures that would need to take place when you're designing a new building within the New York City area. However, those maps that they are releasing are primarily localized to the tidal areas. So tidal and adjacent, in its general vicinity of the coast. So there would be no intent for FEMA to update the maps this far up the river.

From what I've heard – and granted, this is something that we follow very closely because it involves a lot of the projects that we do – FEMA, at this point, is for the most part done updating these adjusted base flood elevation maps, all right? So as of three months ago that was pretty much the last round.

Acting Chairperson Speranza: So it may be that there are new maps, for instance, for properties that are adjacent to the Hudson River with the tidal flow, but not for the Saw Mill River.

Mr. Tuffs: Correct. And as far up the river, the Hudson, here that they have gone I don't even think they got up as far as Yonkers. I mean, it's still localized down toward the point of Manhattan out along the coast of Jersey, and then on out Long Island.

Boardmember Sullivan: It actually went up to Hastings. Those advisory maps include

Hastings waterfront.

Mr. Tufts: It did?

Boardmember Sullivan: Yes.

Mr. Tufts: OK. I didn't notice that. I thought it went as far as Yonkers, but I'll double-check.

Boardmember Sullivan: My question would be, FEMA was in the process of updating their flood maps and then Sandy came. I'm dealing with this at work, and so I've looked a little bit into it. So my question would be, where is FEMA in their process of updating any maps along the Saw Mill River? And that would be an interesting question. Because as I understood, it wasn't just because of Sandy that triggered them to be able to come out in the next month, month-and-a-half with revised elevations. It was because they were already in the process, and FEMA did a wonderful public service by getting that information out very quickly to people who were in the coastal zones and were impacted by Sandy, and needed to know how to rebuild.

So my question would be, again, just in general the maps that we are dealing with now are from the 1980s, I'll make a guess, and where is FEMA in the process of updating that. And is it possible to get further information. Because there is ... I think people who've lived in this area around the Saw Mill have experienced greater flooding over the last decade or so. So it would be interesting to find out.

Village Attorney Stecich: Except, Kathy, I think ... if I recall, Patty, you might too – that around the time this first project was approved the FEMA maps were about to come out. And somebody had them, and I think it was 2007 that the FEMA maps that included this came out. And those were taken into account for the last approval, the 2007 maps were used.

Boardmember Sullivan: That's great. I mean, if that's the current date and those are the current maps then my question's been answered. I would just like to know.

Village Attorney Stecich: If you want to just confirm that, but that's my recollection.

Mr. Tufts: Yeah, we can confirm that. And I'm sure the client can, too. As far as FEMA updating their maps...

Village Attorney Stecich: We're the client.

Mr. Tuffs: Yeah, I'm sorry.

[laughter]

I meant the developer, OK? My apologies. So the way FEMA updates their maps, they do it periodically. You may have here on Saw Mill they may have updated in 2007, where up the stream or another stream, within your municipality, it might not have been updated since 1970.

Boardmember Sullivan: It'd just be good ... I was not here for this past go-round, so just to be able to say these are the most updated maps and there's none coming up down the pike that would, I think, let people be comfortable in the public and myself as well that we have the best information we can: there's no reason to search further.

Mr. Tuffs: OK. Well, we can confirm that tomorrow for you.

Village Attorney Stecich: Yeah, and then just include something in the memo. That would be good.

Boardmember Sullivan: Yeah, thank you for clarifying the history to me. I appreciate that.

Village Attorney Stecich: Jamie has a big question for you.

Acting Chairperson Speranza: From the last development also.

Village Attorney Stecich: Yeah, yeah. He started talking about it the last time.

Acting Chairperson Speranza: Yes, in 2007.

Village Attorney Stecich: He hasn't given up, OK. I'll just read it to you: *"The risk of flooding and the desirability of getting the main electrical panels and elevator motors out of basement garages. I assume that's what the plans meant by 'MECH' in the basement of buildings A and B. The garage is 1 or 2 feet above the 100-year level, and the first floor is 12 feet above. But see the lower doors on the back of the building to the stairwells to the basement. No new maps yet"* – these are just notes, Jamie writes much more clearly – *"no new maps yet for the Saw Mill. I have screen shots of the FEMA maps for this site."*

OK, he wants to know is the site within the 500-year floodplain. It doesn't quite come out here, but his concern is about having the mechanicals in the basement when it's so close to the floodplain, for buildings A and B.

Mr. Tufts: If I can just point to the drawings here. You can see this line here. This is the limits of the 100-year floodplain. So it comes up here at the low point where they're actually going to build the retaining wall, and it comes out. So for the most part, or for all parts, the buildings themselves are outside the 100-year floodplain. So regardless of the elevation that they give for that 100-year floodplain, as long as the building is outside of that it's fine. Now, what comes into play is the waterproofing that they are proposing to construct on the foundation.

So as long as they have the floodproofing ... and this is more of an owner thing. I don't believe there's actually any requirements – there's definitely not from the DEC – in regards to the SWIP and [speedies] XXX permits for constructing this. Because you find on a lot of developments, in areas where you're outside the 100-year floodplain and how you address that basement level is through floodproofing. So regardless if there's living space or mechanical equipment below you floodproof that elevation, or essentially the extent of your basement, and then you're good from there.

Village Attorney Stecich: And the question, then, I guess to you is, is that adequate, is that as protected the way it should be?

Mr. Tufts: It's adequate, yes. Correct.

Acting Chairperson Speranza: Even though you're going underground, even though it's being excavated.

Mr. Tufts: Well, on this site itself the water level is 5 feet below the finished surface, which if very shallow, all right? So without knowing the grades, and I know the contours are not labeled on that, regardless you're going to be in the water. You know, as soon as you go 5 feet below. So as long as they have the waterproofing that's installed they should be fine.

Village Attorney Stecich: And is there a 500-year floodplain?

Mr. Tufts: Yes, there's a 500-year floodplain.

Village Attorney Stecich: And so is this within the 500-year floodplain?

Mr. Tufts: Yes.

Village Attorney Stecich: And, I guess, should you do anything differently because something's in the 500...

Mr. Tufts: No, you typically don't address anything within the 500-year floodplain.

Boardmember Sullivan: I wonder why they note it then.

[laughter]

Village Attorney Stecich: Yeah, I know.

Mr. Tufts: And also to clarify a little bit with 100-year, 500-year, these things. You know, 100-year floodplain, what that stands for is essentially it's a 1 percent chance a storm of that intensity is going to occur; 500-year is a 0.2 percent chance. So it's not like once every 500 years you're expecting some big storm to come. It's, you know, 0.2 percent chance every year, 1 percent chance every year for the 100-year storm.

Village Attorney Stecich: Wait a minute, wait a minute. It's 0.1 percent?

Acting Chairperson Speranza: Or 1 percent.

Mr. Tufts: It's 0.2 percent for a 500-year storm, 1 percent for a 100-year storm. So everybody always ... they're starting to refer to the absolute percentages now, since the Sandy and ABFE has come out, all right? Everybody has always used the terms 500-year, 100-year and what did those actually mean. So I'm explaining now we're getting to the point now where we're merging more into using the whole 1 percent storm, 0.2 percent storm towards the developments.

Acting Chairperson Speranza: OK, any other questions on this?

Boardmember Strutton: Yeah, I have a question actually. On the retaining walls, are the retaining walls in the floodplain? And then do we also ... does the SEQRA look at what the impact of those retaining walls speeding up the river is on downstream properties?

Mr. Tufts: The material that was submitted? No, it did not. The retaining wall is within the 100-year floodplain, however I believe there is a certain percentage that they're allowed to encroach within, or affect a certain square footage area of the 100-year floodplain, without having to submit your typical HEC-RAS stream analysis that would model your downstream and upstream of your site. And that request, again that would come from the state level if they would need to do that.

Village Attorney Stecich: But I guess the question here isn't only what does the state

require, but what should this board require to ... I mean, maybe the state doesn't require it, but could it cause a problem?

Mr. Tuffs: No. The amount they're impacting is very, very minimal. We're not building the retaining wall right along the stream; we're not taking out a very large area. And then essentially, like you said, diverting the flow to maybe a greater intensity affecting the downstream neighbors. We're not doing that. It's a very small portion that they are needing in order to construct their development. Like I said, the state has a requirement for a disturbance, per se, within an allowable ... and that goes from all case studies in the past, and what would be affected and how that would work.

In this case, I would not assume there to be a problem with the location of where they've placed the retaining wall on how much disturbance that they are proposing.

Village Attorney Stecich: Now, the plan you looked at before wasn't exactly the one we have tonight. The buildings on this one, I think, are shifting 20 feet.

Mr. Tuffs: They're shifted a little bit.

Village Attorney Stecich: Does that change your analysis at all?

Mr. Tuffs: No. No, it does not. And also this would go back to the retaining wall, too, from your original approved plan. The retaining wall is in the same location; it's the same height, the same size. It does angle slightly differently but, for the most part, it's the same as what had been previously approved.

Acting Chairperson Speranza: So any kind of minor modifications to this site plan you're not expecting is going to make that big a difference in terms of the environmental review.

Mr. Tuffs: No. When comparing what was previously approved versus what's now, the difference between the two are minimal.

Acting Chairperson Speranza: OK. And with these changes, or any other kind of small ... and I'm not talking about combining the buildings into one or anything major..

Village Attorney Stecich: Unless they were shifting the bridge.

Acting Chairperson Speranza: Right, for instance shifting...

Village Attorney Stecich: Moving the bridge.

Acting Chairperson Speranza: The pedestrian bridge.

Village Attorney Stecich: Would that...

Mr. Tufts: I would say if we moved the bridge I would reanalyze that, correct.

Acting Chairperson Speranza: OK, that's good to know. Anything else from Boardmembers? Kathy?

Boardmember Sullivan: I have one thing. Back to the Rutgers multiplier question, I think it would be interesting to look at affordable housing in our community and look at the assumptions that were made on children that would be, I want to say, generated. That's not quite the right word.

[laughter]

That are housed in the affordable housing that's been created in the Village in the last few years, and just compare what the assumptions were to what the realities are. When we were working on the Comprehensive Plan we were told by the school district that those assumptions might have been low. And it might be an interesting localized fact for this area.

Mr. Devaney: As you know, one of the most significant changes between the approved plan and the proposed is the increase in the affordable housing units. And it exceeds the 15 percent minimum that was identified in the affordable housing regulation. But we can address that. In terms of SEQRA compliance and compliance with the public policy, it's an improvement on the previous plan. But then again, the...

Boardmember Alligood: I want to just go ... speaking to that point in this memo that we got from Urbanomics, they point out that the analysis on the numbers they came up with using the Rutgers multiplier on the market rate units takes into consideration the rents that are going to be charged as well as the size of the units. But they don't do the same analysis for the affordable units. They only base it on the unit size, not the rents that are being charged. And they're saying that that information is not included, but we have that information.

So I would ask that the applicant do ... because the significance of that is, according to this analysis, that it's going to change potentially, as you say, that our calculation of the number of children that would be generated by each unit. So we know that the rents that are going to be charged in the affordable units are \$765 up to \$1,350. So we have that data, and it should

be included and it used as the basis of the calculation.

Mr. Devaney: OK.

Acting Chairperson Speranza: That's one of the follow-ups.

Boardmember Alligood: So we know what the rents are.

Acting Chairperson Speranza: Right. *"Please discuss why this decision was made instead of using more specific rent."* So that's something else that Urbanomics has, yeah.

Boardmember Strutton: Also, on the economic analysis, I believe the Comprehensive Plan requires some form of economic analysis for large sites. And I don't see any reference in here to the Comprehensive Plan, so it would be nice, if that is a requirement, to state that in here, and state that the analysis not only conforms to SEQRA, but also to what the Comp Plan requires.

Boardmember Sullivan: They actually mentioned something to that level in last part of the first paragraph.

Boardmember Strutton: OK, thanks. But, again, I think we have some interesting data that we could, hopefully, figure out a way to get to Urbanomics for the affordable housing we have in our village.

Village Attorney Stecich: I bet you can get that through Sue Smith.

Acting Chairperson Speranza: Right, through the Affordable Housing Committee possibly.

Boardmember Sullivan: And from the school district.

Acting Chairperson Speranza: In terms of addresses.

Boardmember Sullivan: And actually use something you've gotten. So it's a two-part process: what the assumptions were, and then what the school district is experiencing.

Boardmember Alligood: I know the school district will share that information because I was part of a conversation on that years back. So they're [off-mic].

Boardmember O'Reilly: If I could just go back to the question of traffic analysis, without

going into the details of which system was used most of the discussion, or the comments that have been used tonight, have been about people going to work and coming home from work and what the peak hours are going to be. Yet, one of the things that strikes me often, driving through the Village now, is that other congestion occurs when school's going in and school's getting out.

Does that come into the calculation in any of these systems? Because it's not just early morning and late afternoon, it's mid-morning and mid-afternoon.

Mr. Devaney: Well, yeah, we do analysis of AM peak, PM peak. And I believe there's a midday analysis. And that [off-mic] consideration. But when you're dealing with the peak hour, it's going to be people returning from work.

Boardmember O'Reilly: To and from work.

Mr. Devaney: Yeah. But I know what you're saying.

Village Attorney Stecich: The way they pick the peak hour is, they do a measure of the traffic all day.

Acting Chairperson Speranza: Over 24 hours.

Village Attorney Stecich: And figure at what hour. They're not picking the peak abstract and say, "Oh, most people come home from work at 5 o'clock." You measure it during the day, and whichever hour has the most traffic is the peak hour.

Boardmember O'Reilly: Is the peak, regardless.

Village Attorney Stecich: So it's essentially your worst case.

Boardmember O'Reilly: So it could be 3 o'clock.

Acting Chairperson Speranza: Right, it could be. For some locations it could be 3 o'clock, yeah.

Village Attorney Stecich: Probably not here over at that location.

Acting Chairperson Speranza: It's very interesting, though, because often times doing an analysis of traffic versus near a railroad station the peak hour is going to be earlier than it is on the road. People who are driving to work as opposed to people who are driving to the

railroad station, right?

Mr. Devaney: Right. And SEQRA has some flexibility on that. I mean, if a project generates peak hour traffic at midday for whatever reason. But for SEQRA, the analysis periods are peak AM and peak PM. So it's 8 o'clock to 9 o'clock in the morning, and then 5 o'clock to 6 o'clock in the afternoon.

Acting Chairperson Speranza: That's generally the standard.

Village Attorney Stecich: Generally, but the way they do it is by at any location measuring what's the peak hour. And I'm assuming that those numbers are probably fairly current for us because of Rivertowns Square. So that stuff would have all been pretty recent.

Mr. Devaney: But that would be something that ... we talked about the synchro [off-mic]. Probably you would be able to have a better idea of the in-between [off-mic], too. But I would imagine that the corridor you have ... there's the building across the street, there's significant traffic there. There's traffic at the municipal building. So if everybody's leaving at the same time, and then you happen to be driving into the residential development ... so that's what we addressed.

Acting Chairperson Speranza: OK, anything else with respect to the memo? No?

OK, thank you. So you're going to be taking the document and then revising things as you've heard them.

Mr. Devaney: Yes.

Acting Chairperson Speranza: To compile it all into a final assessment.

Boardmember Alligood: Something that we didn't go over, but you did analyze at the very beginning of the memo, is the idea – let me just find the page – about the affordable housing. And you do make the point – I just want to say it publicly – that the plan is to have the affordable housing units in one building, but that that's not really consistent with the desire of the Village. And I'm just trying to find the exact language here.

Mr. Devaney: Yeah, in the Comprehensive Plan it identifies ... or actually no, in the affordable housing regulation it identifies that ... it says that affordable housing units should be interspersed into the development.

Boardmember Alligood: Right.

Mr. Devaney: And obviously, this proposal, one of the buildings is going to be ... all 12 affordable units are going to be in one building. So it's going to be separate from the rest of the development. But it does stipulate that it's up to the Village Board's discretion as to where they're located.

Boardmember Alligood: Yes, I just wanted to highlight that because I do think that's significant. And I do want to say that's still a concern of ours, and so I just want to, in terms of summarizing sort of the key points, I know it didn't rise to the level of saying it was completely inconsistent. Well, it is inconsistent, but conceivably OK.

Mr. Devaney: Yeah. I deliberately put ... it is explained that they're technically not supposed to be separate, but it's up to the discretion of the Board. So I'll let you guys make that decision.

Village Attorney Stecich: Fair enough. Because he touched on it, but I would say that's more a Planning Board issue than an environmental issue. You know, they did go a little bit in the Comprehensive Plan because the Comprehensive Plan did relate to a number of environmental issues like development on the river.

Mr. Devaney: Right. And the reason why it was address is because within the framework of SEQRA it's public policy. So that is the overriding public policy document in the Village, and it does say explicitly about the location of the affordable housing. So that's the reason why it was mentioned.

Acting Chairperson Speranza: And we are going to continue our discussion because there were a number of things that were brought up both by Jamie Cameron in his correspondence to us and there may be other things also.

Village Attorney Stecich: And the county.

Acting Chairperson Speranza: Right, the county and other things that other Boardmembers want. But I do want to thank you, Thomas and Kelly, for coming up tonight. And you can feel free to leave. I know you've got to catch a train.

Mr. Devaney: Thank you for having us. See you.

Acting Chairperson Speranza: Bruce, you had your hand up earlier and I wanted to have them finish the report that we received from them.

Mr. Lozito: A simple thing. They mentioned that they didn't have a soil erosion plan.

Acting Chairperson Speranza: Oh, right.

Mr. Lozito: I gather they didn't get the full-sized set of drawings because that did have the soil erosion control plan in it. So if you want us to get it to them, or if you still have sets around.

Deputy Building Inspector Minozzi: We don't have any extra sets.

Acting Chairperson Speranza: Here, I have a set.

Deputy Building Inspector Minozzi: Oh, you do?

Village Attorney Stecich: Is it in that set, Bruce?

Acting Chairperson Speranza: Soil erosion control, I see.

Mr. Lozito: Yeah, that's the full set.

The other question I had was about timing, maybe while they're still here. We had hoped to get a start on responding to these comments. Do you get a sense that there's going to be a tremendous difference in the final version of this from what you've provided here, based on the questions that had been asked?

Mr. Devaney: I don't think a tremendous difference. I think it's just a matter of addressing some of the concerns of the Board. I don't think it's going to change our findings, per se. I think just this is additional information.

Village Attorney Stecich: And everything they've asked for there you're going to have to...

Mr. Lozito: Yeah, I'm going to get started. I just was wondering when would they have the ... do you think you'd have the final version of it ready. Any sense of that?

Mr. Devaney: [off-mic].

[laughter]

Acting Chairperson Speranza: Two weeks?

Mr. Lozito: We won't hold it to you, just approximate.

Mr. Devaney: I like the two weeks.

Acting Chairperson Speranza: Two weeks?

Mr. Lozito: I like one week. Do you think there's any chance it could be one week, at all, any chance at all?

Mr. Devaney: He sounds like one of the principals in my company.

[laughter]

Mr. Lozito: This is what is usually done to me.

Mr. Devaney: ASAP.

Village Attorney Stecich: Bruce, I don't even see what the issue is. Because it's clear what you've got to do.

Mr. Lozito: So we can just get started, based on this.

Acting Chairperson Speranza: You can definitely get started.

Mr. Lozito: The one thing I was going to ask, and I haven't read through this, obviously, tonight and I will very soon. I don't know quite how much work really is here for us to do. The Village policy right now is that any things going to the Board have to be submitted two weeks prior to your meeting, which doesn't give us a whole lot of time to get things done. So since this isn't the new application, and it's supplemental information, would you mind if we got it to you a week before so you had for the weekend before your next meeting?

Deputy Building Inspector Minozzi: It would have to be, the most is like a week-and-a-half.

Mr. Lozito: Well, we'd even overnight it to the Boardmembers if delivery is a constraint.

Deputy Building Inspector Minozzi: Well, that's what the guideline ... the guideline has always been two weeks, and we would grace it maybe an extra three or four days. That Monday, about a week-and-a-half.

Mr. Lozito: Do you think if the Board was willing to be flexible on that guideline?

Deputy Building Inspector Minozzi: It's not the Board, it's the internal ... it has to transfer through our office and everything has to be distributed and everything has to be separated and put into packets and everything like that. It's about our internal structure. I mean, we can bend some, but I don't think we can do a week.

Acting Chairperson Speranza: Can I suggest that depending on what the material is ... I mean, there may be a way if, for instance ... and I mean, certainly you understand. We need time to be able to digest the information.

Mr. Lozito: Right, sure.

Acting Chairperson Speranza: Which is why we've always insisted that we needed to have our packet at least the weekend before the meeting so we can read it on the weekend.

Mr. Lozito: That's what I would assume.

Acting Chairperson Speranza: But I know that in the past we have received things that have been overnighted. As long as we know that they were coming. And it may just be the dialogue between the Village and Mr. Cameron that may facilitate some things. You know, if there are things that are important to be read, and if you're going to then overnight them to the Boardmembers so that it doesn't then have to go through the Village for them to work out the distribution, that may make a difference also.

Mr. Lozito: Thanks. So I don't think we need to really say anything further this evening.

Acting Chairperson Speranza: OK, we have more to say.

Village Attorney Stecich: We're just saying that we're done with Langan.

Acting Chairperson Speranza: Thank you.

Mr. Devaney: Thanks very much. Thanks a lot.

Acting Chairperson Speranza: OK, so there are some things. And I know that, Bruce and Michael, you're not going to be surprised to hear this. There are some things ... and I do want to make sure ... something I know I feel strongly about, Jamie Cameron has felt strong about. I've also had discussions with the county, and I'm going to go out on a limb and assume that my fellow Boardmembers also feel the same way about the pedestrian bridge.

You can't have it on a piece of property that's going to end up being under Village control, either on the open space or on the affordable housing parcel. You know, it's got to be part of the market rate housing. It's got to be something that is going to be able to be maintained. The Village isn't interested in doing it.

My understanding is that the county is not interested in doing it. And also, based on a conversation that I had – just to make sure that, in fact, there was a county commitment – that the pedestrian bridge was something that they were not interested in having included in, or attributed to, the affordable housing site. So I think that's something ... if Boardmembers disagree please let me know. But, you know, that was one of the approvals of the last plan also.

Boardmember Sullivan: To have it be part of it.

Acting Chairperson Speranza: To have it be not on Village land.

Mr. Lozito: First of all, the county is contributing toward the construction of it under the affordable housing. So they're not averse to it from an affordable housing standpoint. So I don't know that it can't be on the affordable housing parcel, which would be privately owned and not the Village's...

Acting Chairperson Speranza: But that's something that's going to be part of the subdivision to have it be a separate parcel. That's not something that we as a board are interested in having in that location. Because then it becomes a burden to individuals who are in the affordable housing.

Mr. Lozito: No, there could be an arrangement made where the owner of the adjacent rental property is responsible for the maintenance. It doesn't necessarily have to be on the lot to have that responsibility. And there's also consideration about design where it works best in relation to crossing the river. So it's not just a...

Acting Chairperson Speranza: Well, that's true. The crossing of the river certainly is ... and that's something that we would want to ... it wasn't an issue before to have it in a different location the last time that the plan was approved. You know, you could have a nice trail along the back from the parking area to a pedestrian bridge that's further to the north. Anyway, that was certainly one thing.

Mr. Lozito: Well, that's big. We would like to have the opportunity to speak with the county also, obviously, on that, too.

Acting Chairperson Speranza: For sure.

Michael Zarin, attorney - Zarin & Steinmetz: I think your issue, if I hear you, is you want to make sure however this is structured that there's a viable entity that is taking responsibility for maintaining this other than the county or the Village.

Acting Chairperson Speranza: That's correct.

Boardmember Alligood: Wait. And I wouldn't want to burden the affordable housing project with it, either.

Mr. Zarin: And that would be an entity that I would also count as not a viable entity for maintaining it.

Acting Chairperson Speranza: Right, that's correct.

Mr. Zarin: So I agree with you on that. That's what I hear you saying, OK.

Village Attorney Stecich: So to follow up on that, if it could be structured so that there was a covenant running...

Mr. Zarin: [off-mic] the maintenance...

Village Attorney Stecich: Michael? Thank you, Michael. Running from the building in favor of the Village, the Village being the recipient of it, saying that the market rate parcel is responsible for the bridge, wherever it is. Even if it's on another parcel, it can be structured like that. Then the question is, is the Board OK with the bridge being further south as long as there can be some enforceable legal mechanism to keep the affordable lot from being responsible for maintaining the bridge.

Boardmember Sullivan: I think in theory that sounds good. I always worry about the reality. There are enough locations in our village where there are trails that were supposedly going to be kept open and that have become closed. And so the ability for the Village to consistently enforce those kinds of legal things really concern me. I don't see us having the capability to do that in this case, with a structure which isn't a path on the earth. You know, there's going to be maintenance over time to make sure it's a safe way to cross over the river. I think I lean more to what Patty was saying, which is...

Village Attorney Stecich: Except that if it's ... I'll tell you, my concern would be if it's on the property ... because this is a bridge for public access. That the further away it is from the

public park it seems to me that the flipside of that is the building can say, some years down – you know, memories fade – "Hey, this is on our property, we're paying for maintenance, it's private." But if it is where it is, it's just a little bit more of an invitation to the public. And the location is more inviting to the public to use it because it's near the open space. And it's not being maintained, it's just the Village just goes...

Acting Chairperson Speranza: It's both ways. I think that's both ways.

Boardmember Sullivan: I think personally, and I don't know if I want to launch into this tonight, but mean, there issues about how this has been subdivided. I have issues about where the location of the parking is in the open space. So, I mean, I think it's a topic to be pursued. I'm not sure I'm looking at the final plan.

Village Attorney Stecich: No, but those are the kinds of issues that are probably pretty good to discuss earlier rather than later because they affect the site plan. So if you do want things shifted, that's something that's really important to discuss early on, I think. And that may require Langan having to do more work on it. Certainly, they said if the bridge is shifted they need to look at it. So those are probably good early questions.

Mr. Lozito: I think there are ways to address your concern. Like you said, I don't think we have to decide tonight. But we hear your concerns. Let us look at, be it a physical solution or a legal solution or a combination of physical and legal to make you feel comfortable with the situation.

Boardmember Alligood: Speaking of shifting, I just want to say that I'm not ... I know that Jamie had proposed this new plan, but I'm not sure ... it's not my idea, and I actually think it is a problem to cut down one of those trees. I'm really not sure I support that.

[cross-talk]

Boardmember Alligood: ... asked for, in advance of this meeting, that we're all in favor of this revised scheme.

Acting Chairperson Speranza: No, and it was a question that he had, and it was something that he voiced at least to all of us in the memo, realizing, of course, that means we were even thinking when we had talked about it that there may not be any trees. Any of the significant trees might be left. But again, it's a question of what is most important in the mind of the Boardmembers with respect to the trees versus additional open space on the southern end of the parcel.

Boardmember Sullivan: I can see reworking the building orientation in a way to not necessarily take both trees down. I mean, this was a shifting with certain relationships that were kept. Jamie's point was that this was shifted too farther away from the north than it was in the concept plan, so he wanted it pulled further back. You know, that first building brought back, and to bring, I think, the affordable housing building further north, as well. So you could potentially redo the site plan in a way that accomplishes both ends.

Boardmember Alligood: Can you show us where the tree would be that would be lost in this scheme that you presented? The one that's going to still exist?

Mr. Lozito: These are the two trees of concern. So this one would be lost because it's so close to the building.

Boardmember Alligood: OK. So to Kathy's point, that's so close that with some orientation possibly ... reorientation possibly that one could be saved.

Mr. Lozito: Maybe. The floodplain boundary comes in here so we're kind of squeezed between setbacks and the floodplain boundary. So we did our best. Another consideration might be to shift the affordable building closer, but we thought that relationship was nice with the community facility in between. We were trying to balance the many tradeoffs.

Boardmember Alligood: So could you bring back to the architect that at least I am concerned about this.

Mr. Lozito: About losing the...

Boardmember Alligood: This was one solution that just is sacrificing the tree. I'm sure they have potential other avenues they can explore. So I'd like to hear whether there's a way, to Kathy's point, of achieving the added open space, yet not losing that second tree.

Mr. Lozito: OK, we'll look at that.

Acting Chairperson Speranza: You look like you want to say something else.

Boardmember Sullivan: I will try to be articulate at these meetings. It's so darn late. The plan that I remember seeing last time, and this plan, I'm not sure why the Village is maintaining part of the driveway out to 9-A as well as parking spaces. So in that, I think I saw a difference between the previously approved plan and the first concept plan. So that's just kind of a question like is that something we're taking on by dealing with the open space.

And the last point is that I guess ... even I talked around it a little bit, is the issue of having affordable housing in a separate building altogether. I'm happy if you want to start talking about these kinds of issues now if this is the time, but I have great concerns about that. I really want to explore other ways of addressing potential ownership issues that have come up because of the financing from the affordable housing group, want to look at other ways of accomplishing separate buildings.

You can make buildings be separate, but have shared-party walls. You can make them have ownership in the buildings in different ways. I know the applicant addressed some financial concerns. I think all of that needs to be explored quite thoroughly before I feel comfortable with this kind of separation. I think it's something we as a village need to really do only with a lot of thought because it really flies in the spirit of the affordable housing ordinance.

Acting Chairperson Speranza: And you're right. I think that's something that should be carried on to the agenda for next month, the whole discussion of that; the affordable housing, and how this property, particularly since eventually the idea is that the property gets subdivided. So that there is now the affordable housing parcel and the market rate. And the implications of having the one building on a separate piece of property even.

Boardmember Sullivan: When I read that the Village Trustees had considered the application for the Affordable Housing Committee for some of the funding in some of the purchases that the Affordable Housing Committee would need to do to manage this, would they be buying a lawnmower. I don't know if we need to be mowing lawns and maintaining driveways when we're trying to accomplish adding affordable ... developers adding affordable units to their complex.

Boardmember O'Reilly: I remember Sue Smith, at the last meeting, talking. I guess she was speaking on behalf of the Affordable Housing Committee, saying that from their point of view it wasn't a deal breaker. That they did not find it to be uncomfortable. And I'd like to hear both sides of that discussion. Because, personally, I guess I'm looking at both sides. But I don't find a reason to object to it per se. But I'd like to find some acknowledgment of that argument from both sides of it because I think they're true.

Boardmember Sullivan: Very fair.

Boardmember Alligood: I just want to point out, because I did reread the minutes where we were hearing a presentation on that particular component of the project, that the way it was presented is that the only way that you can do it with this financing is with a separate building. That that's a requirement of the financing, which is tax credit and state housing trust fund money. And that's actually somewhat misrepresenting those programs because

they don't have that specification. There's plenty of affordable housing that's developed with that financing that is spread throughout projects.

I know that there's some reasons with the way they structure the deal that they want to do it that. And I think as a service to the public and those of decision-makers who are grappling with this, we'd rather than have the more nuanced explanation that has to do with the rental allocations, the breakdowns, that you've chosen. Because just to say that the financing requires that is actually ... that's not correct.

Mr. Lozito: I never said "requires." I said that we needed that to make this project work. And it's the requirement ... we could probably benefit from having either Rose Noonan or Allen Gordon from the Housing Action Council elaborate on those far better than I could. But we are advised that it would not be workable to put the units in with the market rate units and get the state tax credit funding; this indication that we're pursuing.

Boardmember Alligood: Again, it might make the project more difficult, but it's not as though it's not possible. I think we should get the explanation from those who understand the affordable housing financing. Because this has come up several times, and it's easy to kind of understand it that way that this is a requirement of the funding. And that's not correct. It's that the way that this deal is being structured makes it almost ... there are reasons why you'd want it as a separate building. So it's not that you can't do it as a separate building.

Acting Chairperson Speranza: I did reach out to Norma Drummond, who's the deputy commissioner for housing in the planning department, and asked her, again, just to make sure that this was in fact looking at a million-dollar commitment from the county. And I asked her, I said, "What about the separate building?" And her response to me was it had a lot to do with the ability for the units to be managed. That if the affordable housing ... you can't have someone who's in a market rate complex paying the kind of homeowner association fees that are assessed to everyone who is in the market rate units.

Boardmember Strutton: This is rental.

Acting Chairperson Speranza: Right now it's rental.

Boardmember Alligood: I also reached out to affordable housing experts who understand the financing.

Acting Chairperson Speranza: Good.

Boardmember Alligood: And they explained to me that it has to do with the way they

chose the breakdown of the target rents that they're trying to charge. I mean, we don't need to go into the technicalities, but what I'm saying is it's not that it can't be done as scattered throughout the site. And what I understand is that it is a tougher deal to pull off if you scatter the units throughout the complex, but it's not that you can't. So that's why I want an explanation. I think we all need to hear the explanation of how this is getting structured and why they chose the unit breakdowns that they did, and what income band they're targeting and why, all in the end, the Affordable Housing Committee agrees this is the best solution. Because I think just jumping to the conclusion it has to be done that way is just not ... we ask a lot of questions about other issues. We need to get this information.

Boardmember Sullivan: This is important.

Acting Chairperson Speranza: Definitely.

Boardmember Alligood: Because I wanted to know. If the experts that I reached out to told me, "Yeah, they're right, you can only do it this one way," then that would settle it. But that's not the case. So we would like the developer to please lay out the specific ... you know, we can't understand the technicalities and sort of the decision-making process you went through, but we want to hear that from you. And what other options. I mean, there are other options that may be not as economically viable, but we want to hear what they are.

Mr. Lozito: I can't really respond to that.

Boardmember Alligood: Because the tax credit investors are more ... I know there's a concern about the tax credit investors being attracted to this project. And it is more attractive to them if it's in one building. I understand that. But again, walk us through what the implications are if you try to track tax credit investors in this other scenario.

Mr. Zarin: We hear you, and we'll provide you with detailed, written by the relevant authorities that ... laid out in the most objective way we can. I mean, we don't want to say anything that anyone believes is misleading or self-serving. We want you to understand why we're doing it, as you say, and understand the objective rationale. So we'll provide you with that.

Village Attorney Stecich: So we could make sure at the next meeting that ... well, we'll have that before the next meeting. And that Sue Smith is there, and if she thinks Rose Noonan should be there, so that all those issues could be ready for the next meeting.

Boardmember Alligood: Specifically with the regulations that you're referring to that would bar different...

Mr. Zarin: We'll provide you with the objective data that you need to make an informed decision.

Boardmember Sullivan: And would Urbanomics help us, where needed?

Village Attorney Stecich: They're probably not the best people for that. No, this is a real niche thing, I think.

Acting Chairperson Speranza: But we may have to find someone to look at it.

Village Attorney Stecich: But I think the Housing Action Council would be helpful.

Boardmember Sullivan: It's comforting, and I think Langan did a very nice job helping us with this. You know, being very open and fair with the review. And I think their conclusions and recommendations were very good to the applicant, but I think we as a board may want to have someone advise us.

Village Attorney Stecich: Well, you know what? I could find out from Urban Economics whether they do...

Boardmember Sullivan: Feel comfortable being...

Village Attorney Stecich: Whether they do have an affordable housing...

Boardmember Alligood: Honestly, it's one thing to get advice internally from the Village from other bodies. But I think it's different from what we're getting on the other issues that we looked at.

Boardmember Sullivan: This is pretty darn important, I think, to make sure we're doing the right thing. Because I think having another affordable housing development come in to our village that's separate from its source I think is not a good thing, from a personal perspective on the Planning Board. But I would love to see the rationale and understand it, and not be unfair to someone that this is the only way this project can happen.

Boardmember O'Reilly: I think it's the only fair way.

Village Attorney Stecich: OK, I'll see if they do. If not, maybe I'll try to find another company that does.

Boardmember Sullivan: Thank you for that. I appreciate it. Thank you for that very much.

Boardmember O'Reilly: Well, this is not as important. But I'm still trying to clarify the issue of this bridge across the Saw Mill River. It's being described as a public bridge, use of the public. But yeah, the only public in this area is going to be the residents of these ... there is no other public that I know that live in ... are likely to use it. And it's going to be direct onto the trail. Therefore, if it's going to be managed by the management company it's basically a private bridge. Therefore, they could say we don't want it to be used by the public. In other words, we don't want somebody coming off the trail and walking through our development.

So the location of how ... or the idea of how to define it, if it's going to be managed as a part of the complex, therefore it seems like it's private. But yet you're saying it should be open to the public. Therefore, the covenants should be that it would always be open to the public no matter who's managing it. The question would be do they want the people walking off the trail into the ... I can imagine them saying no, we don't want the people coming off the trail into our development.

Acting Chairperson Speranza: I can imagine that, too. But there is a public space there. You've got the public space, and there's parking. So it may not be someone coming off the trail cutting through their development. It may be somebody...

Boardmember O'Reilly: But the bridge is not going to be near the public space.

Acting Chairperson Speranza: It may be somebody who parks their car in the parking lot there and accesses the trail from that bridge.

Village Attorney Stecich: No. But I think you're talking about if the bridge is shifted, aren't you?

Boardmember O'Reilly: But the bridge has shifted, hasn't it?

Village Attorney Stecich: If you're talking if you shift the bridge north. That's the point I was making before. I mean, you can make it a condition of the approval not only that it has to be public, but that there has to be a covenant keeping it open to the public. But you're raising the same sort of practical issue that I raised before.

Boardmember O'Reilly: Where is it in relation to the public space.

Boardmember Alligood: My experience in trying to access public places that are well hidden in private developments, there's a way they can make you feel finally unwelcome.

Village Attorney Stecich: Yeah.

Boardmember Alligood: I don't know, I think it's a complicated issue. Because the more you have it closer to the public part of the property the more, I think, it'll get used and people will feel comfortable using it.

[cross-talk]

Mr. Lozito: And the idea was the nature of this is a trailhead, as they call it. The county has various access points along the South County Trailway where there's parking so people can drive with their bikes on a rack, unload. So it's not just people coming from the immediate neighborhood. So this is another one of those. They have one at Lawrence, there's one south of Ravensdale.

Deputy Building Inspector Minozzi: There's one on Farragut, there's one on Lawrence.

Mr. Lozito: So this would be another one of those. So people would ... again, that was our thinking: have it adjacent to the public parcel so it's apparent that this is a public area, you're welcome, no question about whether you're welcome there; the parking is right there for you to use. Where that boundary line for the public parcel goes could be different. But I think the physical location is important so it is attractive to the public.

Acting Chairperson Speranza: And that's a big point. Because right now, it is on the open space property that would be deeded to the Village. And I think that's got big implications. I mean, yes, it makes people feel more ... makes it feel like it's more of a public amenity rather than a private amenity. But at the same time, what are the issues with respect to liability. I think that's a big deal.

Mr. Lozito: We did mention in the application that even though this driveway was on the open space parcel it would be maintained by the adjoining parcel, if that's of any...

Village Attorney Stecich: Well, is that a big burden, though, on the affordable housing parcel?

Mr. Lozito: Well, they're parking here anyway so they would have to maintain this even if this wasn't here. Some of the parking for the affordable housing.

Village Attorney Stecich: But then the affordable housing is responsible for maintaining the public parking?

Acting Chairperson Speranza: Right.

Village Attorney Stecich: That just...

Mr. Lozito: It's the owner. It's a rental property so the owner of the rental ... it's not the unit owners that are responsible, it's the owner of the building.

Boardmember Alligood: It's you until you sell it off.

Mr. Lozito: Well, then it's another owner.

Village Attorney Stecich: It just strikes me that from whoever's funding the affordable housing that that's a significant cost.

Mr. Lozito: Well, it's a cost they would have had anyway to access their parking. It's just this driveway serves parking on both sides. If the property line was here, they'd still have to maintain the drive.

Boardmember Alligood: But their cost of maintaining is going to be much higher if many more people are using it and it's a public space. It's one thing to maintain your own few spaces that your building uses as opposed to what dozens of members of the public use.

Mr. Lozito: Perhaps.

Boardmember Alligood: I think that's something.

Mr. Lozito: As an avid South County Trail bike rider, I don't know how much maintenance goes into the parking areas, to be honest with you. But that's another question.

Village Attorney Stecich: Well, yeah, maybe not even in the next 10 years. But when it goes, it goes, and it's expensive. And should that be the responsibility of the affordable housing? It just seems to me really the wrong...

Acting Chairperson Speranza: Right. And that's one of the issues that has been brought up. All of these expenses that are going to end up being part of the affordable unit parcel. And there is a concern – and when Jamie is here next month he will express this, I'm sure, very clearly – about making sure that the affordable housing building and the property

remains solvent. At the point where the sharing, the shifting and the vision of the financial responsibilities, occurs – not right away, I understand, but down the road – that there's not so much of a burden placed on it.

Mr. Lozito: I think GDC will be obligated to be involved for at least 15 years. But in response to, actually, the question you raised the last meeting about having a single entity manage the entire property, in speaking with Martin he agreed that GDC has its own management company now and would be agreeable to managing the entire property. If at some time it got converted to condominium in the future, then the management company for the condominium would be obligated to manage the entire property. There are certain functions that specialists need to do: the rent-up and the recertifications of the tenants and things, that's a specialized area the average management company wouldn't do. But you can get somebody who's a specialist to do that and supplement.

Village Attorney Stecich: So if you wrote out what the plan is, that would be helpful. Or some alternative...

Mr. Lozito: And there could be a cost allocation component to that in terms of sharing the costs. I mean, we're not going to have dollars and cents yet because this is very preliminary. But we can explain the concepts, what the concepts are.

Village Attorney Stecich: Yeah. You know what? Let me ask you, too, while we're kind of on who owns what questions. I think the Village has made it clear that...

Mr. Lozito: You're not thrilled about this.

Village Attorney Stecich: ... not only does the Village not want to own that strip, I think it's important that the owner of the buildings continue to own that. Because let's say we'll give it to county or we'll give it to a land trust or something, it's not going to get maintained. You need somebody who's there to take care of it, to make sure that the trees are there, to make sure that the retaining wall is ... whatever is in there. So I think ... I mean, I know Jamie alludes to this.

Acting Chairperson Speranza: Your drainage structures are in that.

Mr. Lozito: No, no they're not. The drainage structures ... all of our improvements are outside of that. This would be the left natural.

Village Attorney Stecich: But I think you're developing a parcel of property along the river, and that's got responsibilities with it. But then you're slicing off a piece of it that slices off

your responsibility. I don't see how the Village could accept that.

Boardmember Alligood: I said it last time, too. I don't think there's any benefit to us in taking on that cost and responsibility.

Village Attorney Stecich: But not only that, Eva, I think the Village can say no, we'll not take it. But it seems to me you might want to go further and say they have to maintain it. You can't give it to the ... I don't know that the Westchester Land Trust would want it, but you can't give it to the Westchester Land Trust or you can't give it to the Saw Mill Coalition. It does two things. Number one, it means lots of luck trying to get – not offense to anybody at the county – but lots of luck going to the county and saying, "Listen, these trees are falling in the river or whatever, take care of it." Where you can go to the property owner and do that.

And then secondly, you actually need that property to meet your setbacks and everything else. But then you're reducing the amount of square footage that you pay taxes on. I mean, there's just, it seems to me, all kinds of reasons not to.

Mr. Zarin: I'll tell you what. If we can get our approvals tonight we'll take it.

[laughter]

Mr. Lozito: Have we got a deal for you.

[laughter]

Mr. Zarin: And there's even one or two other things.

Mr. Lozito: Originally, just so you know, the idea was not to get away with something or to not maintain. The idea was, here's a natural amenity, maybe public access to it would be a nice thing.

[laughter]

Acting Chairperson Speranza: Public access, but you won't have a bridge.

Mr. Lozito: There is a level area where a trail could be. We just thought it might be a nice thing. So if it brings fear and panic to your hearts, that's the last thing we wanted to do.

Village Attorney Stecich: The bridge goes to the trail on the other side, doesn't it?

Acting Chairperson Speranza: Yeah.

Mr. Lozito: No. I'm just saying there could have been a walking trail along the river, maybe a picnic spot or something. It may be of some interest.

Acting Chairperson Speranza: Well, that's it. It just sounds to me now we're doing a balancing of you have public access around the back of the units. But we're we just using that as an argument not to move the bridge because people wouldn't want public access behind the building?

Mr. Lozito: Well, I didn't say that. I just said that ... I didn't say anything in one way or another.

[laughter]

Because I wasn't talking about that. I think there's problems about where you put it in terms of design and visibility of the bridge to the general public. But if someone parks here to go the bridge and the trailway and they see another trail, they may use it. That was just our thinking, but if it doesn't appeal to anybody then ixnay.

Acting Chairperson Speranza: That's good, ixnay.

Boardmember Alligood: A technical term.

Mr. Lozito: Is "ixnay" a technical term? I don't even know how to spell it. But no, really it was a gesture. And if it's not something you want.

Village Attorney Stecich: The other bridge, Ravensdale.

Acting Chairperson Speranza: Right, the trail to Ravensdale. That was something else that you guys were going to do last time around was provide the local match for the parking area that's south of your parcel, with a bridge connection to Ravensdale bridge. And I did speak to a representative from the planning department. They are actually undertaking that project, and they're going to pony up the local match. It's going to take a long time just because it's a lot of design work for them.

Although I am not clear – and I don't think they are clear at this point – that it includes a connection to the Ravensdale bridge. Certainly the parking area is something that they're doing.

Mr. Lozito: I'll be honest, I wasn't that involved in the project at that time. I didn't know there was a parking area. I thought it was more a trail from the bridge to get people from the neighborhood safely to the...

Acting Chairperson Speranza: And the restoration ... and there's parking.

Mr. Lozito: Oh, there is parking?

Acting Chairperson Speranza: There's supposed to be a parking area where there's an existing bridge right now over the river.

Mr. Lozito: Right.

Acting Chairperson Speranza: And that's going to be reconfigured and there's going to be spaces. I don't think it's going to be on the scale of what's down by Farragut Parkway.

Mr. Lozito: So they're doing parking?

Acting Chairperson Speranza: But they are committed to doing that piece, yes.

Boardmember Strutton: While we're still talking about map here, and the thought of having this bridge be visible and have residents of Hastings aware that they can go in there and park and use that bridge, I just throw out the thought of maybe moving that parking closer to the street. And then you can put a little sign up saying Open Space & Parking and Bridge This Way, as opposed to have it look like you're entering into a residential area and you have to actually know that the parking is hidden by a bunch of trees, and know that it's back there.

Acting Chairperson Speranza: Oh, so it could be signage on the street.

Boardmember Strutton: No, I'm saying maybe move those parking spots closer to the street so it looks like parking for that rec area, and have it sort of separated from the back of the building.

Mr. Lozito: We just have to be careful about traffic and safety, about putting parking spaces too close to the road. We have to think about it, but we could kind of make sure it's not screened and do signage to make it more visible, certain.

Boardmember Alligood: I prefer the signage idea. I like that you haven't marred that drive

that you have down there, and like that it's green and you're not looking at a sea of parking. So actually I hear your point, Rebecca, but I think I'd rather deal with it by just having some sort of signage. Because then you just have a sea of asphalt right next to the road. Not so desirable.

Mr. Lozito: Bikers do find these parking places.

Boardmember Alligood: Yeah.

Mr. Lozito: And the country puts out trail maps and all sorts of things.

Acting Chairperson Speranza: But there was a concern, and you might recall it, the last ... well, no because you weren't involved in it. The access for fire department vehicles to get around to the rear of the buildings. Buddy, maybe you know something about that. And I seem to recall, although I'm not 100 percent sure it ended up in the findings, the ability of fire truck, a fire vehicle, to get into the underground parking structures. I know there had been discussion at some point of having a vehicle, purchasing a vehicle, for the Fire Department to be able to access it, depending on what the clearance is. Because you may not, in fact, be able to get a truck into the garage, depending on the height limit.

Mr. Lozito: They're sprinklered and what have you.

Acting Chairperson Speranza: Again, I know it came up during the last discussion.

Mr. Lozito: Yeah, there was no requirement though.

Deputy Building Inspector Minozzi: I think it's very important that our fire inspector has a chance to review these plans before they move on the next step.

Boardmember Alligood: But I remember, just in my memory, the big question. Because I remember we had the Fire Department here advising us, and it was a question of getting them behind the building where it's close to the river.

Acting Chairperson Speranza: Right, behind.

Boardmember Alligood: But I don't remember them having to get into the garage.

Acting Chairperson Speranza: Getting into the structure. I know that came up, and it might have been dealt with.

Mr. Lozito: It was. We did have a preliminary meeting with the Building Inspector, the Fire Inspector and Assistant Fire Chief, I think it was, to get some feedback on the plan. And one of the things that was required in the last approval that we've maintained is there's a level area behind all of the buildings at least 15 feet wide. They didn't need to get a truck there.

Deputy Building Inspector Minozzi: For ground ladders.

Mr. Lozito: They needed to get manpower back there.

Boardmember Alligood: Yeah, that what is was. I remember that, yeah.

Mr. Lozito: And they were pretty comfortable with the radii. They wanted us to move a hydrant, and we had to work on some access requirements in front of the buildings. But I had wanted to get some feedback from you folks first about the plan before I tried to respond to their comments. So now I'll go back to them and try to get that a little more fine-tuned. But generally it was workable, it was more some details about where there should not be some parking spaces and some other things.

Village Attorney Stecich: And it would be helpful to have something in writing either from the Fire Department or through you, Buddy, that the Fire Department's taking a look at it.

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

Mr. Lozito: You know, one of the things I wanted mention and don't have a final answer for, but the way we've drawn this street, if you will, with parallel parking on both sides there was no real standard in the Village code for the size of parking spaces that are parallel parking spaces or driveway widths. Typically, the driveway widths relate to if you have perpendicular parking or angle parking and you need a certain driveway width in order to accommodate the movements in and out. And we did the maximum. We did 9-foot wide parking spaces, the way your code requires them in other instances, and a 24-foot drive, which had been previously approved.

We think that's an excessive amount of pavement, and there was some receptivity, talking to staff, about perhaps reducing that. For example, this is now 42 feet. If you look at Warburton Avenue, it's actually 34 feet, with 7-foot parking stalls on either side, and a 20-foot travel lane. And that's actually the kind of thing that the new urbanists' guidelines suggest in the interest of having more pedestrian-friendly/traffic calming kind of design and less pavement.

So that's something we would like to approach. We did have some discussions with the Fire

Department and the Building Inspector about that, and he wanted me to try to find some standards. And I don't have them with me now, but I did find some new standards that suggest that approach. So I think it'd be a good thing to look into. And that would be working in conjunction with the Fire Department, too, to make sure they're happy with the accessibility also.

Boardmember Alligood: I definitely support that if you can find ways to reduce paving.

Boardmember Sullivan: The Village could on subdivision doesn't have...

Mr. Lozito: It has ... yeah, but this is a drive, but they don't have anything on the parking spaces in a parallel parking situation. It's really meant when people are parking next to another vehicle so you have to have a 9-foot distance so people's aren't hitting into each other's cars. But in a parallel parking situation you don't have that constraint. So that's why it's only 7 feet, typically, and even in your village it seems to work quite well. You just haven't addressed it, and that's not uncommon.

But we'd like to pursue that and then, again, work with the Fire Department to make sure they're comfortable with it. But we thought that would be a site plan-level thing so I wasn't bringing it to a head right now. But we can pursue it further.

Village Attorney Stecich: Well, on that subject, besides the size of the parking spaces is the number of parking spaces. They're providing quite a few more spaces than is required by the code.

Acting Chairperson Speranza: Right.

Mr. Lozito: Right.

Village Attorney Stecich: And it would be helpful, probably, to know how the Planning Board feels about that. You know, whether you think there's too much parking, whether you'd just as soon have them reduce the parking. Because that would affect the site plan.

Mr. Lozito: We're actually interested in doing that, too. I wanted to wait until I got some comments from the Fire Department. For example, if they wanted spaces removed because they needed them, I'd be reducing whatever surplus I had. And I don't want to end up below the required, obviously. But we'd like to do that, as well.

Boardmember Alligood: Is there a reason why you were putting in more than you needed?

Mr. Lozito: We weren't sure exactly how ... we were just trying to maximize the parking, at the time. We wanted to have some visitor spaces, even though it's not required by your code. Your code, I think, envisions that the number of spaces you require is satisfactory for visitors, and it may well be. But we just thought a few extra spaces – especially since we have other activity going on with the public portion – just thought it'd prudent to have some extra parking. But we'd like to cut it back also.

Deputy Building Inspector Minozzi: Just keep in mind, having lived in one of our garden apartment units for awhile, visitor parking was key. Key. Because there was never, ever enough. And it was also a problem. And this particular project, there is no parking across the street.

Acting Chairperson Speranza: Right, that's true.

Boardmember Strutton: And also, if you cut it too dramatically then people are going to start parking in the parking lot for the public space. Unless you put a time limit in that.

Acting Chairperson Speranza: And who's going to enforce that.

Boardmember Strutton: Right. So you show up to try and go for a bike ride, there's no parking, it's going to be frustrating.

Mr. Lozito: Well, by doing this plan – I'm not saying we're bound to this reduced plan because not everyone's completely happy with it – we did lose five spaces in compressing the development portion. So we now have 15 extra. I'm probably going to lose a couple to make the Fire Department happy, but there may be some room to lose a few more.

Boardmember Strutton: Another way you could narrow the road down would be to make it one-way, and then you could probably pull it in a little bit tighter.

Mr. Lozito: Yeah. We had that in the previous plan, and to be honest it's such a long road to force people who live here, for example, to have to drive one way to go out. It's a little cumbersome. We wanted to make this more like a residential street as opposed to a parking lot. So that was the thought there. But if we could reduce these to 7-foot spaces and a 20-foot width, that would be 8 feet of pavement we'd be getting rid of. That's significant.

Acting Chairperson Speranza: I just want to note for the record ... and I understand that documents have been sent to the county planning department, because they did submit a letter on this project pursuant to the county referral rule. And clearly, they didn't realize how dramatic a change it was with respect to the type of housing units. Because they still

commented on it as if it was still a live-work unit.

Mr. Lozito: Yes. They didn't have the application, apparently.

Acting Chairperson Speranza: Right.

Mr. Lozito: They only had the EAF. So I actually put a call in to Lucas Herbert today to set up a meeting with him to bring him the docs and go over it with him.

Acting Chairperson Speranza: OK, great. Board, anything else we should talk about tonight with the applicant?

Boardmember Strutton: The one thing I noted in the revised plans on the affordable housing building that we got this weekend was that you have two handicapped units, and one is on the second floor, and you have one elevator. I really just wondered whether that made sense. If you want to have two handicapped, maybe having them built on the ground floor would make more sense. If your elevator goes out, you have something else for those in a wheelchair.

Mr. Lozito: I don't remember off-hand. I think we had two for the visually, and...

Boardmember Alligood: Two traumatic brain injury?

Mr. Lozito: No, it was sensory impaired; so either blindness or deafness, and two physical.

Boardmember Strutton: OK. I thought I saw a wheelchair image on there.

Mr. Lozito: Oh, they all have to be adaptable. So you have to have to show them...

Boardmember Strutton: OK, so just mentioning that, then.

Mr. Lozito: Yeah, showing that it meets those requirements for adaptability

Acting Chairperson Speranza: Bill, Kathy?

Boardmember O'Reilly: I'm happy.

Acting Chairperson Speranza: No? Talked out for tonight. OK.

Mr. Lozito: Thanks a lot.

Mr. Zarin: Good seeing you.

Acting Chairperson Speranza: Next month?

Mr. Lozito: Nice to have this opportunity. Appreciate it.

Acting Chairperson Speranza: We do still have one more item we're going to talk just a little bit about.

V. DISCUSSION ITEMS

Lot Coverage in Multi-Family and Non-Residential Districts.

Acting Chairperson Speranza: We do have one more item to talk about tonight.

Boardmember Sullivan: Discussion item?

Acting Chairperson Speranza: Right, and we're not going to be discussing it very much at all.

Village Attorney Stecich: Other than my telling you what the issue is.

Boardmember O'Reilly: Coverage?

Village Attorney Stecich: Buddy and Mary Ellen, here's copies.

On this lot coverage issue, this is pretty much in the memo. I was making notes for the meeting tonight and I that you know what, I may as well just put it in a memo because we may get to it late. But just to walk through in case anybody has any issues.

Back in 2008 – Eva, you would have been on the Board, Patty was – we made a distinction between building coverage and development coverage. All we had in the code was building coverage. In the R-20 district it was 15; in R-10 it was 25 percent. And there was a concern about how much of a lot could be paved, apart from the houses or the garage as the accessory building. So the Board did was added a development coverage limitation, as well. It was 10 percent greater than the building coverage. So we thought that seemed to make sense.

Then I went to write up the zoning amendment. It made sense in all the one-family and two-

family districts. Once you got to multi-family districts, and the commercial districts or the nonresidential districts, it didn't make sense anymore. The numbers didn't make any sense. So we decided, OK, let's just enact it for the one- and two-family districts, partly because it was going to be not ... it was hard to determine. So in a multi-family district maybe the coverage limitation is 15 percent. You can't just add 10 percent on that because it's probably not going to be enough. Or even for an office building because they need more parking. We had no way of determining what the number should be.

The thinking was, all these buildings have to come before the Planning Board for site plan approval and we could deal with it in site plan approval. So it wasn't going to be a big issue. OK, that's part of the problem. So it was never done. In addition to which, there'd never been an issue.

Acting Chairperson Speranza: It had never come up.

Village Attorney Stecich: It has come up recently, and it's come up with the Washington Avenue project, Washington and Warburton. The other part of the problem is the way structure is defined. And the definition of "structure" was changed in the same set of amendments. There was never any focus really on parking lots. But the word "structure" is defined as *"a combination of material, assembled permanently at the fixed location,"* which would clearly include a parking lot because it is assembled. In addition to which, there was a specific exception saying, *"The term 'structure' shall not include a driveway."* So if that wasn't there, a driveway would also be a structure.

So I think although the examples of structure do not include parking lots, I think it's pretty clear that a basic definition of structure does include parking lots. So we just had an application come in for Warburton and Washington which is in a district that has a 15 percent coverage limitation. It does allow multi-family buildings. This one is over the top anyway because even the building itself exceeds the 15 percent. But let's say the building were the 15 percent. I think there has to be a realistic way of dealing with it. Now, remember the MR-C and the MR-O districts are fairly new. And when those coverage limitations came it I was not involved in writing those regulations at all. But it may well have been that people were assuming the structure meant the buildings. Because what it does seem to reflect is what's there now.

So I think the Board has to come up with development limitations for those other districts. Alternatively, it could say in those districts where we haven't come up with a development coverage it does include parking lots, but you don't want to have unlimited parking.

Boardmember Alligood: No, I definitely don't. I think that's one of my biggest concerns.

It would practically be meaningless without encompassing that.

Village Attorney Stecich: But it's a way that the architect who was presenting this application did read the code as only covering the buildings. Which was not a ridiculous reading of the code. It was not my reading, and I made it clear. But it is something in the code I think we should fix. So I don't have an answer right now, but I wrote up the memo and thought it was something we could think about and probably get to sooner rather than later. And I have to say, this is really the first time the issue's come up. No matter what, for other reasons, this application – unless it's changed tremendously – is going to have to go for a variance. But if I were sitting on the Zoning Board and weren't familiar with this issue, and somebody comes in and what they're looking for is a 300 percent variance, it's 15 percent and they want to cover 45 percent.

Boardmember O'Reilly: Forty-five percent, no, absolutely.

Village Attorney Stecich: The you'd say, Whoa, they're asking for a 200 percent variance. We're not granting a 200 percent variance. But if it's something that's in the works it's certainly something that the Zoning Board could take into consideration. So it's just something you could look at in site plan review and say, Whoa, this is just too much coverage. But I think it would be better to have something in the code. We didn't get to it before. I think it's a good time to do so.

Boardmember Sullivan: I guess the recommendation would be to come up with development coverages for some of these others.

Village Attorney Stecich: Right, that's best.

Boardmember Sullivan: Because the difference between building coverages and development coverages in the definition, just looking at it is, they both talk about building structures, and then development goes on and talks about driveways, parking areas, impervious surfaces. So it sounds like you were not including those under the definition of a structure.

Village Attorney Stecich: Well, in that context no. I think it's a little inconsistent. But clearly, the definition of structure would include it.

Boardmember Sullivan: Well, then, if that's the case – just to play definitions – if you include, in structures, implicit in that are driveways, parking areas, et cetera, then there's no reason for the development coverages.

Village Attorney Stecich: I understand that. But if you look at the definition of structure, it includes it. But what I'm suggesting is that we clarify it.

Acting Chairperson Speranza: Right, it's something that needs to be clean up.

Boardmember Sullivan: In which of the districts? Do you think all the ones that we don't have development coverage?

Village Attorney Stecich: Yes. The only districts we've got a development coverage are the single-family, the two-family and the MUPDD.

Boardmember Sullivan: So all the others.

Village Attorney Stecich: So it's all the others. The central commercial doesn't make any difference because there's no limitation at all on coverage in the central commercial.

Deputy Building Inspector Minozzi: There's no land there anyway.

Boardmember Alligood: That's the only district I can see ... as much as I would like to see more greenspace, it's just not there.

Deputy Building Inspector Minozzi: In the MR-O, the MR-C, the MR-1.5, there's a few of them in there.

Village Attorney Stecich: Well, the MR-C has a coverage limitation of 80 percent. So that's a lot, you know, but I'm not sure what's in there. But I think that's probably the thing that makes the most sense. And we started to do it.

Acting Chairperson Speranza: Right, we started to do it. And when we did the downtown rezoning that's how some of these things ended up coming up. Like the 80 percent for the MR-C was the result of the fact that so much of that land was already built out. But the MR-1.5, I don't think we dealt with it. Because that's on the other side of the street than the area we were looking at. Because it used to be Ridge Street was zoned MR-1.5, and it was ridiculous and we ended up completely changing the zoning for those properties. So we didn't worry about the other side.

Village Attorney Stecich: The MR-O and the MR-C were new districts.

Acting Chairperson Speranza: Right.

Village Attorney Stecich: So those numbers made sense. The 50 percent, 80 percent made sense. But in office district with 10 percent coverage? It says "coverage?" No, it says "structure." But you read the definition of structure it would include the parking lot. It cannot be what the intention was.

Acting Chairperson Speranza: Right.

Village Attorney Stecich: So that's the thing...

Boardmember Sullivan: So we want to clean up that definition.

Village Attorney Stecich: Well, it's not really so much cleaning up the definition as, I think, coming up with percentages for those other things.

Acting Chairperson Speranza: Right, or the combination. Making it more clear one way or the other.

Village Attorney Stecich: Yeah.

Acting Chairperson Speranza: Does it include the parking, and does the percentage include it. Right.

Boardmember Sullivan: Could we also talk about open space, once we kind of deal with this, as well. Have a definition for open space?

Boardmember Strutton: But wouldn't open space be everything that's a building or structure?

Boardmember Sullivan: Well, I think it's more how intentional it is. Because when we have multi-family...

Acting Chairperson Speranza: Oh, I see what you're saying.

Boardmember Sullivan: When we have multi-family that are asking for 10-, 100-, or 200 square feet. For me, it's like is that really the strip of grass on the other side of the parking lot is the open space? It's usable law space, do you know what I mean?

Boardmember Strutton: Right, right.

Boardmember Sullivan: Or patio space or deck space.

Boardmember Strutton: Right, patio and deck. Exactly. It's all part of the structure, but they're still open and we're counting those.

Boardmember Sullivan: We did that on the 400 Warburton. So it'd be nice to have a definition of what that is, for my end. Because that kind of gets ... when you look at a site in some of these districts, you bound some of the open space versus the parking versus the building coverage. So it's like you know exactly what you're looking for right now, what the intention of that is.

Village Attorney Stecich: Does anybody have any suggestion for how to come up with these numbers?

Deputy Building Inspector Minozzi: It's tough. We've had discussions about this in the office, and to exclude a 4-foot strip of grass, if they put a bench there that would be usable public space. And to just dis-include (sic) because it's too small may not be fair. So it's something that really needs to be thought about.

Village Attorney Stecich: Yeah, but that's really a totally separate issue. It's not that it's not important, but on this issue how do suggest going forward? I remember the last time, I brought in – and I'll look for it – the Mount Kisco code, which had distinguished between all the districts, what they had for the various districts.

Boardmember Alligood: I was going to ask what does Irvington do, what does...

Village Attorney Stecich: Yeah, Irvington does not.

Boardmember Alligood: They don't have this.

Village Attorney Stecich: Yeah, they do. It's all so difficult: is a parking lot a structure or not. We've been treating a parking lot as structure in the commercial. But what Mount Kisco did, I was the attorney up there for a long time and one of the things they had done there was they had ... and that's where I got the lot coverage development coverage idea from. And I had a list of what they had. Essentially, they had it in their residential the same way we did: whatever it was plus 10 percent. And the you saw what the ratios were in the other district.

These numbers probably reflect – like the limited office at 10 percent, central office at 30 percent – probably would reflect what the coverage of the buildings are now. So the question would be how much over that is necessary for the parking. Maybe you could go to

those districts – the limited office, the central office – and measure the size of the parking lot in relation to the building and see what it comes to.

Boardmember Alligood: You do a calculation of what is required for the parking, and then...

[cross-talk]

Acting Chairperson Speranza: The kind of use might have an impact into the parking area. Although so much of the lots are just going to be what they are anyway You're limited just in terms of the overall size and the way they're configured now anyway. Kathy?

Boardmember Sullivan: I was think a way to look at this would be from some past work I did once when I was working on historic districts. Look at kind of what the code calls whatever the lot requirements are, square footage requirements, with the minimum and maximum widths. Come up with the typical, and then look at what the coverage here already for a building is. And then think a little bit about what use this might be. The single-family home, you're talking about two parking spaces. But when you have a multi-family, you're talking about many, many more.

Just kind of taking a look at that and seeing, just in the abstract. But at some point, you get to the reality the lots are never the right size.

Acting Chairperson Speranza: Right, especially in some of these zones.

Boardmember Sullivan: But I could take a look and see if that's a promising exercise for us, and then let you guys know.

Village Attorney Stecich: And I'll send around the Mount Kisco ones, too, just to see what the ratio is. That might be helpful, as well.

Boardmember Sullivan: I think graphically looking at this might be helpful just to kind of test the numbers. Maybe, for example, in the MR-C the 80 isn't the building coverage, but it's development coverage.

Village Attorney Stecich: I wouldn't may too much attention to either the MR-O or the MR-C because those were both new ones.

Boardmember Sullivan: I did that just as an example.

Village Attorney Stecich: But the other ones; it's the limited office, central office, limited commercial.

Deputy Building Inspector Minozzi: I just measured St. Matthew's school and they're at 46 percent currently, and it's only a 15 percent zone.

Village Attorney Stecich: St. Matthew's, the school.

Acting Chairperson Speranza: But that includes the big parking lot, right?

Boardmember Alligood: When you include the parking?

Acting Chairperson Speranza: Yeah, that's why.

Boardmember Sullivan: But that parking's needed for that big old school.

Deputy Building Inspector Minozzi: If we have a survey it's really not that big of an exercise to do. But the problem with St. Matthew's school, that doesn't have a survey, it took me like two to three hours to do.

Village Attorney Stecich: Would you have a survey for some building?

Deputy Building Inspector Minozzi: We have to check each property.

Village Attorney Stecich: But if you had a few of them that would be helpful.

Deputy Building Inspector Minozzi: I mean, once you have a survey you could just scale it off and do the numbers real quick.

Village Attorney Stecich: But we have a volunteer.

[laughter]

Deputy Building Inspector Minozzi: That's OK. We can try to do a bunch of them. You just got to let me know what districts you want me to look at.

Village Attorney Stecich: Yeah, we'll talk.

VI. BOARDMEMBER SPERANZA DEPARTURE

Acting Chairperson Speranza: OK, I think that's it for the evening. I want to say it's been wonderful working with all of you.

Deputy Building Inspector Minozzi: It has been a pleasure.

Acting Chairperson Speranza: Jen and Raf, who I've kept up many nights into the morning. And, of course, all the people that I worked with, previous Boardmembers. And, of course, the applicants that have been here and the neighbors and the public. It's a very dynamic community, and I've enjoyed it. And I thank Lee Kinnally for bringing me on, and Mayor Swiderski for keeping me on.

And glad I'm leaving by choice. But anyway, thank you.

Boardmember Alligood: We'll miss you. I didn't realize tonight was your last night.

Acting Chairperson Speranza: That's it, yes. There will a new Boardmember here next month.

Deputy Building Inspector Minozzi: She was sitting here tonight.

Boardmember Sullivan: You know, if you need anything to do.

Acting Chairperson Speranza: Oh, I'll be watching.

Deputy Building Inspector Minozzi: You know, there's a bunch of surveys I could pull out for you.

[laughter]

VIII. ADJOURNMENT

Acting Chairperson Speranza: For the last time, I will ask for a motion to adjourn the meeting. Thank you, and good night.

On MOTION of Boardmember Kathleen Sullivan, SECONDED by Boardmember Eva Alligood with a voice vote of all in favor, Chairman Acting Chairperson Speranza adjourned the Regular Meeting at 10:40 p.m.

PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
APRIL 18, 2013
Page - 62 -