

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

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

**PRESENT:** Chairman James Cameron, Boardmember Eva Alligood, Michael Ambrozek, Boardmember William O'Reilly, Boardmember Rebecca Strutton, Boardmember Kathleen Sullivan, Village Attorney Marianne Stecich, Deputy Building Inspector Charles Minozzi, Jr., and Deputy Village Clerk Mary Ellen Ballantine

**I. ROLL CALL**

**II. APPROVAL OF MINUTES**

**Regular Meeting of June 20, 2013**

**Chairman Cameron:** Our next item on the agenda is the approval of the minutes of our June meeting. I did actually notice going over the minutes, but I didn't get a chance to finish it, that there were a lot of resolutions that were sort of unfinished when they were put together. And I'd like to propose putting off ... unless somebody went through and got them all, I only got three or four.

**Boardmember Alligood:** I got some, but then I figured maybe that was on purpose and somebody was going to go back in. Because, yeah, you have to basically go through the entire document and fill in all the resolutions.

**Chairman Cameron:** So I'm going to propose putting off the approval of the minutes until the next meeting, and by then we'll all have gone through and done a nice cleanup job.

**III. OLD PUBLIC HEARINGS**

**Subdivision -- Application of Hastings-on-Hudson Affordable Housing Development Fund, Inc. for the 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.**

**Chairman Cameron:** So with that in mind, I'd like to move to an old public hearing, which is the Hastings-on-Hudson Affordable Housing Development Fund, here with respect to 184 Farragut Avenue. They've had some developments when they were here previously, and they'd like to come up and talk to us about where they are now and where they think they'd like to go.

**Sue Smith, Affordable Housing Committee:** Thank you. This seems to be an ongoing saga here. When we filed with the Building Department to be on this agenda, we sent you a plan that shows a garage. Because after the meeting, and the approvals of the last meeting, the owner said they had to have a garage. So we went ahead and tried to figure out how that could be on the property. And then he said I don't want anything but the garage I have, and you can't have a deal unless we have ... if we can go back to the original plan.

So I guess we were blindsided a bit on that, to say the least. The only way we have a deal at this point – and the only thing we can request of you at this point, I think – is to ask that you consider the original application, which was approved a couple of years ago and which we came to you again in March with and proceeded to try to address some of your concerns and came up with a different plan, which you approved in June. Marianne is looking mysterious.

**Village Attorney Stecich:** Yeah, the first one didn't get final site plan approval.

**Ms. Smith:** It did not.

**Village Attorney Stecich:** No, you indicated it did.

**Ms. Smith:** I'm sorry.

**Village Attorney Stecich:** It got the variance from the Zoning Board, but it never did get ... because an issue came up about, well, can we just go forward with that plan if it hadn't expired yet.

**Ms. Smith:** Right, thank you.

**Village Attorney Stecich:** But there never was approval from this board on the plan with the existing garage. They reviewed it, and it went to the Zoning Board. But there was never a...

**Ms. Smith:** Right, the Zoning Board. And we would have come back to you, but because

the Zoning Board had not approved the Mount Hope piece when the two were twinned together we thought the deal was just dead because we had to have the two of them. Then the county said we could go ahead. They thought they would fund the one house.

So that's the evolution. I think otherwise, if you had approved it, we'd have been able to come back under that old ... and request you to go ahead and pick up where we were.

**Chairman Cameron:** We put you off, actually, because of the water problem that then existed.

**Ms. Smith:** That's true. We would have had to come back for that.

**Chairman Cameron:** That's why it was put off. Otherwise, we might have approved it. You never know.

**Ms. Smith:** So at any rate, that's where we stand at this point. That's our request of you tonight: if you would consider that original application.

I don't know if you all have your paperwork with you, but I think the architect can explain some of and give you copies of what you got in March to refresh your memories about what that plan is. He's got some other copies of it.

**Chairman Cameron:** Our problem, really, is there was only two or three people here now who were there.

**Ms. Smith:** In March.

**Chairman Cameron:** When you had the discussion with the garage. Maybe it went in between. I guess we're OK.

**Village Attorney Stecich:** Four of you were here.

**Boardmember Ambrozek:** I was not here.

**Village Attorney Stecich:** No, Bill and Mike weren't.

**Boardmember O'Reilly:** I think I was not.

**Ms. Smith:** In March? I don't think there was. Michael, you were not. The two of you, but the others of you were.

**Village Attorney Stecich:** And Kerry obviously wasn't.

**Boardmember O'Reilly:** So the one we have in front of us tonight is not the one we're looking at?

**Chairman Cameron:** No.

**Ms. Smith:** But I think the architect has something to show you what we're talking about and can respond to some of the questions. And possibly some suggestions.

**Boardmember Alligood:** I just want to say I really support the project and I'd hate for it to die. And I'm sorry that there has turned out to be so many steps because I really want this project to happen.

**Ms. Smith:** Thank you. Well, obviously we do too. But there are compromises to make, and there comes a line which maybe you're not willing to or you are willing to. And I understand that. It's not the perfect plan and it's not the ideal which we thought we were going for more closely last meeting. But that's not possible for us. If we don't have a willing seller we can't do it. And as I said, this is an unusual situation where somebody actually came to us with a piece of property. It is so hard to find property in Hastings. So we have no choice but to acknowledge their limitations.

**Boardmember Alligood:** So essentially, they want to keep the existing...

**Ms. Smith:** Garage. I don't think they're concerned about the subdivision line. That's not so much a concern for them. They want their remaining property the same as it is now. What happens with the lot, that's another thing. They don't care about that so much. And the subdivision line itself, as it cuts through the driveway or the garage is not an issue for them as long as they can use the garage. There could be some change in the subdivision line to accommodate that. Because I know there has been some concern about not getting into a legal easement situation with the garage.

Shall we move and have the architect present?

**Chairman Cameron:** Yes, why don't you do that. We can ask him questions, too.

**Ms. Smith:** I've got paste-ups over paste-ups here.

**Village Attorney Stecich:** While he's doing that, I should just say one other thing. You got

the variance in October 2010. So I think variances expire in a year.

**Ms. Smith:** Yeah, we'd have to go back to the Zoning Board. I know that.

**Village Attorney Stecich:** Just so you know, you would have to get that variance again.

**Ms. Smith:** We have to go through all this.

**Village Attorney Stecich:** But if it's exactly the same...

**Ms. Smith:** That may be helpful. But their board's changed, too, in those 3 years.

**Ed Vogel, Warshauer Mellusi Warshauer Architects:** We have journeyed this project so far. Let me give you a little refresher on the site plan. Here is Farragut Avenue. The subject property is 184 Farragut Avenue, and it stretches up and comes down and touches back down. It is a standard lot. The lot is large enough in size to be subdivided. There is an existing home and an existing garage.

And as you see here before you, the proposal that was initially presented, and then again in March, contained a primary residence with an accessory apartment, and then parking for that off of a shared driveway. At the time, we were looking at a variance that the subdivision line would occur between the existing dwelling and existing garage. There would be an easement associated with parking on the parcel next door. We could address that a bit with the Board, in saying we could relocate the subdivision line to include the existing garage into the existing parcel, but it does create some additional zoning variances that would need to be applied for. That was one of the comments we had from the Board regarding parking.

**Village Attorney Stecich:** Oh, I'm sorry. Would you repeat the last thing you just said?

**Mr. Vogel:** Sure.

**Village Attorney Stecich:** I faded out. I'm sort of having brain fry from the heat.

**Mr. Vogel:** I'll use the site plan here instead of the overall neighborhood plan. Current house, existing house – current parking. The subdivision line, as proposed, bisected the two of them. So all the parking for both parcels was on the new proposed lot B. So there would be an easement to use this garage. The existing garage would then belong to the existing house, although it's over two lots. There was some conversation with this board regarding that sharing of parking from a neighboring parcel. In the subsequent submissions, we had relocated the subdivision line. It didn't quite go as far, and that could still be possible.

So in the process of the application there was a large apron in the front of the existing garage, with a substantial curbcut. The application was to reduce that curbcut to just 20 feet, and then create more pervious material: soils, grass, landscape. There is parking associated with the new, proposed development, which is a single-family home with an accessory apartment. Their count would be three spaces, and they were located in the front of the building. The building terraces from the lower plateau where the parking is, to an upper plateau that's in the natural topography of the site.

**Village Attorney Stecich:** Jamie, it might be helpful for me to explain what variances they got and what the conditions were.

**Chairman Cameron:** Sure, go ahead.

**Village Attorney Stecich:** This was a memo I sent to the Planning Board after the Zoning Board meeting. It was in October 2010. *"The Zoning Board of Appeals voted to grant the variance for lot width" 'cause it wouldn't be wide enough. "It also voted to grant a variance from section 67-C(6). The variance permits the garage serving the existing house to be located on the newly-created lot"* because, under the code, you can only have parking on your own lot as an accessory use.

So they granted that variance, subject to the following conditions: *"One, that the garage be reclad to match the house that's to be created on the new lot; that two layers of evergreen trees and/or bushes be planted on the southern and eastern borders of the newly-created lot to screen the parking area and driveway from the lot to the south and from Farragut Parkway. The evergreen screening should be lower at the intersection of the driveway and the street to permit adequate visibility"* – condition two.

*"The third condition, that any lighting of the parking area and driveway must be bollard lights, cut off at an angle to limit light spill to adjacent properties. And four, that deed restrictions be put in place to ensure that the garage is to be used only for the existing house."*

So those would be in effect in any event, whether you impose them as well.

**Boardmember O'Reilly:** So we have five variances that were granted.

**Village Attorney Stecich:** There were two variances, with those four conditions.

**Boardmember O'Reilly:** With four conditions that they would have to reapply for again?

**Village Attorney Stecich:** Yeah, they'd have to apply. But for the most part, unless there's been a change in circumstances, the Board can follow its previous decision.

**Chairman Cameron:** But, Bill, we were just trying to find a way – which came up at a later meeting – to have it so that two pieces of land, each person own their property and each person parked on their own property. That was where the idea came from.

**Boardmember Strutton:** And my concern in bringing this up was that I don't think it's particularly fair to leave maintenance and insurance and taxes on a structure on the land of a low-income housing resident. And if you include all three of those in an easement, I don't know what you can do for an easement, whether you could include upkeep. And if it falls down or a tree falls through it, can you put all of that on there?

**Village Attorney Stecich:** Well, I would think. Because I would think that the owner of the existing house would need an easement to park in that garage. And, along with that easement, they have the maintenance responsibility for it. Yeah, you can write all that.

**Boardmember Sullivan:** Is that enforceable?

**Village Attorney Stecich:** Oh, sure. Is it enforceable? Sure. But the problem is who would enforce it. No, you could. Ordinarily, you have an easement between two property owners like that, and it would be enforceable by the Affordable Housing Committee. But you could make it run in favor of the Village, and then the Village could enforce it.

**Chairman Cameron:** But the fact of the matter is that the person living in the affordable building is going to pay the affordable rate. They're not going to pay a different rate because it's the owner of the building that's going to actually bear the tax. I don't think the affordable rate changes based upon whether or not...

**Village Attorney Stecich:** Well, I think your concern was sort of maintenance costs.

**Boardmember Strutton:** Maintenance, but also taxes.

**Village Attorney Stecich:** Oh, the taxes, yeah.

**Boardmember Strutton:** They're going to pay taxes on that structure that's located on their property that they don't have use of.

**Village Attorney Stecich:** Yeah, you'd be able to structure something to make that work.

**Chairman Cameron:** But it's a rental unit. These are rental units, aren't they?

**Ms. Smith:** No, the main house is ownership.

**Chairman Cameron:** Oh, it is, OK. Then it would.

**Ms. Smith:** The main house is ownership, and it has a rental apartment which helps them carry their mortgage.

**Boardmember Strutton:** If they're amenable to changing the property line I think that's the easiest and the cleanest way to do it. And if they're not...

**Chairman Cameron:** They're not.

**Boardmember Strutton:** Well, no. They said that they were amenable to changing the property line.

**Chairman Cameron:** Oh, I see.

**Boardmember Strutton:** They just wanted use of the structure.

**Mr. Vogel:** Right. But changing the property line just increases the amount of variances that we need. Because the property line now, we have variances for not only lot frontage, but we also have lot width.

**Boardmember Strutton:** You already have lot width.

**Mr. Vogel:** And then we also would have setbacks to accessory structures because we'll be snugged up to the existing garage.

**Village Attorney Stecich:** Yeah, but since you already have the variances that permit that setup I don't see that, since you have to go back to the Zoning Board anyway. And if they let the setup go, and the only thing that's changing is kind of who owns what, it'd be hard to see that there'd be objections to the variances. It seems to me it's worth it.

**Chairman Cameron:** Well, another way – just a separate thing – I have no idea of the age of these wonderful people who are going to do this. But maybe we could give them a 20-year pre-lease on the garage, or whatever years you want to pick. And at that point, it goes over to the ... in other words, it does belong to the affordable building, and they have

free rent to use it for 20 years. Of course, actually, it's not a good idea because then we have a nonconforming house. Sorry.

**Boardmember Sullivan:** Good try.

**Boardmember O'Reilly:** And the current owner sells his house. And while he has use of the garage, he can't sell the garage to the new owner?

**Chairman Cameron:** No, if you'd done that you would have done it so that the house had it. I realize it's a problem because that means, at the end of 20 years, the existing house no longer has its legal place to park.

**Village Attorney Stecich:** Well, it might not make sense to do it for a number of years, but a provision – if you were going to do that – for as long as, let's say I'll call them the Smiths, own that, they have the right to use the garage. But after that, it would revert to the affordable people.

**Boardmember Strutton:** It doesn't really make much sense. Because then when the new person comes, they have no place to park but on the street. And no place to put a parking structure on the property.

**Village Attorney Stecich:** No, I'm not suggesting it. That's how you would do it.

**Chairman Cameron:** Well, I don't think we're going to find perfection here. I think we have something in front of us which is whether we want to have an affordable unit or not. I personally would go with the original deal that was presented to us, despite the fact that the garage is on the wrong property.

**Boardmember Alligood:** And would you want the change of the lot line to include the garage on the existing property?

**Chairman Cameron:** The trouble is, we can't inch the garage over. We're giving up too much property if we include the garage in the property of the existing house. I really don't want the property line to run so close to the new house and its units. We want the property line to run [inaudible].

**Boardmember O'Reilly:** Go back to the other question. Are we in any position to say there's an arrangement of having an easement for the current owner to use the garage until they therefore sell or move on? Can we say that? Can we make that a requirement of the approval?

**Chairman Cameron:** Of the subdivision, yes. But then the other house is hard to sell because it doesn't have any parking. So you're depriving the current owner of a material part of the value of their home when they get around to selling it.

**Ms. Smith:** I was just going to say I think the perpetual use of the garage for the existing house would be important. That they always had the garage for the sale, future sale.

**Boardmember Sullivan:** And it looks like access from their walkway to the driveway, as well, because they don't have a connection to the sidewalk unless they cross over onto the [off-mic].

**Chairman Cameron:** And the problem is that we can't say, well, then after awhile we'll go to design two. Because design two is affecting the entire structure of the house that's being built, the affordable unit and the apartment. So we don't have that option either.

**Boardmember Strutton:** So did you consider integrating the existing garage into a new structure? Not to get too complicated, but could you move the house forward and build a house over that garage and just leave it there? And have the garage look like it's part of the house, and then just actually have them park in there?

**Mr. Vogel:** When we looked at leaving the existing garage and then providing the parking down the front, the frontage here would be, in essence, five bays of garage if we structured this new parking area. If that's your question.

**Boardmember Strutton:** Yeah, I guess it is. I'm saying if you pulled the whole house forward, and you just build a two-story house over the existing garage with the garage underneath it as well, yes, you'd have a five-car garage.

**Mr. Vogel:** Five bays, right. We did take a look at that. We're looking at over the top of, let's say, a structure, then potentially a breezeway separating the two. And then having the accessory above the garage, and then having something sitting back a little bit. But it is still a five-bay garage as you would hold the street line.

**Boardmember Strutton:** You know, some of the other comments we have heard along the way have been that some people on the Board commented that they wanted the house moved forward, if possible. So that would address that concern. And then one of the neighbors who commented said they would prefer not to have headlights coming in as they park. And it seems like that would also address that concern somewhat.

**Mr. Vogel:** That is true, but there is also the condition to put dense screening along here, as well. So some plantings. Between the two, certainly you would tuck the cars away if it was garaged. As present, it is a surface lot. We did take a look at it. The structured garages are costing the client extra money. That was one of the things we had to overcome with the process of providing a new garage.

**Boardmember Sullivan:** I have to say I'm really disappointed. The plan that we had in our package seemed to resolve a lot of things. And I remember disliking this plan. I feel the affordable housing is treated as a back building, a tool shed, something in the backyard. And I just think that's very inappropriate and doesn't really integrate it into the neighborhood. I understand the owner had conditions and has desires, so those are hard to overcome.

I think, Rebecca, your line of thought is very interesting; to think of potentially getting some of the good of the plan we had in our package, intertwined with the realities of what you now have to face with keeping this existing garage. I don't know if this is feasible, the lawyers who can help, but what if we went with the arrangement in our package showing a garage towards the front with the condition that when the house is sold or changes ownership that it reverts to knocking down the existing garage and building the garage in a confirmation [off-mic] package. Is that (inaudible) live with five bays until sometime in the future, when we can remove the garage and build a garage and [inaudible] subdivision? I'd much rather see a house built where it has, in the future, an opportunity to feel like it's part of the neighborhood than have a house built like this where it will always feel like it's in the backyard.

**Mr. Vogel:** May I comment on that? To have the orientation with this being an obstacle, the garage access would then be from just as you see the parking now. So that would have to rotate in the future. And then you're saddling the sale with additional work that has to be done right off the bat when the ownership would change over.

**Boardmember Sullivan:** It's not a good situation. It's a tricky one.

**Boardmember Strutton:** It's tricky.

**Ms. Smith:** To Kathy's point about a future garage, this'll be in private hands. I don't see that there's any way that we can make something like that happen, to make somebody find the funding for it sometime down the line. This is the time when it's available. It's not going to be enforceable in the future in any way, I'm afraid.

**Boardmember Strutton:** Ostensibly, not that I'm a proponent of the idea, but you could put part of the sales proceeds in escrow until needed. That would address that concern. And if we have easements that were going to be enforced by the Village – what Marianne was

saying earlier – then I think...

**Village Attorney Stecich:** Yeah, I'm sorry. I lost track on what Kathy's proposal was.

**Boardmember Sullivan:** What I'm proposing is potentially building the house to the configuration that we have received in our package, where there's a garage that aligns more naturally with the other [inaudible] on Farragut. But have the new garage built side-by-side with the existing garage that the owner wishes to keep. And Sue's point was, it's hard to ... since this is in private hands, it would be hard to say, when the current house is sold, that we can then take the garage down and build the garage for that house and build out the configuration that we see in our package.

**Village Attorney Stecich:** So you're saying leave the existing garage until that person sells the house?

**Boardmember Sullivan:** Yes.

**Village Attorney Stecich:** And then when it's sold, that has to come down and another garage has to go up?

**Boardmember Sullivan:** Right.

**Chairman Cameron:** The harder part, I think, is building the house in the other style. Because it would be right next to, and flush up against, the existing garage, which wouldn't exactly be a very pleasant situation.

**Boardmember Sullivan:** No, it's not. I'm just throwing an idea out there.

**Ms. Smith:** Wouldn't you still have the five-car row, the appearance of the five cars?

**Chairman Cameron:** Well, not if they rip down the garage, the old garage.

**Ms. Smith:** But the two cars for that house have to go somewhere, so they're still in that location.

**Boardmember Strutton:** I thought Kathy was saying then move it over, basically, to the plan that you had submitted. Like put it right on the property line, or what would be currently the property line. But I agree. I think spatially, it might not ... there might not be enough room to do that.

**Ms. Smith:** That's a future burden that is very hard to control. I think that is hard, between the memories and the changing of personnel and whatever, here as well as there.

**Boardmember Strutton:** Yeah, I agree. I don't think it's really feasible.

**Boardmember Alligood:** I don't think it's feasible. I think the only thing, if we really can't live with the previous plan, the only other thing we can do, is ask for some other study of the house somehow integrating the garage in a way that we find a better design; the existing garage, assuming you have to keep it.

**Chairman Cameron:** Alternatively, we could just move the property line over so it runs straight across to the middle of the stucco garage and right through the middle of it. So basically switch some of the property over to the existing house, and give everyone a right of way. I think we've studied this to death, and we're hoping that we don't get death but we get rebirth.

**Boardmember Ambrozek:** My comment, I understand you probably have had lots of discussions with the property owner regarding the existing garage. Who is going to pay for the new garage that would ... under the plan that you proposed originally for today, where it would have been inside the lot line of lot A?

**Ms. Smith:** Right. Well, it would have to be part of the project costs. But in fact, when we were costing it out, the total of that plan and the garage would have been very hard for us to get funding before. But it would have been our responsibility to do that, to provide the owner with a garage.

**Boardmember Ambrozek:** And he would not be happy to have had a completely new garage?

**Ms. Smith:** No, they didn't want to lose part of their side yard and what they've lived with for many years there. They looked at it carefully. They like what they have and don't want to mess with it.

**Boardmember Strutton:** Well, under the current proposal they lose their side yard anyway, right? Because the property line puts that side yard...

**Ms. Smith:** Well, it's between the existing garage and the house.

**Boardmember Strutton:** And they're thinking that no one will ever go there, so they can use it.

**Mr. Vogel:** Yes, I would think so.

**Boardmember Strutton:** But the new owners could potentially put a fence up there.

**Mr. Vogel:** Could potentially put a fence there.

**Mayor Swiderski:** Which might be a reason to try to change the subdivision line. I'm sorry to give you a Solomon's decision here.

**Boardmember Sullivan:** Well, it sounds complicated. You have had an owner approach you, willing to sell property to you, but it comes with conditions that make it difficult to treat that lot as an autonomous project. They want to have a side yard, but it's on another person's property and there's a garage on the other person's property? Sounds like the subdivision line's drawn in the wrong place.

**Ms. Smith:** That's true. You know, it's been a couple of years so I can't say what's gone on in their lives to change. But we also were able ... with a previous project, the two houses together, what made that attractive is one was going to be a Village-owned property. So we were going to be able to pay him the appraised price of his land. Now we are not able to do that because we don't have the benefit of another house, the funding for a second house. So we're stuck with trying with one house to carry it totally with what grants are available. So he's agreed to a much lower price, but also that's the tradeoff, I think, in their mind also. They're giving up too much. I can't say that's unfair.

**Chairman Cameron:** So we know what's being asked of us. And I guess are there any people who would be willing to vote in favor of that? Or do we want to just leave it where it lies?

**Boardmember Strutton:** Jamie, I would be happier with moving the property line if we could have the variance include the maintenance, upkeep, insurance and some sort of rebate on taxes, which would be hard to figure out. You know, some sort of payment from one to the other to cover the use. Then I would be fine with the property line where it is. My preference would be to redraw the property line. I think it takes care of all those issues.

**Chairman Cameron:** Well, it's back to can you really ask the person that you're going to have to pay a yearly rent for your garage, at X dollars, which represents the rent and the maintenance and the taxes on the property. That may not work.

**Boardmember Strutton:** Well, not the maintenance. They would be doing the

maintenance themselves. So it would really be to address...

**Ms. Smith:** I guess those are things he has now, right? The question would be trying to make it a fair number. But those are burdens he carries now: the maintenance of it, the taxes for it, the insurance. How you put a value on it? That's tricky, but...

**Boardmember Strutton:** Well, to be clear, I would want him to maintain responsibility for maintenance and insurance. And then the only component would be the taxes, and I don't know now you would figure that out.

**Mr. Vogel:** Well, redrawing the property line could be achieved. If we come down here, then the existing retaining wall, and then come along the garage and straight out and touch, we would have enough lot area remaining for the new parcel. It just increases the degree of variances, which we spoke about. Ms. Stecich very clearly pointed out that it's just a line at this point. The geometry, as what we see here, would remain. But it would remove the issue of having to park and then transfer dollars back and forth. So the responsibility, then, is directly linked between the two. But we do have not only lot width, but lot frontage, to contend with. And then we will also have a setback for the existing garage.

**Village Attorney Stecich:** Jamie, could I make a suggestion?

**Chairman Cameron:** Let me just say this. It might be that we draw the line across – you just said include the entire garage – and then we actually take the driveway and slide it down maybe 10 feet so each of us has part of a driveway. That might make it work a little better. And then he automatically has an obligation for the garage and, of course, maintenance and everything else. We include a provision that he has to maintain an outside surface [inaudible]. That might be the simplest way of doing it.

**Mr. Vogel:** This way it becomes a true shared driveway with shared responsibility just on the entry to the driveway. And then the structure itself remains with the existing home.

**Chairman Cameron:** Does that appeal to people?

**Boardmember Ambrozek:** Well, it does bring the property line for the affordable house very close to the front of that part of the house.

**Chairman Cameron:** Yes, it does. I don't know how that's avoidable. Just let's finish discussing this. Go ahead, Marianne.

**Village Attorney Stecich:** No, I was just going to suggest you're going to have to go to the

Zoning Board anyway. I mean, I think it can give the affordable housing people a sense of where you're going. I don't think you need to vote on it tonight, and they're not really going to lose time because if they knew the direction the Board was going on. You're too late for the July Planning ... you're not on the agenda for the July Zoning Board.

**Ms. Smith:** We were hoping to be but, obviously, it was dependent upon tonight.

**Village Attorney Stecich:** So are you on or not on? I mean, it's next week. Well, no, you can't be because there's no notice. So the next meeting ... they don't have an August meeting. What they do is, they meet in the beginning of September. So they'll meet in the beginning of September before you guys meet. So then if they're OK with the additional variances he wanted, then they can come back to you with cleaned up plans. Because I'm not really comfortable with your voting on a hypothetical subdivision. And you don't lose any time, really.

**Chairman Cameron:** Well, they need enough assurance that when they come back in September, having done all of that, that we're going to say yes. That we're not going to vote 4-to-3 against.

**Village Attorney Stecich:** Absolutely. But what I'm saying is, I don't think that ... so I think it's good to get a sense of everybody and see if people are comfortable with it, but you don't have to make the final decision tonight until you find out whether they actually get the variances. Because I assume you submitted an Environmental Assessment Form on this.

**Mr. Vogel:** We have. Because you're going to have to do a SEQRA. That's not a big deal.

**Chairman Cameron:** So the alternative in front of you now is to bring the line right across, right behind the garage, to the outer end of the garage. And then it goes straight down to the road. In order to give both people a sense of shared driveway, we're pushing the driveway 10 feet farther towards the Saw Mill River Parkway.

**Mr. Vogel:** You may have to adjust a curbcut, and it's a county road.

**Boardmember Ambrozek:** Well, Jamie, you could also keep the driveway where it is now, and where the subdivision line comes down the side of this garage it then goes over to the middle of the driveway, as in the plan, and then down to the street.

**Chairman Cameron:** You ever heard of "gerrymandering?"

**Boardmember Ambrozek:** Yes.

**Chairman Cameron:** Anyway, I would vote for either one of them: either it stays where it is, or they move the driveway. I know we all love the other house, but it doesn't seem to be available because the guy won't give up the garage.

**Boardmember Sullivan:** Well, I have my objection to it based on it not being a good addition to the neighborhood. I think that stigma kept me last time from supporting it and will keep me this time from supporting it, no matter what happens to the property line.

**Boardmember Alligood:** I can't bring myself not to support an affordable housing project that makes sense in this village. So even though it's not my preferred design, I would support it.

**Boardmember Ambrozek:** Likewise, I'm not entirely happy with gerrymandering the subdivision line, but I would accept either of the two subdivision lines as discussed.

**Boardmember O'Reilly:** I'm kind of with Kathy's view, I've got to say, on this one.

**Chairman Cameron:** Well, you're the real estate man.

**Boardmember O'Reilly:** I like the project idea, but if we all say it's not ideal and they're sort of trying to stuff it in to make it work I sort of feel unhappy about it. I just think if it's not doing something useful ... it is doing something useful, the question is what's it going to look like. And do you feel that it's doing something to the neighborhood? No, OK? I know what Kathy's saying, and I kind of feel the same way. But I'll leave it at that.

**Chairman Cameron:** You could have responded earlier.

**Boardmember Strutton:** With moving of the lot line, I would support it.

**Chairman Cameron:** So we've got four.

**Village Attorney Stecich:** So hope they're all here in September.

**Chairman Cameron:** And we have Kerry back.

**Ms. Smith:** Thank you.

#### **IV. NEW PUBLIC HEARING**

**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 13-dwelling-unit building in place of an existing 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.**

**Chairman Cameron:** Our next agenda item is a public hearing, and it's a public hearing with respect to a review under the New York State Environmental Quality Review Act and our recommendations to the Hastings-on-Hudson Village Board of Trustees regarding application for modified concept plan approval of the proposed Saw Mill Lofts development. What we're going to do is, we're going to have the people from Ginsburg give us a short presentation, and then the Planning Board has a couple of people from Langan Engineering, who we hired. We have an engineer and a traffic person. They're here to help us with respect to the SEQRA approval.

We had previous SEQRA approval on the last development, and they're here for the purpose of ... and then they have gone through what's changed since then. And that's really a very limited review, but that's what they're here for: it's traffic and engineering, seeing whether or not the prior development and the present one present the same issues and the same answers so we can proceed, using the past one as a basis for our approval going forward. And then after that we're going to have comments from the public on this.

So you are going to have to tell us who you are, Bruce. It's one of the requirements. Got to use the microphone. It's the number one featured movie of the week. It's on TV.

**Bruce Lozito, Ginsburg Development Companies:** I'm representing Ginsburg Development Companies and Saw Mill Lofts LLC, the applicant and owners of this subject property.

I think I'm going to go straight to the plan that we submitted to you last week. I think people in the audience who have followed the project will see that the plan I'm going to present now is different from that which we first submitted to the Village Board back in February, which

was referred to this board for review and recommendation and SEQRA findings. Maybe I should just really quickly point out where we began.

The plan that we started out with in 2013 for Saw Mill Lofts was this plan, and it involved a 7.5-acre site on Saw Mill River Road between Ravensdale Road and Lawrence Street; Saw Mill River on the west side, Saw Mill River Road on the east side. It had three buildings totaling 66 units. Two of the buildings were market rate buildings. The third building was a 12-unit affordable housing building. There's parking in the basement garages of the market rate buildings, surface parking for the affordable building. Two entrances and exits off of Saw Mill River Road; a 1.6-acre open space parcel; a 1.3-acre greenway parcel proposed at the time, totaling 2.9 acres of open space.

This plan went through a number of Planning Board meetings, when we got comments at each and made a number of different revisions, ultimately resulting in the plan that I'd like to present tonight, which includes some significant differences from the prior plan that the Board directed us to take. And, I think, in the overall scheme was a significant improvement from where we began. So the effort has been worthwhile.

This plan shows the same total of 66 units, with two market rate buildings, totaling 54 units; and one-third affordable building, with 12 units. The major differences from the original plan are the fact that the affordable building is now centrally located in a much more integral location in the site. The open space parcel has been increased from 1.6 acres to 1.8 acres. The proposed greenway has been eliminated because that was seen as a potential liability to the Village. So we have incorporated that greenway into the lots that abut the Saw Mill River. It still continues to have access drives off of Route 9-A, surface parking, and basement garage parking.

And since the last meeting, we concentrated on a couple of key elements. One was replacing the internal sidewalk that had disappeared from the previous version of this overall scheme – we heard you on that and we've reinstated that – running through the entire site and reaching out to the bus stops to the north. And we also retained an arborist to take a very close look at those Norway spruce trees that we were hoping to save. His report was submitted to you last week, and this plan reflects the recommendations he had made in that report. Which were chiefly to create a no-man's-land, if you will, within the drip line of those trees. The two Norway spruces both have about a 40-foot diameter drip line. I got a little education in the field, and probably most people know this already but the key aspect of protecting trees is protecting their roots, their water supply and oxygen, et cetera.

So that area within the drip line is the most critical. We have proposed no improvements within that area. It will be protected so that there's no compaction of earth, no impervious

surfaces within that area.

The other comment that he recommended was if there's any work beyond that drip line in the immediate vicinity of the trees that requires excavation that roots be hand cut so as not to be yanked and torn, but to be carefully removed so the roots within the drip line area are protected and preserved. An overall tree protection area, extending across the entire front of the building so that people know this is an area within which special attention needs to be paid, and heavy equipment won't operate and excavation won't occur carelessly. So we would implement all of those measures.

Now, to create that greater separation from the trees and protection, we had to move the affordable building back a bit to get outside of that drip line and leave a little space for some excavation for the foundation. We also adjusted the road, arching the road a little bit to the east, to create the same separation on the east side while also incorporating the sidewalk. We did reduce the road width slightly, as Martin had mentioned we intended, to a total of 33 feet, where there's parking on both sides; and 26 feet, where there's parking on one side, which was quite functional. We still maintain a very significant berm across the front.

And all the other characteristics remain the same, essentially: the pedestrian bridge, the public parking, so on and so forth. This plan results in a total of only 1.9 acres of impervious area, as compared to the February plan which had 2.2. So we significantly reduced impervious area which, in this particular part of the town, is an important consideration for runoff and what have you.

I think that's it for the plan. If there aren't any questions on the plan I could go to the elevations, which I think people are interested in seeing, as well.

**Chairman Cameron:** If you go through your presentation, then we're going to have people from Langan talk about traffic and engineering, the SEQRA. And then we're going to have questions from the audience.

**Mr. Lozito:** OK. Did you want me to do the architecture first? OK.

As Martin said at the last meeting, he's been working on refining the design for Saw Mill Lofts. And I think the key considerations that we've always had in mind is the fact that it's a mixed-use area. There are commercial buildings in the vicinity of the property. So we wanted to have a design that was, on one hand, compatible with the existing architecture in the area, but also had a residential quality to it. The best way to do that, we felt, was to focus on the loft style of development that's commonly been commercial space that's converted to residential in other areas, particularly in cities and what have you, so it's something that won't

be unusual or surprising to see a loft-style building in the vicinity of other types of uses.

We also wanted to do a design that was more, shall we say, simple and clean, with more window space, again keeping with the loft approach. So the plan that we developed for the new architecture is in this rendering. I've got all the different elevations.

**Village Attorney Stecich:** Can you raise that some? Because we can't see from up here.

**Mr. Lozito:** Yeah. We were asked to do an elevation with and without the berm that we've described along Saw Mill River Road. This is with the berm in place. This is the market rate building, which is about 200 feet long. It's three stories but, as a result of the topography of the site and the berm, you basically see two, two-and-a-half stories from Saw Mill River Road. If you were actually sitting in the cars going along the southbound side of Route 9-A you'd pretty much be looking at trees, grass and shrubs, and wouldn't see much of the building at all.

But this is a little further view from, say, across the street; a view probably no one will ever see. But for illustration purposes, I think it shows the effect of having the berm, plantings, street trees along 9-A, and also street trees along the interior drive so that it's a fairly buffered and screened view. I wanted to show a little more of the architecture so I did one without the berm. That's a view from the interior road. And, obviously, there's still landscaping and trees and shrubs in front of the building, softening the look of the building from inside the site. But you'll see more of the building from inside the site. Three stories, as I said, lots of glass, stucco-type material – maybe Alucobond type of material – for the cross pieces. So it's very clean, very simple, almost timeless. It won't be a faddish kind of a look. So we think that's an important thing to introduce.

Then, you're going to like this one I think. This is the affordable building, complete with two Norway spruce trees. These may not be to scale. These spruce trees may be a little larger. But you can see the vernacular is pretty much identical to the market rate building. But, of course, it's two stories and 12 units, so it's shorter in length. But I think it has the same character and feel, and the overall look of the development will be a very integrated type of look.

The rear elevation of the market rate building, again carrying the same clean architecture; simple lines, lots of glass, muted colors. The area tends to have more of the lighter-color buildings. The office buildings across the street are a white or off white. The building to the south of us is grayish. So this is sort of a combination of the two. The affordable building's rear elevation, very similar. I think I mentioned before, as a result of pushing the building back the topography drops off from our internal road. It's going to be more of a reveal in the

back of the building than there was in the other location, where it was completely flat across the back, but not extreme. Again, you can see the architecture; very compatible, very unified.

This is a side elevation of the market rate building, carrying the same design. Now, in this case the affordable building does have a different look in terms of windows because it's a different building. The exit stairs are at the ends of the building in the affordable, whereas they're within the much longer market rate building. So you're going to have less opportunity for windows and spaces in these different units that didn't lend themselves to windows. They were either bathrooms or that kind of thing so you wouldn't have the same window formation. But again, otherwise the architecture is the same materials, same style, same theme.

I think that's it for the architecture. This is still, to some degree, a work in progress. But as we get further along, we get the site plan, we'll refine this, I suspect, even further. But this is the direction we're going into – again, this more simple. It seems to be something that's very marketable at this point in time. People have gone from more traditional architecture, which wouldn't fit here anyway, to a more modern, more clean kind of a look. So we're trying to appeal to the market that exists today.

**Chairman Cameron:** I think we're going to go to the Langan people to come up and discuss with us. We have Kelly Tuffs, who's a civil engineer, and Brian Weinberg who's traffic. And I'll let them go in whatever order they want to go in. They're going to give a brief summary of what they did with us with regard to SEQRA, which I mentioned earlier.

If you just say your name?

**Kelly Tuffs, civil engineer - Langan Engineering:** Good evening, everybody from the Board and the public. Tonight, we'd like to discuss our findings from the comparisons of the original approved concept plan versus that of the modified that we are currently reviewing tonight. My topic that I will discuss tonight will be primarily the stormwater for the site. And Brian, I have here with me, will discuss the transportation and field any questions that should arise.

The original plan that was previously approved back in 2007, I believe, the stormwater improvements for that site had proposed several quality controls, which included bioswales that were included toward the front of Saw Mill that are four in total; two in total along Saw Mill, and two at the rear of the property. That development also proposed an overall decrease in the impervious surface for the site which ultimately results in less stormwater runoff for that development.

The proposed development that we are looking at now, as Bruce explained earlier, actually increases that decrease in impervious surface, therefore further reducing the stormwater runoff that we would experience on that site. The stormwater controls that are currently being proposed for the new concept include two bioswales located at the rear of the property, reduced from the original four. However, they have been enlarged to control the same or similar volumes that the previous four had contained. There is also an underground infiltration system located in the center of the property – I'm not sure which side of your new building now – however that also again further improves the overall stormwater quality control both on the rates and the quality of the water that we are receiving on-site.

To discuss briefly on, I guess, the floodplain issue – which we all know that floods are more frequent, more than ever – the flood line, as you can see here from the dark dash line, runs along Saw Mill and then bumps out here toward building C, which is now essentially located in the floodplain and comes back down. However, the limits of the floodplain is not really what's important. It's more the elevation of that floodplain. Now, what they have proposed is the basement level of this building is at elevation 126. And Bruce, correct me if I'm wrong, the actual floodplain elevation, which is not shown on this drawing, is 4 feet lower than the ground floor elevation of the building? So even though it's within the limits, the elevation of that building is above the floodplain. So the building will not experience any floods within any of the actual occupied spaces with the building. So therefore that is not really an issue.

I guess the discharge points for the site they are proposing to utilize – which is not shown on this plan, but they are proposing to utilize – existing headwalls in these vicinities. It's not shown here, but if I remember right it's one here, one here and one here. So the bioswales which are located in these areas have overflows on them. And from those overflows, they then flow back into those existing outfalls that are, apparently, located along the stream. Therefore, they're not proposing to further disturb or excavate in the area of that stream. They're using the infrastructure that's already in place.

When reviewing the overall site in comparison to the previous one in 2007, as explained in our SEQRA report, we believe that it's an elevated level of control in comparison to the original one back in 2007.

**Deputy Building Inspector Minozzi:** These overflows will all have sediment traps to make sure that any sand and erosion doesn't get to the Saw Mill River?

**Mr. Tufts:** Yes, that will be part of their SWPPP process. They will be required to get the permit, so that will all be submitted to the state. They'll go through their reviews and issue

the permits. So yes, they will have full erosion sedimentation controls which will essentially handle all stormwater runoff while the site is disturbed and in construction, such as sediment traps which will help eliminate the disposal of silt-laden runoff into the stream which what the priority during that time would be. Once the site is stable, then those ponds will be transitioned into the more permanent bioswales which will then kind of collect garbage and runoff and whatever else comes off the parking lots during a heavy rain event.

**Chairman Cameron:** Just a point of clarification, I guess part of the reason why the runoff will be less is because these are no longer work-live units. The total area of the units are smaller because the buildings are smaller.

**Mr. Tuffs:** Yes.

**Chairman Cameron:** And we no longer have as much outside parking as we had before.

**Mr. Tuffs:** Yes. Any time when you have the site as it was currently it's a large parking lot. So if you're reducing that impervious surface you automatically have a reduction in stormwater without having to do anything. So in this case, we're reducing that runoff from the impervious surface and we're adding additional controls on top of that. We have StormTech chambers that are underneath to help. They're essentially open pipes with like a gravel bottom. So the water from the parking lots will go into the inlets and go into these chambers that help promote groundwater recharge. So rather than filling up and then just directly dumping into the stream, it gives it a chance to actually infiltrate into the ground. And once it reaches a certain level, then it dumps back into the grate, a control grate.

So it's not just pouring everything off the existing parking lot and just going into the stream. In regards to the overall design, in the comparison that we had, we really have no concerns with the current design.

**Chairman Cameron:** So why don't we have the traffic fellow come up, and then if anybody has questions to ask they can ask all three of the groups.

**Brian Weinberg, traffic engineer – Langan Engineering:** The purpose of the traffic study that's prepared is to determine if there's any significant adverse traffic impacts as a result of the project. We did a peer review of the report prepared by the developer to determine if all the steps that were taken in their study that lead up to their conclusion follow good engineering practices and principles. And also to compare to the approved plan. To compare that to the new plan and make sure that any changes in the project or in the area were accounted for in this new updated version of the traffic study. I'm going to through the major steps of the study and explain what we looked at, what the differences were between

the old and the new proposals.

The first area would be the study area of the project; which intersections were studied. Looking at the number of trips generated by this project, the study area was appropriate. It covers the number of trips that are generated. You look at how far they spread out from the project site and, based on the number of trips that are generated by this project, the intersections they chose to study were appropriate.

The next section is the existing traffic conditions. You look at the main focus, there is the actual new traffic counts that were taken. The field study was from the mid-2000s. This new study, they went and collected new traffic counts. The traffic counts appear to be acceptable. So that section was OK.

The next section was the future conditions without the project. For that section you would look at what other projects in the area are being developed, and is the traffic from those projects accounted for in the study. We looked at the list of projects they included, and there were new projects that weren't in the old study because now there are different projects being proposed in the area. So the new study did account for all background projects happening in the area.

**Village Attorney Stecich:** Do you happen to have them with you, the additional ones?

**Mr. Weinberg:** Yes, I have the list of the projects here.

**Village Attorney Stecich:** Why don't you let people know what new projects you looked at.

**Mr. Weinberg:** Sure. The projects from the original study were the Main Street apartments, the Division Street apartments, the West Main Street apartments and the [Chelsprain] XXX. In the modified concept plan, the new study, the projects in the future without a project scenario were the Rivertowns Square, Ardsley Park re-occupancy, the Austin Avenue development, the [Chelsprain] XXX development, the Ridge Hill – the remaining development that's going to occur at Ridge Hill – Mercy College expansion, the Stop & Shop expansion, Waterwheel and the South Westchester Executive Park.

Not all of those projects are close to the site. All these projects were considered, but when you look at the traffic being generated by those projects a lot of those projects the traffic wouldn't actually reach our site. So only a few of those actually had trips that would pass by this site.

**Chairman Cameron:** But what you're actually looking at, though, is how the traffic we're

generating – this development's generating – not all the others.

**Mr. Weinberg:** Right. So the next step after the future without the project is the future with the project. For that step, we examined what trip generation rates they used to determine how many trips will be generated by this proposed project. We agreed with the rates. It made sense. There's slightly more trips being generated by this modified project than the approved project; the following units was 66 dwelling units in the proposed versus 60 in the approved. So it ends up being an additional three trips in the morning, an additional two trips in the evening generated now.

Once you have the trips that are generated by this new project you will move on to the actual analysis. You place those trips onto the roadway network, on top of the existing traffic plus the additional traffic generated by the outside projects. You do the actual intersection capacity analysis of the intersections in their study area. We have reviewed those analyses. We agreed with them. And then the results of their analysis was that there would be no significant adverse impact, based on the guidelines and practices. We agree with that conclusion.

**Chairman Cameron:** So why don't we start out with anybody who has any questions. And you can choose which person you want to ask questions if any members of the public have questions. Just please stand up, and go ahead please. You need to come up to the mic, say who you are and where you live, and then fire away.

**Victoria Bugbe, 35 Washington Avenue:** I'm a playwright and a videographer, and I've been in Hastings 17 years. They're proposing 66 new units. Most of those people are going to be using the train for transportation. There is no parking on Washington Avenue. Our driveway is constantly parked in for people who are using Washington Avenue as their parking space.

My other concern is the runoff for all those cars into the river as an environmental impact. And that's something that I think should be considered. So thank you.

**Chairman Cameron:** Anybody else have any questions they'd like to ask? Anybody on the Board have any questions they'd like to ask?

**Boardmember Sullivan:** I have some. I'm just going to make some notes here.

**Chairman Cameron:** I have some, too, but anyway I thought I'd go last.

**Boardmember Strutton:** I thought last time we had also discussed a sidewalk on the road-

front.

**Chairman Cameron:** I don't think so. The sidewalk does extend, and Bruce can say this better than I can. It extends up to the bus stop.

**Boardmember Strutton:** Right, but I thought we'd also talked about having the internal sidewalk and also using this as an opportunity to put the external sidewalk on.

**Boardmember Ambrozek:** I said that I would like that.

**Chairman Cameron:** Well, that right of way belongs to Westchester County, doesn't it?

**Mr. Lozito:** State DOT.

**Chairman Cameron:** Yeah, we can't put a sidewalk on their property.

**Mr. Lozito:** We thought also – as I explained when it was raised the last time – there's really no opportunity for further development to the south of us, in light of the fact that this is county parkland stretching all the way down to Ravensdale, and cemeteries on the other side of the street. It really wouldn't serve any purpose so we agreed at the last meeting that it made more sense to have an internal sidewalk that connected to the outside, where it made sense, at the bus stop.

**Boardmember Strutton:** I guess I misunderstood. I thought we had talked about both of them, and had said that we thought, as a community, we were trying to put sidewalks in where we could, when we could.

**Chairman Cameron:** I think it'd be a little redundant. And then people going on the outside of the sidewalk, when they get to the end of the sidewalk they're going to come into our property? I don't know. Anyway.

I have a comment. Just looking at the affordable building, it seems to me that it could be rotated very slightly counter-clockwise – that's the direction – so it actually lines up so it's parallel to its two side yards, or more or less parallel. Right now, it looks like it's cross-eyed, if a building could be cross-eyed.

**Mr. Lozito:** We did rotate it, primarily to stay out of those...

[cross-talk]

**Chairman Cameron:** No, but I think you can do that and still keep it out from the tree. In other words, just rotate it 15 minutes counterclockwise.

**Boardmember Alligood:** I don't think it all has to line up. It's not a street. It's a development off the street.

**Chairman Cameron:** OK. The other top question I have is, given that you've moved it back – and I understand why you've done that – can you tell me, maybe after another diagram, how many feet lower the front entrance to this building is than the front entrance to the other two buildings? Because it seems to me the land goes down a bit, and I was just curious.

**Mr. Lozito:** No, the front elevation will still relate to the street. So that's elevation 134.

**Chairman Cameron:** OK. We're not going to have...

[cross-talk]

**Mr. Lozito:** No, it's going to drop off in the back.

**Chairman Cameron:** Because when you drive by and look at it, and you see there's two trees, it looks like you're going...

[cross-talk]

**Mr. Lozito:** It would drop off. No, we've kept the first floor to relate to the street and the two buildings. And there's more of a reveal in the back.

**Chairman Cameron:** Right.

**Mr. Lozito:** I have a section. You can see our internal drive is right here. The walkway would be up to building B here, and then it slopes off to the back. So that'll relate properly to the street; it won't be down, down in a hole.

**Chairman Cameron:** I also had one comment on the profiles, in that the parapets on the profiles are smaller. I just happened to...

**Mr. Lozito:** We eliminated the parapets around ... except for a small decorative feature in the front.

**Chairman Cameron:** Right. I liked the parapets.

**Village Attorney Stecich:** Let me ask you a question related to that. Are there going to be mechanicals on the roof that aren't showing on that?

**Chairman Cameron:** Yeah. Where are they?

**Mr. Lozito:** There may be.

**Village Attorney Stecich:** Oh, they're not going to be hidden by that whatever it is.

**Mr. Lozito:** That decorative feature? It would probably be each screened individually because there might be a number of them. So they would be screened individually.

**Chairman Cameron:** Yeah, we just thought they'd all be behind the parapet – that's why you couldn't see it.

**Boardmember O'Reilly:** How deep is it to the roofline from the front of the building? Is it perfectly flat across?

**Mr. Lozito:** Yes, except for an ornamental feature in the front.

**Boardmember Alligood:** So I have a comment, being one of the, I think, only two that was here on the Board when this design was presented years ago, the other scenario. I have to say I liked the basic look of the other buildings better.

**Mr. Lozito:** Oh, really? Well, that was a live-work thing. It was kind of a different animal a little bit, but sorry.

**Chairman Cameron:** Well, I join my colleague. I was the other one who was here.

**Mr. Lozito:** OK. These are different times.

**Boardmember Alligood:** No, the way you described what you were trying to accomplish was similar back then. I mean, the interiors were different, but you were also looking very industrial.

**Mr. Lozito:** Well as I said, it's a work in progress. But this is the direction we're going.

**Boardmember Alligood:** No, just giving you my feedback. We're not necessarily here to

vote on the design. But it looked better.

**Mr. Lozito:** I will pass that on.

**Boardmember Alligood:** I do want to say, though, I do appreciate the changes that are made in this round. I think it is a vast improvement, so I'll give you that.

**Mr. Lozito:** Thank you.

**Boardmember Alligood:** I think there's somebody in the audience with a question.

**Boardmember O'Reilly:** You've got one in the audience.

**Chairman Cameron:** Oh, do we have another question from the audience? Anybody in the audience have a question? There we are. Please come forward.

**Barbara Irwin-McGuire:** I live on the corner of William and Warburton Streets. We bought our house in 1986. The thing that prompted me to talk was the previous comment from the audience, and that is the parking in our area. With 60 units, and many families having one or perhaps two taking the trains, I think that's going to put a large pressure on available parking in our area, which has been already made much worse by the 422 development that was finished in 2008.

We have a single car, but many of the house in the area – and on Washington Avenue – have several families or several individuals living in them, each with a car. Parking has gotten worse and worse and worse since I've been living here. It's not unusual for me, if I arrive home in the evening, to park at the top of William Street and have to walk all the way down the hill to my house and then all the way back up in the morning.

So I hope that this committee will take into consideration the parking issues in the area of Washington Avenue, William Street and Warburton Avenue. Because we are hurting for parking.

**Gordon Madras:** I've owned a property at 467 Warburton Avenue in Hastings for 27 years. I'm not really here on this project, but I'm listening to some of the other neighbors in the area. My property is on the corner, one property in from Washington and Warburton. I think they're talking about the problem where people are taking a train. Is that what you're saying? They're parking their cars there?

I could speak to that because, as I said, I've owned property there, a five-family, for 27 years.

And I know the parking is really hard now because I have a lot of complaints from my tenants. I'm having trouble renting the apartments because people cannot find the parking. And I will agree with these other homeowners that it has become very, very bad in that area. So if that is something that's going to be affected by this development, then I would be opposed or concerned about it for the parking of the people who presently live here and pay taxes in the area.

Thank you.

**Jim Metzger, 427 Warburton Avenue:** My concern is about stormwater management. I appreciate the fact that the buildings have gotten smaller and that they're trying to deal with retention of water on-site. My fear is that the flooding will exceed what are the design levels that people have been looking at. I know FEMA maps haven't been updated in I believe it's close to 20 years. But that's what we're using for standards to design to.

**Village Attorney Stecich:** Actually, Jim, these were updated in '07.

**Mr. Metzger:** OK, in '07. I would like to know. There have been issues in other communities where projects have been appropriated. They satisfied all the requirements, and yet when the project flooded the people that owned the buildings at the time, the condominium, sued the village for a large amount of money because they felt they should have done more due diligence. I just want to make sure that we look at the potential for the flooding in this, which we all know, as the client has said, is prone to flooding. I want to make sure those issues are seriously addressed.

I know in the previous application many years ago, for example, all the electrical equipment was located in the garage area. And the Architectural Review Board said it's probably not the smartest place to put that. So we were talking about putting equipment on the roof. I would like to know that all of the mechanical systems in the building are well above the floodplain. Thank you.

**Chairman Cameron:** Any other comments?

**Mr. Tuffs:** First of all, thank you for your question and your concern. In response to your question in regards to the stormwater, when we had received the documentation from them – which analyzed their proposed stormwater controls for the site – they went to the level of designing for the 2-year, 10-year, 50-year and the 100-year storm. So from a traditional design standpoint, a 100-year storm is pretty much the highest level which you would ever design a development for, OK?

The development here has been designed for a 100-year storm. Now, granted, during that storm event – which is very severe, which equates, as I mentioned the last time, a 1 percent chance of that flood happening – again, 100-year storm is not the chance that, OK, this happens once every 100 years. It's a 1 percent chance that a storm event like this is going to occur. A 500-year storm event is a 0.1 percent chance that that storm is going to occur. Now, the site in question here, they have essentially addressed all of those concerns in regards to a 100-year storm per best management practices. And as I explained earlier, in comparison to the site as it actually exists today as a parking lot, they are decreasing that impervious surface. And not only are they doing that, they're further controlling that flow into detention tanks, into bioswales.

And when I say bioswales, just to further explain that, all that is is essentially a 2- or 3-foot deep grass basin like a swimming pool that allows the stormwater from the parking lots that have been contaminated with salt, little debris – cans and whatnot, as people have laid in the parking lot – to float into that basin to be then filtered through the grass to help infiltrate that water. And then once it fills up to a certain level – that 2- or 3-foot level – it then flows into an overflow device that helps control that stormwater and then discharges it at a slower manner than what it would be typically allowed to do; just flow off the parking lot and directly into that water.

So I hope that further helps and answers your original question. Does that help?

**Mr. Metzger:** Yes.

**Mr. Tuffs:** OK, great.

**Chairman Cameron:** Maybe just differentiate from storm surges that New York suffered, and us up the river. Because we're not on the Hudson River at this site.

**Mr. Tuffs:** There's no storm surges related directly to the hurricane tidal surge that would come in from the ocean. Again, we addressed the FEMA issue actually updated in 2007. So that is relevant. The new ABFEs, which stands for Adjusted Base Flood Elevations, were only for the areas along the river. They did not extend inland, especially on this case with Saw Mill River. Thank you.

**Chairman Cameron:** Kathy, are you ready?

**Boardmember Sullivan:** I have some questions. These are for different folks. I was using Langan's memo that was prepared for us, I think it was, May 14. So these are some comments from that. In it, on page 8, it mentioned – this is a question for the Ginsburg

representatives – that you are going to be designing this building to Energy Star standards. I'd just like to get confirmation that you're actually going to use the multi-family Energy Star standards, not just provide Energy Star appliances.

**Mr. Lozito:** Well, the Energy Star standards are continuously upgraded, so we're going to apply to the ones that are in effect when we get our building permit. So I'm sure that will be...

**Boardmember Sullivan:** But there's different programs under Energy Star. Some of them are rating programs for different types of manufactured appliances or equipment. But they also have sort of an overall rating system.

**Mr. Lozito:** Oh, yes, yes. It's not just appliances. There's air circulation; there's a whole host of elements that get incorporated to achieve the Energy Star standards.

**Boardmember Sullivan:** So you'll use something like the multi-family standard?

**Mr. Lozito:** I'm just not sure if that's a particular standard. But it's Energy Star, not just appliances, but whatever package of requirements is required for a building such as this.

**Boardmember Sullivan:** And clarification on what standard you're going to use from Energy Star, that would be helpful.

**Mr. Lozito:** It's a multi-family building.

**Village Attorney Stecich:** You can also require it.

**Boardmember Sullivan:** Well, I would like for them to clarify what they're referring to, and then we can talk about it.

**Mr. Lozito:** I mean, some of these would also be addressed more thoroughly at site plan, if that's helpful. But I'll look into that question. I mean, I live in a townhouse that was built by GDC that was Energy Star-rated and it had appliances, it had insulation aspects to it, it had air circulation aspects to it. So I'm assuming it's a package.

**Boardmember Sullivan:** I'd like just clarification. It'd be really helpful. I mean, you're making me feel better just discussing some things besides the appliances, but it would be helpful to know when you say you're going to go for an Energy Star rating, or meet standards, to know what you're referring to.

This is a question for Langan, I think, and it's regarding some wetland issues. I don't know if you feel comfortable, Kelly, talking about it. But I know we've gotten updated wetland delineation, which is something that you asked for previously.

**Mr. Tufts:** Yeah.

**Boardmember Sullivan:** This is on page 13. You discuss that because of putting in the pedestrian bridge we might be required – or the developer might be required – to get a New York State DEC permit. And then in it you mention that, under the regulations, the New York State DEC might include a 50-foot jurisdictional limit measured from the top of the bank. And I don't know if you can address what that is. I'm just concerned that there's some new setback or some kind of limit that we need to understand before we can understand this point.

**Mr. Tufts:** And part of constructing that bridge, the bridge embulkments (ph) most likely will be along the edge of the stream, which will essentially trigger them needing to go to the state to ask for a permit to construct within either a wetlands or within the stream bank itself. Within that, sometimes the DEC will ask for certain requirements, such as 50-foot jurisdictional limits from the top of the bank. I really don't think that will be triggered in this case.

I know we do have it in here. Again, that will be something that the DEC will have to comment on. And when the team, as in Ginsburg, submits the plans and the permits to the state for the construction of that bridge it may come up. But that's something that we really can't comment on further. I think with us adding it into the report we're just kind of putting it out there in the air that, you know, once the state gets ahold of it, different stipulations may come up regarding the permit that they would get.

**Boardmember Sullivan:** And what is that limitation?

**Mr. Tufts:** Well, it's a buffer zone. Sometimes what they do is, along especially high-quality watersheds – and this, in this case, is not high-quality watershed – they will provide essentially a buffer zone in which you cannot place a structure in or, sometimes, disturb it; which will be 50 feet from the top of the stream bank. But that's not enforced everywhere, and it depends on what permits and things you get.

So again, we did not look fully into the fact of research in the sense of, OK, we're not contacting the state and asking them specifically are they going to be subject to that requirement. I do not foresee them being subject to that requirement with regards to the construction of that bridge. But again, I cannot comment on behalf of the state, like I said.

**Chairman Cameron:** It would be a hell of a bridge if they wanted 50 feet on both sides plus stirring (ph) the water.

**Mr. Tuffs:** Yeah. So again, if we were doing like a roadway for a municipality that would be something that may come up during the review with the DEC. In this case, this is a pedestrian bridge. It may or may not. And we just wanted to make sure that that was at least identified within the report, and that was the intent of listing such.

**Boardmember Sullivan:** (Inaudible) basically just because you're intruding on the stream bank itself.

**Mr. Tuffs:** Yeah. I mean, it's to promote environmental control of the stream and the stream bank itself. So sometimes, when they're able to prove that they're not disturbing the stream to a certain extent, you may be able to get away with it. It's all part of their approval, or permit approval process, to the state for that bridge should they go forth with actually constructing it and putting it into process.

**Boardmember Sullivan:** OK, thank you very much. That's very helpful. I might have another one coming up.

In the same section, you guys said, *"In our opinion, the completion of the SEQRA process does not need to be deferred until the applicant satisfies the federal and state wetland permit process, which also includes the suggested wetland delineation."* So I guess are we protecting ourselves by doing or not doing something?

**Mr. Tuffs:** Well, no. I mean, it's with any other development project: you never get the permits right up front. I mean, you do the concept, which is what we're doing now, the SEQRA. Permits can be a year-and-a-half from now. You never know. I mean, you actually have to work toward the design, get the design done once everybody has approved the concept, and then those plans are submitted. You cannot submit a concept to the state and expect them to review it. Because then what could happen is, in the future they could revise something and then they would have to go through the whole process again.

So that is just a generic statement stating that at some point in time these gentlemen will have to get the appropriate permits, and then it'll go through the entire state process, which is lengthy for any sort of DEC permits.

**Boardmember Sullivan:** Thank you. I think had a question on traffic. This one was very useful to understand how the traffic was calculated. And I think you guys did a wonderful

job of sort of explaining things. But in your document, you talked about you use New York City standards in some way to talk about whether or not delays were significant or not. And my question is – and this is from someone who has never really dealt with traffic – is that appropriate in a suburban environment like ours? And, Jamie, I think you piggybacked a little bit on this because I think you've been more familiar with this.

But I'm going to give you the section that I'm looking at. This is on page 29, when we're talking about whether or not any of the impacts need mitigation. It said: *"In the traffic study for Dobbs, or any other project in Greenburgh, what's been considered a significant delay?"* And they, in this suburban environment, use New York City, or its standards, to say whether or not an increased delay at a stop light is appropriate. I gather people would expect to only wait for so long in this environment until its gets unbearable in some fashion and they don't feel like they can get to the train on time or they can't drop their kid off in time, or they're just sick and tired of waiting in traffic when it's 100 degrees outside.

So how do you choose the standards to decide what's a significant delay or not?

**Mr. Weinberg:** New York City has published standards. We do many jobs in New York City, and because they have these published standards it's the easiest to refer to. But once you move away from a very urban area, traditionally if there are standards they'll be relaxed. You know, they wouldn't be as strict as New York City's standards. But unfortunately, they're often not published. Like the New York State DOT, it'd be up to them to review the traffic study. Not that they don't have published standards, but they would review on a case-by-case basis and determine if they felt it was an impact.

Looking at the proposed traffic study, the degree of extra delay was very close – either below even New York City's standards or very, very close to it – and that's an urban standard. So the conclusion in this area that it would not be an impact seems like the right conclusion. Because it either exceeds or is just very close to New York City standards. And as is also written in our report, the New York State DOT would look at the results of this study. And if they feel that additional mitigation is necessary to account for the delay that will be generated by the extra traffic they could go ahead and adjust the signal timings a little bit different – out of a second here or there, different approaches at the intersections – and shift the balance of signal timing one way or the other to account for the extra traffic coming in certain directions. So they could further tweak the settings that we used for the study to meet their needs.

**Boardmember Sullivan:** When does New York State DOT receive these?

**Mr. Weinberg:** When would they look at this?

**Boardmember Sullivan:** Yeah.

**Mr. Weinberg:** I'm not sure exactly when they would look at it. I believe ... I'm not sure exactly what part of the process they would look at it. I'd have to find out.

**Village Attorney Stecich:** But they're going to have to review this.

**Mr. Weinberg:** Sorry?

**Village Attorney Stecich:** Are they going to have to review this, the state DOT? Because you're coming out onto the...

**Mr. Lozito:** The access drives and any work in the right of way.

**Mr. Weinberg:** OK. So they would review it at that point.

**Boardmember Sullivan:** So it'll get reviewed when you deal with them making your new curbcuts or new access points.

**Mr. Lozito:** Excuse me?

**Boardmember Sullivan:** Your state DOT will get involved when you go to them regarding...

**Mr. Lozito:** The actual driveways.

**Boardmember Sullivan:** Driveways, OK.

**Village Attorney Stecich:** They were on the list of involved agencies, Kathy.

**Boardmember Sullivan:** OK. Well, good. It's kind of counterintuitive that because they don't exceed New York it's a good thing. I mean if I go into New York I wait in traffic more often than here. But thank you very much. That's very helpful.

**Village Attorney Stecich:** I actually had a traffic question, too, while he's up.

**Boardmember Sullivan:** Go for it.

**Village Attorney Stecich:** OK. You know, you said that there would be a little bit more

traffic generated by this project because there's 66 units instead of 60. OK. But also, the last project consisted of live-work units. And it was presumed that fewer people would be going to the train station because they're going to be working there. Did you take that into account when you were figuring out the traffic generation for the building?

**Mr. Weinberg:** Yes, we did take that into account. The original study, even though they did assume that there would be these live-work units, their trip generation was more conservative. So I believe it assumed that most of the units would be like regular units. So it's comparable between the old study and the new study.

**Village Attorney Stecich:** I sort of remember that. Because they were saying the traffic will be even less than the studies show because people will be working at home. And I just wanted to verify that.

**Boardmember Strutton:** Do you remember off-hand how many trips to the train station you anticipated? I mean, just for people who are concerned about parking, do you have a ballpark number of cars that may actually be heading there out of this development?

**Mr. Weinberg:** The studies don't specify specific destinations like that. We look at the traffic network, and we could see how many trips are heading in that direction and the peak hour. I don't have that with me, but we could print out how many trips to the train station from either the south or the north, whichever route we think people would take. We can look and see how many trips were assigned in that direction. But the train station, I believe, is the same direction as heading to the parkway? It would be hard to differentiate if you're really heading to the train station or heading to any other destination in that direction.

**Chairman Cameron:** Well, this development's a little unique in the fact that all the children of the development will all be going to school in Ardsley. And I would just have to guess an awful lot of people, when they go shopping, might head up the hill to a grocery store up the hill rather than to Hastings. So except for the train, we may not be generating a lot of traffic into our town from this development because people's natural instinct would be to go to the place nearest, or where their kids are or where they're playing baseball or whatever it is. So we may not generate a lot of into-Hastings except for the train traffic. That would be my guess, but I'm not a traffic guy.

**Boardmember Ambrozek:** I also have a traffic question. You indicated earlier that there will be three additional a.m. trips and two additional p.m. trips. But could you please give us what the base a.m. and p.m. trips are currently before you added the three and the two?

**Mr. Lozito:** In the approved concept plan there were 38 trips generated in the morning, peak

hour. The modified concept plan has 41 trips generated in the a.m. peak hour. For the p.m. peak hour, it was 44 trips in the approved plan and 46 trips in the modified plan.

**Boardmember Ambrozek:** And this is more a question I have for the Board. We often get traffic estimates before a project. I'd like to have a survey done after a project, once a project is fully tenanted, where we could actually measure the real trips and the directions. And we could, in fact, find out whether people are going to the train station or whether they're going to that supermarket on the hill so we start getting a completion metric of how close the estimates really were to results. I'm wondering, can we request this for this type of project?

**Chairman Cameron:** Well, it'd be rather hard to tell, actually, where our particular cars are going because we can't put tracking devices on them. We know when they pull in the driveway, but we don't know...

**Boardmember Ambrozek:** No. You put people at the driveways, and as they're leaving or entering you ask where they were going, where they're coming from.

**Chairman Cameron:** You can talk about how traffic studies are done. They're not usually done by a personal way of doing it.

**Mr. Weinberg:** You could do an intercept study, where you actually stop the cars and ask them. That could be done. It's generally not done in a high-traffic area. Just the logistics of stopping that many cars and asking them those questions, it's more done at like end points like a terminal.

**Boardmember Ambrozek:** Well, this is what I'm talking about – at the driveways.

**Mr. Weinberg:** I guess for people coming in you could ask them.

**Boardmember Ambrozek:** Or going out.

**Chairman Cameron:** You could look and see how many people, after this thing is finished, applied for a parking permit. And that would be indicative from that address.

**Boardmember Ambrozek:** It would only be indicative.

**Chairman Cameron:** And then the number we didn't give parking permits to, if they're parking on Maple Avenue where I live or other places.

**Boardmember Sullivan:** I just have two more things. When we were working on the

Comprehensive Plan, there were two items. One was looking at how SEQRA could be extended to consider climate change. The Langan folks had given us some information, and I spoke with the gentleman up in Albany that deals with SEQRA. And he agreed that that would not be ... the size of project isn't appropriate to make that part of the SEQRA findings.

But what he did encourage – and I think the plan is showing some of these encouragements – was to accommodate sidewalks, connections to public transportation, connections to a bike path which happens from a bridge potentially being put across to South County Trailway. And one other thing, and this gets back to one of my first questions, was trying to apply for some kind of energy standard. So looking into the Energy Star program and making it robust as much as you can would be very, very good in the future.

Also looking at – and this is just for possible consideration – being able to provide for renewables in the future. So looking, as you plan the building pathways (ph) from the roof, for solar panels down to the mechanical rooms but providing for renewables in the future? So as you build your building, provide perhaps a conduit path from the roof down to your mechanical room so you could install solar panels in the future. But just considerations of potentially providing for renewables in the future.

And the last question – and this is a comment kind of for Langan – in the report that I referred to, the last statement was that Urbanomics was your financial advisor of sorts. They said they were going to respond to comments from the Planning Board regarding fiscal impacts. I don't believe we've received that. We received a very nice analysis and a pro forma, but I don't think we've seen that.

**Chairman Cameron:** These aren't (inaudible).

**Boardmember Sullivan:** I understand. I know they're not from...

**Village Attorney Stecich:** No, but these guys are specifically here just on traffic and stormwater. So we'll get the Urbanomics. You asked the question. I'm just saying these guys won't be able to answer it.

**Boardmember Sullivan:** I know. I understand that. I know, but I just want to say two things regarding that. It'd be useful to get that update when we can. And the other part was a question I had – and this is, again, from the Comprehensive Plan, something that Rebecca had mentioned – we don't want them to necessarily undertake the kind of financial analysis that was recommended in the Comprehensive Plan. But I personally would love their analysis of what we perceived and if it meets the criteria for the Comprehensive Plan. So I just want to verify that we've gotten all the financial information that the Comprehensive

Plan would like bigger projects down the road to receive. But thank you very much.

**Village Attorney Stecich:** Jamie, I had a couple other things. One, Bruce, on the elevation you had the affordable building in the rear. OK, that's only two stories. But in the rear, are the three-story buildings going to have that much basement exposed? And if so, are you guys going to need ... it looks like you might need a height variance.

**Mr. Lozito:** Generally not.

**Village Attorney Stecich:** Not generally.

**Mr. Lozito:** I don't think the way the code would be interpreted we'd be doing a [off-mic] at every point along the roof. We actually intentionally [off-mic].

**Village Attorney Stecich:** Get out the elevation you have of the ... the rear elevation you had. I think you only had a rear elevation for the building in the middle.

**Chairman Cameron:** Well, the market one. Because the other affordable one does not, the rear elevation.

**Mr. Lozito:** This is the building to the north.

**Village Attorney Stecich:** That's the rear elevation of the building to the north? OK.

**Chairman Cameron:** Yeah, the one to the south might have more of an issue because it goes down into the...

**Village Attorney Stecich:** Just verify that, verify the height. Because we should know sooner rather than later whether it's going to need a variance.

**Mr. Tuffs:** I'd like to ask is there any more stormwater questions for this evening? I have to hit the train. Otherwise I'm stuck here another hour.

[laughter]

My wife's not going to be happy.

**Boardmember O'Reilly:** You got 10 minutes.

**Chairman Cameron:** I think we're all set. Thank you very much.

**Mr. Tuffs:** And we will look further into the urban economics thing, too.

**Boardmember Sullivan:** Thank you very much.

**Mr. Tuffs:** Thank you.

**Chairman Cameron:** Yes, please come forward.

**Cindy Travis, 427 Warburton Avenue:** Sorry we keep jumping in after you asked for public comments.

I have a question for the client. On your document, you say that the population from the previous scheme to now went up from 144 people to 157, but the revenues to the Village of Hastings has gone down by \$25,000. Also, that's true that the revenues have gone down to the Ardsley school district. How do more people create less revenue to the villages?

And second question. What's the sort of amount of DPW work that will be needed at each building for garbage pickup, recycling pickup, things like that? Will there have to be any additional DPW staff added? That's a lot of trucks heading out there, and is there any information on that? Thank you.

**Mr. Lozito:** To answer the first question, how do the taxes generated decline with an increase in population, the real estate taxes are based on the value of the real estate, not on the population occupying it. These are smaller units. As we all know, real estate values have declined over the past 5 or 6 years. So we gave a current estimate of what we felt the real estate tax generation would be. It was lower than previously for that reason, because real estate values have declined. So it's not really related to the number of people. It's related to the real estate.

As far as DPW, the only service ... since this is a private road, they won't be plowing the streets or dealing with road repairs or anything of that nature on this site. So the primary function they would have on this development would be picking up solid waste. We had done an analysis previously – I think maybe even the Village might have put it forth – based on the average tonnage collected, how many people in the building, what the tonnage would be. And at the time, it wasn't determined that an extra truck would be needed to serve the population of 60 people.

**Chairman Cameron:** I think the number was 900 tons or something like that.

**Mr. Lozito:** I don't think it was that high.

**Michael Zarin, attorney - Zarin & Steinmetz:** [off-mic] solid waste.

**Mr. Lozito:** It was 90?

**Chairman Cameron:** Is that a monthly figure?

**Mr. Lozito:** That's the annual, right? Ninety tons?

**Mr. Zarin:** It's a year.

**Mr. Lozito:** I think it was because we eliminated the work component, which also had a waste generation aspect to it.

**Chairman Cameron:** That reminds me, where is the garbage bin now for the affordable? I know where the full-rate ones are: in their garages. Maybe you don't know yet.

**Mr. Lozito:** I don't.

**Chairman Cameron:** So do we have any more questions? OK.

**Village Attorney Stecich:** You wanted to ask the FEMA (ph) question. Oh, you did? OK, good. Was the Ardsley school district notified about this meeting? Did the notice go to them?

**Deputy Building Inspector Minozzi:** They were in the mailers.

**Village Attorney Stecich:** They did get noticed? No, wait a minute. Who sent the notice out?

**Mr. Lozito:** No, I sent the notice to the adjoining property owners.

**Village Attorney Stecich:** Because I talked to Bruce, who said it didn't go out.

**Deputy Building Inspector Minozzi:** I'm sorry.

**Village Attorney Stecich:** I thought it was going out.

**Deputy Building Inspector Minozzi:** That was the other one.

**Village Attorney Stecich:** OK, you know what? My understanding was that they were going to get notified of this. You're obviously not going to make the decision tonight. I would recommend that the latest plans be sent to the Ardsley school district, and they be told if they want to appear to come to the August meeting.

**Chairman Cameron:** They're probably busy over in Dobbs Ferry, but maybe they'll come.

[laughter]

**Village Attorney Stecich:** So, Bruce, did you send a copy of the latest stuff to them? OK. Would you?

**Mr. Lozito:** I would.

**Chairman Cameron:** Yes, we do. We would like you to.

**Village Attorney Stecich:** We just said yes. OK. And when you send it, cc me on it so I know it's done. OK. You don't have to tell them about the August meeting. I'll let them know about the August meeting. You send them the stuff, copy me on it, and then I'll let somebody over there know that the Board'll be discussing it again in August if they have any issues.

**Chairman Cameron:** So we'll see you guys in August.

**Mr. Zarin:** Can we make a request, a respectful request, that this board at this juncture ... I think we've provided you with the information that you've requested. I think your consultants have provided you with the review, the requisite review, that this board consider at the August 15 meeting, making a SEQRA determination and referral to the Village Board. Again, many of the questions, I know, that were asked tonight are legitimate ones. But we're going to have to come back to you for site plan; a lot of the energy questions, a lot of the elevations and details.

So I would ask, or we would ask, respectfully if you could consider making a determination. I think the school district ... we'll send this to the school district tomorrow and ask them, frankly, if they would like they should make a submission to you. They can make a written submission. But we would ask...

**Village Attorney Stecich:** Just so everybody knows, they did get the first set of materials. Because they had gotten a notice, and then they asked for a full set of material. So they did

get that a couple months ago, within the last two months. So it's not like they don't know about it.

**Mr. Zarin:** We're going to have to come back to you. We're going to have a more formal public hearing before you during site plan.

**Chairman Cameron:** We actually have started work on our report to the Board of Trustees, and if we can get that done and get the members to review and approve it I think you may get your wish. But that's what we're working on.

**Mr. Zarin:** All right, we appreciate that. If you need anything more from us, just ask.

**Chairman Cameron:** And we're not taking August comments, so you'll be pleased to know that.

**Mr. Zarin:** All right, thank you.

**Chairman Cameron:** So thank you very much, guys.

#### IV. NEW PUBLIC HEARINGS

- 1. 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 13-dwelling-unit building in place of an existing 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.**

**Chairman Cameron:** We now move to the next item on our agenda, which is the opening of a public hearing on the application of CCI Properties for view preservation and site plan approval for the construction of a new 12-unit dwelling building in place of a two-family dwelling at 32-34 Warburton.

**Lino Sciarretta, attorney – CCI Properties:** I'll just give a brief introduction. With me tonight I have our architect, Kim Martelli, who will go through the site plan with you. But basically, our application this evening is to expand an existing two-family structure on Washington. The address is 33-34 Washington. We're looking to expand that into a multi-family structure with 13 dwelling units.

Without further adieu, I'll introduce Kim and she'll go through the site plan. Thank you.

**Kim Martelli, KTM Architect:** Good evening, ladies and gentlemen of the Board. As Mr. Sciarretta said, I'm Kim Martelli of KTM Architect on behalf of CCI Properties. This is the first presentation before you.

**Village Technology Assistant Corso:** Buddy, could you check that wireless mic? It did cut out. It's not working. Could you use the wired mic? Thank you.

**Ms. Martelli:** If I come off-mic, just tell me to get back and I'll start again.

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As Mr. Sciarretta said, we are looking to expand the existing three-story-plus-basement two-family residence located at this property. We've had the opportunity to meet informally with the Chairman and the Village Attorney just to hash out our initial thoughts on the project and, in fact, an initially larger proposal. And before you this evening and in your submission packages is really an edited version that we've had the opportunity to come to in having these conversations with the chairman. So we appreciate your time to this point. Without further adieu, I just want to walk you through the proposal for the project.

On your site plan we've identified the existing structure, which fronts on Washington Avenue, with an existing curbcut and access to parking on the east side of the building itself directly adjacent to an existing single-family residence within this multi-family zone. In the expansion, we'll be building on to that existing structure, maintaining the north and the east corner of it and building upon the character of that brick three-story structure. The new building shall be three stories with, again, an occupiable basement ultimately elevating the third existing floor of the building now and raising the roofline.

The building will be composed of 13 dwelling units, a combination of one-, two- and three-bedrooms. We'll be providing on-site parking, which will include a portion of 10 exterior parking spaces on the outside, to the south of the building itself, and 10 structured parking spaces located at the lowest level of the building. All those parking spaces are directly accessible from Warburton Avenue, in effect closing that curbcut along Washington Avenue and potentially allowing for the insertion of additional parallel parking spaces. Those 23 spaces currently satisfy the parking criteria for these new 13 dwelling units, and are located at a curbcut approximately the same distance as that original curbcut is today on Washington Avenue.

Our additional site improvements would include access from that lower level parking area, which is approximately level with this access on Warburton Avenue. There will be an outdoor staircase that allows residents to ascend from that parking area to one side of the

building itself to a common corridor, and there will be a secondary entrance with a handicapped-accessible ramp on the east side of the building that enters the other side of that central corridor.

To the far south of the site we're maintaining the existing open space. So there'll be a large grass-seeded recreational area with some intentional plantings and seating areas. And what we'll be using is as much as we can of that existing foundation wall/retaining wall that separates us from the multi-family residence to the south and also the property which is about a story-and-a-half above us to the east.

I'm going to use a rendered elevation so you can get a sense of the (inaudible) of the building. In looking to maintain the character of that existing federal-style brick entrance building, we want to build on that and enlarge it. And, in fact, we're creating almost a duplicate effect as we enlarge the building with the juxtaposed, really clean, glass element in the center, which is going to house the corridor between the apartments. So you see this here. The elevation ... it's a left side. Again, it's a portion of the expansion of the existing building into the far right, building on to that appearance as well.

Each dwelling unit will have an exterior recreation space, a balcony off the corner. One of those dwelling units will actually have a patio space and originates (ph) a little landscaping along the sides of Warburton and Washington Avenue as well. Just for your reference, some of the existing buildings [off-mic], as well as some our adjacent neighboring properties. We are surrounded by primarily multi-family residences. As I said, directly adjacent we have one single-family home within the MR 1.5 zone. That photo, here referencing directly across Washington Avenue, is, in fact two of those multi-family similar in scale; three stories with a full basement below.

I think we'll get into this in a little detail when we talk about your questions and your comments, but we've just made an effort to give you a sense of the visual impacts. We've gone through a number of studies, again, with larger buildings, but have scaled this one back to show effectually where we'll be impacting our neighboring residences. And primarily, I was looking to occupy those properties directly to the east which climb up the hill on Washington Avenue. So the goal was to get into as many of those spaces as I could, see which residences have views to the Palisades and the Hudson River. In fact, I think we're almost exacerbating, in some ways, the scale in the roofline of the building. But we will be, in fact, elevating the current roofline by approximately 4 feet, and then expanding at approximately that same height.

The current building is about 35 feet to the peak. We would be about 39, I think 38 feet 11 inches. But what we've done is try to also protect our adjacent neighbors' view – our single-

family residences' view – through to the river. In fact, we'll be improving on it slightly by the fact that these two larger conifers will be removed in the construction of the new parking surfaces. That would also remain in effect for some of those views from Williams, as well, whose views would be opened up not only by removing those two conifers. But we're also trimming back some of the rows of conifers along Warburton. Some of it occurs as we put our curbcut in, some of it occurs as we open up the view for our own residents. And then we'll be putting in some new plantings around the property, as well.

And I think we just want to get some of your feedback and your thoughts. We have some specific clarifications we want to talk about, but this is the first opportunity to talk about the proposal.

**Chairman Cameron:** It would useful if you actually go through and explain what variances you're going to be seeking (inaudible).

**Ms. Martelli:** So the variances we're seeking are for coverage. And I think I'm going to use [easel noise] proposed conditions of the site. This plan is an illustration of the different coverages. So I just want to define what each of those colors are. We're looking for a coverage variance because the current lot coverage is a limitation of 15 percent, the coverage that's identified in our public notice. Charles remind me, tell me that (inaudible) number again.

**Deputy Building Inspector Minozzi:** Forty-three-point nine.

**Ms. Martelli:** Right. And I want to clarify what I believe the Board has utilized to determine that number. I've done it in a number of ways, but we want to make sure we're on the same page. The areas in yellow identify the existing structures on the site: a three-story two-family residence, and there's currently a 1,000 square foot accessory shed. The new building is an increase to that square footage. The current site has some parking areas; we have some parking area. The current site has an access drive; we have an access drive – that entrance to the parking area. That's the sort of parking area that's prior to (inaudible) driveway to the parking surfaces.

And then the other supplemental areas and impervious surfaces are in blue. On the existing site they represent a combination of steps, retaining walls, walkways. That's primarily what they are. And you see them on our site, see them on the new site. There are walkways, steps, the ramp at the rear of the property retaining walls. What it appears to me is that the calculation was based in our public notice on the coverage of the building structure, this green parking area, which is the access drive-on (ph) as well as the parking spaces and all impervious surfaces. The only portion it does exclude from my calculation is this orange

area, the access drive. That ultimately arrives at that number.

So I think that is our primary variance. The others ones are for occupancy of our existing side yard requirement from the backside of the building, 15 feet. We are 10 feet away, with our retaining wall for our parking area and for the last wall of our ramp. So a portion of that ramp and a portion of that access space and the hammerhead turnaround fall into that side yard setback. And the last one is for interpretation or definition of "parking spaces." We have internal ... 10 parking spaces.

**Village Attorney Stecich:** Well, it's not for definition. It's for tandem parking.

**Ms. Martelli:** The zoning identifies tandem parking spaces, but it does identify definition of...

**Village Attorney Stecich:** Parking spaces. And the position of the Zoning Board is, tandem parking space ... the position of the Village and the Zoning Board, tandem parking spaces don't count as parking spaces, the second one. Because they have to be independently accessible. So there's no interpretation. The question is, you need the variance for tandem parking.

**Ms. Martelli:** OK. You mean to say, just so we understand clearly, the definition is saying tandem is not permitted as parking? Tandem is not identified as two true parking spaces?

**Village Attorney Stecich:** The term "tandem" isn't used. But a parking space is defined as an independently accessible parking space. And something that's behind another parking space isn't independently accessible. This has come up in the past. It's the law of the Village that it doesn't, so you would need a variance for it.

**Ms. Martelli:** No, we appreciate your clarification of that. What we do want to identify is that the way this site would function is, there are 17 separate bays for parking. There are seven bays within the building for tandem parking spaces and 10 bays outside. This building would operate in that residents within each dwelling unit would be assigned spaces. So five of those bays would be assigned to the three-bedroom dwelling units which area allowed two parking spaces, and the other ones would be distributed and assigned to the remaining residents.

So to the benefit and the function of those tandem spaces, we would work it so that they could effectually be assigned to one resident so you don't have ... just to clarify how that would work for us. And your understanding as to why we think this would be a positive way to provide parking, and it allows us to minimize that coverage by concealing our parking and

doubling up the parking surfaces and the building surfaces.

**Boardmember Alligood:** Can you clarify how many feet of grade you're proposing to remove from the Warburton side of the property? You have existing grade line on the elevations, which the existing grade line basically comes to the top of the first floor.

**Ms. Martelli:** Are you looking at the section, perhaps?

**Boardmember Alligood:** Yes.

**Ms. Martelli:** OK. I think your question is to...

**Boardmember Alligood:** How many feet. On the left-hand side, how many feet are you proposing to remove on that side of the property?

**Ms. Martelli:** None.

**Boardmember Alligood:** Why does it say "existing grade line?"

**Ms. Martelli:** The other grade line is the lower one, and from the dot to the dot is existing grade.

**Chairman Cameron:** We don't use average grade [off-mic].

**Ms. Martelli:** No, I realize that. But there is need to use average grade because average grade is utilized to identify if the basement is a story. So you actually need them both to identify if that lowest level is a story, but existing grade is used for height. So that's why both are provided in that graphic.

**Village Attorney Stecich:** So where is the existing...

**Ms. Martelli:** Sure, right here. Existing grade is right here, the dot to the dot.

**Boardmember Alligood:** And on the other side...

**Chairman Cameron:** It says "average grade."

**Ms. Martelli:** Average grade is a calculation of the grade around the perimeter of the building for each length of building.

**Chairman Cameron:** We're looking for where the existing grade is. Not the average grade, but the actual existing grade.

**Ms. Martelli:** Correct, understood. Let me just clarify the two different lines. They're calculated two different ways because they have two different functions. Your zoning definition for height relates to an elevation above a line of existing grade. That's why the line of existing grade is provided. So the 40-foot offset is related to a line of existing grade elevated 40 feet. Average grade is provided as a calculation of the average grade around the perimeter of the building.

**Village Attorney Stecich:** See over on the left?

**Chairman Cameron:** No, it's higher up.

**Village Attorney Stecich:** Run your finger up.

**Chairman Cameron:** It's just above the dots.

**Ms. Martelli:** It's just a note with an arrow down to it?

**Boardmember Alligood:** It has a line, a dotted line.

**Ms. Martelli:** Yes, it has a line. You see it as a line that goes down to the note?

**Chairman Cameron:** Yeah.

**Ms. Martelli:** It's possible it's washed out.

**Village Attorney Stecich:** It's hard to understand. I hear what you're saying, but I just want to be sure.

**Ms. Martelli:** My apologies. That isn't an intended identification line between the existing grade line.

**Boardmember Alligood:** I see what you're saying. You're saying the existing grade line is meant to that where it's up high?

**Ms. Martelli:** Right.

**Boardmember Alligood:** You mean to say..

**Ms. Martelli:** I'm just [off-mic]. This is all [off-mic] from that point to that point.

**Chairman Cameron:** That's existing grade.

**Ms. Martelli:** So if we look at the survey, that's what we're going to see. We're talking about existing grade today, as it is today. Because if we looked at existing grade at another ... well, existing grade is existing grade.

**Chairman Cameron:** Well, this is the existing grade going from north to south and south to north.

**Ms. Martelli:** Right. We could cut it the other way and we would come up with some similar effects. I took it to the lowest point, which would have been the lower of the two lines.

**Chairman Cameron:** So it'd be interesting to see the existing grade going east-west.

**Ms. Martelli:** I could certainly do that, too.

**Village Attorney Stecich:** Jamie, could I go back into some coverage questions? OK, I understand what you did there on the coverage. And there's a 15 percent coverage limit. Could you tell me how much the building itself ... just the building covers 21.3 percent, right?

**Ms. Martelli:** It's 21.3 percent, right. It's just this yellow area.

**Village Attorney Stecich:** OK, so the building alone exceeds the coverage.

**Ms. Martelli:** Yes, the building alone exceeds the coverage.

**Village Attorney Stecich:** OK. And how much ... forget about just the paved area, but if you include the retaining walls and the stairway and the walkways what does that bring the percentage to?

**Ms. Martelli:** I'm going to go with about 5 percent.

**Village Attorney Stecich:** Yeah, I'm sorry but you're going to need a breakdown of that.

**Ms. Martelli:** You have this. This is on your document. I submitted everything, and this is

actually how you were able to obtain your calculations. I gave a detailed breakdown of every single impervious surface, not wanting a misunderstanding.

**Village Attorney Stecich:** What page is that on?

**Ms. Martelli:** It's on the first sheet, A-1: *"area calculations, 295, definition goes for area,"* and then I go further and do a breakdown of not only gross floor area, but also impervious surfaces.

**Village Attorney Stecich:** So where you have "other impervious," where are the ... I did see that, but I don't see the retaining walls.

**Ms. Martelli:** That's other impervious. That's why I've supplemented it this evening, to clarify what those identifications are. And I can certainly expand it in language on the documents.

**Village Attorney Stecich:** OK, so the other impervious includes the stairways.

**Ms. Martelli:** Exactly. In fact, I mapped it so you can see [inaudible] purposes every item on that chart would cover every consideration of impervious surface in one way or another. So every solid surface is identified. So what remains is then grass-seeded areas.

**Boardmember Sullivan:** It looks like you're missing a stair to get up to the...

**Chairman Cameron:** Yeah, where does that stair go to?

**Ms. Martelli:** My apologies. I should have highlighted it.

**Chairman Cameron:** But where does that stair go to?

**Ms. Martelli:** We still have our elevated portion of the site up here, so there's just a grade change between the two.

**Chairman Cameron:** But you walk up that stair, then what do you do?

**Ms. Martelli:** So this is below the grade, and this allows you to walk and continue across the back side, walk out on Washington.

**Chairman Cameron:** There's no path.

**Ms. Martelli:** It's just grass-covered areas. It just allows you to simply communicate within the site.

**Boardmember Sullivan:** Well, why is there [off-mic]?

**Ms. Martelli:** It was my error. I should have blue'd (ph) it. It's just my...

**Chairman Cameron:** That's the garbage.

**Ms. Martelli:** My manual error. And the blue area I'm counting because I didn't want to exclude it. You may or may not include it. It is, in fact, a structured area, though it is going to be covered.

**Boardmember Sullivan:** Well, I don't see a path.

**Ms. Martelli:** Right, it's not meant to be a pathway. It's not meant to be an impervious surface. It'll be grass-covered.

**Boardmember Sullivan:** So how do I get from one side to the other?

**Ms. Martelli:** This is below grade. So let me clarify. This is a story above the parking surfaces. So there is a grade change between this parking surface itself, which is down at the level of Warburton Avenue. And these areas here are 10 feet above. So we actually have about a 10-foot grade change from front to back of the property.

**Boardmember Alligood:** So you are going to excavate quite a bit if you're saying that you're going to remove quite a bit of the fill in order to...

**Ms. Martelli:** Right, right. In order for us to access off of Warburton and to keep that parking low and maintain a non-visual for our neighbors.

**Boardmember Strutton:** That's how you get into the under-building part.

**Ms. Martelli:** That's the underground, correct.

**Chairman Cameron:** So you go under the building.

**Boardmember Strutton:** So it's going to be a huge open area.

**Ms. Martelli:** Right, so this is actually a view of our south elevation. That's a low area, and

then toward the back there'll be a retaining wall on the back side of the property.

**Boardmember Strutton:** And you're saying that you're not measuring the height of the building from the bottom of the parking, even though it's open.

**Ms. Martelli:** Right. We're following the letter of the zoning ordinance. What the zoning ordinance protects you from doing – I believe this is the intention – is from building in excess of the existing topography. It doesn't prevent you from excavating and working down. Which would make sense because it controls the limits of height on the existing surface. So our height would be the same either way. If we didn't excavate, our limit would be at the same elevation. It wouldn't grow, it wouldn't change. It would always be exactly the same.

**Boardmember Strutton:** But when you get out of your car, and you stand and you look up, you're going to see four stories, essentially, plus a roof.

**Ms. Martelli:** Correct. Right now, there's 3-1/2 stories exposed. Right now, the grading comes down; it drops down about a half-story below the existing basement. So that view you have here, that drop-down is a very similar effect to what exists on the property right now.

Just views so you can see it. I don't know how clear this is to you, and I have it to pass it around. This is a view of what the corner of the property looks like right now. That is the retaining walls that are exposed right now on the site, a similar effect to what's happening right now.

**Boardmember Alligood:** We're about to vote, our elected officials, on a green code. And we're really trying to move towards doing development in an environmentally responsible, sustainable way. I'm just curious because I didn't see any description in your proposals. I just wanted to give you an opportunity to describe how that meets our stated goal as a village.

**Ms. Martelli:** Are you talking about architecturally, or are you talking about in terms of stormwater systems?

**Boardmember Alligood:** In terms of how we're approaching the land and what you're proposing, and just any features that you've considered.

**Ms. Martelli:** Well, I could say we are simply trying to minimize the overall impact of the property and the impervious surfaces that are required on-site to make it function, and be

viable and feasible. And to meet, as far as we can, the extent of the zoning ordinance. I think in terms of special features, the site will have a full subsurface stormwater treatment system on it. So compared to existing properties, we are taking care of all of our impervious surfaces with retention on the site.

As I said, we looked at some larger structures earlier. We've overdesigned for that, and we have a much smaller structure at this point and are looking to maintain all of that stormwater collection and treatment on our property. In terms of the building green architecture, we haven't gone to that extent of detail or design yet.

**Boardmember Alligood:** I mean, one of the reasons why we have a limit on development coverage is because we're concerned about having to deal with the fact that you have a lot of stormwater runoff when you pave over so much of the property. So you're actually proposing quite a bit of development on this lot, which is going to require you to have quite a bit of mitigation of the stormwater. The amount in excess of what we allow is very, very large.

**Ms. Martelli:** I think what we're dealing with right now is the feasibility to develop a property that is the largest within its zone. And though it's outside of the adjacent MR-O zone – zones that are intended for this type of coverage – it's looking to meet, as best it can, the feasibility to develop the property. It's not the small scale of the smaller buildings. And actually, what it's looking to do is meet elements of the zoning ordinance that properties adjacent to it do not. And specifically, that relates to parking.

I think we heard tonight from local residents that one of the biggest issues we have is parking. I think if we looked at the flip side of this, and looked to do a much smaller impervious surface, we'd be losing parking. But we'd also be up against the battle.

**Boardmember Alligood:** You're generating the need for parking because you're...

[cross-talk]

**Ms. Martelli:** Sure, this is actually ... it's self-generated.

**Boardmember Alligood:** It's self-imposed so that's really not a viable argument.

**Ms. Martelli:** Sure. And I just want to repeat my initial comment: the opportunity for the applicant and the property owner to develop this property and make it further usable. It sounds like it could be used for a great parking lot with a green roof on it.

**Chairman Cameron:** I don't think we want parking garages. You find that funny.

**Ms. Martelli:** So somebody needs it somewhere close by.

**Boardmember Sullivan:** I have a couple comments. One, I think it's ... I don't see the existing building. So I think it's not an addition to an existing building. What was there is gone 100 percent. I don't see the façade, I can't see you're using the inside of it. So I think I'd like this to be characterized as a new building, not an addition to what was once there. You say you're picking up elements and using the elevation, but I can't see it at all.

The building coverage is quite large, the variance that you're looking for. And we won't vote on that, but I just think it's a large increase. It's actually about 42 percent greater than what is permitted.

**Ms. Martelli:** I'm sorry, what...

**Boardmember Sullivan:** You have 21.3 percent is what you're asking for. But the increase is about 40 percent more.

**Ms. Martelli:** Oh, I'm sorry. Forty percent. I thought you meant total.

**Boardmember Sullivan:** Forty percent coverage.

**Village Attorney Stecich:** It's actually higher than that, Kathy, if you include the stairways and the retaining walls.

**Ms. Martelli:** No, no, I'm sorry. You have included the stairways and retaining walls. You have.

**Boardmember Sullivan:** No, I was just going by the building alone.

**Ms. Martelli:** I'm sorry, the zoning public notice you issued does include everything.

**Village Attorney Stecich:** Yeah, I know. But that's the number Kathy was using.

**Boardmember Sullivan:** I'm looking at just the building.

**Ms. Martelli:** Gotcha, OK.

**Boardmember Sullivan:** So it's greater than the 15 percent, and that building should

include other things. So it's going to be even greater at the end of the day.

**Village Attorney Stecich:** Exactly.

**Ms. Martelli:** But is exactly what's reflected.

**Boardmember Sullivan:** The thing that was helpful from the past application, which we never talked about, was you actually clarified the yards. We had a first project, but weren't sure what was the front yard, the side, the backyard, the rear yard. This one you have. So I know where the front yard is, I know where the rear yard is. But I have issues with how the side yards are being calculated. One of the parts of the code, in section 295-20 in section G, mentions if the side yard is greater than 50 feet, for every 10 feet over 50 you add a foot to the side yard. So my calculations, the side yards you are looking to use are the longest sides. The front yard is the side towards Washington?

**Ms. Martelli:** Correct.

**Boardmember Sullivan:** The rear yard is the one that is adjacent to the property to the south.

**Ms. Martelli:** Washington.

**Boardmember Sullivan:** And then the other side yard is Warburton, and then the other side yard is the side yard on the east.

**Deputy Building Inspector Minozzi:** There's two front yards. There's two front setbacks.

**Boardmember Sullivan:** No, you *choose* a front yard.

**Chairman Cameron:** Yeah, they choose a front yard. They have a choice on corner, and they've chosen Washington as the front yard.

**Boardmember Sullivan:** Yeah, that is section F in that section.

**Village Attorney Stecich:** No, each street frontage has to meet the front yard requirement.

**Boardmember Sullivan:** But one is a side yard; one is considered a side yard. The point is you're correct that that's what they say to do. A side yard you have to be no less than the front yard. It doesn't turn it into a front yard.

**Village Attorney Stecich:** Yeah, I see what she's saying. Because usually, in the code, the side yard requirements are usually pretty much smaller than the front yard requirement. And in this one it's not. And there is a separate provision in the code that says if two code provisions apply you have to apply the stricter one.

**Boardmember Sullivan:** I think whether we stay with what you're showing as 20 feet or so of setback, one of my calculations is the side yards actually should be about 32 feet.

**Ms. Martelli:** Well, we'll go back and make they amend that, that we have a correction on that requirement.

**Boardmember Sullivan:** But I have issues with the amount of stuff in those side yards. Because we were showing ramps, I think you're only allowed to have sidewalks from another part of our code, sidewalks that are no more than 4 feet in side yards. So we have ramps, we have parking, we have garbage, we have other stairs, we have driveways, we have buffer zones. You know, you're not supposed to have parking inside of required yards. So I have issues with just the stuff that's surrounding this building; issues with how big it is, issues with the stuff in the yards. And I have issues with the tandem parking, but as Marianne said there's a kind of working process towards that.

So I think the building has a lot of stuff going on, and I think it's a lot of impact for this site. As large as this site is, I don't really follow that you're trying to make this compatible with other zones that are adjacent to it. I mean, this needs to be compatible with the zone that it's in. So looking to use other areas that are nearby that are more intensely zoned, and say, well, that's why I want to do it here, that argument I don't think ... I think we have a zone that's laid things out pretty clearly. This is a complicated site, and I think this is an overly complicated project for the site.

**Boardmember Strutton:** I feel a lot of what Kathy just said.

**Boardmember Alligood:** It's definitely way too large. It's stuffing a lot into that site, and it's going to really change the character of that pretty major ... while it's not an intersection in the middle of our downtown, it's a well-used spot. It's heavily trafficked. I think this would have a very negative impact on that corner. I just could not support it at all in this form, and I would not recommend the variances that you're ... and we do recommend, we don't vote, on variances. But we certainly send our recommendations along to the Zoning Board.

So I could not support this to this level. And it's a self-created problem that you're trying to put this many units in that spot. And I think it seems like a minor point at this point, but you have a snow removal area at the point where if snow were piled there in the winter you

wouldn't be able to have the proper sight lines onto Warburton coming in and out. So that's just a...

**Ms. Martelli:** I think that's something we can negotiate on the site, find some alternatives.

**Boardmember Alligood:** Anyway, I think that's sort of down the line to even consider where the snow goes because I think it's just way too much.

**Ms. Martelli:** I mean, I'd be interested to hear what the Board does think might be a feasible use for this property. The building right now ... in calculating the building and the site itself, the 12 percent that it is right now only reflects the footprint of the building and the accessory structure. Once you calculate all the existing pervious areas, we're at 16 percent. So the building, as it is today, currently exceeds the zoning variance. I wonder if this board thinks that there's no feasible opportunity here. Maybe something in between that 16 percent and the 39.

**Boardmember Alligood:** I think, first of all, I would be much more interested in this project if it did respect the existing building and somehow worked on that in a meaningful way and not obliterate it. So I think that, as well as I think I would consider – and I don't know if this is even possible – that I think we should be doing our development without as much heavy reliance on cars and parking. So if you could make the case that you're developing a project in a way that's taking advantage of the fact that it's in the middle of our downtown and it's literally steps away from our train station, that would be a theme and kind of something I could work with and support.

But there would have to be a vision behind it about developing it in a way where you're marketing and catering to people that don't want to rely on a bunch of cars that are going to stuff into this lot.

**Ms. Martelli:** I think the opportunity ... and if this board would entertain even things like a parking variance, be it supported by a demographic of residents that could utilize so much pedestrian traffic. And as you say, we are block-and-a-half away from the train station. We love the fact that it's such a great quality location in Hastings. I feel that's something we would be very interested in. And we know right off the bat that it would be a significant reduction in our impervious surface to do that. We still think we'd have to get a combination of parking spaces in innovative ways, but I think I'd rather go up against that conversation and how it could work for specific functions. But keeping down that impervious would be tremendous by taking out a lot of that outdoor parking space.

**Boardmember Strutton:** I think Eva raises some great points. But I think if you take away

the required amount of parking, there's going to be more residents from Washington in here than we have tonight, who have already spoken on another development, about the parking on Washington. It's out of control, as it is in the entire neighborhood that walks to the train. So I think anyone who lives there really needs to have the requisite ... and if you go studio, even though the requisite is zero, I would say one provided for them. Because everyone's going to have two cars.

**Ms. Martelli:** Oh, yeah. Studios have a space; everyone's got a space.

**Boardmember Alligood:** I'm not proposing necessarily that under any scenario it will work with the number of units that you have there.

**Ms. Martelli:** Right.

**Boardmember Alligood:** But if you could think creatively about what you're trying to develop and how much parking it needs.

**Chairman Cameron:** Well, I think it's a good thing that you did put some of the parking under the building. Because that gets rid of impervious, and I think that was a good idea. And I don't like tandem parking, but I have less objections to it personally if it's under a building and if it's for three parking units. Even though there's always the threat, which would be discussed at the meeting, that notwithstanding that if people are driving down the street they'll just take the first spot they see. But hopefully, overnight, they don't do that. I thought that was a good move on your part.

And it was also a good move on your part to leave open the southern end of the site. Because that, I think, greatly helps the view preservation, which is a big issue. And we're going to have take a closer look at it, but I think that was a good step in the right direction. I mean, I find the building, quite frankly ... and I think that we should look, and it's hard to see, but I could see the old building still there on the right. It's just got glass all up the right-hand side. And the inner window is the window you save, and the outer window is something you added to it. That's the best I can figure it out.

But the two of them together just look too big. The other thing I couldn't understand, quite frankly – and I'm diverging at this point – is why there's no elevator in this building. I mean, I just look at that building and I see two sets of staircases.

**Ms. Martelli:** We have thought about that. So it's nothing we've dismissed.

**Chairman Cameron:** I think of elderly people who want to live in those one-bedroom

units, and the only way you could get up as handicapped is taking this long ramp, which is messing up the entire perimeter on that side of the site. And an elevator would probably get rid of the need for the ramp.

**Ms. Martelli:** That's true. Something we have discussed independently, so we will review it again.

**Chairman Cameron:** What Eva's saying is looking more at the footprint of the existing building, and maybe another building next to it which is the same size or something like that. But not quite as bulky, and an elevator and getting rid of the ramps would get us steps in the right direction.

I mean, I think the other thing which is sort of startling – even though I understand why you did it – is that suddenly you have this like large highway going under an underpass going through right to the back of the site. It's clever, but it looks ... and it's helpful because it does hide the parking from the people up the hill. But it may just be too much, even though I thought it was a step in the right direction.

**Boardmember Ambrozek:** I have a concern regarding the excavation for the parking area. And that is, you indicate that you would not use any dynamite in this document.

**Ms. Martelli:** I did?

**Boardmember Ambrozek:** Well, I don't know. Whoever wrote this.

**Ms. Martelli:** No, I don't think...

**Boardmember Ambrozek:** Well, for the excavation purposes that no blasting was going to be used.

**Ms. Martelli:** I don't know that that's in any of the documents I submitted. And if it is, I didn't prepare it.

**Boardmember Ambrozek:** But if bedrock is encountered...

**Chairman Cameron:** It's in the SEQRA long form, I think.

**Ms. Martelli:** OK, thank you.

**Boardmember Ambrozek:** If bedrock is encountered in excavating for that area, that would

be very difficult to excavate down. I don't know how extensive your soil testing has been.

**Ms. Martelli:** I don't know off-hand the details of the geotechnical reports, but I'm sure as we go forward our site engineer can allude to what those site conditions are and if there is anything else that might impede us from being able to excavate without blasting. I think it's a reasonable question, something we would address when our site engineer is present.

**Boardmember O'Reilly:** Yeah, I got to say I was also surprised with the size of the project. And I know you've got a conundrum here. Because even though you're thinking to yourself you'd like it not quite as high, you can't go long because you can't gather as much of the land that you would like, possibly, to do. Which would seem to me to have been, in another life or another idea, a better way of making use of this site if you can't bring it down and cover more of the landscape.

But somehow or other the height of it, and not using the old building in any way, I think, is kind of something else that others might have wanted to see. I don't want to do it, but it had that sort of appeal. And it is, as has been described, a dominating corner of Hastings. And it is one that is going to attract a lot of attention.

**Ms. Martelli:** I do wonder if anyone on the Board has recently driven by the property. Because it's interesting, I appreciate that you find this to be a very prevalent corner, a very noteworthy building. The views that I have are taken from adjacent property. I know this is a small view, but this is a view from the corner of Warburton and Washington. This is a view of the building, and this is what you see. I'm not indicating that when you come down Washington Avenue that it's [off-mic].

What I did want to clarify is what that condition is. This would actually, again, begin to expose (ph) the building. And I don't want to feel that I'm dismissing your comments. I do want to address them, and your concern that we're not using the building. Although we are looking to merge the character of the existing building in a new, modern, contemporary look which we find to be prevalent and, in fact, growing in Hastings, we're not looking to eliminate that old structure. So there's both the fact that a portion of it would be physically maintained, as would architectural aspects of it be physically maintained.

So I understand that you visually see that's there's a significant change in the character and the architecture, but we actually are working around the existing footprint – the design, the interiors of those spaces – and marrying that to a larger building. Although it's not a traditional addition, the fact is we're looking – and after analyzing the existing building – working with, the footprint and the structure of that building to enlarge it.

**Boardmember Sullivan:** You know, I don't see it.

**Boardmember Alligood:** You're saying you're going to keep the wall through there?

**Ms. Martelli:** This is the existing corner of the building. We're talking about resurfacing it and enlarging it. Resurfacing is to say I've done enough resurfacing of Main Street buildings to know that we'd have to create that look, that trying to marry existing brick. But it's very challenging to do.

**Boardmember Alligood:** So you're going to take down what's there, and you're going to build a wall that's in the same place as what's there is what you're saying.

**Ms. Martelli:** No, we are going to maintain as much of the existing structure as we can.

**Boardmember Sullivan:** I think the point that you're hearing from us is that we don't see the character. It's an opinion that's being given to you, so it's not really...

[cross-talk]

**Ms. Martelli:** No, I appreciate it. It's part of the reason why I put those existing photos up with the elevations.

**Boardmember Sullivan:** What I was going to say is, what you're hearing is we don't see this as being a reuse of that building because we can't see the building. So just take that as a comment, and think about it and see if you really are intent upon reusing this building you think about it in a little different way. Because right now it's subsumed by the building that you are building.

**Boardmember Alligood:** And whatever recladding you're doing – and whatever new fenestration and new balconies, everything – the effect of all that is to take away from what's there. It's not visible anymore: the character, from our vantage point, is not there. You say the walls are in the same place and you're respecting the character. Those terms don't really mean anything when we can't see what was there.

**Ms. Martelli:** Well, I think we certainly are reinterpreting the existing building using some of those characteristics, some of those qualities, in a traditional and a modern merge. So I certainly don't mean to intend (sic) that we are maintaining the original character of the building. We're simply taking some of those characteristics and merging them with new characteristics. I think that actually does clarify what we're doing.

**Boardmember Alligood:** Taking characteristics of a building's that's existing and incorporating them to your new design is not the same as taking a building, an existing building, and building something around what exists. That's two different things. That's our point, and I think Kathy and I are on the same page about this. You can't say it's an adaptive reuse when the existing building is no longer there; that you're basically just taking design elements from the existing building.

**Ms. Martelli:** Sure, I agree. I don't think we've ever used the terms "adaptive reuse."

**Boardmember Alligood:** OK. But in part of your presentation it sounded like you were saying we're taking the existing building and we're building onto it. That's not what this...

[cross-talk]

**Ms. Martelli:** Sorry, I...

[cross-talk]

**Boardmember Alligood:** So I just want to ... I want to...

[cross-talk]

**Ms. Martelli:** I'll clarify that. It's an expansion of the footprint. I'll qualify it like that.

**Boardmember Alligood:** Footprint. That's it. That's tearing down what's there and putting something else in.

**Boardmember Sullivan:** And in your zoning calculations you've alluded to this existing building having the numbers of units. You're basically demo'ing the existing building and building something new.

**Mr. Sciarretta:** [off-mic].

**Ms. Martelli:** I'm going to let ... I speak on behalf ... part of the reason why we spent so much time analyzing and taking the existing conditions of the building is because we're laying out those dwelling units to utilize the existing structure of the building.

**Boardmember Sullivan:** Maybe next time you come around you can show us the existing building layouts and show us how they're being incorporated into your new proposal. That would be helpful.

**Ms. Martelli:** Sure. I mean, just so you know it's as simple as, to begin with, just the footprint of the dwelling units themselves are actually worked around the layout of the existing apartments. Although we haven't shown you the level of detail in design, we're just showing you some of the basic characteristics of the apartment. This happens to be the corner dwelling unit. This is the existing corner of the building. It runs to about here.

So we're working with the fact that this is an existing dwelling unit right now, there's a stair that runs up through here, this is an open living room. We're merging the space into a one-bedroom living/kitchen area. This is actually a demising wall now. We're maintaining it. That's the existing exterior walls. I'm sorry, I just wanted to clarify for you that...

**Boardmember Sullivan:** Where is Washington?

**Ms. Martelli:** This is Washington.

**Boardmember Sullivan:** Then the plan below...

[cross-talk]

**Ms. Martelli:** I'm sorry. I'm on the third floor. I could get down to the ... I'm sorry, here is Washington, this corner here, this corner right here. I apologize. I was rotated. So this actually is the corner where the driveway is off of Washington. Right now, you walk in the entry door to this apartment, this is that stairs in here, this is the demising wall. The demising wall will be maintained. Instead of a corridor and a stair, we turned this into an open living area/kitchen. Right now, the kitchen's in this back corner. We're modifying that and the bedroom area.

So just generally speaking, this is the footprint of the dwelling unit right now. We're just converting it to an apartment. There is a second and third floor above that. Again, trying to work with the existing layouts.

**Boardmember Sullivan:** Again, next time it would be wonderful to see the existing layout and tell the whole story.

**Chairman Cameron:** Are you continuing to use brick on the exterior of the building?

**Ms. Martelli:** Correct. That's a full masonry build. As we explained in the [off-mic] information, we are looking to use masonry, asphalt [off-mic] shingles with trim details.

**Chairman Cameron:** I think, quite frankly, the glass corners you've put in sort of obscure the traditional look of the building which otherwise would exist were it not to be glass around the corners. I know you want to put more light in the place, but the glass corners and the glass center sort of overwhelm the other features of the building. And we don't have buildings that ... I'm sure you'll come up with one. I don't recall buildings like that...

[cross-talk]

**Ms. Martelli:** Sure I will.

**Chairman Cameron:** ... in Hastings. I think we have the funeral home; maybe that's the only one I can think of that's modern. But anyway, we don't have that many. And I think you're running into a little bit of that.

**Ms. Martelli:** I will say we're excited for the opportunity to merge these two architectural styles. I'm happy to bring back some design references as to where we're pulling these ideas from if that would help.

**Chairman Cameron:** Public comments? We did take over for awhile. We apologize. Feel free.

**Ms. Irwin-McGuire:** I live one block away from this building. If you walk along Warburton you pass this property, and then you pass my neighbor's house and then you cross William Street. My house is next.

The biggest problem I see with this is parking. I don't know how many parking spaces will be removed by entrances into the parking structure, but any taking away of parking spaces in that neighborhood, in my neighborhood, is going to be a big problem. And it doesn't even consider the point that with these 13 units, say someone has a party and people come over in their cars and park. It's not just the parking spaces that these people will be needing, but it's also the additional parking needs that will happen because of the number of units that are here.

I think it's way too big. I think the parking variances, with tandem parking, is a recipe for disaster. Because people will park in the street if they can instead of having to use those tandem places. So given the fact that the affordable housing went in at 422 with all of those units and made the parking worse for the whole neighborhood, I think having a large structure with this many units and variances for the coverage of the property and for the parking is a huge mistake.

**Ms. Travis:** I live down the street from this corner, I walk by it every day on the way to the train. Can you tell me, when the curbcut that goes in from Warburton, how many spots are left between the real curb and the opening? And then what do we gain on Washington in terms of a parking space because you're closing that driveway?

**Ms. Martelli:** Correct.

**Ms. Travis:** And then the other thing is, maybe you're not aware but I know the Planning Board is. The county is closing down the Warburton bridge and running southbound traffic only. So all northbound traffic will go up Washington. So major bus lines are going to go up and down that road. You will not be allowed to have...

[cross-talk]

**[Male Voice] XXX:** [off-mic] buses?

**Ms. Travis:** Yeah, up Washington.

**[Male Voice] XXX:** [off-mic].

**Ms. Travis:** Well, I don't know. It's a big problem anyway.

So there would not be one speck of construction of anything allowed on the street because there'll be no room even for the buses going up Washington. So I want you to be aware that's coming Christmas. Yea.

**Village Attorney Stecich:** And my understanding was it was a long time, wasn't it? Like a 2-year period?

**Ms. Travis:** Two years. And all the parking on the bridge will be gone so that is going to really doubly make it hell – sorry, Public.

But, really, it's the fact that we're losing a spot on Warburton and where does it cut into like what's left. Because sometimes a curbcut cuts leaves only like two spots or three spots. You know what I mean? Like where it actually falls in relationship to the corner and how many spots are allocated going from Washington back. Because I think I know where this is. It's the fence, right?

**Ms. Martelli:** Right.

**Ms. Travis:** There's a fence, OK.

**Ms. Martelli:** There's a small fence segment at the end.

**Ms. Travis:** OK, that's fine.

**Ms. Martelli:** To answer your question, I don't know the exact number of parking spaces that would be removed. I know when we return we'll be a little clearer and we'll include that layout of off-site parking, both on Warburton Avenue and Washington Avenue, to show the redistribution with our curbcut and the potential for an added parking space, and the curbcut and the potential for removed parking spaces.

But I would suggest that we could lose one or two. We'd have to see where the exact parking lines are on Warburton Avenue and then the possibility, again, of getting one or two. I know we have some striped areas around that existing curbcut now, but I will look into that carefully so we have an answer next time we come back. I would hope we could do an equal trade-off – if we lose two, gain two – but I will look more carefully at it.

**Mr. Madras:** I've owned 467 Warburton Avenue, as I said, 27 years. As my neighbors have said, in the last 3 or 4 years the parking over there is impossible. So I have nothing against anyone's project doing something, but I do have a problem with the town. We don't have enough parking as it is.

Now the other issue is, when they start the construction of this project, when you're doing all the construction, you're going to lose a lot of spots when you're doing a lot of construction in that area. And that's going to go on ... I don't know how long it's going to take to build this building, to finish it completely. It could take a year, it could take more.

And the other issues is, one of the Boardmembers mentioned about the snow. When you have snow ... we have a lot of snow up here, OK? So when we have snowstorms, sometimes we have a snowstorm ... we had a couple of feet or a foot-and-a-half. Where are you going to put all that snow on the premises? So when you start to plow out, you're going to lose four, five, six, seven spots there in the wintertime. And on the street you lose spots. I know many times, when we have a lot of snow, you lose spots on the street. So that limits our parking, you know, another 30 percent or 40 percent. That's a big issue.

Then you have issues with congestion. There's not any greenbelt area for the children. There's going to be, I assume, children here. Is there going to be any area for protection of the children for walking in that area, pedestrians walking in that area? A lot of cars coming and going in that area. It's too crowded.

So my biggest objection is just the parking. If they would be able to provide more parking in the town, then we can provide for more tenants. But if we don't have parking for the tenants and the families that live there now, and the congestion, it would change the whole environment of our community. And that's what I'd hate to see happen because this is a great town, OK? Thank you.

**Sue Smith, 645 Broadway:** There was no mention of affordable housing.

**Chairman Cameron:** There are two.

**Ms. Martelli:** We have a provision...

[cross-talk]

**Ms. Smith:** Well, it wasn't brought up.

**Ms. Martelli:** Sorry. It was my mistake. The ground floor has a combination of one-, two-, and three dwelling units. Two of those units would be allocated for affordable housing. Do I have that right? Right, two of the 13. And all the ground floor units would be handicapped-accessible type units, as well. It would be type E handicapped-accessible units.

**Boardmember Sullivan:** I think one thing I noted with the affordable housing would be needing advice from Sue's committee in which size units should be made affordable. If this project would proceed with two affordable units, we'd need advice from your committee as to what size would be appropriate to the use, since there are multiple types.

**George Warren, 35 Washington Avenue:** I am the single-family house that is almost directly across from this proposed property, and I have major issues. I agree it seems totally out of scale.

I've looked at the building, the Convent Building. Let's call it what it was. It was a convent. You can call it a two-family house, but there's a certain energy associated with the building that was there before based on its use, which you're going to demolish. But the thing I want to bring up is, I've looked at the building for 17 years now. I've lived in Hastings, I've been a homeowner here, since 1996. And I've looked at that building. My bedroom looks at that building. Every morning I see it. And your building doesn't look anything like it. I mean, it takes elements from it, but it's totally out of scale with what the other thing was. I mean, you have architecture. A way a thing looks is how the parts are put together. And that just looks a little awkward.

I also want to bring up that I'm sure everybody here who has a history here in Hastings knows the house that I purchased in 1996 was basically a transient boarding house and had associated problems with it. I took it over with very limited resources. I relocated here from down in New York City. I spent 17 years working on this house with mostly all my own labor, my own limited resources. We brought something to this neighborhood, and we brought something to that street which I'd consider an improvement the way it was before. From what I see from this, I don't see what kind of an improvement it brings to our neighborhood other than getting the most bang for the buck for the developers.

Like I said, I've lived here for 17 years. I've never asked anything of the municipality. And I'm forced to come here now to try to reason with you guys and hope you do the right thing. But I have significant issues with this and I'm not convinced that, again, this is an addition to our neighborhood. And everybody on that street has worked very hard to upgrade that neighborhood, get rid of the people that owned the houses that were dealing drugs and such and so forth. Whatever, we all gave of ourselves to help make that street better. And, again, we didn't have a lot of big money behind us, most of us. Otherwise we'd be living up on the hill.

So we'd appreciate it if you do the right thing for our interests, OK? Thank you.

**Jonathan Herder, Ridge Street:** I'm relatively new to town. I've been here about a year-and-a-half. I'm a commercial real estate appraiser and an artist. The parking seems to be universally a concern. And I'd like to share the observation I've had – maybe it was made by someone up here – that tenants don't invariably take advantage of on-site parking. That sometimes, for convenience or whatever reasoning, they'll park on the street. So even more than ample parking spaces correlating to the unit count doesn't ensure that pressure won't be exerted on limited parking in the area.

I feel even more strongly about the aesthetic insensitivity represented by this design in terms of the rhythm and architectural and historical quality of the surrounding buildings. I understand a successful design has to preserve site lines from adjoining properties. So maybe that imposes limits on what can be done with the rear portion of the site, of the property. But I wonder if something lower profile, less massive, can be realized further on the lot without violating the existing structure. That seems to me a reasonable compromise, where the existing building is preserved and somehow more of the lot is utilized in the interest of the owner. But not to the detriment of the character of what surrounds it.

Thank you very much.

**Ms. Bugbe:** We've been at 35 Washington Avenue 17 years. We're directly across from this building. And it's totally inappropriate for our neighborhood. We're the historic street in Hastings. We have the Cropsey Foundation; that's a single-family. We have the Draper House. We have the Farragut House up at the top of the hill; single-family. We have probably 12 single-family homes on that block. So I don't want us being labeled as, "Oh, that's the big apartment building area," and just throw it in. That's not us.

We've all worked very hard. CCI has been there since 2010. My building was built in 1885. The building on the corner, the brick corner that's across from it, 1837. We have the overseer's house up the street that was on the Aqueduct – important. Farragut's building, 1830. So it's historic. This is not at all in keeping with it. I do not see the convent there. If anything, like people have said, I could see something where you preserve the building, you make two other buildings in keeping with that, and we preserve it.

I mean, we have a beautiful stone wall, we have conifers. The other people around in the other development that they were talking about, they have to preserve the Norwegian spruce. Well, what about us? What happened to our conifers? I mean, they really purify the air, they mark that ... that is an important location. I mean, there's hundreds of people that use our street and, you know, we deserve something more.

So thank you.

**Mr. Metzger:** The building's in an interesting location. It's really the demarcation between the downtown and what becomes a more residential area of the Village. And it attains a level of importance visually and culturally, I believe, as a transition.

Before Antoinette's came into being, most people thought when they crossed the Warburton Avenue bridge they were in Yonkers. They didn't even realize it was Hastings. And we've now reestablished our neighborhood as actually a growing part of Hastings. I appreciate the fact that people want to come and live in our neighborhood. But the question is, what do they want to do there?

So the applicants here, I believe – and I don't know for certain, but I believe the applicants here are looking to use this as a financial gain for themselves. That's what developers do. I absolutely understand that. What we're asking as residents of the neighborhood is that they be sensitive to the people that they are putting this building in the middle of. When 422 was being built, we obviously had concerns about the parking. And I truly appreciate the fact that you're trying to find a way to put all of the parking on-site because that was a critical issue. The practical matter of what happened at 422 is that even though they've accommodated all 24 required spots – there are 14 units in that building – I'd say less than half the tenants

actually park in the parking lot. If there is a spot on Warburton, that's where they park.

So it's nice for the Village, and it's appropriate for the Village, to say we have to accommodate these things. But the practical matter is that it rarely gets accommodated. So we need to be aware of that. The other thing is, Warburton Avenue is an extraordinarily dangerous street. In the evening, after it gets dark, people speed up and down the street. There happens to be a bar there. People come out, unfortunately they're not in the best shape. They pull out. This is right in that area. People coming off of William Street, Washington Avenue, Nodine and Division, they will tell the sight lines up and down Warburton are extremely difficult to navigate.

So the thought of 10 or 12 cars in the morning – and I'm being generous that maybe that many people would be driving – trying to access Warburton Avenue, when it's being heavily traveled at the time anyway, becomes a potential problem for us. As my wife, Cindy, was talking about, they are talking about renovating the Warburton Avenue bridge. The county is going to do that. They're planning on starting sometime this winter, possibly early in the spring. They're talking about a 2-year construction period. My feeling is that'll probably end up running a little bit longer than that. And if you're not familiar with the plan, the bridge is only going to have one lane of traffic moving southbound. The northbound traffic will come up Warburton Avenue. And that includes the buses, the Westchester County buses. They will be turning from Warburton onto Washington which, in and of itself, I think is going to be a trick if another bus is coming down the hill. Because there are going to be buses coming south, buses going north.

They're going to be eliminating most of the parking on Washington Avenue. There's probably going to be issues with parking on Warburton at the same time. Parking in the train station is going to be eliminated because they have to do site work down below. So this neighborhood is going to actually be even more crunched with people trying to find parking in the morning to be able to walk to the train station. I'm mentioning that more as a practical fact. If you're in the middle of construction, and all of a sudden there's no place to put your vehicles, there's no place to offload dumpsters, that's going to be a real issue for you during construction. That shouldn't shut down your plans, but you need to accommodate that in what you're going to do. It's going to become a real issue for you.

The big question for me is why 13 units. Why not six units, why not two units, why not four units? I understand that from a development point of view there is a tipping point. You have to do a certain amount of development in order to recoup a loss. But the vast majority of the people that came up to speak tonight, we bought our houses and maybe we did a little renovation and we live there and it's fine. We didn't buy it in order to tear down a one-family or a two-family and put up a six-family so we can make a lot of money.

This neighborhood is about people moving here and staying here, not about buying property and flipping it. I'm just trying to get you to understand how this neighborhood operates. That has been even more apparent since certain businesses like Antoinette's came in. One business, it's fundamentally changed the character of the neighborhood. People previously looked at us as that sort of area nobody wants to live. Now people are clamoring to live in that neighborhood. Probably one of the reasons why you bought this property.

We ask you to respect the fact that we're living there and we would prefer that you didn't try and make a lot of money and make our lives less desirable and reduce the value of our property by increasing problems like parking and traffic.

Thank you.

**Chairman Cameron:** So do we have any more people who would like to speak? I think everyone's gotten up.

**Boardmember Alligood:** The only other comment I want to add, which we didn't as a board talk about too much. The issues of view preservation are, in any scenario, similar to what you're presenting are going to be something that we're going to look at very hard. And we're going to be hearing from the neighbors about those issues. So I think it's something you should be thinking about in your next iteration.

Because, again, talking about quality of life and the impacts on the neighbors, I think even in what you presented in the documents shows that there is going to be an impact on the views.

**Ms. Martelli:** Yeah, that's correct.

**Boardmember Alligood:** Another thing to be...

**Ms. Martelli:** We're trying to be clear and honest, and make sure it's visually ... understandably, as best we can, that we do see an impact given that we're increasing the mass of the building and we know we're increasing the size of the building.

**Boardmember Alligood:** So that's going to be...

[cross-talk]

**Ms. Martelli:** But we're certainly not trying to mitigate that. I think your comments about working with the existing architecture, I think from the neighborhood hearing a positive

attitude of they'd like to see this property – though it's large, in the area, incorporated into the community of Warburton and Washington – more specifically means I think we'll take another look at that architecture and see if we can, in fact, go back and really enhance that traditional and existing look of the building. And maybe more successfully illustrate how we're maintaining the existing structure and if we could still achieve some of our goals.

And I think we'll look a little more carefully into presenting to you the financial aspects of the project. That could be another step to illustrate why we're at the numbers we are at.

**Boardmember Strutton:** Could I make just one comment, I guess? If you come back with a subterranean or, I guess, road-level parking again, you could consider building a top level on top of that, the exposed parking. And extending your lawn an extra whatever, the 14 feet, that a parking space is. And then you'd have a larger place bits (ph), and you'd hide those cars from the street and from people looking down. Just a thought.

**Ms. Martelli:** As a general zoning question – because I think that's an exciting idea, too, and I know what it represents in the structure – does it term us a parking lot if we cover our parking spaces with a greenspace?

**Boardmember Alligood:** You mean does it make it a parking a garage, which is not allowed?

**Ms. Martelli:** Right.

**Boardmember Alligood:** That's what you're asking.

**Ms. Martelli:** Where would we fall?

**Village Attorney Stecich:** I'm not going to accept it.

**Chairman Cameron:** Right.

**Ms. Martelli:** *You* wouldn't accept it.

**Village Attorney Stecich:** No, no. I don't know. I need to know a little bit more, and then tell me what you...

[cross-talk]

**Ms. Martelli:** OK.

**Village Attorney Stecich:** And then I'll look at the code.

**Ms. Martelli:** Some formal conversations about how we could tie those ideas together. OK.

**Chairman Cameron:** So if you put a grass roof over a garage is it a permanent space or not.

**Ms. Martelli:** I'll look inside. I think there might be a precedent about a smaller-scale version of that elsewhere in Hastings. Let me look into that and see if I can recall some the meetings.

**Chairman Cameron:** On view preservation...

[cross-talk]

**Ms. Martelli:** I think just two other issues that we want to make available. This was a lot of positive feedback, and the first opportunity we've had to get public feedback. So we'd just like to extend the opportunity to meet in informal session with the neighborhood, talk about the presentation tonight, talk about how we can develop this project. This is the first of many meetings, so we want to make sure that we're working with our community. And that perhaps we can also get ourselves set up, maybe, for a group or available on-site visits so you can get a better sense of site conditions, what we're proposing for the building as we start to develop the project. And that would be up to the Planning Board, as well.

**Chairman Cameron:** So I think we have a lot to think about. And I'm sure we'll see you again soon, or fairly soon. So thank you for making the presentation, and we go from here.

**Ms. Martelli:** Thank you.

**Chairman Cameron:** Thank you very much.

## **V. OLD BUSINESS**

**None**

## **VI. NEW BUSINESS**

**None**

**VII. DISCUSSION ITEMS**

**None**

**VIII. ANNOUNCEMENTS**

**Next Meeting Date – August 15, 2013**

**IX. ADJOURNMENT**

**Chairman Cameron:** I don't think there's any more business before the committee, so while it's still tonight and not tomorrow I adjourn the meeting. Thank you.