

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
JUNE 19, 2014**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, x, 2014 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, Boardmember Kathleen Sullivan [arrived late], Boardmember Michael Ambrozek, Boardmember Kerry Gould-Schmit, Boardmember William O'Reilly, Boardmember Richard Bass, Village Attorney Linda Whitehead, and Building Department Secretary Mary Ellen Ballantine

I. ROLL CALL

II. APPROVAL OF MINUTES

Meeting of May 15, 2014

Chairman Cameron: Now we're going to the approval of the minutes of the May 15, 2014 meeting. As you know, we've moved to doing them in a PDF form so we're all on the exact same page. If anybody wants it also in a DOS form they can get it, but right now we'll just go to the PDF. We'll see whether it goes faster. So I'll start out by asking at this end do we have any comments on the minutes. No comments. I found a couple of typos, but they weren't material.

On MOTION of Boardmember Alligood, SECONDED by Boardmember Gould-Schmit with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of May 15, 2014 were approved as presented.

III. NEW PUBLIC HEARINGS

- 1. Accessory Apartment Permit Renewal – Application of Margaret Riggs – 112 Lefurgy Avenue – SBL: 4.90-78-25. Waiver required for square footage.**

Chairman Cameron: We have two new public hearings tonight. The first one is actually an accessory apartment approval, an application for Margaret Riggs of 112 Lefurgy Avenue.

Now, there is waiver required for square footage. As Buddy is not here, I volunteer to give the report. He's on vacation. Let's hope there are no flies in the Lake George region.

His report is, there have been no changes in the apartment of occupancy in the last three years. The apartment requires a waiver in size; it is 6.75 percent over the allowed 25 percent. There have been no complaints received by the office in the last three years. They did install the requested smoke alarms and CO2 detectors. Actually, the last time he was there they were thinking about converting, or had converted, a dressing room into a bedroom. He asked them to convert it back, and they have done so.

Do I have any comments from anybody on the Board? Is there anyone in the audience who would like to address this issue? Great. So with no ado, I would entertain a motion for approval of the application of the renewal of the accessory apartment permit of Margaret Riggs at 112 Lefurgy Avenue. This approval also includes a waiver for square footage.

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Bass with a voice vote of all in favor, the Board resolved to approve the application of Margaret Riggs for the renewal of the accessory apartment permit, with a waiver for square footage, at 112 Lefurgy Avenue.

2. View Preservation – Application of Kristin and Daniel Wyatt for the addition and alterations to their home at 7 Edmarth Place. Said property is located in the 2R Zoning District and is known as SBL: 4.30-20-21 on the Village Tax Maps.

Chairman Cameron: We're now going to move to an issue of view preservation and site plan approval for the application of Kristin and Daniel Wyatt for additions and alterations to their home at 7 Edmarth Place. I find it useful, before we start – and Steve will be right here – to read the statute because a lot of people misunderstand what the statute says or what it does and does not say. Essentially, they're looking for the recommendation of the Planning Board as to the best siting, dimensions and configuration of the principal and accessory structures so as to cause the least possible obstruction of the view of the Hudson River and the Palisades – note it's the Hudson River and the Palisades – for neighboring properties and adjacent public property and rights of way. Steve?

Steve Tilly, project architect: I'm here representing the Wyatts. Kristin Wyatt's here. Unfortunately, Danny fell off his bike yesterday and fractured his leg so he can't be here. But as you may or may not know, we're rebuilding the burnout of that house at 7 Edmarth, at

the end of Edmarth, the last house on the north side of Edmarth on the river, which is a small house on a very small lot. There is an addition, or a small extension, on the first floor, which is in existence right now. What we're proposing is to, as we rebuild this house on the interior, add a small amount of square footage, less than 150 square feet, to an approximately 2,500 square foot house.

On the first floor, a very small amount of square footage which, of course, doesn't change the view issue because there is already an addition which is a 4 foot 8 in extension into the backyard which we're not exceeding. We're just duplicating that dimension. And then we're proposing a second floor addition on top of that. And then a very small dormer peeking out of the sloping third floor, which is set back about 2 feet, 2 feet-plus, from the vertical rear wall of the building.

After conversations with the neighbor adjoining to the east, we actually have a set of drawings which eliminate the small extension to the east and shift that to the west. In other words, this allows at least the perception, from the adjoining property, of the diagonal across, which is to the ... I don't know who's there now, but the former Gutman house, which is on Riverview, on the south side of Riverview, at the westernmost corner. So we've made that adjustment to the plan. We have a plan which shows that, which Jonathan can show you, it opens up that corner anyway. It reduces our total area to 130 or so from what we had originally proposed.

But essentially, that's the gist of it. There's a second floor extension at the same dimension going back from the building. There obviously are other houses going east which have extensions. And some of them, I think, go out further so our set of photographs and the aerials show you the line. This is pretty much in line with the other extensions. The adjustment we made is, I believe, the only adjustment that can be made to the arrangement.

With that, if you have questions about the real siting or the volume that we're proposing we're happy to answer them and try to explain it further.

Chairman Cameron: Just to be clear, you're eliminating the addition you had made on the northern side of the house on the eastern corner. So there's now no addition being done there on the ground level. And you're moving that addition to the other end of that thing. But you're still doing the addition on top of that, the second floor of that.

Jonathan Walko, Stephen Tilly, Architect: Correct. The addition originally was planned over for this side. We shifted it to this side over here, and then here to here will be the extent of our second floor addition. We're not going any further north at all. We're just coming up, and then we have ...

Mr. Tilly: So you're exactly right. The second floor and the first floor addition, you pick that up and add it to the west end of the current addition. We're sort of translating. Because most of this house actually is ... because of the original lot size, most of the house's actual zoning followed the house construction. So that whole western side of the house is nonconforming. Originally, we were just trying to stay out of that nonconforming zone, but actually there's no impact by moving it on anybody else – by moving it to the west. So we still have to deal with that nonconforming issue. But this mitigates the eastern corner of the perception of openness.

Boardmember O'Reilly: So instead of it being ... I forget what the dimension was across. Was it 18 feet?

Kristin Wyatt, applicant: I'm sorry?

Boardmember O'Reilly: It was going to be 18 feet across?

Ms. Wyatt: This addition was only supposed to be [off-mic].

Boardmember O'Reilly: No, I mean what's your current ... what's the difference?

Ms. Wyatt: Oh, the difference is we're going from 146 square foot total addition to 132. But on the [off-mic], it was an addition of 19, here only 12.

Boardmember O'Reilly: Lost a few feet.

Ms. Wyatt: Yeah, lost 70 square feet.

Chairman Cameron: So you think you have – and you may indeed have – eliminated the view question from the immediately adjacent homeowner to the east on the ground floor.

Mr. Tilly: That was the discussion that Danny and Kristin had with the adjoining neighborhood.

Chairman Cameron: While we're still focusing on that little piece out there, you've got your garage back there. But that doesn't matter, you can impede your own view. Is there anyone else who would see that? Because you had it on the front. I mean, we just have to ask these questions and think about it.

Mr. Tilly: Trying to reverse engineer the view, we can't see that there's any possible view

shed to the Palisades and the Hudson River that that impedes.

Chairman Cameron: Right. That would be quite an angle, yeah. And then we have the piece on the roof, which is the 7-foot high dormer, I think it is.

Mr. Tilly: Yeah. At the outside it's 6 foot 6 just to maintain minimal habitable space, and then sloping up. But it's set back 2 feet.

Mr. Walko: Two feet from the north elevation and about 18 inches from either side elevation. So it's kind of stepping into the building.

Mr. Tilly: It's pushed in from the sides and the back.

Chairman Cameron: So is your roofline, before you put this dormer up, as high as the roofline of the adjacent house to the east?

Mr. Walko: This one right here.

Mr. Tilly: You look at this view right here, you can see the two houses adjoining. It's pretty much one of those situations where there are a lot of similar houses which have since evolved. So it's kind of a Levittown-like situation [off-mic] addition of the [off-mic].

Chairman Cameron: The question I'm really asking ... why don't you stand over there for these people. Hold the diagram so they can see it on this thing over there, even though it would be hard to see with the camera.

Mr. Tilly: Yeah, it's just hard to see [off-mic].

Chairman Cameron: So the question I'm trying to ask is whether or not there is any potential view loss. We'd have to look and see what they all are first, and then make a judgment, from the attic window of the adjacent house whether they can – through that attic window without the dormer – see the Palisades or the river. Because those are the two critical things.

Mr. Tilly: I haven't been there. The appearance was that it would be very hard to get a view, given the geometry and the dimensions, if we constructed it. And by setting it back, we thought that was making it clear that we would not impede any possible view. But it didn't look like the geometry would allow that. I haven't been there and looked out of that window.

Chairman Cameron: Any comments from anyone on the Board, then I can ask the public to speak?

Boardmember Bass: It's just difficult to tell from your pictures what the actual view would be from the neighbors. Were you denied access to their windows?

Mr. Tilly: We weren't inside. No, we try to do the best we can from the properties that we can get access to. There was a discussion about that first-floor extension in situ with the neighbor from a specific window which was on-site.

Mr. Walko: When we were having the discussion with the neighbor, we were standing basically right in front of that window and kind of looking that way. Then we moved around so we could look at both locations.

Chairman Cameron: If you look at picture eight, Richard, you can see right behind a little porch that's on the building that's getting new construction. You can see a window which is the kitchen window of the house next door.

Boardmember Bass: Right. My question is more, above that window and out of the view of this picture, are the windows on that façade.

Chairman Cameron: There is.

Mr. Walko: There's one in the center of the gable of that house, on the second floor – or second and third.

Mr. Tilly: That's back in the center of the gable, which seems – given the acuteness of that angle ...

Chairman Cameron: You see that yellow triangle in window eight. You can see the yellow triangle up above the gable. And right in the center of that gable there is a window in the house.

Boardmember Bass: OK.

Chairman Cameron: I have not been there. I have been in the kitchen.

Boardmember O'Reilly: If you look at the picture, nothing that you're proposing is bringing the line of the upper storey any further north. It's just going up.

Mr. Walko: No. Everything is staying in line with the north elevation.

Boardmember O'Reilly: And the dormer will be in the upper level.

Mr. Walko: In the upper level, which is pushed back.

Mr. Tilly: The dormer's set back from that plane by another 2 feet and change.

Chairman Cameron: You can see the dormer in A-103.

Boardmember O'Reilly: No, I was just trying to imagine. If you're in the house next door looking out, if we can't see the window in that photograph then the person looking out the window isn't going to be looking towards the river.

Chairman Cameron: I don't know that. I think you may well be right. But we should ask the people in the audience maybe who might actually live in that building [off-mic].

Boardmember O'Reilly: That would be best.

Chairman Cameron: So is there anyone in the audience who'd like to speak?

Jean Schnibbe, 5 Edmarth Place: I am the neighbor. My concerns were the view, obviously, of the river and the Palisades. If they proceed and they changed it – through our conversation we had, moving it to the west – I'm really concerned at how deep this dormer is. Because if I go to my third floor and I look out the window it's going to be totally blocked, from what I can gather. I don't know if that size changes on the drawing or the pictures. But I have some pictures just to show you the third floor view.

Chairman Cameron: We'd like to see them, too.

Ms. Schnibbe: Yeah, absolutely. But I figured Mr. Tilly would like to see them.

Mr. Tilly: Yeah, sure. OK.

Ms. Schnibbe: And then this is the other view from the second floor.

Mr. Tilly: Which won't be affected.

Ms. Schnibbe: Right, it won't be now.

Mr. Tilly: That one, in a way we'd almost have to do a 3-D model to determine whether ... because it's set back in.

Ms. Schnibbe: But according to this diagram, [off-mic] protruding quite larger.

Mr. Tilly: It's set back in this way so that [off-mic].

Boardmember Bass: What's the distance between the two buildings?

Ms. Schnibbe: It's 7-1/2 feet, give or take.

Mr. Walko: The closest one is about 7. feet, and that's [off-mic] house. It's almost 10 feet to the main [off-mic] house. [off-mic] one story [off-mic].

Boardmember Bass: We don't believe in doing mockups in Hastings.

Chairman Cameron: That's one idea, is to go and have them actually do a mockup on the roof of this dormer. And then we can all go back and see it, revisit it a month from now.

Boardmember Sullivan: I stepped away, and I apologize. But I had a conversation earlier today with a friend of mine who lives adjacent.

Village Attorney Whitehead: We can't hear you, hon. Can't hear you.

Boardmember Sullivan: I'm very sorry. I'll stop turning my head. So I apologize for being late ... high school event. I had a conversation with one of your neighbors who lives on Riverview, and I think given what you've compromised ... Jamie explained about putting some ... you know, moving some of the bulk of the addition towards the river. I think they would be interested in seeing a mockup as well. Because when we talked about where the line of the addition was, they were very concerned about how the view may be ... from their home might be affected. And they were looking at the location of the existing one-story addition, and were comfortable understanding that the part that's closest to the river was going to be at that location. So I think maybe two mockups – you know, a dormer mockup as well as an idea of how that edge of that addition may impact views from people that are not adjacent as in a next door neighbor, but also an adjacent street.

Mr. Walko: Sounds good.

Ms. Wyatt: Excuse me. Can you use a mic now? It's very difficult. It's hard to hear you.

Boardmember Sullivan: OK, I'll try. Thank you.

Boardmember Bass: When we do mockups here, do we do it by rope, do we do it by tubing? What's our procedure?

Boardmember Sullivan: Well, we had it with the project up on North Broadway. Remember, we had the view of the [off-mic]. I'm not sure this is working.

Ms. Schnibbe: Maybe give them the mic.

Mr. Walko: She's very thoughtful.

Boardmember Sullivan: I'll try. Is that better?

Mr. Walko: A little.

Boardmember Sullivan: It might be my mic. When we did the ... looked at the logia (ph) on the project on North Broadway, the view from the condominium – do you guys remember?

Boardmember Gould-Schmit: [off-mic].

Chairman Cameron: Well, I remember 400 Warburton, where we had a flag up there and a line.

Boardmember Sullivan: We did. We also did the large home up on Broadway when they were doing the second home.

Chairman Cameron: Oh, yes. Yes, that's true.

Boardmember Sullivan: Remember that? We had an indication of where that logia (ph) was going to be because it would impact some people's view from their home.

Boardmember Gould-Schmit: Oh, yes. Yeah, yeah.

Boardmember Sullivan: Remember? OK.

Chairman Cameron: Well, I think a complication I was worried about has arisen. I think we need to go and put a pole up there. On the front corner, I think you can do a pole out there where you're planning to extend it out. And we'll just see how visible it is, what people

can see. And then on the roof, I think you need to put a vertical and a horizontal up there. It probably only needs one down this end, on the east end, just so people can see where it is. We don't need a roofing job.

Ms. Schnibbe: A visual would be good.

Chairman Cameron: It's an indication to us that we should urge people to ask for access to people's homes so they can look at them and know what it is before they get here and lose 30 days by having to wait. I apologize for that. [Unintelligible] actually was [unintelligible] of the space, but I was allowed in. So any other thoughts?

Boardmember Ambrozek: Yes. I think that really we need ... because we're concerned about the view from at least two different directions – one from pretty much due east and the other northeast, from River Place (sic) – we actually need to have outlines of both the dormer and the second floor extension, which would obviously include the bottom of the first floor extension, both at the east and west corners.

Mr. Tilly: I believe that's what Jamie was suggesting.

Boardmember Ambrozek: OK.

Mr. Tilly: I mean, I can stipulate that most of the view that you're seeing in that photograph will not be affected from the third floor. However, I can't convince you of that without a three-dimensional model. Probably, the way it's currently proposed, there would be ... on that photograph there would be a very small increment. Most of the view would still be there, but there's a very small increment that would be on the left-hand side of the tree that you're seeing, some of which is obscured by the tree that would be covered.

So the dormer could be pushed to the west. You know, the easternmost boundary of the dormer could be moved to the west, if you see what I mean. In other words, shoop (ph) and it gets it out of the way because of the diagonal. Because that is a very strong ... that view that you're looking at is a very strong diagonal, so that as you push things along it disappears quickly. But I'm not going to be able to convince you of that tonight, so I guess we'll have to wait 30 days.

Boardmember Ambrozek: The other thing is, it would be very helpful if the photos, instead of pointing towards the source of where the possible view impact is could somehow be taken from those positions.

Mr. Tilly: Well, of course. But you have to realize the situation of interlopers who have to

stay on public property and don't have access until the expression is made at the meeting of a specific concern that then we can respond to. I think, unfortunately, the key only gets unlocked when we get here with your sort of extra oomph. So that can help us, but we can only get in with permission of the owners. So we do the best we can, short of that.

So yeah, we'll have to figure out how to mock that thing up. You know, we have enough trouble with the condition of the building after the fire that I don't want to create any more penetrations. But we'll figure out a way to do that and get up there, and somehow put the geometry of the eastern border up there. I mean, the pole is easy, which is the view southwest, I take it, from Riverview Place, which I don't think is really an issue. But again, we can demonstrate that and we can use a storey pole that we have which is easy to do.

Boardmember Alligood: Can I just point out, now that you have this photo – which is actually really helpful, it's from that window that was noted before – what we've gotten in the past is, in the photo kind of an outline of what you anticipate to be ...

Mr. Tilly: Yeah, of course.

Boardmember Alligood: I know we're talking about the mockup outside visiting the site, but we're also talking about ...

Mr. Tilly: Yeah. But I think what we'll do is, if the neighbor will give you access you'll go to that window and you'll see rather than my ... I can do a 3-D model of that, obviously, now that I have that photograph and do it. I just haven't had that photograph or access to that location before.

Boardmember Bass: So can I ask a personal favor? I'm taking a vacation in the middle of July. Could we do the mockup before I leave? Because I come back on the 17th for a hearing.

Mr. Tilly: We'd be delighted to do that. We'll try to do that as soon as we can get somebody there. I mean, the storey pole corner is immediate. You know, I can go out right now and do it. But getting up on the roof, give me 'til Friday. Or give me 'til Monday.

Boardmember Bass: Thank you. And the other speaker, if we, after the mockup is up, if you wouldn't mind giving us access. We can't all come at the same time because that would constitute a quorum, but we'll come in with twos and threes.

Ms. Wyatt: Whenever.

Boardmember Bass: Thank you.

Chairman Cameron: Thank you very much.

Mr. Tilly: Thanks.

Chairman Cameron: Oh, yeah, sorry. Is there anyone else who would like to speak? Good point. Another neighbor. Sorry, Molly.

Molly Roberts, 3 Edmarth Place: First of all, I just want to express the tragedy of the fire, Kristin and Danny. That you're in this position is horrible. I don't know, I just struggle with that overall.

We're talking about the site and the views. But I guess I want to speak about the neighborhood and how the immediate plans affect the visual sight lines of the neighborhood, and how it starts to change how these houses were originally created. It may not speak to the view preservation, but it speaks to just the aesthetics of the neighborhood. You know, I also was in the same position with Kristin and Danny a couple years ago because we tried to put a dormer on our house. We were standing here in front of you, and it was approved. But our plans changed.

So I understand the position of wanting to gain more space, and understanding the needs of a growing family. But I think sometimes in design or renovations, things start to change the viewpoint of the neighborhood. I just want to bring that to your attention. I think the dormer can be considered a nice design vernacular to what I think of as a historical neighborhood. But sometimes, when I look at that plan and I see how it's positioned from the ground all the way up to the roofline, I question whether that speaks to the language of the current neighborhood. That's it.

Chairman Cameron: Thank you. Is there anyone else who would like to speak on this matter? All right, thank you very much. Oh, yes.

Boardmember O'Reilly: One more.

Amy Dellarocca, 5 Riverview Place: I'm sorry to be late. Kristin, hi. I'm so happy they're rebuilding, and we want to keep it really positive. The only thing I'll have to say, obviously I'm really late tonight. I haven't had a chance to look at the plans. I'm sure it will be done very tastefully. I think the charm of this neighborhood is so much about these historical houses and them being consistent with each other. I know some things have been done in the neighborhood – I'm not sure when they've been done – to make them look different from

each other. I think as much as possible to preserve them being similar, it's why people walk through town and tours that come through. It just keeps it very charming, and that's really the only thing I would say. I think as much as can be done to keep the houses consistent with each other, there's a charm in that that everyone who lives around there I think really values.

And that's all I have to say. Thank you.

Boardmember O'Reilly: Jamie, I had one more question. In relation to the dormer, since that's the one we're asking about, what extra space does that give you, and for what? I had a sense that somebody was questioning before whether the dormer itself is necessary.

Mr. Walko: It gives us additional space on the third floor of the attic.

Boardmember O'Reilly: How much space?

Mr. Walko: Almost a full-height bathroom on the second floor – I'm sorry, the third floor – and then a bed. It extends the size of the existing bedroom, which has a really sloped, steep ceiling and not much head height in there. So it adds a bedroom to a family of three children, two adults. And then a bathroom, which is always helpful with children.

Mr. Tilly: So, right now, it creates a space where kids can have their own bedroom. So it's valuable space in what's a very small house at this point.

Boardmember O'Reilly: OK.

Mr. Tilly: At this point, given the extent of the construction, this is the moment for small increments which make a big difference. I mean, we wouldn't be here unless it was. After our analysis, it was considered really valuable. I mean, we're not ... it's going to cost a little more to go into that part of the world. Certainly, as somebody who's spent my life working seriously on historic buildings, we're aware of the character and the sort of modified Queen Anne kind of ambiance. You'll note that we're not doing additions in the front or the side, the classic way they do add on to these buildings and change.

And if you look at the history of that kind of building in Hastings on Edmarth and the adjoining streets, you'll see a set of tents and lean-tos and various kinds of things that happen that come and go over time. This is very much in the tradition of that. And the scale, the materials, the openings, the trim and everything are going to be carefully developed to kind of support and promote that character. But I know that's not the issue that is before you, but just to make that statement.

Chairman Cameron: Jean, another?

Ms. Schnibbe: There is an existing third-floor bathroom, correct? Is there an existing third-floor bathroom?

Ms. Wyatt: Yeah. It's very small, and the whole thing ...

Boardmember Ambrozek: Could you please use the microphone so that the people in ...

Chairman Cameron: Here you are.

Ms. Schnibbe: I was just questioning if it was still there.

Ms. Wyatt: Yes. Jeanie had just asked if there was a third-floor bathroom. And it is there, except it's an incredible slant. So like when you're standing in the tub, it does this. We have three boys, and they are 8 and 11 and 7 months, and they're only getting taller. So by moving the bathroom to the other side allows them to have a normal height ceiling. It's not that there wasn't a bathroom, it's just that they're going to hit their head very soon. So if we can have the dormer, my understanding is that it just levels out the ceiling so it makes it more of a normal bathroom. We're not making a Jacuzzi tub in it and doing stuff. It's just to sort of level it into a normal sort of size.

Mr. Tilly: It's eliminating the head knocker and allowing a shower – crouching, but shower.

Chairman Cameron: OK. Thank you very much.

Mr. Tilly: Thanks.

IV. NEW BUSINESS

Steep Slopes Approval – Application of John Picone to build a single-family home on the vacant lot located between 42 James Street and 6 James Street. Said property is in the R7.5 Zoning District and is known as SBL: 4.140-151-44 on the Village Tax Maps.

Chairman Cameron: So we move on to our next item under new business. We have an application by John Picone for steep slopes approval in connection with his building of a single-family home on a vacant lot located between 42 James Street and 6 James Street.

As some of you may recall, we approved a subdivision of this lot from the adjacent lot, which is called 6 James Street, about a year ago.

John Picone, project property owner: Is it on?

Village Attorney Whitehead: I just turned it on. Is the green light on?

Thank you for having us here tonight. Appreciate your time. This is my engineer, Hong McConnell. You did subdivide this property a year ago, approved the subdivision. And I have before you a plan to put a house on the property which, I believe, is in the maximum possible compliance with the requirements of the steep slope, which is to minimize and disturb the slope to the minimum extent possible. I put the house in in such a way that I would have to almost disturb nothing. But I had to go into the corner of a very small part of the slope, I believe it's the northwestern corner, a which point it goes and it does like 60-something square feet. But the reality of it is, it's right next to that. And part of it is the slopes that are below ... above 15 percent and below 25.

In order to properly put a swale on the property to make sure all the water is properly put into the drainage system, I have to disturb that 225 square feet, a round number. I actually did all the calculations, but I understand it's my job to make sure that the amount of roof that is ... once I make a calculation for the total land as it is, unimproved, I need to make the amount of additional drainage that occurs after our roof is introduced, our structure is introduced, is fully contained in the drywells.

Chairman Cameron: It's actually all impervious surfaces. It includes the sidewalk and things like that.

Mr. Picone: Right. And the new code actually requires a 50 percent pervious driveway, so we've included the driveway, we've included the front stoops, we've included the deck, we've included the back stoops, we've included the roof over the front door. So anything that's impervious is in that calculation and has been added into it.

So with that, if you have questions we'd like to answer them.

Chairman Cameron: Anybody here have questions? I have some questions.

Boardmember Sullivan: I will go after you.

Chairman Cameron: OK. The first one I really have is the area behind the garage, where you actually haven't ... and if you look at the colored diagram you have, you actually haven't

dealt with the contour lines back there.

Mr. Picone: Yes.

Chairman Cameron: I'm a little concerned about how cramped it is back there, and whether the water really will make it out that side. I think you need to do more work back there to carve a little bit into the hill and make it a bigger flat spot for the water to escape off the – as you look at the building from the front – off the left side. And possibly extend your French drain up and around the corner so it's actually picking up the water up there. Because you're at the base of a very steep hill, and while we are trying to get rid of the water which is coming off the impervious surfaces we've got to be conscious about the fact that there's water coming down that hill, which will be joining your water.

I was there – a bunch of us had been there, I think – and noticed you had a bunch of bulrushes on the flat down there, which does indicate those ...

Mr. Picone: Cattail things?

Chairman Cameron: Cattail things. You indicate how much water used to come down before, I think, the owner prior to you sort of filled in the land. But the cattails are still there.

Mr. Picone: They're actually a new thing. They weren't there three years ago. They're new, because a fellow by the name of Sal [Sanzo] XXX did a foundation job on the house to the left, [Katarina Spilo] XXX and the [Bazegos] XXX. He went in there and bastardized my property and actually made that area more of a slope than what it was. It used to be part of the back, but he thought it was very convenient to slope it down very nicely so he could bring his machine up and dig up their old foundation and then leave it empty for two years while I was trying to get them to get the job finished. So I'm a little victim there, but it is what it is. It can be worked with no matter what it is.

But to speak to that point, you know, water flows downhill. I'm the one who drew this plan, OK, and that's the highest point. So the only way the water can go is right or left, OK? This whole plan with this French drain thing, this is not part of the steep slopes actual application. I put this in there in response to my wanting to make sure that I properly drained the property and fishbowed (sic) into a situation so it would be directed into the drywells.

Chairman Cameron: It's interesting. The dirt you have in the back, the 101 feet. Because I think 2 feet above the door you have in the back of the garage. So that door you have in the back of your garage is underground right now.

Mr. Picone: The door was going to be at ... no, the door is going to be at 100.

Chairman Cameron: Your dirt is at 101, and the dirt goes below the 100 mark on your piece of paper.

Mr. Picone: Right.

Chairman Cameron: I think it's not particularly hard for you to extend the French drain behind the building to get better drainage.

Mr. Picone: No, that wouldn't be a problem. I put this all in on purpose, this 200 feet of drainage. And it actually is a whole storage area that can be calculated in. I would bring it all the way around and I would bring it right below the 99.5. And do that all the way through, so go either which way.

Chairman Cameron: That's what I was asking you to do, actually.

Mr. Picone: I would stipulate you could do that and make that a condition of approval.

Boardmember Sullivan: What page are you looking at, Jamie?

Ms. McConnell: Page 13?

Chairman Cameron: If you look at this page here ...

Ms. McConnell: That's the one with the French drain.

Chairman Cameron: [off-mic] garage that 100. If you look at the back side, these prefab drawings, you can see where the door is on the drawing.

Mr. Picone: The thinking was that the slab ... I was going to put a slab in there. And I was trying to ... no, actually, a door step. But I was trying to make it go ... I put it at 101 because the door is actually at 100. There are two steps in the actual ... inside that door, OK? So the door in the garage, even though the garage floor is at 100, it will be 17 inches higher, two 8-1/2 inch steps. So that door is going to come out at 101.8 or something like that, and then go down onto a little stoop, which is then from there at 100, or 101, which is going to float down to the 99.5 area.

Chairman Cameron: Well, that's not what your drawing says. That's all I can say. Your drawing says that the garage elevation's 100.

Mr. Picone: Yes. But in the garage, inside, I'm going to have a step and a platform. So when I go out into the backyard, I will be at 101.5.

Chairman Cameron: You're going to have a door like in a submarine, where you go up and down.

Mr. Picone: No, no. It's above. I'm stepping up two steps.

Chairman Cameron: I understand that, but that's what that is. OK.

Mr. Picone: It's not, though.

Chairman Cameron: The next item on my little list is actually the pervious driveway. Actually, I was talking to the Building Department, and I'm going to hear from them. They think the pervious driveway is a great idea, but they still think you need a drain across the bottom of the driveway.

Mr. Picone: I'll put it in.

Chairman Cameron: There was a metal drain. That's the underground one, I think. The purple line you have.

Mr. Picone: That's correct. But that is very pervious because it's got ... what's going to be in that driveway, I'm going to end up putting stone in that driveway because grass doesn't grow very well there, OK? So it'll be 50 percent pervious. So what will happen, if it even washes down that far it'll go right into the product, which is this – I call it a "noodle," the easy drain – so there's nothing ... it's the same effect as having an actual drain there.

Chairman Cameron: Yeah. I think you're going to hear from the Building Department – you're hearing from me, anyway – that we want a metal drain across that even though it is a pervious driveway. Because people have a habit – new owners, once you sell this house – they go in and pave the driveway. You just lost your ...

Ms. McConnell: Oh, yeah. So future owners have a tendency to ...

Chairman Cameron: They just go in and pave the driveway. They're leaning towards – and I think the same way – that you should actually put a metal drain across that.

Mr. Picone: I could do that.

Ms. McConnell: We can put a metal pipe in that's ...

Mr. Picone: I should put the actual drain in instead of a pipe drain.

Chairman Cameron: Yeah.

Now another question I have, you've got these simplex drawings here. Are you actually going to build this house, or is this just a ...

Mr. Picone: No, that's the house that's on order.

Chairman Cameron: On order, OK. So this house has a basement.

Mr. Picone: Yes, it does. I'm not sure what the term is. It's "cellar," I believe, in the ground.

Chairman Cameron: Yes, because I can see the stairs going down someplace. So you're not going to have any windows down there? You're not going to put any window wells in or something like that?

Mr. Picone: No, I'm going to put windows in.

Chairman Cameron: But you're underground.

Mr. Picone: No, it's at 95. The ground there is approximately 97.5 or 98. The final ...

Chairman Cameron: This says 99.5. So you've got 6 inches.

Mr. Picone: That's the ground.

Chairman Cameron: I know. But then you've got the ... the top of the stairs it at 104.

Mr. Picone: No, that's 8 inches below the first floor, which is 104.

Chairman Cameron: Well, it says here, "First-floor elevation 104" on your drawing.

Mr. Picone: Right. That means the stair is 8 inches below that because I would have to step up.

Chairman Cameron: I don't understand. Maybe you better come back with a drawing with windows in it.

Go ahead. I'll switch it to you.

Boardmember Sullivan: Jamie, just to follow up on that, how tall is the house? How tall is it to the top of the roof?

Mr. Picone: It's like 28 feet; way below the 32 that's allowed.

Boardmember Sullivan: Buddy's not here, but when you're showing that the first floor is at 104, and grade is ... I think we have to measure the height of the house from the original grade.

Mr. Picone: I have. I have.

Boardmember Sullivan: Which is around 98. So that's a difference of 6 feet to the first floor from the grade. I think the house is going to be taller than the 35 feet that you're permitted. So it would be very useful, just to follow up on what Jamie's saying, that the drawing from the manufactured home factory could be modified to reflect the grades that are really going to be around the house. And show windows, if there are such things, into the basement.

Mr. Picone: I'll have to give you an engineering plan from an architect or an engineer. That would be easier. They don't do custom work, but I haven't asked them to do that and I can do that.

Boardmember Sullivan: Yeah, someone could take the dimensions of the home that you're purchasing and just fit it into the grade and show, to answer Jamie's question about what's happening behind the garage, and to verify for sure that this thing isn't going to be too tall.

Mr. Picone: Perhaps a cross-section of that area would be best.

Boardmember Sullivan: That could be very helpful.

One other question, and this is a grade question. I got concerned ... I mean, your package is pretty clear to understand. Based on our cover letter, it seemed like you had some back and forth with Buddy about the number of drywells. So without him being here, I ...

Mr. Picone: We used a 25-year and we were supposed to use 100, so he asked us to make it

100 and we did.

Ms. McConnell: So we changed to 100 for the rainfall.

Boardmember Sullivan: And I'm grateful that that's all gotten sorted out. What concerned me, and what I always kind of look at, is how the property line ... what are the grades at the property line. I got concerned looking at the drawing that Jamie was pointing to, page 34. It looks like you're doing some regrading along the property line to the south. You have a 100-foot contour. The next contour is a 98, which is dashed and going through the building. There are a lot of indications of 99 that actually goes towards the street. It looks like you're putting a lot of fill up against the southern line.

Mr. Picone: No. What's happening is, there may be some fill there. It's at elevation 98 or 98.5 right now at the end there. But the thing is, though, that Deven asked me to create ... he said to me if I was doing this house, as an architect I would want to try to take and keep all the possible amount of water I can away from my neighbor. So in response to that, I did this. He's got a natural hedge there, OK? So the thought process is, if I made it fishbowl into my French drain then go into the drywells that I would stop any possible water from going onto his property. And that's why that was done.

Boardmember Sullivan: Right. But I think, in grading it, you can't ... like where it's contour line 98, you're now saying it's contour line ... you're making a spot elevation of 99. So you're basically adding a foot at the property line. So it needs a retaining wall or it needs to be ... I don't argue with the thought process of trying to create a swale around this building, but you shouldn't modify the grade at the property line because you're impacting that neighbor's property.

Mr. Picone: Well, would it be better for me to put a 1-foot retaining wall down up there?

Boardmember Sullivan: I think you need to talk to Buddy and work it out, or look at the original grade.

Mr. Picone: He's not the designer, though.

Boardmember Sullivan: Or look at the original grade of 98 and swale from that, rather than swaling (sic) from 99.

Mr. Picone: I could do that.

Boardmember Sullivan: But you've created a situation where you're building fill up against

the property line of your neighbor.

Mr. Picone: But is it wrong? Is it now allowed? Is it something that I can't do?

Boardmember Sullivan: You're going to have grade here ...

Mr. Picone: Yes, a hedge.

Boardmember Sullivan: ... and you're going to ... and this is the property line, and you're going to have a foot of fill and nothing supporting it.

Mr. Picone: Well, I could ramp it up very nicely just like that and do like that. There is no support required.

Boardmember Sullivan: What I'm just saying is you're showing the spot elevations along the property line.

Mr. Picone: Proposed grades.

Boardmember Sullivan: Which are higher than what are going to be on the other side of the property line.

Mr. Picone: Right.

Boardmember Sullivan: That's a problem.

Chairman Cameron: Well, you can obviously put a row of stones in.

Ms. McConnell: Yeah, you can put like just a foot-high little ... a concrete little walk to retain your soil just to raise the elevation. It was for the benefit of the neighbor to divert any water flow into his own property. But if that creates a problem we can build a wall or just eliminate that.

Boardmember Sullivan: I think it just needs to be looked at. Like I say, I can give two choices. Somehow support the fill that you're adding, or re-look at it and use the high point along the property line to be the existing contour point, the existing elevation, and swale from that.

Mr. Picone: I get what you're saying.

Boardmember Sullivan: OK.

Mr. Picone: I understand what you'd like me to do. But I would like to know, is there anything wrong – if I make a plan which allows me to go up gently and go like that the way I want to do that – rather than just having it 1 foot. Is there anything wrong, improper with the code or steep slopes that would stop me from doing that?

Boardmember Sullivan: When you say you're going to go up and then go down, as long as when you start at the property line you're using the existing elevation that's there.

Mr. Picone: OK, then I get it.

Ms. McConnell: Keep it low at the property line, then come up and then go down again.

Mr. Picone: A floating, smooth scenario that's not deleterious to my neighbor.

Boardmember Sullivan: Yeah, as long as it's on your property.

Mr. Picone: Because, quite honestly, I'd like to do that. I don't want to put a row of stone there. I want to be able to interact back and forth. I know the people, we're friendly, and if it's not going to be a problem then I don't want to give him a problem either.

Boardmember Sullivan: Thank you.

Chairman Cameron: So do we have any more comments? Do we have any comments from the audience?

We have three things we want you to do. One is to extend the French drain around the left side of the house all the way to the garage back door. Another alternative – which I just throw out – is you could just connect it to the other drain so it's a continuous drain, so it doesn't matter which way the water goes.

Mr. Picone: That's what we're going to do.

Ms. McConnell: Just connect it.

Mr. Picone: And as long as I give you a cross-section showing you the doorway, and it's not underground, your concern is addressed.

Chairman Cameron: I think you still have an issue on telling us that you're going to have

100 feet of dirt back there and still get windows in. I don't know how you're going to do it, but that's up to the Building Department.

Mr. Picone: That's only the front, not the back.

Chairman Cameron: They'll be alerted to that. You're going to widen and reshape the 15 percent slope behind the left-hand corner as I'll call it of the garage so we have a flat space there. You're going to redo the contours.

Mr. Picone: So when I do that, should I ... do you want it recalculated?

Chairman Cameron: No.

Mr. Picone: We're OK within our calculations?

Chairman Cameron: It's not a big thing, but you will be talking to Buddy. He's on holiday, otherwise he'd be here to discuss it with you. Then you're going to add a metal surface French drain across the driveway.

So assuming other people want to sign on to this, I have a resolution.

Boardmember Sullivan: Did you mention a drawing that verifies that this building isn't too high?

Boardmember O'Reilly: The height of the building?

Chairman Cameron: Well, that's up to the Building Department. It's a single-family home. We don't actually have jurisdiction over that.

On MOTION of Boardmember Bass, **SECONDED** by Boardmember O'Reilly with a voice vote of all in favor, the Board resolved to approve the steep slope application of John Picone for steep slopes in connection with his building of a single-family home in the vacant lot located between 42 James Street and 6 James Street. And it's approved based on the plans and drawings submitted to the Planning Board with the following conditions: 1) extend the French drain around the left side of the house, all the way to connect with the other drain – so it's a circular drain; 2) widen and reshape the 15 percent slope area behind the garage to provide a larger flat area going down from the garage in consultation with the Building Department; and 3) add a surface metal trench across the driveway draining to the drywells, and install sediment screens – the screens you can pick up.

Chairman Cameron: Thank you very much.

Mr. Picone: Thank you.

Ms. McConnell: Great, thank you.

V. OLD PUBLIC HEARINGS - None

VI. OLD BUSINESS - None

VII. DISCUSSION ITEMS

1. Hastings Zoning and Parking Requirements

Chairman Cameron: We have some discussion items. I guess the first discussion item we can do is the memo which Richard distributed to us. I guess it's written by the summer clerks or whatever they're called. You got a copy of this memo, didn't you? So you were soliciting comments were you, for people who have comments?

Boardmember Bass: Again what I would like to do is, I've tasked them to give me weekly updates of their research, their thoughts, their findings, their additional questions so I can share it with the Planning Board and with the Village.

Boardmember Alligood: Well, I thought the comparison of the way our codes are written in the various towns, surrounding towns, and how we compare in terms of our codes regarding parking was really helpful. I'd never seen it laid out that way. This really clearly explained how ours is different. I mean, each one was different but, clearly, there were some major differences in our code compared to Irvington, Dobbs, and Tarrytown. I felt that was really good information.

Chairman Cameron: Have they been visiting our town?

Boardmember Bass: Yes, I gave them a nickel tour of the four Rivertowns.

Chairman Cameron: I have a slightly different take on some of them. That is, that it was

in 2013 that the Board of Trustees changed the zoning. The requirements essentially said anything with less than 2,500 square feet in the downtown doesn't have to worry about parking. They could just park on the streets, both retail and restaurants. Essentially, if you look at the buildings carefully in the town, except for the large former Peugeot dealer and Hastings Restaurant you don't have anybody with more than 2,000 square feet. So they basically said you have no parking requirements for any of those people who want to build whatever uses they want on the retail and the restaurant side.

I think actually, on that basis, we're the most liberal of those four. Then I read this report here, and I get the feeling that we're somehow not that helpful. But if you look at reality, at what we have, you don't have a parking issue anymore if you have less than 2,500 feet and you're doing basically retail and restaurant. So I had a slightly different take on net-net if you went and looked at everything. And we have some provision in the code that you can't actually have what we refer to a big box store. So you can't come in and connect two buildings together, knitting the things together. There's some provision someplace. I don't know where it is, I didn't have time to look for it. But that was interesting to me.

Then on the large restaurants, I was just thinking how similar the two towns are. First, I counted out ... I think we have 13 restaurants. But if you look at big restaurants, we have Harvest on Hudson. That's down there, lots of parking. Well, Dobbs Ferry has Half Moon; down on the waterfront, lots of parking. Irvington has Red Hat; down on the waterfront, lots of parking. And Tarrytown has River Market; down on the waterfront, lots of parking. And I don't think any of those towns – and maybe I'm wrong because I don't go to enough of those restaurants – have any big restaurants. So our Hastings Restaurant really was an exception. I think we found a way of accommodating them. I was actually joking that we actually might have even saved them because had we approved them a year earlier they would have been halfway through as we dove (sic) into the 2008 recession and they might not have emerged. But that's not good planning, that's just something that happened.

Boardmember Bass: Well, your point about the size. That was one of my questions back to the interns was to get uses and the size of those uses so we'd have that type of information. I would imagine the Chamber of Commerce or the various villages or the numerous planning studies [inaudible].

Chairman Cameron: And then we also have a second district, the MR-C district, which doesn't have ... it has Antoinette's in it, but it has other potential which goes from the other side of the bridge down as far as Antoinette's. Which is also a mixed residential commercial. So we actually have two commercial districts.

Boardmember Alligood: I just wanted to add one thing that was a big concern to me during

the site plan approval process, which isn't addressed here. Something that I spent a long time raising and never felt was properly resolved was deliveries and where the garbage gets picked up. That part of the code would be good to look at because what ended up getting approved is that deliveries would all come through Spring Street. When we looked at all the deliveries that happen on that street already, it's a very short street that is a main way to get down to the train station. And multiple deliveries. That, to me, was almost a bigger concern than the parking. Because I think, as Jamie said, we resolved that. It just took awhile to figure out.

Chairman Cameron: Well, interestingly, if we could combine the funeral home and Hastings Market we've got tons of parking, views of the Palisades. I was standing there on the corner and I ran into one of the Riolos, who had a client there who wanted to buy the Hastings Restaurant. But he wanted to buy it because he wanted to put windows on the back side and look at the Palisades. I said, well, we've got a funeral home right there and you've got zero clearance between your building and theirs. But that, to me, if they could find an innovative way of getting people to put that to use and attract someone to do it. I know that's not a big deal, but that would be absolutely wonderful.

I also would love to hear ... they had this thing about one-time fees ranged from \$5,000 per space, but \$15,000 per space if the waiver is over 10 spaces. I'd be curious to see how many they've sold. You know, whether this is something they put in their law but no one's ever used.

Boardmember Sullivan: And is that just for commercial parking spaces that are generated from commercial uses? Because the short time I've been on the Board I've seen more issues come up, not necessarily in the central business district, but where we're being asked to have a residential use; where we're asking the owner-developer to try to accommodate all their parking on their lot. That's happened in pretty dense areas. But I'm curious when payment in lieu of parking, if it's just in their commercial district.

Boardmember Bass: I think they were just looking in the commercial district, but they didn't break out whether that was relief from commercial or residential parking requirements.

Boardmember Sullivan: It would be just interesting, and I kind of vote to keep as commercial than trying to deal with the residential for a new construction.

Chairman Cameron: I have in the back of my mind that the Trustees considered payment in lieu of parking and rejected it sometime in the last four or five years. That would be accurate for [inaudible].

Also, this comment about shared parking lots. I think there's really ... well, I can only think of two private parking lots in town. One is the one on the other side ...

Boardmember Bass: Where are you? Which paragraph?

Chairman Cameron: It's page three, I guess. They're not numbered.

Boardmember Bass: I'll bring that to their attention.

Chairman Cameron: It says – second to last paragraph – "It seems that Hastings has pure exceptions for shared or consolidated parking lots." We have that little parking lot opposite the old Peugeot dealer, which they own, actually. So that's a private parking lot.

Boardmember Alligood: Wait. The one across from the post office?

Chairman Cameron: No, down, going north.

Boardmember Sullivan: Right by the church.

Boardmember Alligood: Oh, yeah, yeah.

Chairman Cameron: That's their private block. And we have Saint Matthew's church, but not that they're likely to rent that out. And another good idea on parking that has been discussed before ...

Boardmember Gould-Schmit: The bank is not the best example of corporate citizenship. Nobody parks at the bank. I mean, I have to ask – I've lived here a long time – are there funerals [inaudible]? Is it busy?

Village Attorney Whitehead: Wakes. I think generally more wakes than ...

Boardmember Gould-Schmit: Is that ... I just always wondered. The lot is empty.

Village Attorney Whitehead: They used to be a lot busier.

Boardmember Bass: People are living longer.

[laughter]

Village Attorney Whitehead: They used to be a lot busier, but they still do ...

Boardmember Gould-Schmit: It is a little frustrating to see both those big lots empty often. But that's another issue. I mean, they're owned privately, unfortunately.

Chairman Cameron: Another thing the town tried at one time was to try to get people to have their employees park up on Euclid Avenue – not Euclid Avenue, Edgar's Lane. In fact, there's a lot of cars parked on Edgar's Lane. I think they were all the ones working on the big house down the street. I'm not allowed to say their last name.

Boardmember Gould-Schmit: I know they do that... I mean, even the doctors office, Pediatrics on Hudson, their employees were encouraged to park at Zinsser. I know they do.

Boardmember Sullivan: One other issue is, I think their analysis indicated that we might have more stringent parking requirements than some of the other towns, as well.

Boardmember Bass: I wanted to see what they meant by that.

Boardmember Sullivan: That would be interesting just to see what the differential is.

2. Village Lot Coverage

Chairman Cameron: I did include a bunch of information, which I e-mailed to you all, both the April 2013 minutes, some guide ramps that Kathy had done and a memo that Marianne had written. I think we need to deal with that. Maybe I sent them out too close to this meeting to start discussing it now, but I'd like to get us to start going through the coverage issues and seeing how we can look at, rationalize, understand that.

Boardmember Sullivan: I'd like to also, Jamie, with the memo that came from the Zoning Board, re-look at the diagrams. Because those were done in advance of that whole conversation. So I'll look at those and make revisions or let folks know that what I did was ...

Chairman Cameron: Well, we may have a quiet July and we can do it then. But I wanted to get this out to you guys.

Boardmember Ambrozek: Well, Jamie, I actually spent a bit of time thinking about lot coverage. I think in sort of, in my mind, went to try to go back to first principles. So I would just like to enunciate what my thinking is. This is not saying that this is the way it has to be. But to me, lot coverage starts out with the concept of a square lot and applies setbacks from

rear- and side yards. And also applies ... the issue of how much building cover there is and total impermeable coverage or additional impermeable coverage.

So I looked at the zoning map of the Village, and most lots are not square. As a lot becomes narrower, the setbacks have more an impact on the shape and location of the building. Additionally, setbacks can be difficult to apply on lots that are not rectangular. We have some lots that are fairly unusual shapes; some of them are five-sided, even more sides; a few are triangular. Also, lot coverage, as a principal, works well on paper but doesn't address some of the realities that we face in Hastings, where we have slopes that have rocky outcrops which will affect building costs, siting of the buildings meeting the setbacks.

Then lot coverage needs to also address issues of when we have multiple contiguous lots. There's not many of them. Usually, lots are just an individual lot. But there are some situations where a building actually comprises – a building is proposed to comprise – multiple lots, and they get ... the lot lines are moved, either split or combined as we've sometimes seen. So the issue of the setbacks for that kind of thing, and how we apply them, needs to also be considered.

Lastly, and this has come up even this evening, Hastings now has many old building and few vacant lots. So that the conservation of these – although we can't do it through the Planning Board – I think Hastings may need a preservation board. This is just something we could bring up to the Trustees for this purpose. I mean, we're a village over 120 years old.

Then my last thought is that lot coverage variances should be allowed where easements such as paper sidewalks or public parklands are provided to the benefit of the Village. We don't have that as part of our lot coverage provisions. Then just as a personal question on lot coverage, I don't know how setbacks are categorized front, side, when you're talking about a corner lot; how does one determine where the front is or where the side is.

Chairman Cameron: Well, we have rules for that.

Boardmember Ambrozek: OK.

Chairman Cameron: You can choose. On many things, you can choose which one is your front yard.

Boardmember Ambrozek: I suspected that was the case.

Chairman Cameron: But not in the downtown district, where it's mandated. The major streets would be your front. But there are rules on that. And on the sidewalks, Linda, you

may know the answer to this. But I think if you're giving up sidewalk that still counts as your land, probably for your coverage. In other words, it's still your square footage.

Village Attorney Whitehead: If you still own it, it's still part of your property, it still counts as your property for calculated coverage.

Chairman Cameron: In fact, they want you to both fix the sidewalk, but ...

Boardmember Ambrozek: Actually, I understand the sidewalk that is parallel to the street. But what I'm talking about – and this is something that I pursue a lot for Walkable Hastings – is the paper sidewalks we have that are actually through properties to join streets.

Chairman Cameron: Yeah, paper streets.

Boardmember Ambrozek: Well, I call them paper sidewalks. They're not streets, they're too narrow.

Village Attorney Whitehead: No, they're paths.

Boardmember Ambrozek: They're paths and, actually, again, you can see them on the zoning map.

Village Attorney Whitehead: Some of them show up on maps. Again, if they're part of the property they still count as part of the lot area for how the coverage is calculated. Interestingly, sidewalks typically are not because sidewalks often are actually not on someone's lot but they're within the road right of way.

Chairman Cameron: Actually, I have a map of pathways. I served as the chair of the Pathways Committee a bunch of years ago, and I had a ... I can bring you a copy of it if you're interested in more things that you could walk on.

Boardmember Ambrozek: Very interesting.

Village Attorney Whitehead: I'd find that interesting because I probably know a few more.

Boardmember Bass: You probably do.

Boardmember O'Reilly: Don't walk on them if they're flat.

Boardmember Ambrozek: Anyway, those were my thoughts.

Village Attorney Whitehead: Nothing's flat.

Boardmember Alligood: I was just going to comment on one of the pieces of what you were saying. The way I look at the lot coverage issue is from an environmental sustainability perspective. Which is that the more we all want to ... many of us have old homes, and we want to upgrade them and make them more comfortable for modern living. We expand them, and then we want to have all sorts of things built in our yards. All of a sudden, we've paved over so much that we create a lot of the flooding and the drainage issues we're seeing. Especially with the weather, climate change, we're having water events more often than we used to. I think it's just smart planning to be thinking about limiting the amount of property that you can cover that causes these ...

Village Attorney Whitehead: And you're really looking at two issues. And I think it is a better idea – and some of Marianne's suggestions – to better distinguish between building coverage and total site coverage, which includes all your impervious surfaces. And the building coverage issue really goes, in part, to one of bulk. It is the environmental piece of it, but it's also trying to sort of control just ... you know, on a bigger ... you know, if you've got a lot where setbacks aren't an issue so you could keep making it bigger, it's an issue of, in part, bulk.

On the total site coverage, on the impervious, the one benefit you have to the issues that you're raising is how the stormwater regulations have changed in recent years. There is now more focus on controlling the runoff from those new impervious surfaces and requirements for controlling it. Actually, what you get is impervious surfaces that are built today actually have much less impact than the stuff that's been there forever that has no stormwater controls. But I think it's a good idea to really sort of separate the two concepts of building coverage and total site coverage. Because total site coverage is also sort of an open space thing; greenspace, wanting to see a certain amount of greenspace.

Chairman Cameron: Well, also we have to look at the question of coverage where we are in the town. Because we obviously have parts of the town in which we have a very high percentage of coverage – in the downtown or going down Warburton – then we have areas where we don't have such high coverage. This is why Marianne and others have provided us with the different percentages that you see there. One of the things is to look at the ones we have and see if, in the present day, they still make sense.

Boardmember Alligood: Right. I just wanted to explain why we are concerned about this issue. The public is going to be watching us wondering what is development coverage and why do we care about it, why do we want to change it. There has always been that concern.

I agree that the greenspace piece of it counts, as well.

Village Attorney Whitehead: It's very typical to have different requirements in different zones. Not only for commercial versus residential, but also different size lots really require different percentages. Because you have to see what works. I can tell you that most codes that regulate ... and some don't regulate coverage. Some regulate it only in residential, not in commercial. There are all different types of things. But codes that do have coverage limitations, whether it's building coverage or site coverage, they do vary greatly from zone to zone. Which is really needed to adjust for that, the differences.

Boardmember O'Reilly: If we, for example, say that the Village of Hastings is 2 square miles ... I forget what that includes. I don't think it includes light unincorporated sections.

Village Attorney Whitehead: It's only the incorporated.

Boardmember O'Reilly: It's the incorporated section, 2 square miles. Are we saying we are concerned with what the total issues of coverage would be for that 2 square miles? No intention of sort of attempting to do that. It's just a question of how much one wants to do in each of the zones.

Village Attorney Whitehead: You really can't regulate that through zoning.

Boardmember O'Reilly: Zoning was never intended to do that, I take it.

Village Attorney Whitehead: Zoning takes it to sort of a smaller scale of a particular lot, a particular building or use. You can't say, Village-wide, OK, we've maxed out, now nobody can do anything. So I think you have to look at that. We've got 2 square miles. How do we want to ... you know, let's look at all our different zones and how we want to control the coverage in all those different zones so that those 2 square miles don't become too covered, if you will.

Chairman Cameron: Well, I would suggest that we actually look at her map and look at our coverage percentages, and just start with the easy ones and see how comfortable we feel with what's already there, whether we think that makes sense and then just walk our way into the harder ones. And then come up with something on the back.

Boardmember O'Reilly: OK. Can I ask a specific question? Just somebody explain this to me just in relation to this memo? The distinction between building coverage and development coverage. It says at the top that the distinction was made in response to the Planning Board and, for the most part, 10 percent was added to the building coverage to

account for driveways and other paving. But if you look at development coverage, the definition there, it includes in that driveways, parking areas and impervious surfaces. Is that inconsistent?

Village Attorney Whitehead: You've got some inconsistencies, and these definitions definitely need some fixing. Because structures you've got to clarify. I mean, this was what came up and what was before the Zoning Board with that interpretation was whether parking areas and some other things like that are part of building coverage because of the language and structures.

Boardmember Ambrozek: An inconsistency I found was that driveways were not part of the development coverage, and then here they are.

Boardmember O'Reilly: Here they are, but the 10 percent was added to the building coverage to account for driveways.

Village Attorney Whitehead: Right. You started with your building coverage so your building coverage was – let's just for an example – 15 percent in a zone. And then the development coverage in that zone would be 25 percent. What it does is, it gives you another 10 percent for your driveways and other ...

Chairman Cameron: So if building coverage was 30, development coverage would be 40.

Village Attorney Whitehead: Right, your building is within that.

Boardmember Sullivan: I remember Marianne saying that was just their best guess, what would be comfortable. But only within certain residential zones.

Village Attorney Whitehead: Right, that works best for the residential. Commercial, because of the parking requirements, your numbers tend to ... your building coverage numbers, the difference between building coverage and development coverage is greater.

Boardmember Sullivan: Right. I think that's why the R-20, the R-10, the R-7.5, the "2" district, 2-R, all rules have a development coverage that's the building coverage plus 10 percent. That's where 10 percent is calculated.

Village Attorney Whitehead: One thing you might want to do, too, is look at some other municipalities and the percentages they use.

Chairman Cameron: Right. We have some of those. She gave us Mount Kisco. At the

end of my e-mail, she gave us the Mount Kisco. I pasted that in.

Boardmember O'Reilly: That's what I thought was so valuable about this first report from Richard's interns, making a comparison between different villages. So using that as a model, it's a good thing to expand on that.

Chairman Cameron: The other thing I think you got to think about is that we are a very hilly community.

Boardmember O'Reilly: I've noticed that.

Chairman Cameron: Every time you bring up parking, my reaction is parking is really not a problem downtown. Where it is a problem is in all those other streets up on the hill, where people just ruin the bucolic nature of the little windy lanes. That's the irony of the whole thing. Our population's gone from 10,000 to 8,000; I don't know how many cars we have.

So maybe everyone have a good hard read at those, and if we have an opening – which I think we will in July, where we really study all these things.

Village Attorney Whitehead: We can poll easy enough with e-code to just get the other Rivertowns if we want to sort of keep with the similarly-situated, hilly, what the other Rivertowns have for coverage requirements.

Chairman Cameron: I guess Ardsley and Dobbs Ferry. Irvington's a little bit more open than we are. They've got more land than we do.

Village Attorney Whitehead: Well, they've got a couple of big tracts which are now being considered for development. But their zoning, I mean, their zoning isn't that different.

Chairman Cameron: Didn't they just up their zoning though?

Village Attorney Whitehead: Yes. In anticipation of some of those large tracts coming up for redevelopment.

Chairman Cameron: Requiring that the lots be bigger.

Village Attorney Whitehead: Yes. But now that one of them is actually coming before the Village, they're actually looking at changing it yet again for a couple of alternative uses. And yes, in full disclosure, in do live in Irvington now [laughter].

Chairman Cameron: Well, I know that. That's why I said it.

Boardmember O'Reilly: Richard, I was going to say I want to read this more closely before I give you my message.

Boardmember Bass: Please.

Boardmember O'Reilly: I'm quite fascinated with the detail of it. What's their next step after this? Do you know?

Boardmember Bass: Well, I'm going to give them your comments and they're going to continue doing some research. There's still more information I think they need: the type of uses, the size of those uses. I think those are helpful. Because when we start thinking about things, we need all that information at our fingertips. I also would like them to look at Northampton and some other successful towns that I have looked at.

Village Attorney Whitehead: Northampton has a huge parking lot in the back.

Boardmember Bass: They have a number of things. And it may not be analogous, but I've always found that that town worked really well.

Village Attorney Whitehead: Yeah, well, they have some really large public parking areas. But I was going to say that maybe one of the things they should look at, too, is the amount of public parking available.

Boardmember Bass: That was one of my questions to them, is what is our public parking both on-street and off-street. We should know that, and I would imagine someone does know that.

Chairman Cameron: And the other thing, they probably don't all need to go to the train on Monday morning.

Boardmember Bass: They're also going to be visiting the Village at different times of day and night, and the other Rivertowns, so they get a sense of the place. I used to have students that would only go out on Sundays to study a site. That's a very different experience than midday, Saturday, and night. One of our Friday nights they should experience in all its wonder.

Village Attorney Whitehead: But I think it would be an interesting piece to know just how many public parking spaces are available. And also how many private lots there are and how

many spaces are in those in the downtowns.

Boardmember Bass: I had forgotten that.

Boardmember Alligood: For example, not Stop & Shop, I'm sorry, the A&P. The part of the lot that's off to the side next to the Citibank, it's almost always empty. So it would just be interesting to see the numbers and how much they're used.

Boardmember Bass: And I'm also going to have them look at revenue just to see when our public parking is utilized, whether on-street or off-street. See if there are any patterns.

Village Attorney Whitehead: Well, that's available through the meter system.

Boardmember Bass: Right, it's all available.

Village Attorney Whitehead: Not in Irvington because they don't charge you [laughter].

Boardmember Bass: You know, you wake up in the middle of the night and you have nothing to do, shoot me those questions.

Boardmember O'Reilly: Well, they're off to a good start.

Chairman Cameron: Are we adjourned?

3. Greenburgh Comprehensive Plan

Boardmember Sullivan: Well, I wanted to bring up one thing, Jamie, just because I had raised it. Greenburgh has their draft comprehensive plan out for review, and I shared with you folks a couple of sections. One was land use and the other was traffic. If anyone had any interest in talking about it, or any thoughts, my opinion was that it seemed to be pretty compatible with what we have going on. It's a very small boundary that we share with Greenburgh, so really looking at what they were doing on the other side of 9-A was what they focused on for land use as well as what the response was for the things on 9-A itself.

But I didn't know if we needed to write a note of support if we believed in some of the things they were doing when it came to traffic. They were accommodating bike lanes and sidewalks. Maybe that kind of plays into some of the circulation concerns that we've raised. Land use was interesting, actually, because they're rezoning an industrial area for bioresearch and development.

Village Attorney Whitehead: Because that's how it's really been developing.

Chairman Cameron: That's right across from [inaudible]?

Village Attorney Whitehead: Well, it's two areas. They're doing it at the old Ciba-Geigy campus, and also in [Eastfield] XXX.

Chairman Cameron: And we shut down Ciba-Geigy at our campus, too.

Boardmember Sullivan: That was the only thing that was interesting. Because right now, our MUPDD zone – if I say it right – kind of stands out as a different use than what Greenburgh's proposing. But at this point, you know, we've gone through a long process with the current owner of that property to make it continue in its residential use. That led me – and I shared this with you folks – to the comprehensive plan, which had made a recommendation to rezone that area to be more compatible with the commercial uses. But there's no reason to tackle that while there's an owner that's interested in developing in the way that they have of-right.

But I don't know if there's any interest in trying to give some support to Greenburgh about the sidewalks and bike lanes on 9-A.

Chairman Cameron: I thought Richard's comment – at least I think it was your comment – was interesting. That Greenburgh's really quite different than us because they don't really have villages. They are much more spread out. They're the open land between all of us.

Boardmember Bass: I didn't say that. It's catchy.

Chairman Cameron: Very erudite.

[laughter]

Village Attorney Whitehead: I think your comment was it doesn't include the villages.

Boardmember Sullivan: So this is really just looking at what might be proposed for changes along our border, and we don't have much [off-mic].

Village Attorney Whitehead: I can tell you, you probably have more time because they've pushed off their public hearing. They've changed their schedule a little bit. They're still working on it and having informational meetings. And their changing staff is going to delay

things a lot.

Boardmember Alligood: If you take a stab at drafting something on our behalf and bring it to the next meeting we could all weigh in. I think that's great if you want to take the initiative to do that.

Boardmember Ambrozek: Actually, I am very concerned about the big box development that is taking place just across in Yonkers. That we make sure that we get not only the traffic research that you sent the e-mail about, Jamie, but the existing roads there. If you're going to put in another two or three big box developments as there is already there, the roads are inadequate for the existing development. They deliver traffic right into Hastings.

Boardmember Bass: Have they sent that proposal out to us yet, or is that just in the works?

Chairman Cameron: Is this the one up next to Stu Leonard's?

Boardmember Ambrozek: Yes.

Village Attorney Whitehead: Yeah, it's a Target and I'm not sure if there's something else.

Boardmember O'Reilly: They're talking about opening Austin Avenue.

Boardmember Ambrozek: Well, they can't do that.

Village Attorney Whitehead: They keep trying to say it.

Boardmember O'Reilly: There's only a gate there.

Boardmember Ambrozek: Double gate.

Chairman Cameron: He's guarding it.

Boardmember O'Reilly: And a sentry box.

Boardmember Bass: But your point is well taken. Those intersections are past failing, and to add more major traffic generators and then couple it with that development where Costco and Home Depot is haunted as it is.

Boardmember Alligood: What's going over by Home Depot. Is Target?

Boardmember Bass: Yeah, Target.

Chairman Cameron: It's above Home Depot, next to Stu Leonard's. You go up to Stu Leonard's and you keep going straight rather than turning into the parking lot.

Village Attorney Whitehead: It's where the road ends now, yeah.

Boardmember Ambrozek: That's one of them. But they're also potentially talking about putting one behind is the only way I can describe it, behind Costco and Home Depot on that slope.

Chairman Cameron: They're putting two in there.

Boardmember Ambrozek: That would be two.

Chairman Cameron: No, they could probably do a double decker.

Boardmember Ambrozek: It could even be a double decker just like the existing double decker. So you could end up with three.

Chairman Cameron: Well, people don't understand that Costco is the lower deck of Home Depot.

Boardmember Ambrozek: Well, it's the upper deck of Home Depot. And there is no staircase between those two buildings. You have to drive between the two. You can't walk between the two.

Boardmember Bass: But on a lighter note, that used to be a Jewish cemetery, and poltergeists ... they can't stop the leaks. They're really having serious structural problems.

Boardmember Ambrozek: They're also having multiple traffic accidents at that traffic light.

Boardmember Alligood: Which traffic light?

Boardmember Ambrozek: The one at the end of Sprain Road and the access road – I don't know what name it has – then it goes up to Stu Leonard's.

Boardmember O'Reilly: Stu Leonard Drive.

Village Attorney Whitehead: Because they've also added a lot of the Ridge Hill traffic coming through that intersection.

Boardmember Ambrozek: Well, Ridge Hill now also goes through there.

Chairman Cameron: People know it's a shortcut to get to Hastings.

Village Attorney Whitehead: Get off there and come up Jackson Avenue.

Boardmember Bass: I go to Sprain and not near that intersection.

Chairman Cameron: The other thing that's interesting, if you put any value in your car don't park at Home Depot. Because those guys have no sensors, detectors, in the parking lots. I think they do that because they have such a high illegal immigrant workforce come and buy stuff for cash that they don't want to scare them off by having cameras.

Village Attorney Whitehead: There's no security in that parking lot. Don't go to that Home Depot.

Boardmember Ambrozek: But I'm sure they have security inside the building.

Chairman Cameron: Oh, yes, of course.

Boardmember O'Reilly: Otherwise you'll take all their stuff. Well, they can say what they will I'll still go there. But it's still the ugliest shopping mall in the country. It's like I designed it on a Saturday afternoon.

Are we adjourned?

IX. ANNOUNCEMENTS

Next Meeting Date – July 17, 2014

IX. ADJOURNMENT