

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
JULY 17, 2014**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, July 17, 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 Michael Ambrozek, Boardmember Kerry Gould-Schmit, Boardmember William O'Reilly, Boardmember Kathleen Sullivan, Village Attorney Linda Whitehead, Deputy Building Inspector Charles Minozzi, Jr. and Deputy Village Clerk Mary Ellen Ballantine

I. ROLL CALL

Deputy Village Clerk Ballantine: I don't have my notes with me so I'm going to do it by visual, OK?

Chairman Cameron: That's fine. This is a test to see if you recognize us.

Deputy Building Inspector Minozzi: Mr. Chairman, could I just make a brief announcement before the meeting starts?

Chairman Cameron: Sure.

Deputy Building Inspector Minozzi: Due to last month's problem with the transcriber, I would just like to remind everybody to please speak clearly into the microphone. And anyone in the audience who comes up to the mic, please state your name and address for the record and speak clearly into the microphone. Because he had a lot of problems with the minutes this time.

Chairman Cameron: But he otherwise did a great job.

Deputy Building Inspector Minozzi: They look great, though.

Chairman Cameron: For those of us who speak loudly, he did a great job.

Deputy Building Inspector Minozzi: Oh, he definitely said that Michael is the best.

Chairman Cameron: Yeah, were going to give an award at the end of the year.

II. APPROVAL OF MINUTES

Meeting of June 19, 2014

Chairman Cameron: We now go to the approval of the minutes of June 19. Michael, do you have any comments?

Boardmember Ambrozek: I have one comment. On page 29, the existing text says, "*I think, in sort of in my mind, want to try to,*" which should read, "I think I sort of, in my mind I want to try to ..."

And on pages 39 and 40 – and I'm sure other members of the Board have noticed this – the name "*Stu Leonard's,*" which is spelled S-T-U, should be spelled S-T-E-W. That may occur on more than just pages 39 and 40, but that's where I noticed it.

Boardmember O'Reilly: I ran out without my notes, but maybe somebody else noticed. I think that some of the comments that were ascribed to the architect, Tilly, for the work at Edmarth Place was actually the owner who spoke at one point. She doesn't seem to have been credited with any comments. I know when I asked about the question of the dormer it was she who responded, not the architect.

Chairman Cameron: All right, you'll make note of that. Kathy, do you have any comments?

Boardmember Sullivan: No comments.

Chairman Cameron: I don't have any comments.

Boardmember Alligood: I do. One is, there seems to be some version of Adobe that's covering up the page numbers, which is not very helpful when we print it, just as ...

Deputy Village Clerk Ballantine: Is that true?

Chairman Cameron: Yes.

Boardmember Alligood: Yeah, there's like a box that covers. So when I printed them out, I had to kind of figure out what the page numbers were.

Deputy Village Clerk Ballantine: OK.

Chairman Cameron: Since we didn't buy the program, and it's expired.

Boardmember Alligood: Yeah, the Village is trying to save a buck.

On that note, on page 11 there was, for sure, a comment at the very bottom attributed to the owner, I believe. But it was Ms. Schnibbe who spoke, who answered. She said, "*Whenever.*" – meaning that any people could come over and visit her building "whenever." So that just needs to be changed to Ms. Schnibbe.

And then I have ... on page 27, the first paragraph, I'm speaking. There's a lot of ... I kind of made a few fixes. So I think, Mary Ellen, it's easiest for me just to hand it to you.

Deputy Village Clerk Ballantine: OK.

Boardmember Alligood: Because there's places where I guess I couldn't be heard and things like that. So I'll just hand you that one page.

Deputy Village Clerk Ballantine: OK, that's fine.

Boardmember Alligood: Page 27. And that's it.

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Sullivan with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of June 19, 2014 were approved as amended.

III. NEW PUBLIC HEARINGS

Step Slopes Approval - Application of Hastings-on-Hudson Affordable Housing Development Fund, Inc. for an amendment to the surface drainage plans associated with the previously approved subdivision 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 the R-7.5 Zoning District and is known as SBL: 4.80-70-1 on the Village Tax Maps.

Chairman Cameron: The first item is a steep slopes approval of the application of the Hastings-on-Hudson Affordable Housing Development Fund. It's for an amendment to the setup drainage plans, which is back to an approved subdivision of land at 184 Farragut Avenue for development of an affordable one-family house with an accessory apartment.

Whoever's speaking for that, please come forward.

Sue Smith, Affordable Housing Committee: I was looking back on some of the minutes, and I don't know how many times we've before you on this project. I apologize for the state of it.

Chairman Cameron: We always like seeing you, Sue.

Ms. Smith: Oh, thank you.

Chairman Cameron: And it's not that often.

Ms. Smith: It's nothing personal. No one ever said affordable housing was easy.

Chairman Cameron: That's true.

Ms. Smith: I have to remember that now and then.

We are coming to you about the drainage. We had thought we had quite a good idea to have a pipe down the side of the property, as you will recall, leading out of a retention section in the back of the building, catching some of that uphill water that's coming from Berkeley Place, taking it underground and out to the street and then continuing underground down to the catchbasin opposite Merrill Street. However, in the meantime – and this has been a couple years we've been talking about this project – the county specifications for the road – roadwork generally, not just that road, but it is a county road – have been changed, are more rigorous. And the county funding we've been relying on to pay for the drainage work is not going to be sufficient for this solution.

The engineer has suggested as an alternative – I think it would be called – a "swale" down where that pipe would have been of large-trap rock, with sand under, to take the water and percolate down the way. In fact, one person said, Gee, maybe that'll even be better. That some of the water will have gone into the ground before it even gets to the street and would have gone underground down to that catchbasin. At any rate, that is what we are coming to request of you an amendment for.

I will also say that one of the ideas which we have discussed and are in agreement for is that, if it seems advisable, we could provide an easement of the Village – an easement, period, that could be used by the Village in the future – on the whole side of the house all the way up to the property line uphill. So if there was, say, development in the future at the Burke Estate or additional whatever up on Berkeley Place, in that area, there is no way for water to get out of there now except just tumble down private property. That would be at least a path for a future solution to that, since there doesn't seem to be any way now that something could be done over that property in the future, if the Village thought that wise.

That's it in a nutshell. Questions?

Chairman Cameron: Do we have any questions?

Boardmember Ambrozek: I'm sorry, what did you say was the area behind ...

Ms. Smith: There's a little whatever you call it.

Boardmember Ambrozek: Yeah, you gave it a name.

Ms. Smith: Beside the house, the swale.

Boardmember Ambrozek: No, I understand swale.

Ms. Smith: Oh, a retention area because the house ... that's low.

Boardmember Ambrozek: This would be to the west of the affordable housing, towards Broadway. You gave that area a name. At the back of the Burke Estate you referred to it as some area.

Ms. Smith: Oh, Berkeley Place? That's a dead end off of Burnside that is lower than the rest of the street, so the water is running down there. And then to get out, it comes down this property.

Boardmember Ambrozek: Yes.

Ms. Smith: A driveway, actually, from a house on Berkeley Place. It rushes out onto the property line.

Chairman Cameron: So the water's coming down inside the swale, and then it's going to go and turn and go into the water retention thing you have on the driveway? Or is it going to

just be going straight?

Ms. Smith: No, that line is for the all the house water. It comes down to the retention basin. This would be separate from that.

Chairman Cameron: And we hope there's enough ... well, the pipe would have driven the water too quickly down the hill to be absorbed. We're hoping it will be absorbed as it goes down ...

Ms. Smith: It would be wider, it won't be just a pipe. I'm not sure how wide this is here.

Boardmember Sullivan: If I remember, Sue, this solution you initially came up with by putting the pipe in and trying to tie it into a storm sewer was really in reaction to neighbors who have seen the water just cascade down this piece of property for years. So I think it was an effort to try to mitigate it. I think your vision, given you don't have funding from the county, is a very nice solution to address those concerns that people raised.

Ms. Smith: Actually, the neighbor to the side there, on the property line, has done something like that – I'm not sure of the combination of things – which has made a difference on their side. So just by creating a kind of a channel for it that is porous, that's been helpful. This would be a little more deliberate and would be rocky. It's a fair run, so there's an opportunity for that to happen. We've had some heavy rains the last couple of weeks, so it's in that situation. But that's the only change we're talking about.

Boardmember Ambrozek: I personally use swales on my property in Hastings and I find it very effective in controlling erosion as well as helping with water retention. Obviously, in heavy rains it gets overflowed.

I also like very much your suggestion of offering an easement to the Village. If an easement was provided to the Village, then it could be provided also as a public walking path to provide access, as you say, from the dead end of Berkeley Place down to Farragut Parkway.

Chairman Cameron: But this is an easement for water, I think. And it's going to be rocky in there, isn't that right?

Ms. Smith: Yeah, it'll be rocky. It wouldn't be like a path.

Chairman Cameron: It would be like walking down riprap.

Boardmember Ambrozek: Ah-ha, OK.

Ms. Smith: And it's right close to the house. It's a little tight to the house, I think.

Boardmember Ambrozek: Lastly, looking at the plan, I could see that the distance from the boundary line to the side of the house is marked as 10 feet.

Ms. Smith: OK, thank you. You're talking about a swale. Just before coming here tonight – I live in River Glen and I'm on the board there – we just took a walkaround. There are a number of new boardmembers, and many people aren't – I wasn't before I lived there – familiar with the property. It has two very severe glens that go down to the river. The houses are perched up on the hills, and erosion is a big issue there. But there are a lot of swales, and I've known that because I've walked around. But the other people didn't. They were not familiar with what those are doing to direct water but be able to percolate away. That's been used for lots of years there as a method. Those are much longer than this would be, and steeper – serious steep slopes.

Chairman Cameron: Does anybody have any other questions? Any questions from the audience on this matter?

If we don't have any questions, I would entertain a motion to give steep slopes approval of the amendment to the surface drainage plans, as set forth in the drawings submitted for this meeting with respect to an approved subdivision of land at 184 Farragut Avenue.

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Alligood with a voice vote of all in favor, the Board resolved to give steep slopes approval of the amendment to the surface drainage plans, as set forth in the drawings dated June 11, 2014, and submitted with respect to an approved subdivision of land at 184 Farragut Avenue.

Chairman Cameron: Thank you very much. Good luck with your swale.

Ms. Smith: Thank you.

Chairman Cameron: Hope your swale is swell.

IV. NEW BUSINESS

None

V. OLD PUBLIC HEARINGS

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: Now we're going to return to an old public hearing on the view preservation application of Kristin and Daniel Wyatt for addition and alterations to their home at 7 Edmarth. Mr. Tilly's team will make a presentation.

Steve Tilly, project architect: Thank you, Mr. Chairman, members of the Board. I am Steve Tilly of Stephen Tilly Architect, 22 Elm Street in Dobbs Ferry. I want to thank the members of the Board for their attention to the mockup which we put in place, at some slight peril to the guy who was climbing on the fire-damaged roof. But we got it there. And also made ourselves available to mock up the 2 foot 8 inch addition, which we've now moved, as you know, to the west side of the building rather than the corner on the east side. We made that modification.

I think that, as the chairman mentioned last time, if you'll indulge me I'm just going to go back over this section of the code which says that *"every application to permit the erection or exterior alteration of a building or structure in a view preservation district shall be referred to the Building Inspector, the Planning Board for its report and recommendations 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."*

I just want to kind of reiterate that we are now moving to the northwest corner. None of these improvements will be visible from Edmarth itself. There is nothing that extends beyond the boundaries of the furthest extent of the existing building. The dormer on the roof, which is an as-of-right dormer, is situated well below the current roofline. So whatever is currently visible above the current roofline is going to continue to be visible. There's no obstruction there. The third-floor dormer is set in significantly from the boundaries of the roof, and as best we can tell this does meet the requirements of the section; which is, it is the least possible obstruction in siting, dimensions and configuration. In this case, it refers to the principal structure, not to the accessory structure.

It's the case that no one acquires rights ... I think it's a great code provision. We've modeled our code provisions in Dobbs Ferry on this one that I've been coming here with applications for 30 years under them. I was happy to see that the Building Inspector has the right to eliminate the applications that obviously have no implications, like the swimming pool that we once had to bring for view preservation.

We completely endorse this concept, and I want to try to demonstrate, or remind you, that we've gone through changes and minimized any potential impact. I feel like there really is a very little, or miniscule, impact on anybody's views. I think you've been able to look at that from your own perspective. I don't see other rearrangements that are possible. No one does acquire rights to views by looking across a piece of property for X number of years. It's simply the case that if you're closer to the river than someone else – and most houses are closer to the river than someone else – your rights to make modest improvements are not extinguished by this provision. It simply is the case that the Board is empowered to look at all the alternatives and try to determine that the least obstruction alternative has been selected.

I think Danny and Kristin are here. We did a whole lot of gymnastics inside the building. As you know, this is the result of a burnout of the entire roof and a gut that's required as a result of water and smoke damage of the interior. So we took the opportunity to rearrange as best we can to make maximum use of the space inside the building. The additions have only resulted from a real careful analysis of the kind of improvements that will make a big difference to their use of this structure. And, of course, this is the moment to make the final changes to this building. Since we have to gut it, this is the time to make these small, incremental improvements, which is a small addition to the, west and the dormer. These will make a big difference to their use: a growing family, the headroom on the third floor which, right now, is severely cramped, and somewhat better use of both the second and first floor.

With those kinds of changes, I would hope that you'd look on this application as being the least possible obstruction.

Chairman Cameron: I'd like to suggest that if any of the Planning Board members have a question of Steve Tilly or his people they could ask them now. And then I'll ask the people in the audience who may want to address this thing to talk about it and show their pictures, and then we can have another question session. So if there's people who don't understand about what they're doing and what he said, we could do that now or we can go on to the other people and let them address those things.

Boardmember Sullivan: I have one comment, Jamie. I know last time – I think Michael may have commented on this – the photographs you'd showed in support of the view

preservation were all taken from the subject property, looking out from it. So we discussed the need to have a mockup and to go to the neighbors and take a look at views that we had heard from the adjacent folks who were potentially concerned. I don't see that you've necessarily taken advantage of that opportunity.

Mr. Tilly: Taken advantage of the opportunity ...

Boardmember Sullivan: To go to the adjacent neighbors and look at this structure and how it might impact their views.

Mr. Tilly: We've taken every opportunity to go everywhere we could. The adjoining neighbor wouldn't let us go to the third floor, so my staff wasn't permitted to go to the third floor – or I wasn't permitted to go to the third floor – to look at the potential impact. We've seen the photograph. But again, I think by making the changes this is the least possible obstruction, in my own opinion.

Boardmember Sullivan: No, I understand that. I just think if you were not able to ... and I won't address whether you were permitted or not. But it seems that you may not have all the information on what the views are from adjacent properties that are potentially being impacted, even by the modifications.

And the other point I want to ask is, Buddy, I had shared with you a number of photographs from my site visit, and labeled them fairly clearly, shared them with the Board. I believe you shared them with Mr. Tilly.

Deputy Building Inspector Minozzi: I believe I sent everything you sent me to Jonathan.

Jonathan Walko, Stephen Tilly Architects: We received an e-mail on Monday from 10 Riverview Place, I believe Scharf is the name.

Boardmember Sullivan: No, this was right around the mockup, when your staff member ...

Deputy Building Inspector Minozzi: Kathy, Jen just texted me. She said could you please try to speak a little bit louder. She's not picking you up.

Boardmember Sullivan: I'm going to speak so close to this thing.

Deputy Building Inspector Minozzi: I'm sorry.

Boardmember Sullivan: I may need my own handheld at some point.

No, this was right around the time your staff member helped by holding the post up to let us know how high the addition would reach.

Mr. Walko: If we received an e-mail ... we received a couple of images. This was the most recent one we received, but nothing of ...

Village Attorney Whitehead: This was a couple of weeks ago.

Mr. Walko: Yeah, we would be looking specifically for the one from that window, the third-floor window of the adjacent neighbor.

Boardmember Sullivan: Right.

Mr. Walko: We didn't receive that. We would have jumped right on top of that.

Deputy Building Inspector Minozzi: I believe I sent you everything I received because I've been copying everybody all along. But I will double-check it.

Village Attorney Whitehead: That was probably two weeks ago.

Boardmember Sullivan: I believe so. It was right when the mockup was ... when we had our site visit.

Mr. Walko: It was right after the meeting, I think the next couple of days. We had the mockup performed pretty quickly.

Boardmember Sullivan: So I just bring this up because though you reacted to some of the ... when I saw the revisions, it seemed you were reacting to comments that were brought up in our last meeting. But I think you're missing ... by not having seen the views from adjacent properties, from the adjacent structures, you may not have the full picture yet. So we may have more revisions ahead of us tonight.

Mr. Tilly: I think we can only get to those locations that we're permitted to go in private property, obviously. We've done everything we can from the public-ways, and certainly looked at all the images that have come from the Building Department that have been sent to us. I would still maintain that we meet the standards in the code: that is, the additions we're proposing are the least obstructive possible within our disposal.

Boardmember Sullivan: Right. Well, the point is that the Boardmembers went on a site

visit and we had access to private property.

Mr. Tilly: Sure.

Boardmember Sullivan: And that could have been the same time that your firm or some members of your firm also joined us. It wasn't ...

Mr. Tilly: We were not permitted ... we were there, our staff was there, to do the mockup during that time. I only can go where we can go, so ...

Boardmember Sullivan: Well, there may be more information that you received in this meeting today that may require some other modifications to what you're proposing.

Mr. Tilly: I don't think that there's ... we got a good glimpse at the photographs the last time of the implication of the dormer. And we have, as I said, pulled it in from the edge of the roof. So I think at this point it's ... we can come back to that issue if there are other questions, but I think that we have a sense of what's possible. I mean, I think we've bent over backwards. We've had staff there, we had somebody go up on the roof, we've spent money to get somebody up there at some risk, as I said, to mock up the actual location and try to keep it in as much as possible.

Again, I've been doing these view preservation applications for 30 years, and this is the most amount of energy we've put in to being careful and trying to modify our design in that period of time. But I'm happy ... if there are other questions that have to do with the proposal, I'm happy to address them.

Boardmember Gould-Schmit: Well, I guess I'd just like to say I do appreciate that you got out there and it was very quick and you did the mockup. It's unfortunate that you didn't get in the house. Because from my own perspective from the third floor, it's an obstruction. I mean, the rule is on the book, I think, for a reason. And we can discuss it and we can hear the public comment. But more than anything, I think the dormer, in my opinion, is probably the most problematic of the proposals.

Mr. Tilly: OK, but again I'm going back to your mandate here, which is to find a configuration that has no obstruction, the least obstruction, for ... it's a balancing act. I mean, people's rights to do very tiny incremental enlargements of the properties. It's obviously a relatively small house. This is the last moment when additions are going to be possible. It's the right moment. We have to gut the job because the building was semi-destroyed by fire. People have the right to make improvements to the property. They have to make a big investment. This is part of, really, kind of perfecting or making somewhat better a set of

circumstances.

So it's a balancing act. I understand the ...

Boardmember Gould-Schmit: I do understand it's a balancing act. I just have a question.

Mr. Tilly: The corner of where there is a tree that is partially obstructed of the left-hand side of the view, there's still a generous view from that third-floor window. We've, as I said, pulled in the dormer in the mockup from the previous location. If that's the discussion, there's one more move that we can make that doesn't deny them the right to create headroom for a growing family in an otherwise basically uninhabitable space, which would be to hip the corners of that dormer. I would be prepared to suggest that. Which would, I think, eliminate that obstruction which is towards a tree which is a tree that kind of comes up in the backyard of the adjoining property on Riverview.

We have a drawing that shows that hipped dormer, which would pull it back – pull the corner of the dormer back down – probably 16 inches or 18 inches. Again, it does some limiting of the headroom so we're making a further crimp in the utility of the space that we're doing. It also adds an expense. But we're willing to do it for people who think that's an important further concession. We'd be willing to do that.

Boardmember Gould-Schmit: OK, that was my follow-up. I don't know if it's worth looking at the drawing now, or should we hear comments?

Chairman Cameron: Actually, if you could show us the drawing, then we'll take comments from everybody else.

Boardmember Ambrozek: While these are being distributed, I wanted to say I sympathize with the owners, Daniel and Kristin Wyatt, that they have suffered fire damage. And I understand it is more economical to do renovations while you're doing other cleaning up inside the building. And I am sorry for the damage that you've suffered. However, I at least – and I think all the other members of the Board – have received e-mails from two residents: the Schnibbe family next door objecting to the additions both on top of the first story and the dormer, then also from 10 Riverview Place that these additions would impact their views.

With regard to having a tree existing to obstruct views, trees don't obstruct views all year round. Most people have winter views, winter river views. I think we have to consider the year-round situation, not just when the tree's in leaf. I have to bear these concerns of the neighbors in mind, as well, in thinking about this.

Mr. Tilly: No, as I said I fully endorse the balancing act here which you have between the rights of somebody to make improvements to their property. That's why the language of the code is very clear. It's not that there can be no obstruction because, after all, if there were a building lot that was vacant towards the river from somebody you do not extinguish the rights of somebody to put a building on that lot simply because this provision can't do that. It's a balancing act.

We feel the corner ... we don't feel there is any obstruction from Riverview Place from everyplace that we've been able to see, or any documentation of the northwest corner – which would be the diagonal view, the very extreme diagonal view – because that view is not at the river or the landscape. It's into the very dense ... not through branches of deciduous trees, but into dense trunks. So there is no view. The view above this building, it's impossible for us to ... we're not proposing anything that is going to impact a panoramic view of the Palisades and the Hudson River that goes across above this building.

The very minor clipping of an extreme diagonal view, that's a very difficult view to get from anywhere to document. It seems to me if you look at the balancing act – if you look at your mandate – the clear benefits, the clear exercise of the rights to improvements against what I feel is nonexistent – or, meeting the code, the least possible obstruction – is where we are with this application. I don't see how ... I mean, obviously people will speak. But I think in terms of documentation, in terms of the level of demonstration in the field with mockups for the benefit of anybody who was there, including members of the Board, I don't see there's any case that can be made that that level of obstruction, if any, outweighs into the balancing act that you're being asked to consider under this provision of the code – outweighs the benefits.

This not a case like Malibu, where views are being restored to 1991 and people are being forced to cut down trees. That's the Hastings view preservation code. It's not about no obstruction. It's about looking at alternative arrangements on the applicant's part to make sure that it has the minimum impact.

Boardmember O'Reilly: If I could, given that it is a balancing act, as you say, between the improvement and the obstruction to a neighbor, there's no doubt that I think you agree – and my questions all relate to the dormer, not to the other aspect of the renovation, just simply to the dormer – that there's no doubt it does obstruct. Obviously, a property owner has the right to not allow you to come in, and therefore you don't get the view that we get. But it is an obstruction. And therefore, the other side of the balance is the necessity of the dormer. I raised this at the last meeting, and I still come back to it: is it a necessity or is it a convenience?

Mr. Tilly: Well, look, it's a necessity to occupy that portion of the building. As I said, we've gone through a huge amount. We only came to doing additions after a long analysis, after we've made rearrangements in the interior to make usable space in a relatively small house for a growing family so they could make use of that top floor. That's an as-of-right improvement. It seems to me your job is to look at is it the least possible arrangement of that dormer. It's not whether we have the right to do the dormer or not because we have the right to do the dormer. It's is there ... most of the view preservation, this came about, really, had to do with new buildings. That's when this code was developed. And it was about, OK, if you have the right to build a house can you move it to the back of the property where it's lined up with the other houses so it doesn't obstruct all the views. In this case, it's actually a more subtle extension of it to little additions to buildings, which wasn't really what was in people's heads back when the code was written.

But, on the other hand, it is true that an addition to a building – especially a big addition – can have an impact. We saw, and I think you saw, a minor clipping of the left-hand side of a view. As I said, we've offered up a hipped dormer, which I think eliminates the clipping or obstruction. But certainly I think by inseting the dormer we've made an arrangement of an as-of-right improvement that is the least possible obstruction of the Hudson River. Again, it does not say no obstruction. It says the least possible in terms of siting, configuration and dimensions. I'm offering other further adjustments the dimensions which limit the kind of utility of that third-floor space. But there really is the steep sort of Queen Anne roof that's up there, which we're modifying, that really severely limits the usefulness of that floor and the bathroom.

Boardmember Sullivan: Well, I'd like to follow up a little bit from what Bill's saying. I think if you had seen the photograph or gone to the third floor you would have seen how visible the dormer is from that space. And I think the hip is an interesting solution, but I believe it still needs to be moved back further from the side of the house. Potentially, a suggestion would be – looking at your sketch, 01 – this is the rear elevation – aligning the dormer roof, the existing edge of the first-floor addition now with this second-floor addition. So pulling it back, you say, another 4 feet.

Mr. Tilly: Again, what that's going to do is start to make it not a meaningful improvement.

Boardmember Sullivan: I'd like to finish, please. The reason I say that is, I believe it would still allow some additional headroom in one of the bedrooms. It won't tamper with the need to have you in the bathroom on the third floor. We can have a difference of opinion, but I share that as a potential modification. Because having done that on the third floor of the house, the dormer was quite obtrusive.

Mr. Tilly: Yeah. Well, I've seen the documentation, and ...

Boardmember Sullivan: You haven't seen the picture.

Mr. Tilly: The ...

Boardmember Sullivan: No, excuse me. You said you hadn't seen the pictures from when we were on our site visit, and you have not seen the picture ...

Mr. Tilly: I saw the picture from ...

Boardmember Sullivan: With the mockup in place?

Mr. Tilly: No, I saw the picture from ...

Boardmember Sullivan: You have not seen the picture from that space ...

Chairman Cameron: I think we should [inaudible] ...

Boardmember Sullivan: ... with the dormer.

Chairman Cameron: ... then we could go from there.

Boardmember Sullivan: Yeah.

Mr. Tilly: My own look, given sort of three-dimensional modeling that we've done, I believe that by hiping the dormer I'm doing the equivalent of moving it 2 feet. Because if you think about the diagonal view, and you look at ...

Boardmember Sullivan: Right. The obstruction wasn't just the diagonal of the roof. It was the vertical plane and where it was in relation to the side ...

Mr. Tilly: So the vertical plane is gone because the hip creates a slope which pulls it completely out of the view. There's no vertical.

Boardmember Sullivan: When I look at your sketch 02, you're just hiping the roof. You're not hiping the dormer.

Mr. Tilly: I'm hiping the dormer.

Boardmember Sullivan: You're hiping the roof of the dormer, you're not hiping the side of the dormer itself.

Mr. Tilly: Right.

Boardmember Sullivan: Yeah. So you're not really changing ... the height of how high the vertical face of the dormer stays the same. You're just taking the roof and kicking the roof back.

Mr. Tilly: Correct.

Boardmember Sullivan: Right. So what I'm saying is, the vertical plane is the big obstruction to the view in the third floor, not so much the shed roof.

Mr. Tilly: Right.

Mr. Walko: The vertical plane on the north elevation? The backyard, the rear of the yard.

Boardmember Ambrozek: No, the vertical plane on the east elevation.

Mr. Walko: On the east side, OK.

Boardmember Sullivan: Yeah, yeah. That was ... that, itself, set up one of the bigger obstructions of the view so I just shared that with you. That's my perspective, having ...

Mr. Tilly: Yeah, I understand. No, no – look, it's simply ... it's sort of an inch-wise, one can end up with a really impractical ... no, it's really sort of starting to eliminate the utility of what's being proposed. And so ...

Boardmember Sullivan: Well, I guess I have one more statement about this. And this is another thing I saw on the site visit was the views from the home on Riverview Place and what I believe where an extension towards the river may impact some views from that property. And what I'm going to propose, and it can be something that gets discussed later after you get more information about that view, is that looking at your plans and how you've revised things I would suggest that on the first floor of the back extension that you're doing that you go all the way out to the corner of the house towards the river. But that you pull back the second floor so it's vertical; its edge is at the same alignment as the existing addition.

What it does is, it allows the kitchen to stay as it is. You've already made some major

changes on the bathroom and it looks that you could easily take out that 2 by 2 square footage in that bathroom and still have a very functional and very lovely bathroom addition. So I just share that as a potential compromise: giving the first floor the full addition, the full additional floor space to get the kitchen the way it is. Because it's very lovely what's happening. But I think you have the space in that second-floor bathroom to perhaps give that back to the neighbors and allow a view not to be ...

Chairman Cameron: I think we could see some pictures. I suggest that we go on and have the other people come up and speak.

So who from the public would like to speak to one of the people who's view is affected? If you could come forth, please, and announce your name and lend us your pictures.

Jean Schnibbe, 5 Edmarth Place: Just for the record, all the Planning members did have access to my home. And during the mockup I wasn't home so I didn't see anyone. No one came to me. The day that two of the planners came by, a young lady came and asked to take some photos. These are the pictures that I took from my third floor. Obviously, you can see the obstruction. So there definitely is an obstruction. Can you hear me?

Chairman Cameron: Yes.

Ms. Schnibbe: OK. There definitely is an obstruction, and I think that if prior to this meeting if my neighbors had mentioned or had come by they, too, would have had access. I just don't know how they can say that they didn't have access, when everybody else came. They either didn't catch me at home or whatever. I'm more than welcome to let anyone in to see what I can see. And I feel that it is an obstruction. The dormer is going to be large, and it's a view that I cherish.

Chairman Cameron: Thank you. Anyone have any questions for Ms. Schnibbe? OK, you'll be here.

Any other of the neighbors like to speak, please?

Joanne Levine, 10 Riverview Place: The family name is Scharf. I'm the only Levine there. I also took some pictures. The day I had a site visit was actually the day the woman was very nice holding up the pole. The pole situation would not have been able to happen if she had come over to my house. I'm going to give you two pictures which are not nearly as beautifully laid out. But one of them, you can see that this is not even the height of it. The pole they put in the spot does not go as high as the pole will go. You guys probably know better how it will go, but let me pass that around.

The other obstruction, I didn't even address the dormer that was going along the side. I'm very concerned about what's now covered in the blue tarp that is going the vertical height along the top of the roofline and heading down towards the water. I take great issue with a statement that it's in dense trees and wouldn't obstruct a winter view because I've sat many a day on my third floor porch and, in fact, look in that direction. I can see the top of the Palisades. At this point, it is uninterrupted. I'm going to pass you this picture and, granted, it's very much tree-covered, there's the density of trees. But if you can look at the dip in the trees, you actually see the tippy-top of the Palisades.

This is when everything comes into perspective, in that it is a small slice, I guess. But it is *the* slice that allows for the top of the Palisades. So to me, that's a very valuable view I can't weigh the worth of it against other things. It's my first time at a hearing, I'm not quite qualified. But I will say I find it a significant view, I will feel it a significant loss, I think the whole thing is somewhat of an obstruction, even from my diagonal view. I'm not sure you can think it wasn't.

I'm going to just pass around these pictures. I might just show you the line that I'm talking about at the blue tarp and the Palisades. Here it is with hole. You can see what it's cutting out.

Deputy Building Inspector Minozzi: If you want to talk up there, just grab that mic there and just speak into the mic as you're talking, please.

Ms. Levine: Hello. Am I on?

So you see the pole is cutting out.

Village Attorney Whitehead: You have to turn it on. There's a switch on it.

Boardmember Alligood: I guess it's on.

Ms. Levine: Hello.

Boardmember Ambrozek: That's good.

Ms. Levine: So you can see that the pole would go up and I would lose that slice from the whole front part of my house. Then on this one, this is actually the smaller but more significant view loss. Because that blue tarp would extend all the way down towards the water. And right there, it is exactly picking up the top of the Palisades. So it would

essentially be slicing off that top of the Palisades. Can you see that? Should I come around to your side? Am I allowed?

Boardmember Gould-Schmit: No, we can see it. Maybe Stephen can explain it.

Village Attorney Whitehead: I don't actually think there's any change there. On the top of the roof there's no change.

Ms. Levine: This is the dormer.

Village Attorney Whitehead: The tarp is there because of the fire.

Boardmember Gould-Schmit: See if the architect can explain why the tarp's there.

Ms. Levine: The blue is not going across? Are you sure?

Boardmember Gould-Schmit: Yeah, but you can ask the architect for clarification.

Ms. Levine: Is this blue line going across?

Mr. Walko: No. So if you look at that ...

Ms. Levine: It's only going to here?

Mr. Tilly: This is a tarp that is covering the existing roof. Nothing is coming above this line.

Ms. Levine: This line – this roofline is not raising.

Mr. Tilly: No, not at all. We're way below that.

Ms. Levine: I'm not submitting this picture, then. I'm only sending my pole picture.

Then that would explain why you thought it wasn't switching my view of the Palisades.

Mr. Tilly: Yeah. Unless the laws of physics have somehow changed dramatically.

Chairman Cameron: So do we have any other people who would like to speak on this issue? Any other neighbors out there?

We actually recently put a new procedure in place for the expedited review of view preservation. The way the procedure actually works, Steve, is that the Building Department makes the determination of whether or not it has any impact. Then they seek the agreement of a member of the ZBA and agreement of the Planning Board. If both of them agree, then it's ...

Mr. Tilly: No, I think that's great.

Chairman Cameron: It's not just the Building Department.

Mr. Tilly: Having to go through this for a swimming pool is kind of crazy.

Chairman Cameron: I had great trepidation about even that procedure. Because you know how emotional people get in this town about their views, and what they're losing and what they always had. People get very possessive about the view. I live on the other side of Maple, and in my garden house where I have my office I, too, have a view of the river, I jokingly say, because I look straight down it. At the end of Edmarth you can see a little hole through the trees and there's water, but I don't really believe I have a view of the river where I am.

I think we, as a group, need to discuss this. The world moves on and you don't always have all of what you had before. A bit along the lines of what Steve Tilly said, you have to balance how much view the people have and how much they're going to lose, and what benefit it has on the other people. Otherwise we can't move forward. So I think we have to look at these things and think about them.

Boardmember O'Reilly: Can I ask something in relation to this?

Boardmember Alligood: I have a comment.

Chairman Cameron: His question, and then your comment.

Boardmember O'Reilly: To me, it comes around to this question of the least possible obstruction. Obviously, it doesn't say there can be no obstruction. But the question is our opinion, or our reading, on the *least* possible obstruction. And do we have a view on that.

Chairman Cameron: Yeah. Well, one of the problems, if we can go in favor of a more expansive view of what's possible, is that you can't have somebody mentally keep adding to their house every year and each time still be possible. That's why this thing was originally designed; for new houses going up, and not for people making renovations. But for the last

30 years, we've been a renovation society because we don't want to move. We want to change our houses where they lie.

Mr. Tilly: Can I make a comment, a suggestion? I've been thinking about Ms. Sullivan's comment, and I think we could actually provide a minor hip from the base which would get rid of the vertical. In other words, it would create, in effect, a kind of eyebrow dormer. Again, it would further limit, but I think it might address your concern about the vertical line that you saw in the mockup. So we could extend that hip, in other words, down further towards the base of the dormer, which means that the entire side of that dormer would be sloping away. I think that would probably eliminate 99-point-something percent of any obstruction. Since it's a diagonal view and the roof is sloping up, it would now pull that vertical line down out of that view.

So without going through a long meeting with my clients, I think I can say that it's a further snipping of the utility, but it may be in the spirit of trying to do the least possible and I would offer that up.

Daniel Wyatt, applicant: I don't want to repeat anything you already know. That we had the fire, it was unexpected. Actually, the whole block and the whole community came out to help us. It was a very moving experience because we were relatively new to the neighborhood and people brought us food and blankets. Jeanie Schnibbe was amazing, Ann was amazing. Everybody came out, and it really meant a lot to us. Then we were banished to Dobbs Ferry – sorry – and we missed Hastings.

So when we met with Steve Tilly, who we got through the Historical Society. We know he won awards for view preservation, all this stuff, so he was sensitive to the architecture. We all know the architecture of those blocks: very, very beautiful, been well preserved. There've been additions, there've been lots of little additions so they're no longer perfect, mirrored houses. But the essence has been retained. That was one of the things that attracted us to the neighborhood.

We were a little bit rushed, living in a hotel, living in a rental; a certain timeline with the insurance to get everything done. We obviously have a huge job. We have to do a total renovation. We had a year to do it, which sounds long but already several months have gone by with all this moving back and forth with this.

Long story short, we love our neighbors, we had an excellent rapport with them. So when we met with Steve, we said let's do the least thing we can do. We have a brand-new 7-month-old baby boy, healthy, happy, amazing, and two other sons eight and 11; all in the Hastings school system. We said let's try to take advantage of this situation, which was a

tragedy. We lost everything, all of our personal belongings, every single thing. Let's see if we can just make it a little bit bigger for us as we do all the renovations.

Steve said this should be the least impactful thing for the neighbors and for everybody. We said OK, that's sounds right, this looks right, I think this is good. Then we heard – because we talk to everybody in the neighborhood all the time – that there was some concern. So soon as we heard there was concern we first, of course, tried to get Jeanie on the phone, tried to contact her several times. Never heard back, but people get busy. Finally, I just went and knocked on the door and she happened to be home. I said, Jeanie, we've had a great rapport as neighbors, we appreciate everything. We don't want you to be upset. We thought this was the least impactful thing we could do. But you know what? If you're not happy, let's talk about it. And she said, Danny, I'm really glad you came by, that's great. I said, and let's do this. Let's get the architect here tomorrow morning and let's redo this so that you're happy. You have to be happy. She said, Great.

So the next day, Jonathan came out. And we sat in the back and we put out the drawings. We sort of ironed out some of our misunderstandings. Because nobody here ... I'm not an architect, neither is Jeanie. So you could look at drawings, and sometimes it takes a minute to wrap your head around it. She said, I thought that was here, I thought that was here. OK. And I said, So what do you want to do? What's going to make you happy? Because I want you to be happy. We're going to be neighbors for quite a long time. And she said, I want you to move west, take this east corner out. And I said, Done. I said, Jonathan, strike the east corner. He said, How's this? We sat there, we mapped it out, how about this, how about this? I said, Let's change this right now because I want you to be happy.

At the end of that exchange I said, Jeanie, are you OK with this? I want you to be OK. And she said, Yes. And I said, So you're OK. And she said, I will have no objection. And I said, I just want to be clear because I don't want to do this twice. Time's of the essence, our back is against the wall with the weather, doing the roof, all the other things we have to do. Would you have no objection? And she said – and Jonathan was there as a witness – I have no objection. And I said, That means everything to me. I said, You know, we need this space, we have a growing family, we didn't want to impact anybody. We love our neighbors, we've had an amazing relationship with them, we appreciate all the help after the fire. Are you OK, I want you to be OK. And she said, OK, I'm OK.

This is just a little bit of a human context of our spirit of compromise. As we've seen tonight, it's a complex situation. It's not about no obstruction, it's about the least obstruction. I think everybody's clear about that. And we've been really, really ... it's been so important for us to be able to be flexible, to compromise; to still have things that are meaningful, not just a compromise and then the actual move is not meaningful. We want it to be meaningful. At

the same time, we want to be compassionate and understanding with other people's emotions. As we've said, it's an emotional issue. But at the same time, we've tried to be compromising and do the right thing. We certainly would expect a bit of the same in return.

Boardmember Alligood: Can I make a comment that I wanted to make earlier? Just one thing that has not come up? Which is that there's also an economic side here. Wherever this picture is, when you take out ... and I'm just talking about view that Ms. Schnibbe showed us that will be in this version. By taking away this amount of her water view, it's an economic issue. So I just want to put that out. It's not just emotional. This is going to impact the value of her home. I just think we need to be clear, it's not just an emotional issue.

Mr. Wyatt: No, no, no. It's not just emotional, but it is also emotional. It's not just emotional, understood.

Mr. Tilly: One thing. I mean, you've been up there so you realize that this view continues. This is snipped; this particular image exaggerates the percentage of the total view that is being affected.

Boardmember Alligood: On that window? I don't follow. There's not that much in the slice that you get.

Mr. Tilly: No. The view, if you're at the window, continues ...

Boardmember Alligood: But from that vantage point, where that window is placed, there's not much more ...

Mr. Tilly: You see the previous ...

Boardmember Alligood: There's not an expansive view off this side.

Mr. Tilly: You see the house from that window.

Boardmember Alligood: You're talking over me.

Mr. Tilly: I'm sorry.

Boardmember Alligood: I'm just trying to say that what you see there ... I mean, possibly there's a bit more. But as I recall it – and everybody else can ... we all visited. There's not much more than what you see there.

Mr. Tilly: Can you see the Gutman house?

Boardmember Alligood: Not if I'm standing at her third-floor window. We all visited it. That's what you see.

Boardmember O'Reilly: The Gutman house is the one with the Spanish roof?

Chairman Cameron: Yes.

Boardmember Alligood: You don't ... I mean, you'd have to stand at the window and crane your head this way. But as you're in the room, looking out ...

Chairman Cameron: You can see a bit more of the right here.

Boardmember Alligood: But you see the Gutman house here.

Boardmember Gould-Schmit: I just want to follow up on that comment. My first thought, when I was up on that third floor, it is not renovated right now. But if I were buying that house I would renovate that third floor and I'd want the view. And I do think there is an economic impact on the house next door. I think you're devaluing her property. And I understand there's the balancing act, but it's certainly a consideration I think.

Mr. Tilly: We can ask Artie Riolo if he thinks there's an economic impact of the snipping of that view. I mean, it obviously ...

Boardmember Gould-Schmit: It's more than a snipping. If you feel like there's a wall there ... I'm sure you have your opinion, but I have one as well and I'm in the design industry. I stood at her window and I'm telling you what I felt.

Mr. Tilly: Yeah, I understand.

Boardmember Gould-Schmit: It felt very closed off with the dormer.

Mr. Tilly: If you look at the previous view that she took – you showed us the last time – the view goes ... it's a horizontal image. Which if you're at the window, the view is not ... you're not looking primarily at this. There is significant view beyond it, so you have a significant river view. I've proposed several modifications which I think basically eliminate the obstruction. This is an as-of-right dormer. Again, you don't have the ability, in my opinion, to not allow an as-of-right improvement. You have the ability to recommend the least obstruction arrangement of the proposed improvement. For example, a garage that

someone's proposing, push it back on the property to align with the other garages. That's the inception of this view preservation ordinance. It's not to deny people the right to make improvements as-of-right to their property.

It seems like I'm repeating myself. But again, let me just show you this. I would propose that because I think it would, again, substantially minimize even what I regard as the partial obstruction from the third floor window of that view. And really, the balance of the view continues to exist.

Chairman Cameron: Well, since you're talking about changes, have you ever thought of swapping the northern bedroom for the northern bathroom, and put the bathroom on the eastern side and pull back the dormer? The bedroom wouldn't be quite as big, but you could get a lot of it there if you brought the bedroom right out to the stairwell of the stairs coming out, and took over the A-07 closet and made it part of that.

Mr. Tilly: There's plumbing issues and things like that that are hard to solve with the waste lines.

Boardmember Alligood: In other words, there are other solutions.

Boardmember Gould-Schmit: And better.

Boardmember Ambrozek: My comment is that you started approaching the neighbors, and I think that's a highly commendable approach. I would advocate that you work with the neighbors, try to spend time – see if you can get agreement from them. Because I think that has a big influence on us.

Mr. Tilly: There's a timeframe here because they're out of their house. They have to get in by a certain time. They're living in temporary quarters at this point. Everything turns into a pumpkin at a very specific time. So we need to ...

Boardmember Ambrozek: Well, I don't think I could be prepared to make a decision on it tonight anyway. You're proposing some amendments to the drawing plans, and I think they're based pretty much on a photograph only. I would need something much more concrete before I could really approve that.

Boardmember Sullivan: I'd like to make sure that you are in that space so you really can see what we saw. To support what Eva and Kerry said, when taking photographs I had to take multiple photographs from that space because of how constrained it was to get a view towards the north. But it was very clear the view that people have shown you, which is what

the dormer would be in relationship to the view of the river. So for you to be in there, to experience that, might be very helpful.

Mr. Tilly: Again, Deepa, my staff member, asked the neighbor twice if she could get access to take photographs and she told her should couldn't. So on two occasions she came back and said no, she wouldn't let me on to the third floor.

Ms. Schnibbe: The reason for that is that I have a dog and she was very upset because there were people coming and going, and I didn't think it was necessary at this point. It's an obvious view from ... when you put the mockup up, you could actually look into my window. So you would be able to see that also. I would have taken a picture from that perspective when I put up the mockup. I personally think it's an obstruction, I think the dormer is going to create (inaudible) for that piece that you think is not very big. It's big to me, and I'm going to see nothing but that frame. So maybe it could be downsized some way, or reconfigured.

Boardmember Gould-Schmit: If you're going to talk, you need to speak in the mic. Sorry.

Ms. Schnibbe: Sorry. Back away from mics, I don't like them.

I don't want to see the family not be able to make their renovations, but I do have concerns about my future in that home and my real estate value. One never knows, if I do renovations then I would have this space that I couldn't use to enjoy with it being blocked. That's all I have to say.

Chairman Cameron: This *is* Hastings. I'm going to throw out again an idea that occurred to me. That is to swap the A-04 bedroom for the bath from the A-07 closet, and keep the A-05 closet but make it face the other way. Then you could move the bathroom over to the eastern side and pull back the extended roof. Then it shouldn't impact them at all. You don't have quite the same space in the bedroom, but if you bring the bedroom all the way over to the stair and the handrail – and I know it's a little more cramped up there – but I'm just throwing that out as a way of getting you the increased place in the third floor without actually impacting at all the adjacent neighbor's view.

Boardmember Sullivan: I think what Mr. Tilly has sketched up tonight is a very good approach to minimizing the impact. I don't know how we go about showing that to Ms. Schnibbe, but I think it's got a lot of potential in picking away what you see right as the mean sort of sharp obstruction. And I think the utility issue, that's a very crazy floor you have anyhow. This is just one little more slump in there, but giving you the headroom that you need in both the bedroom and the bath.

I'd sort of suggest this as a very useful approach, and I'll pass this down to Bill and Michael. I think this is a very nice addition and a nice revision, potentially, to solve both problems. Kind of a compromise position between it. You know, a little less utility, but allowing a view that's very special. That's what we heard when we went and visited.

Chairman Cameron: But I guess my question is, if you do that design – which is useful – how far up, if you look at the plan, are we bending in the side of the extension?

Boardmember Sullivan: To the edge of the window.

Chairman Cameron: But if you do it on both sides, which is how you drew it and maybe you didn't mean to do that, you get rid of the bathtub. You don't have to do it on both sides.

Mr. Tilly: I'd be walking around the rest of my life like this.

Chairman Cameron: You'd fit in the bathtub perfectly, then.

Mr. Tilly: Right. Obviously, as I said, it's further limiting. And we would automatically have to look at the plan changes as a result of that. I'm offering, in the spirit of compromise, because it'd just be nice to move on with life. And I don't want to subject my clients to this kind of back and forth for a lot longer. But I think we could work something out in there that – figure out the plumbing and maybe reorient the bathroom and something like that – and make it work. I mean, it does limit the square footage and utility. But I think if it helps accommodate the bigger picture, then you've done your job and we'll do ours.

Boardmember Ambrozek: I would like to make one observation. That is, not everybody is able to visualize the final result from drawing plans. You have the assistance of a lot of computer-aided design equipment that perhaps you could use to take the existing photo that we have, and the mockup of the dormer addition. That once you have the angled hip in the dormer, you could then put that against the photo in place of the wooden poles that were there and show what the improvement to the view would be.

Mr. Tilly: No, absolutely. I mean, the thing I sketched on just recently is a 3-D model.

Boardmember Ambrozek: But it's not from the viewpoint of the Schnibbe residence. That's the approach I'm trying to take. If you take the photo from the Schnibbe residence that shows the existing dormer roof, then put in the hip on that, you could demonstrate how that alleviates the issue there.

Mr. Tilly: Yeah, I understand. Right, sure. Got it, that's a good suggestion.

Chairman Cameron: So your suggestion is that if we're looking at it in plan that we would have a diagonal wall on both the east and the west side, with the diagonal wall ending roughly where the window starts in each case.

Mr. Tilly: Yeah, you're going to wind up ... it really becomes what's called an "eyebrow dormer." It's on the back of the building. We're putting an eyebrow dormer on a sort of Queen Anne thing. I like to keep things simple, but it's not the end of the world.

Boardmember Ambrozek: Another term you could use is, it's a bit of a "mansard siding" on the dormer.

Mr. Tilly: Actually what happens is, the roof wraps up. You use roofing. So yeah, exactly.

Boardmember Sullivan: We talked about the dormer, but do we need to talk about the addition to the river side? Ms. Levine had a photograph of the pole and had some concerns. Do we need to talk about that?

Boardmember O'Reilly: A number of photographs, I think, were sent in by the folks from Riverside – or Riverview.

Boardmember Ambrozek: Riverview.

Boardmember O'Reilly: I had trouble finding an area where it did obstruct the view, quite honestly, no matter what you did. Even looking at this now it's hard to know, but their photographs still made a line with almost the existing end of the house. That's why I said earlier my only questions relate to the dormer. My own reaction is, I would need more convincing from some other source to get a sense that, actually, that view from their property is going to be compromised by that addition of the extension of that second story.

Chairman Cameron: I had some of the same feeling, quite frankly. There is a lot of view to the right of his pole here, as well, and there's not that much they're losing to the left. I understand that were all these leaves to disappear that this is the top of the Palisades; more river and less Palisades, as you look to the right. I'm not as concerned about that one.

Boardmember Ambrozek: My understanding was that the misapprehension about the view of the Palisades was because of the line of the blue tarp. And once that was resolved, I don't think there was an issue really with the addition on the second floor

Ms. Levine: My larger reservation was the top. That is a slice. It is an obstruction of sorts, but there is some other view, as well. I wouldn't discount it. It's more building, and as we put up more buildings along I think we change our waterfront views. But I will still be able to see the river next to that pole. But if you look at it, it's a significant amount of space that's being taken away from a view along the river.

Chairman Cameron: I think our objective now is that either we can do something now, or we do something fair enough now so that if they have to come back again we won't have to have them come back a third time. Because that is just hopeless to lose ... it's enough to lose 30 days, then lose 60 days and then lose 90 days. It's really not fun to live in a small space for a long time. I don't know now people feel about accepting something now which has a diagonal coming in to the edge of those windows as a compromise. I think we all can get some sort of feel of how much that wooden extension would turn in from there.

I don't know how many feel that you have enough information to make such a determination, or whether you want to see it redrawn and brought back to us next month. But I think no matter what we do we have to give them enough direction so that were we to delay this for another month, the chances of it happening further, period, is de minimis, minimum as the view interruption is.

Boardmember Sullivan: Can't we approve it given the direction of doing the slopes on either side, and then just ask to see the revision at our next meeting with just a chance to make some comments? I mean, they should be able to proceed. We've talked through all the issues. If this is the only modification, it seems we could make it conditional, or one last look-see at it. But I think the approach seems to be a very fair compromise between the use of the structure and the preservation of a view.

Boardmember Gould-Schmit: I think that's basically what Jamie was saying.

Chairman Cameron: Right.

Village Attorney Whitehead: Do we need to actually physically see the drawings, or are you comfortable with the concept to approve it tonight sort of describing what the change is and with the sketch? It's whether they have to come back at all. You know, whether you want to see the actual drawing or whether you're comfortable with what you have.

Boardmember Sullivan: I'm saying can't we approve the concept, let them go to the Zoning Board, get their building permit? Get on their way, but allow us to look at the drawing.

Village Attorney Whitehead: But what if you don't like the drawing?

Chairman Cameron: Then they've got their building permit.

Boardmember Sullivan: I'm just wondering if there's a way to let them proceed.

Village Attorney Whitehead: I think you all know what you're looking at for the change. You could approve it and say Jamie or someone will look at the revised drawing and confirm that it's what you anticipated.

Deputy Building Inspector Minozzi: Just keep in mind, everyone, that if this goes to next month and it's approved at the August Planning Board meeting, Zoning doesn't meet 'til the second week of September. They don't meet next month, so this could potentially cost them six weeks.

Village Attorney Whitehead: If they don't get to the Zoning Board next week, there's a longer delay than just to your next meeting.

Mr. Tilly: Well, we can do a confidence-building. In other words, we can get you the drawings before the Zoning Board meeting. And if, for some reason they ... counsel can concoct something about this.

Village Attorney Whitehead: I'm trying to help you.

Mr. Tilly: Yeah, I understand. We can get you the drawings lickety ...

Village Attorney Whitehead: Well, you would have to because you'd have to have them before the Zoning Board meeting.

Mr. Tilly: No, that's what I mean. We can get you the drawings lickety-split, within the next couple of days, so that there's time then to say to the Zoning Board, Oh, wait a minute, we don't like think. You know what I mean? Or the chair can ... in other words, if the chair somehow gets communication from the Board that the drawings that we've produced, based on my sketch, do not reflect what the intent was of the interim ...

Deputy Building Inspector Minozzi: If that's the case they can always be taken off the agenda at the last minute.

Village Attorney Whitehead: Right. I think you're all pretty clear on what you think is going to be done; that it's going to become sort of a ... the corners are going to be taken off, it's going to get hipped on the top, it's going to be softened on the sides, it's going to be sort

of brought in a little by virtue of that. You have a drawing. I think you could approve it subject to those changes, which I think are pretty well-defined. Then if we can get the drawings, obviously before the Zoning Board meeting, they could even be circulated. Get an electronic version, and everybody can kind of say, Yeah, that's what we expected.

Boardmember Sullivan: Sounds great.

Deputy Building Inspector Minozzi: Get me the drawings electronically, I'll get them to the Board immediately.

Mr. Tilly: We can do the drawings tomorrow.

Village Attorney Whitehead: We understand the insurance issues and everything else, so I think this isn't something that this board would necessarily always do. But I think you all have a very good idea of what the changes are that you're anticipating, and you have a sketch.

Boardmember Ambrozek: I think that is true.

Chairman Cameron: And if you want to do another meeting you can go to the ZBA meeting.

Village Attorney Whitehead: And I'll be there.

Chairman Cameron: So do I have a motion to approve ... how are we doing this? We're softening it. Subject to an opportunity to comment, we're going to approve a revised dormer, with the dormer sides slanted in, in accordance with the sketch, as far as the existing windows that exist in the bathroom and in bedroom A-07 with the edge of the dormer. That's what we're really talking about. We're talking about bringing it in to the edge of this window. They may move the windows, but that's how far we're moving.

Is that your understanding?

Boardmember Sullivan: Yes.

Boardmember O'Reilly: So the drawing just presented, with that modification, shall be approved.

Chairman Cameron: Right.

On MOTION of Boardmember O'Reilly, SECONDED by Boardmember Sullivan with a voice vote of five (5) Boardmembers in favor (Boardmember Ambrozek abstained), the Board resolved to recommend view preservation approval to the Zoning Board of Appeals for revision to the dormer at 7 Edmarth Place in accordance with the sketch provided by Architect Stephen Tilley at the July 17th Planning Board meeting.

Mr. Tilly: Thank you very much.

Chairman Cameron: You got five votes, and you only need four. Good luck.

Mr. Tilly: Thank you.

Boardmember Ambrozek: I'm not sure that this gives the other people in the neighborhood a chance to speak up.

Village Attorney Whitehead: Jean, you can go to the Zoning Board meeting next week. They also have to approve it. And the revised drawings will be done then.

Chairman Cameron: You'll get a drawing before that. We'll make sure Buddy gives you one. There seems to be two copies of it, aren't there?

Deputy Building Inspector Minozzi: Let me just run downstairs and make a copy.

VI. OLD BUSINESS

None

VII. DISCUSSION ITEMS

“Washington Mews” – Proposed New Development at 11-17 Washington Avenue

Chairman Cameron: Oh, there are still some people in the room. How lucky we are.

We had a discussion item before us this evening concerning a project entitled "Washington Mews." It concerns a possible development on Washington, below Warburton, stretching from Washington through to the station parking lot.

Please introduce yourself. Just because we know who you are doesn't mean everyone else does.

Ned Baldwin, architect - Baldwin & Franklin: I'm here with my wife and partner, Jill Anderson, and my client, Alex Chang. Mr. Chang has purchased two lots on Washington Avenue which are 200 feet deep, extending from Washington all the way to the municipal parking lot by the station. We've devised a development scheme for the property which creates a mews, a pedestrian mews, which goes from Washington right through the property and descends the hill into the parking lot opposite the station.

The concept is to build four townhouses on Washington, one of which has a driveway entrance under it into underground parking to serve the rest of the development. There are 12 proposed dwelling units grouped on each side of the mews. I wrote a letter requesting this discussion item to the Board and outlined the issues we wanted to talk about. We're primarily interested in getting an overall reaction to the project, and then your specific attitude toward approval, in principle, on matters like coverage, setbacks, the entry egress across public property at the north end of the project. And also the introduction of a commercial use at that end, which we will talk about, and building heights and volumes and view preservation issues.

We've distributed a list which outlines the actual units, the dwelling units, and their approximate size, their parking requirements, and the open space or private outdoor space required for each one. We've got illustrations here, elevations on Washington – a transverse section through the site – which shows the parking structure and an elevation of the units on the west side of the site.

Jill Anderson, Baldwin & Franklin Architects: So this is from the station parking lot.

Boardmember Sullivan: You should use the mic.

Mr. Baldwin: We also have an elevation of the north end of the property which shows the stairs which descend from the mews down to what we propose to be a terrace area on Village property and steps into the parking. We're proposing a commercial use on that terrace under the parking structure, a small café of some sort. It's not really defined, but the basic principle would be that it would be accessed from the parking lot by the public. So we're appropriating Village property in terms of passing ... well, our customers for that facility would have to pass across Village property. Also, our tenants – or our owners, this is a condominium – would cross Village property going to the train station from the project.

The mews are seen as a public thoroughfare. We have iron gates. You enter the mews at the southeast corner of the property, and you walk in almost level into the center of the property and then descend by the stair at the back. The grade change on Washington is just enough to accommodate it so we're able to enter the parking structure from the street grade with hardly any descent at all into the garage. It's only about a foot or so.

From a setback standpoint, we're setting the buildings on the east side back from the property line by approximately 13 or 14 feet for several reasons. One is that the county trunk sewer runs through that area. And they have an easement over the property and frown on having buildings built on top of their sewer. Also, we want to create outdoor space on grade for the units, which are built on that side of the mews. This creates the opportunity to have private, enclosed gardens in that 14-foot wide space.

The townhouses on Washington have a zero setback. And on the west lot line we are only a foot setback just for ease of construction of the parking structure. The parking structure, the grade on the adjoining lands to the west are lower. So the parking structure would actually be about 6 feet above the grade on that side; enough for us to get ventilation openings into the garage. On the north side, we have a setback that varies from a minimum 1 foot to about 4 feet, depending on exactly what we do with that north wall of the houses.

We are not showing you any unit plans tonight because they exist only in very sketch form, and the final resolution of exactly how big each unit is is still not totally resolved. Mr. Chang has to do an economic analysis of the cost of construction versus the potential revenue, and he'll determine ultimately what size the units are.

Building heights. We were attempting to stay within the 40-foot height limit everywhere. If you take the definition of height in the bylaw, and establish an inclined plane through the site, we would not comply. The site is more or less level except for the last 50 feet or so, where it descends. I guess it's a bit more than that. It descends 25 feet at the rear. So the houses which abut the rear line coincide with it. They're very near the very top of the hill. The terrace we're proposing is some 30 feet lower. So we can only really have a one-story structure at that end and stay within the 40-foot height limit. But then if you look at the longitudinal section, the houses on the west side are three-level houses, starting with the second house in. They all are under the 40-foot height limit.

Personally, I have to confess I'm totally confused by the measurement, the use of the incline plane in a situation like this where the lot is extremely deep. If you were to draw a line from the lowest level to the highest level, as what the bylaw reads, then we would have a very, very limited ability to build on the site at all. I don't know to what extent we're asking for a relaxation of height, but it's our desire to never have more than 40 feet anywhere.

From a view preservation standpoint, it is extremely hard to make a presentation at this time of year when the trees obscure the views from all the properties that are affected. However, we have attempted it if I can just show you a section. [off-mic].

Boardmember O'Reilly: You need the microphone.

Mr. Baldwin: This is a section through the entire block on Warburton to Southside. Today, I went into the houses that we built on Warburton. And from the main letting floor, which is the first floor above Warburton, the Warburton level is our bedrooms and their view is very minimal due to the fence and the parking lot in the back. So I arbitrarily said that the main living room is what we should be really concerned with. At that point, the view of the edge of the water is obscured by some of these buildings that exist here now on Southside. The sight line to the bottom of the Palisades clears the proposed structures that we're talking about in this area here.

This is an actual view today, with the trees, and I've attempted to sketch in here, in white, the lines. These would be the east units. You'd be looking at the roofs, which would be below this fence line. Then the views go through there, and these would be the units on the west side. That line is the Palisades. This is the river, this is water, and it is obscured by a short area right in there and then the water is visible there.

That's about as good as I can do it this time of year, but we obviously had to do a lot more work on it. This section is quite accurate. That's all.

Chairman Cameron: So the eastern units are only two stories high?

Mr. Baldwin: They're two stories high.

Chairman Cameron: And the western units are three stories.

Mr. Baldwin: Right.

Chairman Cameron: So the eastern units have no view?

Mr. Baldwin: They're small units and they're oriented toward their own garden. There's a bedroom upstairs, and it's very minimal units.

Boardmember Alligood: How do you get light on that lower floor of the two-story building?

Mr. Baldwin: Well, it has light ...

Boardmember Alligood: Because that'd be looking at a wall, right? That's a wall.

Mr. Baldwin: The wall is 14 feet away.

Boardmember Alligood: Yeah, but you're going to be in kind of a ...

Mr. Baldwin: Yeah, but it's only two stories high. I think it'll be quite a nice courtyard garden. There's plenty of room there to have a terrace and planting, and it's quite private.

Chairman Cameron: Are these two-story units?

Mr. Baldwin: Yes.

Chairman Cameron: Each unit'll be two stories?

Mr. Baldwin: Those are two-story units.

Boardmember Sullivan: How tall is the three-story building above the existing street grade?

Mr. Baldwin: This one is 40 feet high; the highest one is 40 feet high.

Boardmember Sullivan: So where is the 40 foot to?

Mr. Baldwin: Taken right here.

Chairman Cameron: Because the roof of the garage is level across the whole site – well, across that part.

Mr. Baldwin: The mews level, you enter the mews level here and it's basically level across all the way behind.

Boardmember Sullivan: You step that block, and you have four distinct blocks. And no part of any block is more than 40 feet high?

Ms. Anderson: Correct.

Boardmember Sullivan: OK, thank you.

Ms. Anderson: In fact, they [off-mic] lower. [off-mic] 40 feet here is the highest.

Boardmember O'Reilly: And this encompasses what are currently three existing buildings – 7 to 13, is it?

Ms. Anderson: Yes.

Mr. Baldwin: Currently, there's a two-story building at 9 through ... well, it encompasses 9 through 17, and 9 through 11 are one-story buildings.

Boardmember O'Reilly: Right, OK. I went through this one when it was for sale.

Chairman Cameron: So it does include the one with the red brick exterior, which is being renovated.

Boardmember Sullivan: No, that's their ...

Chairman Cameron: But it includes all the ones above?

Boardmember O'Reilly: These three.

Boardmember Sullivan: This is one lot, and this is one lot.

Ms. Anderson: The drawings are a bit small so maybe you want to pass this around. This is the mews. These are the three-story houses on the west side.

Chairman Cameron: You're looking at it from the two-story houses.

Ms. Anderson: Correct.

Chairman Cameron: But you're seeing through.

Ms. Anderson: You're looking at it from the center of the mews.

Boardmember O'Reilly: And you're providing 27 parking spaces inside, off-street.

Mr. Baldwin: That's right, 27 in the garage.

Boardmember Alligood: In terms of access for fire trucks, how would they get in there to deal with a house on fire in the mews?

Ms. Anderson: You're going to have to deal with emergency access to the mews.

Mr. Baldwin: Yes, you won't take a fire truck in. But there will be a stand pipe system of some sort so you can run a hose in.

Village Attorney Whitehead: With three-story buildings? I don't think that ...

Deputy Building Inspector Minozzi: We're going to have to have the fire inspector ...

Mr. Baldwin: Oh, of course.

Deputy Building Inspector Minozzi: And that's even remotely possible.

Village Attorney Whitehead: I think with three-story buildings you have to have truck access. I think that's the fire code. So you need to certainly look at that, speak to the fire inspector. Especially because you have three-story buildings back there, the state codes are different.

Chairman Cameron: I was envisioning a fire truck coming through the middle of those four townhouses you built right in there, sitting on the back parking area and spraying down on everything.

Mr. Baldwin: A fire truck would have some trouble getting in there.

Chairman Cameron: Yeah. There is a fire hydrant right across the street, by the way.

Mr. Baldwin: A fire truck could back in the pedestrian entrance to a point where it would only be ... I mean, if it was one big building I don't think the question would arise.

Chairman Cameron: Well, on three-story buildings it did arise with the Ginsburg development. We actually have a gravel/grass situation so the trucks go around behind the building because they insisted on being able to get around – the fire department being able to get around – behind the building.

Village Attorney Whitehead: It's code.

Mr. Baldwin: For window evacuations, that type of thing?

Village Attorney Whitehead: Excuse me?

Mr. Baldwin: For window evacuations?

Village Attorney Whitehead: No, for firefighters.

Boardmember Ambrozek: I just want to say, since this is a discussion situation, I counted a total of 16 units. Is that the number you're considering now?

Mr. Baldwin: That's correct, yeah.

Boardmember Ambrozek: So I believe there has to be affordable housing.

Mr. Baldwin: There are two designated on the list.

Boardmember Ambrozek: OK. That was not mentioned in the presentation.

Mr. Baldwin: No, I didn't mention it but they are on the list. There are two that are tentatively designated as affordable. They may not be those two, but we realize that, yeah.

Boardmember Ambrozek: We understand this is discussion. I mean, I just want to be sure that you're aware of this.

Mr. Baldwin: Yes.

Boardmember Ambrozek: Another concern I have is ... well, I'm beginning to see that you're considering the Green Code, looking at some of your drawings. The other thing that concerns me is setback, especially on the north side. The access: I'm not aware of any issue of providing access to the café or a similar sort of facility at the lower level. But I'm concerned about building right up to the property line for development in terms of having mews properties going all the way to the northern end. I'm not sure that meets the required setbacks there.

Mr. Baldwin: No, there are no setbacks required in this district at all. They're zero-setback.

Village Attorney Whitehead: That's not ... not if you're abutting ... they are if you're abutting a residential district.

Deputy Building Inspector Minozzi: Yeah, if you're abutting a residential district.

Mr. Baldwin: That's only ... there's a 30-foot rear yard and 10-foot side yard if you're abutting a residential district. But we're not.

Village Attorney Whitehead: And rear yard does not.

Mr. Baldwin: But we don't have any requirement for any setback.

Chairman Cameron: There are two magnificent trees at the end of your rear yard, one I think you're saving when I look at the picture. That's one of Mr. Chang's properties, I think, technically – or half of it's on his property. And the other one – I actually haven't taken a good look at it – you've got a building on top of it. I know the other ones, where you have a garage underneath, is a bit of a problem saving a tree. As good as you are, saving a tree with a garage underneath is tough. But we should look at those trees.

Mr. Baldwin: Well, there is, as you say, a 30-inch red oak that's up at the front. It's not shown on our survey and I'm not sure it's practical to save it. But we would certainly like to try.

Boardmember Sullivan: My comments on this, if I can go one more order, it'll be an interesting project, I think. It's definitely two pieces of property that have potential for change in this area. It's going to be interesting to see how this plays out. What concerned me were a couple of things that we've talked about with you at one point, and with some other projects, when I looked it up.

The 495 Warburton project, you had requested to have access from the Village parking lot to that, I think, two-family home. We said no to that. You know, we said we couldn't recommend that as part of the site plan because it just seemed to be privatizing Village property. I feel the same way with this project. You know, that it would be inappropriate to recommend the kind of access that's being requested from the Village parking lot. It's not a very attractive way to get to a café. I doubt that is a smart place for a commercial property, at some point. Those things are more to lean towards the street, where people walk by them. Because it's sort of flipping where it belongs if you were interested in putting something in the property that's commercial.

The other thing we the talked about – and I just throw this out – we looked at another project up at Washington and Warburton and had problems putting multiple structures on the single lot. You can only have one structure per lot. And this is complicated here, where we have three different pieces, three different structures, that you're proposing to be put on this particular property. I'm not sure that is something that we can ... again, this would involve

some conversation and discussion with the Zoning Board at some point, definitely, to get their read on this.

The other part that concerns me is coverage. You're correct, there are no setbacks that are required on this zone. But there is a development; there is a coverage, percentage. And that's 80 percent.

Mr. Baldwin: Eighty percent is the maximum coverage in an MR-C district. And we are at 65 if you don't count the subgrade structures.

Boardmember Sullivan: That's my issue. The subgrade becomes a building.

Mr. Baldwin: If you count the subgrade buildings, we're just slightly over 80 – 81 or something.

Boardmember Sullivan: I'd have to see the whole property to see where the 20 percent is that you aren't building. Because it looked like you were going to be basically building out the property, from the drawing.

Mr. Baldwin: I'm sorry, I'm having trouble hearing.

Boardmember Sullivan: I apologize. I'd like to see that because it looked like you were basically doing 100 percent coverage with the subgrade, for the most part, and leaving very little untouched, from the drawings that we've received. You have much more information here, but this is a concern of mine. That we make sure we don't overbuild on this property.

Mr. Baldwin: [off-mic].

Deputy Building Inspector Minozzi: It's not on.

Mr. Baldwin: We definitely ... we are at slightly over 80 if you do not count ... if you do count the entire parking structure underneath. But I didn't get your point about the subgrade structure. You're saying that that would have to count as coverage?

Boardmember Sullivan: Well, that's my question.

Mr. Baldwin: Well, that's an issue which was on my list of things to discuss.

Boardmember Sullivan: Yeah. I mean, that's a question for me is, you know, you're really creating a substantial parking structure underneath ...

Mr. Baldwin: Yeah, but nobody can see it.

Boardmember Sullivan: Well, I can see it from the northern section. So you're creating a very strong wall on the northern side towards the parking lot. So in my opinion, you just need to understand how that impacts our calculation of coverage.

Mr. Baldwin: Well, the grade slopes down. Sorry, the Village land is only something like 32 feet wide on the west end, and then I think 38 or 39 feet on the east side, that little strip of land. And then the ground slopes up. So if we didn't have that terrace there we could probably eliminate 8 or 10 feet of the wall that you're seeing, that big wall. But we think that is worth having because of the amenity.

Going to your first point about 495 and having access across the land, when we talked about 495 there admittedly was very little public benefit at all to a connection at that location. And I thought that was quite justifiable to say, you know, you can't do it. But in this case, I think that there is public benefit by having a shortcut route from the corner of Washington and Warburton – almost the corner – going straight to the station, and not have to go to the foot of Washington and turn right on Southside.

Village Attorney Whitehead: Are you going to let the public walk through the mews?

Mr. Baldwin: Yes, that's the idea.

Boardmember Sullivan: I think we can discuss that. Because my opinion is, parking in that parking lot, once you get in there, there's no real pedestrian environment that's keeping people on sidewalks – maybe a more appropriate thing. But again, I want to kind of keep this to sort of some general comments because you have much more information here than we got to take a look at before this meeting. So my thoughts are based on what we did have.

The other thing is ... so coverage was one of them. The other thing is, again, this sort of general thought. Whether or not we get around these three different structures on one lot, and whether that's something we can go with. I'm averse to the mews idea for the reason that it takes away – and we've run across this again in another project – but it takes away people's sort of connection to the street that they are established on. I just think you've basically created an environment where people are sort of in an enclave of some type; they're sort of separated from, you know, the street part, the street life of Hastings. So that's just a personal feeling.

The other part I have is that open space doesn't seem to be accounted for, in the sense that it's

not open recreational space. What's open is on space that's being used for passage to somebody's apartment or condominium home, or being used – if we keep with the public use for people to walk across – to go down this staircase and get into the parking lot. So I just think that as we look at this I think we need to really think about what is open space, and the definition of open space for people in the dwelling units.

And the only last comment is sort of on the height. And I thank you for telling about the 40-foot because I think it's pretty clear. The issue is have is, I think the court that you've created towards the east of the property – the 14 feet or whatnot that you're setting back because of the sewer easement – in our code, we do talk about courts needing to be 20 feet wide, or – I looked at it – the highest vertical that's adjacent to it. Especially if you're using that for light and access. We need to really make sure that you've looked at that as a court, and make sure you're meeting the zoning code on that. Because that's really a life, air and ventilation just sort of perception that my dwelling unit doesn't back up against a wall. That I have some breathing space between that and ...

Mr. Baldwin: Well, I could agree. We've really thought that out. I think the proportions of those spaces would be quite acceptable.

Boardmember Sullivan: Well, take a look at 295-21 in our code.

Mr. Baldwin: Yes.

Boardmember Sullivan: And see how that may apply.

Mr. Baldwin: OK.

Boardmember Sullivan: I think it may not just be perception, but dimension.

Mr. Baldwin: On the point of multiple buildings, I found nothing in the bylaw under MR-C district restricting it to ...

Boardmember Sullivan: Well, look under 295-18, "general requirements for all districts." We've dealt with this on another project, so that's why ...

Mr. Baldwin: For *all* districts.

Boardmember Sullivan: Yes.

Mr. Baldwin: I mean, there's no district you can't have more than one building on?

Boardmember Sullivan: There are some districts I think that do, in the district description, talk about multiple buildings. I think they're some of the ones we haven't dealt with. But look at that particular section. It's requirements for all districts.

Mr. Baldwin: OK. On the issue of open space, the private ... there are such a thing as private recreation space which is associated with each unit, which we have. The open space that I assume you're talking about is the difference between the coverage and the total land area.

Boardmember Sullivan: Well, what I'm talking about is, in the district description they say for every bedroom you should have 100 square feet of open space. But it's recreational and open space.

Mr. Baldwin: That is private space.

Boardmember Sullivan: Again, I know. We've only seen so much of what you're designing right now. I just want to mention that.

Mr. Baldwin: No, we have roof terraces, we have balconies. We provide the required space, and I've outlined how much we've provided on that ...

Boardmember Sullivan: OK, that was new information from you.

Chairman Cameron: That you provided excluding the ...

Mr. Baldwin: I'm excluding the mews. The mews is public outdoor space. I personally find the mews a very nice concept because it's a much nicer thing to walk through than to walk on a busy street with traffic. And the scale of it, the intimacy of it I think is very nice.

The alternative is you put a wall up, and then it's part of a building. You know, you go through a door and you're in a building whether it has a roof or not. It could have a roof, but then it's just like everything else. We're trying to do something very different here, and a completely different sort of character.

Boardmember Sullivan: Well, you're looking to do something different and out of character, and I'm saying I'd like it to be a little bit more in character. It's just a position, it's not a yea or nay thing.

Chairman Cameron: Yeah. For example, I love the mews. It's very enjoyable to walk in.

You'll find a variety of views.

Boardmember Sullivan: Exactly. I'm just one.

Mr. Baldwin: OK.

Boardmember Alligood: One thing that I didn't sort of realize in the description and looking at the plans is, now that I see the elevation I'm a bit concerned about what it's going to feel like walking down or up Washington and having this huge hole which leads to an underground garage. That's going to be something very ... I can't think of any other case of that in Hastings, where you walk along the street and you're essentially looking into a ...

Mr. Baldwin: Well, we have that on Warburton. The townhouses we built on Warburton, we have a tunnel that's, in that case I think, 16 feet wide or 14 feet wide, 10 feet high that runs right through the building. There's a curbcut, and vehicles cross the sidewalk.

Boardmember Alligood: But is there a gate or something?

Mr. Baldwin: There's an iron gate. That's a closed-off gate. This, we've recessed the door to the garage deeply so it's in shadow and set back from the sidewalk. I don't think you'd really notice it that much. Especially since there's not a steep ramp going down to it. It's more or less very gentle.

Chairman Cameron: The difference in the one on Warburton and this one is, I think this one ... is this one a two-way ramp?

Mr. Baldwin: This is a two-way ...

Chairman Cameron: The one up there is one-.

Mr. Baldwin: That's one-way.

Boardmember Alligood: Yeah, the scale is completely different. I mean, I'm just looking at your drawing. I didn't think of it when I looked at what you submitted to us, but I'm just saying now that I see the elevation. And maybe it's just the shadow that's there that it seems quite large.

Mr. Baldwin: Well, this elevation is drawn normal to the direction of Washington, and Washington is on the bias. So as you see, this is a triangular balcony in front of each unit. So you're actually seeing more width there than if you were looking straight on.

Chairman Cameron: Well, besides, you almost never look straight on because you'd go right off the road.

Mr. Baldwin: Exactly.

Village Attorney Whitehead: Unless you're walking.

Chairman Cameron: But I think actually, quite frankly, walking through the mews would be a popular way of going to the train. You might not know quite so early on when it starts running if you're late, but other than that it works very well.

Boardmember Sullivan: It's a pretty private experience, Jamie.

Chairman Cameron: But I think a lot of people use it as that.

Boardmember Sullivan: I mean, it's not very ... you can't ... from when you enter, and you can't see where you're going, you're actually going down. It's something that's like a fire stair to get to maybe what will be on the property. I mean, people in the know will know how to get there. But I think most folks would enjoy running down the sidewalk and keeping to the traditional path. But that's just my feeling.

Mr. Baldwin: People will go the shortest way possible.

Boardmember Alligood: I do think the stairs are going to be ...

Village Attorney Whitehead: That's a lot of stairs.

Boardmember Alligood: That's a lot of stairs.

Chairman Cameron: Well, that is a lot of stairs.

Boardmember Alligood: I don't see somebody running down those stairs.

Boardmember Sullivan: How many flights, three?

Chairman Cameron: I'm quite surprised how much it is. I walked up there, actually, and it didn't seem to be as much walking up as you have coming down.

Mr. Baldwin: It's 30 feet down to the terrace. And we've made the stair 4 feet wide, so it's

quite generous.

Boardmember Sullivan: Yeah, it's just a ... it's not ... it's a little bit like a building further down on Warburton, where the parking lot is up high and the street's down low, and there's a lot of steps in between.

Chairman Cameron: Is this the adjacent land I'm seeing here?

Mr. Baldwin: Yeah, that's right. That's the adjacent land.

Chairman Cameron: So that's the problem is that you've cut into this land whereas the ... anyway. Because I walked up to this land yesterday and it didn't seem [inaudible].

Mr. Baldwin: Yeah, you would probably ... you see where the awning on the café is. The grade across that wall would probably be about there.

Chairman Cameron: Right.

Mr. Baldwin: If you didn't have anything. But then you would be left with a steep slope to come down.

Boardmember Alligood: Have you thought about orienting some of the building towards the parking lot as opposed to creating this wall? Having maybe ... this design doesn't address Kathy's concern because it would still be two separate blocks of building. But you could do something on either end. You could build this way instead of along that way.

Boardmember Gould-Schmit: But there are two houses at the end here.

Chairman Cameron: Yeah. Well, quite frankly, the building would look a lot smaller if you actually kept the grade in here. So you'd be walking up through bushes or what have you, or trees, and you'd still be on grade when you got here into this terrace. They cut this land out of here.

Boardmember Gould-Schmit: They cut it out, yeah.

Chairman Cameron: So that's one ... I'm not sure how much of a big seller this café is going to be, behind a line of cars. Anyway, I could be surprised.

Boardmember Sullivan: I just don't know if it's what we like to see happening with that kind of stuff towards the parking lot.

Chairman Cameron: This is all before we double-deck the parking lot down there.

One of our great fears.

Boardmember Sullivan: But given how hard it is to find a parking space down there when you're trying to get to the train these days ...

Chairman Cameron: Well, that's for a particular reason.

Boardmember Sullivan: ... it may need to happen.

Boardmember Ambrozek: I also like the idea of the mews. I like the idea of being able to make Hastings more walkable. I think the passageway through the mews would add to that. I'm not sure what happens to the people once they get to the train station parking lot. It seems to me that they just sort of get dumped. There are no sidewalks. You have to walk between cars that are parked in order to get out of that area, especially by rush hour.

But I think people would take advantage of any shortcut, even if they have to ... I mean, the stair behind Steinschneider parking lot is also probably more than 30 feet vertical.

Mr. Baldwin: Yeah.

Boardmember Ambrozek: You would not have any ... you don't plan to put any gates, either, on Warburton Avenue into the mews or at the back?

Mr. Baldwin: We're showing iron gates at the rear of the townhouses on the entrance that would be open. But we thought that there should be some way to close it off if we had any problem. You know, it is private property open to the public. In order to keep that right, you really have to be able to close it off once a year or something like that.

Boardmember Ambrozek: OK. Well, I also ... this reminds me of 6-1/2 Avenue in New York City. And yes, those properties tend to have gates at each end of their block to preserve it as private property.

Chairman Cameron: It's a great way to walk up 6th Avenue, going up 6-1/2. Because you only get a little bit of rain when you cross the street.

Boardmember Ambrozek: And you have a pedestrian crossing very often.

Chairman Cameron: Yeah, that's true.

Well, this has been very informative. I mean, I think we should ask more questions if we have them, and then we should get a chance to absorb more information if you could.

Mr. Baldwin: We will distribute the presentation we've got here. We'll get it scanned and distributed.

Chairman Cameron: Because there's so much information that it's very hard for us to give you feedback other than one of delight or dismay, depending on where we come from I'm from the delight side. But there you are.

Boardmember Sullivan: I have one question.

Chairman Cameron: Oh, we have a member of the public here, too.

Boardmember Sullivan: I just want to jump in with one thing, Jamie.

Chairman Cameron: He was waiting.

Jim Metzger, 427 Warburton Avenue: I could use the microphone. That'd be great, just so I can see the drawings.

Boardmember Sullivan: Jim, I just want one thing before you go. I'd love to hear what you say.

This is something I found and it's ... in looking at the parking requirements in the code, which was interesting, because I felt ... and it wasn't ... I was looking to see if there's any guidance on parking structures, especially underground. Because we've run across this now on three projects in the last, say, year. And the parking requirements are written like they're for on-grade parking, which I think probably – I'm just speculating – when the code was written, that's what people were perceiving. And so this kind of intensity of development that we're seeing on this property, and also on the proposals we've seen on Washington and Warburton, make me think that there's some potential ambiguity in whether this district might be very appropriate to have this intensified parking dealt with on the property the way that it is.

But I think in other zones we may not want to have a parking structure be proposed. Now, maybe it's not in multi-family districts that's where we might see this in the future. But there may be areas that we don't want to have this kind of intense constructive parking going on. I

mean, this parking will happen because the economics of the units will allow it to be constructed. It's really an elaborate and expensive proposition. You aren't going to see this in every project. But I just wanted to share that thought. Because really reading how they describe parking and what they're looking for, it all feels like it's on-grade stuff.

I don't mean that as a comment pro or con against this project. It was just a thought that came up because I was looking at it.

Chairman Cameron: This sort of reminded me, when I looked at it, of a European city. Which you suddenly realize how many parking spots they really do have hidden under all the buildings.

Boardmember Sullivan: You know, and we're Hastings, so ...

Chairman Cameron: But it's ... anyway.

Boardmember Sullivan: You know, I mean, the development ... the 80 percent of development coverage might have been thought of as building plus parking lot on grade, you know. We're allowing ... this allows more building because the parking can be put under grade and then considered covered, potentially.

Chairman Cameron: Right. But on the other hand, we did change the zoning in the downtown because we wanted more density and we wanted more people living downtown. And this is actually a terrific opportunity to have exactly that happen.

Boardmember Sullivan: No, no, no. I ...

Chairman Cameron: If we bring this up to the Trustees I think they're going to be enthusiastic.

Boardmember Sullivan: Jamie, I'm not saying this particular property. I feel that in this particular zone that there may be other zones you want to look at and make a restriction. Maybe. So ... but it was just a thought. We don't define parking structure at all.

Chairman Cameron: It would be interesting to see whether we have any other pieces of property hidden away that are as long as this one, which is what makes this thing work.

Mr. Metzger: The first thing I want to say is, these architects consistently present projects that I think are in keeping with the character of the neighborhood that they design in. I think these are very sensitive designs for the neighborhood, and I like the direction that project's

going. I do have some issues with some of the logistics of the neighborhood.

Washington Avenue, as many of you know, is an incredibly narrow street and it's an incredibly steep street. I think there are probably going to be some issues with trying to have cars navigate in and out of a garage, ostensibly right across from Ridge Street. The people tend to double park down at that end to get into the dance school. When the trains pull in, there is generally a line of traffic that goes far enough down the street that it would probably block access. Just something to consider when we look at how people move through this.

The big issue that I have is the concept of putting this public space, this café, down off of the train station parking lot for reasons that were noted, in that there's no real pedestrian access to get there except, potentially, from these stairs. But the other issue that I have is, at some point in the future when we're developing the waterfront and we're looking at the parking lot as an adjunct to the waterfront, that café may become an issue with how the waterfront develops. And it may not be the positive space that you're envisioning it now. It may be something that's tucked away behind a mass of other buildings. So something for you to think about in the future, whether that's necessary.

When 10 West Main was being considered, the single biggest issue was, as it faced Steinschneider parking lot there was a three-story building. But as you moved to the back of that property it became a 60- or 70-foot high wall. That became a huge sticking point, and I believe Jamie brought up the issue of the height of the wall and the cut to accomplish what they want to do – having access down into the parking lot. That may become another issue with the height of that wall.

The two-story mews concept, the two-story building on this side of the mews being behind the parking lot of the buildings on Warburton Avenue and in front of these three-story buildings, just from a purely subjective point of view I think it's going to become sort of this row of houses stuck in a trench. I think that's going to be a real issue. I think there are probably ways to mitigate that, maybe with sloped roofs and skylights where you could allow light down into the units. Then you have privacy issues. What might be nice is if they reduce the density of that two-story-high group of buildings and eliminated one, or possibly two, of the buildings and create a natural public square as opposed to just two parallel walkways. It may open that space up enough where those units would have more breathing room, so to speak. Again, this has to do with the client and the development cost versus their return. I understand cost is always part of this.

The other big issue that I have is the elimination of a lot of the trees around our parking lot. At some point those are probably going to go away. This may be the project that starts that process, but it's something that when you look down into the parking lot it's one thing that

gives you relief from the fact that it's a sea of parking down there. And when you get off the train, it's kind of nice to come into this greenspace. I would like to see, as the project develops, that some of the density of planting down around that parking area be retained. I think that would be a nice thing.

And, of course, there are the usual issues of, you know, how many potential schoolchildren there would be if these are being developed for families with young children. Just things to consider as the project moves forward. Overall, I think it would be a nice solution to kind of add to some of the ramshackle buildings that are existing on Washington Avenue. But I think some finesse needs to be applied.

Mr. Baldwin: Gentlemen, the way the two-story structures along the east side, the space between them and the wall going up to the Warburton townhouses, it's divided for each house. It's not a thoroughfare. That is private outdoor space. There's a wall that goes ...

Mr. Metzger: But how high is that wall relative to the building height? It appears that the wall is the same height as the building.

Mr. Baldwin: Well it would be about a story high, something like that.

Mr. Metzger: Oh, OK.

Mr. Baldwin: So it would be a wall garden.

Mr. Metzger: There are issues, I guess, of privacy of the Warburton Avenue buildings looking into the second floor of those buildings. But that's an issue that we have where streets are close together anyway. Just something to consider.

Mr. Baldwin: Well, actually, the Warburton houses would not be able to see the sides at all because they have a 14-foot high wall plus a 6-foot fence on top of it.

Mr. Metzger: Well, that's what I'm saying. If those two-story units are behind that wall, then the back of those units is going to be looking at a 20-foot high wall.

Mr. Baldwin: They are.

Mr. Metzger: That would potentially be an issue as a sales point. Would someone want to buy a townhouse where you have a narrow street, and right across the street are your neighbors' living rooms, and then in your backyard it's ... that's what I'm thinking. If there's a possibility to develop a more open space in that area it may give some relief from that.

Ms. Anderson: We did originally have that. When we [off-mic] ...

Mr. Baldwin: I'm sorry.

Ms. Anderson: ... such a big easement for the sewer. So we did have that. I think the marketing of those smaller units, cheaper units which we don't have much in Hastings, all the kitchens about the mews. Whereas your living quarters are private.

Mr. Metzger: It is a much more European sensibility.

Ms. Anderson: Yes.

Mr. Metzger: And there probably is a selling point for that; absolutely brilliant. And in New York City, like you said, mews become these wonderful little jewels in an otherwise dense urban fabric. Whether that would fly here or not, that'll be up to you and your client to decide from a marketing perspective.

Chairman Cameron: I would think that a lot of the people who live in this development are actually going to go and take the train to New York City every day.

Mr. Metzger: Yeah, I would think so, too.

Chairman Cameron: And the car traffic coming out on Washington is probably going to be fairly minimal.

Boardmember Sullivan: It's interesting, I just read a statistic today that said 60 percent of the people in Westchester commute by car.

Mr. Metzger: I have one other question, and this has to do with code interpretation of the number of buildings on a site. If you build a parking garage on the site, and you now have buildings sitting on top of that parking garage, is it one big building with multiple heights, or is it considered separate buildings on the site?

Deputy Building Inspector Minozzi: This has been a subject of conversation down in the Building Department many times. And I think it's going to have to be up for some interpretation.

Chairman Cameron: Right.

Mr. Metzger: Thank you.

Chairman Cameron: So you'll give us these diagrams, and then I guess we'll need a little time to absorb it. Then I guess you're planning on coming back and talking to us again.

Mr. Baldwin: Absolutely. It would be nice if you can give us some minutes or comments on the general reaction.

Chairman Cameron: Sure.

Village Attorney Whitehead: I think you've heard a lot of it here tonight.

Mr. Baldwin: Oh, I think we have, yes. And we've paid attention.

Boardmember Sullivan: And we are also reacting to what we just saw tonight, so only getting a few drawings in advance of a meeting is difficult.

Chairman Cameron: Something just as a reminder. This is what we were seeing, but even worse, on the back side of 4 West Main. It was just leaping out of the woods; it was hugely tall, and I think that is not a good site for us. If you bring the earth back up higher, and make these guys seem smaller, you're not going to lose that much space down here. I think you'll get a pretty quick read, and it'll be the Trustees – whether they're interested in letting you use town property to have a café.

I think one of my comments is that that is just going to be too big of a structure at that point if you bring the land back to where it was and have a nice thing going up through here. I know you've lost something down here, but not a lot, and the whole thing will look a lot smaller. So that's my comment.

Boardmember Ambrozek: I agree with that. That the elevation from the parking lot would be much less severe if you retain the existing slope, especially on the Village property. Then that becomes the issue of who's responsible for the building staircase across Village property to get down to the parking lot.

Also, regarding the parking area, you appear to show doors from the bottoms of units S-2, S-3 and S-4 that go directly into the parking lot. Everybody else has to use public stairs.

Mr. Baldwin: That, and E-1 also has direct access. But we haven't worked out the plan yet. There's somewhere between a 5- and a 7-foot height change between the parking floor and the basement of that unit.

Boardmember Ambrozek: That's what I was looking at in the diagrams. I couldn't make the two jibe.

Mr. Baldwin: We just haven't resolved that. We think it would be nice to have some units have direct access, that it would be a nice amenity.

Boardmember Ambrozek: Yes. But then I also ... at least from the drawing, it looks ... unless they get their own parking spaces right there behind their units, it doesn't really provide ready access. Because you'd have to walk between cars to get anywhere from those garage doors.

Mr. Baldwin: Well, you'd obviously have the space. The space that's immediately adjacent to your door would be assigned to you. So it would be quite convenient, I think.

I didn't explain properly that all the residents have access to the garage via the stair that's shown in the mews, and there's an elevator as well. And garbage and recycling is also collected in that little square building at the end of the entry space so it can be taken from that to the curbside on the level, a very short distance. And that little building obscures the space behind the two-story east units. There's a building that blocks that off, so that as you come in you're directed into the mews by that building.

Chairman Cameron: Any other questions?. Thank you very much for coming.

Would anybody like to propose that we adjourn the meeting?

II. ANNOUNCEMENTS

Next Meeting Date – August 21, 2014

IX. ADJOURNMENT