

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
AUGUST 21, 2014**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, August 21, 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 Michael Ambrozek, Boardmember Kerry Gould-Schmit, Boardmember William O'Reilly, Boardmember Kathleen Sullivan, Boardmember Richard Bass, Acting Village Attorney Joanna Feldman, Deputy Building Inspector Charles Minozzi, Jr., and Deputy Village Clerk Mary Ellen Ballantine

I. ROLL CALL

Chairman Cameron: Ladies and gentlemen, welcome to the Planning Board meeting of August 21st, 2014. Mary Ellen, will you please take the roll?

II. APPROVAL OF MINUTES

Meeting of July 17, 2014

Chairman Cameron: Now we can move to approve the minutes of the July 17th, 2014 meeting. Does anybody up here have any comments?

Boardmember Ambrozek: Yes, I have two changes I would like to request. On page 14, in the first paragraph, it currently reads, "*And am sorry.*" It should read, "And 'I' am sorry." This is a statement that I was making.

And then on page 33, again in a statement I made, it currently reads, "*The other people in the neighbor a chance to speak up.*" That should read "neighborhood," in place of "*neighbor.*"

Thank you.

Chairman Cameron: Bill?

Boardmember O'Reilly: I had nothing.

Chairman Cameron: Kathy?

Boardmember Sullivan: No changes.

Boardmember Gould-Schmit: No changes.

Chairman Cameron: You weren't here, then no changes.

I have a couple comments. One I actually brought up. We don't have this program, PDF Complete. It appears in our minutes.

Boardmember Ambrozek: I think this is actually the problem of the person who's creating the PDF file, that their version is out of date or something.

Chairman Cameron: No, no, no. They have PDF Complete, and you and I don't. So when they create the PDF, they're using a particular kind of software. And then when we get the document, they're telling us, "Oh, gee. You see this icon in the upper left-hand corner? Because you don't have PDF Complete."

Boardmember Ambrozek: Oh, so maybe they should use a different version of it.

Chairman Cameron: They're offering you the opportunity to buy it, I think, without mentioning the price.

Boardmember Ambrozek: OK.

Chairman Cameron: Anyway, we can deal with this.

Also, although we can from time to time be amusing, this is actually not a transcript. This is actually our minutes. So if we could ask them to just delete "[laughter]" when they put it in there in the minutes, just not put it in anymore. It didn't used to be there.

III. NEW PUBLIC HEARINGS

Accessory Apartment Permit Renewal, Application of Marie Artel-Wallace, 79 Southgate Avenue – SBL: 4.90-87-7. Waivers required for square footage and parking

Chairman Cameron: The first item in our agenda is a new public hearing, accessory apartment permit renewal, application for Marie Artel-Wallace, 79 Southgate Avenue for an accessory apartment. Waiver required for square footage and off-street parking.

Buddy, could you give us your report, please?

Deputy Building Inspector Minozzi: Yes. I was on the inspection. There have been no changes to this accessory apartment since the last inspection. Our office has received no complaints in the last three years. There are two waivers required tonight. We need a waiver for 2/10ths of a percent coverage; a total of 25.2 percent. And require one off-street parking space. I recommend approval.

Chairman Cameron: OK. Is the owner here? Would they like to speak?

Anybody on the Planning Board have a comment? Anybody in the public have a comment?

At that point, if I don't have any comments I will entertain a resolution to approve the application of the renewal of the accessory apartment permit, Marie Artel-Wallace, 79 Southgate Avenue. This approval also includes a waiver for square footage and off-street parking. Anybody wish to propose that one?

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Bass with a voice vote of all in favor, the Board approved the renewal of the accessory apartment permit for 79 Southgate Avenue.

Chairman Cameron: It passes.

IV. NEW BUSINESS – None

V. OLD PUBLIC HEARINGS – None

VI. OLD BUSINESS – None

VII. DISCUSSION ITEMS

1. “Washington Mews” – Proposed New Development at 9-17 Washington Avenue

Chairman Cameron: We now move over to a continuation of a discussion item from our last meeting before us this evening concerning a project entitled "Washington Mews."

Deputy Village Clerk Ballantine: Did we have a motion on the minutes?

Chairman Cameron: Oh, I'm sorry. Yes, good point. I'd like to get a motion from somebody on the minutes. Anybody abstaining? You're abstaining, yes. He wasn't here.

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Gould-Schmit with a voice vote of 5 to 0, Boardmember Bass abstained, the Minutes of the Regular Meeting and Public Hearing of July 17, 2014 were approved as amended.

Chairman Cameron: Now let's go to the discussion on 9-17 Warburton Avenue, called Washington Mews. It's a continuation of our discussion from last meeting. It concerns a possible development at 9-17 Washington, below Warburton. Ned Baldwin, I believe, will make a presentation. It will return to our September meeting or thereafter as a full application.

Ned Baldwin, Baldwin & Franklin Architects: My wife and partner, Gill Anderson, is here, and my client, Alex Chang.

We did provide drawings, which were revised following our discussion in July. There was one error in one of the sectional drawings. The longitudinal section did not show the commercial space at the north end of the project removed. That was a mistake, the changes on those drawings we developed ...

Chairman Cameron: Turn this around so people in the audience can see this. We have a fairly good-sized audience today.

Gillian Anderson, Baldwin & Franklin Architects: I can [off-mic].

Mr. Baldwin: Yes, let's do it in the orderly fashion.

The unit plans were somewhat developed since our last meeting. We do show direct access to the southern townhouses from the parking level. We have relocated the commercial component to the southeast corner though at the entrance to the mews, where we're showing a small café that's open to the access to the mews. We think this is a superior solution to what we were talking about last month, and will really enhance the sort of public nature of that access point. It's very small, but it has some tables outside and inside.

In the east units, we've shown the layout plans. There seemed to be some reservations about the viability of those units at our last meeting, and we have shown how we see them working. They are two-story buildings, and you will see in our view preservation presentation that we have planted roofs on them. We've shown some development of the garden space to the east of them, but up against the retaining wall. Drawing number five, which we sent through, shows the roof plan for the whole project, which shows roof gardens where proposed.

The elevational (ph) drawings were relatively unchanged except that the north one is, of course, fully revised to eliminate the very high wall. We've now raised the grade to the natural grade at the property line. We have the northernmost townhouses on both the east and west side less than 40 feet high on that side. We are still showing the stairway, of course, coming down on that north side. We would still propose some steps down to the parking lot, although I know that's beyond the Planning Board's jurisdiction.

We mistakenly did not include the letter to the fire department and their response, but we sent it out later and I have a copy here in case anybody hasn't seen it. The essential components of that are that the fire department agreed with us that the mews represented a natural grade and that therefore they could measure the heights of all the buildings from the mews. And as long as they stayed within the 30-foot limit they were quite pleased with the access. They thought the access was adequate. They had no need to bring fire apparatus onto the site at all because being a sprinklered structure we are permitted the buildings up to 300 feet away from where the apparatus can be parked. They examined lower Washington Avenue and thought it was suitable. We've been through all the technical requirements with them for the different standards for the three different sprinkler systems that we will have through the whole project. I believe reservations regarding fire access have been put to rest.

We haven't made any changes to speak of in the basic analysis of floor areas and unit sizes. They remain more or less as we first presented them. We have focused, in the last two weeks, on the view preservation presentation, which we will now show you.

Chairman Cameron: Have you sent out notice? Usually, the best part about having view preservation presentations is that we have in the room all the people living within several hundred feet who might have an issue.

Mr. Baldwin: Absolutely.

Chairman Cameron: So unless you've sent out those notices, it's a little bit redundant to be doing it now.

Deputy Building Inspector Minozzi: This is not an official application.

Mr. Baldwin: This is not an official application, and we have been in contact with all of the people that are directly affected. We advised them in advance that we were going to remove some trees so we could more accurately present the view preservation criteria. So we did that. We also advised them that we were putting a flagpole up on the site at exactly the height of the western structures, the front edge of the roof of those structures. We've done that. We have not had time to have a meeting with all of them and review all the drawings. We will do that before the next meeting, and before the next meeting we will go through the full circulation procedure.

The bottom line on the view preservation issue is that the new buildings do obscure very small portions of the water view. It is our position that we have dramatically improved all the views for all of those houses, and some lessening of the amount of water scene is an appropriate give-back. We took photographs from 493 Warburton Avenue, which is the most removed of the townhouses. It's the furthest back from the edge, and seemed to be to most appropriate. The water views are at least good in that unit of the four or five houses. We took photographs before the trees were removed – which we showed you briefly last month – which are totally inconclusive. And then we took a photograph after the trees were removed and after the flagpole was erected. We have produced a prospective drawing over the photograph, inserting our project into the view exactly as it would appear. Where is that?

This was a view a month ago. This is the view today. As you can see, we've removed a lot of trees. We've removed two very significant trees. All of the rest of the trees were of secondary quality. But while we were there, it was deemed appropriate to just carry on and get the job done. This is our flagpole. That red flag represents the height of the westernmost houses. As you can see, it is above the water line somewhat. This is traced directly over that print, and it shows the impact.

Boardmember O'Reilly: Could we see those photos that you were just looking at yourself? I can see them, thanks. So this photograph was taken from the first living level?

Mr. Baldwin: That's right.

Boardmember O'Reilly: From the first living level.

Mr. Baldwin: Yes.

Chairman Cameron: Of one of the four townhouses.

Boardmember O'Reilly: Right, OK.

Chairman Cameron: Anybody?

Mr. Baldwin: It turns out that all of our immediate neighbors to the east are here. So we'd like to circulate the photographs to them.

Boardmember Ambrozek: Jamie, while we're looking at the views could we start having discussions with the architect?

Chairman Cameron: Sure.

Boardmember Ambrozek: The people who live behind the building, we're going to repeat this at the next meeting.

Mr. Baldwin: Yes.

Chairman Cameron: Please look all you wish, but we're going to make sure everyone's properly notified and we'll repeat it again. Maybe we'll have them hang them up on the wall, too. So you're giving up nothing if you don't spend as much time looking at it as you'd like to 'cause we're going to do it all over again. This took us a little bit by surprise, quite frankly. But good to see you here. We love participation.

Mr. Baldwin: It's totally unfair of us to be springing this on you like this. Are there any questions?

Boardmember Ambrozek: Yes, I have several questions. Firstly, on sheet one – I don't know if you wanted to look at that – this is the parking lot level. You have some dashed lines represented there that seem to join small squares. I have no understanding of what those dashed lines represent.

Mr. Baldwin: They're large girders that are in the structure that would be required at those places.

Boardmember Ambrozek: OK.

Boardmember O'Reilly: Under the [inaudible].

Mr. Baldwin: And those are [off-mic], so those squares are [off-mic].

Boardmember Ambrozek: Right, thank you.

Still on that same sheet, you show the height of the asphalt paved area for the Zinsser parking lot as being 69.4 feet, and then you show the height of the grade just to the south of it as 72 feet. But in between, there was a point that is just 67 feet, which is lower than either of the two grades. This is on the northern end of your building.

Mr. Baldwin: That's a mistake. I have no idea what that's on there for.

Deputy Building Inspector Minozzi: Ned, please talk into the microphone.

Mr. Baldwin: I'm sorry. That's a mistake, a drawing mistake. I have no idea why it's on there.

Boardmember Ambrozek: OK.

Mr. Baldwin: The parking lot is at around 67. And in our first game we presented a month ago we had a terrace at 72. I think that dimension, that elevation, is simply left over and didn't get erased when the terrace was erased.

Boardmember Ambrozek: Fair enough.

On sheet two, you show the garbage building as being, I believe, on top of the county sewer.

Mr. Baldwin: That's right.

Boardmember Ambrozek: I understand you need to provide access for that sewer line to the county. Is putting a building there appropriate?

Mr. Baldwin: It is fine. We've reviewed the terms of the easement that the county holds on that land, and it permits you to build a rather substantial building right on top of the sewer. I've discussed this with them. We don't intend to make a substantial building at all. That is a very simple wooden building that would just be there for trash and recycling. That could be easily removed. I mean, basically we have nothing but gardens over the sewer for the entire length.

Boardmember Ambrozek: Yes.

Deputy Building Inspector Minozzi: Keep in mind that the county planning board will review this plan. After it leaves our review, the county will get to take their look at it and give us any comments at that point in time.

Boardmember Ambrozek: Still on sheet two, there is a medium-sized square with an X in it adjacent to the stairs at the garbage building. I believe that is an elevator. Is that correct?

Mr. Baldwin: That's correct.

Boardmember Ambrozek: OK. If these things could be labeled it would be helpful. Thank you.

Chairman Cameron: Bill, do you have anything?

Boardmember O'Reilly: No, not on the drawings.

Chairman Cameron: Kerry, do you have any questions? (Inaudible).

Boardmember Bass: Sorry I missed last week's meeting. I was stuck in a plane.

On sheet one, can you describe the security for the residential parking?

Mr. Baldwin: There is a code-operated garage door which closes at the stairway entrance.

Boardmember Bass: And on the northern end, the stairs?

Mr. Baldwin: The northern end of the stairs will have key-control access and all of that.

Boardmember Bass: OK. On page two, the mews, is that all pavers? What does that consist of?

Mr. Baldwin: The squares that you see are all pavers, like a 6 by 9 brick-type paver.

Boardmember Bass: So what is the impervious coverage for the lot?

Mr. Baldwin: This is pervious paving. They will be pervious pavers.

Boardmember Bass: OK.

Mr. Baldwin: But the issue about impervious structures, one of our fundamental requests

here is that the parking structure be deemed to be a subgrade structure. I believe in my first presentation we did present coverage numbers, and I think we're allowed 80 percent or 85 percent on this site. We are if not at that, even counting the parking structure, we could comply. In the formal application next month I will have all that worked out in detail, the exact coverage. But in the initial presentation, we laid out how we thought we complied with virtually everything. It's within a percentage point or two on coverage.

Boardmember Bass: The mews is proposed to be public?

Mr. Baldwin: The mews is proposed to be public.

Boardmember Bass: Would that be guaranteed by deed restriction, covenant, promise?

Mr. Baldwin: No. What we prefer is to retain the private rights so that the mews could be closed in the future if the condominium corporation requested it. If it turns out to be unworkable for any reason having public access, we would like to hold the right to, you know, make it private. We are showing a folding gate on the access to the mews, which could be closed on that occasion if that was to happen.

Boardmember Bass: Would you be open to a type of public open space that New York City considers? Where the space is open X number of hours and has closure elements?

Mr. Baldwin: Well, we hope that's not necessary. The whole point of this development is that you can live in it and your friends can come and walk right to your house and ring the bell. It's like a public street, and we would like to leave it open 24 hours, 24/7. The only hesitation I have on that is that you can't predict the future and you can't predict how people are really going to behave. If we had problems with public access we'd like to hold the right to make it non-public.

Boardmember Bass: From a site plan review, being neither here nor there on that, I'd like you to think about that on how to satisfy the Board and the Village in terms of the condo board making a decision based on their concerns versus the benefit that this offers to the Village.

Mr. Baldwin: Well, so far in our discussions there seemed to be very little interest in the ability of pedestrians to go through this site to go to the train, as a shortcut for commuters or anything of that sort. In other words, they haven't placed a lot of stress on the benefits to the Village of having pedestrians.

Boardmember Bass: Who are the "they" you're referring to?

Mr. Baldwin: Well, this board, at the last meeting, there were comments about that not being hugely beneficial.

Boardmember Bass: Just as an example, the development on the corner just east of you is touting their transit-oriented development aspect; this would enhance their ability to walk to the train station.

Mr. Baldwin: Well, I think ...

Boardmember Bass: As an urban planner, having greater access speaks to me.

Mr. Baldwin: No, I totally agree. I think it will be of value. And I also think that as public space it's of value. It would be a very unique, one-of-a-kind type of space. There's nothing like it around, and I think that's good for the Village.

Chairman Cameron: I think part of the reaction was the fact that you were proposing to put a café on Village property in the back and I don't think people felt that was appropriate. Now I see it's gone, so at that point that was a bit of a resistance to the ... I'm actually totally in favor of it. But I think it's very unfortunate if we get access, then lose it because once people are used to using it they don't want to give it up. So that's not a good idea.

Boardmember Sullivan: And Richard, just to answer Ned's comment, I was somewhat vocal about, and questioned, the usefulness of this as a shortcut for anyone coming down Washington who would want to get to the train station. If you look at Google Maps, it's kind of interesting to see where their property is in relationship to the train station and the parking lot. Really, my opinion is that it doesn't really provide a useful shortcut when you look at where it actually lands in the parking lot. There, I believe, would need to be some improvements made to get people from wherever they land after they get down the hill of Village property safely to a street or a sidewalk. I think you really lose any benefits of it as a through-block cut-through.

I park down there frequently so I'm aware of where it is in location to ... and how I have to sometimes park and walk through the parking lot to get to the train station and it's kind of a ... I expressed an opinion that it would provide, create, an unsafe situation for pedestrians once they got down into the parking lot without some real thinking about where you're taking them.

Boardmember Bass: But that could trigger thinking about making the parking lot a little bit more pedestrian.

Boardmember Sullivan: That was a comment, a thought I've had. I agree with you 100 percent if that's how we go. I just think how it's drawn right now and how it was drawn last time, it was more, Well, we're taking it this far. My perspective was, let's see how much value this really is. And if there is some value, how do you do it safely. I think, at this point, sidewalk steps down to the parking lot doesn't cut it in my book.

Boardmember Bass: Right, right. It just drops you there.

Boardmember Sullivan: And what are you trying to achieve? Because for shortcuts, folks stand someplace, look over there, want to get there. And the sidewalk system doesn't take you there so they'll walk across a lawn and they create goat trails and that kind of thing. Which often, in a campus layout, that's where they come in and put a sidewalk down because people have said that's really the direct route.

Boardmember Bass: There are some great films by White showing that type of ...

Chairman Cameron: E. B. White? Sure.

Boardmember Sullivan: It's how we operate.

Chairman Cameron: Not E. B. White – [Polly] XXX White.

Boardmember Sullivan: So I'm not personally convinced a goat's going to want to go to the train station on Washington Avenue in front of this.

Mr. Baldwin: We have shown the walkway sort of going diagonally toward ... there is a marginal stairway which extends 150 feet or so into the parking lot from Southside Avenue. The idea would be to sort of tie into that so that you wouldn't have to cross the lot directly.

Boardmember Bass: OK, may I make a suggestion? That when you make your presentation, either next month or the month after, you show that strong connection so we connect the dots?

Mr. Baldwin: OK.

Boardmember Bass: Garbage removal, how does that work?

Mr. Baldwin: There'll be a concierge/manager for the project. At the days of collection, there will be wheeled containers for every occupant, just as you would for a single-family

house. They will all be moved to the street curb on the appropriate days. So it's sidewalk collection just like a single-family house.

Boardmember Bass: OK. But that would mean that there would be 16 or more of those garbage cans on a small part of the sidewalk. So on Tuesday morning, it might be an integral way of walking down Washington. Can you ...

Mr. Baldwin: Well, that would make our shortcut through the thing even better.

Boardmember Bass: Right. If you block the sidewalk, you have to come through there.

Mr. Baldwin: No, there are some other buildings in Hastings that operate the same way and it doesn't seem to be a huge problem.

Boardmember Bass: OK.

Chairman Cameron: Well, we'll have to think that one through. Because it is a very steep hillside and a very steep surface. Maybe they're all sitting in your entryway – I don't know where they are – but we might talk to the garbage people about it, too.

Mr. Baldwin: Well, it's also possible that they could be combined. You wouldn't have 16 of them necessarily.

Boardmember Bass: I know this is a level of detail that is premature because we're really not in the site plan review, but on page two W-7, W-6 you have "*study/office*." For me, those are euphemisms, where they're not livable rooms that you call a study or an office and they become livable rooms. Why do you have them designated as that as opposed to a bedroom? Or could they be used as a bedroom?

Mr. Baldwin: Well, you're right. A study can become a bedroom. I don't know. I think the room is rather small. Do you want to comment?

Ms. Anderson: Yes, I'd like to respond. They're very small, and the entrance would be, I think, very restricted if that was a room with a door on it. It's also right into the mews, and rather public. As most people need offices these days – a lot of people work from home – and there are adequate bedrooms in the rest of the house, this seemed like the right thing to do.

Boardmember Bass: As a practitioner in the city, I see lots of, quote, unquote, "offices" and "libraries" don't have windows, don't have adequate space. And the department of buildings winks, winks – lets it go through because it's a library or a study.

Ms. Anderson: Right. It wasn't a ploy on our part.

Boardmember Bass: OK.

Ms. Anderson: Because I think people come to Hastings wanting more room; come out of the city to buy a house here to have adequate space.

Boardmember Bass: It's a trick I use.

Boardmember O'Reilly: I do have one question on the drawings. The parking entry seems to be relatively flat with no drop-down once you come through the gate into the parking area. So the amount of excavation on your eastern boundary would be approximately how many feet in order to create that flat parking area there? Because the distance is 88 feet at the parking entrance area, and then it's about 102 or more on the eastern boundary. So you would be excavating approximately 15 feet on your eastern boundary.

Mr. Baldwin: On the eastern boundary ...

Boardmember O'Reilly: In order to create the flat parking.

Mr. Baldwin: The parking floor is 15 feet below the sidewalk floor on the eastern boundary.

Boardmember O'Reilly: On the eastern boundary.

Mr. Baldwin: Yeah.

Boardmember O'Reilly: So it's approximately 15 feet of excavation on that side.

Mr. Baldwin: That's right. Which is made up of 9-foot headroom, 4 foot of structure, and about 3 feet of fill in which to run our services for the houses which sit on top. So that's how it's used up.

Boardmember O'Reilly: So requiring a fairly substantial retaining wall there in order to ...

Mr. Baldwin: No. That's another reason we're staying away from the sewer. We would require some sheet piling to excavate along the east border of the parking structure, but it should not be excess. It'd probably be about 10 feet high.

Chairman Cameron: Any other questions?

Boardmember Sullivan: Can I make some comments?

Chairman Cameron: Sure.

Boardmember Sullivan: Is that OK?

Boardmember Bass: Well, I just have one question. For next week's submission, obviously we're going to have zoning sheets with plans.

Mr. Baldwin: Yes.

Chairman Cameron: Right. Yeah, and then blocks that shows you the height, the side yards that are required. Because there is one required under 295-20(g). Depending on the length of the building, there's a requirement on that. You'll find it.

Mr. Baldwin: 295 what?

Chairman Cameron: 295-20(g). Anyway, I'd particularly like to see the block there with what the requirements are – that you believe the requirements are – and how you meet them; breach and everything. Because then it's a lot faster for us to understand what's going on rather than searching around trying to do our own measurements. An example would be the width of the gardens you have behind E-1, -2, -3 and -4.

Mr. Baldwin: Those?

Chairman Cameron: Yeah, that's your side yard, I think, on that side.

Mr. Baldwin: Well, there is no side yard requirement.

Chairman Cameron: There is, but look on 295-20(g). It's not a big side yard requirement, but there is one there depending on the length of the building. If you're over 50 feet in length you need one foot for every extra 10 feet less. So it depends how long we think your building is.

Mr. Baldwin: On one side only?

Chairman Cameron: I think it's both sides.

Mr. Baldwin: I will look at that.

Chairman Cameron: Should look at that.

OK, any other?

Boardmember Sullivan: Because this is discussion, I'd like to repeat what I mentioned in our last meeting. That I think we'll be concerned about the coverage. Understanding that would be very useful. That we need to address this issue of one principal building per lot. That has to be answered by the Village.

Mr. Baldwin: Yes, we had a brief discussion about that in our first meeting.

Boardmember Sullivan: Correct. And I think it's a significant issue, since you're showing ...

Mr. Baldwin: I'm unaware of a requirement restricting to one building.

Boardmember Sullivan: I gave you the citation. It's 295-18, and we discussed that last time. So I think there are some comments that I made last month that ...

Mr. Baldwin: Right, I remember.

Boardmember Sullivan: ... would be useful if you could respond in some fashion.

Mr. Baldwin: OK.

Boardmember Sullivan: That's one of them.

The other one is the issue of providing courts, where there are occupied spaces facing another vertical surface. There's a certain dimension. I think you expressed that you feel comfortable with the dimension that you have on the eastern side between the backs of those townhomes and the wall that it faces. But our code actually has some language about that, and that would be very useful for you to take a look at and respond. It also impacts the distance between the two blocks, the eastern and the western block. Because you're actually

creating a court there, as well. So it'd be useful to look at that and be able to tell us how you're responding to that requirement.

Mr. Baldwin: Are you referring to the specific reference?

Boardmember Sullivan: Yes, and last month I cited these.

Mr. Baldwin: I recall.

Boardmember Sullivan: Good, because I'll say it again. It's 295-21.

Mr. Baldwin: Twenty-one.

Boardmember Sullivan: OK? So take a look at that because there's some very clear language. And it's important, I think, because what that court requirement does is to help provide adequate light and ventilation for the people in those units.

Mr. Baldwin: Right.

Boardmember Sullivan: So it's very important that we don't feel that they're too close to a wall, that they don't have enough sort of visual space – you know, air circulation. There's a reason behind it, I think, that would be useful in this situation – how you're proposing to lay the buildings out – to take a look at that.

Mr. Baldwin: We certainly will.

Boardmember Sullivan: Again those are, I think, the big ones from last time. Thank you for a more complete package. It was useful.

One of the concerns that I had from looking at that is that there's no analysis of the height requirements on this site. This particular zoning district, the code is very clear – and provides diagrams – on how to analyze what's the proper height in this site. I would really like to see that next time you present: an analysis of what the permitted heights are on this site.

Mr. Baldwin: We'll seek the advice of Mr. Minozzi because I find that difficult to interpret that.

Boardmember Sullivan: It's interesting. I looked at it [on a yok selsi] XXX and I think it's pretty darn clear. I can show Buddy where I started coming from. I sat at my dining room table with an old triangle and enjoyed thinking through this one.

Chairman Cameron: Well, it was drafted by the Planning Board and reviewed by the ARB, all of whom said they understood. Spent about an hour of going through it very carefully with them.

Boardmember Sullivan: It's something for our due diligence in looking at this. We need to have you ...

Mr. Baldwin: Well, I will analyze it and diagram what we've done.

Boardmember Sullivan: Thank you. I don't want to just ignore it. Because it's *being* ignored.

Chairman Cameron: And one of the principles of that is the concern that under the old rules you had a building that goes straight out at 40 feet, and by the time you got farther down the hill it would be 40, 50, 60, 70 feet high. So it makes you step down, and also it makes you start out at the back end of your building and it's 40 feet as you come back. That was to stop buildings looming over adjacent property owners, quite frankly, including the town parking lot.

Mr. Baldwin: Yeah, we started with 40 feet at the north end now.

Chairman Cameron: Anyway, I'm just saying you're slightly over 40 feet – if I have the numbers you gave us – reading them; not that much, but you were. Just go through it.

Boardmember Sullivan: The last couple comments from looking at these are, you sort of skated over if there are any parking requirements for the café. So when you prepare the tabulations of the required parking please don't ... since you're proposing a mixed-use building, we do need to understand if there's any parking that's generated.

Mr. Baldwin: Right. That's a very good point. I will do that.

Boardmember Sullivan: Because you're already deficient in parking at that point, which I think is going to potentially be an issue just for discussion. I think intensifying development in this particular area, given the problems with parking, it's very nice to have the proposed development support itself by accommodating all the parking that's required.

Mr. Baldwin: Absolutely.

Boardmember Sullivan: Again, I saw there was an omission on that.

The last, Richard touched on one of them, which is the bedroom issue in some of the larger units. You know, things potentially being able to be used as bedrooms but being called something else. One thing I think we need to be assured of is, if you stay at 16 units I believe you need to have three affordable units, not two. If you provide two units, and I think that's what you're proposing.

Mr. Baldwin: I'm sorry. I couldn't hear you, Kathy.

Boardmember Sullivan: If you stay at proposing 16 total units, under our affordable housing requirements ...

Mr. Baldwin: Yes, we have two designated units.

Boardmember Sullivan: Two units of 16 are 12 percent; we require 15. So I believe you need to provide three units to be able to meet our requirements.

Mr. Baldwin: You're saying more than two?

Boardmember Sullivan: I'm saying you need to provide 15 percent. And right now, with two units, you're only providing 12 percent.

Mr. Baldwin: I will review that.

Boardmember Sullivan: Well, 2.4 is 15 percent. So at some point we need to make sure we meet our requirements. That would be my take on it, Buddy. That you need to ...

Deputy Building Inspector Minozzi: We'll look into.

Boardmember Sullivan: ... provide three, not two, to meet 15 percent.

Chairman Cameron: I don't think you get to round down, but that's something we'll be looking at, too.

Deputy Building Inspector Minozzi: Yes, we always round up.

Boardmember Sullivan: The last thing, the proposal's very interesting. But I think kind of like the principal building issue, Buddy, it's important to understand – and I'm not sure the process, and I think out of fairness to the applicant before he goes much farther – if they will be permitted to use egress from the northern end, and to use Village property. This whole project is hinging upon that in some ways. That you're going to have your second means of egress from the north, somehow, down to someplace that's safe. Otherwise, if we ...

Mr. Baldwin: Well, it is public property.

Boardmember Sullivan: It's not ...

Deputy Building Inspector Minozzi: It has to egress to a public-way.

Boardmember Sullivan: It has to be egressed (ph) to a public way. And a parking lot is not considered one, from my looking at the entire code. I'm getting a little bit out of my territory.

Deputy Building Inspector Minozzi: I will look into that, but I believe a parking lot is a public-way.

Acting Village Attorney Feldman: I think it is.

Boardmember Sullivan: OK. Well, as long as ...

Mr. Baldwin: But we'll look into it.

Boardmember Sullivan: As long as we're comfortable with it. But where they land ... it's more how they get there. And I think we should be able to somehow give directions earlier than later in the process that that's even possible or not. You allude that it's out of our hands. You're right. We, as a planning board, can't give permission. But I think the Village needs to give an answer and I think soon, just out of fairness. Because if it's impossible, then we know which way to go; if it's not possible, we know another way to go.

Mr. Baldwin: I assume that the Planning Board would just be recommending a yes or a no.

Boardmember Sullivan: I'm not too sure. We've had one other situation that I remember where an applicant came and wanted to use Village property. This is Mt. Hope affordable housing, remember? I wasn't part of the conversation, but I think the Village, from my understanding, was a little reluctant to give over private use of public property.

Chairman Cameron: Well, we had one more directly than that, which is the owner of this property here who wanted to use the backside of his property to access into the thing. And then the Village said no.

Boardmember Sullivan: It just seems, otherwise, we're going to all spend a lot of energy on something. And we might as well just get the question answered.

Chairman Cameron: I think maybe at the Building Department and our side we can ask the question that if they had an emergency door in the back of the building – and burst out of there in an emergency, across grass, onto the parking lot – whether that works. I would actually rather you don't go to the Board of Trustees and try to figure whether they're going to give you this or not. Because we give them our recommendations, as you said earlier, on what conditions we think's appropriate for doing that. But maybe we can figure out whether, from a legal point of view, it's an exit. If you have a fire door back there because we hadn't given you permission to go out that way – and out your people went because they had to escape a fire, across a piece of grass, and now they're in the parking lot – that, to me, is the question we should try to answer first.

The second one is whether the Board of Trustees wants you going across their property in a normal course.

Boardmember Sullivan: I think that gets into the fire code then, too, Jamie.

Chairman Cameron: Yes, right. I was thinking. Behind the Ginsburg buildings we have these fire doors. It's onto their property, mind you, but then they have to go across their property over another property to escape their building.

Deputy Building Inspector Minozzi: I believe an emergency, strictly for fire egress and not for regular everyday public egress, there's a big difference in that. And I believe building code-wise, not locally code-wise, I think it just says a public-way. Now we have to make a determination whether that can be Village property, which I tend to believe it does. But we will definitely look into it.

Chairman Cameron: Sure.

Boardmember Sullivan: And keeping in mind how steep that slope is. Being able to say fine, hit the crash bar, go out the door, cross over some grass. I mean, you're actually going to fall down on your face because that's very steep, the elevations where these stairs are leading down to the parking garage. So I think it gets pretty complicated.

And I'm very concerned from a life safety point of view that we make sure this development has the proper life safety egress structure.

Boardmember Bass: Does this question get answered a different way if this is a dedicated public right of way or dedicated open space? Still addressing the physical egress down the parking lot, that needs to be addressed. But if we ask the question if this is a dedicated open space, is it a different answer if it's private or if it's public.

Deputy Building Inspector Minozzi: For emergency egress I don't think it makes a difference.

Boardmember Bass: No, no. I'm talking about egress, just egress. I'm not expecting the answer. And my question to you is – we're all raising a bunch of things – I would like you to fully submit a full application. I'm not sure that can be done in 30 days, or actually less than two weeks.

Deputy Building Inspector Minozzi: Well, actually, the submission would have been due today.

Boardmember Bass: Right. So I would prefer to see this in October or later if you need more time.

Deputy Building Inspector Minozzi: It can't go to September.

Boardmember Bass: OK, good. Then it can't go in September. But I would prefer a complete application as opposed to one that kind of is the rat against the maze and we answer some questions and we stumble towards conclusion. I would like a complete application. And if that takes you longer to complete, we'll be here in October, we'll be here in November. Since I do applications, I know urgency is always foremost. But now that I'm sitting on this side of the dais ...

Mr. Baldwin: Well, we certainly are interested in making a complete application and not doing it in a piecemeal fashion.

Boardmember Sullivan: I guess the last comment I had, Buddy, and I had a little back and forth in this. In your cover letter you referred to the New York State residential code, something that you discussed. Frankly, I think we're looking at the New York State building code. The residential code, I don't believe, will cover this.

Deputy Building Inspector Minozzi: Yeah, Kathy picked up some notes that made reference to the residential code, which obviously this project is not. This is definitely the building code.

Boardmember Sullivan: The reason I got into this is not because I'm going to advise Buddy on code compliance. But I know there are requirements – this is on the western side of the townhouse block – those exterior walls are close to the property line that it shares with the adjacent property. In your code, one of the things I think we need is for you to tell us ... I've looked at that, and the construction of that wall is intended to be such, therefore it's so many feet away from that building, from that property line. Nothing to do with our setbacks ...

Mr. Baldwin: Right.

Boardmember Sullivan: ... but based on creating the proper fire separation between the new structure and what's required by code from any building on the adjacent property. And I think, under the building code, there are actually restrictions on certain construction types on even putting windows in that wall. That's where I want to be really sure that what we're looking at is actually one ...

Deputy Building Inspector Minozzi: I believe it's a minimum of 3 feet from a property line.

Boardmember Sullivan: It's worth looking at it. There's a table ...

Mr. Baldwin: Well, the percentage of window openings is legislated.

Boardmember Sullivan: I understand. But I'm more concerned that we know that the wall is in the right location.

Mr. Baldwin: We've actually set the west wall back 5 feet to the windows.

Boardmember Sullivan: Again, I'm only reacting ...

Mr. Baldwin: We have to demonstrate that it complies with the code.

Boardmember Sullivan: I'm only reacting to the use of the residential code because that's not the proper code. The building code itself has more requirements that protect occupants in your proposed building from fires on any adjacent properties. So as we're looking at how this building gets set on the property, that that's been considered at this point.

Chairman Cameron: Anything else?

Boardmember Gould-Schmit: I have one just quick question. I have to say I am in favor – more like Richard – that a shortcut through a mews like this is actually a very positive thing. Some people like to walk down a sloped street, some people prefer to walk down stairs. I think having an option is actually an asset for people. I live on a sloped street, and I sometimes walk down the slope and I sometimes take the stairs. So I like the idea of it. I like the design.

I do have a question on the elevation, though. I mean, I have to say the garage is my most worrisome point of this because I think traffic is bad on Washington, and the in and out in this garage can be ... you know, it's going to be problematic, I think. And I always don't love the look of it or the experience from the sidewalk. My only other question is on the elevation. The wall that you're walking by, I'm just wondering what the height of that is.

Mr. Baldwin: That's a 3-foot high wall.

Boardmember Gould-Schmit: Three foot, OK. I don't love that aspect, either, but ...

Mr. Baldwin: Well, it's basically to ... there are some sunken courtyards in there with windows from the basement levels of those buildings. One of them actually has access.

Boardmember Gould-Schmit: Yeah, I see a little opening there.

Mr. Baldwin: The one just east of the parking, really.

Boardmember Bass: Again, in your next presentation that could be clearer. Though it's a very pretty drawing, it's very hard to truly understand how the front façade meets the sidewalk. To make it as pedestrian-friendly, I can't tell, really, one way or the other from this drawing. So if you could emphasize that.

Mr. Baldwin: We shall.

Chairman Cameron: You might want to make egress from the garage that they have to turn right and go down the hill. Because it is true, a lot of people come down that hill fairly quickly. If they're turning left up the hill they could get a slammer pretty quickly.

Boardmember Sullivan: That's tough.

Chairman Cameron: It's not that hard to go up, but you wouldn't want to do it between 7 and 8:30 in the morning. Any other comments?

So we'll see you in two months.

Mr. Baldwin: That sounds like it. Very good. Thank you very much.

Chairman Cameron: All right, thank you.

2. New Bicycle Paths

Chairman Cameron: We have a couple things. Kathy has circulated a letter with the comments on the comprehensive plan in Greenburgh on bicycling and ...

Deputy Building Inspector Minozzi: Hi, the meeting is still on. Please.

Chairman Cameron: I don't know if any of you went out to look at the plan on the Web. She suggests we send in a comment that we agree with their suggestion – one seems to be stronger than the other in my reading – that a sidewalk and a bicycle path would be good. So I'm opening it for discussion.

Personally, I think we should try to push everybody on their bicycle over to the North County Trailway. By us having one and Ginsburg having another one down just before Ravensdale, having enough room in Ardsley maybe that's a better idea. And I'm sure they have room for bicycle paths on that road. I certainly would be in favor of doing a bicycle path where it comes out of the old train station -- where they're planning to do it – down Ravensdale in that last bit. As you know, they're planning to come out of the old abandoned train station, which used to be a Hastings train station. You went across the bridge. They're planning to come there, and there's still another 70, 80 feet to the Ravensdale terminal. That, to me, would be a good idea. I have my doubts about the rest, but I'm in favor of the sidewalk.

I just think it's a good idea. But the only thing that really bothered me about the farther south part is that we might be invited to pay for it.

Boardmember Sullivan: The state routes? Who knows?

Chairman Cameron: That's true.

Boardmember Ambrozek: As I've always said, especially during the Ginsburg development, I'm very much in favor of sidewalks along 9-A. Hopefully, being a state route, the state will be able to fund the expense of the construction there. At least on one side there should be a sidewalk. So I am very happy with this letter that's been drafted.

Boardmember Bass: It's gone, hasn't it?

Boardmember Sullivan: No, it's here for comment.

Chairman Cameron: The other thing I didn't understand is this piece here. Is their plan good 'til 2035?

Boardmember Sullivan: That's from their [background noise].

Chairman Cameron: I'm just a little surprised.

Boardmember Sullivan: That's taken from their 20-year plan.

Chairman Cameron: And nobody should be allowed to have a 20-year comprehensive plan.

Boardmember Bass: My spring study is studying trails for the Regional Plan Association. So we'll include the bike paths.

Boardmember Sullivan: Thank you. I see one typo: "*Hastings-on-Hudson.*" So I'll change that. Should I just send it to you, Jamie, and kind of go from there?

Chairman Cameron: Sure, OK.

Boardmember Sullivan: And you're OK with keeping the bike trails without modifying them to ...

Chairman Cameron: If that's what people want.

Boardmember Gould-Schmit: I haven't looked at the plan, I'm going to be perfectly honest. I mean, did they ... I mean, is there measurement?

Chairman Cameron: No, the old red line, and then the green line.

Boardmember Gould-Schmit: So they're just proposing.

Chairman Cameron: I can be authorized to sign this thing and authorized to receive comments if you'd like to read it. It's pretty easy. On one of the messages Kathy sent it's right there. Just click on it and it pops right up.

Boardmember Gould-Schmit: Oh, it's not the problem finding it.

3. Miscellaneous

Boardmember Sullivan: I guess Mary Ellen sent us something about a storage unit on 9-A across from [inaudible].

Chairman Cameron: It's not a storage unit. It's granite. It's a place where they're going to be shipping granite for the granite monuments. It's directly opposite our storage unit.

Boardmember Sullivan: So should we talk about that next meeting?

Chairman Cameron: Maybe we have it next meeting. It just came in. I haven't gone over there, but we'll see what it looks like. Essentially, on the Saw Mill River Road south of Ravensdale we have a storage unit there; the ones that wanted to put the flagpole on top of the storage unit and put a cell tower there. Right across from the street, we've just got notification that Greenburgh is considering whether they should approve or not this proposal for a commercial use there. It involved shipping granite. But those stones would probably be made by the guy up the street.

Boardmember Sullivan: Again, I think it was offered for comment and we might as well take a look at it.

Deputy Building Inspector Minozzi: There's a granite place there now that's all outside. And apparently, from what I was reading, they're looking to close it in with a two-story 6,000 square foot structure.

Boardmember Sullivan: When I first looked at it I thought it was a storage unit. Then I said, What's going on? So thank you for the background.

Deputy Building Inspector Minozzi: Without knowing too much about it, they're probably looking to do a fabrication shop and stuff in there now. You know, make it a full-fledged facility instead of just a more or less storage and showplace where people just go to pick out

their slabs. Then they're constantly shipping slabs in and out of there. So maybe that's what they're going after. That's what it appears to be anyway.

Boardmember O'Reilly: Might even improve the look of it.

Deputy Building Inspector Minozzi: Well, it doesn't look too great right now, that's for sure.

Chairman Cameron: The owner of the current storage unit – I can't remember the name right now – has been actually looking at the building immediately to the north of this storage unit, which is sort of a place where you can buy telephones or what have you. Just to buy that to add to their storage unit. I got a call from Fran Frobel if I would meet with him. It just didn't work out, and this was about two months ago. So I don't know.

Boardmember Sullivan: That's been for sale.

Chairman Cameron: Yes, for good reason. And you look at it, probably the piece of land isn't as big as you think it is. In other words, the people who own it have been parking illegally on Westchester land, best I can figure out. Not sure about it. But I came in that day, trying to figure it out. But I never did.

Boardmember Bass: Speaking of things for sale, the nunnery that's for sale: when that gets redeveloped, does that come to us for site plan review, or is that Greenburgh?

Chairman Cameron: Greenburgh.

Deputy Building Inspector Minozzi: That's all Greenburgh. Everything on that side of Saw Mill River Road is Greenburgh.

Boardmember Bass: OK. It's just I know that kids who live near there come to high school.

Boardmember Gould-Schmit: Go to Hastings schools.

Deputy Building Inspector Minozzi: Well, it's a Hastings PO.

Boardmember Ambrozek: The school boundaries and the Village boundaries don't line up, especially in that area.

Deputy Building Inspector Minozzi: Yeah, I live in that neighborhood myself.

Boardmember Ambrozek: Those residential areas are actually Hastings school.

Deputy Building Inspector Minozzi: Approximately a mile from the border is Hastings school systems there. But from Saw Mill Lofts, as you get further north, it's Ardsley. It's kind of weird the way it works.

Chairman Cameron: Except for about 8 feet on the western side. Fortunately, they couldn't put a building there.

All right, do I have anything else?

Boardmember Gould-Schmit: I'm fine.

VIII. ANNOUNCEMENTS

Next Meeting Date – September 18, 2014

IX. ADJOURNMENT