

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
PLANNING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
AUGUST 27, 2015**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, August 27, 2015 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 Richard Bass, Boardmember Kerry Gould-Schmit, Boardmember William O'Reilly, Boardmember Kathleen Sullivan, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Planning Board Secretary Mary Ellen Ballantine

**I. ROLL CALL**

**Chairman Cameron:** We have a quorum.

**II. APPROVAL OF MINUTES**

**Meeting of July 16, 2015**

**Chairman Cameron:** Does anybody have any comments on the minutes?

**Boardmember O'Reilly:** I saw a few, if I could jump in.

**Chairman Cameron:** Sure.

**Boardmember O'Reilly:** If I'm correct, starting on page 53 it starts to quote Mr. Schwartz, who I think was the attorney for the previous one presenting on Jefferson. And the person who was speaking was actually Gottlieb, who is the attorney for that group. So where it says "*Schwartz*" I think it should say Gottlieb.

**Deputy Village Clerk Ballantine:** OK.

**Boardmember O'Reilly:** Starting on page 53.

**Boardmember Sullivan:** There was someone from the public who spoke, Joseph Siegel, and he sent us an e-mail wanting to correct his comments.

**Chairman Cameron:** Oh, really?

**Planning Board Secretary Ballantine:** That was done.

**Boardmember Sullivan:** That was done, OK, thank you. Because I wanted just to make sure that got changed. That's the only thing.

**Chairman Cameron:** Kerry, do you have any comments?

**Boardmember Gould-Schmit:** I wasn't here.

**Chairman Cameron:** Oh, you weren't. Let me see, so we have four of us who were here, right? You guys were all here, right? So was I. I don't have any comments. May I get a motion to approve the minutes?

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Sullivan with a voice vote of 5 in favor (Boardmember Gould-Schmit abstained), the Minutes of the Regular Meeting and Public Hearing of July 16, 2015 were approved as amended.

### **III. NEW PUBLIC HEARINGS - None**

### **IV. NEW BUSINESS - None**

### **V. OLD PUBLIC HEARINGS**

- 1. View Preservation and Site Plan Approval – Application of RTB Washington, LLC for the construction of 16 townhouses in three separate clusters, a café and pedestrian mews over a sub-grade parking garage at 9-17 Washington Avenue. Said property is located in the MR-C Zoning District and is known as SBL: 4.70-48-37 & 38 on the Village Tax Maps.**

**Chairman Cameron:**

**Female Voice:** [Off-mic]

**Alexander Chen, applicant:** I'm the person responsible for RTB Washington. Jill and Ned

are acting as architect for this project. We do have a few boards. Those are a coloring rendering that we'd be able to share with the Board or the audience. As Jill mentioned, it's too small to probably post it here. So people could probably pass them around.

Meanwhile, we have also two boards made up. Those are the view preservation considerations. From our last meeting, two month ago, we were given a lot of suggestions, recommendations or guidelines. We went back and spent a lot of time redesigning this project. There were several significant changes made. First of all, as you can see from the submission as well as this board, all the third floor of the west unit were removed. The two roof gardens of west unit were also taken out. And also all total penthouses that go into the roof garden were removed. Those are the major changes in terms of redesign to reduce the height.

Also, the mew is stepped, gradually stepped, towards the north. To compensate for this loss of space, what we have done is we try to use this space in the lower level. So we redesigned the garage to make the span a little bit smaller. As a result of all these changes now, we'll be asking for – in addition to what we had before – the parking variances. We are short of a few parking spaces.

**Dep. Bldg. Inspector Minozzi:** How many units do you have now? Is it still 16, or is it less?

**Village Attorney Whitehead:** Sixteen.

**Mr. Chen:** It's still the same number of units, 16 units plus one café. The parking space is the same requirement as before, but we can only provide 25 parking spaces.

Those are the major changes. There is other work that's been put in and there is a more detailed design that has been fleshed out over time. Now the question is, where do we go from here. As we say, there are still several open issues. Those are the issues we tend to think will come up. We go further into detail design, for instance the variances that we talked about before. Now there's more parking spaces, so variances we'll be requiring. There are other issues I have in my mind. We are going to offer two affordable units as part of the complex. But the designation of these two affordable units is, I guess, a process; when we come to designate them and what is the process we need to follow in order to do that.

Also, by talking to the state person in charge of the state code we are providing two egresses for fire emergency purposes. And we are providing two ADA-compliant exits, but both of them are coming from the south: one at the lower level through the garage, one is upper level through the mews. We asked the state person to clarify that, and she actually asked us

to bring it up with the local planning board and get clarification. Basically, she delegated deferring the authority to the local board.

Also, I believe there's an ongoing structural, environmental and engineering study that's been done. But that's in some way not yet complete, as those are the issues we will finalize as the design progresses. But the rough plan is, I think, included in the plan.

So with all this said, we are asking the Board for guidance as to what to do. We would like to move forward with this plan. And provide guidance as to what else needs to be done, or answer any questions that we have from the Board and from the public. We go from there.

**Chairman Cameron:** Are you going to present the plan so the audience here can actually get some idea what your plan is?

**Female Voice:** [Off-mic].

**Chairman Cameron:** OK, but you're not going to make a presentation of it?

**Mr. Chen:** We don't have any electronic ...

**Chairman Cameron:** The people in the audience are completely ignorant of what you're doing. We have pieces of paper, but they don't have anything and it'd be very useful for them to hear what you're doing.

**Mr. Chen:** It's the same plan that we had before, other than ...

**Chairman Cameron:** Well, you said it was completely different and I agree. It's more different than the same.

**Village Attorney Whitehead:** You can just put it up on the easel and show them what you changed and what's ...

**Ned Baldwin, project architect:** Primarily, the revision we've made is to – we actually expanded the parking garage 2 feet to the east, and that enabled us to get the parking in, plus ...

**Chairman Cameron:** Can you tell us which diagram you have up there? We can look at ours, but you need to tell us which one ...

**Mr. Baldwin:** We're looking at the parking level plan, which is ...

**Chairman Cameron:** That's what I thought you were. Go ahead.

**Mr. Baldwin:** ... which is the genesis of all of the changes. The parking structure is narrowed, as Alex said, and it gives us the ability to have 20 feet of residential use at the lower levels below the mews, which you see all along the bottom of the drawing. All the west units which used to be three stories are still three levels, but they're only two levels above the mews. On the very north units, we actually, in one case, have an additional level in there as well. This was all necessary to try and make up for the loss of residential space on the third floors.

If you could move to the mews level, the mews level is identical as it was before in plan. But we have stepped it down in two locations so that at the north end it is approximately 2 feet lower than at the center of the mews where you enter.

**Male Voice:** Two feet?

**Mr. Baldwin:** About 2 feet, yeah.

Once you get to the mews level, of course you cannot see the 2-foot expansion of the garage. That is totally below grade. But it does add to the coverage of the whole project slightly so that our variance request on coverage is slightly altered. It does not affect the widths of the gardens for the east units. The east units are still exactly as they were before.

On the roof plan – and you have a colored version – we have more vegetated roofs. We have roof gardens on five of the seven units, none on the east units as before, and three of the Washington Avenue townhouses have roof gardens. We are accessing these gardens off the top level terrace via a spiral stair. So there is no need for a penthouse and no need for an internal stair at all. This minimizes any high construction on the roof.

The west side of the west units have open railings that the spiral stair comes up. You have an open railing instead of a parapet facing west, toward the view. So nothing projects higher than the parapets, and the parapets are exactly as they were before: approximately 2-1/2 feet maximum.

Alex referred to state code issues. Basically, we have tried to pursue Erika Krieger at the state to get a more detailed analysis of this project. But she says that basically that's up to the local building inspector, and until the local building inspector has commented on the design she's really not going to offer any further advice. We are still showing the north exit-way, of course, because we believe that's very important. But we are not showing it as

ADA-compliant. That potentially may involve a state code variance, but we don't know yet. It's not 100 percent assured.

I think that covers basically all of the changes. On sheet 10, on the extreme left side of that sheet we have, in detail, itemized the area of each dwelling unit and its required outdoor space and how much outdoor space there is on each level. And that, of course, appears on the plans. Why don't we pass this around. From the view preservation standpoint, I think we are extremely pleased with the impact of both the stepped mews and removal of the third floor. We think the view preservation sheet is quite persuasive and that we have made a huge improvement. We hope our friends will agree.

I think that's it. If you have any questions we'll answer them.

**Chairman Cameron:** Does anybody want to go first?

**Boardmember Ambrozek:** Well, I'm very pleased with the changes you've made in many respects. Regarding view preservation, it would be very useful if we could have photos taken and then diagrammed in position, superimposing on those photos from different viewpoints what the impacts of this plan would be on the views. Because we've ...

**Mr. Baldwin:** These photographs, I believe, do that.

**Boardmember Ambrozek:** OK, I haven't had a chance to see those photographs.

**Female Voice:** [Off-mic].

**Mr. Baldwin:** They're at the end of the [off-mic].

**Female Voice:** We have black and white ones.

**Boardmember Ambrozek:** Looking at diagram three, you refer to fire shutters on the mews level, ground level, and the first floor of the west buildings. I'd like to understand what the purpose of those fire shutters are and how they would operate, please.

**Mr. Baldwin:** We have unprotected openings too close to the property line under the state code. The only way we can ... there are two solutions. One is to use some sort of fire-rated glass construction, but that is not practical because we obviously want these windows to open. So we are proposing fire shutters which are rolled up on the inside of the wall at the opening and activated by a fuse-able link on the outside of the building. When the temperature outside the building gets to something like 150 degrees Fahrenheit the shutters

drop. This enables us to use sliding doors, conventional doors – conventional, unprotected openings.

**Boardmember Ambrozek:** But this is also in conjunction with the sprinkler system inside the buildings.

**Mr. Baldwin:** Oh, of course the whole building's sprinkled, yes – has to be.

**Boardmember Ambrozek:** My other question, and on this I'm much less ... I sort of can see both sides of it. At the back, where you face the Zinsser parking lot and you propose to have a pathway coming down to the parking lot, the sidewalk extends beyond the boundaries on the west side of your ... now, this is all on Village property so it's an easement situation anyway. But you go beyond the western boundaries of your property line, you draw a line perpendicularly. And on the one hand, I could see that that might be more architecturally approachable to make the descent down that side. But at the same time, I'm concerned about its possibly affecting a similar easement right from the building to your west to have access to the parking lot. That's just my concern. Again, that they might be able to want to use an easement from the Village to access the Zinsser parking lot.

**Mr. Baldwin:** Well, I suppose that's feasible that they might. But actually, that portion of the pathway is invisible from the buildings on Southside Avenue that occupy that lot. I mean, there is a garage ... where we show the path making a right turn and going down steps, there's a garage building right there. That's right up against the wall of a garage building, which is sort of subterranean.

**Boardmember Ambrozek:** But at some time in the future they may want to do a development like you and have access to the Zinsser parking lot.

**Mr. Baldwin:** Well, yeah, I suppose that's right.

**Boardmember Ambrozek:** Because you have an easement, you would have an easement over Village property. You would have to give them the right to use that as well.

**Mr. Baldwin:** Certainly, yeah. I don't see a particular problem with that. It wouldn't affect us at all. It's a public thoroughfare, a public sidewalk.

**Boardmember Ambrozek:** Yes.

**Mr. Baldwin:** Anybody could get access to it.

**Boardmember O'Reilly:** I think you've done a nice job to reduce the level of the west building, which is very encouraging. If we were to look at those markers that you put on the trees previously, are they going to be realigned to give us an idea of what is the actual height?

**Mr. Baldwin:** Actually, I believe on the view preservation photos they have – one of them appears, it should be visible – we have not reconstructed those at the lower elevation, if that is your question. No, we have not done that. It's an amazing amount of work to get those up.

**Boardmember O'Reilly:** I can imagine.

**Chairman Cameron:** But it's something I think you need to do.

**Mr. Baldwin:** Excuse me?

**Chairman Cameron:** But it's something I think you need to do. Not everyone has access to the drawings. And the people who live in those buildings, I think it'd be important to take those flags and adjust them to the right height of what the building is.

**Mr. Baldwin:** In other words, you're saying to confirm that the photographs are accurately ...

**Chairman Cameron:** Yes, I think it would give comfort to the people who live in the building looking at them. Yes. I don't think we've ever done a project yet without putting flags up or something up to indicate the height of the buildings.

**Mr. Baldwin:** Well, yeah, we certainly did that once.

**Chairman Cameron:** I know, but ...

**Mr. Baldwin:** I'm just hesitating a bit in having to do it again.

**Chairman Cameron:** Well, if you'd drawn the building smaller you wouldn't have had to do it again. But you didn't so we all got there from here, and I'm very happy we did.

**Boardmember O'Reilly:** My other question is about the garage. You say you've lost one spot?

**Mr. Baldwin:** Of two spaces.



**Boardmember O'Reilly:** Two spaces.

**Mr. Baldwin:** We're down to 25 instead of 27.

**Boardmember O'Reilly:** Does that mean one apartment is going to be without any parking?

**Mr. Baldwin:** No, no. No, there's parking for ... more than enough parking for all of the buildings, it just doesn't meet the Hastings bylaw. I mean, we've had parking experts look at this garage and say it's going to be half empty all the time. It's a lot of spaces. So I'm not particularly worried about it, but it's a very minor variance; two spaces out of 27.

**Boardmember Sullivan:** I have a couple of things. I'm going to start with some of my ... just looking at your sheet 10, which is the planning and sort of zoning calculations that you did. It would be helpful, I believe, to add the uses that you're providing someplace. I count offices.

**Female Voice:** We can't hear you.

**Boardmember Sullivan:** I'll move up very close to this. You don't have to come up that way.

It'd be helpful to add to the drawing the uses that you are providing in your building.

**Female Voice:** The [off-mic]?

**Boardmember Sullivan:** The uses: the residential, business, retail, parking. And looking at the parking counts, I differ. I get 32. I think there was an error on one of the counts that you had, and you also didn't count for the office that you provided.

**Mr. Baldwin:** There is no office. We've redesignated it as a maintenance area. I mean, we certainly don't intend to put office use into this project.

**Boardmember Sullivan:** Whether you intend to or not, it's the best maintenance office I've ever seen. So I think we need to discuss that.

**Mr. Baldwin:** It's empty space, Kathy, that was there. We figured we might as well use it. We'll call it whatever you'd like.

**Boardmember Sullivan:** Or you could remove it. There's no need for it. It's a second floor.

**Mr. Baldwin:** Why would you want us to do that?

**Boardmember Sullivan:** Well, I would like it to be treated as an office. It's a very desirable space. It's not just a maintenance office. If it was a maintenance office it would be down in the garage. So I just bring that up as ... I get ...

**Mr. Baldwin:** We don't have any extra space down in the garage to create any kind of administrative space for the condominium corporation. I think it's quite reasonable to have a space they could use that has windows. I mean, somebody has to work there.

**Boardmember Sullivan:** Well, I just will repeat myself that it's an office and it needs to have parking spaces and should be (inaudible). We can discuss whether or not they need to be provided in the variance because you're already not meeting the requirements that you have for the residential units.

**Mr. Baldwin:** Well, if it's a problem we'll [background noise] the whole space.

**Boardmember Sullivan:** The other thing I noticed – again, this is still staying with the zoning component of my study – is that we talk ... the code talks about the height of the building as well as the number of stories. I think Richard Bass, who's not here tonight, had asked for you to look at the average grade and the number of stories. The height's complicated in this area and you've worked through it, which is admirable. But in my calculations I found that the average grade was approximately 91-1/2 feet. There is one place where you actually exceed the story requirements, and that's on Washington street. The average grade is below the point, and those are four-story structures on Washington.

**Mr. Baldwin:** All of that is diagrammed quite accurately.

**Boardmember Sullivan:** No, I'm talking about the number of stories. You can have three stories, and the average grade is, say, 91-1/2. If you look at Washington Avenue you'll see that you have four-story buildings.

**Female Voice:** [Off-mic].

**Male Voice:** Jill, you have to talk into the mic.

**Gillian Anderson, Baldwin & Franklin Architects:** I believe on Washington you're referring to these three buildings. The lower story is a basement, which I don't think counts because on three sides it's in a basement.

**Boardmember Sullivan:** Well, what you need to do is to look at that and show us that that's the case. Because our code's very clear about cellars and basements and what's considered a story. And like I said, I just did this quickly to kind of see where we were at. What triggered it was actually the northwestern building because of the four stories that *are* there. That actually, from looking at it, is most likely compliant. But I saw on Washington Avenue a potential issue. So again I'll just ask that you look at that next go-around and see what you think. OK?

Before I get into my biggest issue, actually, I want to just ... I have ... I'd like to see the width of the parking spaces indicated as well as their lengths. The accessible parking is really not thought out well and in a poor location, in particular the one accessible space that's trapped between a column and a wall. I think it needs to be in a little bit more integrated area.

There's a conflict between the loading for the retail area and the ADA parking space so I'm not sure what you're planning. The slope of the driveway, I know you're reacting to Jamie's request to look at that. That's admirable, and the height's dropped. But I don't really understand how that driveway will function. It seems to be quite difficult for cars to maneuver. I'm actually very concerned about people using that aisle as a walkway to get out onto the sidewalk. It's somewhat typical to see a small, raised, curb sidewalk on the side of a parking garage drive ramp. So I think I'd like you to look at that. And I'm also very concerned about people coming up and not seeing pedestrians. So I'd like some analysis of how that may be accommodated. A place where a driver coming up that steep ramp can react to a pedestrian crossing in front of them and a pedestrian can identify a car that might be coming up that ramp.

**Mr. Baldwin:** The width of the parking spaces is dictated by law, and obviously we have to comply with the law. If you want the drawing to indicate widths ...

**Boardmember Sullivan:** We typically do. I mean, it's not a big request. We usually see everything dimensioned. So it would be very helpful to see that. If you have it in your drawing you can easily put a dimension string on it. It would just be helpful for us to see that.

**Mr. Baldwin:** With respect to the handicapped spaces, those were suggested by Erika Krieger at the state as being suitable spaces to designate. We can spend some more time on that and see, but until the structure is fully designed it's really difficult to start reducing column sizes in speculation. And I don't really want to do that.

**Boardmember Sullivan:** Well, I think the issue I have is, one of those spaces has to be a van space. And I don't really see that being provided.

**Mr. Baldwin:** A what?

**Boardmember Sullivan:** A van space, where you have an aisle-way on the side where someone who uses a van can park and they actually are given the option to park on either part of the aisle or the spot, depending on whether they need to access the left or the right of the van.

**Mr. Baldwin:** I think either one could be used by vans.

**Boardmember Sullivan:** Not the one that's trapped between the column and the wall. There's no way in heck that thing's ever going to be used by anyone opening their door. And typically, the spaces are not put in a position like where they're treated as sort of a secondary space. They need to be integrated into how people use the elevator and it needs to be closer to where people who are mobility-challenged would need to use an elevator, not across the aisle.

**Mr. Baldwin:** I assume this will get minute'ed (sic) because I'm sorry I don't understand all of your requests. But I assume in the minutes I'll be able to figure out exactly what you're asking for.

**Boardmember Sullivan:** I'll say it again. The handicapped spaces need to be close to the elevator.

**Mr. Baldwin:** Oh, OK.

**Boardmember Sullivan:** One of them needs to be a van space.

**Mr. Baldwin:** Yes, OK.

**Boardmember Sullivan:** Is that clear?

**Mr. Baldwin:** That's clear, yeah. With respect to the ramp, this has a very low inclination. I've forgotten what the percentage grade is. But you're not really rising up to the sidewalk and are going to surprise any pedestrians. One of the changes we did make in this go-round was to bring the door to the garage further in away from the street so there's more space for a vehicle to wait. And I also neglected to tell you that we reduced the width of the driveway by, I believe, 2 feet. Even though two vehicles can pass – they can still pass – we think that's

a very unlikely scenario. And we have a signaling system so it should never happen. Then by having a longer waiting space outside the door, we feel it's a much safer, simpler arrangement. Because there's plenty of room to pull off the street, across the sidewalk, and out of any pedestrian's way before the door even opens and before the signal is activated.

So I think we've greatly improved access to the steeply-sloping sidewalk, which is a problem. You'll see that the contours of the ramp are very clearly spelled out as to how the slope of the sidewalk is resolved into a flat ramp.

**Boardmember Sullivan:** No, that's very difficult.

**Mr. Baldwin:** Well, that's why we put ...

**Boardmember Sullivan:** A foot drop across the width of that driveway, do you not?

**Mr. Baldwin:** Exactly. That's why we have shown in detail the contours for doing that.

**Boardmember Sullivan:** Just to let you know, it would be highly recommended to make sure that driveway can accommodate two-way traffic.

**Mr. Baldwin:** Oh, it does accommodate two-way traffic. Definitely it will. It's just ...

**Boardmember Sullivan:** OK. You said something about you didn't think that that was going to happen. You said that you didn't think that was going to happen.

**Mr. Baldwin:** No, I don't expect it to happen in practice, but if necessary it would certainly happen.

**Boardmember Sullivan:** The last thing, I don't know how to resolve this. It's my biggest worry about this project, and professionally I have a lot of qualms. I'm comfortable talking about other aspects of the project because I had made a comment twice to please look into the requirement of how far your exterior building wall can be in relation ... how far it can be away from the property line. You talked about opening protectives (ph). From my understanding of the code – and this is where it gets a little uncomfortable – you have not put the wall in the proper location. It's too close to the property lines on both the west and the north, and you have projections too close to the property line. When I say "projections," it's the balconies. I can share with you the code reference. You started talking about what construction class this might be and that it's fully ...

**Mr. Baldwin:** It's ...

**Boardmember Sullivan:** Please, just let me continue. Fully sprinklered, but I see issues with it. I see some issues with not having stairwells that are enclosed because there are separation issues between the different uses. That's why I wanted you to start identifying them: the garage needs to be separated from the apartments that are adjacent to it and it needs to be separate ... you know, it's treated as a separate grouping.

Erika Krieger is a wonderful resource and I totally understand why she has demurred and deferred in commenting further on what's code-compliant or not. You come to us saying the Planning Board, in some fashion, needs to make some decisions or give some guidance. What I propose is that I sort of see this like a traffic study or a civil engineering problem. It's really hard to talk about this as an appropriately designed site plan when there are code things that are not resolved. I would like us somehow to come up with a way where you do your code analysis, and prepare it as a report and the Village has a third-party code consultant review it. Because I'm not going to do a code ... I've started to do a code analysis on this, and I'm not comfortable discussing it much more because it's really your responsibility as the architect to answer these things.

I'm uncomfortable because, you know, I'm sitting here having been familiar with building codes, looking at this, and I see some issues that concern me. So I just want to share that comment, and we can talk about it at some point. But it really makes me uncomfortable because everything the building code stands for is for life safety – you know, people and property – and I just would really like this project to be put on the right path. Because your drawings are fantastic, you're creative, you're coming up with innovative ways to work this site. I fully support those things. But I really don't want to talk about the site plan any more until the egress issues are resolved.

And I brought this up when you first came to us. The issue of using the Village property as a second means of egress, from my personal perspective, just needs to be resolved one way or the other. Because the whole project's contingent upon that. You can, most likely, make two means of egress to Washington Avenue. It would involve some reworking things. You'd have to most likely put a stair in on the western side leading from the mews down to the street. That would definitely alter quite a bit what you've planned on Washington, but it's definitely doable. You could look at half the travel, the shared distance you would have to have, before you needed to get to two means of egress. I mean, there's a way to do it different from what you're showing right now. And there may be a third way. Who's to know? But I really feel that we keep on talking about that, and it would be just good to figure out how to resolve that.

You ask in your drawings that we give you a recommendation and the Zoning Board give you a recommendation to the Board of Trustees to allow you to have this easement. Michael started talking about why that's problematic. In my short time on the Board, when we've had people ask us for easements – and Mr. Cheng was one of them and there have been others, affordable housing projects – it really hasn't gone very far. So I just share that, again trying to resolve sort of what I see are more fundamental life safety issues. It would be useful for us, collectively, to figure out how to resolve that and we can get the project in the right shape.

**Mr. Baldwin:** Well, I first would respond by saying that obviously we have to meet the state code, we have to build a building that meets all life safety requirements. And the construction classification on the west wall, all of those things I totally agree with you. Mr. Cheng misspoke when he said that Erika had referred – or implied that Erika had referred – the code questions to the Planning Board. She did not do that. She expects the Building Inspector to sit down with us and do a code review. Then she's prepared to adjudicate any problem that might arise. We're fully expecting to do that. We're not proposing this project without a north exit. Even if we'd had two exits from the mews on the south end of the project I would not be in favor of that solution. I want the north exit.

What we're asking, the building is not fully designed. It won't be until working drawings are done and construction drawings are done. All of the issues are never going to be resolved before we ask you to make a decision about whether we can build this project, whether we can get the variances we're asking for, all on the assumption that we will comply with all other requirements.

**Boardmember Sullivan:** But right now, I see a project where the western and northern buildings are, by code, too close to the property line.

**Mr. Baldwin:** It depends on the classification of the construction.

**Boardmember Sullivan:** It doesn't at all. It depends on a requirement that there be no projections.

**Mr. Baldwin:** We can build to the property line with non-combustible construction.

**Boardmember Sullivan:** No, you're not in ... well, see, this is where we get into the details of it. But I just want to share this. There is a lovely book called *Building Codes Illustrated*, and this is what I'm referring to; the projections that you're too close to the property line. We can talk about the code section, the building code section, quite a bit. But there's no options, there's no exceptions. And 5-A construction is not a very stringent fire assembly.

**Mr. Baldwin:** If that ...

**Boardmember Sullivan:** My point is, though, I understand you're not going to have all the details resolved. I fully understand that, but I see a project that isn't code compliant. We're supposed to talk about it and approve the site plan, and the building needs to be moved back some numbers of feet from where it's being shown right now.

**Mr. Baldwin:** I can tell you Erika did not have any reaction of that sort. She would have immediately said if we were too close.

**Boardmember Sullivan:** See, you can't rely upon her. Because she didn't say anything means it's right? That's not the way to fly.

**Mr. Baldwin:** No, no, I realize that.

**Boardmember Sullivan:** That's not the way to fly. That's not the way to fly. I mean, that's what's frustrating me is a lot of, you know ...

**Mr. Baldwin:** Well, I think the Building Inspector and us should come to ... if there's a problem I certainly want to know about it.

**Chairman Cameron:** I think it needs to ... we will not be approving it until we've gone through code compliance.

**Dep. Bldg. Inspector Minozzi:** We haven't gotten into that level of review at this point. I have not reviewed the building setbacks at this point in time because I didn't think that it was necessary at this point in time. Because I thought this was more of a premature meeting for that – not premature, but an earlier meeting – in this decision process. All those things will definitely be looked at 100 percent. And if it is a matter of getting a third party involved we can certainly do that as well. But those reviews have not been made at this point.

**Mr. Baldwin:** This schematic design, we're looking for planning approval only.

**Boardmember Sullivan:** Yeah, but, I mean, this ... I can share my comments with Buddy, but next time you come here and I see something that's not code compliant I'm going to have to speak again. I mean, it's very frustrating to me but I think it's schematic design, quite frankly. I don't think it's something that happens down the road. Especially when you need to have site plan approval of where the building's being located. I mean, another issue was some of these structures, some of the apartments, are ... the units are so large they may entail



a second exit. Which is unusual for the residential, but by occupant load and looking at its square footage it's over the 10-people limit on whether you can have a building with one exit. So there's some complicated things.

**Mr. Baldwin:** Well, nobody will be more interested in trying to ensure that it is code compliant than I will be. Obviously, I'm not aware of any ... the only violation of the state code that I know we have probably is the north exit that's not ADA-compliant. I'm not aware of anything else.

**Boardmember Sullivan:** Well, what I can do is share my comments with Buddy and, if you wouldn't mind, you could pass them on to Ned and Ned'll ... we can see where that goes.

**Mr. Baldwin:** I would appreciate it.

**Boardmember Sullivan:** Because you can see where my concerns are. I'll point to the section in the state code.

**Mr. Baldwin:** That would be excellent.

**Boardmember Sullivan:** OK, that's it.

**Chairman Cameron:** I guess I have a few comments. I think on the view preservation issue we need to adjust the flags, as I asked. So you need to get them so we can stand in these houses and look at where the flags are. So if you do that it would be very good. Another issue I think we should deal with, and a serious one, people – including the people who are now behind your property – have this habit of putting up 5-foot stock wooden fences on the buildings. We're going to have some very stringent procedures to make sure that doesn't happen. You have these little 2-1/2-foot, or actually slightly under 2-1/2 – but let's say they were 2-1/2 – at the top of the building. That would be a pretty windy place if we were to look out a year or so from now and find these 5-foot wooden stockade fences sitting up there put up by the people who own the units, assuming they own them. So we'll have to get some good ways of dealing with that.

One specific issue – and maybe you can address that for me – there is a ventilator coming out of the garage near where the cars exit. I'm not quite sure, it seems to go up in front of the porch of the adjacent building, marked "porch," if you look at drawing 2. I'm not exactly sure where the porch is, but I think that's where it is. It's coming from the basement, I believe. I don't exactly know where it ends.

**Boardmember Gould-Schmit:** It's marked on the second floor, not marked on the third.

**Chairman Cameron:** It doesn't go up any higher? OK. How high does it go up?

**Mr. Baldwin:** You're looking at that ventilator?

**Chairman Cameron:** Yes.

**Mr. Baldwin:** All that is is a grill in the ceiling of the garage which goes through the bicycle storage shed so we can either bring air in or exhaust air out.

**Chairman Cameron:** OK, it doesn't go up into ...

**Mr. Baldwin:** It doesn't go any higher.

**Chairman Cameron:** The other thing I just noticed – and, of course, this is a detail but it's really more design – the exit stair is sort of awkward in the back. The way people take the stairs, they end up – when they come down to the bottom of the stair before they go down the back exit, looking into your garage – as you go up one side and come down, you're looking into the garage – at least I believe you are – and in the garage because there's a gate there.

**Mr. Baldwin:** No, you're right. The last run of stairs at the bottom does face you toward the garage, and you make a U-turn to go out to the back.

**Chairman Cameron:** Well, I think you could find a way of turning it around. You might lose a little bit of that fairly massive building unit, B-1. But it is a little silly to come out ... if you're trying to attract people to come up and down, you've got to give them the best view; if you want to attract people to come back and forth and use your restaurant. It's a detail, I said. Just keep thinking about it because I don't think it works very well.

There's a whole bunch of other things brought up earlier by Kathy and others, and I still want to go through the calculations on height of the buildings, particularly the ones on Washington in particular. You did a great job on the west buildings. I think they're down where they need to be. But I'm not quite sure about the ones on Washington. We've got the affordable units. So anyhow, I think we have to look at view preservation and look at some of the drawings. I didn't have a lot of time to look at this before the meeting, and I'm going to go through it with a fine-tooth comb.

I'm a little worried about these spiral staircases. Maybe they're safe enough, but they look a bit scary. And the building in the back looks awfully tall, quite frankly, and I've got to go and measure the building as seen from the parking lot.

**Mr. Baldwin:** Before we go to the effort of putting up the flag ...

**Chairman Cameron:** I think you have to put up the flag, otherwise we can't even go forward. The flag is not hard to do.

**Mr. Baldwin:** All right. So we'll put the flag up on where the front of the W-1 unit is. You also want a flag at the ...

**Chairman Cameron:** Well, we had the flag. We had three flags in?

**Mr. Baldwin:** We had three flags, yeah.

**Chairman Cameron:** Well, if they're still there you could just bring them down a little bit.

**Mr. Baldwin:** I wish. No, we have to start all over again to lower the flags.

The point you made about building wooden fences, I'm afraid I got lost. Where are you worried?

**Chairman Cameron:** If you go up at the top of the four buildings, which I like very much, that you did the renovation on – not your buildings, the ones behind you – you will find a lot of them actually have fencing up there. I know you didn't put it there, they put it there.

**Mr. Baldwin:** No, there should be no construction of ...

**Chairman Cameron:** We've got to put a really stiff clause in so we don't end up five years from now people looking down the hill and seeing all of these fences.

**Mr. Baldwin:** Absolutely. We said previously that we would make it a restriction of the condo that nothing could be built up there above the planters and parapets, which are all 2 foot 6 above the roof deck.

**Chairman Cameron:** OK, sounds very good to me. I just find repeating things sometimes gets to the point ...

**Michael Wilson, 491-A Warburton:** You mentioned about the flags. It seems like there needs to be two flags perhaps. Because the Washington Avenue ones have not been lowered in height, whereas the western ones have been lowered. In terms of figuring it out, that's all I wanted to say.

**Chairman Cameron:** The other thing we have, which my Building Inspector is bringing – your building inspector, too – to our attention is the Hahn Engineering memo. We're going to have to deal with that. He has some problems with how you were going to deal with the water on your property.

**Mr. Baldwin:** I don't think there are any problems. The report that I received just a week or so ago simply outlined the procedure for designing such a system. And of course we will follow that. What I had hoped there might be is that the engineer would have made a comment on the likelihood of being able to successfully design a system like the one we have shown. That would have been a very useful comment. But I assume there is no problem.

**Chairman Cameron:** I think he had some questions about the percolation into the soil.

**Mr. Baldwin:** Well, not in the second version of the thing which I received. He didn't make any negative comments about what was being done. He simply outlined what had to be done. And among those things was doing deep-level perc tests. Now, we can do a perc test, but honestly there are dozens of ways to design the stormwater retention system. We will use one that is approved and acceptable. To go to the expense of a full-blown soil investigation on a site for which we don't have any planning approvals at all seems to me to be slightly unreasonable.

**Chairman Cameron:** I think you need to get enough knowledge about what the soil is like. I mean, you are sitting behind ... with a very large project, you are sitting behind all the people on Southside and they're all downhill from you. So we need to know that you're going to be able to absorb that water into your plan and not send it down the hill into their backyards.

**Mr. Baldwin:** I believe the proposed system which we describe on sheet nine describes the assumed perc rates we used, which were based on experience up on Warburton Avenue. They are extremely conservative. Since we're talking about a perc rate at a level of around of plus-83, and the ground now over most of the site is 102 – or half of the site is 102 or 93 – it's extremely difficult to do a perc test at level 83 without a big excavation. So if the perc test that is done eventually proves that we need more capacity we will provide more capacity.

**Dep. Bldg. Inspector Minozzi:** He has a problem with the location of it, as well.

**Village Attorney Whitehead:** I think you need to have your engineer speak to the Village engineer. There are code requirements, and this board can't give you site plan approval unless those requirements are satisfied.

**Mr. Baldwin:** Well, obviously we will comply with the code requirement.

**Village Attorney Whitehead:** Well, the requirement is that there be a stormwater pollution prevention plan that meets the requirement. So I think you need to have your engineer speak to the Village engineer. They may be able to work something out.

**Chairman Cameron:** It would also be useful, when you next come back, if you would actually give us – and maybe it's here and I missed it – an actual list of all the variances you need.

**Mr. Baldwin:** She can. They're all itemized.

**Boardmember Ambrozek:** I don't see a water consumption estimate for these units which would be an additional outflow to the system in addition to the rain percolation requirements in a 24-hour period.

**Mr. Baldwin:** Water consumption? We were asked to provide an estimate of the size of the connections we would need to the water mains in the street, and we did that. But it's very speculative. I haven't done fine engineering. I have assessed it as large as I think it could possibly be.

**Boardmember Ambrozek:** No, my question is in addition to the sewage output which would result from rainfall there will also be sewage output from water consumption that is part of the general building consumption for each unit.

**Mr. Baldwin:** Oh, we can provide an estimated sewage flow just on the fixture counts. We can do that.

**Boardmember Ambrozek:** Thank you.

**Boardmember Sullivan:** I have one question, Jamie. Most of this open space, the required open space for the residential units, appears to be accommodated by the balconies, if I'm not correct. Is that something we do rather than actual usable sort of lawn space or active space of some type? It seems the intensity of that was sort of odd. I've seen some open space being a balcony and some be a backyard. This is the mews built on top of a garage.

**Mr. Baldwin:** Well, we have roof gardens. And the east units have gardens on grade. The west units have terraces on grade in certain areas.

**Boardmember Sullivan:** I had asked, and Gillian had provided, the landscape plan that wasn't quite what I had in mind. But it appeared, in looking at your calculations, that most of the open space was not accommodated by the roof gardens. Units that didn't have a roof garden were using their balconies solely as open space.

**Mr. Baldwin:** In fact, in order to meet the requirement we didn't even need to use the roof gardens except in one house, and it's a very small amount. We were able to satisfy the open space entirely with balconies or on-grade gardens.

**Boardmember Sullivan:** My question is kind of a general one. It's the Planning Board's position that providing all the open space on the balcony ... is that acceptable? I have questions, personally.

**Mr. Baldwin:** Well, the Village code does not define "open space." There is no definition of open space. But I took it to mean any outside space.

**Boardmember Sullivan:** And I take it to mean a yard, but that's just me.

**Chairman Cameron:** Right, we'll think about it.

**Boardmember Sullivan:** Yeah, that's more for thought.

**Chairman Cameron:** Thank you for the presentation. If you get the flags up over there, at our next meeting we will certainly discuss view preservation in greater detail. I'm generally positive about what you guys did, just a little worried personally on Washington to make sure we really are getting the view preservation we should get. That's a big issue.

Oh, yes. I'm sorry, ask the public. Please?

**Jim Metzger, 427 Warburton Avenue:** I want to thank the Board for bringing up a lot of the issues I was jotting down while the discussions were going on. We don't know – we the public don't know – what the variances are that are being asked for. It would be nice if we could have a list of those to see how that might impact the neighborhood. If that could be read out either as part of the meeting or if it's something that could be part of the record of this meeting that would be helpful for us.

**Chairman Cameron:** Right. The Building Department has a copy of this, and it's on schedule 10.

**Mr. Metzger:** OK. I also had questions about stormwater and pervious surfaces. Obviously it's a big issue, and it's going to become a potentially bigger issue. I mentioned at the Board of Trustees meeting last time with the reconstruction of the Warburton Avenue Bridge, the existing bridge had two center-span drains going down in what appeared to be 3- or 4-foot diameter tubes down to the parking lot below to pick up stormwater runoff on the bridge. Those are not in the current plan. There's actually no culverts, no stormwater removal from the bridge.

So everything during a storm is actually going to end up on Washington Avenue. Warburton Avenue is coming down from both directions and Washington Avenue. We may have a bigger flooding problem in the future than we had in the past because of this. I want to make sure the Village Engineer knows about it, and in stormwater discussions we don't end up with a river running into the garage that was not anticipated.

I have questions also about the lot line windows. I know there are all sorts of ways you can technically solve a potential problem, but I believe that Kathleen Sullivan's commentary ... we need to look at what the actual code requirements are. Because it's not just this building, but it's the building next to it you're now building too close to. There's a fire the to west of this building, all of a sudden now will those shutters close in time before fire would spread to this building? So it can go in both directions when you have lot line setbacks. I want to make sure the building complies with code. I understand it will, and I'm glad we're taking a look at that. I know the Fire Department has been reviewing the project, and the question for me is still Fire Department access if there is a fire in the garage at the far end by the parking lot.

How hard is it to get Fire Department equipment into that garage space from either Washington or from the parking lot? Are they going to be navigating a circular stair to try and get in on the northern side of the property? I just want to make sure the Fire Department is in full compliance and agreement with what's going on here. We've had several serious fires in this neighborhood partly because of the limited access. We want to make sure we don't make that situation worse.

The last time I saw this project the café was slated to be on the parking lot level, off of the Village parking lot. Has that café been relocated in the project?

**Mr. Baldwin:** Yes, it's back.

**Mr. Metzger:** I was just curious where it was. Then I'm curious if there were a recreation set-aside as part of this project. In addition to the open space for the project, is there additional recreational space that has to be provided to the Village: I know on the 9-A

property they had to provide a recreational area or a certain amount of money in lieu of. I was curious to know if that's part of this project.

**Village Attorney Whitehead:** There'll be a fee in lieu.

**Chairman Cameron:** There'll be a fee in lieu unless we think we need a particular piece of land. I don't think we're thinking in that direction, but it's always good to bring it up.

**Mr. Metzger:** I want to finish by saying I think it's a handsome project and I'm hoping all these details can be worked out. Thank you.

One last question. On the parking, there are 15 units, 25 spots – and we're just two spots shy of the Village requirement. Is that correct?

**Chairman Cameron:** Yes.

**Mr. Metzger:** OK. I understand everybody has their issues with this, but we also have another project a half a block away that I believe is also looking for parking variances. Every time another project ... is that not true? Because it was in the past, that's why I'm mentioning this.

**Chairman Cameron:** A new project?

**Mr. Metzger:** The old convent.

**Dep. Bldg. Inspector Minozzi:** No, they meet the parking.

**Village Attorney Whitehead:** It's compliant.

**Mr. Metzger:** They do, OK. Every time everybody asks for those two cars, those three cars – especially on Washington Avenue, especially between Warburton and Southside – it is a nightmare to drive on that street, let alone try and park on it. So I want to make sure we're taking all possible precautions to keep the existing neighborhood as safe as possible.

**Chairman Cameron:** The other thing, just so you know, with the garage you'll go right when you exit and you come in down to the right. There's no coming up and going in, so that's already been discussed.

OK, thank you very much. Oh, sorry.



**Arthur Riolo, 32 Main Street:** I'm a member of the Affordable Housing Committee. I just want to express to you that from Affordable Housing this will be the first project – if it actually does fly – to have affordable units on-site. I think that's something that we as a committee would like you to seriously consider as a very positive thing for our village. To have affordable housing off-site or in a separate building is not how we should be living, and the Affordable Housing Committee wants you to know that. Thank you.

**Chairman Cameron:** Super.

**Boardmember Sullivan:** Thank you.

**Boardmember Ambrozek:** Thank you.

**Chairman Cameron:** Anybody else in the audience wish to speak on this? Yes.

**Cindy Travis, 427 Warburton Avenue:** I am an everyday commuter down Washington Avenue to the train station and back up, and I just want to mention that it is extremely busy and active with people walking by what would be the eventual garage entrance. Any kind of alert system because often, in the winter – we're trying to get down the sidewalk without killing ourselves on ice – stopping and trying to see if there's a car coming is not going to be in our thought process. So whatever can be done to alert the pedestrian also would be extremely safety-conscious. Because morning and evening is highly, highly active. It has probably tripled in the amount of people walking up and down from the train since I've been living here 16 years. I mean a lot more people. Thank you.

**Chairman Cameron:** Well, there are two things. One is, you will get another way of going through the mews rather than down Washington Avenue.

**Ms. Travis:** If you want to.

**Chairman Cameron:** And the second thing is, they're going to heat the sidewalk.

**Ms. Travis:** Well, that will help. For that section we will not fall. Thank you.

**Chairman Cameron:** Anybody else wish to comment?

All right, thank you very much.

2. **View Preservation and Site Plan Approval – Application of CCI Properties, LLC for the construction of an additional building containing 5 townhouse units on its property at 32-34 Washington Ave. Said property is located in the MR-1.5 zoning district and is known as SBL: 4.70-53-11 on the Village Tax Maps.**

**Christina Griffin, project architect:** We're back here to show you the next set of drawings. We've submitted a cover letter.

**Boardmember Sullivan:** I was hoping it was going to be pictures of your vacation.

**Ms. Griffin:** Oh, yeah. I wish. I was hit by a deer.

I'm looking to see if we can even enlarge this any more. Along with all the drawings, we submitted a cover letter. In the cover letter, we showed responses we've made to comments by the Planning Board for each of the last three meetings. I'm going to just read off some of the changes that we are showing with this set of drawings in response to comments from the last meeting. We submitted a fully developed SWPPP showing the drainage plans and details. I know there's a memo from Hahn Engineering that we'll talk about in a minute. We also submitted a landscaping plan. I'll go through the list, and then I'm going to show you the drawings.

This is a separate layout. We originally submitted a landscaping plan, but because of all the changes we had to resubmit it so it's coordinated with our site plan. We have eliminated the fences between the units, and instead have shared open space with maybe some trellises right outside the units. We have a path on the south side of the building so there's easier pedestrian flow through the site. The main driveway into the five-townhouse garage is now 16 feet wide, as requested by the Westchester County planning department. Our development coverage, because of changes to the walk on the south side and a few changes next to the driveway, is now 40.7 percent. The south side of the site has been developed so we are showing spot grades and very clearly showing how that's going to be graded. That's shown on the grading layout plan by John Meyer Engineering.

We have added additional information to some of the civil engineering drawings just to show more information about grading. We have a French drain that has been added along the walkway and we also added some details to the drainage plan. We eliminated one tree that was going to be affected by our grading layout. And we also have corrected the EAF to indicate that there are no water bodies located on the site.

This is our current site plan, and I'm going to just point out a few of the changes. We have had to widen the driveway. The Westchester County DPW felt strongly about this needing to be 16 feet because of the five units. Now there's a walk you enter from the side, then up, and then on a common walk into the unit. Or you can also come up this way, still, into that center entry into the garage. We have a waste area located off the driveway. But we also are showing, on our basement plan, individual waste areas. That's only because we're thinking of giving the owners an opportunity of using either a shared one or individual at this point in time.

This is the new walk we're showing that is going to allow people to circulate through the property. These are very short 6-foot trellises so there could be a little bit of privacy maybe for barbecues at each unit. There's also one over here.

That is pretty much the extent of the changes on this site plan. I'm going to show you an open space plan. We received a comment – I think it was from Kathy – about providing graphics that will show the amount of open space we're providing. We have three different shades of green here to show the open space. We have 5,628 square feet for the five townhouses, 2,135 for the two-family house, and 7,800 all together for the common open space. If you look at the required open space in accordance with the zoning code, we need 4,400 square feet and our total open space is 15,563. This calculation is based on 200 square feet for each bedroom. So the total minimum we need, according to the zoning code, is 4,400.

Our sections have not changed. Coverage calculations, this is the study we had shown previously. We modified some of the numbers because instead of 40 percent development coverage we're now at 40.7. Just to refresh your memory, this is our lot right here. We did a study, and our average of these 24 properties, excluding 3,230 for Washington, was 41 percent. And also excluding the Cropsey estate. This is the other density study that only changed because there was a slight change in the development coverage for this lot. This is comparing the amount of lot area per unit for clusters of lots that add up to similar square footages.

These are the civil engineering drawings. I think I would like to just show you general changes. Because John Meyer Consulting is address specific comments from Hahn Engineering. Basically, we have a wider two-way driveway now. We have more detail on the drainage system. This is the grading plan. I'm running through this because these are questions about these plans that need to be directed to the civil engineers. We submitted their details, we submitted the sight lines for the turnaround at the driveways.

This is our landscaping plan. This plan we had originally, then we took it away. There had been a lot of changes so it's been updated. We have notes indicating types of ground cover and shrubbery around the building. We actually looked at the list of native plants that's part of our Green Code and indicated a lot of the species that we may be using. This is the existing grove of pine and cedar trees. Right now, we discussed in the past that we were going to take some out so we can make sure they're getting enough light and air. There are some trees marked now that will be removed. On this plan we did take one tree away we hadn't shown before because of our grading plan. We found out this tree was going to be compacted if we did not remove it. Our landscaping plan is now coordinated with the site plan, with the same size driveway, the same walk on the south side. That walk on the south side is intended to be a gravel walk. Although it's a gravel walk, we included it in our impervious surfacing development coverage.

The plans have changed slightly. This is just showing the 16-foot driveway, 16-foot garage door. We're showing waste areas under the porches as well as a central waste area out by the curb. The plans have stayed the same. This is the latest elevation, which is the same we showed last time where we reduced the height of the building by, I can't remember, 2 feet and reduced the size of the dormers. We also changed the rooflines to make sure we have a very shallow roof slope. Then the steeper gable roof is actually more of a decorative piece at the ends of the building. This is our rear elevation facing the backyards; that has not changed. This is just a diagram we had shown before showing the shape of the building behind the evergreen trees.

All of these view preservation studies are the same we had submitted before showing before and after. If you recall, we added one view at our last submission just to make sure we've looked at the two floors that would be affected on the building next door. I don't think we need to go over this again.

This is just a view that we've shown a few times of the site, and the two-family house we're planning to keep pretty much in the same condition.

We also today received the comments from Hahn Engineering. There's been some discussion with John Meyer Engineering and we've been over every comment. We simply have to submit a response to those comments. We'd like to know if you have any questions, based on this material.

**Chairman Cameron:** Before we get to questions, we also have a letter from Westchester County. Could you run through that letter and tell us about it?

**Ms. Griffin:** What's the date of that letter?

**Chairman Cameron:** The 17th of August.

**Ms. Griffin:** The 17th of August?

**Village Attorney Whitehead:** You distributed it, didn't you? It's a standard Westchester County letter.

**Ms. Griffin:** It's funny, actually. This was probably sent out just as I was going on vacation. The engineers have been through this carefully. What affects the architecture? The architectural drawings are the last two items. "*Provisions for recycling*": we plan to put recycling bins as well as general waste in the common waste area next to the driveway. And we've indicated that on our site plan. Let me show you.

**Chairman Cameron:** It's on page five, I think.

**Ms. Griffin:** As you see, this is going to be our waste and recycling area. On our basement plan, we've located bicycle racks.

**Dep. Bldg. Inspector Minozzi:** Which are also required by our Green Code, as well.

**Ms. Griffin:** Hard to see, but it's right there. This is really turnaround space right here, and I felt that probably people would put their bikes inside the garage and then come to the back here so interfering with turnaround space for the cars.

We are planning to do pervious paving, probably an interlocking paving, for all the driveways. I think that covers the two items four and five that affect the architectural drawings.

**Chairman Cameron:** While we're talking about the waste space, if you go to A-5 I couldn't figure something out. There doesn't seem to be any grillwork on the porch between what I'll call unit one and unit two – right in there, right there – even though that's where the garbage area is.

**Ms. Griffin:** You mean like a ventilated ...

**Chairman Cameron:** Yeah. Because you have ventilating grills under other porches.

**Ms. Griffin:** Yes, we did. Because we widened the garage, I think somehow we just removed it. We'll make sure it's put back in, yeah. Those will be open, screened areas in there.

**Chairman Cameron:** The other thing – which isn't in their letter, even though they tackled the county road, obviously – is that I still have some concerns about exiting from the new parking area, the parking area for the two-unit buildings, other than exiting to the right. In other words, if they're exiting onto Washington, having people exit to the left I think is going to be a bit dangerous. Because they'd be simultaneously trying to calculate what traffic is coming down Washington at high speed at the same time someone may be coming up Washington around the corner. So I think maybe what we need is a sign there telling people they have to exit to the right. I know they may disobey it from time to time, but I think that's something we should discuss.

**Ms. Griffin:** Well, yeah, we're trying to do everything we can to improve this situation. Right now they back out, so we've given the tenants a turnaround and we've also cut back the walls so there's some visibility. I guess you could do that, too; you could also make sure it's a right turn only.

**Chairman Cameron:** We might talk to the Police Department like we did on the other one. The trouble is more than people coming down the hill. If you're trying to turn left, and someone's coming down the hill as simultaneously someone's coming up the hill, it gets a little dangerous.

**Ms. Griffin:** I just addressed numbers four and five, but I'll try to address the other three. Number one, the "fair and affordable housing," it talks about affordable housing units that are required for developments of eight units or more. We have a total of seven.

**Village Attorney Whitehead:** They're not saying it's required, they just like to ask.

**Ms. Griffin:** Right.

**Dep. Bldg. Inspector Minozzi:** I spoke with the county in depth on this, and they're required I guess by law that they have it.

**Village Attorney Whitehead:** They're required to ask.

**Dep. Bldg. Inspector Minozzi:** They have to say it, yes. But he said we can go with ours, and that's fine.

**Boardmember Sullivan:** I wanted to make a suggestion. I think we have a very good code when it comes to affordable housing, but that we make the Board of Trustees aware of this request just so they know.

**Village Attorney Whitehead:** Under the housing settlement, the county has to ask.

**Boardmember Sullivan:** No, I understand that. I'm just saying the Trustees might be interested in knowing we got that comment.

**Dep. Bldg. Inspector Minozzi:** It's also good to realize that pound for pound we probably have more affordable housing than any other village in Westchester County.

**Village Attorney Whitehead:** We've done very well.

**Ms. Griffin:** The second question, "*county road.*" This is just indicating that, because of the new curbcut, approval for this work from Westchester County DPW and Transportation is required and they'll be reviewing all the drainage utility and erosion control details for that.

**Village Attorney Whitehead:** We're assuming your engineers did speak to the county since they widened the driveway?

**Ms. Griffin:** Yes, they've been in touch. Then the county sewer impacts it because of the sewer connection to the sewer main. They're going to be looking at the details for that, as well, essentially.

**Dep. Bldg. Inspector Minozzi:** I'll resend this to you. I did send it to you.

**Ms. Griffin:** We have it, I just didn't have it with me here.

**Chairman Cameron:** Does anybody here have any further comments?

**Boardmember Sullivan:** I have a few things from last week. Like I mentioned, with the county letter I think it might be useful to let the Board of Trustees know about the affordable housing comment just because that's something they were very much a part of.

The letter asks that the design team verify that you can meet all the recycling requirements the county has. My calculations show minimally one, if not two, 64-gallon containers per unit of trash. So I think we should look at that and maybe talk to the DPW on what would be a good estimation. The recycling is a more difficult thing. There'll probably be a need for at least two bins per unit. I'm glad to see there's a waste area that's started to be designated that

is not underneath the porch. Most people have trash containers where there's a lid they have to lift up and put trash in. Right now, if they're tucked underneath the porch, people have to drag out their bin, pull up the top, put their trash in and push it back in. I don't know how functional it will be and how practical it is over time.

**Ms. Griffin:** The reason there's an option here is because in our office we felt that we have been involved in central waste and then individual waste, and we just know from experience sometimes that central waste is a mess. So we're not totally sure how to handle it, but we know we have those areas that could be used for waste.

**Boardmember Sullivan:** I think underneath the porch, however – just for the type of container people have – not being able to lift up the top and put your trash in and close it because there's a porch that's very close to the top of the container you will have people ...

**Ms. Griffin:** We measured and know the container can fit under those porches. But you have to pull them out.

**Boardmember Sullivan:** Right, that's what I'm saying: I think that's impractical.

**Ms. Griffin:** Well, I lived in Fraser Place in Hastings for years. Everybody had porches, and so many people had tiny yards. Many people put them under their porches. I think it's possible, I think it's feasible.

**Boardmember Sullivan:** No, I'm sure it's feasible. I'm concerned about it because I think we have the opportunity to find another spot for it right now. But, again, they asked for you to sort of verify that all the recycling needs can be met in some fashion.

The other thing, looking at this S-1, I think there's a requirement that the side yard be 15 feet on the Washington side because you're choosing to use that as a side yard rather than the front yard. That's just a small correction. I think building length was also a requirement in this zone; that the building be less than a certain dimension. I think the buildings need to be less than 160 feet – if that should be added to the table – because it's a requirement. You meet it because the length is a little bit over 100. I was looking at the requirements for the zone and trying to make sure they were all identified.

**Ms. Griffin:** I think we've been over this before. That the front- and side yard is at least 12 feet or half the height of the building wall nearest the side lot line, whichever is greater, plus 1 foot for each 10 feet in length in excess of 50 feet.



**Boardmember Sullivan:** Because it's a corner lot, the side yard needs to equal the front yard or be no less than 15 feet. So I think it's a special requirement because of it being a corner yard. You had it, I just wanted to mention that.

I think also what you're calling "parking setbacks" actually is parking screening, again, in your table.

**Ms. Griffin:** The parking setbacks ...

**Boardmember Sullivan:** That's not really a setback, it's a screening.

**Village Attorney Whitehead:** It's just the language.

**Ms. Griffin:** Oh, I see. Whatever terminology you'd like to use.

**Boardmember Sullivan:** Well, no, it's important. You'll need a variance because you have parking in a required yard. So there's a reason for it. And there's also a reason for it because the landscape plan doesn't show the screening that's required in that area.

The big issue, I think, for me is that I really appreciate looking at the grading because it makes a lot more sense on the south side. I'm really lost because there's a contradiction between the engineering drawings and the architectural on what grading's going on in the front of the building. And I'm not sure how the stairs are working. I'm not sure how you're getting down to the driveway. I'd really like to see more information about that, some elevations and different plans. There are contours on the engineering drawings that show a drop from, I think, 86 to 82. It's not showing up in this plan, so there's just a whole kind of design exercise that has to happen, I think, to communicate to us.

**Ms. Griffin:** We might just take all the grading off this site plan because we've got two plans showing grading.

**Boardmember Sullivan:** Right, but somehow we need to know what's happening. There's stairs that are being shown one way, and elevations in the architectural set that are different in plans.

**Ms. Griffin:** We'll do a thorough review and make sure everything's coordinated.

**Boardmember Sullivan:** Yeah, it would be really helpful.

**Ms. Griffin:** Because you know there's been a lot of little changes, and perhaps ... I'll check and make sure everything working both architecturally and with the ...

**Boardmember Sullivan:** And I think I'd like ... I think we need to see some plans other than elevations – like a detailed elevation of the wall on the north side of the driveway – just to understand what's going on.

**Ms. Griffin:** You mean what's going on over here.

**Boardmember Sullivan:** And also where you have this stair going down to the garage, that would be helpful to look at that and understand what's going on there. Jamie pointed out some questions about what was happening underneath the porch. For example, this drawing showing the two porches in unit one and unit two that are now connected.

**Chairman Cameron:** This one's not accurate on the porches.

**Boardmember Sullivan:** I'd like to know what lighting's being planned and where it's located. There's a mention of some signage that I saw at least three places where there were traffic signs. We were maybe talking about some others, but maybe making that more clear on the architectural plan.

The other thing is, there's a transformer that's being shown in the side yard setback on the south side. There's a question about whether that is permitted in that area or if that starts becoming another variance. I think it's a structure of some type. Buddy can help me out.

**Dep. Bldg. Inspector Minozzi:** What transformer is that?

**Village Attorney Whitehead:** It's shown on the side yard.

**Dep. Bldg. Inspector Minozzi:** It's an electrical transformer?

**Ms. Griffin:** As we get into more detail we find that there's a possibility we may need a transformer. The civil engineers felt we should at least show a potential location if we can't do it all on overhead wires.

**Dep. Bldg. Inspector Minozzi:** There are minimum setbacks for those types of structures in our code, which we can discuss.

**Ms. Griffin:** Right.

**Boardmember Sullivan:** The last couple things. On S-2, I'm concerned about the headroom at the porch. This is where the driveway goes into the building. There's not a support structure being shown, just small typical floor framing. I'm curious about what the headroom is for the cars to be able to get in underneath that structure. It's going to need something because it's spanning quite a distance now.

**Ms. Griffin:** Yes, we'll probably have a steel beam there.

**Boardmember Sullivan:** Yeah. But again, just kind of looking at that area in a little bit more detail would be helpful, as well. So how the porch is being supported.

I mentioned on the landscape plan, it's only because there was a survey in the stormwater pollution prevention plan did I understand that most of the trees are existing. New and existing's not really well described on this plan. I know you mentioned indicating at least a general species, but if we can get more detail on that I think ...

**Dep. Bldg. Inspector Minozzi:** That was also brought up in the engineer's report.

**Village Attorney Whitehead:** It's in the Hahn comments.

**Boardmember Sullivan:** Good, I'm glad. Like I mentioned, there's a need for screening, if I'm not mistaken, between the parking on the east side of the property and the adjacent property.

**Dep. Bldg. Inspector Minozzi:** Yes, there is.

**Boardmember Sullivan:** And there's certain requirements.

**Dep. Bldg. Inspector Minozzi:** There has to be a screen buffer there.

**Boardmember Sullivan:** Yeah, and I don't see it on the landscape plan. So you should make sure that happens.

**Ms. Griffin:** On the east side of the property?

**Boardmember Sullivan:** Mm-hmm.

**Village Attorney Whitehead:** Between the parking.

**Dep. Bldg. Inspector Minozzi:** On the east side of the parking for the two-family there has to be a screen buffer there.

**Ms. Griffin:** Yes, there should be.

**Boardmember Sullivan:** And one thing, you're showing 20-foot long parking spaces there. They can, I think, go down to 18.

**Dep. Bldg. Inspector Minozzi:** Eighteen they can go, at a minimum.

**Boardmember Sullivan:** Yeah. I would love to take ... each of them are 20 feet. If you could make the aisle behind the two parking spaces to the south be 25 instead of 24, and maybe align the backup space with the edge of the building, I think that might be a very good arrangement. Starting at your left, Christina, those two spaces that are tandem. Those can go down to 20, from 20 to 18.

**Ms. Griffin:** Yeah, we'll look into that.

**Boardmember Sullivan:** And the aisle – I'll call it "the aisle," but the space – that's right now being shown at 24 and our code wants it to be 25. So if you could increase that to 25, and the other two spaces, again, could decrease 2 feet, from 20 to 18.

**Ms. Griffin:** Yes, we'll look into that.

**Boardmember Sullivan:** I think it's just a little less pavement, and finally something positive for the architect team.

I'll finish the A-1. I think the aisle widths in the garage should be 25 feet, and you've sort of staggered the parking in good waves. Your plan's changed a little bit since the one in our set, but if we could just jump to the garage plan. I think that's A-1. There you go. If there's a way to sort of ... say, where the utilities are, if there's a way we could have bollards of some type to keep people from storing things in those areas that you hold out towards the front of the building and kept it a 25-foot clear ...

**Ms. Griffin:** Bollards.

**Boardmember Sullivan:** ... aisle width there, I think that would be helpful. There may not need to be many of them, but that means the central part might be the most important. And also behind the handicap space. So there's a clear demarcation of the 25 feet that you need.

**Ms. Griffin:** I think this is only like a foot more. It's not much more than 25 feet.

**Boardmember Sullivan:** Well, my concern is because it's actually ... if you sort of take a line all the way across you've created a couple places where the aisle widths are 24 instead of 25. So if there's a way to make sure that 25-foot dimension is held.

**Ms. Griffin:** You know, this says 26. I think this space is actually 26. It looks like it's a little blurry. But I don't know that there's anything that's under 25. We deliberately made sure. The reason for the jog is really for aesthetics.

**Boardmember Sullivan:** Yeah. If you could just then show a 25-foot clearance there it would be helpful.

**Chairman Cameron:** It goes up and down because some building sticks out more in the back and some sticks more in the front. That's why. You can't have a straight line this way because it goes like this.

**Boardmember Sullivan:** Yeah. It's where it dips. Jamie, I don't know if there's any way to keep people from filling these in with their bike racks or their trash or their whatever.

**Chairman Cameron:** They won't fill this one in. It's for the door.

**Boardmember Sullivan:** Anyways, it was just a concern.

The handicap space I don't think is code compliant. It doesn't appear to have the aisle width on the side that it needs. I think it needs to be 8 feet-plus.

**Dep. Bldg. Inspector Minozzi:** It needs to be 8 foot.

**Boardmember Sullivan:** Plus 5. So we'd need to look at that.

**Dep. Bldg. Inspector Minozzi:** In Hahn's report, they also speak about an unobstructed aisleway at the handicap spot.

**Boardmember Sullivan:** The civil drawing shows a layout.

**Ms. Griffin:** I'll explain this because we normally need 8 and 8. I can put this elevator somewhere else, but I thought it would be best next to this parking area for the handicapped person. I'm going to look very carefully at this. I've just done a lot of handicapped-

accessible homes, and I know that when the van opens up ... I think this would work, but technically I'm not sure if it complies and I will look at that very carefully.

**Boardmember Sullivan:** The civil drawings have a layout of the space. It would be nice to take a look at it.

Unit one, it's wonderful to see the elevator to make it accessible. I think the ... and Buddy, it's just a comment ... I believe that since the elevator goes to the first floor as well as the second that all of the plumbing fixtures need to be compliant. So this powder room may need to be accessible, as well. That would be my understanding. Upstairs, it's really clearly demarked.

**Ms. Griffin:** It is, yeah.

**Boardmember Sullivan:** It's really clearly demarked upstairs, you know, where the turnaround space is and where the clearances are. But it would just make it an awesome unit for someone who had need for something like that.

**Dep. Bldg. Inspector Minozzi:** No, absolutely.

**Boardmember Sullivan:** There's a few bay windows that are on one place and another. I'm sure you'll catch that. That's not a big thing.

I guess I have some SEQRA comments, but none of them are very pertinent. One civil question was, on C-2 the garage drains are tied into the storm system – which I thought was sort of odd – and not the sanitary system. This is on C-2.

**Ms. Griffin:** On which?

**Boardmember Sullivan:** C-2. The drains in the garage I think are tied into the stormwater system, not the sanitary.

**Village Attorney Whitehead:** That's not correct. They're stormwater.

**Boardmember Sullivan:** In the garage. It's just a question. Since it's in the building it should be treated as sanitary.

**Village Attorney Whitehead:** I think it's stormwater drainage. You bring your car in and it's covered with snow. It melts, it's got to go someplace.

**Dep. Bldg. Inspector Minozzi:** That's the stormwater system.

**Ms. Griffin:** Yeah, I would assume that's the case.

**Boardmember Sullivan:** Yeah, and Hahn would catch that.

**Dep. Bldg. Inspector Minozzi:** He would have picked up on it anyway. But yeah, it's absolutely a stormwater situation.

**Boardmember Sullivan:** And then I guess my last comment. In the last two meetings, I've made a request to get the ... this is in reference to S-3 and S-4. I've asked for your backup documentation for the calculations that you're showing, that you used to create this study. I haven't received it, so I would just respectfully request that these drawings be removed from your presentation because they are not ... we are not able to verify the information.

**Ms. Griffin:** Well, I want to explain that I have ... these drawings show the property identification. And if you look it up on the property cards you will get all the information that is shown, I think, on the next page. I have given ... two meetings ago I gave a sample sheet to show how we do the calculations. And we've done this ... I will hand it to you personally. We handed those out before. This is just one, I know that. But ...

**Boardmember Sullivan:** I understand.

**Ms. Griffin:** ... we looked up every ... every property card has been identified here. If you look up the property card you will get that information on the size of the footprint. And then you look at the GIS and you'll see the area of the driveway. We went over this before. I think I showed you 15 William Street because it's close to the site.

**Boardmember Sullivan:** Right. Again, you know, without ... like I've asked for you to share your calculations and your data and I haven't received it, so I just request that these two drawings be removed from the submission until we receive that information.

**Ms. Griffin:** I have given you data, so I can give you ... I think you're asking for more data, is that right?

**Boardmember Sullivan:** Well, I'm asking to understand how you calculated your percentages. So it would be a spread sheet, it would be the list of where you got your information from.

**Ms. Griffin:** OK, we're not ... you know, there are so many of these properties. And there are property cards that were copied off the Greenburgh.

**Boardmember Sullivan:** No, I'm aware of that, Christina. I've gone to the site, I'm very familiar with the property cards. I'm just saying, twice I've asked for the information because I tried to verify it myself. We've been through this discussion, but I've asked for it twice.

**Ms. Griffin:** I probably just understood you. I was trying to show an example because a lot of work and time went into those.

**Boardmember Sullivan:** Well, if you can share the calculations behind the data it would be helpful. Otherwise, I think they're unverified and I just request that they be removed.

**Neil Alexander, partner - Cuddy & Feder:** Just to jump in here for one little aspect. I don't think it's appropriate to ask us to withdraw part of our submission. It's part of our submission. I think you can give it the appropriate weight as a decision-maker, but I don't think it's appropriate to ask us to withdraw any of the information that we've provided. You can give it the appropriate decision-making weight, but I don't think it's appropriate. Especially when it's all publicly available material that you can calculate yourself. I'm not really sure how the team ... it seems a little bit broad to ask us to take away something.

**Boardmember Sullivan:** Well, thank you for being here. And I don't want to ... I'm not trying to prolong the conversation about building coverage in this particular property. I've done the calculations myself and I have come up with different numbers. So I've asked for your team to show me how this was calculated.

**Mr. Alexander:** Right. And to the ...

**Boardmember Sullivan:** And I haven't received it.

**Mr. Alexander:** Understood and noted, OK?

**Boardmember Sullivan:** OK.

**Mr. Alexander:** I'm sorry to interrupt. But I don't ... I would object strenuously to any idea of some of our information having to be redacted as inappropriately part of the record. We've detailed to you how we derived it. To the extent that there's some discrepancy between the parties, let's just say it's noted. I don't think to do otherwise would be appropriate. Thank you.



**Boardmember Sullivan:** I guess my feeling with this is that this stands as documentation of allowing coverage in this area and it could be used as an argument going forward in other properties. I don't know how ...

**Chairman Cameron:** Well, I personally, quite frankly, think this information is meaningless. Because it's built at a time when zoning was different, therefore it's not indicative of what we should or shouldn't allow. So I've always thought this stuff was pretty meaningless.

**Village Attorney Whitehead:** It might be relevant to the Zoning Board in looking at whether it has an impact on the neighborhood.

**Chairman Cameron:** Right, yeah.

**Mr. Alexander:** Agreed on the Zoning Board aspect.

**Ms. Griffin:** We know we still have to go to the Zoning Board and make it into a further analysis. But discussion about all this we can copy you any memos and information we sent to the Zoning Board.

**Chairman Cameron:** All right. So you need to respond to Hahn's comments, and we look forward to seeing you back here again once you have.

**Village Attorney Whitehead:** Does anybody else on the Board have comments?

**Boardmember Ambrozek:** Well, I think this gentleman wants to say something.

**Mr. Alexander:** No, I don't want to preempt your comments, sir.

**Boardmember Ambrozek:** Well, I'd like to address the trip generation analysis and research what the residential condominium townhouse ITE code 203 involves. It's actually a very, very simple calculation in which they simply take the number of units of housing and apply a formula for the morning peak hour and a very similar formula for the afternoon peak hour. Unfortunately it has no consideration for the number of parking spaces being provided, and it also has no consideration for the number of bedrooms in the units of housing.

So I would like to request two things so we actually can get a better feeling for the traffic generation. One is to do an actual traffic generation assessment based on traffic counts at comparable properties in Hastings. I'm thinking of, for example, 45 Main Street and also the apartments at 491-493 Warburton Avenue, which are both fairly recent constructions. We

can use the proportions for the number of bedrooms in those buildings to try to assess what the traffic impact would be for your project.

The other thought I've had is that we never seem to do a survey after so we actually see the results a year after the buildings are completed what the actual traffic generated is. So we would like to see this, as well. At least I would like to see this. I can't speak for everybody on the Board.

**Ms. Griffin:** I mean, ITE is the standard formula that's used throughout the industry. I guess I feel like it's ...

**Trustee Armacost:** Yes, I understand this is it. It's a very simplistic formula, and it doesn't consider whether the units are studio units or whether they're three-bedroom units, as they are here. Also, it doesn't consider the fact that you might only need to provide one parking space for each unit or more than two spaces. Obviously, the more vehicles you have parked in the building the more potential traffic you have.

**Mr. Alexander:** You have two different standards working against each other there. You have your parking code requirements for the Village, correct?, with which we have to comply with. Your trip generation's for five new units. They're two different ... I'm not processing the dichotomy there.

**Trustee Armacost:** But these are five units that have three bedrooms each so you're probably going to have two adults in each unit. I know when my wife and I were both working we each did a trip. So that's one trip per unit, which is what this works out to. It's two trips per unit, in the morning and in the evening.

**Mr. Alexander:** I'm still not appreciating this. I'm confused. You're saying we need more parking on-site, or are you saying there's too much traffic coming out of the project?

**Boardmember Ambrozek:** No, I'm saying the traffic estimates are low for the morning and for the evening – both in the morning and evening.

**Mr. Alexander:** But we already are at an unsignalized intersection. I'm not ...

**Boardmember Ambrozek:** No, this is traffic entering and exiting from the premises.

**Mr. Alexander:** But we're at an intersection that's already signalized, correct?

**Boardmember Ambrozek:** No, that's not the issue.

**Village Attorney Whitehead:** Driveways.

**Mr. Alexander:** No. But the intersection – and we're within close proximity – I don't even see how you could get a warrant to get a change.

**Village Attorney Whitehead:** That's not the point.

**Mr. Alexander:** Where do we go with the mitigation here? There isn't any.

**Village Attorney Whitehead:** No, the point he's making is that the count ... you might have to delve deeper into how ITE determines this. The point is that ITE is sort of a standard for a residential condominium no matter how many bedrooms, and maybe we need to look at something that's specific to three-bedrooms. I'm not saying I agree with the comment, I'm just trying to explain so you understand.

**Mr. Alexander:** I'm just trying to understand where's my bellwether, though. We're fighting with the bellwether based on ... I'm at a loss.

**Village Attorney Whitehead:** I'm just trying to explain.

**Mr. Alexander:** I know, and I'm trying to understand what's my work. If I just said yes right now for the sake of convenience I don't know what I'm doing outside the room. That's what I'm struggling with. That's what I'm struggling with. I mean, the ITE is the bellwether; we meet the parking code. We're at an intersection within a proximity, with two curbcuts that the county is reviewing. I'm not really sure where we go. So if I agreed with you it's going to generate double, just for the sake of argument, there is no mitigation for me to implement.

**Boardmember Ambrozek:** No, but we at least have a more accurate statement to begin, and then we can address whether mitigation is required.

**Mr. Alexander:** But it's not your road to mitigate, right? It's the county road, right? I'm just not sure where we're going here. I mean, we're getting data for the sake of data to mine it because it's available to mine it, when there's nothing we can do about it regardless of the answers. It just sort of seems like an errand that doesn't have a purpose in the end other than a data collection purpose.

**Boardmember Ambrozek:** Well, if one doesn't have ... if you cannot measure things accurately ...

**Mr. Alexander:** But I did measure it using it using the ... I mean, I didn't, our engineers did it, using the ITE standard. And you're taking issue with the ITE's standard.

**Boardmember Ambrozek:** Yes, I am. Because it appears that we have ... I think the ITE standard is being used in a very simplistic way; that it does not account for the number of bedrooms and it does not provide for how much parking is in that dwelling structure.

**Mr. Alexander:** OK, I jump through that rabbit hole and agree with you and say the traffic should be one-and-a-half times what we said it was. Where do we go next?

**Chairman Cameron:** It might be useful if you came back and showed us that the ITE standard works even if there are three bedrooms. And what do they do to come up with their standard. A little background on what the standard is and why it works, that might be ...

**Mr. Alexander:** But, quite frankly, I don't think ...

**Chairman Cameron:** Can I speak?

**Mr. Alexander:** Yeah, go ahead, Chairman.

**Chairman Cameron:** I know it's the standard. But it sounds very illogical that it's a standard whether there's a studio or a 10-bedroom. You must have an explanation for that, and it would be very useful and you'd make a contribution to this if you come back and tell us.

**Mr. Alexander:** I understand that, but we're talking about five units at the end of the day and I'm looking for a SEQRA negative declaration this evening is what I was looking for.

**Chairman Cameron:** Well, you're not going to get that.

**Mr. Alexander:** When am I going to get that?

**Chairman Cameron:** Well, you may get ...

**Mr. Alexander:** I mean, it's 5/7ths of an acre with five new units. We've been asked to make sure an existing two-bedroom on it stays. Most of the things are derivative of the fact that we're doing that to keep a certain community character on the side street. We're trying to get through the process here and facilitate movement on that activity. We're five or six

months in on an infill project. The whole point of infill is not to have it be harder than a greenfield.

**Boardmember Sullivan:** We have a lengthy letter from our town engineer that needs to be addressed, I think, before you venture into SEQRA. That was a great review with wonderful documentation.

**Mr. Alexander:** No, it was great. And then I think what we probably should do then to help facilitate things is have a sit-down with your engineer and our attorney. Because, for example, your engineer, I think, wasn't fully apprised of the fact that the SWPPP is based upon an infill as opposed to a new development. And I think that may have affected some of his calculations. And facilitating a dialogue within the next two weeks would help us submit and come back and keep moving on a trajectory. We're not trying to avoid review, we're just trying to facilitate it on an expeditious basis.

So we're not taking issue. We're just trying to figure out what it is you need in order to come to a decision and help us get there. That's really all we're trying to do. And I think the more we can communicate as opposed to getting a memo the day of a meeting, that would really help. And I think some of the things would be better facilitated through face-to-face meetings as opposed to a situation where the memos are just shooting past each other.

**Dep. Bldg. Inspector Minozzi:** All right. You have to understand, you gave me a very lengthy review less than two weeks ago.

**Mr. Alexander:** I agree.

**Dep. Bldg. Inspector Minozzi:** I can only ask so much from my engineer.

**Mr. Alexander:** And I totally agree with that.

**Dep. Bldg. Inspector Minozzi:** But I don't think that should be a slander on ...

**Mr. Alexander:** It's not. It's not a slander on the report. What I'm saying ...

**Dep. Bldg. Inspector Minozzi:** Well, I took it as a slander.

**Mr. Alexander:** It was not intended as one. What I was saying is that it was put in for the fact that I would like – and I think it would be very helpful – to have a face-to-face with our engineer.

**Dep. Bldg. Inspector Minozzi:** [Cross-talk] two weeks ago, but I didn't get your ...

**Mr. Alexander:** I was told the 11th, which is your submission deadline.

**Dep. Bldg. Inspector Minozzi:** [Cross-talk].

**Mr. Alexander:** I know, and no one's disagreeing with that. What I'm trying to do is bridge that gap. You have a submission deadline and it jams you, I agree. No disagreement there. So what I'm saying is I think we could bridge a lot of the information gaps by getting together face-to-face. It was not an assertion of we were being sandbagged by any stretch. It was saying that the timelines are so compressed that a face-to-face would be really helpful.

**Dep. Bldg. Inspector Minozzi:** That could be arranged.

**Mr. Alexander:** That would be wonderful. That's all I was going for.

**Dep. Bldg. Inspector Minozzi:** It can be arranged.

**Mr. Alexander:** And to the extent you interpreted it otherwise, I apologize.

**Chairman Cameron:** Great.

**Boardmember Ambrozek:** Well, this is ... I'm just going to still try to make sure that the Environmental Assessment Form is completed. So on page six of the form, which is D.2.F, the third item requests that the stationary sources during operations – which is when the building is occupied – should be listed. That is replied as "not applicable." However, I believe that some form of indication of what the heating fuel would be and what the effluence from that would be would be appropriate at that question.

**Village Attorney Whitehead:** I'm sorry, what question was that?

**Boardmember Ambrozek:** D.2.F, which is on page six. Then item E-H, subitem H in item E, part 4 requests the listing of sites that have environmental remediation. The second one is V00728: describes it as being for "Hastings Gas Works." The address is listed as 8-12 Washington Avenue. I'm not saying that's wrong, but I'm confused because those are residential properties right now. So are they being ...

**Boardmember Sullivan:** Is that an old contamination site?

**Boardmember Ambrozek:** I know nothing more. I am just raising this as a point of

inquiry. That the Gas Works, I was not aware, were on Washington Avenue. I thought they were on the western side of the railroad. But I was not here at that time, I'm just trying to find a point of clarification. It may be at 8-12 Washington Avenue and I'm completely wrong.

**Boardmember Sullivan:** You know, Michael, when you go to the state site this form is actually filled out for you in print. So this information was given based on the address, the location. Some of this was populated. These sites were part of that population, so that's information that just gets pulled in because it falls within the radius of our project.

**Boardmember Ambrozek:** Sorry, Linda?

**Village Attorney Whitehead:** I was just going to support what Kathy was saying. The DEC provides that information and the form automatically when you put in the site address.

**Boardmember Ambrozek:** All right, then my query ... it's just an inquiry, so it's been addressed.

Lastly, E.2, subitem E on page 11: the drainage status of the project site's soils. You say there is no rating for U, subclassification VC. However, in your SWPPP you do have a soil type description for U-VC which, on page 19 of the SWPPP, is described as hydrology class B. And that has a moderate rate of transmission, moderate rate of water transmission. So you should be able to complete that E.2.E. entry on page 11.

That's all I have, Mr. Chairman.

**Chairman Cameron:** So we have an audience. There we are.

**Mr. Metzger:** And then there was one. Good evening.

I have a personal comment to make first, then I have some questions. And the personal comment is, I live in this neighborhood. A number of my neighbors were here, it got late, certain people had to leave. I've said this before to developers who have developed projects in this neighborhood. I will probably be saying it again 10 years from now. Our concern, as neighbors in this village, is not whether developers make money or don't make money. We don't really care. What we care about is that the work they do does not do harm in our neighborhood.

I'm looking at a site here where we discussed some issues about site coverage, and there's other things there. This issue came up probably 10 years ago on Ridge Street. One of the

members of the Board at the time said, "Well, every other building on Ridge Street is within 2 feet of the sidewalk, and why are you making this particular applicant comply with the code?" Well, because the code was changed because there was a deficiency in the neighborhood. I believe Mr. Cameron brought that issue up. I want to make sure the developers – and this is not personal because, like I said, I brought this up with at least four or five other developers who've done work in this neighborhood. It's not personal, it's being good neighbors.

If you can't comply with the code of this village, which dozens of people spend hundreds of hours working on and massaging, and we're giving you variances – we're allowing you to cover 40 percent of a piece of property where the code says 15 percent – you have to start working with us a little bit. Again, it's not personal. This is how it should be. And I thank this board for looking out for the interests of those of us that live in the Village. That's the end of my little comment there.

**Dep. Bldg. Inspector Minozzi:** Well, I'd like to just comment that this board has been very diligent about that fact. That this project started at 13 units.

**Mr. Metzger:** Oh, I'm saying I'm thanking the Board for that.

**Dep. Bldg. Inspector Minozzi:** The Board has been very, very diligent about it. And I do believe that the Board voted on lot coverage last month.

**Mr. Metzger:** Again, I'm not questioning the Board's decision here. I think the Board has been doing a fantastic job. I've said that in public and in private before. This is not commentary on the Board. I'm saying this is commentary for people who are doing projects in the Village.

I'm assuming that two buildings with two separate parking garages on a single piece of property was something that's been discussed and settled on this piece of property. Because that was a question that has come up in zoning before and in lot coverage.

**Dep. Bldg. Inspector Minozzi:** It's not two buildings on the property, it's two separate uses on the same property that's going to require the variance.

**Mr. Metzger:** I'm not ... the two separate uses are what? Aren't they both residential uses?

**Dep. Bldg. Inspector Minozzi:** One's a two-family and one's ...

**Mr. Metzger:** And one's a multi-family. OK, that answered my question.



Parking spots: they comply with the parking requirements for the Village, which is great. I'd like to know how many parking spots are we losing on Warburton with the creation of the new driveway. I believe on drawing C-1 it showed some hatched areas where the parking was going to be lost. Are we losing three spots on Warburton to get access into that driveway? And I don't know that there's a solution to that. I just want it on the record that every time the client complies with Village regulations, which is great, the neighborhood still suffers.

I didn't bring this issue up with the last applicant, but yeah he's going to be two parking spots short in his garage but we're probably going to lose three or four spots on Washington. So the neighborhood suffers despite the fact that the client is complying with Village regulations. We need to be aware of these things in the most densely populated area in Hastings. It's of grave concern to me that every piece of property ends up cutting down the parking for those of us in the neighborhood that don't have any off-street parking. It's an issue, and it needs to be part of the general consciousness as we discuss these projects.

The last thing, and this may help the client or not, I was under the impression that this neighborhood south of the Warburton Avenue Bridge and west of Broadway does not have to comply with the county set-aside for affordable housing. The set-aside as I understand it had to do with election districts and the composition of the people that lived within that district. Our area, which is the 18th ED I believe has a greater variety of people living there and it doesn't have to comply with the county regulations. Other parts of Hastings do. I may be wrong there, but when the original settlement was discussed I believe there were pockets that didn't require compliance.

**Village Attorney Whitehead:** The settlement doesn't fine the Village so there is no requirement for the Village to provide anything. It's just the Village's local law, which would only require affordable units.

**Mr. Metzger:** And I'm all for the Village law. I just want to say from a county perspective I didn't think we were part of the actual settlement. That's my comments. Thank you.

**Chairman Cameron:** Any other comments? So we will see you next month.

**Ms. Griffin:** Thank you so much.

**Chairman Cameron:** Thank you very much. We're not through.

**Dep. Bldg. Inspector Minozzi:** We're not through with you yet.

**Village Attorney Whitehead:** Christina's not through yet.

## **VI. OLD BUSINESS - None**

## **VII. DISCUSSION ITEMS**

### **Preliminary Ideas for Development – 555 Warburton Avenue**

**Ms. Griffin:** I've actually been engaged by Rosemary and Fay Devlin – they're the owners of 555 Warburton – to see if we can discuss the possibility of building residential units above commercial space. I just submitted the original site plan showing the existing building and the parking area next door. This is really just to explain that these seven spaces you see here to the right of the building are actually on their property. Some of you may have been here a few years ago when we got approval for a wellness center on top of a restaurant.

These are seven spaces, and we would like to see if we might be able to use them for residential units and see if we can work with Chase Manhattan to see if they would share those parking spaces, since we must have access through their parking lot to get to those spaces. The proposal we'd like to submit one day, and I'm just here to discuss it, is that we have residential units, three units above commercial space. On the next page you're going to see two schemes. Scheme A is showing that the ground floor is commercial space with an entrance on the northern end that leads up to three units. They're three duplex units, so each unit will have two levels. You go up and you get to the living-dining-kitchen area of each unit, and then on the second floor and then on the third floor you would have two bedrooms per unit. If you continue all the way up, you would have a shared roof deck. That would be outdoor space for these residential units.

Now, on the next scheme, scheme B, it's treating these units as live-work units. Each unit would actually have its own office studio or retail space on the ground floor, and then a separate entrance going up to their residential space above. They would each have their own roof deck and they would each have some kind of space in the basement. Now, there's a big difference in the square footage for these units. Because the units in scheme A would be more like 12-hundred or 13-hundred square feet, and scheme they range from something like 21-hundred to 25-hundred square feet.

**Dep. Bldg. Inspector Minozzi:** Because you're using the basements?

**Ms. Griffin:** Without the basement. Actually that's not even including the basement right now. I'm including the workspace in their units.

**Dep. Bldg. Inspector Minozzi:** Oh, I see.

**Ms. Griffin:** We've had many people look at this property and try to sell the property. They've decided they need to have an approval for this. They actually would like to do the build-out themselves, but there is a lot of hesitation to having a big commercial space or a restaurant. I just want you to know that the square footage of this commercial space, once you carve out a lobby entry up to the residential units, is actually 1,912 square feet. We want to keep under that 24-hundred maximum for an exemption of parking. We could even have some extra space maybe for that if that space ... because if it was a kitchen they may want to have some basement space for storage, or maybe part of the kitchen.

I'm really here to see what your thoughts about these two schemes. Going back to the parking, what we'd like to do is, if we have three units each unit could have its own dedicated parking space full-time. There's four spaces left, and they would be flex spaces shared with the bank. The bank would use them during the day, and when the bank is closed they would be shared by the units. We haven't been to Chase Manhattan, of course. This is just some of the ideas we have right now for the project. It's a much lower-intense use than we have ever shown you in the past because we only have three units. The building originally, when we started with this project I think was eight years ago, was actually – in case people are not aware of this – a restaurant on the first floor. On the lower level was like a meeting area where you could have catered parties. On the second floor were two apartments, and on the third floor was a karate studio. That was the status of the building when the Devlins purchased the property.

We went through and got approval eventually for this wellness center on top of a big restaurant, and now we're here talking about residential units. I think the owners love the idea of live-work. There is a lot of, I think, concern of any investor that if you have too big a commercial space whether they'll get a business in there that's going to succeed. That's the reason they're considering this live-work arrangement.

I'd love to hear any comments you might have.

**Chairman Cameron:** I'll go first this time. I think that's the nicest commercial space we have in the town. It's a beautiful space. We're never going to have a space like that again in the town. So my druthers is for scheme A, and we'd really find a place that'd be a wonderful restaurant. Eva and I were the only two who were around for the first two go-rounds. I'm really very interested in the big commercial space because it's just a gorgeous, gorgeous

place for a restaurant. There's nothing like it in town, and it would make the town, on this, very close to a very nice parking lot for evening parking, which is pretty empty. So that's my emotional feeling on the topic. We get down to the practicalities later.

**Boardmember Gould-Schmit:** I'm going to second Jamie. I agree, I think it's a prime location for a bigger commercial space. I do fear, though, in these towns ... I mean, look at The Prime. I mean, that restaurant's been four places since I've lived here and I haven't lived here that long. The location isn't as good, but I would feel that they could make this a commercial space that would go. It's nice this idea of live-work, but I feel like if you chop up ... I don't know, it's just less appealing to me. I think it would be great in the center of town to put a nice restaurant there. I would like it to be anything, though. That is my bigger ... being a newer resident, I still can't believe it's empty. It's like a big hole.

**Boardmember O'Reilly:** I think we have to say it's potentially the most desirable commercial space. Unfortunately, why isn't it. Why isn't it a successful commercial space? I think the question is that we either haven't found the right buyer or it's not usable in the way it's configured. But I always had great ideas. I always get an exciting idea out of it because when I heard it was going to be a steak house or was going to be a restaurant on the ground floor I thought there might even be a beer garden on the roof for people who were in the restaurant.

But the ideas we have just don't seem to carry, unfortunately. But I was really disappointed to think we would have more offices on the ground floor. I don't mind residential upstairs, but to have more offices along our main commercial street I think would be undesirable and be unimaginative. One of the people I was thinking maybe ought to be involved – I don't know on the Trustee side – who's the woman who's now trying to work on the redevelopment of the downtown?

**Dep. Bldg. Inspector Minozzi:** Barb is the Downtown Advocate.

**Boardmember O'Reilly:** Yeah, the Downtown Advocate. It would be worth her involvement in this discussion.

**Ms. Griffin:** Yes, I've met with here a few times.

**Boardmember O'Reilly:** Yeah, but nobody seems to be able to come up with the right mix, unfortunately. Yet I would hate to see it have three offices on the ground floor. That would be so dull.

**Boardmember Gould-Schmit:** It would be dull.

**Boardmember O'Reilly:** I think one of the reasons a number of people were distracted by the restaurant idea or made to feel unwelcome about it was the lack of parking; thinking that they had to provide it. The restaurant can provide parking, but we don't go to restaurants because they've got a parking spot. We go to restaurants because we want to go there. If there's any disincentive on anybody to open a restaurant because the parking is required, I think that's the first thing we have to look at. Because I think we're going to have to grapple with that. I think the Village has to look at that because it's the disincentive that's causing our commercial district to be undesirable.

**Chairman Cameron:** Just my comment on parking and restaurants. If you look up and down the Rivertowns you will find a lot of big, big restaurants ...

**Village Attorney Whitehead:** Without parking.

**Chairman Cameron:** No, they're all on the waterfront and they all have an acre of parking right next to them; every last one of them. I'm talking about big restaurants.

**Village Attorney Whitehead:** But they're much bigger than this. Dobbs Ferry has a number of those.

**Chairman Cameron:** The problem the Devlins ran into with this is, they started out trying to make it all restaurant and it was going to be huge. And that ran into the parking problem. I think one this size could work. Well, I don't know if it's going to work or not, but it's a great venue when it's the right size. I think it could be really a wonderful place. But all the other restaurants, they're all down on the waterfront and they've all got big parking lots.

**Boardmember O'Reilly:** Well, look at St. George, they don't. Look at Juniper, they don't.

**Chairman Cameron:** Well, they're smaller than this.

**Boardmember O'Reilly:** They're smaller than this, but St. George is a two-floor restaurant. If you want to go to St. George maybe you can get into a parking spot, but it doesn't provide it, it's not required.

**Chairman Cameron:** No, there's enough parking in downtown Hastings, especially in the evening, to accommodate this space easily. Especially since I'm walking.

**Boardmember O'Reilly:** Anyway, that's my comment. I'd hate to see offices on the ground floor.

**Boardmember Sullivan:** I love option A-1. I just agree so much with what Kerrie and Janey said about having something on the first level that's not residential and not an office. I think it would be such a good thing to do to get some more residential for the downtown, as well. I'm kind of thinking through the roof decks, and not so much because of the project that you're involved with right now but the other project on Washington Avenue. There's no code reason to provide open space, so that's fine. But having a roof deck in downtown Hastings kind of bothers me in some way. It's almost like a penthouse type of feel to it. It's exclusive in some fashion. I mean, there are many people who live in Hastings in the downtown in different ways that don't necessarily have that. So for some reason that was the thing I reacted to.

**Boardmember Gould-Schmit:** There's quite a few really.

**Boardmember Sullivan:** Well, we need to find out more about it.

**Chairman Cameron:** The Aqueduct, there's a place down there.

**Boardmember Sullivan:** And maybe that's a good thing. I'm thinking about roof decks, and that's the comment I feel strongly about.

**Chairman Cameron:** I think having a roof deck is a terrific idea. It gets people to appreciate being on the waterfront. So I'm in favor of a roof deck whether it happens to be Bill's Beer Garden or ...

**Boardmember Gould-Schmit:** I would go there.

**Chairman Cameron:** Which I think would be a really good idea, too.

**Village Attorney Whitehead:** Well, if Bill lives in one of the units he can do his beer garden.

**Boardmember O'Reilly:** Well, we need access to the roof.

**Boardmember Sullivan:** And I guess the parking thing doesn't ... I mean, you have some spots, and you need how many for three units?

**Ms. Griffin:** We need, I think, six.

**Boardmember Sullivan:** So why can't you just accommodate them?

**Ms. Griffin:** Because there has to be a negotiation with Chase Manhattan. They were renting us spaces for years. Now their lease has expired so there has to be some kind of trade. Because the only access to those spots is through that parking lot. So I don't think we can just simply take them away.

**Village Attorney Whitehead:** Because you won't get to them.

**Ms. Griffin:** So scheme A, even with the parking situation because it's complicated, we think is something.

**Boardmember Ambrozek:** Yes, my preference is also scheme A. I think the idea of providing an entry – I don't know if there is an entry there at this corner – to the commercial space from the corner that is closest to the parking area, to the Chase parking area, could potentially improve the appeal of that commercial location to people coming there.

**Ms. Griffin:** We actually have handicapped access. The rest of the grade, the way the sidewalk drops down below the ground floor, there are steps at the corner door, there are steps at the other door. So this is the only location where you can come right off the sidewalk for handicapped-accessible. We won't need an entrance there.

**Boardmember Ambrozek:** Again, I'm concerned though that by having commercial space on the street level what happens to the space below street level; how it could be used productively if it's not all part of the use of the commercial space. That now would put you over the 25-hundred square feet.

**Ms. Griffin:** Actually, we haven't gone that far with this idea yet. But I was thinking we might have part of it for amenities like a gym or something for the residents, and part of it would be, hopefully, a restaurant, so they have a little extra space and we don't go beyond the 24-hundred square foot maximum.

**Boardmember Sullivan:** It's a trigger; 25-hundred is the trigger.

**Ms. Griffin:** I know. And I think that's a comfortable amount of space for a nice-sized restaurant, not huge. The previous scheme had a kitchen below so we would have more seating. I don't know if we can do that with that kind of space because I guess we'd have about ...

**Dep. Bldg. Inspector Minozzi:** You'd have about 500 square feet to play with.

**Ms. Griffin:** Yeah, a little more than 500.

**Boardmember Ambrozek:** I have a question about the three units that are above the commercial space, on the second and third floors. Is that going to be required to have a second means of egress, or because it's an existing building it doesn't?

**Ms. Griffin:** The New York State code, to have one means of egress you have to have no more than four units per floor, a maximum of three floors if it's fully sprinklered. We have to meet all those conditions, plus egress windows in the bedrooms.

**Boardmember Sullivan:** Yeah, you look at the existing building code. I looked, and the floor plate had to under 35-hundred square feet. So you're fine. Your floor plate's ...

**Ms. Griffin:** I haven't checked existing, but I looked at that and I think we'll be fine.

**Boardmember Sullivan:** At least it would appear you're allowed to have one exit without a problem. And like you say, the sprinkling and it's a change of occupancy I suspect. So there's some upgrades that are required.

**Boardmember Ambrozek:** When I looked at scheme B I was concerned that trying to find three different owners who want to have a combination of office-live in accommodation in the same location could possibly be more difficult than having three apartments where there's always quite a bit of demand for that.

And lastly, regarding the roof deck if they are apartments, that would be a delightful place to have a barbecue. And it would probably be providing the best river views you could get from a building.

**Dep. Bldg. Inspector Minozzi:** You can have a barbecue over there anyway.

**Boardmember Ambrozek:** They don't build parapets, but if they put wooden fencing on top of the parapets we'd like to discourage that.

**Chairman Cameron:** What we did last time was suggest that the people be restricted from getting too close to the edge of the building so the people over on Maple couldn't see them.

**Ms. Griffin:** Yes, I remember that. That was when we had a seasonal bar up there.

**Chairman Cameron:** Never got my drink up there.



**Ms. Griffin:** Thank you so much, appreciate it. We'll probably be back.

**Chairman Cameron:** I like alternative C best, which is buying out the funeral home. But I know everyone has tried.

**Ms. Griffin:** We've tried.

## **VIII. ANNOUNCEMENTS**

**Next Meeting Date - September 17, 2015**

## **IX. ADJOURNMENT**

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember O'Reilly with a voice vote of all in favor, Chairman Cameron adjourned the Regular Meeting