

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
BOARD OF TRUSTEES
PUBLIC HEARING
JANUARY 9, 2007**

A Public Hearing was held by the Board of Trustees on Tuesday, January 9, 2007 at 8:10 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Mayor Wm. Lee Kinnally, Jr., Trustee Peter Swiderski, Trustee Jeremiah Quinlan, Trustee Diggitt McLaughlin, Village Manager Francis A. Frobel, Village Attorney Marianne Stecich, and Village Clerk Susan Maggiotto.

ABSENT: Trustee Marjorie Apel

CITIZENS: Sixty (60).

Mayor Kinnally: Trustee Apel is not here this evening because she is ill.

We have a public hearing and regular meeting tonight. This evening before we start I am going to ask the Village Board to adjourn for advice of counsel and deliberations regarding the settlement of the Ridge Hill litigation.

On MOTION of Trustee Swiderski, SECONDED by Trustee McLaughlin with a voice vote of all in favor, the Board adjourned at 8:10 p.m. for an Executive Session for advice of counsel and deliberations concerning the Ridge Hill lawsuit.

[Resume 8:25 P.M.]

Mayor Kinnally declared the Board in session for the purpose of conducting a Public Hearing in accordance with the legal notice that appeared in the December 22, 2007 issue of *The Rivertowns Enterprise* to consider the advisability of enacting new Zoning Code regulations to amend the Multi-Family Residence/Commercial(MR-C) regulations to permit self-storage facilities on parcels greater than 12,500 feet in accordance with specific criteria; and to rezone from Two-Family Residence (2R) to MR-C the following properties: 40 Edison, 5-7 Holly Place, Holly Place & Edison, 9 Holly Place, 15 Holly Place, 33 Saw Mill River Road, 1327 Saw Mill River Road, and 1337 Saw Mill River Road.

Mayor Kinnally: This being a public hearing, all those wishing to speak either in favor or, or in opposition to, the proposal please come forward, give your name and address for the record, wait to be recognized before you come up. I would ask, given the number of people that are here tonight, if we can limit comments to three minutes per person. I will allow everyone to be heard before people have a second opportunity to be heard.

Robert Davis, Shamberg Marwell Davis & Hollis: We represent the Tarricones and their corporation, who own three of the eight properties whose owners have petitioned the Board tonight. Due to the time restraints, my presentation will be truncated but I will hand in a complete copy after the meeting. My letter to you of October 24 and the loose-leaf binders that we have given to the Board summarize the petition. We have tonight a supporting petition of over 100 residents of the Village,. I will summarize the petition, and then speak to issues regarding the comprehensive plan and the Planning Board comments.

As we presented to the Board in September, the petition before the Board seeks the rezoning of an area of about 1.6 acres on the far eastern boundary of the Village, which is totally separated from the rest of the Village by the Saw Mill River Parkway. The area is located between the parkway and state Route 9-A, also known as Saw Mill River Road, and it adjoins the commercial and industrial areas in Yonkers and Greenburgh. The subject properties comprise the entire portion of the neighborhood which is located on or around the corners of Holly Place and Route 9-A. The properties already contain, or adjoin and/or are across the street from, commercial development. This is the transitional area of the neighborhood along 9-A at the access point to and from the neighborhood via Holly Place and not the interior portion, which is unaffected by 9-A. In short, the owners of the eight properties are seeking a change in the zoning designation for their properties from the current 2-R, two-family designation, to a more appropriate transitional MR-C designation, which is multi-family with a very limited business component, or, at the very least, in the Board's discretion, a similar designation such as MR-O. There is currently only one MR-C zone in the Village just south of Village Hall which, like this one would, adjoins a two-family zone as well as an MR-O and, like this area, is across the street from industrial zoning.

The basis for the petition is two-fold. The 2-R zoning does not currently reflect the existing conditions of the commercial development on or around these properties. And almost every lot in the 2-R zone, including some of the subject properties, is nonconforming as to the 2-R use and/or bulk regulations. The MR-C designation would help rectify these situations. In addition, petitioners also seek a text change to allow a self-storage business, such as the existing storage business as permitted in the MR-C, which would enable Mr. Tarricone's commercial business that he now operates in the 2-R zone under very strict conditions which we put forth in the text, including access only on the state road and a lot size of 12,500 square feet, to expand onto the corner of Holly Place, subject to Planning Board and Architectural Review Board approval. It is important to note that the text change would provide the first specific regulations for self-storage use in the Village. It is modeled after another ordinance that has been successful in another municipality. It is also important to note, as Mr. Tarricone will discuss, that his use will not be extending along Holly Place except on his current residential property. We have suggested another limitation of only 150

feet, no more than that from a state road. He would design any extension of his use subject, of course, to other Board approval, in a residential motif.

I would like to offer a few comments on the issue of the comprehensive plan vis-à-vis the suggested rezoning because several members of the Board and the Planning Board have expressed concern about any rezoning being enacted while a new comprehensive plan is under consideration. While in general this concern may be applicable in many situations, this issue has to be viewed with respect to this specific proposal. When that is done, we submit that there is no basis for this general concern. We offer the following comments on this issue. This is a unique and separate area from the rest of the Village. The properties in question are not in the middle of the Village in the central business district or along the waterfront. They are located on the far eastern boundary of the Village, separated by the parkway and sandwiched between the parkway and Route 9-A, away from the rest of the Village. The proposal in question affects only about 1/10th of 1% of the acreage of the entire Village. Or conversely, it does not affect 99.9% of the Village except for a very significant, beneficial financial and fiscal impact. Under the circumstances we have discussed before, it will have little, if any, effect even on the few people in the immediate neighborhood who do not support the change.

The proposal takes into account the existing development and the development trends in the area, as any new plan would. The proposal is intended to render conforming or more nearly conforming the properties in question, as any new plan certainly would. The proposal does not entail a request to any radically different designation. Any new comprehensive plan surely would not want to rezone this property to single-family use and, likewise, any new comprehensive plan would not be rezoning this property to any of the general commercial, office, or industrial zones. Nor would it be a park or recreation district or a waterfront district. The Mixed-Use Planned Development District, to which the LI zone to the north was recently rezoned, does not apply due to lot size and other factors and requirements, although the report supporting that change support this one, as well. The current multi-family districts would not work for most of these properties because of the bulk requirements. And even if those requirements were changed, it would not address the commercial aspects of this area. So that does not really leave any reasonable possibilities under existing zoning designations. But the MR-O and MR-C districts, the latter of which we propose: the only difference between those districts essentially is that some of the uses require a special permit in the MR-O, and the MR-O has more stringent bulk requirements with respect to lot size and lesser lot coverage. However, the Board could certainly still consider the MR-O with its more restrictive requirements, which would at least provide some help to the petitioners.

The MR-C is not an outdated district, which would likely be subject to change or elimination in a new plan. It was just adopted in 2003. It is consistent with the 2004 Mixed Use Planned Development District to the north. The planned development district is the next-most intensive district so it is a logical progression from this, northerly along 9-A. A significant number of people in the neighborhood, as well as Village residents, support the change, which we think is reflective of a change which would be consistent with any new plan. Certainly, the issue of the new tax revenues to be generated would be an important aspect of any new plan. So in this particular situation, it seems unlikely to us that any comprehensive plan study would result in anything significantly different from that which we are proposing: that is, a change to the MR-C, or at least the MR-O, with a text change to permit self-storage.

Just a couple of comments on the Planning Board recommendations. Frankly, we were somewhat surprised by the rather short shrift that the Planning Board gave to this application. We feel that the Board ignored the significant portion of the neighborhood directly affected by the commercial development along 9-A and the significant neighborhood and community support for the proposed amendments. Clearly, the Board, as it stated, had formulated its opinion before hearing the applicant and the public at the last meeting. And the Board did not even ask the opinion of the Village Planner, who is a paid professional on these issues, or offer any constructive alternatives to this board. We offer the following comments to the Planning Board's memorandum of its negative recommendation.

First and foremost, the Planning Board's characterization of this area as residential is preposterous, in our view. The Tarricone properties and the Borrelli properties, with the commercial uses along 9-A, are part of the 2-R district and have significant commercial development. There is also a commercial junkyard right in the middle of the neighborhood. The so-called gateway to the neighborhood on Holly Place is characterized by commercial development within the neighborhood near that corner, as well as that directly across the street in Greenburgh and directly to the south in Yonkers. The real gateway to this neighborhood from a residential perspective is Tompkins Avenue.

Second, one of the goals of the proposal is, in fact, to preserve the residential neighborhood by preventing the affected properties from falling further into non-owner occupancy and disrepair and by providing an appropriate transitional buffer between the residential interior of the neighborhood and the commercial exterior. As a result, it is not contrary, in our view, to the vision plan. The cited differences in the bulk regulations in the 2-R district and the MR-C district are completely irrelevant, since the neighborhood does not even come close to being developed in its existing state in accordance with the 2-R requirements, but is much closer, as it exists, to the MR-C requirements which would make the properties in the neighborhood more conforming. The claim that you should not have more than one zoning classification in a compact area is without basis, particularly when a portion of the area

adjoins a major commercial thoroughfare, actually two major thoroughfares, as this one does. One need only look at the relatively small adjoining zoning districts along the western boundary of the Village to see that this is not the case.

Contrary to the Planning Board's conclusory statement, the proposed rezoning comports entirely with the intent of the MR-C zoning designation, as reflected in its application in the downtown area. However, the Board may also want to consider the more restrictive but equally applicable MR-O district alternatives, which is also the only district of MR-O, located just south of the Village Hall. The Planning Board offered no basis for its contention that self-storage is not compatible with the uses in the MR-C zone, where a self-storage use primarily serves local residential customers for the storage of their household and residential items. Certainly it is not inconsistent with commercial uses in that district, which include offices, mixed-use buildings, restaurants, athletic clubs, and certain retail sales, particularly when it will be designed with a residential architecture, screen the other commercial existing uses from the neighborhood, and have no access within the neighborhood but only from the state road while generating far less traffic than other permitted uses will do. The existing self-storage gives us a track record. It has been a very clean and quiet use that is an improvement of the neighborhood, not a detriment. The Planning Board's contention that the zoning amendments should not be enacted to meet the needs of individual property owners independent of the needs of the district as a whole is misplaced in this particular case. The Planning Board ignored the fact that there are two very different areas that comprise this 2-R district which are not similarly situated. The zoning ordinance clearly affords individual property owners the right to petition for a rezoning under such circumstances and, in this instance, eight of the affected property owners out of 20 in the district whose properties are essentially adjoining have done so. The limited transitional nature of the proposal clearly acknowledges the interests of the nearby residential properties, but will protect these properties in the future.

The issue of the comprehensive plan we have already addressed. And finally, the Planning Board recognized the increased revenue to the Village which would result from this proposal, which we have calculated based on the existing taxes paid by the self-storage, would amount to over \$150,000 a year, or about \$1,500,000 over the course of the next decade.

Anthony Tarricone, 15 Holly Place: I am one of the people applying for this change. First I would like to thank all the people that have come out on our behalf, for or against. That is what a democracy is about, and I appreciate them.

I have used my best efforts to be forthright and upfront with my neighbors and I have received useful feedback from them. I thank them for that, and I have adjusted the proposal accordingly. I am hopeful that the Board of Trustees and the residents will look at this

proposal in a positive light, asking themselves what is good with this proposal and how can it make sense for our community, rather than what is wrong with this proposal and how can we blow holes in it. We plan to cover why the individual property owners are asking for this relief from the zone and have signed the petition, what the self-storage building will look like and, lastly, the benefits to both the neighborhood and the Village.

The reason eight property owners out of 21 have petitioned the Board for the change is because of the inequities in the neighborhood due to the existing zoning. In short, the zone was changed after the properties were built and, as a result, 18 out of 21 properties in the zone do not comply with the current zone; 85% of the properties in the area are nonconforming. This has caused hardships for some and windfalls for others. As an example, Richard Shea, who is one of the participants in this petition, owns a single-family house on 7,500 square feet. I own a two-family house on 5,000 square feet. He cannot get his house converted to a two-family because the zone requires 10,000 square feet. It is a little inequitable. We also have another individual who owned an 800 square foot house on 3,700 square feet and would like to expand it. Across the street, they have a neighbor who has a 1,500 square foot house on 2,000 square feet. They would need a million variances to get this approved, and yet the other people already had it. So there are the inequities, and that is why the neighbors have petitioned for this.

The biggest thing the neighbors were concerned about was what the self-storage building would look like and how far it would extend into Holly Place. They were concerned that it would extend all the way down Holly Place to the end. That is not the case and we put that in writing in the application, and shortened the length of the self-storage facility to 150 feet from Saw Mill River Road. That is only one of the houses that we own. It is 15 Holly Place. It does not include the two-family home. Furthermore, we have made all the entrances and exits from this new proposed building to come out onto Saw Mill River Road. The net result is that it is less traffic on Holly Place.

The next concern was what will the new building look like. Our family is heavily invested in the neighborhood. In the 1930s we lived at 39 Edison Avenue. We then bought 15 Holly Place, and thereafter we bought 1337 Saw Mill River Road and then 9 Holly Place. The point is, we have more invested in this neighborhood than all the neighbors combined. We would never do anything to diminish the value of the area. Our family installed cobblestone curbing on Holly Place and replaced chain link fence with stone walls. Our family installed wishbone sidewalks and re-blacktopped portions of Holly Place because the Village would not. How the neighborhood looks and feels is just as important to our neighbors as it is to us, and I believe we have proven this with our actions in addition to our words. I would like to hand out a handout of what the new facility will look like.

Here are two elevations. This is a very preliminary look at what can be done with the self-storage facility. When it faces Holly Place it will have a complete residential look. The building treatments will be residential in nature and improve the look and feel of the neighborhood. The new building will block both noise from 9-A and the views of the existing self-storage business. We are very sensitive to the entrance to Holly Place. It is the entry to our neighborhood, and we are looking to enhance it. Upon completion we will have a beautifully landscaped building that will look like a gracious residence, an enhancement to the area, not a detriment.

Lastly, I would like to get into the tax benefits for the entire Village. Currently, the existing self-storage pays \$165,000 a year in property taxes. Upon approval, a similar revenue stream can be expected for the Village. In 10 years the Village would receive \$1,650,000 compared to \$120,000 if the change was denied.

Mayor Kinnally: That would be all of the taxing districts, not the Village itself.

Anthony Tarricone: That would be all of them, yes. Allow me to read some disturbing facts about our taxes. The article is entitled "What Do Westchester County and Nassau County Have In Common?" It is an article from NewsChannel-7 and the Associated Press. Westchester is number one and Nassau County is number two, and this is not a good thing. The two counties are the highest in the nation in property taxes. Here is another from the *Journal News*. Westchester County has the highest property taxes in New York State. Double-digit property tax hikes are becoming a way of life at the local levels at Westchester. Hastings-on-Hudson approved a 20% hike in March of 2003, the largest in 25 years. It is my understanding that Hastings has the highest tax burden in Westchester based on our per capita income. Therefore, I think it is fair to say that Hastings residents pay the highest taxes in the nation. Our property taxes in Hastings are reaching a critical point when they begin to eat into the equity of our homes. As the property taxes rise, potential buyers are less willing to buy homes. To offset the tax hikes we need to reduce the sale prices of our homes. How many people are willing to pay \$750,000 for a house with \$20,000 a year in property taxes? The community is so strong because generation after generation come back to settle here. But with the escalating taxes, our family will not be able to afford to stay here.

This proposal is asking the residents of the Village and the Village Trustees if we can help shoulder the tax burden, the improvement, and the look of the neighborhood by expanding our business on 9-A, Saw Mill River Road, a commercial road. If the Village is not going to approve a commercial business on a commercial road, then where else will the Village generate the much-needed taxes? The only solution left is to increase residential property taxes. If you are not going to do it now, then when? If you wait for a comprehensive plan to be approved, the market will be absorbed and the ability for the project diminished. In last

week's *Enterprise*, the expected cleanup for the waterfront has been pushed out to 2012. Can the Village wait another five years and continue to absorb double-digit tax increases each year while waiting for a comprehensive plan or waterfront development?

This is a solution-based proposal. It makes a nonconforming area conforming, realigning property rights of the residents based on actual conditions. It beautifies the entrance to the neighborhood with a building that looks like a gracious residence, while screening the neighborhood from both the sounds and sights of the commercial area it abuts. It generates much-needed tax revenue for the Village on a commercial road, while preserving the neighborhood behind it. We respectfully ask that you review this application, thinking what is right with his proposal rather than what is wrong with it, and then approve it.

Trustee Quinlan: Would this building replace your home at the corner? You would knock down your home?

Anthony Tarricone: Yes.

Trustee Quinlan: And the second home that you own next to you, the two-family, would remain intact.

Anthony Tarricone: Correct.

Trustee Quinlan: I know it is a matter of taste because I was on the Zoning Board for 10 years, but you are saying that this looks better than your current beautiful home, which I think is absolutely lovely? I really like your house. I think it is the nicest house in the neighborhood. In your opinion is this building going to look nicer than your lovely home?

Anthony Tarricone: Yes.

Claire Podolski, part owner and manager - Hastings Self Storage: Prior to my full-time management at Hastings Self Storage I was the deputy tax receiver for the Town of Greenburgh for several years. Some people may have some questions with regard to the tax impact of a zone change. Taxes are calculated by multiplying the tax rate by the assessed value of a property. In our area there is not a different tax rate for commercial versus residential; there is only one tax rate. To the extent that there is a zone change from residential to commercial, there is not a tax impact on your particular house or property.

The tax benefit to the Village if the storage is built is truly significant. In the last five years Hastings residents have suffered an aggregate 153% increase in your tax rate. That is the biggest reason I quit my job with Greenburgh. In any event, we really do need commercial

businesses to help defray the increases in these taxes. It does not mean that you need to compromise the residential character of a neighborhood. The residential character of a neighborhood can be preserved by the type of structure, landscaping, and all the aesthetic things you do in order to do that. Since its construction, Hastings Self Storage has contributed about \$800,000 to the Village since 2000. Clearly, we are one of the largest, if not the largest, taxpayer in the Village. In 2006 the entire residential neighborhood, these 21 properties that we are talking about, has contributed approximately \$82,000 in tax revenue. The storage facility paid, and I am going to have to correct Anthony, \$167,000, which is 100% more, or twice as much, as the entire neighborhood in the aggregate. The best thing is that we are very interested in keeping the residential presence. Our business depends on the residential neighborhood. Ninety-eight percent of the business there is residential and 60% of its clientele is located in a three-mile radius of the storage facility.

Joseph Spinozzi, 31 Farragut Avenue: I have been a resident of this town for 16 years, and in addition to 31 Farragut Avenue I own two other properties, 15 Hillside Avenue and 37 Stanley Avenue. I have coached youth football for our town's recreation department for six years, and I am a member of the Hastings Social Club. I bring all of these to the Board's attention to illustrate my personal and financial commitment to this town and my concerns for our ever-increasing tax burden as residents.

My intentions in speaking this evening are not in any way financially driven. I have no economic or equity interest in Mr. Tarricone's businesses. I do, however, have a significant interest in seeing how our Board responds to a local business owner who is seeking to provide a win-win solution for our town. By win-win I mean an aesthetically pleasing structure added to an industrial commercial corridor that would provide a tax benefit to the town and its residents. Mr. Tarricone has been a good business and private citizen of our town. He and his family have entrenched their lives and their businesses in our town. They have shown their commitment by unselfishly replacing public sidewalks and paving public roads, replacing chain link fences and stone walls, and other beautifications that were our town's responsibility. I also know Mr. Tarricone personally. He has a young family, with four children who go to our schools, have many friends in our town, and intend on being long-term residents.

His current business supports our tax base and it will only continue to assist in offsetting residential taxes as it grows. As a resident who has significantly invested in our town, I have to look towards Mr. Tarricone's commitments regarding property, property tax ratios, and the pro rata effect on our property values. When a town has an opportunity to both enhance the look of a gateway area and increase its tax revenue, without having to come out of pocket, I feel there is an obligation to take the opportunity into serious consideration. I was certainly alarmed by our 2003 property tax increase. And the fact that we see no clear plan

or future for our waterfront, or augmentation of commercial or industrial business to help offset the residents' burdens, only serves to exacerbate that concern. Mr. Tarricone's proposal beautifies a gateway area and entrances to Hastings-on-Hudson. It brings a tax benefit to our town and offsets our residents' tax burden. And now that our town has approved projects like Riverton Lofts and other similar projects, with an increase in populace it would only seem plausible to have an increase in storage facilities. It is my opinion, given the win-win solution offered by Mr. Tarricone, that this board has both a fiduciary and civic responsibility to approve his application and support his project.

Sylvia Lee, 298 Warburton Avenue: I am speaking to support the rezoning. As a homeowner and taxpayer, I think the Village Board should consider every opportunity to reduce the tax burden on the residential property owners where there is no significant impact on the quality of life. The rezoning and potential new structure is both a low-traffic and low-impact use and would be consistent with the existing commercial uses along Saw Mill River Road. And by providing a significant commercial tax income, it would benefit the Village as a whole.

Maureen Milici, 11 Flower Avenue: I want to show my support for Mr. Tarricone and the plan. I have been a homeowner and taxpayer for three years. I closed the day before they announced the increase in the tax in 2003. This is a very elegant solution from a family that has roots in this village, which is one of the reasons we were attracted to a village like this, to meet and get to know people like the Tarricones. So I certainly support the plan.

Seth Godin, 1 Bellaire Drive: I cannot imagine how difficult it is to make zoning decisions. It is always a matter of degree; there is no black and white. My open-ended questions are, taking a look at the photograph, how much of a change in character would be necessary before you would be unwilling to do this. It is pretty clear from the pictures, and I spend a lot of time driving by there, that it is not a residential neighborhood. How much tax money has to be on the table before you would be willing to make a decision? The biggest thing as far as I am concerned in a democracy in a small village, how many more people do we have to bring to a meeting to make it clear that the community thinks it is a good idea? If you could tell us that, my guess is the Tarricones could get that many people to come. I think it is a great idea.

Lisa Eggerl Litvin, 98 Villard Avenue: I am relatively new to Hastings. We moved here two and a half years ago primarily because of what a beautiful small town we have. Generally, I would say no, do not tear down a house to put up a business. But at the same time, I have put a lot of thought and energy into this. I look at our tax base and I look at our opportunities to expand our tax base, and I do not see that many. I have traveled the neighborhood and I have driven all around, and I agree that 9-A is not a beautiful road and it

is a dangerous road and it is a noisy road. The interior is a beautiful neighborhood. What the Tarricones are proposing makes complete sense. It is going to expand a business that already exists, it is not putting a business into an insulated area, and it is going to expand our tax base. It is almost as if somebody said, Hastings-on-Hudson, we are ready to give you a million dollars over seven years. What we could do with that, and how that could benefit the rest of our community. I love that Hastings families stay in Hastings, and I wonder about the elderly. Can they afford these taxes? Will we afford these taxes as we get older? It seems like a perfect solution that protects the neighborhood. Again, my heart goes out to those people who do live there who do not want this. But I feel that the benefit it gives to the community has to outweigh that.

Marty Merchant, 35 Marion Avenue: I have been a Hastings resident for 30 years. I have lived at my address on Marion Avenue for the last 25 years, raised three children in the house. They have all gone through the school system, I teach in the school system, my son teaches in the school system. I have seen over the last 20 years our neighborhood properties be enhanced, improved, rebuilt. New properties have been built. Even our neighbors in Yonkers, we have a neighbor that is really close by you who is president of the Nepera park association. They advocate very strongly for the residential quality of their neighborhood.

I do agree with the people making the proposals that the house is one of the handsomest properties in the neighborhood, and it is the gateway to the neighborhood. As a homeowner and a property owner, somebody who is concerned about the quality of life in my neighborhood, it boils down to simply this: that the Tarricones want to tear down their house and extend their business. I am appalled by the fact that our neighborhood could be sacrificed and compromised to allow the rest of the residents in Hastings to get a little bit more, to have a break on their taxes. I would venture to guess, in their little pocket of Hastings, if a commercial business tried to come in and rezone their area and offered up the opportunity or offered up the incentives that the Village would obtain more taxes, those people would be adamantly opposed.

Some of us here are dwarfed by the amount of people the Tarricones have brought. My family knows the Tarricones for a very long time. But for me, it boils down to the fact that we want to tear down the showpiece gateway to our neighborhood. I do not know how you leap from that to building a commercial building that is going to protect us. I do not understand it. The only commercial properties in that area on his maps are his building and the buildings to the north. Everything else is a residence.

Ann Fogarty Stanton, 45 Amherst Drive: I have grown up in this town. I have lived here for 35 years. My mother lives at 371 Farragut Avenue. I worry about my mother being able to stay in the home that she loves so that she can be here with her grandchildren. The tax

burden on this town is ridiculous. What the Tarricones are proposing is something that will help the overall town. I am empathetic to the neighborhood. However, I have a question for the Planning Board. What is your mission for the town? The Planning Board needs to find revenue for our town. And yes, you are tearing down a house. But what they are proposing is something that is going to not be as beautiful, but they are trying to come halfway. I know my mother supports this, and I support this, and my husband Mark Stanton supports it.

Brian Quail, 9 Holly Place: I have some knowledge of the area, considering I live right next door. In fact, every morning and every evening when I do my dishes I see the Tarricone's house. It is a very pretty house, probably one of the few really nice houses in the area. At the same time, though, to say Route 9-A and that area is truly residential is ludicrous. It is a very commercial area. The land just across the street from the Tarricone residence is a place that sells marble. It is very commercialized, very much of an eyesore. Tearing down that house and putting up a very, relatively speaking, nice piece of property of a business is not going to change the nature or the complexion of that area. It is a commercial area already, so it is not going to have a significant impact. People are talking about the gateway to Hastings being Holly Place. I live on Holly Place. The street is in very poor condition. No one is ever there to either fix the road or the curb. So if you are talking about this being a gateway to Hastings, it is the Board's responsibility, then, to make it that and do something about that. Many people have already talked about the tax base. I think it is essential. I rent, but I also pay a lot in other ways with regard to property taxes in the area, and it is a significant burden, one I know that increasing the commercial businesses in Hastings will have a significant positive impact on.

Richard Nichols, 40 South Drive: I am not a resident in the immediate area, but I have been a Hastings resident for four and a half years. As you can tell, we did not grow up in America. We could not have chosen a better community for us to live in and for our children to grow up in, and we hope to be here for many years to come. I can understand the dilemma. It is a tough balance to get between the tax burden of the community and keeping the community as it is, and I respect that it is a tough choice for you to make. Mr. Tarricone is trying to get a win-win and get a balance. It does seem to be a very low-impact development in an area that is both commercial and residential already, and he is trying to help on the tax burden that this Village faces. It is a tough one, but I do support it and I am sure many other residents in Hastings will also support it.

Linda Merchant, 35 Marion Avenue: I have been a resident since '77 and Marion Avenue since '82, and I am overwhelmed at the attendance. I did not know our little neighborhood could affect so many people. I am here to speak in opposition of the proposal to change the zoning in our neighborhood. Since my husband and I purchased our home in Hastings we have had to work with the state department of DOT regarding changes to the Saw Mill

Parkway that would have put a cloverleaf in my garage. Thankfully, with the Village help that proposal was not realized. We now have a bike path behind our house, which is a much better solution. And we have had meetings regarding Cash Automotive, the junkyard the lawyer talks about, and Mr. Tarricone's first storage unit. I have attended about a dozen meetings about this topic already and it is unfortunate that most of these people were not there at all those meetings to hear everybody's comments.

Mr. Tarricone has been very open with his explanations and reasons for requesting his change. He has not hesitated to answer my questions or concerns about tearing down a residence and replacing it with a storage facility. I have a real problem with this commercial aspect being drawn down into my neighborhood. It will not be just on Saw Mill River Road. Even if the entrance is on Saw Mill River Road, right now some residents look out their windows front and back and they see a three-story beige-painted building. The sunshine that is not there anymore. Sure, it is better than an oil truck repair or school bus facility, but sometimes people accept the lesser of two evils. I am curious, if I were the owner of Mr. Tarricone's property, if he would be so happy with my proposing a zoning change to tear down my house and put in a storage unit on that parcel.

We all must protect the value of our own properties. For some of us it is our retirement money. For others it is an investment. I cannot deny that there is money in real estate. Changes in the zoning to MR-C would allow other businesses to enter our neighborhood. This may not seem like a viable option, but I have learned in my life that someone will do it, given the chance. Who thought that there would be one storage unit? Now I am going to have two. With the proximity to the bike path, maybe I should put a café in my house and feed all those hungry bike riders. I might be limiting my options here, but I am opposed to the change and would respectfully request the Board of Trustees to waive the recommendations from the boards, the Planning Board and Zoning Board, and to think very carefully before they make their decision. Pretend that you are in a neighborhood that wanted to do this to your little neighborhood, and then think of the homeowners in that little section of Hastings. We are not the gateway to Hastings, but we are the gateway to that Holly Place at Marion Avenue. If my taxes are so high, why should I have a storage facility on my corner?

Linda Ray, 37 Edison Avenue: I am across the street from the corner of Holly and Edison, and the property next to it, and all the other pieces that go along in what is proposing to be a zone change. When I look out my front door I see houses where people live. The house I live in my family has owned for close to 60 years. I have just fixed it from top to bottom, invested every penny I own in it, went to the Planning Board and followed all of the rules. And now it is all going to change and I am really upset. Although there are houses standing there, if those people decide to sell and that little piece of property is zoned MR-C anything

can come in there. That is not a house. That is not a place for a family to live, and I live in a family neighborhood. That is where I was born, grew up, went to our schools K through 12. I am active in the community. I feel like I am being sacrificed for the Village taxes. That is what I get from sitting here tonight, and I am very upset.

Deborah Tarricone, 15 Holly Place: I live at the property that we are talking about. Much has been said about how beautiful and special our neighborhood and our home is, and that is why we shouldn't extend the self-storage business here. But our particular location, unlike some of our neighbors, is not so beautiful and special. In fact, it is downright unappealing. Let me explain why. My husband's family has lived in our house since 1936. I have lived in Hastings for 39 years, the last 15 of which have been at 15 Holly Place. Our address is Holly Place but, for all intents and purposes we live on Saw Mill River Road. The speed limit on Saw Mill River Road is 40 miles per hour, not the 25 to 30 it is in almost every other area of Hastings, including our neighbors. Unlike our neighbors, we get garbage dumped in our yard on a regular basis. Sometimes it is fast-food wrappers, sometimes it is entire cases of empty beer bottles. Unlike our neighbors, we have a bus stop on our corner, which I learned the entire bus schedule for when my children started walking around the house saying "Route 5, Yonkers," even in the winter when all our windows were closed.

Unlike our neighbors, we have lived through the construction company across Saw Mill River Road, with its foul-mouthed owner who spoke so loudly that I had to rush my small children into the house when he went on his daily tirades. We also spent many mornings at six a.m. or earlier on the phone with the Greenburgh police because this same owner started up his trucks, with their backup beeping, earlier than he was allowed to. Currently our mornings begin much earlier than the 6:15 a.m. that my alarm is set for. This is because the truck traffic on Saw Mill River Road often wakes us up, unlike many of our neighbors. And finally, last August we were woken up at 3:42 a.m. by gunshots. While I lay frozen in my bed, I worried about my sons whose bedroom faces, and is even with, the street level of Saw Mill River Road. We found out the next day that windows were shot out less than 100 yards away on Saw Mill River Road.

These are not issues that most of Hastings or even the rest of our neighborhood has to deal with. And while no one likes to see a house come down and a business go up, this should be the exception. In the end, we live on a busy, commercial street and you can try to deny that all you want. I would rather embrace the property for what it is, block the rest of the neighborhood from Saw Mill River Road, and try to get some tax benefit for it.

Caroline Caruso, 45 Marion Avenue: I have been a lifelong resident of Hastings, second generation. My husband is a third or fourth generation lifelong Hastings resident. He also coaches youth football. I have coached CYO basketball and also have taught Sunday School

for St. Matthews. He is also a member of the Southside Club. We moved into the area three years ago. The property which we are talking about, I think he said 21 properties, I would like to submit tonight a petition in opposition. Out of the 21 properties there are 15. Now there are seven because someone else came aboard our petition tonight, that was originally on board with Mr. Tarricone, who is opposed to this application.

I strongly urge the Board to heed the recommendation that the Planning Board made. This is a residential neighborhood. There are 21 houses. And bringing commercial property into a residential area, Mr. Quinlan perfectly said we look at a beautiful home right now. Who would want to look at a storage facility? these people that are all here tonight do not live in our neighborhood. There are 21 of us, and 15 of us are opposed to this project. We have children in this neighborhood. I understand about the garbage. We also get it in our yard. We have fast-food wrappers, we have had beer bottles. We have the bike trail, we have graffiti. They are all crosses that we have to bear. The bigger picture is not only would there be a self-storage center, but the other properties that are included in this petition would be allowed to develop 80% of their property. That is huge. Then that is not a residential neighborhood anymore. I would strongly ask you to oppose this application.

Peter Kolbert, 7 Oxford Road: I have been a resident of Hastings for about 15 years. I recognize there is a very diverse, disparate set of views here, but I am in favor of the application. As I drive down Saw Mill River Road, unfortunately to me the thing that looks out of place is the Tarricone house. It is a commercial street. And across the street is commercial, north of it is commercial. You drive down, you say, what is this nice residential pretty house doing on this busy commercial street. It is a win-win proposition. I recognize the emotion that is involved for some of the local residents, but the reality is those houses are sandwiched between the Saw Mill River Parkway and 9-A, two busy commercial areas, two busy high-traffic areas. In addition, this proposal is one that has minimal burden on the Village. It does not impact adversely on the schools, it will not be sending more students to our schools. It will not be using more of our services, and it has a proven track record of being beneficial to our community. I would urge you to support it.

Deborah Shea, 1327 Saw Mill River Road: I live in the neighborhood. I was born and raised there. My son was born and raised there. I would like to build a house there for my son and my nephew to live in the neighborhood because it is a good neighborhood. I have no problem with Anthony building a storage place there, knocking down his house. I think it is a good idea, and I am all for it. And I live right there on Saw Mill. I see all the busy traffic, the cans getting thrown out, everything. It is a busy street.

Wynne Morriss, 71 Overlook Road: I have been a resident of Hastings for about 11 years. One of the great challenges that we face in this town is to try and reduce the tax burden, to

keep the character of Hastings, the reason why I moved to it and why many of us live here. This does appear to me to be a balanced application, and I urge the Board to look at it. I think it may be worth a road trip there to take a look at it because you have heard a bunch of different views. I am not a neighbor, I cannot speak to that. It seems like the neighbors are somewhat divided about this, but as a taxpayer in the town I think it is very important for keeping the character of our Village the way it is to do what steps we can to lower the tax burden, and I think this is a good opportunity.

Sandeep Mehrotra, 338 Mt. Hope Boulevard: I am here in support of this proposal. There is nothing residential about the corridor on 9-A that the subject proposal is for. This is one of the best available low-impact commercial options available to the Village. This is a self-storage facility. It gives you the commercial revenue stream, but the characteristics of it could be done in a very residential way. The Village definitely needs additional tax revenues. This is a very old village, it is very residential-friendly. But in some parts of the Village its age is showing. We do have aging infrastructure that the Village has to bring in additional revenues to attend to all of those. Based on that, this is a win-win proposal. You get the additional revenues, you get some renovation in what they are calling the gateway to Hastings. I have heard a lot of people objecting to the Tarricones tearing down their house. The last time I checked it is within their property rights to do as they please with their house as long as they do not adversely impact the neighborhood. And I think with this proposal they do not adversely impact the neighborhood.

Ed Beglane, 16 Ronny Circle: I reside at 16 Ronny Circle for the last 13 years. I echo the supporters' comments and I urge the Board to strongly support Mr. Tarricone and his proposal. I echo many of the comments and I do not want to reiterate, but the one comment that occurs to me is that the Tarricones are being penalized. Because of the beautification that they have made in their house over the last 10 years, they are being penalized for that. What if they did not make their property so beautiful? Would that be such a big argument for the house to be knocked down? I do not think they should be penalized like that. Two of the people that spoke tonight, Mr. Quail and Ms. Shea, are the ones that are going to be affected the most. They live across the street, and right behind, the property. That speaks volumes to your decision process.

Rick Shea, 42 Edison & co-owner of 1327 Saw Mill: There is not much to add, but I will be looking right at it. The neighborhood has been run down. We are paying over \$23,000 a year in taxes on both homes. Any improvement or any type of break is a small step, it is a good step. I find nothing wrong with the appearance. It is something that has to be done, and I find nothing wrong with it. If my property can be rezoned to a two-family, I can make better income, my son can stay here, we can stay here, it is something I think needs to be done.

John Dailey, 7 Goodwin Street: I live in the neighborhood the Tarricones are expecting to move into. One of the great ironies is we have a view of Andrus, which is a continual source of discussion about possible redevelopment. Right about the time he arrives we are probably going to face a controversy over what will be done with that property, which we have already faced. I am strongly in favor of this proposal. I am a member of the Parks and Rec committee, and I want to think about what this money can buy and what it can do for the town. The quarry, the waterfront, recreational facilities, the Hillside tennis courts are all things where repairs or rehabilitation are postponed currently because there is no money for it. I prefer to look at tax revenues that result from projects like this as areas that can bring money to parts of the community that need financing.

In the Safety Committee two weeks ago we were talking about crossing guards at the school. The answer for that was there is no money for crossing guards. Again, any project which brings significant tax revenue, I choose to look at as the benefits it can bring, including crossing guards at the school.

Joseph Capuano, 30 Clunie Avenue: I live right across the parkway from the project. Other than the positive things that were said tonight, the tax revenue and all of that, I feel that the Tarricones will absolutely take into account the neighborhood as far as the aesthetics and adding an improvement to the neighborhood. From what they have done with the original building and that whole area, I think it could only help the area. The people in the neighborhood are worried about a commercial entity moving in. It is a family-owned business. It is not a mega corporation coming in to tear up the neighborhood. It is going to be owned by a neighborhood person, and that goes a long way as far as knowing the neighborhood and knowing the feelings of everybody that is in the area. I am sure they will do everything that they can to make it aesthetically pleasing to the entire neighborhood and keep it in the same genre of the houses in the area.

Robert Wilt, 81 Rosedale Avenue: I have been an area resident for my entire life, a resident of Hastings for the last six and a half years. Most of that time I have known the Tarricones. I cannot say anything bad about them. Great people, and I think they are looking out for their family and the neighborhood. I think back all the times I have driven Saw Mill River Road from Yonkers to Ardsley and up until this point I cannot say I have ever thought of any area of that road being a residential neighborhood. Saw Mill River Road is Saw Mill River Road, and it is commercial buildings from one end to the other. The Tarricones offer a great alternative here. I do not think it is detrimental to the community, and I think it is good for the Village as a whole.

Dana Madigan, 93 Farragut Avenue: I am a 33-year Hastings resident. I speak as a layman in that I do not know the distinctions between Greenburgh, Yonkers, Hastings: where

they lie, where they fall. I certainly mean no offense to any of the neighbors in the neighborhood, but clearly that area is blighted. When you drive through it, when you look at it, it is clearly run down in many parts, clearly run down and commercial. I believe, based on what I have seen from the Tarricone's proposal, that what they are offering will prove to be a very good buffer and will probably only enhance the property values in the neighborhood which certainly are negatively affected by the commercial businesses that surround it. I also believe that Hastings needs self-storage.

Danielle Goodman, 28 Ashley Road: I am not a neighbor, but I live in the Ravensdale neighborhood. Our struggles with the zoning on 9-A have run for years. Although my heart goes out to the merchants and their neighbors and their struggle, I know how it feels. Our neighborhood opposed residential development being put in a commercial district on 9-A. This village, the prior Board, gave away a commercial zone and they made it into a residential. That should have never happened. That was income-generating property that got given away, and now we are going to get some income but not the amount we could have, by leaving it light industry or commercial and working very hard with the property owner to get the tax money. Now we are between a rock and a hard spot. We have a municipal budget that has to be balanced, and it might be balanced on the back of a very precious neighborhood. If we are serious, you can do one of two things here. You cannot change the zone, and if you do not then get after Yonkers to take care of the burned-out shell of a building that is shadowing the other gateway of that neighborhood. What is Yonkers going to do? We have no control over Yonkers. They could come to that neighborhood and, in a heartbeat, totally rezone it and you would be powerless.

So we need the money. I have sat here through budget hearings, I gave my life to 9-A hearings. We battled. We said either leave that open space or commercial; you did not do it. This is a mixed use neighborhood. Mr. Tarricone's business, people like I use, they are friendly, they are good. It is a UPS depot, we use it. I did not talk to my neighbors in Ravensdale much about this. I am not taking a position on their behalf, but some of the families along Ravensdale Road would applaud this. I have spoken to them over the phone, at least one family who was opposed, like I, to the Ginsburg development. This makes sense. You are saddled with zoning changes made in 2000 that the Planning Board is relying on that made no sense at the time. You looked at downtown zoning. You never looked at 9-A, and all of these zones cascaded over to 9-A.

You have to do one of two things. I would prefer that you look at the tax benefits and move from an adversarial approach to government and zoning to a collaborative one. Do not send the Tarricones away with a no. You have to look at the interests rather than the positions. Some of the people, their opposition is that they are afraid that other businesses are going to come in. So then maybe you go to your zoning toolbox and you find another vehicle. But

find a way to make it happen. Be creative. This go-round, do it right. Get the money, buffer the neighborhood. I am sure the Tarricones would give a piece of property, buffer it, plant a mature row of trees. Do what you need to do. We need the money.

Mark Kaufman, 65 Lefurgy Avenue: I moved in a month before the tax changes in 2003. I do not have much to add except to say that I am yet another resident that is in support of the proposal. It seems ironic that the Tarricone's house is almost in danger of becoming landmarked and unable to be changed as a result of their making it beautiful. They do own it; they could certainly raze it and build nothing there if they wanted to. The proposed storage facility is an expansion of one that is already there. It is an extremely light industrial use. It is not a factory, it is not something that is impacting environmentally on the neighborhood. And aesthetically, as an industrial facility, it looks like it is going to continue to enhance the neighborhood that is already impacted by a lot of commercial activities on a very busy Saw Mill River Road.

Niles Jaeger, 67 Hillside Avenue: In the seven years I have lived here this is probably the first development project that I could say I wholeheartedly endorse. The location of where it is seems the most logical place to allow development. It is being developed by a citizen and somebody that we should be supporting, who has taken a lot of pains to make this amenable to the neighbors, all of whom will obviously never be happy about this, although I think the impact will be far less than some of the emotion that I hear described.

I have been very concerned about affordable housing in this town. We talk about that, and one of the ways is to make the taxes lower so the town is more affordable. I have heard us talk about how are we going to get businesses to town to get tax income. Nothing has come through, and suddenly there is something falling in our laps that is respectful of the town's character and will lower taxes which allows people to stay in town. It may make the difference, as we have heard, between some people's parents or children coming back to the town. And that is, in a way, the most important thing about Hastings.

Kidd Dorn, 63 High Street: I have only been a resident for a year and a half, but one of the things my wife and I have been struck by is the way in which Hastings residents seem to try, whenever possible, to use local businesses. As an environmentalist by trade, I think the project we have discussed tonight makes total sense for people to be able to use storage within the Village limits instead of driving to the Bronx or Yonkers, at the same time supporting a local business. So I support the project.

Andrew Mininger, 205 Villard Avenue: My wife and I and our three children, like many people in Hastings, have moved up from the city and intend to be here and to raise our children here, and have really been struck by the people of Hastings and this

small-town environment and the proximity to the city. The tax ramifications seem to speak volumes. My wife and I appreciate those considerations. But one of the things that is equally important to note is the type of commercial development that this represents. It is low-impact. It is not a drive-through restaurant, it is not a construction company that is working 24 hours a day. It is people that are going in one at a time to use a facility that is useful. In addition to that, it is a citizen of this village. It is making an investment into this village, and we are able to reap some of the benefits of that, which is another great thing. And thirdly, it speaks for small business opportunities. Hastings is not a village that is allowing large corporations to come in. But to have small business represented, and to think thoroughly through those ramifications and have somebody that is small business-minded and entrepreneurial that is a resident of this town is a testament to where Hastings may need to consider as they look for revenues for the Village.

Joe Tarricone: I am one of the petitioners. As a result of the existing zone, any additions or improvements in this area needs a variance. To that point, I have researched all the investments within the neighborhood since 1950. Based on the Building Department's permits, excluding our property, there has been a total of \$84,000 spent on improvements in this neighborhood since 1950. That equates to \$74 per house per year. It is our contention that this is primarily a result of the risk involved with getting a variance to make any improvement. I hope that by changing the zone we might see additional improvements and the neighborhood may come up.

Susie Walrath Mehrotra, 338 Mt. Hope Boulevard: I have lived in Hastings for 33 years, and one of the significant things about this property is that the location is different than the other properties in the neighborhood. Because I have lived in Hastings for so long I probably have driven and walked and run on every street. The first time I was trying to find the Tarricone's house I was told it is right off Saw Mill River Road. I said, well, there are no houses on Saw Mill River Road. I drove up and down, looking and looking among all the commercial properties. It really is a commercial area to me. It is a place that businesses fit in with. And, in a way, their house is on that street. It is different than the other houses in the neighborhood. You can ask anybody. I am usually in favor of saving old things, but in this case this would be a way to save other things in our town: the infrastructure, the waterfront. It is a very logical use for the location.

Iannis Stylianou, 48 Marion Avenue: I thought the issue was between the neighborhood and Mr. Tarricone. Apparently, Mr. Tarricone went to great lengths to invite other people here. If I had known that I would have done it myself, just stand outside the A&P for two weeks and gather supporters. It is funny that everyone seems to know our neighborhood, but no one, with the exception of one person, and that does not include Mr. Tarricone because Mr. Tarricone is leaving, actually lives in the neighborhood. The neighborhood is a

residential neighborhood. When you turn on Holly Place there are no businesses there. It is 21 houses. It is all residential. Just one more thing. The Planning Board was unanimously opposed to the zoning change, unanimously.

Joe Macaluso, 8 Crossbar Road: I wanted to come up because I took offense at the last person who was up here. We are here, and I am here, not to sandbag anyone or just have numbers, but to say that what the Tarricones are proposing makes sense. It makes sense for that neighborhood, that r area, and, more widely, our town. Our town is going through sort of a change now, and we all see that. We see commercial buildings coming up in the middle of our town on Main Street and structures coming up. There has been a change, and we have to have the courage to say are we going to go in the direction of building ourselves up, enlarging our tax base, and giving ourselves more of what we can have, or are we going to go backwards. What the Tarricones are proposing is very limited. The type of business makes sense. It is an expansion of business they already have, and run very nicely. It would be foolish not to go along with this proposal.

Mayor Kinnally: The Village Board will not be acting upon this this evening. Generally, when we have a public hearing, we allow anybody who wants to put any comments in in the interim, they can. Our next meeting is two weeks from tonight. This might be on the agenda; I am not sure if we will be in a position to do it at that point.

The Village is in receipt of a letter from the Westchester County Planning Board. Let me read two paragraphs.

Appropriate use of zoning: We support the proposed zoning map amendment to change the existing eight parcels along Saw Mill River Road from two-family, 2-R, to multi-family residential commercial, MR-C. The properties in question are currently nonconforming to the 2-R regulations due to their small lot sizes and would conform to the MR-C zone. The MR-C zone would also serve as a mixed use residential business transition zone between the industrial uses and existing residences. Further, we have no objection to the addition of self-storage units as a permitted principle use in the MR-C district.

The Village comprehensive plan update: Submitted materials reference the Village's efforts to update its comprehensive plan, but note that there will be a "real opportunity" associated with the lengthy plan process in the way of lost tax revenues related to the proposed rezoning. The document also states that an updated comprehensive plan would likely support the rezoning. Village officials should determine whether the proposed rezoning does indeed fit the comprehensive vision for the Village or rather it is merely a piecemeal action for the subject area. As you

may be aware, the county is in the midst of updating Patterns for Westchester, the region's long-range planning document and policy document. As part of the update, the county will be providing guidance and technical assistance to municipalities who update their own comprehensive plans. We encourage the Village to utilize the county as a resource for its future plan update.

Anyone wishing to submit any further documents in connection with this application, we will gladly accept them. It may be on for January 23. If not, it would be on the first Tuesday in February.

Trustee Quinlan: I have a question for the attorney. There has been testimony here tonight, that there are 21 houses. Is that approximately correct?

Mr. Davis: Properties, correct. There are 18 houses.

Trustee Quinlan: So are there three vacant lots then?

Anthony Tarricone: No, those are the commercial properties.

Mr. Davis: There are no vacant lots. Let me clarify one thing. The Tarricones have a separate set of tax lots on the corner. That is the vacant area on the corner of Holly Place, if you want to call that a vacant lot. The three commercial properties are the Borrelli property to the north on 9-A, which has the Nextel, his plumbing business, and the two-family house, the self-storage property. And then one that is not part of the petition, which is what we call Cash Automotive, or the junkyard, at the end of Holly Place.

Trustee Quinlan: You have eight properties that are being applied for?

Mr. Davis: Eight people have petitioned, correct.

Voice: Seven

Trustee Quinlan: It doesn't matter. Are those seven or eight people property owners?

Mr. Davis: Yes, those are all property owners who have signed the petitions, with the exception of the Borrelli business, one of the petitioners.

Trustee Quinlan: So if we grant this rezoning, and this is beautiful, a lovely picture, I think it is going to be a great facility. My question is would the other six or seven property owners

or petitioners that are going to be in this district that own homes, be able to knock down their houses and make it commercial property?

Mr. Davis: That would have to be severely qualified. They certainly could not knock down their houses and have self-storage because the restrictions imposed on self-storage were not there. They would be subject to the zoning requirements of the MR-C or an MR-O. It would depend on the bulk characteristics of their property. Four of the other six properties that are not Mr. Tarricone's already have two-family houses.

Trustee Quinlan: I understand they are going to need zoning and planning things, but they would be in a zoning district that would allow them to have the sale of antique books, arts, gifts, restaurants, with all limitations, artists studios, health, fitness, athletic clubs. So although they could change to two-family houses, they could also change to a commercial use.

Mr. Davis: Theoretically, depending on how the bulk requirements fit their properties.

Trustee Quinlan: Correct, or whether they could get variances. But they would be permitted to have commercial uses where they are not permitted to have now.

Mr. Davis: They would be permitted uses in the district, yes.

Trustee Quinlan: Which they do not have now.

Mr. Davis: Now the only permitted uses primarily are single and two-family homes.

Trustee Quinlan: So of the 21, or 20 or 18, now we are talking about seven. Let us say all seven of those people who could do it would do it because they could. They might not, they do not have to. How many houses would that leave? Fourteen? Twelve?

Mr. Davis: Somewhere in the neighborhood of 14, somewhere in that area.

Trustee Quinlan: Thank you. I was just trying to clarify what is going on here.

Hearing no further comments, Mayor Kinnally asked for a motion to close the public hearing.

CLOSE OF PUBLIC HEARING

On MOTION of Trustee McLaughlin, SECONDED by Trustee Swiderski with a voice vote of all in favor, Mayor Kinnally closed the Public Hearing at 9:55 p.m.