

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**PUBLIC HEARING**  
**MAY 24, 2011**

A Public Hearing was held by the Board of Trustees on Tuesday, May 24, 2011 at 7:07 p.m. in the Community Center, 44 Main Street, Hastings-on-Hudson, New York.

**PRESENT:** Mayor Peter Swiderski, Trustee Bruce Jennings, Trustee Jeremiah Quinlan, Trustee Meg Walker, Village Manager Francis A. Frobel, and Village Attorney Marianne Stecich.

**ABSENT:** Trustee Nicola Armacost

**CITIZENS:** Eleven (11).

Mayor Swiderski declared the Board in session for the purpose of conducting a Public Hearing in accordance with the legal notice that appeared in the May 13, 2011 issue of *The Rivertowns Enterprise* to consider the Proposed Comprehensive Plan for the Village of Hastings-on-Hudson, New York.

**Mayor Swiderski:** This is a chance for the public to weigh in on the Comprehensive Plan. We have agreed for a 30-day comment period beyond this meeting, where citizens can either send an e-mail to the Board of Trustees, at [www.hastingsgov.org](http://www.hastingsgov.org), or a physical submission letter to the Village Clerk, Susan Maggiotto, at the Municipal Building for the next 30 days, terminating June 22. Everybody should feel free to submit those comments. They will be shared with the Board prior to consideration of a final form of the document. In today's meeting, anyone can approach a mic, give name and address, and comments or thoughts about the plan. It is a big plan. e will not necessarily limit to three minutes. People should feel free to speak beyond, though if it is lengthy chop it into bits and let others talk. Also, we will not respond to the public comments. It is simply a process of developing a public record of input from the public on the existing document.

**David Skolnik, 47 Hillside Avenue:** As you can imagine, I have had a little time to think about this. Like two years, is it? It seems difficult to put two years' of thoughts into, not three minutes, but I could probably stand here for over an hour, given what notes that I have made and my feelings about the document. While I am a member of the public I have also had a fairly ongoing and intimate association with the process. I do not usually do the formality so well, but I am going to make an effort because, whatever else comes from my comments this evening, or what I might submit, I want to make clear that I respect the efforts of everyone involved in this and am grateful for the amount of their lives that they put into this. Through my lack of finesse, a lot of what I might say might sound critical. It is meant to be objective observations, not personal criticism. I hope it will be taken that way.

I am not surprised, and yet I am a little disappointed, that there are not more people here. I am not surprised because I do not think there was at this stage in the process the effort extended to get the bodies in that all of you know it takes. From past history, it is only when you are about to vote on something that suddenly everyone comes and says we did not know about this. But I did not write a letter to *The Enterprise*. There was not really something in there that was a comment at the meeting, but there was nothing really that would have raised that much notice about this. So in some respects, that makes the process, for you, easier.

The first question I had was what the purpose of the public meeting was, which you sort of answered. I did not know whether it was for you to hear from us or for you to explain the document to the public. My comment on that is that it is not as self-explanatory a document as much as one would wish.

My second question was the purpose of the document itself. While it seems to state its purpose in there, it is not clear, even from listening to the meetings that the Board had, either three or four, there was a point where it was not entirely clear to the Board itself what the purpose of a comprehensive plan was. I wrote down four things: legal protection; self-reflective; providing a basis for grant applications; and a basis for addressing Village needs. Now, again, because you explained that you are not going to be responding, I do not want to drag this out. But the likelihood is that I would submit this, expand on it and submit it to you within this 30-day period.

The third question was, how does this comprehensive plan differ from the previous documents in function, vision, and intent? It is not entirely clear to me. I know that the issue came up at the first meeting, and Trustee Jennings raised a point of view that was not shared by the rest of the Board with regard to a greater incorporating of the previous documents into the Comprehensive Plan. This goes back to what the purpose was. If the purpose of the document was for the Village to have a real sense of its identity and to understand itself, then going back and exploring those and really understanding those previous documents, to an extent greater than what ultimately is evident in this document, would have been relevant and appropriate. However, my sense of the Comprehensive Plan is that that kind of self-examination is not its primary function. That seems like a different document.

The next was the significance of public participation at each stage. The document outlines the way the public was involved and the process. From the point that the document was basically finished and turned over to the Board, including this evening, I am not clear what the function of the public input is. It's an accommodation. It allows the public to express themselves. And without questioning anybody's integrity, it is hard for me to believe that if I were to submit certain comments, even in writing, that were significantly challenging some of the points of the document, that there would be an inclination to revisit these in any large

way, having watched what you have done. So it is a matter of my own credulity about that. I do not understand whether the public ultimately votes on this, or whether at some point the final approval rests with the Board.

**Mayor Swiderski:** It rests with the Board.

**Mr. Skolnik:** Then I am in a quandary. I want to respect the audience and your attention on this. My getting up here and going through the document as I annotated it does not seem to be what you had in mind as part of a public hearing. But frankly, I did not see any point in the process where that would have been accommodated. In the Board's earlier examination it was open to public viewing, but it was not a public meeting. So I do not know if I would ask you for guidance, or your indulgence. One of the first things you said at the first meeting the word that stuck in my mind, and it was used maybe more than once, was "wordsmithing," that you did not want to be doing that with this document. Along the way you found times where that is exactly what you felt you had to do, which is to your credit, because ultimately, it says what it says.

The question becomes, once this document is in effect what does it mean, rhetorically? I mean, that is what I do not know if I would say troubles me, but that is what I feel is not articulated. There are things in here that I think are more important, probably, from the point of view of a comprehensive plan than others. I think issues about large tracts are significantly of greater concern, and economic development are a greater concern than transportation circulation. So at some point in this I am concerned to know that you have gone through, and are comfortable with, the words in this document, with what it says. I would want to know the implications and ramifications going forward that might not be immediately evident. But it is not clear to me what, in some cases, is taken as a mandate going forward as it becomes sort of gospel: it is in the Comprehensive Plan, therefore we should do this or we can do this. So again, I do not suspect that you want me to go through this right now, but I would go to the trouble of notating and submitting to you those areas of this document.

I would like to go further, to be able to have some sort of response. It is not that I just want to feel like I have had the luxury of expressing myself. I think there are aspects of this that the public, here or not, would want to know. On the other hand, in the process it may not matter. But I am not clear to what extent it would matter if there had been scant public participation from the beginning. Whether there is a legal ramification of that, whether it would have mattered anywhere along the way, the level of public participation, that is unclear to me. So if I were to step away and submit the comments in writing, can you give me some sense of what becomes of that or what, if any, response you would make to that?

**Mayor Swiderski:** Your thoughtful comments raise a lot of questions. Some of them are fairly deep, philosophical ones, and some of them fairly straightforward. It is a community comprehensive plan. To me, the last word is the most important one, "plan." And we are not strict interpretationists of the Constitution, in that every word of the document becomes a rigid, binding order. There are suggestions rather than mandates, often, and there are a lot of ideas. I look forward, once it becomes the comprehensive plan of the Village, of sitting down with the Board and, in a series of meetings, prioritizing the literally hundreds of ideas in there and coming up with a sense of when and how we will implement them over time.

You ask what it is, and I think it is very straightforward. It presents a vision for the community created by members of the community who had input from any number of members from the community, in the end, in all ways and methods and inputs, hundreds of members, whether it was polls taken, or people who showed up at workshops, or whatever.

I can say, because the document that was handed to us felt like a reflection of the community, in the end the raw number of edits made to that document, relatively speaking, was maybe one percent of the words. Through our acts as Trustees, and the mingling with people informally at parties and on the street, you get a sense of what people think and want. This comprehensive plan feels like it bubbled up, and pretty fairly reflects a cross-section of what a significant part of this village ultimately sees as a series of steps moving forward for us to evolve into the continuing story that is Hastings. So when you ask what this is and what role the public had, I think it was pretty substantial. I think the 11 people on that committee were pretty broadly drawn. I think it felt like a reasonable cross-section of the community. By no means 100 percent, but there were people from different socioeconomic groups and different social groups, and it felt right.

As we step to implementing it, especially the large tract stuff, each one of those actions will precipitate its own series of public inputs and analyses and chances for the public to further provide their input and guidance. I will toss out one that caused some not controversy, but discussion, on the Board, for example, what happens to the Andrus property, Andrus Retirement Home. Whether it is commercial or remains what it currently is zoned will certainly receive a vigorous second hearing in the community. It has to.

So as scant as the attendance is tonight, the continuum both in the past, and what we can expect to see in future, I think will be sufficient for it to feel like it is not a document imposed by 11 people on the Comprehensive Plan Committee and five people on the Board, but rather a reasonable cross-section of the Village. That addresses an inter-network set of issues and questions you raise.

Now on to should you submit a document with a whole lot of edits. If you were to raise points that the Board felt merited changing a document that has already gone through many hands to come to here, but the points were salient and, I am repeating myself, on point, I think it would absolutely precipitate a discussion and we would look to wordsmithing that section of the document. If you give me something that has a number of catches of wording that might cause us trouble, absolutely I will raise it with the Board, because we would rather not cause ourselves trouble. But if you are at odds with a significant number of the ideas that the Board and the committee and the public to date have not had trouble with, I can brace you for the likelihood that you are not going to see those ideas incorporated in any large number.

So candidly, it all depends upon what you say, the detail of what you say, and whether it sparks a recognition by members of the Board that there is some wisdom worth pursuing there. That is what we have done to date. We have all collectively reacted to e-mails and comments received, and tweaked the wording and added paragraphs and done things, because members of the public, members of the comprehensive plan, long after the plan was handed over to us brought up issues which were fine, point well-taken. That will continue not only when it is done, but as it is implemented as people bring up ideas. So your input is not futile, but it should be tempered against the reality of a document that reflects a lot of broad input so far. I cannot promise you much beyond that.

**Mr. Skolnik:** I appreciate that in spite of your opening comment where you said you were not going to respond.

**Mayor Swiderski:** We have a certain luxury given the population in this room of being able to have more of a dialogue than we might otherwise do so. I should have prefaced the public comment period with that: that there is no moment where the public comment ever fully stops, because once you get into implementation it starts up all over again. Since it is going to involve at least three members of the Board in a room at a time, open strategy meetings about prioritizing the actions there, that will be a chance for public input. And then as the items are implemented, it will be likely a generally open process. So this is a process.

**Mr. Skolnik:** I wonder if I then ask one more indulgence. I will try to prioritize my issues. If I do not feel I can do that within a rhythm that is captivating ...

**Mayor Swiderski:** Oh, I will stop you. I will stop you shortly.

**Mr. Skolnik:** I am going to jump to one in particular, and maybe that will jog my memory and lead to others. One of the issues I think I had the most difficulty with was the reference to form-based zoning on the waterfront. I listened, and tried to understand and did some of

my own research as this came up and became the foundation for this approach. I do not feel, that there is a clear understanding for myself, perhaps the Board, and certainly not the community as to the implications of approving form-based zoning as the way going forward in the waterfront.

Nor do I quite understand, as much as everyone tried to reconcile the Comprehensive Plan with the LWRP, it is still, in my mind, up in the air as to how, or whether, those documents are reconciled. I also know it is an extraordinarily difficult and constantly changing process, that by the time this document gets approved the world has changed to the point where, going back to the first page, that is page four in the overview, in the second paragraph where it says large tracts of land whose landscape defines Village corridors, rising housing prices, and the continued escalation of property taxes, you might want to revisit the rising housing prices. That is how quickly things change, and why it is so hard to fashion a document like this, as you know.

**Mayor Swiderski:** I understand. But in the interest of trying to limit your comments to only ten times the three-minute limit, I am asking for you to be succinct and begin to get through some of the points.

**Mr. Skolnik:** With regard to form-based zoning, watching the struggle with trying to come up with a plan for the waterfront in the earlier iteration or the LWRP, where it was more a matter of trying to base the zoning on function, there were a lot of differing views about housing and commercial, some of which were more realistic than others, and some were based on data that by the time the plan was finished had changed. So I understand why one would try to come up with something that you would call a plan that would have a certain kind of flexibility. What I do not understand is, going forward with the idea of form-based zoning, what that both imposes on the project or what it allows, and to what extent it provides for continuing input to the extent that it is relevant from the community. If it is private property, somebody can do what they want as long as it conforms to whatever zoning ends up being there. But this has been a process of trying to have the community have some vision of that area. It just struck me that while the community might have had a problem coming up with a consistent, or a shared, vision of its function, I do not know why it would be any easier for the community at large to somehow have a vision of its form and allow its form to then dictate whatever else would be there.

So again, it is not my intent to argue it at this point, but I felt in the document and in the discussions that took place it still never was convincing what the implications of that approach were. By approving this document, I am not sure what we are then committed to. So that would be one of the larger issues that I had.

I am not comfortable with a number of aspects of the circulation part of the document. Without going into the detail, which I will submit to you, are there things that by being included in this document, and approved, would then dictate certain steps going forward that I do not feel are necessarily based on the precedence of the data that they are purported to be? In other words, the processes of the meetings that took place since 2003, the walkability, the transportation where the Board itself sat and reviewed documents, and ultimately did not approve very much of that document, but somehow it seems as though that document has had a large presence in the formation of the circulation portion.

I thank you and, again, I will submit, and I understand the basis on which you would offer a response. Thank you.

**Ellen Hendrickx, 136 Circle Drive:** The new census results have come out, and we based a lot of the information on the document on both census results. When do you intend to incorporate that, and what would be the process once it is incorporated if it creates conclusions that are dramatically different from some that we reached in developing the document based on the old results?

**Mayor Swiderski:** That is an interesting question. Again, this is not meant to be a question and answer period, but that is a relevant question. I am going to turn to the Board instead of just monopolizing the microphone. I am 100 percent sure the new census results are not that dramatically at odds with existing censuses.

**Ms. Hendrickx:** Well, that is good.

**Mayor Swiderski:** But there are changes. Thoughts?

**Trustee Quinlan:** Could you just give an example in the Comprehensive Plan where you think that the new census has dramatically changed the policies, or proposed policies, in the Comprehensive Plan that you think need to be changed?

**Ms. Hendrickx:** I do not have an example because I have not looked at the new census information. But it is more that part of the discussion was always to update the Comprehensive Plan once you had the results. So that really is question number one: when is it going to be updated? I am not predicting that there is any specific area that it might dramatically change anything that we did or any conclusions we reached. But perhaps it may. There is always that opportunity.

**Trustee Quinlan:** Once this plan is approved by the Board, which will probably be pretty soon, I do not think it is going to be changed radically for at least a few years. But the

opportunity and the expectation is that it will be updated at least every five years. I do not know if that is going to happen, but I think that is a goal that future boards may decide to meet as things change. I do not know that much about the census, but I do not think the census in Hastings, at least in terms of population, has changed radically. I am not sure the census in terms of race has changed that radically, or the implications on the Comprehensive Plan that might hold. Maybe the income has changed a little bit. But I was just looking at the income figures here. Medium income for Hastings in 1999 was about \$111,000 per family. I do not know how much that has changed either. I do not think it is going to be changed on the basis of the census, but think that hopefully this is going to be updated every five years if the Board that is currently in place five years from now has the time. And, as we say, the inclination and the time and the willingness to put in the effort to change it. I hope that answers your question. I am not sure.

**Ms. Hendrickx:** Will you insert the new information prior to approval, or you are thinking that since it is does not appear to be dramatically different that that is not critical?

**Trustee Quinlan:** I do not know the answer to that question. But I think until you brought up the question, which is a good question, I am satisfied with the document. I am not satisfied with every piece of it. There are some things that I wish were different. But I am not here to make it perfect. As the Trustee, I am here to be satisfied with the document as a whole. There is no such thing as a perfect document for any of us. The question is, can we live with it and can the Village live with it, and was it generated by a cross-section of the Village that worked very hard to create it. I think those answers are yes. Did we spend a lot of time changing parts of it? The Board spent 10 to 12 hours changing it. We went basically line by line. So I am satisfied with it. I did not think that we were going to change it all in terms of the census, but I am only one member of the Board.

**Mayor Swiderski:** Yes, there may have been a pointer in the document for an update when the census numbers came out. I will just say as an aside I can be a numbers geek at times. I did go through the latest census numbers, and they are interesting. There were some significant changes on race, for example, that are surprising. I do not think if the census that we have now in hand existed 10 years ago we would be part of that housing settlement. We are now substantially more diverse than we were 10 years ago. That is not necessarily what I expected to see, but has apparently happened, for example. I am not sure how that affects, downstream, the recommendations in the document. It is interesting.

**Ms. Hendrickx:** One of the things that I think could perhaps, in ways which I cannot predict, the number of schoolchildren and how that affects housing, the type of housing, that we approve in the future.



**Trustee Jennings:** I do not remember having the impression that any of the important values, principles, policy recommendations, the elements of the vision of the kind of community we want Hastings to be in the future and how we can shape it, that any of those aspects of the Comprehensive Plan were, in fact, directly dependent upon any numerical or census or quantitative data that was cited or mentioned in the plan. Now, there may have been some assumptions in the work of the committee that was numbers-based and that led to these things. But overtly in the document, I do not remember thinking, that number is wrong, therefore this is a false conclusion.

We do have a comment period. It would not be remiss for those who are most familiar with the document to look at it again in light of the new census information, and see if you can pinpoint something that is seriously awry because we were relying on 10-year data instead of the data we now have available to us. I see no reason, if you can find such mistakes, we should not correct them. I do not think correcting them would fundamentally change the structure or direction of the document, as I mentioned before. If it did, we would have to wrestle with that. But I see this more as a fine-tuning that probably would not and should not delay the time frame of our approval of the document, sending it to the county and the state, and all the other steps that have to be taken.

Some people who are able and qualified to do so should take a quick look to fine-tune. I would not be in favor of delaying the process because of this substantially. I think that this is a good document. The updates about important things like population changes, economic developments, things that are going on in the region, things that are going on in Yonkers which will impact our statements, our planning and so forth, I believe that these will all come out over time as we move from the Comprehensive Plan as a document, as a plan, into the implementation phase and the follow-up phase of making that concrete in terms of zoning or whatever other steps we have to take. There will be plenty of time along the way, because that is going to be rolling out over several years. There will be plenty of time along the way for us to reassess what the numerical realities are, the demographic realities are of our village and of our region, and act accordingly. I do not think we have to get it all completely lined up for the purpose of approving this initial document.

**Ms. Hendrickx:** I tend to agree. Admittedly, I was jumping ahead. A bit in response to David, it is creating a basis for what is going to follow. The document itself creates directions, it does not create mandates. Thinking ahead to those directions, I was thinking in terms of crossing t's and dotting i's. .

**Trustee Walker:** I have a couple of strategies under "circulation" that I would like to look at again. Last week I was looking for money to make sidewalk improvements to Broadway and we decided not to go after the CDBG money. Then I was looking at another grant. In

looking at it further, and talking to the people at the New York Metropolitan Transportation Council, it seemed like that was not the right program. But they said there is a program that they are almost 90 percent sure is coming up this summer that would address Safe Routes to School and traffic calming and sidewalks. So I was looking at the circulation section with that in mind. I wanted to point out two areas where I think there are some incorrect statements and maybe we could strengthen it so that when we go after grant money we have it in the plan.

**Mayor Swiderski:** I do not mean to cut you off. I am not 100 percent sure if this is the forum for that. It is probably when we revisit the document before we pass it.

**Trustee Walker:** I understand. I will e-mail everybody and then we can talk about it.

**Mayor Swiderski:** In the next meeting.

**Trustee Walker:** Yes, in the next meeting, at the right meeting.

**Mayor Swiderski:** I would also point out that that one chapter is the most tactical of the chapters, in that the recommendations can get awfully specific. And while that works well for grants, there should also be some general principles in there. Because otherwise, in three or four years' time it may fade quickly.

**Trustee Walker:** I agree. But there are some incorrect statements about grants that we have received that we have not, or money that we have to spend that we do not have. So if we then want to use this to get grant money we cannot say that we have already gotten grant money.

**Mayor Swiderski:** I will make those edits. I do not think they have a material effect so we have to have another public comment period in response. I do not think the public would care one way or another. But if it affects, absolutely submit it and we will make those changes.

**Trustee Walker:** Yes, and I will double-check with Fran that what is stated is correct. It is about Community Development Block Grant monies and other transportation monies, and what we got and what we did not get. We need to make sure it is accurate. That is all.

**Trustee Quinlan:** Are we going to do that in a Board meeting, or in another work session?

**Mayor Swiderski:** Board meeting.

**Trustee Walker:** It will not be very long, I promise you.

**Mayor Swiderski:** And there may be a host of tactical edits that come out of public comments. Or maybe David what submits will have a bunch of things we all agree are small edits that do not require another public comment but we should make because it makes it a better document.

**Trustee Jennings:** Fact checking is always a nice thing to do, in the *New Yorker* magazine tradition. But I wanted to add one thought to what the Mayor said in relationship to Mr. Skolnik's question and comment. We are entering a period where we are inviting public comments, written comments, submissions about the existing draft of the document. We are not just doing that pro forma. We will take whatever comments we receive very seriously. I agree with the Mayor. It is unlikely at this stage of the process, which has been a much more participatory process than any one I have ever seen in my years in Hastings thus far, that major fundamental changes, policy changes, in the document are likely to be made on the basis of comments at this stage of the process. But one never knows. It depends on how persuasive and striking the argument might be. But we will take it with an open mind. We will take these comments seriously. We are not asking the public to waste its time just for going through the motions.

I will find comments at this stage of the game most helpful to be those that will point out any inaccuracy of fact, if you spot that. But I also look at it this way, and I invite the public to think about it this way also. The Comprehensive Plan, like the Vision Plan and other previous documents, do a lot of things that we have all talked about. They give you a vocabulary for ongoing public debate and conversation in the Village about our future and our planning and our development. That vocabulary is important. One of the strong features of this plan is that it gives us a somewhat different and rich vocabulary for our future conversations. I think that is one of its principle achievements, as a matter of fact. At this stage of the game it is important if people reading through the document spot places where greater clarity of definition and meaning would be helpful, remembering that five or six years from now we are going to be sitting here having a debate about a concept in this plan. If the past is any guidance we are going to be arguing about what did the committee mean when they used this word. There will be members of the committee here who will reminisce, and say we meant this, and that. It is like talking to, I do not know, George Washington about the Constitution. But it would be useful and it would not impede our process at all to add a footnote or a definition or a clarification. So if people can point out things that need further definition and clarification, insofar as we can do so it would be helpful. Then, in five or six years when our memories have faded, we can look back at the document and find something that addresses that.

If this seems all very abstract to you I will give you an example of precisely what I mean. Some of you no doubt were there and remember debates about seven, eight, nine years ago that turned on the concept of an enclave, which in the Vision Plan was something that we wanted to avoid, and still want to avoid, in the Village. But the word was never defined, and so we argued about what it meant and how it applied to particular proposed development projects. I, at the time, felt that we would have all been better off if we had had, in that earlier planning effort, a more precise definition of what it was we were trying to avoid, because opinions then varied, years later, about that. So that is an example of what I have in mind. Right now, at this 11th hour, if you find places where we could be a little more precise and add a footnote, some kind of clarification of our intention and our meaning, that would be very helpful.

**Trustee Walker:** Picking up on that, there is a very good definition of form-based zoning in the plan. I was thinking maybe we need a footnote, but it is there. It described it in a way that is appropriate for us because form-based zoning can go in a lot of different directions. It means different things to different people. But this definition is, I think, appropriate for what we in Hastings want to do.

**Jim Metzger, 427 Warburton Avenue:** I am a member of the Comprehensive Plan Committee. I wanted to remind the public that is reviewing the document, the first thing we talked about was a concept of a comprehensive plan, and I agree "plan" is the definitive word here, but "comprehensive" is the modifier to that. It is very easy to get lost in separate sections in this document, and say, "this is what we are going to do for circulation." But we need to remember that all of these sections talk to each other. The same way that if you are looking at the zoning code, and it says you can build a building of a certain height, you also have to know to look at what the parking requirements are.

So here, when you are looking, for example, at large tracts you also have to look at what circulation recommends in relation to the large tracts, or what census information may mean in terms of what sort of buildings we may want to zone for. For example, if we find that we have an aging population here, it may be that we would be looking to do an assisted living facility rather than garden apartments if we were looking to do residential. So the concept is, we have to look at this document in its totality even when we are looking to be informed by specific areas.

In terms of form-based zoning, I have to say David and I have discussed this quite a few times. I was probably the longest holdout on the committee because in the 35 years that I have been practicing architecture form-based zoning is an antithesis of the way I design, which is, function in use determines what the form is. As one of our committee members, Richard Bass, said, we have been going around that block for decades in Hastings, and we

cannot come to a consensus. The idea here is let us try something new and see if that does not move us a little further down the field to figuring out what we want to do, whether it is with Andrus or the waterfront or the Village in and of itself. We are being informed as to how we want to move forward. There is very little in this document that says you have to do this. It is raising the issues that need to be discussed as items come before the Board, come before the Planning Board, the Zoning Board, and before the public so that we have a document where everything is incorporated in one place that will reference other documents that need to be looked at. This should not be looked at as a Bible. It should be looked at as a great reference source. .

**Trustee Quinlan:** I do agree with you, Jim. David, when you asked what do you think the Comprehensive Plan really is, what is it going to affect, my opinion, coming from a legal point of view, is that it is going to be a road map for the Village. But there will be constant debate about what one word means or what one concept means by the developers and the people that are anti-development, just for an example. Let us t talk about development for a second, especially on the large tract on the southern corridors. I think that you will find that it will give us concepts to argue as a template. Not to disagree too much with Trustee Jennings, I do not want to see stringent definitions, because what will happen is much like the Constitution of the United States. You can have arguments in front of the Supreme Court and you will have votes 5 to 4 on what the Constitution means, with maybe two different or three different concurring opinions and dissenting opinions, and compromises happen.

I think that is what is going to happen here in the future, that we are going to debate these things, future people are going to debate them. It will be like a road map for a discussion, and then the different boards will vote in a democratic fashion about what they believe these words mean when it applies to a particular set of circumstances; whether that is circulation, whether it is development, whether it is form-based zoning. That is what I think is going to happen, and they are going to say, back in 2011, the word was "should" instead of "could," or "could" instead of "somehow," or "maybe" instead of "definitely." One of the things we did in our wordsmithing was create that type of flexibility for the debate and this will be our road map. So that is where I think the Comprehensive Plan is.

**Trustee Walker:** Yes, and it reflects a moment in time. Things are changing so fast right now. Particularly with the climate change discussions and sustainability issues, things are changing so fast. We are not going to be able to update it quickly enough to stay current with what is happening. But I think that we all agree that it is setting the principles and values that we agree with. We may find things accelerating faster and faster around us, but we still want to hold on to some basic principles and characteristics of our village. And I think a lot of that is stated in here, and that is really important. So it is a snapshot, and in a few years

we are going to look back and say, is that what was going on then? Look how much it has changed since then. But that is OK. What else can we do?

**Mr. Skolnik:** I am wondering the best way to effectively submit comments throughout the document, where if I were running through or anybody were running through and wanted to comment about specific sections, is there a way of handling the document online that would allow for that kind of insertion. Or do you need some sort of special software to be able to do that?

**Mayor Swiderski:** Let me get back to on that. Is the PDF now up?

**Trustee Quinlan:** Yes, it is a PDF.

**Mayor Swiderski:** And can a PDF be annotated with circles and notes?

**Trustee Quinlan:** I do not believe so.

**Village Attorney Stecich:** No.

**Trustee Walker:** Some PDFs you can add those yellow stickys into.

**Female Voice:** You can if you have the program.

**Trustee Walker:** Oh, right. Most up to date program.

**Mr. Skolnik:** I was wondering what would be effective for you to be able to submit something that would make sense.

**Mayor Swiderski:** I would probably say, in terms of raw ideas, a memo.

**Mr. Skolnik:** And refer to a page?

**Mayor Swiderski:** Right. But better yet, a page and concept so we are not flipping back and forth. If there is wordsmithing, pass the marked-up document to Susan. It becomes part of the record at that point. I will get my hands on it and see if I can incorporate any of that.

**Village Attorney Stecich:** I just want to remind people that at the next meeting we are going to be going through the Environmental Assessment Form toward the beginning of the SEQRA process to identify any potential environmental impacts.

**Village Manager Frobel:** June 9, at 7 p.m.

**Village Attorney Stecich:** If anybody sees any environmental concerns they should come ready with that.

**Mayor Swiderski:** Let me try to say what that means, and you modify me if I get it wrong.

Part of what we have to determine is whether the results of the recommendations in this document have a negative environmental impact. If there are no environmental impacts, or they improve the environment, we can issue what is called a negative declaration on this document, which means we do not have to create the massive tome that is an Environmental Impact Statement. If people believe that proposals within it will result in negative impacts, that is the opportunity to bring that up.

We are going to go through the document very quickly two weeks from Thursday in a formal process where we look for those impacts ourselves and determine if there is a negative or positive impact. It is part of what is known as the SEQRA process. SEQRA stands for State Environment Quality Review Act. SEQRA is part of what is baked into the planning process these days in the state for any large project that may have a negative impact. Is that right, generally?

**Village Attorney Stecich:** Yes.

**Trustee Jennings:** Would it be pertinent to add a reminder that this is not the only time environmental issues are going to be looked at. Whenever we take steps to implement in the future, by rezoning or any kinds of actions we take, they are all subject to their own environmental review. This is an ongoing safeguard for our environment, and it is not going to be dispensed with if we do a negative declaration just on this planning document.

**Mayor Swiderski:** Part of what we did in the wordsmithing may have blurred recommendations to the point that they do not result in a negative environmental impact unless we acted on that recommendation, in which fact it would possibly. I am going to throw out, for example, a rezoning that might result in a higher density or something like that. If we do not do an EIS at this point in time, we would certainly have to do so once we began the process of rezoning that piece of land. So nothing is shortcircuited here.

**Village Attorney Stecich:** You would not necessarily do an EIS, an Environmental Impact Statement. When you get to the particular action, to rezoning, you have to do the SEQRA then. You may neg dec it or you may require an Environmental Impact Statement, but I think what you meant was you would have to do SEQRA, later, yes.

**Mr. Metzger:** I do not know if I can speak for the entire Comprehensive Plan Committee. But a few of us would probably offer our services should questions come up during the public comment period where you felt that you needed to reach out for more information. I would be amenable and a number of other people on the committee would be amenable if you have any discussion that needs to be had.

**Trustee Walker:** Addressing what Mr. Skolnik said about getting people to this meeting and getting people to understand that we have a 30-day review period, should we do more than just send out a village-wide e-mail? Is there someplace else, does anybody have thoughts about how else we could let people know about it? Should we ask *The Enterprise* to say something? Should we let the seniors know? Patch is here. You will let them know. Good, that is helpful.

**Mayor Swiderski:** Yes, I am certainly going to push it, as well.

**Trustee Walker:** I think that there are people who do not get our village-wide e-mails, particularly seniors.

**Mayor Swiderski:** We could run a crawl.

Hearing no further comment, Mayor Swiderski asked for a motion to close the Public Hearing.

### **CLOSE OF PUBLIC HEARING**

On MOTION of Trustee Quinlan, SECONDED by Trustee Jennings with a voice vote of all in favor, Mayor Swiderski closed the Public Hearing at 8:15 p.m.