

VILLAGE OF HASTINGS-ON-HUDSON  
ZONING BOARD OF APPEALS MEETING  
SEVEN MAPLE AVENUE  
HASTINGS-ON-HUDSON, NEW YORK 10706-1497

Held September 11, 2008 at 8:00 P.M.

BOARD MEMBERS PRESENT:

Brian Murphy, Chairman  
Stan Pycior, Deputy Chairman  
David Forbes-Watkins, Member  
Ray H. Dovell, Jr., Member  
Marc Leaf, Alternate  
Matthew Collins, Alternate

Marianne Stecich, Board Counsel  
Deven Sharma, Building Inspector

ALSO PRESENT:

10 Members of the Public (approximately)

TRACI L. COLLINS, R.P.R.  
REPORTER

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2 CHAIRMAN MURPHY: Good evening  
3 everyone. We are here for the  
4 September 11th Zoning Board of Appeals  
5 meeting of the Village of  
6 Hastings-on-Hudson.

7 We have two cases on our agenda  
8 tonight: First, Case No. 14-08, Ann Mackey  
9 and David Makulec, application for three  
10 variances.

11 Our second case, Case No. 18-08,  
12 Metro PCS, for approval of construction of  
13 a Personal Wireless Services Facility on  
14 the roof of the municipal building.

15 Mr. Sharma, are the mailings in  
16 order for the cases?

17 MR. SHARMA: Yes, Mr. Chairman,  
18 all the mailings are in order.

19 CHAIRMAN MURPHY: And I see a  
20 letter from September 5th on the deck  
21 here. Is there something else that we're  
22 going to be considering tonight?

23 MR. SHARMA: We might discuss it  
24 later. We'll give you the background on  
25 it.

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2 CHAIRMAN MURPHY: All right.

3 We'll see what we can do at the end of the  
4 meeting.

5 All right. I think we deferred  
6 the Mackey Makulec application from last  
7 month. So, if we could have the applicant,  
8 Mr. Tilly.

9 MR. TILLY: Thank you. Chairman  
10 Murphy, Members of the Board, Counsel. I'm  
11 here with Stephanie Reinert, my associate,  
12 to describe the site and the project.

13 I'll do a brief introduction, and  
14 Stephanie then can walk you through the  
15 proposal in a little more detail.

16 And my clients are here with  
17 supporting letters and to answer any  
18 questions you might have.

19 I guess the nutshell summary of  
20 the proposal is that we're proposing to  
21 change the house from a very small house to  
22 a modest house; so the square footage of  
23 the enclosed space is going from  
24 1434 square feet, which is the existing  
25 enclosed space, to 2338.

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2           If you look at the site, the  
3           green area is the as of right area, which  
4           looks like a kind of gerrymandered district  
5           of some kind. But because of the L shape  
6           of the property, most of the existing  
7           structure sits outside of the as of right,  
8           buildable area.

9           And what we've decided to do is  
10          leave the substantial natural areas on the  
11          right and left of the drawing, as you're  
12          looking at it, intact, and simply add  
13          behind the building, which has much less  
14          impact on surrounding neighbors and makes  
15          more sense in terms of the expansion of the  
16          building; and you'll see on the next  
17          diagram, which shows the existing and  
18          proposed -- you'll see that we're proposing  
19          to add to the right on this drawing,  
20          following the line of the existing  
21          building, which is presently nonconforming  
22          so that that area, the maize colored area,  
23          is also going to be nonconforming, and then  
24          we're kind of taking the -- at the location  
25          of the deck in the back, we're actually

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2 shifting the proposed addition completely  
3 behind the structure so it no longer sticks  
4 out to the left, but if you're looking from  
5 the front of the building, you would not  
6 see that -- the now enclosed structure in  
7 the back. And then there is a connecting  
8 deck. And then finally where there is now  
9 an existing garage down in the back, close  
10 to the property line, we're actually  
11 replacing that garage with a smaller  
12 structure, which exists on the footprint,  
13 but is a smaller structure.

14 CHAIRMAN MURPHY: I just want  
15 clarification on that because on the plan  
16 it looks like you're extending the garage,  
17 but what you're saying is the footprint is  
18 already there, and you're going to keep the  
19 same footprint.

20 MR. TILLY: Correct. Yes, if you  
21 look at the previous drawing, that shows  
22 the existing conditions; so the gray areas  
23 are the existing house and then the  
24 existing garage, which is the -- the  
25 rectangle kind of sitting down in the back

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2 there.

3 CHAIRMAN MURPHY: Right.

4 MR. TILLY: And then you see the  
5 drive coming in, and it's only the yellow  
6 area in the back, which is what we're  
7 proposing now as the shed. So it's a  
8 smaller structure, although it sits on part  
9 of the footprint of the existing garage.

10 CHAIRMAN MURPHY: Oh, I see. So  
11 what's colored in blue there will be  
12 removed?

13 MR. TILLY: Yes, it's being  
14 removed. The existing garage is being  
15 removed and replaced by a new structure.  
16 So that it will now be -- if you look at  
17 the plan now, which I think I'll cede to  
18 Stephanie to walk you through that. She  
19 can show you that the deck and the open  
20 space intervene now between the house and  
21 the shed in the back. So we're trying to  
22 show both existing and proposed and  
23 enclosure and deck on the same diagram  
24 using the color grades, but it may -- it  
25 just takes a little while to read that, so.

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2 MS. REINERT: Is this clear? You  
3 know, we're pushing out this way with the  
4 building; pushing back this way with an  
5 addition --

6 THE VIDEOGRAPHER: Can you use  
7 the mike please?

8 MS. REINERT: Sorry. We're  
9 pushing out to the east with the addition,  
10 which is -- the first floor is kitchen,  
11 mudroom and breakfast room space.

12 Second floor is master bedroom  
13 extension.

14 In the back, which is south,  
15 we're pushing out with a lower level -- a  
16 cellar level storage room and a first story  
17 family room and then a deck above, and then  
18 the garage becomes a small shed about half  
19 the size and then this is a grade level  
20 deck that's on grade with --

21 One thing that's important to  
22 understand with this property is that this  
23 is a very steep slope here. It sort of  
24 wraps around this way and this is very low  
25 here. These items are level with the front

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2 of the house.

3 MR. FORBES-WATKINS: For clarity,  
4 the portion of the garage that is purple  
5 will no longer be a structure?

6 MS. REINERT: Right. That will  
7 be demolished.

8 MR. FORBES-WATKINS: So there  
9 will be actually dirt or lawn or something  
10 in between the deck and that shed in the  
11 rear.

12 MS. REINERT: Right. Part of the  
13 deck is within here, though.

14 MR. FORBES-WATKINS: Yes, I see  
15 that.

16 CHAIRMAN MURPHY: So it's  
17 effectively removing the garage for the car  
18 and replacing it just with a storage shed  
19 or a utility shed?

20 MR. TILLY: Why don't you show  
21 the first floor plan, which will show that?

22 MS. REINERT: So this is the  
23 first floor plan which is, I'm sorry, in  
24 reverse of this.

25 So this is the basement here.



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2 This is the existing entry, and then this  
3 is a dining room, breakfast room, enlarged  
4 kitchen and mud room, and they're pushing  
5 out this way along the same plane of the  
6 front.

7 This is the family room addition  
8 to the back that's shifting in a little bit  
9 so there's a corner visible here, and then  
10 this is the new deck.

11 I'm sorry; the shed is not shown  
12 on here.

13 MR. DOVELL, JR.: Are you  
14 demolishing the existing deck that's to the  
15 left of the plan there?

16 MS. REINERT: Yes, that one is  
17 demolished.

18 CHAIRMAN MURPHY: You're going to  
19 keep the same basically continuous line  
20 along the new foundation?

21 MS. REINERT: On the front, yes.

22 CHAIRMAN MURPHY: No, along the  
23 side where you're demolishing the deck,  
24 you're actually bringing it in toward the  
25 house a little bit?

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2 MS. REINERT: Right, this is  
3 existing and actually, it's a porch I  
4 believe, but it comes out a little bit,  
5 extends over. So, we're actually pushing  
6 it in, tucking it behind the building, a  
7 little bit this way.

8 CHAIRMAN MURPHY: Okay. And  
9 that's what would be an addition to the  
10 rear of the house; that's what, a basement  
11 and one story?

12 MS. REINERT: Yes, with a deck on  
13 the second story. It's just a stick-out  
14 deck. It's not enclosed.

15 CHAIRMAN MURPHY: But that's on  
16 top of the first floor addition?

17 MS. REINERT: Yes.

18 CHAIRMAN MURPHY: No second floor  
19 on that?

20 MS. REINERT: Correct.

21 MR. DOVELL, JR.: So you pick up  
22 a den on the first floor and a dining room  
23 as well?

24 MS. REINERT: I believe the  
25 dining room is getting enlarged a little

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2 bit. That's currently what's there.

3 MR. DOVELL, JR.: And on the  
4 second floor of the addition, it's a  
5 bedroom?

6 MS. REINERT: On the second  
7 floor, it's enlarging -- sort of making a  
8 master bedroom suite out here with a closet  
9 and an additional bathroom. And then this  
10 is the deck that's above it.

11 CHAIRMAN MURPHY: And in terms of  
12 the parking for the cars then, what is the  
13 plan; just parking in the front then, open  
14 or what?

15 MS. REINERT: That's double wide  
16 parking on the street.

17 CHAIRMAN MURPHY: Well, it's off  
18 street; right?

19 MS. REINERT: Yes. I'm sorry.  
20 By the street.

21 CHAIRMAN MURPHY: Is the area of  
22 the driveway, the service area, being  
23 expanded or redone or just using what's  
24 there?

25 MS. REINERT: That's being redone

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2 and it is shifting a little bit to the  
3 east.

4 CHAIRMAN MURPHY: Is any square  
5 footage being added to the driveway in  
6 front?

7 MS. REINERT: I think a little  
8 bit, but I don't have exactly --

9 MS. MACKEY: It's being shortened  
10 and widened.

11 MS. REINERT: It's currently  
12 longer and a single car deeper.

13 This is a stone terrace and this  
14 is an asphalt driveway.

15 MR. TILLY: So, it's being  
16 shortened and widened.

17 In fact, the garage isn't really  
18 usable because it's one of those classic  
19 Hastings' garages that was built for  
20 Crossleys or something, Henry J's.

21 CHAIRMAN MURPHY: Mini Coopers.

22 MR. TILLY: Mini Coopers, right.  
23 But it's also questionably -- in terms of  
24 its structure, it's questionable.

25 CHAIRMAN MURPHY: I'm focusing on

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2 the garage, and so tell me, you're going to  
3 turn it into a shed; you're going to make  
4 it smaller. How are you going to make it  
5 smaller from what it is now? Give me the  
6 dimensions and --

7 MR. TILLY: I think we have the  
8 exact dimensions.

9 MS. REINERT: It's going from  
10 16 feet high at the edge down here, because  
11 of the steep slope, to being a standard  
12 like 11 by 11, below 12 feet, which is a  
13 smaller shed, which is what the zoning code  
14 has for an accessory building.

15 CHAIRMAN MURPHY: What about the  
16 square footage?

17 MR. TILLY: It's going from  
18 262 square feet to 124.

19 Right now it's 23-and-a-half by  
20 11, and it's going to 11 by 11, and it's  
21 currently 16 feet tall so the volume is  
22 also shrinking to 12 feet.

23 MR. DOVELL, JR.: So it's in  
24 fact, decreasing the noncompliance in the  
25 back?

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2 MR. TILLY: That's correct.

3 CHAIRMAN MURPHY: I just want to  
4 be clear, you're going to use the same  
5 existing footprint? I mean, it's  
6 obviously -- you know, it doesn't comply  
7 with the eight feet, the existing building.

8 MR. TILLY: That's correct.

9 CHAIRMAN MURPHY: But you're not  
10 in any way extending or expanding that  
11 nonconformity?

12 MR. TILLY: It's 11 feet wide and  
13 it's sitting exactly on the same footprint,  
14 exactly, precisely on that corner.

15 CHAIRMAN MURPHY: If I could,  
16 because the garage is not practical, is  
17 that why you're doing that?

18 MR. TILLY: Yes.

19 CHAIRMAN MURPHY: Is it not being  
20 used as a garage now?

21 MR. TILLY: One of the real needs  
22 in this house, as you might imagine, at  
23 1400 square feet, with children and  
24 parents, is storage.

25 So this is -- and there's very

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2 low headroom in the cellar, and really  
3 virtually no attic. So this is going to be  
4 for that kind of storage that can exist  
5 outside in a container.

6 MS. REINERT: One thing I wanted  
7 to point out is this -- I have another copy  
8 of this if it's easier for you to pass it  
9 around to see it, but this is the existing  
10 garage from the lower slope, from the south  
11 looking at the back of the house. So you  
12 can see that it's much taller than the 16,  
13 so it's actually going to bring it down in  
14 terms of bordering on the lawn next to it,  
15 that's down slope from it.

16 I have another copy, would you  
17 like --

18 CHAIRMAN MURPHY: No, no, no. I'm  
19 fine. It's helpful to review it on the  
20 easel there.

21 MS. REINERT: I think Picture 7  
22 in the packet that you have, I think that  
23 sort of illustrates what's happening with  
24 the garage as well.

25 CHAIRMAN MURPHY: You said

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2 Picture 7?

3 MS. REINERT: Picture 7, yes.

4 That's shot from the west side  
5 looking east at the slope of the garage.

6 MR. FORBES-WATKINS: The current  
7 garage, it appears as a crawl space; is  
8 that correct? From looking at this Picture  
9 No. 7, there appears to be an entryway of  
10 some sort on the site, maybe a --

11 MS. REINERT: Because the level  
12 of -- the street level is so tall, there is  
13 a tiny little --

14 MS. MACKEY: It's not usable.  
15 It's a home for woodchucks.

16 MR. FORBES-WATKINS: So that  
17 crawl space will continue under there --

18 MR. TILLY: We are actually  
19 moving the storage level down.

20 CHAIRMAN MURPHY: Okay. So  
21 that's non-existing --

22 MR. TILLY: We're creating  
23 homelessness for some woodchucks.

24 CHAIRMAN MURPHY: And on that  
25 back part of that little area it slopes, so



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2 is the actual current height of the  
3 building going to drop?

4 MR. TILLY: Yes.

5 CHAIRMAN MURPHY: Because it's  
6 going to be set on the back area, which  
7 is -- it looks like several feet lower.

8 MR. TILLY: It's going from  
9 16 feet to 12 feet, which is now going to  
10 be compliant with the zoning law.

11 CHAIRMAN MURPHY: But it's  
12 12 feet from that lower grade; right?

13 MR. TILLY: Yes. Well, from  
14 the -- as defined by how you enter height,  
15 which is the average grade around that.

16 CHAIRMAN MURPHY: Okay. I got  
17 it. Thank you.

18 Other than the expansion of the  
19 living area, den, I guess the dining room,  
20 were you picking up any bedrooms, bathrooms  
21 with the proposed addition?

22 MS. REINERT: It's one bathroom.  
23 Same number of bedrooms.

24 CHAIRMAN MURPHY: Any other  
25 questions, Marc or Ray?

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2 MR. FORBES-WATKINS: I would like  
3 a clarification.

4 We have -- the original notice  
5 had two variance requirements and I  
6 understand that they needed to do a third,  
7 but we don't have that defined anywhere  
8 that I'm aware of.

9 CHAIRMAN MURPHY: David, yes,  
10 there is a new notice, because it was  
11 improperly noticed last month, so there  
12 are -- the applicant is requesting three  
13 variances now.

14 MR. FORBES-WATKINS: Okay.  
15 That's why I asked.

16 CHAIRMAN MURPHY: And Mr. Sharma,  
17 just to be clear, that has been properly  
18 re-noticed and mailed?

19 MR. SHARMA: Exactly. It's on  
20 the agenda, but it's not on the notice.

21 CHAIRMAN MURPHY: Okay. So we're  
22 square with that.

23 MR. PYCIOR: I'm surprised when I  
24 see a 1400 square foot house being expanded  
25 by 900 square feet. I fear large -- it

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2 needs to be very tastefully done.

3 MS. REINERT: Yes, I have  
4 elevations that might --

5 CHAIRMAN MURPHY: No, you know,  
6 it's an interesting lot because it's so  
7 long and fairly compressed and so I  
8 understand the desire to keep the building  
9 compact and in the center of the lot.

10 My only concern really is with  
11 the rear of the house, which is why I'm  
12 kind of focused on that garage. But if  
13 you're reducing the bulk and the area by  
14 more than half, I think that's a good  
15 thing.

16 You know, I don't really like the  
17 notion of staying three feet from the back  
18 property line, frankly, but if you're  
19 reducing the scale of the existing  
20 structure that's, you know, legally there  
21 as a nonconformity, then that's a helpful  
22 thing.

23 And the decks look great in the  
24 back. So my only real concern, given this  
25 particular kind of unique lot, it's very

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2 long and narrow, and I think you've used it  
3 well, from what I can see. It's just  
4 that -- that shed in the back. So, it  
5 makes a difference to me that you're  
6 lowering the height and scaling it back by  
7 half, even though it's so close to the  
8 property line.

9 Yes, okay. Anything else from  
10 the Board?

11 MR. DOVELL, JR.: I think it's  
12 very modest and I think it's quite  
13 skillfully handled.

14 I disagree a little bit about the  
15 garage. I'm not troubled at all by it  
16 because I think it's really a miniscule  
17 piece of structure in the back, and with  
18 the fact that it was -- that that back  
19 three-foot portion was there initially, and  
20 it's not being increased in any way. In  
21 fact, it's being reduced. I'm quite  
22 comfortable with it.

23 CHAIRMAN MURPHY: Okay.

24 Do we have anyone from the  
25 audience who wants to speak either for or

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2 against?

3 MS. MACKEY: I don't really have  
4 much to add. I just want to say we did  
5 speak to all our neighbors. We --

6 CHAIRMAN MURPHY: Yes, please  
7 just identify yourself.

8 MS. MACKEY: I'm sorry. I'm Ann  
9 Mackey. My husband David Makulec and I own  
10 the property.

11 We spoke to all our near  
12 neighbors. Everybody has been very  
13 positive about it. I hate to speak for  
14 people, but they've been encouraging.  
15 They're not here objecting --

16 CHAIRMAN MURPHY: That's all  
17 right.

18 MS. MACKEY: And three of them  
19 did offer to submit letters. So I have  
20 them here if you want them.

21 CHAIRMAN MURPHY: Sure. We'll  
22 take them. We'll put them in the record  
23 here. Thanks.

24 MS. MACKEY: And I don't need to  
25 waste your time. So if you have questions,

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2 I'll answer them. Otherwise, I'll sit  
3 down.

4 CHAIRMAN MURPHY: Thanks. Thanks  
5 very much. I think we're good.

6 MR. MAKULEC: I just wanted to --  
7 I'm David Makulec.

8 CHAIRMAN MURPHY: Yes, Mr.  
9 Makulec.

10 MR. MAKULEC: All I wanted to add  
11 is, as I think you've seen from this, that  
12 we have a number of things we want to  
13 accomplish to try to give ourselves a  
14 little bit more flexibility and have living  
15 space for the kids, family; but we really  
16 value the neighborhood a lot. It's heavily  
17 wooded. We like the way it looks.

18 There is a chimney on the side of  
19 the house, where if we had elected to  
20 expand, and taken the easy way, into the  
21 flat part of the yard, it would have  
22 been -- had much more of an impact on the  
23 neighborhood, given the chimney removed a  
24 lot of character from the house. So we  
25 sort of made an effort here to try to

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2 contain everything, achieve what we wanted  
3 to do, and yet have what I think will be a  
4 virtually invisible effect on the  
5 neighborhood, as a whole. So that was a  
6 primary goal, and I think with Steve and  
7 Stephanie's help, we've been able to do  
8 that.

9 CHAIRMAN MURPHY: Thank you.  
10 Anyone else here for our first applicant?

11 (No response.)

12 CHAIRMAN MURPHY: I guess we have  
13 three variances. We can take them one at a  
14 time.

15 Do I have a motion from one of  
16 our board members for the first variance  
17 for the front yard setback?

18 MR. FORBES-WATKINS: I move the  
19 approval of the proposed variance, Case  
20 No. 14-08, front yard existing and proposed  
21 10.4 feet, required 30 feet.

22 CHAIRMAN MURPHY: Do I have a  
23 second?

24 MR. PYCIOR: I'll second.

25 CHAIRMAN MURPHY: All in favor?

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2 MR. PYCIOR: Aye.

3 MR. FORBES-WATKINS: Aye.

4 MR. DOVELL, JR.: Aye.

5 CHAIRMAN MURPHY: Aye.

6 MR. LEAF: Aye.

7 (ALL IN FAVOR.)

8 CHAIRMAN MURPHY: Then there's  
9 our second variance. Can I have a motion  
10 for the rear yard setback please?

11 MR. FORBES-WATKINS: I move for  
12 approval of the rear yard variance existing  
13 non-conforming 14 feet; proposed 11.25;  
14 permitted 22.1, Case No. 14-08.

15 CHAIRMAN MURPHY: Do I have a  
16 second?

17 MR. PYCIOR: I'll second.

18 CHAIRMAN MURPHY: All in favor?

19 MR. PYCIOR: Aye.

20 MR. FORBES-WATKINS: Aye.

21 MR. DOVELL, JR.: Aye.

22 CHAIRMAN MURPHY: Aye.

23 MR. LEAF: Aye.

24 (ALL IN FAVOR.)

25 CHAIRMAN MURPHY: The vote's



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2 unanimous.

3 And our third variance, for the  
4 rear yard accessory structure, if I can  
5 have a motion, please?

6 MR. FORBES-WATKINS: So moving  
7 approval of Case No. 14-08, rear yard  
8 accessory structure existing and proposed  
9 three feet; required eight feet.

10 CHAIRMAN MURPHY: Do I have a  
11 second?

12 MR. PYCIOR: I'll second.

13 CHAIRMAN MURPHY: All in favor?

14 MR. PYCIOR: Aye.

15 MR. FORBES-WATKINS: Aye.

16 MR. DOVELL, JR.: Aye.

17 CHAIRMAN MURPHY: Aye.

18 MR. LEAF: Aye.

19 (ALL IN FAVOR.)

20 CHAIRMAN MURPHY: The vote's  
21 unanimous. Congratulations. Enjoy it.

22 Mr. Leaf has to recuse himself  
23 for our second case, the Metro PCS  
24 application. We do have a recently sworn  
25 in alternate member, Mat Collins.

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2 Mr. Leaf has a conflict. So,  
3 Mat, welcome, thank you.

4 Who's going to speak on behalf of  
5 Metro PCS?

6 MR. LAUB: Good evening, Mr.  
7 Chairman, Members of the Board. For the  
8 record, my name is Daniel Laub. I'm with  
9 the firm of Cuddy & Feder, here on behalf  
10 of Metro PCS, as an applicant for a  
11 personal wireless services facility  
12 proposed to be located here at Village Hall  
13 on the rooftop.

14 Just by way of introduction,  
15 Metro PCS is a new carrier in the northeast  
16 market. It would provide similar services  
17 as companies that you probably already  
18 know, AT&T, Verizon, T-Mobile, Sprint,  
19 Nextel.

20 Metro PCS has received licenses  
21 across the country and has networks built  
22 out in the south, mid south, midwest, out  
23 in California. I think, 19 of the 25 major  
24 metropolitan markets. Is that --

25 MR. DEDRICK: We have licenses

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2 for 14 of the top 25.

3 MR. LAUB: Licenses for 14 of the  
4 top 25 markets in the country.

5 And this is part of a network  
6 buildup that's occurring in the northeast.  
7 There's a network buildup in Philadelphia.  
8 There's also a buildup in New York and the  
9 greater Boston area as well.

10 So, it is a new carrier in the  
11 market so you wouldn't have seen it in  
12 kiosks or stalls for services offered quite  
13 yet because this is part of a network  
14 buildup.

15 Our facility is essentially very  
16 similar to the existing AT&T facility which  
17 is on the rooftop. It would consist of a  
18 total of six panel antennas to be located  
19 in three different sectors on the rooftop.  
20 Similar to -- exactly the same way the AT&T  
21 facility is secured.

22 In terms of the antennas, they  
23 would be pipe mounted to the parapet, the  
24 antennas extending above the roofline for  
25 signal purposes.

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2 CHAIRMAN MURPHY: Mr. Laub, I  
3 have a question. So, the antennas, you're  
4 going to have three sets, basically; three  
5 sets of two?

6 MR. LAUB: Exactly.

7 CHAIRMAN MURPHY: And then in  
8 your letter though, there's also mention of  
9 GPS antennas. Is that something different  
10 or is that part of the six?

11 MR. LAUB: They are not part of  
12 the six. They are something different, and  
13 they are required by law in an amendment to  
14 the telecommunications act, as part of  
15 what's known as --

16 CHAIRMAN MURPHY: Hang on.

17 (PAUSE.)

18 CHAIRMAN MURPHY: All right,  
19 Mr. Laub.

20 MR. LAUB: And essentially the  
21 GPS services were required in order to make  
22 sure that you have locational services for  
23 each site, to allow for the location  
24 triangulation for when you have handsets  
25 and you call 911 so that your call can be

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2 routed directly and appropriately to the  
3 emergency services.

4 So previous to this, you know, in  
5 the earlier days of wireless, I don't know  
6 if you remember, if you dialed 911, you  
7 weren't guaranteed to get a local 911  
8 service office; you may be directed  
9 somewhere in Pennsylvania when you were in  
10 Massachusetts.

11 So the GPS service is a way of  
12 locating where you are and coordinating  
13 your call.

14 CHAIRMAN MURPHY: Can that not be  
15 shared with the existing AT&T system? Or  
16 do you have to have your own GPS antennas?

17 MR. LAUB: No, that would -- they  
18 have to be part of the -- Metro PCS has to  
19 locate them using the Metro PCS network.  
20 Otherwise they will be -- you know, they're  
21 separate. They're separate and distinct.

22 CHAIRMAN MURPHY: Okay. I'm not  
23 up on the technology.

24 So, how big are the antennas?

25 MR. LAUB: The antennas are

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2 approximately -- I'm sorry. This is  
3 Mr. Don Decker from our engineering group,  
4 Tectonic, who's been working on the site.

5 The antennas are approximately  
6 54 inches tall?

7 MR. DEDRICK: Yes.

8 CHAIRMAN MURPHY: Just identify  
9 yourself, sir, thanks.

10 MR. DEDRICK: Donald Dedrick.

11 And the panel antennas are approximately  
12 eight inches by three inches, and they're  
13 approximately 52 inches tall. They then  
14 get -- they're raised up so that they are  
15 over the top of the parapet.

16 CHAIRMAN MURPHY: What about the  
17 GPS?

18 MR. DEDRICK: They are smaller  
19 antennas, and I don't know the exact size  
20 of it.

21 MR. SHARPE: About the size of  
22 the microphone.

23 MR. DEDRICK: Yeah, they're about  
24 this size.

25 CHAIRMAN MURPHY: Oh, those are

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2 those small, little things that I saw on  
3 the building the other day I guess from  
4 AT&T's existing system. They're a couple  
5 of feet high maybe?

6 MR. DEDRICK: The size of an ice  
7 cream cone.

8 MR. LAUB: Yes, for Metro PCS, it  
9 would be the approximate size of a  
10 microphone or ice cream cone or something  
11 like that.

12 CHAIRMAN MURPHY: Okay.

13 MR. LAUB: So, in addition to the  
14 panel antennas, the GPS antennas, there's  
15 also associated electronic equipment  
16 cabinets which are used to operate the  
17 site, which would be also located on the  
18 roof on a sixteen by ten-foot steel  
19 platform located in a corner of the roof,  
20 using the side structure of the wall of the  
21 building which would be load-bearing.

22 They would have two -- basically  
23 two bars spanning the distance between  
24 load-bearing portions of the rooftop and  
25 then the equipment would be placed on those

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2 steel platforms that's across that span.

3 And in addition, for  
4 telecommunications and electronic  
5 connection, there's a conduit mounted on  
6 the side of the building.

7 What I should note is that prior  
8 to appearing before you, as part of the  
9 View Preservation Application that's part  
10 of this, we have appeared before the  
11 Planning Board, and one of the key concerns  
12 of the Planning Board when we appeared  
13 before them approximately three weeks ago  
14 was that, as I think the photo simulations  
15 in Exhibit I show you, that you could see  
16 the cabinets -- as we had originally  
17 proposed, you could see the cabinets from  
18 the street level we use, and, you know,  
19 around -- looking at Village Hall.

20 What we have done is we've just  
21 submitted revised drawings to the Planning  
22 Board. Unfortunately, we weren't able to  
23 provide them to you in time for this  
24 meeting, but we've been able to reduce the  
25 size of the cabinets, reduce the number of



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2 the cabinets, and re-configure them so that  
3 the tallest of the two cabinets, which is  
4 approximately six feet-ten inches, is set  
5 back a little further than these cabinets  
6 were originally proposed.

7 So now these cabinets should not  
8 be visible, from below or from these  
9 perspectives as you can see there. So  
10 right now you kind of see in those visuals  
11 that you could actually see the cabinets  
12 popping up above the roof.

13 By comparison, the AT&T facility  
14 is on the roof, but you really can't see  
15 the cabinets --

16 CHAIRMAN MURPHY: But let me ask  
17 you about that. Just for the record, we're  
18 looking at the Photograph S1 that you  
19 submitted in Exhibit I of the application,  
20 and those are superimposed images of the  
21 antenna being proposed on the roof at the  
22 locations within these --

23 MR. LAUB: Precisely. The  
24 contrast being P would be an actual  
25 photograph of the existing condition and S

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2 being a simulated photo.

3 CHAIRMAN MURPHY: So kind of the  
4 upper left corner of the municipal building  
5 closest to the library is where the  
6 equipment is proposed to be placed?

7 MR. LAUB: Right.

8 CHAIRMAN MURPHY: So the question  
9 is why did you select that location on the  
10 roof of the building as opposed to any  
11 other location, for example, towards the  
12 back of the municipal building overlooking  
13 the parking lot or what have you?

14 MR. LAUB: Right. There were a  
15 couple of issues that related to the roof.  
16 First of all, there are no load-bearing  
17 walls or columns that they could locate,  
18 you know, in the building to locate it more  
19 toward the center of the roof.

20 So really they were very  
21 restricted to using the sides in a similar  
22 way that AT&T had used in the manner that I  
23 described with using the spans to cross the  
24 corner and use the load-bearing sides of  
25 it.

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2                   It is a busy roof. There are  
3 already municipal antennas and sirens up  
4 there. So, there's already like equipment  
5 that's located there and equipment --  
6 there's also the skylight, and then on the  
7 other corner, you do have the fire escape  
8 and where the access is to the roof. So it  
9 limits where you can actually place any --  
10 it is very limited as a rooftop unless we  
11 start sort of moving everything else  
12 around. And even then you'd still have --

13                   MR. DOVELL, JR.: Right now you  
14 have a big dunnage -- you have dunnage that  
15 connects to the parapet walls. Then you  
16 have a big grillage-- steel grillage  
17 platform that this equipment sits on.

18                   MR. LAUB: Precisely.

19                   MR. DOVELL, JR.: What is the  
20 large platform? Is that going to be  
21 reduced as well?

22                   MR. LAUB: No, the platform  
23 wasn't reduced. It was shifted back a  
24 little bit in order to cantilever over a  
25 little bit the rear portion of where the

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2 large two pieces come across in order to  
3 help move the equipment back a little bit.

4 MR. DOVELL, JR.: There are no  
5 antennas on that platform; that platform is  
6 just support equipment for the antennas?

7 MR. LAUB: It's for the -- yeah,  
8 when we say antennas, I think we should  
9 clarify. I think the GPS antennas are on  
10 those equipment cabinets and that's where  
11 the GPS antennas would be located.

12 But just to clarify, that's not  
13 where the panel antennas would be. The  
14 panel antennas are pipe mounted to the side  
15 of the parapet, so you'd have the pipe  
16 coming up from the parapet and then the  
17 antenna.

18 MR. DOVELL, JR.: But those  
19 antennas could theoretically be located  
20 towards the center of the building without  
21 affecting the functioning of the  
22 installation?

23 MR. LAUB: Actually, no, that's  
24 part of the challenges of locating on a  
25 rooftop.

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2 MR. DOVELL, JR.: No, just the  
3 equipment. Just the support equipment?

4 MR. LAUB: Oh, just the support  
5 equipment.

6 MR. DOVELL, JR.: Yes, the  
7 equipment that's on the dunnage.

8 MR. LAUB: If there was -- If  
9 there was a structurally feasible location  
10 on a different part of the roof, yeah, it  
11 could be.

12 In addition, our team did try to  
13 locate a spot that was interior to the  
14 building, which is done on many rooftop  
15 sites. The equipment can be located, you  
16 know, inside the building. I mean, it  
17 could have been located somewhere on the  
18 grounds.

19 Unfortunately, in the instance of  
20 the Village Hall and the way it's situated,  
21 there's really -- there's no location in  
22 the basement that would be -- that would  
23 provide space for it.

24 MR. DOVELL, JR.: But if you  
25 could support locally on the roof, why

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2 couldn't they go towards the center of the  
3 roof off the sightline?

4 I mean, what I find really  
5 objectionable is the location of that  
6 cabinet, even with it reduced, that  
7 equipment is quite visible. That equipment  
8 is quite visible at the corner, according  
9 to your S1, and if that were pushed to the  
10 center, if you find a place that could be  
11 reinforced, why couldn't they go in that  
12 location?

13 MR. LAUB: Well, it wouldn't  
14 simply be a matter of reinforcement. I  
15 think it would be a matter of  
16 load-bearing -- you'd have to find a  
17 load-bearing column or something along  
18 those lines.

19 MR. DOVELL, JR.: Is this a steel  
20 framed building? You must know something  
21 about the structure of the building in your  
22 analysis of it. Your structural engineer  
23 must know how this building is structured.

24 MR. LAUB: They were able to  
25 gather some information, but my

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2 understanding is that the complete  
3 schematics of the building aren't even --  
4 aren't even available to the Village.

5 MR. SHARMA: No, that's not true.

6 MR. LAUB: That's not true?

7 Because that was --

8 MR. SHARMA: As a matter of fact,  
9 the Planning Board, I think, asked you to  
10 find alternate locations and I think you  
11 and I spoke.

12 MR. LAUB: Right.

13 MR. SHARMA: I guess your  
14 engineers and myself need to set up a  
15 meeting. We need to verify some of the  
16 conclusions that you seem to be drawing  
17 here; whether, indeed, there is no other  
18 alternate location like toward the back of  
19 the building.

20 Yeah, there is a lot of stuff on  
21 the roof, but maybe some of the stuff could  
22 be removed and maybe put through a kind of  
23 matrix the cost of doing some additional  
24 work in order to move these cabinet towards  
25 the water side.

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2 We'd also asked you -- we'd like  
3 to exhaust the possibility that whether or  
4 not -- the platform by AT&T is a very  
5 substantial platform, a very substantial  
6 platform that you would be making even  
7 larger; whether we can't do some  
8 co-location on the platform itself.

9 So I think the Planning Board and  
10 my office would like to go through an  
11 educated investigation into really looking  
12 at some of the possibilities.

13 CHAIRMAN MURPHY: Let me ask you  
14 a question, Mr. Laub. Do you have new  
15 drawings for the -- whatever you're  
16 proposing to do to minimize the visibility  
17 and I guess the weight or mass of the  
18 cabinets?

19 MR. LAUB: We do. We do. They  
20 have just been completed the other day.

21 CHAIRMAN MURPHY: I'm not  
22 criticizing. It's hard for me to  
23 understand this stuff as it is. Without a  
24 drawing it's impossible.

25 MR. DEDRICK: If you look at the



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2 drawing, the two cabinets have been  
3 reduced. These two cabinets were taller,  
4 and they've been -- one of them has been  
5 removed, and they've been switched so that  
6 the battery cabinets are shorter.

7 So this cabinet has been placed  
8 over here and the battery cabinet has been  
9 placed over there.

10 CHAIRMAN MURPHY: So you flip  
11 flopped the taller and the shorter?

12 MR. DEDRICK: Well, actually the  
13 first thing we did was we changed from tall  
14 cabinets to compact cabinets.

15 CHAIRMAN MURPHY: What's the  
16 actual -- do you know the height  
17 measurements?

18 MR. DEDRICK: I know the  
19 difference between the two. The difference  
20 is that the shorter cabinet is two feet  
21 shorter than the tall -- the tall cabinet.

22 So they -- in comparison to the  
23 parapet, the original cabinets were -- let  
24 me see -- were like three-foot ten inches  
25 above the parapet. So these are only now

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2 one foot ten inches above the parapets.

3 And they're moved back. I'm not  
4 exactly sure how far they're moved back.

5 They were approximately moved  
6 back three feet in this direction, which  
7 obviously because it's at an angle, doesn't  
8 give you that --

9 CHAIRMAN MURPHY: So, it's moved  
10 back three feet which way?

11 MR. DEDRICK: Towards the center  
12 of the building, and I'm not exactly sure  
13 that it's three feet, but it's been some  
14 number of feet moved back.

15 So that -- I mean, when you move  
16 it back this way, it's at an angle,  
17 sometimes you get it directly, but it's  
18 going to be shorter, the distance away from  
19 the front of the building.

20 But by moving the two over, the  
21 one over, that puts it even further away.

22 MR. PYCIOR: How deep are the  
23 cabinets? Could they not be laid on their  
24 backs?

25 MR. DEDRICK: No, they stand up a

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2 certain way. They have -- they have two  
3 styles of cabinets. They have the tall and  
4 the compact cabinets, so that's the  
5 choices.

6 MR. PYCIOR: And they have to be  
7 vertical?

8 MR. DEDRICK: Yes.

9 MR. LAUB: I think the  
10 approximate dimensions are about three feet  
11 by three feet -- wide. Three feet by  
12 three feet wide. In that dimension. On  
13 plain view of the street level,  
14 approximately.

15 CHAIRMAN MURPHY: So what I'm  
16 looking at is the revised Z3 drawing of the  
17 roof plan?

18 MR. DEDRICK: Yes.

19 CHAIRMAN MURPHY: And if I'm  
20 looking at the equipment section on the  
21 bottom center of the drawing, in terms of  
22 gauging the height, is that the relevant  
23 drawing?

24 MR. DEDRICK: Yes, these are the  
25 cabinets here.

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2 CHAIRMAN MURPHY: What is the  
3 height dimension on that drawing for the  
4 taller, I guess you'd call them --

5 MR. LAUB: I believe it was six  
6 feet ten inches in total.

7 MR. DEDRICK: No, that's the --

8 MR. SHARMA: Eight feet ten.

9 MR. DEDRICK: That's eight feet  
10 ten from the roof. So it would be eight  
11 foot ten from the roof to the top of this  
12 cabinet.

13 MR. SHARMA: These are the  
14 smaller? These are the -- they look about  
15 ten feet on these applications.

16 MR. DEDRICK: No, these are the  
17 large cabinets. It's eight-foot-ten from  
18 the roof to the top of the cabinets.

19 CHAIRMAN MURPHY: What is the  
20 height of the parapet approximately from  
21 the roof; a couple of feet, three feet?

22 MR. LAUB: Actually, it's a very  
23 high parapet.

24 MR. DEDRICK: It's five feet I  
25 believe.

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2 CHAIRMAN MURPHY: I've never been  
3 up there so I have no idea.

4 MR. DEDRICK: Five feet. It's a  
5 rather tall parapet.

6 MR. LAUB: I believe on the  
7 elevation drawings it's five feet.

8 THE VIDEOGRAPHER: If it helps,  
9 I've been on the roof and I can't look over  
10 it.

11 CHAIRMAN MURPHY: So, it must be  
12 taller than five feet.

13 Marianne, maybe you can help me.

14 MS. STECICH: Tonight I don't  
15 think you can make a decision. Even though  
16 you have revised drawings, you don't have  
17 revised photos. You need photos of what's  
18 going to be up there, and it's going to  
19 make a difference where it's shifted and  
20 where it's lower, so...

21 MR. LAUB: Yes, just  
22 procedurally, Mr. Chairman, and you know,  
23 just for -- I think that's part of the View  
24 Preservation District regulations.

25 I think tonight we were appearing

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2 because we had scheduled a public hearing.

3 The Planning Board had continued us, but my  
4 understanding is that you wouldn't be able  
5 to take action anyway until the Planning  
6 Board referred -- made a referral to you as  
7 part of the View Preservation  
8 District regulations.

9 MS. STECICH: I mean, that's just  
10 how the procedure goes. I mean, once in a  
11 while, they will, if the meetings don't  
12 coincide, approve subject to the Planning  
13 Board. But in this case that doesn't make  
14 sense because this isn't what the actual  
15 view is going to be anymore.

16 CHAIRMAN MURPHY: No, I  
17 understand. It's a process, right? So my  
18 view, particularly -- look it's important.  
19 The people are interested and we want to  
20 get it right. So my preference is what we  
21 would usually have is a positive  
22 recommendation from the Planning Board  
23 which I would like to have before we vote.  
24 But this is useful for us so at least we  
25 understand, and then the next time we don't

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2 have to go through this part of it  
3 presumably. We just have to kind of zero  
4 in on what the changes were and, you know,  
5 get the new photos and get the right  
6 drawings and then --

7 MR. LAUB: Precisely.

8 CHAIRMAN MURPHY: That's it.  
9 Because it's really the -- frankly, it's  
10 really the -- the Planning Board has first  
11 and I guess primary responsibility for  
12 approval of the site plan.

13 I mean, this needs special permit  
14 site plan approval, and then we have to  
15 approve it for View Preservation, so -- and  
16 the View Preservation issue, as far as I'm  
17 concerned, and I think I agree with Ray,  
18 it's really capped so everyone is kind of  
19 focused on all right, what are the  
20 structural possibilities of either  
21 relocating them or minimizing the  
22 visibility.

23 And frankly, you know, it's a  
24 small jungle of antennas up there already  
25 anyway, which frankly surprised me because

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2 I hadn't frankly noticed it before.

3 But when you do the -- when you  
4 do what's required by our code and you  
5 superimpose what's being proposed to be  
6 placed on the building, it's the location  
7 at the front of the municipal building  
8 right next to the library that, you know,  
9 people would like not to have that if  
10 there's a technical way to either reduce  
11 the impact or eliminate it and --

12 MR. LAUB: And that's what we've  
13 endeavored to do to date. I know our team  
14 also has an appointment with the Building  
15 Inspector Sharma next Tuesday I believe --

16 MR. SHARMA: We have a meeting  
17 Tuesday.

18 MR. LAUB: -- to review some of  
19 these issues.

20 I should note as well  
21 procedurally that we did meet earlier this  
22 week with the ARB as well to kind of begin  
23 that process and kind of have everyone's  
24 comments early on in the process, and  
25 then --



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2 MR. DOVELL, JR.: Excuse me.

3 Were other locations thought about at all  
4 off this building?

5 MR. LAUB: Yes. Yes. As I  
6 mentioned, you know, there was  
7 consideration of trying to put it in the  
8 basement, which is done often, and then we  
9 would have moved off site, and then it was  
10 just --

11 MR. DOVELL, JR.: For the  
12 antennas and the whole installation?

13 MR. LAUB: Oh, for the whole  
14 installation?

15 MR. DOVELL, JR.: Why has this  
16 building been identified as the best  
17 place --

18 MR. LAUB: This building is  
19 located in the personal wireless services  
20 facility overlay district. So it's  
21 actually one of the few locations in the  
22 village that you could actually locate  
23 antennas on.

24 There's very few other locations,  
25 zoning wise, that would permit antennas to

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2 be located. The other building --

3 And then, of course, then you  
4 have height issues and other things, but  
5 the other building in Hastings would be the  
6 Andrus building, which we did inquire  
7 about. We did ask them, and they were not  
8 willing as a landlord.

9 MR. DOVELL, JR.: It's curious  
10 because it's the center of town. It's --  
11 symbolically, it's the middle of the  
12 district, and these buildings historically  
13 have domes on their roofs and this now has  
14 a tiara of cellular antennas. It's just  
15 weird, but --

16 CHAIRMAN MURPHY: Well, one  
17 question I had too, and I realize none of  
18 us can predict the future, but I mean, is  
19 there room on the roof for more antennas  
20 and more equipment if another wireless  
21 vendor wants to come in?

22 MR. LAUB: I think it would  
23 depend on that wireless vendor's, you know,  
24 capabilities, and what they're looking at  
25 engineering wise. I suppose there's at

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2 least some room.

3 You know, I mean, we've obviously  
4 run into some restrictions in terms of  
5 where we can try to place this equipment.  
6 So I mean, that would obviously be one  
7 limitation right off the bat.

8 CHAIRMAN MURPHY: Yeah. No,  
9 that's what I'm trying to figure out. In  
10 other words, if somebody else wants to come  
11 in, they can't do it in the basement  
12 either?

13 MR. LAUB: Not as far as I know.  
14 There's no space down there.

15 Also, I mean, I should note that,  
16 you know, as a logistical matter, you know,  
17 these facilities do need some upkeep and  
18 maintenance, if there's a breakdown or  
19 something.

20 They are monitored 24/7 offsite.  
21 A technician comes once a month for regular  
22 maintenance, but in case there's a  
23 breakdown or emergency, they would have to  
24 come and check the equipment.

25 Having the Village Hall basement

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2 accessible to a technician from a company  
3 that's leasing space I think presents some  
4 other special issues which probably, you  
5 know, the Village would not want that. So,  
6 that's another issue.

7 Obviously too, there's -- if you  
8 could also put the equipment, you know, off  
9 the building in a separate kind of  
10 equipment shed or something like that, but  
11 I think the campus feel that's here at the  
12 center of town -- I'm aware there's limited  
13 space out there -- but there's art work out  
14 there, not cabinets. So I think that was  
15 part of the challenge as well.

16 CHAIRMAN MURPHY: Theoretically,  
17 you could make an equipment shed in the  
18 back of the municipal building or something  
19 like that?

20 MR. LAUB: Right, but that was  
21 not preferred when we had our discussions  
22 with the Village in order to lease the  
23 space.

24 CHAIRMAN MURPHY: Well, there's  
25 no easy solution, but putting it at the

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2 front corner of the building near the  
3 library is also not something people are  
4 all that in favor of, but anyway.

5 MR. SHARMA: Mr. Chairman, over  
6 the next few weeks I think we would like to  
7 make certain that the location that you  
8 proposed we are convinced that is the only  
9 viable location.

10 So I would like to work with the  
11 engineers and make sure that nothing else,  
12 no other locations, like we're saying on  
13 the northwest side of the building, is  
14 possible. We'll see what's up there,  
15 whether they can be relocated and what  
16 needs to be done.

17 What we really want to do with  
18 whatever solution you propose to come up  
19 with, I can support it and say yes, I have  
20 looked at it too with my engineers and we  
21 all concur that given the circumstances,  
22 that's the only viable location. But right  
23 now we haven't gone through that exercise  
24 yet.

25 MS. STECICH: Before the Zoning

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2 Board meets next there's going to be two  
3 Planning Board meetings. The September one  
4 and the October one because remember,  
5 the September meeting is early.

6 So, by the time it comes before  
7 the Board again probably these things will  
8 be --

9 CHAIRMAN MURPHY: Yes, okay.

10 MR. LAUB: As well an ARB  
11 meeting.

12 CHAIRMAN MURPHY: Let me ask just  
13 some more questions --

14 MR. LAUB: Certainly.

15 CHAIRMAN MURPHY: -- unless you  
16 wanted to do more.

17 One thing, you know, we have a  
18 schedule of rules in Section 295.85, that's  
19 the one I'm looking at, and one of the  
20 things the engineer has to certify how it's  
21 being attached to the building, and in this  
22 case it's the steel platform underneath the  
23 cabinetry. How is it being attached to the  
24 roof of the municipal building?

25 MR. LAUB: My understanding is

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2 essentially, and this is like in relation  
3 to the dunnage and the platform?

4 CHAIRMAN MURPHY: Right.

5 MR. LAUB: That there's going to  
6 be a penetration basically halfway into the  
7 parapet wall to attach to the structure,  
8 the actual superstructure of the building,  
9 the load-bearing portion of the outside of  
10 the building, which would then -- and this  
11 is very similar to the way that AT&T --  
12 precisely the way that AT&T has done it.

13 So basically not piercing through  
14 the entire parapet wall, but using that  
15 wall -- basically, half the thickness of  
16 that wall to support its structure, and  
17 that would be on the other side as well,  
18 forming basically like a long rectangle or  
19 I guess it's a trapezoid.

20 CHAIRMAN MURPHY: So what is  
21 that; four big bolts?

22 MR. LAUB: The actual mounting  
23 platform is --

24 MR. DEDRICK: Yes, it's basically  
25 each connection point on these -- they

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2 get -- they get a plate put down, which is  
3 anchored into the parapet with a bolt on  
4 each side. They're substantial bolts. And  
5 then the -- the -- it depends on the site,  
6 but then one of the -- usually at least on  
7 one side they're welded and then typically  
8 on the other side it's allowed to have some  
9 expansion, so a kind of a guide is welded  
10 in place so that they do have the ability  
11 to expand. But again, they're anchored  
12 with bolts and a specific epoxy that is  
13 engineered to hold the plates in place.

14 CHAIRMAN MURPHY: Do you know  
15 what the material and the thickness of the  
16 bolt into it is? Is it poured concrete or  
17 steel reinforced poured concrete? Is it  
18 plaster?

19 MR. DEDRICK: Oh, it's an epoxy.

20 CHAIRMAN MURPHY: No, the --  
21 what's on the roof of the building?

22 MR. DEDRICK: Oh, the roof. I  
23 believe it's laid brick. So it would be  
24 into the brick itself.

25 And there is a specific -- again,



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2 there is a specific epoxy that's used  
3 either -- and I'm certain that this is a  
4 brick structure so --

5 MR. DOVELL, JR.: By putting it  
6 in this location and using the dunnage  
7 beams that frame into the parapet, you're  
8 increasing the height of the whole  
9 installation by about one foot six from the  
10 roof to the underside of the structure, and  
11 then you have twelve inches of structure  
12 plus the deck. So by the time you're done,  
13 you have close to three feet.

14 MR. DEDRICK: There's a reason  
15 for the one foot six, and that's so you  
16 have enough room to maintain the roof. If  
17 it's any lower --

18 MR. DOVELL, JR.: But it could be  
19 set on the roof and curb mounted and it  
20 could be compressed even more.

21 MR. DEDRICK: You'd still have  
22 problems with not being able to get to the  
23 roof through the equipment area I believe.

24 CHAIRMAN MURPHY: Why is that? I  
25 don't understand.

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2 MR. DEDRICK: Well, the equipment  
3 is sitting on top. To get to any roof area  
4 underneath the equipment, you'd have to  
5 move the equipment.

6 MR. DOVELL, JR.: You could put  
7 it on curbs like air conditioning equipment  
8 is located on curbs that are ten or twelve  
9 inches high.

10 MR. DEDRICK: But then the roof  
11 has to be structurally strong enough to  
12 hold up those curbs.

13 MR. DOVELL, JR.: What is the  
14 weight of the equipment?

15 MR. DEDRICK: I don't know  
16 exactly.

17 MR. LAUB: It could be up to  
18 4,000 pounds, but I think the dunnage is  
19 really going to be a big bulk of that  
20 weight.

21 MR. DEDRICK: Right, the bulk of  
22 the weight being the battery that's  
23 probably the heaviest piece that is up  
24 there.

25 CHAIRMAN MURPHY: So, I mean,

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2 Mr. Sharma, maybe you can help. Does the  
3 Village have an engineering consultant? I  
4 mean, somebody should make sure that this  
5 makes sense.

6 MS. STECICH: When the lease was  
7 approved, one of the conditions of the  
8 lease was that the Village retain an  
9 engineer at their expense to make sure that  
10 the roof can hold it. That's been taken  
11 care of by the Board of Trustees before  
12 they leased it.

13 And then in addition it will be  
14 part of the Planning Board review, all that  
15 stuff for the special permits for the --  
16 for this facility has to be reviewed by the  
17 Planning Board before they get the special  
18 permit. So, yeah, it's being taken care  
19 of.

20 MR. LAUB: Yes, we've already  
21 been in limited discussions with Building  
22 Inspector Sharma, and in order to provide  
23 the full structure is a letter of  
24 calculations for the application in that  
25 regard.

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2 CHAIRMAN MURPHY: I mean, my only  
3 point is I read the application letter that  
4 the Planning Board got and this information  
5 was not specified, and it's supposed to be  
6 specified.

7 MR. SHARMA: It's not there at  
8 this point at all.

9 MS. STECICH: No, but that's why  
10 they were told it's not a complete  
11 application.

12 In addition to which, the  
13 Village, they'll have an engineer go out  
14 and look at it, but they'll also have a  
15 telecommunications engineer, who is going  
16 to check out the radio frequencies.

17 And he has been contacted. He  
18 did call right back.

19 So this stuff is not being  
20 overlooked.

21 MR. SHARMA: The only thing I  
22 have from the structural engineer is that,  
23 you know, the design is calling for certain  
24 standards, and when I spoke with Mr. Laub,  
25 you know, what we would like to see

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2 initially is an investigation report that  
3 the building can, indeed, support the kind  
4 of weight and what locations and they do  
5 need to understand the structure of the  
6 building, and that's not there yet. And  
7 that's the first thing to do.

8 And whether it can only be  
9 supported on the parapets, as Ray is  
10 saying, that we could do some curbs and put  
11 the platforms in the middle, and for the  
12 parapet wall you have a column.

13 So that's something I think we  
14 would need to explore with your engineers  
15 and ours.

16 And then there's also the  
17 possibility, you know, we'll look at it  
18 starting at what's best for us and then  
19 move on to the second, third and fourth  
20 measure, and where we settle, that's what  
21 we'll present to the various boards for  
22 their participation.

23 MR. LAUB: I think there will  
24 probably be a lot of progress in that  
25 regard, I think, pursuant to next week's

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2 site visit, I would imagine.

3 MR. DOVELL, JR.: Can the  
4 antennas be pushed in farther as well? Can  
5 they be pushed off the perimeter of the  
6 building?

7 MR. LAUB: No, that's actually a  
8 technological problem with the antennas in  
9 terms of when you push them back from the  
10 roof, from the edge of the roof, if you  
11 started going this way, the antennas  
12 then -- the signal is actually hitting the  
13 roof instead of actually being propagated  
14 out.

15 MR. DOVELL, JR.: So it's a sight  
16 line problem.

17 MR. LAUB: It is a sight line  
18 problem. It is a line of sight technology.

19 You know, this building is not  
20 all that high, as you know. But it does  
21 take advantage of certain topography in the  
22 area. So as, you know, the property slopes  
23 away from it, the signal is able to  
24 propagate fairly well because of the kind  
25 of perched nature of the --

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2 MR. DOVELL, JR.: But if they  
3 were pushed back and made slightly higher,  
4 then you'd still achieve your line of sight  
5 requirements.

6 MR. LAUB: Right, you can push  
7 them back, but you do then sort of increase  
8 height. On some rooftop facilities you can  
9 see a tall penthouse. There is a facility  
10 that's been approved in White Plains where  
11 there is two-story penthouse.

12 MR. DOVELL, JR.: What we find  
13 objectionable not just with your  
14 installation but with the others up there  
15 as well is that they flank the parapet, and  
16 it really -- it just kind of wrecks the  
17 appearance of the building to see these  
18 little things sticking up all over the  
19 place like toothpicks.

20 If they were pulled back, even at  
21 the risk of being slightly higher, you'd  
22 still get a reading on the cornice of the  
23 building.

24 MR. LAUB: I think it -- it's not  
25 even slightly higher.

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2 MR. DOVELL, JR.: Well, it can be  
3 calculated.

4 MR. LAUB: It can be calculated.

5 CHAIRMAN MURPHY: What is the  
6 ratio of depth to height?

7 MR. DEDRICK: For every five feet  
8 back, you have to be one foot above the  
9 parapet.

10 CHAIRMAN MURPHY: Another foot  
11 above the parapet?

12 MR. LAUB: Yeah. So you would be  
13 starting to move it back --

14 MR. SHARMA: So, for every  
15 five feet, you need to go up a foot?

16 MR. LAUB: But right now they  
17 would be mounted to the side of the  
18 parapet. Once you move them back from the  
19 parapet, you're talking about adding  
20 additional sort of mounting mechanisms  
21 which are usually like sled weights or  
22 weighted structures onto the roof adding  
23 load to the roof.

24 MR. DOVELL, JR.: I understand.  
25 But what you see coming down the hill,



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2 which is not shown in this photograph, are  
3 these things that look like they're part of  
4 the architecture of the building and it  
5 really -- it disrupts -- it disrupts the  
6 reading of the building to have them in  
7 that perimeter.

8 And if they were pulled closer  
9 together and pushed back, I think you would  
10 preserve the profile of the building.

11 It's a nice little building.  
12 It's a symmetric little building with a  
13 portico in the front. It's a classic town  
14 hall building. And these antennas and  
15 these boxes undermine the reading of that  
16 clarity.

17 And if they were -- it's not that  
18 you can't have something on the roof. You  
19 can. But it might need to be pulled back  
20 in a way that it doesn't look like it's  
21 part of the architecture, and that's my  
22 concern.

23 MR. LAUB: But that would make  
24 Metro PCS's facility much different than  
25 the existing AT&T facility.

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2 MR. DOVELL, JR.: I was not  
3 involved in the approval of the other one,  
4 and this is a lousy precedent, to be  
5 honest.

6 MR. LAUB: But that's -- that's  
7 doing something that would be different  
8 from the AT&T; that's --

9 MR. DOVELL, JR.: You have  
10 several antennas as well as your equipment  
11 that's right at the edge of the building.

12 MR. LAUB: Well, the equipment,  
13 as I mentioned, we have taken measures to  
14 take -- to eliminate the visibility of the  
15 equipment.

16 CHAIRMAN MURPHY: One of the  
17 other factors I wanted to just ask you  
18 about because hopefully -- we have to ask  
19 you these questions, anyway. We might as  
20 well do it now for a little while.

21 One of the factors is why you  
22 need to use this facility to provide  
23 service in this area, and why couldn't you  
24 use either shared facilities or other  
25 facilities in another village or outside

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2 the village?

3 MR. LAUB: There is a distance  
4 involved in terms of the coverage area. We  
5 did include, as part of our original  
6 application, in Exhibit B, the coverage  
7 plots which are associated --

8 CHAIRMAN MURPHY: Sorry, which  
9 exhibit?

10 MR. LAUB: Going to Exhibit B, we  
11 provided a -- an affidavit from our radio  
12 frequency engineer, Greg Sharpe, who's here  
13 this evening, describing, you know, the  
14 kind of unserved area which Metro PCS is  
15 looking to serve which is in this little  
16 area, you know, around the village hall  
17 site.

18 And if you look at Exhibit B,  
19 Tab 2, you can see obviously there's no  
20 coverage and that's basically what's  
21 existing because Metro PCS has no coverage,  
22 has no network for that at this time.

23 You then have on Exhibit -- Tab 3  
24 of Exhibit 3, you have what this proposed  
25 site would provide in terms of that.

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2 CHAIRMAN MURPHY: So I guess the  
3 green shading.

4 MR. LAUB: The green shading  
5 represents the reliable signal coverage for  
6 this facility.

7 Basically, you know, you're  
8 looking at a fairly limited area in terms  
9 of -- in terms of, you know, what's your  
10 standing in terms of signal.

11 It is, as I mentioned, a line of  
12 sight technology, which is reliant on or  
13 it's impacted by topography and morphology  
14 of --

15 CHAIRMAN MURPHY: So the way this  
16 technology works is that the antennas and  
17 equipment going up on the municipal  
18 building is essentially going to serve the  
19 center of Hastings?

20 MR. LAUB: Exactly.

21 CHAIRMAN MURPHY: That's the area  
22 that's being served?

23 MR. LAUB: That's the area that's  
24 being served by this site.

25 CHAIRMAN MURPHY: And don't they

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2 have any other facilities that could serve  
3 this part of Hastings?

4 MR. LAUB: No.

5 CHAIRMAN MURPHY: Do you have any  
6 facility in any of the other neighboring  
7 towns or --

8 MR. LAUB: I think -- not yet,  
9 but there are applications pending in Dobbs  
10 Ferry, but they would basically be linked  
11 up with this site.

12 There are also applications  
13 pending in other municipalities around  
14 Westchester County, but essentially they  
15 work so that they can hand off of each  
16 other so that they have actually sort of  
17 places of their coverage that reaches to a  
18 point where the other facility will pick it  
19 up. So that as you travel through an area,  
20 you don't have a drop in calls.

21 CHAIRMAN MURPHY: In other words,  
22 what I'm driving at, is your facilities, if  
23 they were to go up in this municipal  
24 building in Hastings, aren't going to cover  
25 Dobbs Ferry; they're not going to cover

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2 Yonkers?

3 MR. LAUB: No, no. That's not  
4 what their -- the purpose is to be serving  
5 the area here in Dobbs Ferry and the area  
6 here in Hastings.

7 CHAIRMAN MURPHY: Okay.

8 It's your understanding the only  
9 other available site would be the Andrus  
10 facility?

11 MR. LAUB: Yes, between -- in  
12 terms of what's available and under the  
13 zoning and then in terms of height and  
14 technological feasibility. So we did  
15 investigate that site and an installation  
16 there will not work in this area.

17 CHAIRMAN MURPHY: How are the  
18 antennas themselves going to be attached to  
19 the roof parapet?

20 MR. LAUB: There is essentially  
21 bracket mounting. There's a couple of  
22 brackets that sort of go into the sides of  
23 the parapet.

24 CHAIRMAN MURPHY: I take it  
25 that's much less than the equipment weighs?

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2 MR. DEDRICK: Yes.

3 CHAIRMAN MURPHY: For me, I guess  
4 the question too is if this goes up and we  
5 find the location up here of the equipment  
6 gets, you know, everyone's blessing, is  
7 there room left for anything else?

8 MR. LAUB: You know, that's  
9 really a function of what would be  
10 proposed, whatever a future carrier would  
11 have in terms of equipment. I mean, like I  
12 said, it seems fairly limited up there.

13 We're having, you know,  
14 obviously, you know, some difficult times  
15 finding, you know, the perfect location for  
16 our equipment. This is where we had  
17 selected and I don't know where other  
18 equipment would go without some -- some  
19 changes.

20 CHAIRMAN MURPHY: I did have a  
21 question, if I read this right. I don't  
22 quite understand it.

23 In your engineer's letter it says  
24 that the sixth proposed antenna will be  
25 attached to the parapet walls and would be

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2 painted to match the building facade. I  
3 don't understand that.

4 MR. LAUB: Generally, I think the  
5 proposition was for white. About the mid  
6 majority of the soffit, the white -- I  
7 think the white matches the white trim  
8 along the top of the building. So this  
9 would be a similar white. It wouldn't be a  
10 contrasting color. So the idea would be  
11 that they would be -- they wouldn't be a  
12 contrasting color.

13 CHAIRMAN MURPHY: Well, I guess  
14 in terms of the engineering, we've got to  
15 take care of that.

16 MS. STECICH: It's just before  
17 this board for view preservation. So the  
18 other boards have to take care of that.

19 CHAIRMAN MURPHY: I guess the  
20 problem I have is I agree with Ray, when I  
21 walked down Spring Street and looked up,  
22 this building is loaded with stuff on the  
23 roof. It's all over the place, and it  
24 already looks like a mess.

25 MR. SHARMA: There are two



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2 aspects. There's view preservation,  
3 whether they are blocking the view of the  
4 Palisades, that's one aspect. And the  
5 looks of what's up there, that's the other  
6 aspect of this, to look at it.

7 And the painting, you know, I've  
8 seen some of this when I was working in  
9 Croton. In some of those structures they  
10 have expected or worried to camouflage the  
11 antennas by painting or doing something so  
12 the things sort of disappear.

13 I think that's what they were  
14 referring to when they said they would be  
15 painted to match the facade.

16 What happens when you work with  
17 them or whether or not that will be  
18 necessary, whether or not that will work,  
19 you will have to look into it.

20 CHAIRMAN MURPHY: I guess in  
21 terms of the view of the Palisades, if  
22 anything, I guess it's the view of a couple  
23 of buildings located directly across the  
24 street.

25 I mean, I went into the parking

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2 lot behind Chase, and it's hard to see too  
3 much through the gaps, including the  
4 buildings that are directly across the  
5 street.

6 MR. FORBES-WATKINS: The  
7 shopping -- the stores further south I  
8 think have a magnificent view of the top of  
9 the building with all the antennas sticking  
10 up. It's very queer.

11 CHAIRMAN MURPHY: I don't think  
12 it's blocking the Palisades.

13 MR. SHARMA: View Preservation is  
14 strictly -- technically talks about the  
15 view of the Palisades.

16 MR. LAUB: Just to kind of back  
17 up a little bit on something, I guess --  
18 kind of to the point of how to move the  
19 antennas back, one of the points we kind of  
20 discussed before, and the stealthing  
21 opportunities.

22 I think previously my  
23 understanding is that with the AT&T  
24 application, there had been some sense of  
25 maybe trying to do something along the

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2 lines of like a -- some sort of stealth  
3 penthouse or something that would work to  
4 shield the antennas and work with the  
5 building.

6 The problem being that SHPO made  
7 a determination that, as a historic  
8 building, they didn't want to see any kind  
9 of additional superstructure changing the  
10 lines of the building in that dramatic a  
11 fashion and adding new structure to it.

12 So that was made -- that  
13 determination was made previously and that  
14 the preference really was to just have the  
15 equipment minimized in terms of just having  
16 antennas along those -- along that way.

17 So I think that's been part of  
18 the history regarding the placement of the  
19 antennas along those lines that's been  
20 discussed as well as how you match things  
21 up.

22 CHAIRMAN MURPHY: So Marianne,  
23 just so I'm clear, our charter is only to  
24 make view preservation approval?

25 MS. STECICH: At this time it's

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2 just before you for view preservation.

3 In the past there have been  
4 applications before the Zoning Board that  
5 required more review because that's when  
6 they were seeking to put up facilities  
7 outside the overlay district. But if it's  
8 in the overlay district, it's just for the  
9 Planning Board to make all those  
10 determinations. It's before you for view  
11 preservation only.

12 CHAIRMAN MURPHY: So, any other  
13 questions for tonight? I think we'll just  
14 adjourn the meeting until you get further  
15 along in the process and come back to us,  
16 but unless any of the other board  
17 members --

18 MR. COLLINS: Mr. Chairman, I  
19 have a question. Actually, this is more  
20 about the technology itself, the equipment  
21 and the antenna, and I'm curious what your  
22 estimation is for the effective life of the  
23 antenna and the equipment.

24 MR. LAUB: In terms of how long  
25 it will function?

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2 MR. COLLINS: You're not building  
3 something out of cement or -- you know,  
4 this is a piece of electronic equipment,  
5 right, that has to be wired and operated  
6 and like other technologies, like our PCs  
7 and computers that go obsolete, cellular  
8 technology is always evolving. So I'm  
9 curious; what does Metro PCS estimate to be  
10 the effective lifespan of the technology  
11 that's being considered here?

12 MR. SHARPE: Greg Sharpe with  
13 Metro PCS.

14 The antennas themselves are  
15 just -- they're passive devices. There's  
16 just power going to the antennas, and  
17 antennas can last for 20, 30 years.  
18 They're steel. They're watertight. That's  
19 not an issue. They've been around for the  
20 last 20 years.

21 They do fail once in awhile, and  
22 we replace them. It's very easy to do.  
23 It's very quick.

24 In terms of the equipment, it's  
25 made by Lucent Alcatel. It's state of the

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2 art equipment, and they've been producing  
3 this sort of technology for the last 15 or  
4 20 years.

5 So that cabinet would be up there  
6 probably for 15 or 20 years. You would  
7 have electronics that would be replaced;  
8 radios; things fail; amps fail, but  
9 everything's monitored, alarmed 24/7. So  
10 if an amplifier comes down, a technician  
11 can come out and just swap it out. So, but  
12 overall, it's -- yeah, things do break like  
13 PCs, but the technology is very stable and  
14 it's been around and will be around for a  
15 while.

16 MR. COLLINS: And is it generally  
17 true that the trend for the equipment, the  
18 supporting equipment, like other  
19 electronics is getting smaller over time,  
20 generally speaking?

21 MR. SHARPE: Yes. Generally  
22 speaking, if you look at the history of  
23 what Lucent makes, it has gotten smaller  
24 and smaller or it's maintained its size,  
25 but it's added enough capacity so instead

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2 of having -- as your network grows, instead  
3 of adding three cabinets, having one  
4 cabinet for each sector, it's now down  
5 where you can have one cabinet that  
6 controls all three sectors, and then you  
7 can continue to add more capacity with that  
8 one cabinet versus adding a second cabinet  
9 because you've exceeded your capacity  
10 growth.

11 So it's definitely become a lot  
12 more compact.

13 MR. COLLINS: Okay. Thank you.

14 CHAIRMAN MURPHY: Mr. Laub, thank  
15 you. I guess we'll adjourn until our next  
16 meeting.

17 (Whereupon, there was a  
18 discussion held off the record.)

19 MR. SHARMA: It was reported to  
20 me a few months ago that some kind of  
21 construction has gone on at 17 Villard  
22 Avenue. I went out to see and I saw a kind  
23 of prefabricated metal ramp in the front  
24 yard leading from the sidewalk to the front  
25 door of the house.

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2 I went in there and I saw there  
3 was an elderly, probably 80, 90 years old  
4 lady, who's the husband's mother. She has  
5 come from Michigan or something to live  
6 with the daughter and she is handicapped  
7 and it is for her purpose that they  
8 installed it, a sort of demountable sort of  
9 ramp.

10 At one time we thought we'd let  
11 it be, but then after I discussed it with  
12 Marianne, it was determined that it is a  
13 kind of structure, construction in the  
14 front yard, and as such, would require to  
15 go through the process of coming before you  
16 and getting a variance. Is that correct,  
17 Marianne?

18 MS. STECICH: You're making it  
19 sound like I'm the one who said go after  
20 them --

21 MR. SHARMA: No, no, no.

22 MS. STECICH: I think you should  
23 just make it clearer, I was not the one who  
24 said go after them. You asked me is this a  
25 structure and I said yes, it was.



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2 (MULTIPLE SPEAKERS)

3 MR. SHARMA: -- and I sent  
4 Miss Osborn (phonetic) a letter saying that  
5 it has been determined that you have done  
6 some minor construction on your house. You  
7 have built this ramp and saying she would  
8 need to legitimize it and come to the Board  
9 and get a variance, and she responded with  
10 that letter. So that's the letter.

11 If you read the letter, she is  
12 asking the Board whether it really is  
13 necessary for her to go through this  
14 process, cost and expense, to get the  
15 variance.

16 CHAIRMAN MURPHY: Well, I guess  
17 I'm going to defer this until I have a  
18 chance to read it and think about it  
19 because I can't do this on the spot.

20 I'll go take a look at it. You  
21 said 17 Villard?

22 MR. SHARMA: Yes.

23 CHAIRMAN MURPHY: Was there a  
24 complaint filed by a neighbor?

25 MR. SHARMA: I was asked by a

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2 friend of the village manager. Someone who  
3 must have talked to him.

4 MS. STECICH: Just for what it's  
5 worth, in the past we have required -- in  
6 fact, for Marc's mother --

7 CHAIRMAN MURPHY: Is that right?

8 MS. STECICH: Yeah, when she was  
9 coming home from the hospital. Wasn't  
10 there a ramp installed in the front of your  
11 house?

12 MR. LEAF: Sure.

13 MS. STECICH: And they did come  
14 before the Zoning Board because it required  
15 a variance.

16 And then some of you might have  
17 been on the board, within the last ten  
18 years, remember there was a woman who came  
19 because her husband or boyfriend or  
20 whatever was getting released from the  
21 hospital; he had been in a bad motorcycle  
22 accident.

23 MR. PYCIOR: Yes, by John's Bar  
24 or near John's Bar.

25 MS. STECICH: Yeah, and they had

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2 to put up a ramp.

3 MR. PYCIOR: And they had to  
4 appear before us.

5 MS. STECICH: Right, and they did  
6 come before us.

7 Once in a while this issue's come  
8 up, like in this situation, sometimes an  
9 emergency situation comes -- and I don't  
10 remember whether in either of those cases  
11 they put it up and then came to the board,  
12 you know, to get it legitimized. So the  
13 practice -- it hasn't, unfortunately, you  
14 know, come up a lot, but when it has come  
15 up a come up a couple of times, the Board  
16 has required variances if variances were  
17 necessary.

18 MR. SHARMA: They were  
19 anticipating they may be getting into a  
20 similar situation; that another person was  
21 going to be moving into their house and  
22 they would need a ramp, and what would they  
23 need to do and, again, I initially  
24 consulted Marianne, and it was determined  
25 that they would have to go through the

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2 process. However, if it needs to be done  
3 urgently, they can go ahead and do the ramp  
4 and catch up later.

5 MS. STECICH: Not to encourage  
6 just do it yourself, but with some sympathy  
7 recognizing that --

8 MR. SHARMA: We did see a similar  
9 situation --

10 MS. STECICH: And it's certainly  
11 a sympathetic situation, but --

12 CHAIRMAN MURPHY: But we go  
13 through the process and we can make a  
14 recommendation. I mean, I think we had one  
15 a few years ago down on Farragut Parkway, a  
16 gentleman's wife was ill and he built a  
17 ramp; she had needed wheelchair access to  
18 the home.

19 MS. STECICH: Absolutely.

20 MR. DOVELL, JR.: Does this have  
21 a foundation to it or is it just simply a  
22 piece of equipment that --

23 MR. SHARMA: You know, again, it  
24 depends on -- you could say it's a piece of  
25 equipment, a piece of landscaping. I mean,

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2 no. It doesn't have a foundation. It does  
3 have adjustable pedestal parts and there's  
4 like some metal, and I guess it can be  
5 telescopically squeezed together to cart  
6 away, scope away.

7 MR. FORBES-WATKINS: How is it  
8 seated against the facility so it doesn't  
9 move?

10 MR. SHARMA: I think that the  
11 weight of it keeps it in place.

12 If it's been kind of anchored, I  
13 didn't check. It's possible that they may  
14 have put one or two anchors in it.

15 MS. STECICH: But that shouldn't  
16 make a difference. If you look at the  
17 code, the definition of structure is really  
18 quite broad.

19 CHAIRMAN MURPHY: Even though  
20 it's portable, it still --

21 MS. STECICH: Yes, in fact it  
22 says structure, whether permanent or  
23 temporary. I mean, it's pretty broad.

24 Let me read you the definition of  
25 structure just because it might be helpful,

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2 although we just modified it; the new one's  
3 got new code, but this part of it, the  
4 beginning part of it wasn't modified.

5 "A combination of materials  
6 assembled, constructed or erected, whether  
7 temporarily or permanently, at a fixed  
8 location, including without limitation --"  
9 and then it goes on, "which requires  
10 location on the ground or attachment to  
11 something having location on the ground."

12 So it's on the ground. We pretty  
13 much covered everything, which is why we  
14 have issues to these kids' playhouses, and  
15 you know, that's why we had to clarify the  
16 definition of structure not to include  
17 these. It's a pretty broad definition.

18 MR. DOVELL, JR.: Does it say  
19 attachment to it?

20 MS. STECICH: No, no. "Which  
21 requires location on the ground or  
22 attachment to something having location on  
23 the ground."

24 CHAIRMAN MURPHY: We can't handle  
25 this right now. So we'll defer that and

1 ZONING BOARD MEETING OF SEPTEMBER 11, 2008

2 try to resolve it and the -- and if they  
3 need to file an application, we'll deal  
4 with that too.

5 MR. SHARMA: In the meantime,  
6 Marianne, should I respond to this letter  
7 in any way?

8 MS. STECICH: It's up to the  
9 Zoning Board. The letter was to the Zoning  
10 Board.

11 MR. SHARMA: If she calls, I can  
12 tell her we discussed the letter and the  
13 Board will advise me how to handle it in  
14 the next meeting or something?

15 MS. STECICH: Sure.

16 CHAIRMAN MURPHY: Sure. I mean,  
17 that's fine, but I need to go look at it --  
18 and --

19 MS. STECICH: It's already up,  
20 right?

21 MR. SHARMA: Yeah.

22 MS. STECICH: So it's not like  
23 anybody's being held up by it.

24 MR. PYCIOR: If ultimately we  
25 approved it, you would then check its

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2 structural integrity and all. Do we have  
3 any guidelines for --

4 MR. SHARMA: She says in her  
5 letter, there is no foundation to inspect.  
6 There is no framing to inspect. It's a  
7 kind of prefabricated, premanufactured  
8 ramp.

9 A lot of times in a situation  
10 like this, we take the manufacturers'  
11 specifications and manuals, and as long as  
12 they have some kind of certification, this  
13 can withstand certain kind of weight, we  
14 put that in the file and give the permit  
15 based on that.

16 CHAIRMAN MURPHY: All right,  
17 then. Motion to approve the minutes from  
18 our previous meeting, which was the end of  
19 July, the July 24th, 2008 meeting.

20 MR. PYCIOR: So moved.

21 CHAIRMAN MURPHY: Do I have a  
22 second?

23 MR. FORBES-WATKINS: I'll second.

24 CHAIRMAN MURPHY: All in favor?

25



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2 MR. PYCIOR: Aye.

3 MR. FORBES-WATKINS: Aye.

4 MR. DOVELL, JR.: Aye.

5 CHAIRMAN MURPHY: Aye.

6 MR. COLLINS: Aye.

7 (ALL IN FAVOR.)

8 CHAIRMAN MURPHY: Our meeting is  
9 adjourned until our next month's meeting.

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11 (Whereupon, at 9:25 P.M., this  
12 meeting was adjourned.)

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C E R T I F I C A T I O N

STATE OF NEW YORK        )  
                                  ) SS:  
COUNTY OF WESTCHESTER )

I, Traci L. Collins, a Registered Professional Reporter and Notary Public within and for the State of New York, do hereby certify:

THAT this is a true and accurate record of the meeting of the Village of Hastings-On-Hudson Zoning Board of Appeals held on this 11th day of September 2008.

I further certify that I am not related to any of the parties who participated in this meeting by blood or marriage and I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of September, 2008.

---

TRACI L. COLLINS, R.P.R.

