

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
NOVEMBER 17, 2016**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, November 17, 2016 at 8:15 p.m. in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Chairperson Kathleen Sullivan, Boardmember James Cameron, Boardmember Eva Alligood, Boardmember Michael Ambrozek, Boardmember Kerry Gould-Schmit, Boardmember William O'Reilly, Boardmember, Boardmember Richard Bass, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Planning Board Secretary Mary Ellen Ballantine

Chairperson Sullivan: Good evening. Welcome to the Village of Hastings Planning Board regular meeting of Thursday, November 17, 2016. May I have the roll call, please?

I. ROLL CALL

II. APPROVAL OF MINUTES

Meeting of September 15, 2016

Chairperson Sullivan: We have two sets of minutes to approve this evening. The first one is from September 15, 2016. We had a couple times to get comments on that. Are there any comments on those meeting minutes from the September 15 meeting? OK, I think everyone's here who was there, so may I have a motion to approve the minutes from our September 15, 2016 meeting?

On MOTION of Boardmember Alligood, SECONDED by Boardmember Cameron with a voice vote of all in favor [Boardmembers Ambrozek and Gould-Schmit abstaining], the Minutes of the Regular Meeting and Public Hearing of September 15, 2016 were approved as presented.

Chairperson Sullivan: Thank you so much.

Meeting of October 20, 2016

Chairperson Sullivan: The next set of meetings are the minutes from our meeting of October 20, 2016. Are there any comments on those minutes? I have some that I have just in written form, some things. Anyone else?

On MOTION of Boardmember Bass, SECONDED by Boardmember Gould-Schmit with a voice vote of all in favor [Boardmember Alligood abstaining], the Minutes of the Regular Meeting and Public Hearing of October 20, 2016 were approved as presented.

Chairperson Sullivan: OK, so we have passed those minutes. Thank you. We've cleaned up our slate.

III. NEW PUBLIC HEARINGS

Accessory Apartment Approval- Application of Sarah Knox - 618 Broadway SBL: 4.40-27-33. Waiver required for square footage.

Chairperson Sullivan: We have, today, one new public hearing. It's an accessory apartment approval application for Sarah Knox, at 618 Broadway. A waiver is required for square footage. Buddy?

Building Inspector Minozzi: There have been no changes in this accessory apartment since the last inspection. There have been no complaints received by this office in the last three years. The apartment is a separate structure, an accessory structure, from the main residence. It's a former carriage house. The structure is over the allotted percentage in size. The structure is nonconforming due to location for an accessory apartment. It's 41.2 percent of the primary residence, which is 16.8 percent of the size.

We recommend it be approved.

Chairperson Sullivan: Thank you. Anyone here to talk about the application? Anyone here to from the public to speak on this? Anyone from the Board have any comments?

Boardmember Cameron: I better abstain because I'm within so many feet of that building. I'm in favor of it.

Chairperson Sullivan: So you snuck that in. May I have a motion to approve the accessory apartment application?

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember O'Reilly with a voice vote of all in favor [Boardmember Cameron abstaining], the Board resolved to approve the renewal of the accessory apartment permit application for 618 Broadway.

Chairperson Sullivan: That has been passed. Thank you very much. May all our meetings go so fast.

IV. NEW BUSINESS – None

V. OLD PUBLIC HEARINGS

View Preservation Advisory & Site Plan Approval- Application of Tabi Realty, LLC, as per Sections 295-82 and 295-104, for the demolition of an existing three-family and construction of a new building containing three townhouse units on its property at 425 Warburton Avenue. Said property is located in the MR-0 Zoning District and is known as SBL: 4.70-52-10&11 on the Village Tax Maps.

Chairperson Sullivan: We have one old public hearing today, which is a view preservation advisory and site plan approval. I'd like to say, before we start, that this is the third meeting that we've had on this application, and I think it's now the third option. So we're still kind of in the preliminary figuring out what's going on mode for both parties, and we look forward to hearing your presentation this evening. Thank you for the drawings that you've produced; they were very clear and very comprehensive.

Christina Griffin, project architect: I'd like to, first, go through my letter to describe changes to the submission for this meeting. In response to the comments at the last Planning Board meeting, we looked very hard at how we're going to configure the three units. When we left the meeting last time, we had talked about looking at one apartment per floor and we did explore that. But our clients want very much to do three independent townhouses because there's a sense that there's more value attached to independent units that are not one on top of the other.

We went back to a three townhouse scheme, but we did address some of the other concerns. I'm going to go through the site plan. Let's see if I can blow this up. I don't know if you can see the site plan on the right. I think we've got these things under control. Let's see if I can get this screen here. What we've decided to do is, we brought the building forward. The reason for that is because now the back of the building is lined up where the existing building used to be. We know if we do that we can keep the views looking north-south from this property to the north and this property from the south. Our goal is to line up most of the building with where the existing building is now. There is a piece of the garage that does go out beyond that, but that's way down below at the basement garage level. Also, by moving the building forward we found the view looking down from the uphill properties have a better view.

We have now, also, a zoning study – actually more of a front yard setback study – to show how many properties on the street are actually zero lot line. This is Suzanne Lopine and she's going to hand that out to you. We weren't able to get that in your package, but you can look at just to see it. I'll show you, that's the next screen. By bringing the building forward it really helps to improve the view looking down over the building, but it's also very consistent with what's on the street. We did a study of 38 properties. Of the 38, there 16 of them that had a zero front lot line, which means the buildings were right on the property line along Warburton Avenue. That was 42 percent of the properties, and 63 percent had zero lot line properties front and side. By bringing it to that front property line, it's very consistent with what you see on the street.

We also took a look at how we could lower the building so it wouldn't be any higher than the building that's there. We had at least two property owners who were concerned, looking down over the building. So we took more photographs from their properties up on the street parallel to this. I'll show you, when we get to the view studies, we looked down at the building. We found that yes, indeed, if the building was any higher there would be some reduction of the view from the neighbors above. We were able to keep the building at the same height simply by putting the ramp, or the driveway, on this side of the building rather than the other side. This angle makes this ramp longer. It's a matter of geometry. When it goes straight we have less length. So we have more length now to get further down the hill. Plus, there's a 2-foot difference from one end to the other so we're starting at a lower point. By putting the driveway on this side, we actually can get down, now, to a garage level; have all our floor heights above so the top of the roof is now in line with the existing building.

We also were able to meet the side yard setback on this side. The building right now, the existing building, touches a property line. We're eliminating that, and we're going to create a 17-foot setback, 12-foot driveway, and the 5-foot buffer. We were asked to get in touch with Westchester County DPW. We spoke to two engineers. One engineer, Mike Dispenza, said

the 12-foot minimum is fine. Another engineer said it should be 16. We really have to go through the process of having a formal review by the county to see if we can settle this. We're going to bring to their attention that there are other driveways on the street that have even less than 12 feet and some of them were approved in the last 15 years – the one for the townhouse that is closer to Washington street.

Chairperson Sullivan: I think it's been mentioned that that was approved by the Planning Board. That also is part of Warburton so, at some point, it would have gone to the county's review.

Ms. Griffin: Yes, right, right.

Chairperson Sullivan: You know, bringing that up as an argument ... thank you. I want to hear more about that later.

Ms. Griffin: We're going to need to explore that further.

In response to the comments from last time, we have changed the layout so there is now an elevator – a common staircase – going from the garage up to the units, up to the first floor, and an elevator that is going up to one of the units which is handicapped-accessible. Since we flipped the garage plan, we now go down – and I should go back to the garage plan to explain that – and we have the exact same garage plan we had before. All we did is, we reversed it. (I can't seem to enlarge it. OK, got it). This is our garage plan, which is where it's very similar. We're showing our structural bays and our structural columns. We've added that to our drawings. We're showing a common staircase, and an elevator coming up from the garage, so every resident could come in here and come and use that stair to go up to the next level. It's actually the same plan as before, with the waste areas back here and access to a greenspace in the back.

Our first-floor plan. In response to comments about having too many entrances, we have now only two entrances. We have one common entrance for two units on this side and one independent entrance over here. That's because this is an entry that can be shared by these units. There's a little common vestibule, and the residents can go down this common staircase to the garage. This resident would have to go down the sidewalk, but enter this lobby to go down the staircase. This elevator is meant only for the handicapped unit.

Our second floor layout is very similar to what we had before. We have a similar layout to before, except now we have an angled shape for this unit. We might actually overhang the second floor to make a better layout for the bedroom space here, but they are still three-bedroom, two baths; two bedrooms on the second floor and the third bedroom on the third

floor, with a common space, or family room, with decks. All those decks fit within that footprint which is lined up with the existing building.

Boardmember Bass: In your study, what was the average width of the existing buildings on Warburton?

Ms. Griffin: We don't have the average width, but we can get that. You could take a look at this plan because I can just tell you roughly – just because I know the street well and a lot of the older buildings in the downtown – they range from as narrow as, I think, 18 feet, and can go up to 25 or 30 feet.

Boardmember Bass: OK, that's my sense of the rhythm of that street. But you're proposing units that are 12 feet, 16 feet wide.

Ms. Griffin: Inside, yes.

Boardmember Bass: Then when you count the stairs and the bathrooms, you have really constrained floor plates. I'm wondering, is this really a site plan for two units as opposed to three units.

Ms. Griffin: I'm going to go back to the layout. I have been designing a lot of townhouses, and I know even for 32-34 Washington our two-bedroom units are 16 feet wide. But on the second floor, there's a bedroom on each end just like we're doing here. But we have three floors here, so you go up to the third floor and that's where the third bedroom is.

Chairperson Sullivan: I have one thing to add to that, I think. I had the same sense that with the rigidity of the townhouse you have to have a certain width and a certain length to make it work just because it's similar kind of layouts. There's a setback here that's substantially under what it should be, on the south side. It, again, plays into maybe there's one more unit that this site can actually hold.

Boardmember Bass: Also – and maybe I'm just a little slow tonight – can you literally walk me into the building and show me how the circulation works, coming from the sidewalk? I was confused on how one enters these units, since I only see two doors.

Ms. Griffin: OK.

Boardmember Bass: OK, visually it looks better as a two-unit façade.

Ms. Griffin: Yeah.

Boardmember Bass: But I'm confused. And there are other buildings or other developments on Warburton that have kind of funky entrances I'm not a big fan of. I don't think they work urbanistically (ph).

Ms. Griffin: Right. First of all, you mentioned 12-6. That's only the narrowest point here. This unit widens to 18 feet in the front, and these two are 16 feet 2 wide. This unit on the end is entered through this entryway, there's a common entry here. The stair for the garage is in that entry. You go through that, and you can enter this unit. Each unit has its own internal stair up to the second and third floor. This unit, you take a right off the common entry. It has a similar layout – kitchen, dining room, living room – with an internal staircase going up to the second floor. This unit, you would enter off the sidewalk. The entrance is here, and then it has the internal stair upstairs. If you're in this unit you would have to come outside, back inside to go down the staircase to enter the garage.

Boardmember Bass: And the common area the two units enter off of, who would maintain or who controls that?

Ms. Griffin: That would probably be like a condo arrangement. That would be common space. A lot of condo arrangements have common space, maintenance charges that they share, to maintain that space.

Chairperson Sullivan: Is that a no-step entrance. If I'm the person that's using, and owns, unit one?

Ms. Griffin: No-step, yes. This has to be handicapped-accessible, coming in here.

Chairperson Sullivan: Good, thank you.

Ms. Griffin: The reason we cannot link this to that common area is because when you do townhouses that front and rear façade is where you're getting your natural light, especially in the middle unit. We can't interrupt this middle unit to get to that one.

Boardmember Cameron: The problem with your image of the third unit-holder going and using the internal staircase, you just got to take a left-hand turn out and go walk down the drive through the garage. They're not going to go in that stair. And quite frankly, the people who come back from the grocery store in their car, they see a car spot on the street they're going to park it there, bring their groceries in that way, and not move their car. That's the big problem we have already with the affordable units across the street. That parking lot is empty and the street is half ... so this single elevator is not a very good idea. In fact, I think

the units upstairs maybe you've got a little wider down here. Upstairs, they remind me of friends with railroad flats of the 1920s. I mean, it's one bedroom at either end and a 4-foot wide corridor – in many cases a 3-foot wide – corridor running the length of the building. Anyway, I'm going to talk about it later once you get through your presentation.

Ms. Griffin: Sixteen-two is our clear space (cross-talk) ...

Boardmember Cameron: I'm talking about the corridors. It's 3 or 4 feet wide.

Ms. Griffin: No, these are 3 feet 9. Three-foot corridors are no longer (cross-talk) ...

Boardmember Cameron: Well 3. I said 3 or 4 feet wide.

Ms. Griffin: Yeah. Some of those railroad flats were very narrow, and sometimes you had to go through one room to get to another which doesn't meet code anymore.

Boardmember Cameron: Right.

Ms. Griffin: We actually really looked ... we have layouts for one unit per floor, but because our clients feel that's just not as ... they seem more like apartment living and they're not as private; there could be noise transmission between the floors. For a lot of reasons, they said the strong preference is for the townhouse layout.

So have I taken you through the units sufficiently enough? I didn't take you up to the third floor.

Boardmember Bass: Can you go to the second floor again?

Ms. Griffin: I'll go to the second floor. You go upstairs from the internal staircase. This is our handicapped unit, and there's a bedroom on each end: 16-2 for this unit, 13-9 – for this one – by 10, two bathrooms back to back. These other units are very similar, except this one has this angled shape in the bedroom. But the bedroom is still 16 by 12-6 at the nature point. On the third floor, we have (cross-talk) ...

Boardmember Bass: On the second floor, I'm sorry.

Ms. Griffin: OK.

Boardmember Bass: The hallways, particularly on the second unit, looks particularly small. Is that just visual? It would be easier if they were marked.

Ms. Griffin: Yeah. You know, we can add more detail. But I just said we don't normally do 3-foot hallways, but I just think what we would probably do in this case – because, you know, we are going through so many different schemes right now – instead of having that open space, well, we can take that whole space to make it a ... I would like to make sure they're at 3 feet 6, not 3 feet. You see this well here.

Boardmember Cameron: Yeah, because they were 3 feet.

Ms. Griffin: I think so, but I think we'll make sure they're not because that's not desirable. We have the space because we can go right up to the staircase here.

Boardmember Bass: Again, not to micromanage your design – because it's such a small footprint, because you're trying to get three units in this space – the two-bath scenario on the second floor further constrains that footprint. They're such small units. Why the need for two bathrooms? If you had one bathroom that was a little bit larger you would have a better circulation.

Ms. Griffin: Your comment is noted. I think when we get this shell in better shape, and we know what the height and the shape is, we're going to go and fine tune these plans. I appreciate thought. I think, at the time, we're not sure if this would be ... usually we want a bathroom for the master so we were wondering if like maybe this would be the master, and then upstairs this might be considered a third bedroom. Well, you see there are no doors on the plan. These are called "schematic plans" because they're not developed yet, but thank you for that comment. We'll take a look at that.

Then on the third floor, we had a common area because we have the decks on the third floor and wanted to keep the decks within the footprint of the building, plus the view is terrific up there. We thought maybe the third floor would be a place where you would have a faro or a common space, and a third bedroom-bath.

Chairperson Sullivan: Richard, any other questions, since you started some conversation?

Boardmember Bass: On the plans – and, again, I'm sorry if I'm missing something – on the southern wall, what's the distance from the wall to the property line?

Ms. Griffin: Seven feet.

Boardmember Bass: Seven feet.

Ms. Griffin: Now, on our latest plans, because we put the driveway on this side – the 12-foot driveway and 5-foot buffer – we end up with 7 feet on this side. There's a possibility that we could make the buffer less and throw that into the setback on this side. Instead of a 5-foot buffer, maybe 2 feet and make that 10 feet. This plan, we just chose to meet the 5-foot buffer. You know, it's such a big change from what's there now – the building's right on the edge – it's nice to have a buffer where you can put trees so you have trees separating the driveway from the neighbor's property.

Boardmember Bass: I also got the sense that you were considering as a possible design a cantilever from the second or third floor over the driveway on the north side of the property.

Ms. Griffin: Yes.

Boardmember Bass: Have you explored that, or is that just a thought?

Ms. Griffin: We are exploring that, actually. We don't have it in this submission, but we think maybe that will help to ameliorate the problem with the angled wall. I wanted to show you this façade because we want to have a really attractive front façade and not have a bump here. If we do that we would push it back just for the benefit of that bedroom that has an angled wall. This is the front elevation showing the two entrances we've discussed. These windows are for the stair tower, and this is the entrance to this unit here.

Chairperson Sullivan: So there is a step there, Christina?

Ms. Griffin: I know what you're saying. Yes, there's a step. You know, it's funny, we just recently pushed this building back down to match the height of the old building and I need to look into this. I don't know if the handicapped-accessibility is satisfied by the elevator coming up from the garage or we'll also need it from here. I can see there's a great difference, so we have to solve that for sure. We might satisfy handicapped access just by having someone come from out of their car into the vestibule of the garage level and taking the elevator up, but I'm not sure.

Boardmember Bass: And lastly, on the façade, the front façade, I know this is going to be a silly question. The windows in the middle are only for the middle unit, or are they shared by this other unit?

Ms. Griffin: These are for the middle unit and this is for the end unit.

Boardmember Bass: OK.

Ms. Griffin: You know, the two units on the end have the benefit of three walls so the bay is really important for that middle unit.

Chairperson Sullivan: I may have jumped ahead, but I forgot (unintelligible) could you walk us through the elevations, all three sides? I apologize for jumping in.

Ms. Griffin: Back to this elevation, I suppose, we're showing some fencing on this side. Those dash lines are the step on the neighbor's property. We know we have to take a look at that because there's a wall next to it that's in bad shape. I just explained, I hope, how this works. This is the entrance to two units and this is the entrance to the end unit. These windows are in the end unit, and those windows are actually ... the one on top, those two, are for the bedrooms. This is in the stair going to the garage, this is for this unit here, these windows. And these windows are in the unit to the right.

Boardmember Cameron: Just to go back to the existence of the stoop on the southern door, I don't think, quite frankly from your site planning point of view, having the person leaving the stoop there and having someone go up by car works. Because if we want to have a walkable town, which we do, and someone's in there in a wheelchair, the idea they're going to go down to the garage and then try to make it up a 15-degree ramp or find someone to drive them up the ramp so they can go down the Village street just doesn't work. So you need to find a way of getting in those two doors on the south. Otherwise, you might fit it technically, but you're not actually fitting it for the person who's living there.

Ms. Griffin: We only need one handicapped unit, and that's the first one on the end.

Boardmember Cameron: Right, but you said maybe you didn't have to get rid of that step. Maybe you could satisfy the legal requirements by having the person go down the elevator and get out of the car.

Ms. Griffin: Oh, that's right. Yes.

Boardmember Cameron: Well, that doesn't do it for the person who lives in the apartment. It might do it legally, but it really doesn't do it for the person.

Ms. Griffin: Yeah, I understand. I agree, I think we need to see if we can get that to work. We'll look at that and see if we can solve that problem. Because it's not that big a grade difference maybe we can make it work, I'm not sure. Even if we have a little depressed area, I'm not sure. We'll take a look at that. I agree, it's like not being fair to expect they have to use the elevator from the garage for access.

Boardmember Cameron: Then I don't think a 15-degree ramp is legal.

Ms. Griffin: It's not.

Boardmember Cameron: They'd have to have a car.

Ms. Griffin: Eight percent is maximum.

Boardmember Cameron: Yes.

Ms. Griffin: We're taking notes, and of course we're going to go back and look at some of these problems.

This is the north elevation. This is showing a new driveway coming down. We're going to have a retaining wall.

Chairperson Sullivan: Could you scoot that over so we can see the relationship to the street, the sidewalk and the curb?

Ms. Griffin: Yes.

Chairperson Sullivan: Thank you, that's great.

Ms. Griffin: This is our maximum allowable height, and this dash line is the line of the existing building. The top of our building aligns with the top, the front wall, of the old building which slopes down. But we also have a break so actually when you're looking up above in some ways this is slightly higher, but it's also cut here so the building doesn't come back as far. That's because we have our decks on the third floor, which also helps with the view. This line is where the building breaks and turns at an angle.

Boardmember Ambrozek: So if you were to cantilever that rear portion of the units to be perpendicular to the street, you would then have overhang on the driveway and would reduce your clearance for any vehicles going down.

Ms. Griffin: No. We're aware of that, yes, you're correct. But I think would only cantilever the second and third floor, not the first floor.

Boardmember Ambrozek: OK.

Ms. Griffin: Because it's really the bedroom that suffers the most.

Chairperson Sullivan: But that would be another variance (unintelligible) the setback.

Ms. Griffin: Yes, yes.

Chairperson Sullivan: What is new on this side. Within the northern property, what will I see that's different on the property line?

Ms. Griffin: From what's there now? The building actually touches the property line for a few feet, and it also has an angled wall. So we're pushing ... that building's coming down, and this is being pushed back 17 feet. Then we'll have a ramped driveway, which actually is I think this is showing a little bit of a curve here. So next to the driveway you see that the 15 percent is just a little bit less of a slope than the existing.

Chairperson Sullivan: So that's on the property line.

Ms. Griffin: Yes.

Chairperson Sullivan: Then when you get down to the bottom rooms ...

Ms. Griffin: It rises up because we have to transition to a 5 percent slope for our turnaround.

Chairperson Sullivan: So that area from the dark black line up to the rear (ph) is on the property line? And it's (off-mic).

Ms. Griffin: Let me just look at the site plan to make sure that is ...

Village Attorney Whitehead: It's not on the property line. There's a 5-foot buffer to the wall.

Ms. Griffin: That's right.

Village Attorney Whitehead: So the wall is 5 feet off the property line, and the wall is at the end of the driveway.

Ms. Griffin: This wall is here, so the wall is going to get much higher down here because we are going to a 3- or 5 percent slope – very gentle slope here – so we could turn the car around. We go from 15 to, actually, we're showing 3. The natural grade is around 16 percent.

Chairperson Sullivan: So that buffer will be below the driveway surface end, right?

Ms. Griffin: Yes. In order to get back to the original elevation here, we're going to end up with a planted area that is going to be much lower than this point. Eventually, at around here it's going to be just slightly lower.

Chairperson Sullivan: What I'm noting is that you've taken a lot of care in talking about how the building's rear wall is in line with other buildings, and you're talking about protecting views. But the projection of the driveway is 7 or so feet above the natural grade and that's almost another story (background noise). I don't know what the impact is on views on (unintelligible).

Ms. Griffin: I think we do have that on our view studies. We're going to get to that in a few minutes because I think that's a good thought. We need to see how that affects the property next door. This is, right now, at ... the grade continues down, the existing grade. So the difference between what's there and what we're proposing is that we're going to have now a platform, like a plateau. But it is like at the basement level, this is at the lower level of this building as well. This corner here is going to have some impact.

Chairperson Sullivan: And I wonder, also, from the other property.

Ms. Griffin: If I can just finish. Yes, Suzanne's pointing out that we have a section that helps to show the relationship between a neighbor's property and the new grade; the proposed driveway and turnaround. Is that way up here, Suzanne? Is this it? The section at the top is the existing building, and this is the property just to the north – 427 Warburton. I'm going to show you the proposed. This is the house next door, and this is ... we went up to ... the owner lives on the second floor. There's two units, two apartments – one on the first and one on the second. This is the natural grade, and we'll be lifting this up so we have that turnaround for the entrance to the garage.

Boardmember Ambrozek: Yes, and the maximum elevation is 5.1 feet on the western side of that north view. I'm looking at diagram A-4, which has those measurements.

Ms. Griffin: OK, and where do you find that height?

Boardmember Ambrozek: Go back where your finger is. The west side of the north elevation of the stone wall, that's the maximum height there, 5.1 feet.

Ms. Griffin: This actually says 7 feet 1, and I think because it's including the railing.

Boardmember Ambrozek: Yes, that's correct, 7.1 feet including the railing.

Ms. Griffin: OK. Now, the old building ends here. The reason why we keep that – and the old building also is lined up with the property line – is because we know it's very important they have these views through the property, north and south. The new building now is aligned with the front of the old building.

Building Inspector Minozzi: Just keep in mind that that would be creating another variance because of the height of the wall. Because the height of a wall, a fence on top of a wall, Hastings is 7 foot 6.

Ms. Griffin: Including the fence?

Building Inspector Minozzi: Mm-hmm.

Ms. Griffin: I hope you see the north elevation. This is a piece of the garage beyond that is being used as a deck for the unit on the very south part of the building. This is the west elevation. This is showing that 5-foot wall, approximately, to the original grade, steps coming down, entrance to the garage, deck for the end unit which is over the piece of the garage that comes out at that level. These are the neighbor's steps. There's a lot of glass of the decks on the top floor. This is our south elevation.

Chairperson Sullivan: Again, could you kind of explain what's happening on the property line?

Ms. Griffin: Yes, I will. This is the existing slope. This is at the building or at the property line, do you think?

Female Voice: That's showing the existing retaining wall between the two properties this property and the one to the south. It's also showing the grade rises a little bit as it (off-mic).

Ms. Griffin: The lowest line, I think, are the steps coming down and their walk along that building.

Female Voice: (Off-mic).

Ms. Griffin: This is the grade, I think, that's against the original, the building that we're taking down. This is the grade that we're proposing. There is an existing retaining wall there, which is on our property, that's deteriorated and we're going to have our engineer take

a look at and see what needs to be done there. It might be the remnants of a foundation for a building that used to be here.

Chairperson Sullivan: And what line is that?

Ms. Griffin: Is it this one?

Female Voice: Yeah, where the

Chairperson Sullivan: So, basically, you're going to put a brand-new wall between the two (cross-talk) ...

Female Voice: (Off-mic) the same elevation (off-mic).

Ms. Griffin: Is this the height of the new wall right here?

Female Voice: (Off-mic).

Ms. Griffin: And this is the wall beyond?

Female Voice: Right.

Ms. Griffin: Of the platform where cars can turn around into the garage. Are there any questions about the drawings?

Boardmember Cameron: Yeah, what's the line above it?

Ms. Griffin: This dash line is (cross-talk) ...

Boardmember Cameron: No, right there. What's that?

Female Voice: (Off-mic).

Boardmember Cameron: It's the what, sir?

Female Voice: New railing.

Boardmember Cameron: So people won't fall off your wall.

Building Inspector Minozzi: You will have to talk into the microphone if you're going to speak, please.

Ms. Griffin: The reason this is shown dashed is because this section is cut at the grade, against the building. This is our proposed railing and retaining wall, and this is the grade we're at. The neighbor's property, in between the wall and his building, it's like a well. There are new studies. Would you like me to go through the studies with you?

Boardmember Ambrozek: Yes, please.

Ms. Griffin: OK. We took some additional photographs. This is at 20 Marble Terrace. We got permission from the owner to go in front of the house and take the picture of the view. This is the old building we're taking down; this is the proposed. The white shape is lined up with the building there. This white piece here is this white fence that you might have seen, right on the edge of the property line. This is the view from the second floor of 15-25 Marble Terrace, before and after.

Boardmember Cameron: No, that's the driveway of 20. Fifteen-to-25 is on the other side of the street, the three buildings on the other side of the street. You've got these mis-marked. Twenty is the one on the corner, and I think 15-25 is the long narrow building on the other side of the street. You see it on your left maybe?

Ms. Griffin: Yes.

Boardmember Cameron: You're standing on the driveway of something. Of 20, Mitch Koch's driveway, you're standing ... you can see the guy standing in Mr. Koch's driveway. Even though they say they're on the first floor, they're actually standing on the driveway and the house sits up behind them. So 15-25 is actually on the other side of the street.

Ms. Griffin: No, we're working in a team so I'm going to have to find out. We'll get that corrected. You're absolutely right, it's from the driveway.

This is 6 Division Street, before and after. It looks like it's ... I'll look at these because it says taken from the third floor, across the driveway, to the affordable housing project. This is showing the shape of the building. It's moved over from where it is now, but the same height and much longer.

Boardmember Cameron: I could a lot more over the top of your building than you're depicting in some of your pictures. Stand up there and hold them.

Ms. Griffin: Well, you know, one way to really demonstrate it, you can always put some strings up there.

This is taken from 422 Warburton. This is the shape of the new building. There will be more view on this side and less view on that side. These were views we had before, before and after, from 422. We also show them before we changed the study so we could show the new shape and height of the building. Before and after on Hogan Place. This one wasn't easy to take; it's from 427, looking at the new garage extension at this level. Even though most of the building is lining up with the old, we are coming out with the garage on the basement level. This is from the second floor of 427, before and after, where actually the new building, on the second floor, is in the (off-mic).

Boardmember O'Reilly: Christina, this photo is fairly recent. I mean, they're just a few days old?

Ms. Griffin: Which?

Boardmember O'Reilly: Are these photos just a couple of days old, or a week old?

Ms. Griffin: A few are. These are about a week old. This was one we added. One of the neighbors who came to the meeting last time asked specifically that we come to his house, so we did. This is taken from his patio. This is before, and this was after. Oh, from the house?

Boardmember O'Reilly: The only reason I'm asking is about the trees. At the last meeting I asked are they evergreens are they likely to lose their leaves? Those photographs make them look like evergreens.

Ms. Griffin: Which ones?

Boardmember O'Reilly: The ones you just showed before when you were looking at the trees.

Ms. Griffin: These?

Boardmember O'Reilly: Yeah. They look like they're not going to lose their leaves.

Boardmember Cameron: Well, they are.

Ms. Griffin: There's a combination. These are the trees that are next to that property just to the south, and this is the retaining wall and that well we're talking about. If you walk on the property, I think most of them are deciduous. But there are some evergreens.

Boardmember Cameron: This is actually the ground floor, not the third floor.

Ms. Griffin: I have to go back to my team and find out.

Boardmember Cameron: If you want confirmation, just look at view two. You can see the size of that porch on the ground.

Ms. Griffin: I see it, mm-hmm.

Boardmember Cameron: Also, you could see through the trees much easier now than you can through these pictures, especially the pictures of the (cross-talk) ...

Ms. Griffin: Yes, it's going to change.

Boardmember Cameron: This is so dark, and your print ... this is better, but the print is so dark you actually can't see what you would stand there on the hillside and see.

Chairperson Sullivan: So have you finished your presentation?

Ms. Griffin: I have. We're going to fine tune these photos, for sure, yeah.

Chairperson Sullivan: Kerry, do you have anything else?

Boardmember Gould-Schmit: I'm still open to the front setback variance. I just really feel, personally, if you're doing townhouses on this lot it's not coming out well with three. I think you're trying to do too much on the lot. I think if you're going to stay with the townhouse maybe two would fit better? I just feel like the circulation is awkward, every time we shift something we're adding another variance. I mean, it's just, to me, a sign of you're asking too much of the lot in a townhouse. I mean, I do feel like Jamie's suggestion last time to go with more of an apartment style you would cut down on staircases and things. I understand if the property owner doesn't want to do that, but I feel like three townhouses on this lot is too much. And I just feel like every time floor plans of the apartments alone ... I mean, people buy all sorts of stuff, I guess.

But I just feel like every time we shift something we're falling into another variance. And I do feel like the circulation within the building is really awkward. As Jamie said, I don't think

people in the third unit or the unit to the north you're going to park in the garage and walk up with your groceries. It's all very awkward to me. So my suggestion would be either bring it to two and have them a little bit more grand and wider and you might actually achieve some of the side setbacks and have a little breathing room for the neighbors. Or I don't know, I mean, that's just my initial gut feeling right now.

Chairperson Sullivan: Bill?

Boardmember O'Reilly: I think I just had a question. I know you want to keep the square footage of all three units somewhat the same, but I could not see the square footage for unit three. I'm just wondering why, since the first two units to the south are 16 feet wide and unit three at the front is 18 feet wide, it makes the fact that it cantilevers back that much more obvious. If it wasn't as wide at the front it wouldn't make that indent as obvious as it is. I mean, that's just my one thought there. Why make it 18 feet wide? Purely for the sake of maintaining the square footage overall?

Ms. Griffin: I think because even with the angle at 18 feet wide it gives us 12-6 at the end. That's why.

Boardmember O'Reilly: I'm sorry?

Ms. Griffin: Because the shortest wall at the very end facing west is 12 feet thick, and we start at 18, that's what you end up with. We didn't want them to get any narrower.

Boardmember O'Reilly: Right. But I was just wondering why they're not all 16 feet at the front, all three units. The northernmost one is 18 feet.

Ms. Griffin: Originally, we didn't know if it would look good. The reasons we had these plans here today is because we were concerned about the look of a bump-out. We wanted to see if we just simply widen it enough so when the angled wall came back it's only 12-6 and no less than that, that was the reasoning behind that. Another option is to keep it 16 and bump it out. We want to make sure the front façade is very attractive. Actually, the original building right now has a funny little bump-out and it's kind of awkward. We can definitely explore that idea. Because if we bump it out, then we might be able to make them all the same width.

Chairperson Sullivan: Eva?

Boardmember Alligood: I wasn't here for the last meeting where you got feedback so I'm just kind of absorbing it. But I do hear Kerry's point about it seeming to be a lot on the site.

I think the front elevation looks attractive, like when I first saw it. But I am picturing just how it's going to have a big wall on the street. It's just unfortunate it doesn't have more of that brownstone feeling of being set back a little bit. I completely understand the reason you're trying to push it forward.

Chairperson Sullivan: (Off-mic) I think there may be other ways to (off-mic) treat it in a way that makes it more open.

Boardmember Alligood: Like I said, I acknowledge this has gone through a couple of iterations and I was not at the last meeting. I don't want to rehash things that have already been hashed.

Chairperson Sullivan: Anything else? I'm going to pass for the moment. Michael?

Boardmember Ambrozek: I have three or four fairly small things really. Firstly, my major feeling is I also have a thought that trying to put three units into this development is making it very tight. I have personally lived in a railroad house, and I know one of the problems is like I'm going to make the minor suggestion that you consider a skylight for the top floor of unit two. The downside of skylights is that they tend to heat up units because of the heat that comes in through them from the sun.

Also, I presume there will be a constraining for the roof deck at the back of unit on that's above the driveway, and for the railings around the driveway, that they not be allowed to have any permanent opaque material put on them so the railings remain open. And that nothing be built above them because people sometimes try to take advantage of these things to build up, as well. If we're looking at this as being part of the view preservation, the railings, we should be sure that would not be changed.

A very minor thing, the stairways between the first floor and the garage on the south side of unit one. They actually somehow don't work. That's just a drawing issue.

Looking at diagram, I think, plan A-3, you have three elevations of 91.4 feet marked along the building. But I can't figure out what they refer to and I don't know if they're even necessary. It just struck me as being strange.

Lastly, maybe as a way of addressing the issue of requiring a variance at the base of the driveway, that the wall plus the railing is too high, I don't know if this allowed. But if we raise the grade of the land below the driveway that it might be able to bring that up so there's no more than the 6-foot permissible height elevation between the top of the railing and the rail below it.

Chairperson Sullivan: And Bill?

Boardmember O'Reilly: I made my little point.

Chairperson Sullivan: Jamie?

Chairperson Sullivan: I would reiterate the comments at the other end of ones I made earlier. I think this layout as townhouses is incremental cramped. Those two extra staircases producing things which just looks quite frankly quite horrible. I think having the apartments was much more gracious and much nicer-looking a layout. I think there are other examples in town where people have made apartments and have sold very well. You know, perhaps two is the right way to go. Because it seems to me that you've got these tiny little rooms all linked together and there's nothing gracious about it, yet obviously your clients would want to get a chunk of money for these things. You need to have things that are gracious if you're going to get the kind of money they want.

I think it's terrible that the elevator doesn't go to all three floors. We're going to run into the same problems we ran into before with affordable housing, but different reasons: people parking in the street and not using the basement garages. If they find a place on the street they're just going to pop into their ground floor apartment and that's it. They'll leave their car there for maybe even a couple of days. If there's anyplace we have a problem with parking, it's up and down the street. We have, as you know – it was presented in your plans by you, Christina, because you know this very well – we have affordable housing in which their parking lot is always almost never full.

Ms. Griffin: Yes.

Boardmember Cameron: That's because people just find places to park in the street, pop into their apartment, and never go and use the parking spots. We can't have that around here, we really can't. I hope you go back and look at the apartment option because it's the one I think will give you, quite candidly, the biggest bang for the buck. But what do I know? I'm only a consumer. So thank you.

Chairperson Sullivan: I just want to thank everyone for their comments. I think the only thing I'd like to add is that I appreciate the change in setbacks on the north side. The south side, I think you left that building at a deficit and that's a concern. There needs to be some more space. I didn't look at how many windows are on the north side of the building to the south and what the impact is. I know you're using the south side of your building in having a fair amount of windows, so I think you really want to understand – if you pursue that size

setback – that we'd like to see a section where we understand what's going to be the situation for the people who inhabit the big one to the south.

Building Inspector Minozzi: There's two doubles and a single on each floor of the building to the south. On the second floor, third floor.

Chairperson Sullivan: When you say that, Buddy, what do you mean?

Building Inspector Minozzi: It's a double, a double, and a single facing the new building. You were asking about how many windows are on that floor.

Chairperson Sullivan: I see.

Building Inspector Minozzi: There's two double-hungs, two double-hungs, and a single double-hung on each floor.

Chairperson Sullivan: OK. I guess I had hoped that we would get an answer. Thank you for contacting the county about the driveway because that, again, is a dimensional decision that impacts what happens.

The thing I wanted, if you come back again in the same kind of form, the driveway slope ... this, I wanted to ask Linda and Buddy. I think it says the Planning Board cannot approve a slope of even 12 percent. Eight percent is where we should be at, and 12 percent is a grade that we can't allow. So it says, *"The Planning Board approving a site plan shall have the discretion to allow a grade as steep, but no steeper, than 12 percent."*

Village Attorney Whitehead: You need a variance.

Building Inspector Minozzi: Then you would need the variance for the grade.

Village Attorney Whitehead: They've already listed that as a necessary variance. The Zoning Board has to do it.

Chairperson Sullivan: This is odd because it was the only place where it said we "shall not" have the discretion.

Village Attorney Whitehead: It's not your discretion, it's the Zoning Board's.

Building Inspector Minozzi: Yeah, you've got discretion to go up to 12, and then after that would be a variance.

Chairperson Sullivan: Got it, thank you. It's just the language was kind of weird.

Building Inspector Minozzi: Yeah, it is a little strange.

Chairperson Sullivan: The 15 percent's problematic. Without the transitions you need just at the top, at the bottom, to avoid cars bottoming out, we need to look at that. The reasoning for the 3 percent setback that is either from the center of the street or from the property line is to help people kind of get up to the top of the slope and know what the heck's going on, what pedestrians are around them and how to enter and exit the street. That needs some looking at. I'm just going to bring that up that you guys should look at that a little bit and address how a car will actually be able to be at the top of the driveway and be able to make some decisions about safety for pedestrians entering. I don't think we considered the parking space in the street to be part of that decision-making. It should be kind of before (unintelligible). That, to me, is still kind of a big safety issue: the driveway with the side. We need more information about that and how it's actually going to work.

I think my only other comment was just looking at the ground views from the neighbors because of the size of that platform in the back. I have to say I concur with many of the people on the Board that there are too many units on the site. I think if you come back with a footprint that reacts to a side yard setback on the south side, and look at using a flatter apartment arrangement, you probably are going to be able to get a much more satisfactory project than, potentially, three units. I think two units in the townhouse arrangement seems to be, I agree with Kerry, kind of a gut instinct of a better addition on this particular site.

Ms. Griffin: I just put this up because we are studying where the windows are on the building to the south, seeing how the windows in that building are going to be affected.

(Cross-talk)

Building Inspector Minozzi: I was close.

Chairperson Sullivan: You were very close.

Boardmember Bass: Besides the issues that everyone's raised, the efficiency of the current layout is not high. So from a building point of view, the floor plate is really inefficient because of the multiple stairs. If a townhouse is really what the property owner wants to do, then a two-unit layout is going to satisfy the Board's concern and give you a better and more efficient floor plate.

Chairperson Sullivan: I think probably my cope (ph) would be – to people that have talked about it – and answering it helps Jamie's concern, that there's a more gracious way for someone to get from their car up to their apartment, to the front door, that site circulation keeps ... and I don't know the answer. It's a fine problem. How do you do that, where you park your car down there.

Boardmember Ambrozek: If you have just two units the number of cars spaces is reduced. You can then have space to put in stairs directly from the garage up to each of the units.

Boardmember Cameron: No, you could put an elevator right up the middle and not have to worry about it.

Boardmember Ambrozek: For both units, yes.

Boardmember O'Reilly: The third unit, number three down there, is the uncomfortable unit. I think it suffers by its position. I don't know the economics of the distinction between three units and two units, but I do believe the side in itself – the way this is laid out – lends itself more to two than three. Because that third unit, I don't know how the person living in it's going to feel. But they're going to be the one that has to walk out onto the street. They can use the common stair, but they're going to be up there by themselves. Plus, they're the one with the wide frontage and the thin back. That's uncomfortable. I do think, as Kerry said, two better-sized units that might be more luxurious might be a better use of the land than the three.

Chairperson Sullivan: Anyone else from the Board? We'll open it up from the public. Anyone from the public who would like to speak. Please say your name and address. Thank you.

John Seredinsky, 13 Division Street: I spoke at the last meeting. I've lived there for 49 years; I've owned it for a little over 20.

At the last meeting I mentioned my main concerns, of course: the view preservations. The pictures from the last meeting, there actually wasn't any from my house, which is directly behind where this proposed building's going up. I did speak to the architect and gave her permission to go up through my driveway, up my patio, to overlook the building in question. Unfortunately, the pictures they've shown is not from the patio. It's from the front of the house, from the street. My patio is elevated. As I mentioned, people go up there. On any weekend you can see me sitting there looking at the river, looking at the barges going up. So that's the front of my house, it's not from my patio.

That's my main concern. Now, she did mention to me on the phone – you know, briefly she mentioned – she was keeping the height the same level as the building there. The only issue I have now is, the building that's there the roof is pitched. I'm looking down at that roof. Even if it's the same height in front that goes to the same height in the back, again I'm going to be losing some of the river. So that's my concern. Those are my two concerns, again: no pitch on the roof, and I think you showed ... I'm not sure how big that pitch is, but I did see your diagrams there which showed the dotted line where the roof is now and where this one is coming straight back. So I'm worried about my sight line coming from my patio. Yeah, my patio, not the front of the house, not my driveway, my patio overlooking his property and losing some of the views up the Hudson.

Ms. Griffin: I'm not sure how to describe it, but we're also cutting the building back so it's not as long as it is.

Mr. Seredinsky: I know you mentioned that, looking at that dotted line. Honestly, I don't know how it's going to affect me. I assume it's going to take some of the river views away because it's coming straight back without a pitch. I don't know ... do you know what that distance is there between the dotted line and the top of the back roof? Is that 2 feet, is that ...

Ms. Griffin: I think it's about (cross-talk) ...

Building Inspector Minozzi: Take the mic, use the stand mic, please.

Ms. Griffin: It's about 18 inches.

Mr. Seridinski: OK, so it's about 2 feet, again. I'm just looking at it from my perspective, looking down. As I'm looking down, I'm assuming – even it's 18 inches – I'm going to be losing some of the view of the Hudson because of that. And as I said, the other concern was, I did invite you up – I invited, actually, everybody up, I think, to come to my patio any time – to just actually look at the views. But again, the pictures are not coming from directly behind this building. Again, it's coming from street level, driveway level; it's not coming from, actually, the patio.

I mentioned you didn't have to come into my house. Actually, the patio you can go up any time you like.

Ms. Griffin: You know, I think there's just a miscommunication in our team. I'll go there myself, I'll make sure (off-mic) the patio. I'm sorry about that.

Mr. Seredinsky: And I said don't worry about the dog barking. I said don't worry about

that. He'll be fine inside.

Ms. Griffin: I'm fine.

Boardmember O'Reilly: Could I ask what number on Division Street?

Mr. Seredinsky: 13 Division Street. I know someone was also asking about the trees and if they're evergreens. I believe most of the trees to the left, in the empty lot, are not evergreens. They lose their leaves, and I get a great view in the fall, in the winter, and in the spring. I think just to the right of the building there is one evergreen coming up there. But those are my concerns, again, the same concerns I had at the last meeting. You know, I just wanted to bring those up again. Thank you.

Chairperson Sullivan: Anyone else?

Mark Desouza, 419 Warburton Avenue: I own this building. Now I'm concerned ... the last time they were going to be 17 feet off my building; now they're coming in 7. I only have windows on that one side of the building. The sunlight's not going to come in, it is real close. If they push it over 17 it would be a little bit better. And the wall's still a concern. It needs to be fixed. So these are my concerns about this new building because it's going to be real close.

Chairperson Sullivan: In your building, is there a center corridor and apartments on either side on each floor, or is there one (cross-talk) ...

Mr. Desouza: One-stair walkup.

Chairperson Sullivan: And that's on the left-hand side if you're standing at the building?

Mr. Desouza: Left side.

Chairperson Sullivan: So the only lights into those (cross-talk) ...

Mr. Desouza: The only light is on that side of the building because I'm attached on the other side, building-to-building.

Chairperson Sullivan: Right, right.

Mr. Desouza: So there goes all the sunlight.

Chairperson Sullivan: It's a single-loaded corridor apartments; that's the only light they get.

Mr. Desouza: Well, if it was 17 feet (cross-talk) ...

Chairperson Sullivan: A different story.

Mr. Desouza: ... if the driveway was coming down, it would have been ...

Chairperson Sullivan: Or if it was 17 feet, no matter what, driveway or not.

Mr. Desouza: So there's my concern.

Chairperson Sullivan: Right, thank you. Appreciate that.

I think we've given some good comments. I think there's strong feeling that we need to see something that reflects setbacks – Mr. Desouza's point. So I guess (unintelligible).

Ms. Griffin: Yes, we're going to look into all these ideas and look at other options.

Chairperson Sullivan: I think the Board, though, is ... I'm getting a sense that the Board is looking to see something that's smaller and the need for setbacks.

Ms. Griffin: Thank you for your comments.

Boardmember Bass: Thank *you*.

VI. DISCUSSION ITEM

196 Warburton Avenue - Proposed Subdivision

Chairperson Sullivan: This meeting, we have no new business. But we do have one discussion item, which is 196 Warburton Avenue proposed subdivision.

Tomasz Lopinski, associate – TLConcept LLC: I'm the project architect for this proposal of the subdivision. We'd like to continue discussion on this project. The Planning Board suggestions from the last meeting, we did our neighbor study in terms of the sizes of existing lots surrounding the area. We discovered that almost 50 percent of the lots are nonconforming to the R-10 zone, and there are some lots – in of the width of the lot – some

of the lots are narrower than 100 feet and some are narrower than 75 feet. We kind of feel that our proposal follows the pattern of the subdivision of the neighborhood. It's kind of a mixture of the R-7.5 and R-10 zones.

Chairperson Sullivan: Thank you for doing that study. It gives kind of a context for what you're proposing.

Mr. Lopinski: You have more questions?

Chairperson Sullivan: You also sent us some links to some interesting videos.

Mr. Lopinski: Yes. You want us to play it? We can play it now.

Chairperson Sullivan: That'd be fantastic.

Mr. Lopinski: That's more associated with stormwater management, right?

Chairperson Sullivan: You included those for us to look at, so (off-mic).

Mr. Lopinski: So, Paul, do you want to ...

Paul Petretti, civil engineer - Dobbs Ferry: One of the Boardmembers last time made a recommendation that we kind of go out and take a look at the drainage before you possibly give us a recommendation to go to the Zoning Board. It was probably a pretty good idea. We went out and did some test pits, got a machine and went on the piece of property, dug a test pit. Do you have that, Tomasz? I put a little report together.

We found out the soil was good. We found, as we spoke the last time, the Aqueduct's behind and there is a box culvert that comes down under the Aqueduct. When you get a lot of rainfall you're going to get a lot of flow coming down through the property. There's a large pipe on the property in a depressed area. It's about a 16-inch pipe, 15-inch pipe. We stuck our head in there, we could see it. You could see the pipe. It flows, and in narrative I wrote it flows underneath Warburton Avenue. We thought it was connected to some of the catchbasins out at Warburton Avenue, but it's not. Evidently it's very deep. As you go to the west side of Warburton Avenue we find a manhole, pull the cover, and you look down and it's like looking down into the abyss; it's really deep, it's about 25, 26 feet deep.

Evidently, that pipe that's on this property is connected there. Because we put a hose in it, and we ran it so we know that the water's going down, eventually, to the bottom of that retaining wall and then it goes through a ravine. I think this was an ancient ravine at one

point in time before.

Building Inspector Minozzi: It goes across Warburton Avenue, then goes down. It goes into a ravine that eventually collects. It goes underneath the railroad tracks to the Hudson River. I met with Mike Gunther on this, he kind of explained approximately where it was going. As far as the disturbance of the property and the disturbance of the depression that's on the property, Mr. Gunther, the superintendent of the DPW, refers it to the Village engineer.

Chairperson Sullivan: OK, so that would be a step we need to take is to have them look at that.

Mr. Petretti: Yeah, you could see how deep it is there, and the water started to run after we put the hose on the property, in the pipe on the property.

Chairperson Sullivan: So the pipe is coming up high and the catchbasin is very deep. Is that what's happening?

Mr. Petretti: It's actually coming in at the bottom.

Chairperson Sullivan: It is?

Mr. Petretti: Yeah. There's another pipe coming in from the side, you could see it. In fact, we thought the pipe on the property would've been connected to the catchbasin on the east side of Warburton Avenue. But you look in it, it's not there. It kind of throws you for a loop, and then you say OK, where's it going. You go on the other side of the road ...

Chairperson Sullivan: Is this at the bottom of that steep ...

Boardmember Cameron: If you put your head up over the wall where the sewer, stand there.

Village Attorney Whitehead: It's way down there.

Boardmember Cameron: (Off-mic).

Chairperson Sullivan: You guys look very happy that you actually find water there.

Male Voice: Eureka!

Chairperson Sullivan: That's a nice touch, the water's off.

Mr. Petretti: So continuing. The water that's going to come down from the Aqueduct we can nicely reroute around the building. If you build a house, there we'd come around and connect that so we could pass the water through. I don't think it's going to be a problem. The water that's coming down on the Aqueduct on the slope, there's really no evidence of erosion so it's dissipating fairly well.

Chairperson Sullivan: Play that video, if you don't mind.

Mr. Petretti: What else?

Male Voice: Just wanted to point out that flow is as bad as I've seen it in the 20 years I've been living there. This is a worst case scenario.

Mr. Petretti: Right about here is where you could put a catchment, probably a curved wall like a big headwall, catch the water, and then pipe it around the house.

Chairperson Sullivan: Where does it go when it hits that wall? Does it go to the wall, where's the pipe end?

Mr. Petretti: The pipe is actually in a depressed area right in the ...

Boardmember O'Reilly: It's before you get to the wall.

Mr. Petretti: Before you get to the wall. There's a little wall (cross-talk) ...

Boardmember Ambrozek: It's just before Warburton Avenue.

(Cross-talk)

Building Inspector Minozzi: Gentlemen, you have to speak into the microphone.

Male Voice: This is the drain area here. It actually has, at this point, probably 75 percent of the drain, when this video was shot, was covered up with pressure treated boards that I had in there from when the kids were little so they wouldn't go getting flushed down the 16-inch pipe. That's as built-up as it gets. With those two boards out, the flow just goes shooting right out of there. There is never any water like this even anymore. That man manhole is about here, guys? I think it's about here, on an angle like this. I think it's about there. So it clearly goes underneath Warburton Avenue, goes underneath here. About there, I think, is

where the ravine is. I think that's about right there.

Mr. Petretti: If you stick your head into that hole and stick a camera in there you'll see it.

Male Voice: (Off-mic).

Boardmember Cameron: So is your plan to take that 16-inch pipe that exists down there and extend it underground up to this catchment area you're going to put farther up the hill?

Mr. Petretti: Well, I think what's going to happen is, we're going to unearth it close to the wall, probably then come parallel with the wall in a southerly direction, and then come back along the side of the house up to that area that I had pointed out before where you have ... and build a catchment there, a stone catchment – like a headwall that's made out of stone. It'll look better. I don't see any need to go up on the slope and do anything on the slope. The slope is not eroding, there's a lot of kind of riprap type natural stone or stone that was left over from then they built the Aqueduct. There's no reason. Here's the catchment, a sketch of this catchment, leave this alone. Don't go up on the hill, don't touch it, no reason to go up there, there's no reason to go, really, beyond this wall over here. There's ledge rock here. I think I have some other pictures that show ledge rock there. All the activity would be here, come here, make a turn. The pipe is probably right about here right now. Cut it off, put a nice manhole in, and that'll do it.

Chairperson Sullivan: One thing I noticed when I went out there, the side of the road that's toward the river there's a certain type of stone wall that's built in and a chain link fence. I realize that's also on the other side. In the survey, all that wall is outside of the (unintelligible) property.

Mr. Petretti: This wall?

Chairperson Sullivan: Right. When you look at the topography of this area, this is really a funnel from a bigger – kind of I'll call it – a watershed area. It looks like when Warburton was built those are basically retaining walls; the shorter wall on the Wetherell side and an incredible one on the river side. Again, we look at the topography and it's obvious that where you see this water coming down from the Aqueduct is sort of almost at center line with where the old topography lines, the original topography lines, would be funneling it. So it raises sort of a concern. I mean, the video is amazing to see the water come through in such a sort of stream-like fashion. But I'm also concerned that this is handling a watershed from the bigger area as well.

Buddy and I talked a little bit about this, and Mr. Gunther has weighed in. I think the advice

to have this looked at by our engineer is something we need to do probably sooner than later. I guess the impact on whether this is subdivided – correct me if I'm wrong – is whether the lot's buildable when we subdivide. I don't know if the channeling around it can handle the water. It looks like there's public infrastructure that's being impacted, which is what's potentially being gathered from other parts and not just this property, and funneled into this 16-inch pipe and then into the manhole, then on towards the river. I don't know what we need to have that kind of review by our engineer to see what's being proposed. You're at a schematic, you are at a very beginning point, and this is the second time we've talked about this. But it's a big question.

Mr. Petretti: The good it brought about is that the video was taken during a very intense storm.

Chairperson Sullivan: Correct.

Mr. Petretti: It kind of gives you an indication. You can go to a Coast and Geodetic map or county photography and could pretty much calculate the size of the drainage area. You could speculate on how much flow is coming down here. But there's nothing than the video itself.

Chairperson Sullivan: No, this is different. This actually seems to be coming from someplace else.

Mr. Petretti: Oh, yeah.

Chairperson Sullivan: It looks like it's collected from Pinecrest in some fashion. It's not the normal kind of (unintelligible) we see. It gets to be kind of a bigger question, like what do we need to do to help people upstream, what do we need to do to help the people if this does become a second home lot. That they are not floating away.

Mr. Petretti: I looked at the aerial photography and I have some old U.S. Coast and Geodetic maps, back to the '30s. Unfortunately, that's after Warburton Avenue was built. I don't know what it looks like before Warburton Avenue, but it was a ravine. And you're right, it goes all the way up to Pinecrest and collects a lot of water and comes down. But the pipe that's run underneath Warburton Avenue is clean as a whistle. If you stick your head in there, take a look at it, it's really flushing out kind of nicely. I think it probably has more than enough capacity to get the water underneath Warburton Avenue. It's a matter of trying to collect it in a catchment over here. If you replicate that with a 15-inch pipe with that kind of slope, that'll have enough hydraulic capacity to grab all that water and bring it to that existing pipe. But as we go further on we can run some calculations and take a look at it, and find out what we think the capacity is, what the size of the drainage area is. You can

calculate it.

Boardmember Cameron: My little concern about it, though, I think actually probably the 15-inch pipe will carry anything you catch in the catchment area. What worries me is, what happens to the water that doesn't go into the catchment area? Is there other water that's going to come down the hill and head for that low point. I know you've dug a leach hole to see how fast the water would sink into the ground, but I'm not sure a hose is representative of what could come down there. I'm sort of curious whether you're going to have another drain pipe from that low area going into this pipe, or going into the sewer line on Warburton. Because I'm not sure just letting the water that gets in there leach out and will be sufficient. Right now, it works because there's a 16-inch pipe there.

Mr. Petretti: The way to deal with this is take the large amount of water that's coming around the house, like I said, and connect it to there. You're going to create some impervious area for this driveway-house. The soil is pervious enough you could put a drywell in there, then put an overflow into the drywell. Then if the foundation system's deep enough where you think it would be impacted by the water piling up against the backside of the foundation, you put a gravel under-drain – conventional putting drain around the house – then bring that around, too. It shouldn't really be ...

Boardmember Cameron: You can connect that to the 16-inch pipe.

Mr. Petretti: Yes.

Chairperson Sullivan: Any comments, folks? Richard, anything?

Boardmember Bass: I'm good.

Chairperson Sullivan: Michael?

Boardmember Ambrozek: I find the hydraulic explanation you gave very much addressed my concerns from last time.

Chairperson Sullivan: Bill, any thoughts you want to share?

Boardmember O'Reilly: No.

Boardmember Cameron: Can you sell a house with a stream running through?

Boardmember O'Reilly: Yeah, you could by itself. The stream is an attraction, and it's not

on public land either. It's on private land, right? You're paying taxes on it.

Building Inspector Minozzi: I think, from here, they need to make an official application where we can move forward with getting it out to our people, then we can have an engineer's discussion.

Chairperson Sullivan: Right, that's a good point.

Village Attorney Whitehead: Then they are going to have to go to the Zoning Board.

Mr. Lopinski: The question would be where would we go first, the Zoning Board or a formal application with engineering.

Village Attorney Whitehead: You want a recommendation to the Zoning Board from this board, and therefore I think you need to satisfy this board on any open issues first.

Boardmember Cameron: Have you talked to your neighbor to the south yet, or to the north sorry.

Male Voice: Yes, I did speak to my neighbor to the north. In fact, it was right when we were digging this rather grave-like trench right next to their driveway. I said you must be curious about why we're digging a grave-like trench right next to your driveway and explained to them what we were doing. They were very nice and seemed to be that they had no problem with it at all. They're a very nice young couple.

Chairperson Sullivan: Would the application notification (unintelligible)?

Mr. Petretti: Of course.

Male Voice: Yes.

Chairperson Sullivan: I think the other issue, the area I mentioned, the retaining wall that's part of the street, somehow if you add your driveway from Warburton you're going to cross over that. So it'd be good to understand what constraints might be using in building next to it. So not just the fact that there's a drain pipe that goes across it, that wall has to be looked at.

Boardmember Cameron: I think it is fair to say that wall serves a purpose, which is to keep the water down there and push it over maybe towards where the drain is.

Chairperson Sullivan: It's supporting the road, as well.

Boardmember O'Reilly: Just one question. Did you say earlier that you thought that drain under the Aqueduct was just done when they were doing the Aqueduct? I mean, obviously somebody built that.

Mr. Petretti: If you go up and down the Aqueduct from here to Dobbs Ferry you're going to find these quite frequently. Some of them in Dobbs Ferry have been blocked up. It doesn't help.

Boardmember O'Reilly: In this case, to carry the drainage from Pinecrest through?

Mr. Petretti: I would say if you traced that up I bet you I could find out where it's coming from.

Male Voice: What they did was, there were drains that traveled underneath the Aqueduct. Every so many feet they have these pediments and they have this drain that goes through. Like Paul was saying, a lot of them have been blocked over the years, but obviously this one's working rather well.

Boardmember O'Reilly: Very well.

Boardmember Ambrozek: Well, the Aqueduct was built 170 years ago, and these drains were put in at the – sorry?

Boardmember Cameron: 1830, roughly.

Boardmember Ambrozek: Well, construction actually took place during the late 1840s.

Mr. Petretti: In fact, I was down in Jerome Park where the (cross-talk) ...

Village Attorney Whitehead: (Unintelligible) were there.

Mr. Petretti: I was down in Jerome Park on Monday because the New York City DEP is going to put out a contract to do a lot of work in Jerome Park. It's a beautiful old holding reservoir and it has these very high retaining walls. They were built very nicely. There's one or two that's deteriorated, but part of that contract is to actually fill in 900 feet of the Old Croton Aqueduct in a northerly direction that feeds into the Jerome because it's just full of water and backing up. I think it's a \$40 million job.

Chairperson Sullivan: Well, good luck with that.

Mr. Petretti: Yeah, I hope I get it.

Chairperson Sullivan: So you have the next steps, so a formal application.

Male Voice: Can we go to the Zoning Board without making an application?

Village Attorney Whitehead: You mean without making an application to this board?

Male Voice: Yeah, is that possible?

Building Inspector Minozzi: This is your starting point.

Village Attorney Whitehead: Yeah, I think you're going to find that you will do better with the Zoning Board if you've been here first.

Male Voice: All right, I'll take your suggestion. So we'll make a formal application for the subdivision, submit the subdivision plans, and start through the review process.

Village Attorney Whitehead: Right. And I think this board is getting a lot more comfortable. I think you provide a lot of information that helped them. I think they'll be ready to move you on to the Zoning Board, and I can't say when because that'll be up to them. I think, at the Zoning Board, to have a recommendation from this board is very helpful.

Chairperson Sullivan: I think the other piece of that is going to be when you do your application you'll formalize some of your engineering in a way that we can have it reviewed by our town engineer with that kind of review. Personally, I said this makes a lot of sense and certainly seems like a logical thing to do. However, look at the water, look at these issues. We want to get that resolved. I don't think you head anyone speak up against the fact that the lots are different sizes. The diagram you produced is very helpful, and that will help the Zoning Board honestly.

Village Attorney Whitehead: I was going to say the study you did of the other lots in the area will be very helpful to the Zoning Board. To see that this is in keeping with the character.

Male Voice: So subdivision application, long form or short form?

Village Attorney Whitehead: You could do short form.

Chairperson Sullivan: So, good. Thank you very much.

Male Voice: Thank you very much.

VII. ANNOUNCEMENTS

Next Meeting Date – December 15, 2016

VIII. ADJOURNMENT

On MOTION of Boardmember Alligood, SECONDED by Boardmember Bass with a voice vote of all in favor, Chairperson Sullivan adjourned the Regular Meeting.