

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
JANUARY 19, 2017**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, January 19, 2017 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 Eva Alligood, Boardmember Michael Ambrozek, Boardmember Kerry Gould-Schmit, Boardmember William O'Reilly, Boardmember, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Planning Board Secretary Mary Ellen Ballantine

Chairperson Sullivan: Good evening. Welcome to the Planning Board meeting of Hastings-on-Hudson. This is our meeting of Thursday, January 19, 2017. May I have the roll call, please?

I. ROLL CALL

II. APPROVAL OF MINUTES

Meeting of December 15, 2016

Chairperson Sullivan: Our first item is approval of the minutes from December 15, 2016. Any comments on the minutes?

Boardmember O'Reilly: Well, only one simple typo if you want to be particular. On the bottom of page 17 it says that Eva Alligood said – it's really the last line, what is recorded is: "*I kind of the railing*," when she intended to say "I kind of 'liked' the railing." Missing the word "liked," that's all.

Chairperson Sullivan: Anyone else? May I have a motion to approve the minutes?

On MOTION of Boardmember O'Reilly ...

Chairperson Sullivan: We might have to ...

Village Attorney Whitehead: Oh, why don't you hold off on this until ...

Boardmember O'Reilly: That's right.

Village Attorney Whitehead: Hold off on voting to approve the minutes, since Kerry wasn't here.

Chairperson Sullivan: We will hold on that important vote. Thank you. I meant to look at who was there, and then I didn't think about it.

III. ELECTION OF CHAIRPERSON

Chairperson Sullivan: We do this once a year. My question to everyone is, if you would like to vote tonight or wait until we have a fuller house or you have a preference.

Boardmember Ambrozek: Well, I would like to nominate Kathleen Sullivan as chairperson.

Boardmember O'Reilly: I second that.

Village Attorney Whitehead: Sounds like they're willing to vote now.

Chairperson Sullivan: I guess I need to vote in favor if I'm going to do it.

Boardmember O'Reilly: Yeah, you better.

Chairperson Sullivan: Can I vote for myself?

Village Attorney Whitehead: Yes.

Chairperson Sullivan: So thank you, gentlemen.

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember O'Reilly with a voice vote of all in favor, the Board resolved to re-elect Kathleen Sullivan as chairperson for 2017.

Chairperson Sullivan: All right. Well, thank you very much. And like I said last year, I

need your help.

Village Attorney Whitehead: You've made it through all the year.

Chairperson Sullivan: Thank you.

IV. NEW PUBLIC HEARINGS - None

V. OLD PUBLIC HEARINGS

- 1. Steep Slopes Approval – Application of Ms. Ellen Kera for additions and alterations of her single-family dwelling at 6 Fulton Street. Said property is located in the R10 Zoning District and is known as SBL: 4.14014622 on the Village Tax Maps.**

David Barbuti, project architect: Good evening, Ms. Chairman, members of the Board.

Chairperson Sullivan: Could you say your name?

Mr. Barbuti: I'm representing Ms. Kera. My office is at 150 White Plains Road, Tarrytown.

We were here last month. Basically, it was opened in the public hearing, described briefly of what the proposal was. There were some comments back from the Board. Back-step, we could go to the Zoning Board. Zoning Board had some comments. What we ended up doing was pulling part of the addition, making it a little smaller so we did not have an encroachment in the front yard. The existing house we will still need a variance for. It's not part of this application now, but we tried to accommodate some of the Zoning Board's requests.

Moving forward, some of the comments we had was, there was more clarity required for 429-5(a) and -(b) of the steep slope ordinance. I resubmitted a package that indicated the slopes in excess of 15 percent but not greater. We are under that, but we have 14 percent of that in land area that will be affected; 35 percent is a maximum. Slopes in excess of 25 percent shall not total more than 25: we are at 23.6 percent, and maximum is 25. I did hand out ... I think one of the requests was to submit a plan that indicated that. I did e-mail that the other day, and I think Mr. Minozzi handed that out as a hard copy tonight. So we addressed that.

Chairperson Sullivan: He also e-mailed it to the Board today.

Mr. Barbuti: OK. All right, thank you. We also address ... I believe there were 12 or 13 comments from Mr. Hahn, the Village engineer. If you'd like me to go through each one, I can do that.

Chairperson Sullivan: Buddy, that would be, probably, pertinent, right, to do that?

Building Inspector Minozzi: Sure.

Chairperson Sullivan: Thank you.

Mr. Barbuti: OK. In drawing SWMP-1 he requested that we add invert elevations to the drawing, which we did. That's under the catchbasins where there were changes in elevations to the pipe. Our stormwater calculations, there were some invert elevations that also needed to be corresponded to that. We addressed that in a drainage report. We included, on some of the catchbasins, manhole details; the 24-inch sump that he requires for pretreatment. That's added to the details. The drainage report, we added sheet flow calculations. He also required some flow paths on the stormwater calculations. There were a couple of notes regarding the infiltration system we are providing that were added to the stormwater management plans.

One of the other things was, he was requiring some of the utility lines that go to the existing house to be indicated on the plan so he indicated that on a utility plan. Drainage pipes, he requested to go to an 8-inch diameter pipe instead of the 6-inch that we had. So from catchbasin to catchbasin, infiltration units, he wanted larger pipe. He wanted catchbasins or manholes located where we had a juncture in the pipe, so we added those. Trench drain we increased to 12 inch in width instead of, I think we had originally 6-, to catch more water in the driveway.

He also required that we redo our stormwater calculations to reflect a 100-year storm event instead of the 25 that we did. So there was a HydroCAD calculation included in your package. Based on that report – based on the whole site drainage – we only required 10 CULTEC units. We're trying to catch as much water as we can so there's no questions. We actually had, in our plans, 15 units provided. We've actually made it a third larger than what's actually required, based on the calculations.

We had performed a perc test, which was another requirement, on December 23, 12 o'clock in the afternoon; myself and Mr. McGarvey, the professional engineer. We did a perc test at

the site, drainage was very good. A few days later, on the 27th, I requested the owner get a backhoe there. We did a deep hole test to see where the rock was. Thank God we didn't hit any rock, we hit a lot of sand. There's some photographs that I've handed to the Board of what we actually uncovered. The size of the hole was roughly 5 feet wide and varied from 11 feet ... it was about 11 feet in length, and the depth went from 8 feet to 11 feet in depth. I told him to go down as far as he can with the extension of the bucket. He hit full sand past the first 3 feet and no ledge was encountered in the hole we dug, which would be an area where we are going to locate the CULTEC units.

There were some other notes he wanted regarding cut and fill which were added to the plans. Another note was, if the Building Inspector, the Village engineer, required additional erosion control measures that we would add that as needed. You had that added to the plan. [As-built] (ph) surveys are a requirement, which we will provide at the end of the job. The infiltration system ports will be shown on the as-built. So where we need those ports, they will be on there so people know where they are.

That was the comments from Mr. Hahn's office. If you'd like me to go through one more time, the scope of the project – what we propose to do – be more than happy. Or if you have any questions, I'm glad to answer.

Chairperson Sullivan: What I just would love is if you could just go through the steep slopes component, that information.

Mr. Barbuti: Sure.

Chairperson Sullivan: Where, you know, my question ... and thank you for producing drawings to indicate where the slopes will be disturbed to back up the calculations that we could use in your cover letters.

Mr. Barbuti: Sure. So what we did was, the land surveyor – Ward Carpenter Engineers and Surveyors – produced a drawing for us to show where the steep slopes were. With that, we use that as a base for site plan. What we had is a square hatch box, which would be the area of disturbance 15- to 25 percent. You have a little bit at the existing driveway. A majority of the area that's going to be disturbed would be under the deck and off the rear portion of the small bump-out addition to the rear, and a little bit off to the east side of the deck as well. Degraded slopes are greater than 25 percent: once again, at the existing driveway areas; at the back corner of the proposed garage addition where the existing driveway presently is; and a little bit scattered towards the back, under the deck, and off to the east side near where we're going to have a fireplace and a little 4-foot bump-out on the side of the house.

Chairperson Sullivan: Thank you.

Building Inspector Minozzi: Just keep in mind, to accommodate the Zoning Board the garage addition was pushed back and now is a little bit more into the slopes than it was on a previous submission to try to accommodate their requests.

Village Attorney Whitehead: To reduce the front yard setback areas.

Building Inspector Minozzi: Thank you.

Chairperson Sullivan: Good. Well, thank you. Buddy, any other information about where Hahn is with the review?

Building Inspector Minozzi: Yes.

Village Attorney Whitehead: Buddy, I would just first point that Hahn's ... after the submission, Hahn did a memo that, basically, they were satisfied with everything that had been submitted. They just asked, because of their calculations both in the engineer's report and on the plans, that the architect's calculations be removed. But other than that, they were satisfied that their comments were addressed. Then, Buddy, if you want to take what happened today?

Building Inspector Minozzi: Yes. We got a detailed report from Ms. Rooney, who is the neighbor behind. I sent her concerns to Hahn and to Mr. Barbuti. In response to those concerns ... basically I gave you a copy of Mr. Hahn's e-mail in response to Ms. Rooney's e-mail this morning. Basically, there is an issue of stormwater flowing out from the ground that could be an issue. However, he said that is something we can deal with during building permit and he has no objection to approving the steep slopes tonight.

Village Attorney Whitehead: He also addressed, specifically, some of the comments. He indicated he had actually undertaken his own calculations and felt they had provided more CULTECs than were provided. He just had that one issue he still wanted to look at.

Building Inspector Minozzi: Yes.

Shannon Rooney, 15 Jordan Road: Can we comment on it?

Chairperson Sullivan: Please go ahead.

Ms. Rooney: With respect to the increased number of CULTEC chambers, the way this

property has been modeled is for all the site stormwater to go into these CULTEC chambers. The way it's designed is only for the driveway and the runoff that's coming from the roof to get into the CULTEC chambers. So the fact they made the CULTEC chambers five more than they need to, it's oversized. The water will never get in there.

Building Inspector Minozzi: Doug Hahn didn't seem to think that was a problem. He actually told me on the phone today that if the applicant wanted to increase the amount of CULTECs it wouldn't decrease, or it wouldn't hurt, the project, but it would, in fact ... you know, it would take more water. But he didn't feel it would be any problem going over what the calculations say they are – what the calculations are supposed to be.

Chairperson Sullivan: The goal of what we do with our stormwater here is different than for a SWPPP, Stormwater Pollution Protection Plan, type of calculations done for larger projects. Typically, for steep slopes, improvements for this area, you add stormwater controls to our projects. I'm not an engineer, but it seems that these were accommodated – and this is layman's – but were accommodated for driveways and roofs and seems to be what we typically ask for.

Building Inspector Minozzi: Yeah, that's what Hahn is saying. That what the proposed is doing is, they've designed for all the impervious runoff and then some. That's why he told me tonight that besides this one issue – which we will hammer out – he has no objection.

Ms. Rooney: Can I request what the one issue is, or what the e-mail response was back? Is that the only issue he had?

Building Inspector Minozzi: Yeah, I mentioned it a few minutes ago. It was about the issue of the stormwater flowing from out of the ground that you brought up in your letter.

Ms. Rooney: OK, so he agrees there's discrepancies in the calculations.

Village Attorney Whitehead: He did his own.

Building Inspector Minozzi: He ended up doing his own. Actually, what the applicant explained were the discrepancies between the engineer's calculations and the architect's calculations.

Mr. Barbuti: If I might, basically what happened was our engineer basically took the area of the proposed garage – which was the addition to the building, which is roughly 610, 620 square feet – he added that to his model as increase in impervious surface. Actually, what we have ...

Ms. Rooney: That's the deck, right?

Mr. Barbuti: Excuse me?

Ms. Rooney: He added the deck?

Mr. Barbuti: No, not the deck. It was the addition for the garage (cross-talk) ...

Ms. Rooney: I guess part of me being unclear is not knowing ... usually, you submit like a drainage map that shows how much water is going in which direction when you are creating your calculations. That wasn't submitted, so there was no way to review the numbers in the calculations. And I don't know how the engineer even did it, to be honest.

Village Attorney Whitehead: I think there's only one watershed. It all goes the same way.

Ms. Rooney: But it is modeled as two separate watersheds.

Mr. Barbuti: Modeled as two separate ones; one was the driveway and one was the structure.

Ms. Rooney: Right.

Mr. Barbuti: If he's adding both of those, it's going ... and that's how it's modeled. He split the property in half.

Ms. Rooney: He split the property right in half?

Mr. Barbuti: Right, for the most part. The structure is ... I think it was, what is it? – S-1 or S-2, or 2-S, and the driveway side was 1-S. It should have been in here.

Ms. Rooney: Did it include the deck area and the increase in the rational curve number?

Mr. Barbuti: I presume it took the curve number into place. It did not take the deck because the deck is not an impervious surface. It has slats underneath, we have gravel.

Ms. Rooney: I agree.

Mr. Barbuti: In conversation with Mr. Hahn on that, he says you're not doing hardscape underneath the deck therefore we most likely wouldn't need to calculate that.

Ms. Rooney: But going from a grassed area with a high infiltration rate to a semi-impermeable area will have an effect on that.

Mr. Barbuti: Well, what I've always had – and going through this for 30 years – was that as the water infiltrates through the deck boards we plan on putting gravel under there because grass isn't going to survive without doing hardscape. As the water infiltrates through the gravel into the soil it's not (off-mic).

Ms. Rooney: Right. So how is that runoff modeled into the CULTEC chambers then?

Building Inspector Minozzi: We've never required it in the past.

Ms. Rooney: I mean, we can go on and ... we can go back and forth.

Mr. Barbuti: We can go back and forth on this. Let me just go back through some numbers here. When I got the e-mail of Ms. Rooney's note, I went through with the engineer existing conditions. I have existing house 1,100 square feet. There are driveways and macadam surfaces at 1,665 square feet, a sidewalk of 147 square feet, giving a grand total of impervious surface of 2,922 square feet. Going forward with the proposed house, I did 1,876 (background noise) the house, which is roughly 700 square feet larger than the existing. I have a driveway of 1,070, (off-mic) reduced by 600 square feet. And I have a sidewalk of 50, reducing it by almost 100 square feet, for a total of 2,996 square feet. I have a net increase of 74 square feet of impervious surface. With that, I need one CULTEC unit.

If I take my pre-construction and my post construction I need one CULTEC unit. My engineer took 628 square feet or 629 square feet of the proposed garage footprint, used that as a calculation. So I'm adding more with the 10 CULTEC units that were required by the HydroCAD computations; I'm adding 15 when, in theory, I only need one. I'm really belt and suspenders over the top on this. I understand your concerns, but you've got more runoff, I think, now with no grass and more macadem than you will have with this house now that I'm adding 15 CULTEC units.

Ms. Rooney: OK, I agree the system is oversized and also located less than 5 feet from the property line.

Mr. Barbuti: OK, so the New York State stormwater management manual – which I have right here (off-mic) Mr. Hahn – the rule of thumb is 5 feet. The manual only says 10 feet to a structure.

Ms. Rooney: I'm sorry?

Mr. Barbuti: The manual says ...

Ms. Rooney: Ten feet ... right, you kept your deck 10 feet from the structure.

Mr. Barbuti: (Cross-talk) separate a minimum of 10 feet from the structure.

Ms. Rooney: All right, what does the building code say?

Mr. Barbuti: The building code ...

Chairperson Sullivan: I think this gets to Buddy's point that what ... I just want to interject. We rely upon Hahn to direct us with this because we're not engineers. As you know, he's very thorough because we've had other people come in front of us with a list of memos and they walk through the points. Usually there's one about adding the notes. I think the conclusion of our engineer is, we need to consider that advice, which is there's an issue that will get worked out with the building code in the course of permitting.

I wanted to ask the Board if they had any comments, any questions at all. Michael, do you have anything you want to ask?

Boardmember Ambrozek: Well, I did have one question. And that was, how many actual catchment points will there be for the runoff from the structure? Will there be one catchment point or two catchment points?

Mr. Barbuti: Catchment points, what I have is a trench drain in the driveway at the upper end. I also have, down at the lower end, a catchbasin. So I've got two catchment points, I believe, on the driveway.

Boardmember Ambrozek: Now, those are both ... can you give me the geographic direction that they're on?

Mr. Barbuti: Yep. I actually up here, where the existing driveway's going to meet the new where I'm going to level it out. I have a 12-inch wide by roughly 14-foot long ...

Boardmember Ambrozek: Right. Is that on the west, the north?

Mr. Barbuti: That is on the west side.

Boardmember Ambrozek: Right.

Mr. Barbuti: That would be the northwest corner.

Boardmember Ambrozek: Right, that's what I thought.

Mr. Barbuti: The northwest corner. I have more ... towards the middle of the property, which is at the driveway, I've got a catchbasin which is basically north center of that westerly property line. I have a yard drain basically on the north corner of the garage. I will have multiple roof leaders at the corners.

Boardmember Ambrozek: Right, that's what I was trying to find out. What you were going to do for catching it from ...

Mr. Barbuti: Right. So we're going to have roof leaders wherever I have corners or my roof changed directions, where I have a point where it converges. I'm going to have underground piping which is going to then come down along the side of the building, come across. I have a drainage structure here, which is basically a manhole, because of the drop in elevation. I also have another manhole over here that's going to come back in, tie into my CULTEC system. And I do have a 4-inch pop-up emitter to relieve any wetting if the 15 units ever fill up.

Boardmember Ambrozek: Right.

Mr. Barbuti: I know one of the comments from Ms. Rooney is that on the engineer's report they make reference to a 2-inch orifice which is for the pop-up emitter; we have a 4-. My discussion with Mr. Hahn was, he doesn't see a problem with that. If anything, it's just going to add to the ... if this thing ever fills up it's going to add to more volume before it actually spills out over the top.

Ms. Rooney: Right. But it was modeled in the gravel, not connected to the CULTEC chamber. so the HydroCAD thinks it's a free-flow condition the way that it's being modeled. You put the invert in the stone, how is the water ever going to come up out of the stone and up to overflow is my question.

Mr. Barbuti: OK. If that was the case, then that's a simple ... I'd have to change the CULTEC or the HydroCAD model.

Ms. Rooney: Right.

Mr. Barbuti: It's not going to change any past 15 CULTEC units, though. Remember, I'm only increasing 74 square feet. I need one unit, and I actually don't need to do a 30-unit; I can probably go down to a 120 or a 180.

Ms. Rooney: Hey, the smaller ... I want you to do what you need to do based on the hydrology of the site. I don't want you to add a gigantic structure just to add a gigantic structure 5 feet from my property line which, during construction, is going to be at my property line. I want you to make it is the size it needs to be based on the revised calculations, which the engineer has said the infiltration rate is at 12 inches per hour. In your design, you use 73 inches per hour. I called attention to the fact that the calculations were incorrect.

Mr. Barbuti: Well, I talked to my engineer about that and he used 73 because I have nothing but 11 feet of sand there. So the percolation rate at this site ...

Village Attorney Whitehead: Hahn used 12.

Mr. Barbuti: Right. The percolation rate at the site ...

Ms. Rooney: He also said that ... what else did he say? I mean, I'm just reading this now.

Chairperson Sullivan: I guess ...

Ms. Rooney: The calculations need to be revised.

Chairperson Sullivan: We're not going to reengineer this tonight. I think your letter came in time, and the engineer's given a response and there have been revisions. I'd like the Board, if you don't mind, just to be able to ask questions. Maybe we can have public comment again.

Michael, anything else?

Boardmember Ambrozek: We do not normally address ... as a planning board, we do not normally address issues that deal with the actual construction process with equipment or the storage. We concern ourselves with water. The Building Department actually deals with those items. We're being given plans; we need to act on those plans. From an engineering point of view, I see although, yes, it is substantially oversized I don't see a problem. In fact, we have a big problem in Hastings with excess runoff going into sewers and just out into the street in general. Having more collection of stormwater is not an objectionable thing, as such. The fact that maybe some equipment is going to be oversize during construction is not

an issue this board addresses.

Chairperson Sullivan: Bill?

Boardmember O'Reilly: I had a look at the site, actually, this afternoon. The only question I had is, is this a site that has any chronic problem with runoff? It doesn't seem to have come to notice as being a site that's had a problem with that, as a result of which why what's being proposed is likely to increase the possibility of problems. Considering the fact that there's no runoff problems with what's not there now, and given the fact there's going to be more put in there, it would seem to me that a runoff is going to be less of an issue than before.

Chairperson Sullivan: Thank you. Eva, any questions? Kerry?

Boardmember Gould-Schmit: No, just ... I mean, I would second what Bill's saying. It seems to me the situation's going to be improved.

Boardmember O'Reilly: I'm speaking as a non-engineer, I should say, as well.

Chairperson Sullivan: Any other public comment?

Ms. Rooney: In his letter he says the calculations are going to be revised? And that if the calculations are going to be revised, and the system's going to be redone, how do you approve the steep slopes if the system's not really going to be what it is or the plan is not what it is?

Chairperson Sullivan: What our situation is, is that we are looking at this for the impact of the construction on the steep slopes.

Ms. Rooney: Right.

Chairperson Sullivan: Typically, we have more information about how the zoning folks have worked with the owner on a single-family home. We don't see these at all. It's only when it comes to steep slopes.

Ms. Rooney: Mm-hmm.

Chairperson Sullivan: The impact is – the extent of steep slopes that are being disturbed is – well within our code, so there's no concerns with that. And the applicant and his architect put that information together so we can see it clearly. The issue of the stormwater is different because it's a ... like I said, it's not ... as I understand it, the thing the state requires,

but it's specifically to know that the runoff is being handled well. I won't say it's a lesser criteria, but the criteria that Hahn's been using for these is pretty consistent. And we depend upon the engineer.

I think your input's been very helpful. I guess my question would be, is your biggest concern the construction that's going to happen, or the runoff ...

Ms. Rooney: No, the site consists of rocky areas. My property is sloping right behind it ...

Chairperson Sullivan: Right.

Ms. Rooney: ... concentrating a large portion of the stormwater into one water may have potential breakout somewhere on my property and blow out a retaining wall. Then who do I go to when that happens? Whereas now the way it works is, the site's infiltration is scattered throughout. I mean, the runoff infiltrates throughout the entire site. But now we're theoretically taking all – based on the calculations – all of the runoff and sticking it there. I just think it's ...

Village Attorney Whitehead: Hahn says in his e-mail that he is going to look at that issue. I just want to clarify one thing for the record. You said his e-mail says that they are going to revise their calculations. That's not what it says. It says *if* the applicant revised their calculations ...

Ms. Rooney: OK.

Village Attorney Whitehead: ... the amount of units provided may significantly be reduced. It did not say there is going to be a change in calculation.

Ms. Rooney: But going from 73 to 12 in a HydroCAD design is a huge difference.

Village Attorney Whitehead: The Village's engineer did the calculation (cross-talk) ...

Ms. Rooney: Could you share those calculations?

Village Attorney Whitehead: ... so he was satisfied.

Ms. Rooney: Could he share those calculations?

Village Attorney Whitehead: This board is not that technical. They rely on their engineer. This all will be looked at again as part of the building permit process. I think for purposes of

the steep slopes permit – as the Chair has said and as Boardmembers have said ...

Ms. Rooney: I disagree.

Village Attorney Whitehead: ... what they need to know is, it's not going to be worse.

Ms. Rooney: I disagree, because if there's ...

Boardmember Ambrozek: I think ... Mr. Barbuti, would you be able to describe to this lady the process by which these tanks slowly release water as opposed to the large amount of runoff that occurs during a storm ... that the fact that these tanks hold the water and release it in a percolating fashion over a long period of time – being days and even weeks (cross-talk) ...

Ms. Rooney: No, I understand it. I'm a licensed civil engineer in the State of New York and I've designed hundreds – almost probably thousands – of these similar things using this exact program. My concerns are, I want to make sure the calculations are correct so I don't have any impacts on my property, which is immediately down-gradient. You're saying the engineer is saying these are OK, but he said they were OK originally. Then I sent a letter outlining 10 things that were incorrect and he had to do his own calculations. The applicant didn't do the calculations.

Village Attorney Whitehead: I don't think he did those, I think he had already done them. I don't think he did that in response to your letter.

Ms. Rooney: All right, but whatever impacts, or differences, in the drainage structures will have an impact on your steep slopes. If there's a pipe that runs through the steep slope you're going to have an increase in your steep slope calculation.

Chairperson Sullivan: I don't think we can resolve your issues tonight. I think your letter was received and was responded to. I think from my perspective, given what the Board's concerned with, that we have information to proceed. I would ask the Board. I think where it's being put is in Buddy's ... which (unintelligible) where the calculations can be revisited or the quantities can be re-looked at the way Hahn suggests. That information doesn't impact our decision, per se, on whether or not this is an appropriate intervention on steep slopes.

Ms. Rooney: OK, so what is my course of action if, in fact, you decided tonight to approve this? What is my course of action to ensure the calculations are correct? I mean, he's asking for the perc tests, provide the infiltration tests and the deep tests. He used an entirely different rate. I mean, the calculations are going to be changed; it's going to have an impact

on the design. If there's a change in the design, is that incorporated in the building permit? Who do I go to?

Village Attorney Whitehead: It will be in the final building permit plans, the final plans that are actually issued.

Ms. Rooney: So if there's a substantial change between the final plans and what you approve tonight.

Village Attorney Whitehead: I don't think Hahn anticipates any kind of substantial change ...

Ms. Rooney: Well, you can't think for him.

Village Attorney Whitehead: ... just from what he has told us, and Buddy has spoken to him. From what he has said, he was satisfied even before, with his prior memo. This board doesn't review the details of the engineering of the stormwater management plan.

Chairperson Sullivan: That's why we have a town engineer.

Village Attorney Whitehead: That gets done as part of the building permit process.

Chairperson Sullivan: I don't think we can work out the engineering details. I think talking to Buddy you can maybe figure out the process of how the building permit's going to proceed.

Ms. Rooney: So basically he can just put in any system. So you can change ...

Village Attorney Whitehead: No, the Village engineer will have to sign off on what's done.

Ms. Rooney: Oh, OK. That's what I was asking: what's the next ...

Village Attorney Whitehead: The Village engineer's role here is not done.

Ms. Rooney: OK. I didn't understand.

Village Attorney Whitehead: He will work with Buddy through the building permit process.

Ms. Rooney: OK. All right, thank you.

Chairperson Sullivan: Anyone else like to speak on this application?

May I have a motion for steep slopes approval?

On MOTION of Boardmember Gould-Schmit, SECONDED by Boardmember O'Reilly with a voice vote of all in favor, the Board resolved to approve the steep slopes application for the additions and alterations of the single-family dwelling at 6 Fulton Street.

2. **View Preservation Advisory & Site Plan Approval – Application of Tabi Realty, LLC as per Sections 29582 and 295104 for the demolition of an existing three-family building and construction of a new building containing three townhouse units on its property at 425 Warburton Avenue. Said property is located in the MRO Zoning District and is known as SBL: 4.705210&11 on the Village Tax Maps.**

Village Attorney Whitehead: I have a hard copy. Do you want it or you want to give it to Michael? Who's going to read it?

Chairperson Sullivan: I'm going to let Michael read it. Share the wealth.

Village Attorney Whitehead: It should probably be read when you take public comments because it's really for public comment.

Chairperson Sullivan: I wanted to let them get settled.

Village Attorney Whitehead: But it's public comment.

Christina Griffin, project architect: I'm representing Tabi Realty. I am here with some revisions to the last submission. We have changed the design in a few ways. We sent you a letter listing those changes. I'm going to go through them with you.

This is still a three-family, or a three-unit, apartment building. We have now changed the design so we have one apartment per floor. Each apartment will have access, by way of an elevator and a stair, to the garage level. This is our garage plan, I'll blow this up for you. We still have the driveway on the right. The driveway on the right, because of the angle and shape of this property, allows us to get the length we need to get down to the garage level

and still keep the building no higher than it is now. The garage now has the stair and the elevator that goes up to a lobby that is accessible by each unit.

This is our first-floor plan showing unit one. This unit is 1,737 square feet and fully handicapped-accessible. You access this from the garage, up the staircase and the elevator, and also can come through from the sidewalk along Warburton Avenue into this lobby here.

On the next level – the second floor – you have a unit that is 1,891 square feet. This also has access through this lobby using the elevator. Then the third floor has a very similar layout, almost identical, also with the same kind of access. Each apartment now is one level and has access ... and this is in response to the concern that it would be not easy to get access to each unit when we had them separated, independent townhouses. Also, there is only one entrance now on the first floor level instead of multiple entrances like we had before.

The building meets the side yard setback of 12 feet at the south property line. This is another change. We were able to change the shape of the building. And I'm going to go back to the site plan. We changed the shape of the building so we could set back the build from where the garage had to be. On the garage level, we need to come all the way ... we still have the wall of the garage 7 feet from the property line. But we set back the first and second floors to 12 feet, and that allows more light and ventilation between the buildings. It's also in response to the neighbor to the south. Also, it will meet the side yard setback.

Chairperson Sullivan: Could you explain that? You're 7 feet away from this property line, so how is that meeting the setback?

Ms. Griffin: I'm referring to the first and second floor wall. We will still need a variance for the 7-foot setback.

Chairperson Sullivan: And how did you calculate the setback on the south side?

Ms. Griffin: The zoning code indicates that the side yard setback is either 12 feet or half the height of the nearest building wall. It is 4, so half the height of the garage wall. We have, actually, calculations we provided. We received your note a few days ago.

Suzanne Levine, Project Designer, Christina Griffin Architect: (Off-mic).

Ms. Griffin: But we'll provide those calculations for you.

Chairperson Sullivan: Well, do you have them tonight?

Suzanne Levine: (Off-mic).

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

Chairperson Sullivan: If you would like to say that into the microphone, please.

Suzanne Levine: That wall, because it was such a low wall – the garage wall – we didn't do the height calculation there. But I can do that as an exercise to show you.

Chairperson Sullivan: My question was what the side yard would be if you considered the taller building wall.

Suzanne Levine: Right. I can get that for you. I don't have that for you.

Chairperson Sullivan: So you didn't do that for tonight.

Ms. Griffin: We were trying to get it for you. I'm sorry, but we will. It's just an exercise, because it's half the height of the wall or 12 feet. But you would like to know – I just want to sure I'm clear – how it would apply if we use the wall on the second and third floor.

Chairperson Sullivan: I guess my concern – and I don't mean to ... I'll finish my thought. It seems you have a wall regarded in the setback 7 feet away from the property line. And you're using that to calculate the setback of another wall. It just seems like it doesn't make sense to me because, in the spirit of the system, make sure there's enough distance between the building and the property line; a small wall that, in itself, in the setback doesn't seem to be the way you would approach that.

Ms. Griffin: Actually, we changed the design so that instead of the entire wall being 7 feet away we would frame the walls above the garage – because we can't change the garage to get the six parking spots we need – and moved the wall in and made the building a little deeper. I thought that's what the code said: either half the height, or 12 feet. We gave that as a side yard setback because that's the way I read the code. So that's the reason.

Chairperson Sullivan: No, I understand what your thinking is. I just was curious to know what it would be because it's probably going to be 14 feet, something like that – what it would be calculated, just roughly, based on the other side.

Ms. Griffin: I think it probably will be very similar.

Chairperson Sullivan: So at some point you would like that. It's just to understand how the ... one of the things was not understanding how these setbacks were calculated. I'd ask for something like that, just sort of a diagram to explain which walls you were looking to add to be the ones to get the setback on both sides.

Ms. Griffin: OK, we'll get that for you. I think we provided ... did we provide the calculations to the other wall?

Suzanne Levine: (Off-mic).

Ms. Griffin: We'll just give it to you at once to make sure we give you accurate numbers. We also made sure, in this new design, that the height of the building is no higher than the existing building, which has been our goal. This minimizes the impact to view, especially the view from 13 Division Street. I personally went up to that property and took photographs to make sure we were understanding of the views from that property. We also changed some of the view studies, which we'll get to in a few minutes.

Additional view studies were added, I just mentioned that. As a result of increasing the setback to the south, we have reduced the length of the front façade by 7 feet, which is also reducing the impact of the building. We have changed the slope at the top of the driveway so we have 3 percent from the – see if I can blow this up ... we now have 3 percent slope at the top of the driveway. Then we also had e-mail correspondence with the county traffic engineer and we actually have a revised plan we just did since we submitted this. I'd like to hand it out to show you a solution they seemed to accept. They seemed to have been more concerned about making sure there's 16 feet in the right of way so two cars could pass at the top of the driveway.

We have a plan to show this layout. This is what we submitted to you, and our revised plan is this one here. I'm handing this out now because over the past two weeks we had communication with the county. I'm going to blow up the driveway so you can see it. If you read the memo – there's a memo attached to that plan – the county traffic engineer, Kevin Roseman, said, *"The Village has jurisdiction on internal site circulation. Our recommendation for a 16-foot driveway was just a recommendation for their consideration. However, within the public right of way the driveway apron is in our jurisdiction, and we'd like to see 16 feet wide so an entering vehicle does not impact Warburton Avenue while waiting for the driveway to be clear."*

Then we sent them this layout and said, *"Please see attached revision to the driveway showing the 16-foot wide apron allowing for two cars to pass at the top of the driveway. The driveway transitions from 16 to 12 feet as it slopes down to the garage level. Please confirm*

if this satisfies the county's requirements." The response we received from the engineer was, *"This appears to be acceptable."* One thing, we actually do have room to make the entire driveway 60 feet, but we would like to have that 5-foot buffer, which is required by the zoning code, between a 12-foot driveway and the property line.

The other comment we took a look at, at the last meeting there was discussion about the idea of getting handicapped-accessibility from the sidewalk level into the entrance. We actually are not able to do that because in order to keep the building with minimum 8-foot ceiling heights, including the garage, we end up with a difference between the first floor and the sidewalk of 1.7 feet. That won't allow us a ramp there, but we do have handicapped-access by way of the elevator to each unit up from the garage level.

I'd like to also summarize the variances we need right now ... let's see if I can reduce this. Because we want to bring the building up to the property line in front, we're asking for a variance for not having any front yard setback. That allows us to design the building so it doesn't have an impact on the neighbors uphill. We're going to be asking for a variance for the setback to the garage wall of 7 feet. And then we're going to be asking for a variance to the parking spaces from 9 to 8.5 feet, which is a width that's very commonly in use in the Boulanger parking lot and many places in Hastings.

We're going to be asking for a variance to the driveway area because we have a ramp that benefits this project by allowing parking below the building. So it makes the driveway longer than the maximum allowed. We're also going to be asking for a driveway slope of 15 percent. I think up to 12 percent's allowed at discretion of the Planning Board. I have actually measured the slopes of some of the roads and driveways in the area, and I can get you that information in writing.

Just for your information – because I know there has been some concern from the neighbors about driveway slopes – I measured the driveway slope nearby on Division Street and it's 21 percent, it's quite steep. On William Street it's 17 percent, and at Washington it's 12.5 percent going east; going west, down the hill, it's 17 percent. Then I just measured a driveway into the townhouses on Ridge Street, and that was a driveway slope of 16 percent. I'm going to measure one of the neighbor's nearby. I know there's one very steep. I'm sure it's much steeper than this.

Based on my experience doing many projects with driveways, I think it's reasonable. But I feel we are going to have engineers look at that, probably Hahn Engineering and all of our engineers as well. The reason for the slope is really simply so we can get down to the parking area, get parking spots below the building without raising the building too high, and have any impact on use uphill.

We also have improved the façade design, if you'd like to see that. I'm not sure how much of a Planning Board issue it is, but we're trying to make this feel more like a handsome apartment building with some traditional details like a cornice and bay windows, with only one entrance to the building now.

So that's generally some of the changes we've made. We did read an e-mail that came through Charles Minozzi from Jim Metzger, who lives next door. We have looked at that. We know he's concerned about the driveway slope, which we just discussed. He's also concerned about the retaining wall here on his property and how that might affect him. We are going to have a civil and a structural engineer take a look at that and make sure it's either kept intact or repaired if it gets damaged in construction. And we're planning to put a planted buffer between the driveway and the property line.

Chairperson Sullivan: Are there open space requirements in this?

Ms. Griffin: Yes, we have a calculation.

Chairperson Sullivan: That was missing from design.

Suzanne Levine: (Off-mic).

Ms. Griffin: Yes, it's also something that we're just handing out now in response to your comments, Kathy. Our calculation is that in back ... yeah, the site plan we just handed out shows an area in the back. It doesn't include this piece, the planted buffer, and it's 18.57 square feet.

Chairperson Sullivan: So could you grab your calculations on that?

Ms. Griffin: It's 200 per bedroom; 200 times 9 is 1,800 and we're just over that.

Chairperson Sullivan: I guess the last thing I was asking – because I thought it would help the Board – was, some of the sections through the site that show the relationship at the side between the adjacent properties.

Ms. Griffin: Oh, yes, we did do that.

Chairperson Sullivan: I appreciate that. That's very helpful. I think it's on the PowerPoint. We just handed that out with the revised site plan showing the new driveway apron, so you probably want some time to look at. But we've cut the sections through the three areas you

requested, and A is through the front part of the site showing the driveway high to the right. Let's see if I can blow that up for you. This is the driveway to the right and the approximate grade on the left through that section cut. We have another section through, I think, the middle of the building showing the driveway at a lower point and the relationship of the new building to the grade on the left side. Then we have a section now through the rear showing the driveway and looking back at the building; and then the parking area, or turnaround, just outside the building. The next phase of our project, we hope, will be having our engineers take a look at this and do retaining wall designs, then the civil engineering.

Chairperson Sullivan: This one confuses me. The 427 is Jim's house, right? And where is the driveway?

Ms. Griffin: I'm sorry, I'm looking at this. Oh, the driveway must be over here. Looking back, the driveway is on ... you know, we tried so hard to get this to you today. I think we did take another look at this because I think it's somehow reversed. We had more than one deadline this week.

Chairperson Sullivan: No, this one looks right.

Ms. Griffin: Yeah, this is right. I think the driveway has to be over here.

Chairperson Sullivan: So let's look at the site section A. Would you jump to A, please? This one's taken where, towards the front of the property?

Ms. Griffin: Towards the front of the property.

Chairperson Sullivan: So what's over on the south side?

Ms. Griffin: On this side?

Chairperson Sullivan: Yes. There's no 7-foot protrusion here.

Ms. Griffin: The grade is sloping down along the side of the building, and if you go to the site you'll see that. This grade slopes along the side of the building, then there's a drop here. There's almost like an alleyway, a retaining wall, between this fire break and this lower grade which is inside the neighbor's property line. I think having more space between the buildings, having the driveway on the right, is going to help us when it comes to looking at the conditions at the property lines and the old retaining wall that exists there. We'll have our engineers take a look and see if that's impacted by the building.

Building Inspector Minozzi: Christina, I think what Kathy's trying to say is that at your 7-foot mark where the garage wall is isn't represented here. The 12-foot line is represented on the upper floors.

Ms. Griffin: That's because this section is taken before. If you look at the site plan, this section A is not cut through the garage.

Building Inspector Minozzi: Gotcha.

Ms. Griffin: The garage is back.

Chairperson Sullivan: Is section B taken through the garage so we can see?

Boardmember Ambrozek: Yes.

Ms. Griffin: Section B.

Chairperson Sullivan: So there's a little projection, OK. Then C, we think, is reversed.

Ms. Griffin: Yeah. I think we're rushing, and we'll get this submitted to you.

Chairperson Sullivan: Thank you for taking the time. It's really helpful because it's difficult to understand.

Ms. Griffin: Thank you. We just got your memo Tuesday, but I'll make sure you get a correct (cross-talk) ...

Boardmember Ambrozek: So the sidewalk elevation at the entrance to the building is 92 feet, and you say there's a 1.7-foot rise to get from the sidewalk to the first floor level, correct, to the ground floor level?

Ms. Griffin: That's right.

Boardmember Ambrozek: To unit one. So that would make that an elevation of 93.7. And the driveway through section C, which is where the final driveway level is, is an elevation of 84 feet. You have a net difference of ...

Ms. Griffin: Section C?

Boardmember Ambrozek: Yeah, section is ...

Ms. Griffin: We're going to have to revise that. Like I said, I think that section needs to be reworked. I think we're just trying to get this in for you today, and if you give us a little more time I think ... I mean, we'll resubmit it and make sure it's accurate.

Boardmember Ambrozek: OK.

Chairperson Sullivan: Kerry, do you have any questions or comments?

Boardmember Gould-Schmit: I appreciate the changes. I think the November meeting, a lot of our comments were taken into consideration – especially on the floor plans, the layout, how we went to a more horizontal format. I'm definitely concerned about the 15-degree slope. I think it will be interesting to see what Hahn or your engineer, or what ... I don't know if there's any way to mitigate the speed going downhill. Just 12 feet wide, it just seems like it needs to be looked at I guess is what I'm saying. I'm a little concerned about that.

Ms. Griffin: I could do a comparison. You know, there's so many bad conditions that are real extreme on that street. But we should look at good conditions, of course. I think we're going to submit examples to you that maybe you could even go out and see what they feel like. I've done this before for other projects, and in this hilly area many times we have these problems where we have to get driveway slopes higher than we want. I know on Clinton Avenue I did a study of 30 properties and found out the average was 19 percent. We know if you just go down some of these roads ... like Division is 21 percent, and we all know that's too steep.

Boardmember Gould-Schmit: Right. I live off of Ravine, so I get it.

Ms. Griffin: Yeah, yeah.

Boardmember Gould-Schmit: A steep slope.

Ms. Griffin: I think we tried to get 12 percent to work, but we couldn't without raising the building and affecting the view. One of the things, I think the benefit of this new building is we're getting parking for these units. We went up, stopped at 15, and thought that could be reasonable. I appreciate it if you could look at that, and we'll show you some examples if you'd like to see them.

Boardmember Gould-Schmit: OK.

Ms. Griffin: I mean, we could find 15 percent somewhere, maybe, and you could try it out.

But the engineers can work on it.

Chairperson Sullivan: Eva, do you have any comments?

Boardmember Alligood: I think if you've seen a concrete example (unintelligible) on that issue.

Building Inspector Minozzi: Say that again?

Boardmember Alligood: I said seeing a concrete example in Hastings of a driveway that slope would be helpful. I guess I have questions, concerns, that Jim Metzger of Hastings letter particularly had to say about his retaining wall, and just make sure that won't get disturbed during construction.

Chairperson Sullivan: Michael is going to read that letter into public comments.

Boardmember Alligood: Most of my questions center around responses to those issues.

Chairperson Sullivan: Michael?

Boardmember Ambrozek: This is a letter from Jim Metzger of 427 Warburton Avenue. It was sent to the Planning Board, and I'm reading it for the record.

"Dear members of the Planning Board,

I have had a chance to do a review of the current architectural plans being presented tonight. I would like to provide some comments since I will be unable to attend tonight's meeting."

I am OK with the location of the proposed driveway being adjacent to my property. However, as has been discussed before, I have concerns over the 15 percent grade and very tight maneuverability within the parking area. My neighbor to the north has a similarly-sloped driveway and it is very difficult to navigate in the rain, typically spinning wheels and impossible to deal with in the snow/ice unless it is heavily salted. It tends to not be used at all with predictions of bad weather, contributing to the lack of on-street parking in the area."

It has been the experience in the neighborhood that off-street parking, while meeting the letter of the code, will not be used if the access is difficult or inconvenient. For

222 Warburton, affordable housing is very accessible but inconvenient for the tenants and is usually only 30 percent utilized. I think the proposed turning radius, and perhaps more importantly for exit, will make this parking area not well-used. It appears that no on-street parking spaces will be lost due to the location of the curbcut, and that is good for the neighborhood."

The proposed sidewalk planters are welcome, but access to the street for getting in and out of cars should be considered. Building to the street-sided property line is in keeping with the adjacent properties to the south, and should be considered."

I am happy with the building height as proposed, but will leave it to my neighbors to the east, Division Street, to weigh in. I have voiced concern over the proximity to my property and the level of demolition construction being proposed. My house is over 100 years old and has a rubble stone foundation. Our front yard has two tall evergreens and a mature dogwood tree. My house is below the sidewalk elevation by about 3-1/2 feet. There is a stone retaining wall supporting the sidewalk that is in my front yard and continues into the neighboring property. Up until this project, I had assumed the last few feet of retaining wall was in my property, but it is not. Consideration needs to be taken in dealing with the driveway and its impact on the wall and my cast iron fence."

I want to make sure the design and methods of construction will take protection of these items into account."

Regards

Jim Metzger"

Building Inspector Minozzi: Kathy, just one quick thing. Just keep in mind, with the planter on the street, that one entire whole side of parking at Saw Mill Lofts is the same situation: against the plants.

Chairperson Sullivan: Eva, anything else? You referred to his e-mail.

Boardmember Alligood: I'm assuming we'll hear some responses to the questions.

Chairperson Sullivan: Thank you. Michael, do you have any comments?

Boardmember Ambrozek: Yes. I think, to take Jim Metzger's point that the existing

building he has there has rubble stone foundations – I'm not sure – can you tell us how much you have to impact the existing retaining wall, if at all, in you design? I know we don't normally try to deal with construction details, but affecting somebody's house where it could cause structural problems is a concern.

Ms. Griffin: There is a retaining wall near the ...

Building Inspector Minozzi: Do you have the microphone, Christina?

Ms. Griffin: There's a retaining wall near there, on the property line here. But at least we've moved the building away from the property line by 17 feet, even though we need a retaining wall because of the slope and the ramp. But I would expect the engineers will design this properly. I have had that experience working near old buildings with rubble walls – River Townhouse was one, which is two doors down – and I know you just have to take precautions to make sure you don't undermine that. There's a certain like angle of repose when you're doing excavation, certain precautions and temporary shoring, and that will have to be looked at by the engineer.

Boardmember Ambrozek: So the retaining wall you're going to build will be inside your property; inside the property, not aligned but not on the property line?

Ms. Griffin: It's 5 feet away, and it's only to make the transition to allow the slope. There's actually a natural grade of 16 percent. The difference between this 15 and 16 is really minor. But there is going to be some retaining wall because it has to make that transition, and a uniform slope as well, going from 3 percent at the top to the 15 percent. So there will be some kind of low retaining wall along here. But the retaining wall I think Jim is referring to is along the property line over here. Right here in the corner, where these intersect, is something we'll have to take a good look at. There's a drop between the sidewalk level and his property. But you know, it's not right up against the building; it's next to the 3 percent slope, right here at the corner. Our driveway is 5 feet away from it. But we will look at it, and I think as a good neighbor we need to make sure we protect it or repair it if there's any damage.

Boardmember Ambrozek: Right. I think he's more concerned especially about the retaining wall closer to the west, closer to his building.

Ms. Griffin: No, he said along the ... to the west, down here.

Boardmember Ambrozek: Yes, where 427 is. That area.

Chairperson Sullivan: Do you want to look at those sections, maybe, if that would be helpful?

Ms. Griffin: I think the sections are showing through our driveway, but not showing his retaining wall. I thought the only retaining wall was up here.

Boardmember Ambrozek: My understanding is that the retaining wall runs pretty much along the property line. Yes, the eastern section may be not on his property, but he's concerned especially that the retaining wall not be impacted because he has a stone rubble foundation.

Ms. Griffin: Exactly. I think he meant our new retaining wall may have an impact on his rubble wall. His whole building is so old that if you excavate near a rubble wall it can upset it. But we are 5 feet away, and we are going to have this engineer ... we're going to take a look at that problem.

Boardmember Ambrozek: OK. My other comments are, I'm very happy to see the developer is proposing three apartments as opposed to three townhouses. I think the proposal is very nice. I have a question. You did mention that unit one will be disabled-accessible. Will units two and three be disabled-accessible?

Ms. Griffin: They all can be.

Boardmember Ambrozek: They all can be, yes.

Male Voice: An elevator.

Boardmember Ambrozek: Because they all have elevators from the garage.

Ms. Griffin: And they all have space to become handicapped-accessible.

Boardmember Ambrozek: OK. I just noticed that some of the hallways going to the bathrooms for units two and three were narrower than for unit one.

Ms. Griffin: I think it's because we just choose the first one to be handicapped-accessible.

Boardmember Ambrozek: OK.

Ms. Griffin: But, you know, I guess ... let me see.

Boardmember Ambrozek: I mean, that's an issue for you, for your design. That's not something we have to have. I don't think they all have to be handicapped/disabled-accessible.

Ms. Griffin: That's correct. I think we chose the first one to be fully handicapped-accessible.

Boardmember Ambrozek: Then on another minor point, having the plantings along the curb where cars are parked is nice, I presume. While it shows trees and things – there may be one tree or two trees – for the most part it'll just be low little plantings that people could walk through when they're getting in and out of cars.

Ms. Griffin: Agreed. We should consider that. But it's a very wide sidewalk, 13-10.

Boardmember Ambrozek: I beg pardon?

Ms. Griffin: A very wide sidewalk. And ...

Boardmember Ambrozek: Yes.

Ms. Griffin: ... I lived two doors down for two years once, and I always was hoping someone would do something with it.

Boardmember Ambrozek: I think it's nice having greenery along the sidewalks as opposed to just concrete. So I think it's nice, but people need to be able to open doors.

Ms. Griffin: The flow through that planter has to be provided for people to get out of the cars, I think.

Boardmember Ambrozek: Yes, they have to be able to open their doors and step out or put things in cars, get the babies out and the car seats, without standing in the road. That's all.

Chairperson Sullivan: Do you have any questions, Bill?

Boardmember O'Reilly: No questions, but comments. I do think the changes that were done in response to the issues raised at the last meeting I think are certainly moving in the right direction. No doubt the driveway is going to be a challenge. I appreciate the comparisons of gradient for other streets around because I have trouble visualizing a 15 percent grade unless you show it to me. By looking at Ridge Street, Division Street and Washington Avenue, it makes a difference. So it is a challenge, but no doubt it's preferable

to having a higher building.

One of the questions, people don't use the garages when they're offered. I don't understand that, quite honestly, why people don't. If they do I'm surprised, but I'm told that 30 percent of those in the other building across the street don't use them. One of the questions could be because of lack of storage in their units, where they use the garage for storage rather than parking in. But I assume this is not going to be a private garage, this is going to be an open garage for all residents. So it's not going to be a question of where you can store. So if you can't store it you may as well park your car. I don't see how we can answer that one. If they use the garage they do, if they don't they don't, but I don't know how we can plan around that.

Ms. Griffin: The problem with the project across the street – the affordable housing building – is, there is no garage. It's an open parking area in the back and go up a 21 percent slope through Division Street to get there. Then it's just such a climb to even come down from that area that I think a lot of residents will rather park below and then enter from below than go up that steep driveway. It's a problem because there's so little parking on the street, a lot of buildings without any. And yet, that parking lot is often half empty.

Boardmember O'Reilly: But I would imagine the availability of an elevator to bring your stuff into your apartment would be an incentive for them to use their garage.

Boardmember Alligood: That's what I was thinking. I can't imagine, if you're coming back with stuff, why you wouldn't want to go in the garage and take the elevator up.

Boardmember O'Reilly: And why would you not use it when it's going to snow.

Village Attorney Whitehead: And it's a covered garage as opposed to open parking.

Boardmember O'Reilly: Exactly.

Ms. Griffin: So everyone should really park, take your groceries up through the elevator. I think that would be a lot easier. I mean, it's a comment your board made and we made sure we have that access to each unit.

Boardmember O'Reilly: I had no other comment.

Chairperson Sullivan: I realize we should have public comment. Does anyone wish to speak? Anyone from the audience like to speak about this?

I echo everyone's comment about the revision of plan type, the townhouse to an apartment model. I think that's going to work better on the site. I have some concerns about the setbacks. I'm concerned mostly about how this building fits in with the neighbors, the neighbors to the north and to the south, and would like to just understand how the south setback was calculated just to understand and make sure we're comfortable with it, the numbers. And a diagram kind of indicating which walls were chosen would be helpful. I think just, going forward, also, this is not an elaborate plan, but just an indication of documenting your thinking.

The driveway, I'm really appreciative of getting the input of the county early because I think that's helpful for all of us. The driveway slope is steep. I look forward to examples of this, as well, because as Bill said it would be helpful to see them and feel them and understand them. I'm concerned there are not transitions at the top and bottom of the driveway. I think that's something that's going to be required. Typically, there's a transition of a slightly less slope at the top and the bottom to avoid cars from bottoming out, which happens frequently. That should be accommodated.

Boardmember Ambrozek: Kathleen, I think there are transitions.

Chairperson Sullivan: Not what's needed.

Boardmember Ambrozek: From the sidewalk, there's a 3 percent grade starting at the top of the driveway.

Chairperson Sullivan: There's usually a 10-foot strip at the top and the bottom that's a transition slope to get ...

Boardmember Ambrozek: Oh, you're talking about the bottom at the garage level.

Chairperson Sullivan: And at the top.

Ms. Griffin: There's a 3 percent slope at the bottom of the ramp.

Chairperson Sullivan: I think when you look at the 15 percent slope there's a chance we will be looking to get a transition slope, which is typical with a fairly steep driveway. I am concerned about the access. Jim's email made me think about this, but if you go to the driveway plan – or the garage plan, please – if I'm coming down the driveway I almost have to do a hairpin turn. I have to do a 180 to get to my space. I looked at the turning radius typically that it needs for cars. One, just for a note, where you have the turning radius as 25 feet there's really a turning diameter of 25 feet. That's not the radius. You do need a radius

at 25 feet for the outer side of the driveway. By my calculations, that was to get past the car turning and almost going into the parking spaces on the southern side.

We really need to make sure this is something that's maneuverable. Just envision, you're leaving to go up the driveway and I am not going to be able to make that turn. I can't turn around at the corner like that. So before we go too much further I think you really should look and make sure this is a functional layout. I think you may have to flip ... two parking spaces to the inside, I'm not sure what that does. But I don't see this as working very well, if at all, for a car getting in and out. I thank Jim for making me think a little bit more about that because I've been sort of concerned about the driveway.

Ms. Griffin: We might be able to just enlarge the garage a little bit towards the back.

Chairperson Sullivan: I don't think so, but I will leave it to you to figure that out. I did a little sketch and I get something that looks a little bit more like a candy cane. I think, please, take a look at that and make sure it's going to work because right now I think it's going to be difficult if not impossible.

I guess the last thing is, I know we do talk somewhat about the elevations and how they fit into the community. We will have assistance, most likely, from the ARB to look at this. I'm not a big fan of the bay windows. They're very shallow, they're just maybe 6 inches or so, they're not very expressive. I think this is a little bit of a mish-mash of stuff. And I think the type of brick buildings that are down on Warburton are simple and straightforward, and maybe there are other ways to make some articulation in the façade than to come up with something that's a very shallow projection. That's just my sense of looking at it.

Again, bigger points to thank you for the accommodation of the different arrangement of units because I think that's going to make it more successful on the site. Though troubles on getting the constraints of a townhouse to work with the (inaudible), I think this will be more successful.

Ms. Griffin: I just want to point out there's quite a number of bays within the buildings on Warburton Avenue.

Chairperson Sullivan: I agree with you with that. These are very shallow so there's very little of a projection. I'm not sure how successful they would be in reality. I understand you're trying to break it up a little bit, and I just encourage maybe another look, if possible, at something that's not as shallow.

Ms. Griffin: Do you think we can move ahead? I'd like to have our engineers get involved

and prepare for stormwater study; look at the driveway, retaining walls, circulation, vehicular access.

Chairperson Sullivan: I'll let the Board jump in. I believe you can move forward. I think the functionality of the garage needs to be carefully looked at because I'm concerned it's not going to work. There are, as I said, some problems we can accommodate. I know I have some issues with the setback, and I think that would be more a question potentially to ask the Zoning Board to weigh in on. I know you've been talking with Buddy and understand the logic behind choosing the 12-foot rather than something else, but for me that's not anything to have a hold-back.

We'll need to communicate to the Zoning Board our support of your front yard setback at some point, so Buddy and I are strategizing on exactly what would be the best way to do that. We would like them to hear why we are supporting it rather than starting from scratch, but (inaudible). I don't know if anyone else disagrees with it, but I think I feel comfortable having these folks proceed with this project as we've seen it tonight.

Boardmember O'Reilly: Yep.

Boardmember Gould-Schmit: I agree.

Chairperson Sullivan: Again, further concerns about the parking and access of the driveway. We should really look at those quickly.

Ms. Griffin: Yeah, we'll address that first when we get the engineer involved. And going to the Zoning Board, do you think that needs to be done sequentially after Planning Board review and final review, as we've done in the past? I'm just asking the question.

Village Attorney Whitehead: Can I make a suggestion? Since one of your variances has to do with the driveway slope ...

Ms. Griffin: Yes.

Village Attorney Whitehead: ... and this board's not comfortable with that yet, I think you should come back here one more time with some more information on that. I think getting the engineers involved may help you with the driveway, work out driveway issues. But I don't think it's to your benefit to go to the Zoning Board – because that's one of the variances – until that's done.

Ms. Griffin: OK.

Chairperson Sullivan: Correct. Linda, when we've talked about trying to make the back and forth between the boards work best we've always sort of encouraged this to make sure we're comfortable with the site plan before you go.

Village Attorney Whitehead: Especially the items that require a variance.

Chairperson Sullivan: Correct.

Ms. Griffin: Yeah, I understand. I agree.

Chairperson Sullivan: We really would love to tackle those issues so we can feel comfortable, and understand and support the site plan. Then we can look to the Zoning Board in some fashion to make sure they understand; whether it's being an advocate and explaining everything, or Buddy helping us.

Village Attorney Whitehead: Well, you can do a memo.

Chairperson Sullivan: We'll figure that out.

Boardmember Ambrozek: One thing we haven't addressed tonight that is an item for the variance is the view preservation.

Ms. Griffin: I've been meaning to interject because I feel a little remiss in not showing our new studies. There may be neighbors that would like to see that. Maybe they're even watching on TV or something. Because we modified some things – and let me get the right scale here – and actually changed all the studies because we changed the building.

We'd like to start from the first one. This is from 20 Marble Terrace, first floor level, before and after. You can see we actually inserted the elevation of the building here, not just block. This is from the second floor, before and after. This is 6 Division, before and after; 422, the view from the southern part of that building, before and after. There are just new shapes, new sizes, that reflect the new dimensions of the building; also from 422, 3 Hogan Place before and after. This is from Jim Metzger's house, showing the shape very close to the building. This is showing looking, actually, at the underside of the deck and the deck below through this window. This is looking at the south side of the building, just south of our proposed building. This is 13 Division – I took this from their terrace – before and after. Also from their patio, which they wanted very much for me to have a look at that; and then also from their yard, the lawn area of their property, before and after.

If you have any questions about these studies, we do this in sketch-up and try to put in the dimensions of the building. We bring up a 3-D model and then transfer it to the photograph to try to get it as accurate as possible.

Boardmember O'Reilly: I have no questions about photographs. I actually went to 13 Division Street. That was the gentleman that came in twice, concerned about his views from his porch. Hold that picture there. The view that he has directly across, where the new building is, obviously he's going to lose the view of the river. But if you look to the right, his view is going to be impacted no doubt one way or another. But the extent, is it a percentage loss? It probably is. Obviously there's an impact there, but the question would be is it reasonable.

Ms. Griffin: You see the piece of the old building here we're removing, where my cursor is? This is the new building that lines right up with this building. We've measured it not only with a laser device, but we also went through the building and measured floor by floor to make sure we have an accurate height from the sidewalk. We are matching that. So we're taking away some of the building, but our new building is longer.

Building Inspector Minozzi: His comment to me tonight was, as long as it lines up with the existing building he's fine with it.

Village Attorney Whitehead: And that doesn't show the piece of the existing being gone. So you gain a bit of the view there.

Boardmember O'Reilly: I actually took out the photographs. You're looking at a balcony there, which is also the 13 Division Street. So standing high, you've got a slightly impacted view, but not full. I took some from that photograph.

Ms. Griffin: That's quite a nice view.

Chairperson Sullivan: If there isn't anything else we want to thank you very much.

Ms. Griffin: Thank you so much.

VI. NEW BUSINESS - None

VII. DISCUSSION ITEMS

1. 120 High Street – Parking Area for Home Office

Chairperson Sullivan: I don't know, Buddy, if you wanted to mention anything about this at all?

Building Inspector Minozzi: At 120 High Street I've spoken with the neighbors, I've spoken with the homeowners. I believe I had sent to the Board letters of support from the neighbors. No one seems to have a problem with this, the immediate neighbors, for future applications. If we could give them some good feedback tonight, sending them to the ZBA next week for their variances for parking, then they'll come back to us for site plan approval for the driveway afterwards. I think you'll see, by the proposed parking areas, which direction this is going to go.

Chairperson Sullivan: (Off-mic).

Building Inspector Minozzi: Yes. So if we can offer them as much information as we could tonight I think that would be very, very helpful for them to move the process along.

Chairperson Sullivan: OK, thank you.

Mitch Koch, architect for Dr. Amy Colley: This is the house in question. Amy has an at-home psychology practice. She sees one patient at a time. The patients are spaced so there's never an overlap. This has been an ongoing at-home practice for awhile now. People either park on the street or park in her driveway. It's a very small, single-practitioner sort of practice.

I just wanted to show you the street. As you know, on High Street there's parking on the east side of the street here. Just to give you a lay of the land, it's all very small. In fact, the houses are relatively close together. What we tried to demonstrate was that to conform to the requirements of the code would require so many zoning variances it would be ridiculous. And that we would be taking a completely workable situation and making it a disaster. So, in fact, I'm just going to directly to the drawings, which I know you've seen already.

What we tried to show, we showed two different scenarios. In the case of the blue scenarios, we'd conform to the requirements that a single practitioner of an at-home professional practice has three parking spaces. Then there would be two required for the house. So there's five parking spaces. But as you can see, they're into the rear yard setback and the side yard setback, not to mention the excavation that would be required because the backyard is,

in fact, already terraced and would require a lot of retaining walls and a lot of site work to make this work.

Building Inspector Minozzi: Don't forget, Mitch, another variance that wasn't mentioned was parking in a required yard. That's one more variance that you didn't mention in your presentation, in your submission. That would be an additional variance that would need to be requested if he was to do either of these parking scenarios.

Mr. Koch: The one in the front would require a huge curbcut, tandem parking. Our point is that it's sat very comfortably within the neighborhood for, already, how many years?

Female Voice: Eight years.

Mr. Koch: The immediate neighbors are completely happy with it. We would ask that we could just go to the Zoning Board, present this to them, and leave the status quo alone; I mean, just leave it as it is. I think it would be inappropriate to apply the letter of the code to this situation.

Chairperson Sullivan: I guess what we're being asked to do tonight – since it's here as a discussion item – is that these guys will go to the Zoning Board and then come back to us with an on-site plan.

Boardmember Alligood: It would be crazy to put all these cars here. It doesn't make any sense. This is like a really easy one. I don't even think it requires a lot of discussion. I really don't think we need to kind of belabor it. It's crazy.

Village Attorney Whitehead: Ridiculous.

Boardmember O'Reilly: You talk about the neighborhood, I live three or four doors down from 120 High Street. One of the letters said that there's probably less traffic, or less cars parked outside 120, than houses to the south. I would say to the south of me is more of a concern than to the north of me. I would have no problem with saying to the Zoning Board do whatever you have to do, this is perfectly OK.

Chairperson Sullivan: OK.

Boardmember Ambrozek: I'm in total concurrence. I also have experience with a psychologist in my neighborhood. They never want to have more than one patient at a time. They don't even want one patient to know about another patient arriving. They're very concerned with their privacy. I'm very happy they have the home office. It's good to know

that there are actually people in the neighborhood during the day. And I would hate to have to make any changes. Any change that would be required to not allow this would have much more of an impact on the neighborhood. So I just think this is the best solution.

Chairperson Sullivan: "Do no harm," right?

Boardmember Ambrozek: Do no harm.

Chairperson Sullivan: All right?

Mr. Koch: All right, thank you.

Chairperson Sullivan: Thank you for your patience. Good luck.

Boardmember O'Reilly: Sorry you had to wait so long to get a simple answer.

Chairperson Sullivan: I see you have a very short time in a month or so.

2. Miscellaneous

Building Inspector Minozzi: Kathy, would you like to hear from Mitch really quick about some ARB issues while we're in discussions?

Chairperson Sullivan: Yeah, that would be helpful. Yes, that would be very nice.

Building Inspector Minozzi: Before Christina comes back up?

Mr. Koch: Great, OK.

Chairperson Sullivan: Mitch is chair of the Architectural Review Board and has been working closely with us – the Board, I should say – on a couple of issues. We've had some back and forth, so let's go.

Mr. Koch: Very quickly, we're going to go to the Saw Mill River Lofts. Buddy and I were there. There's a garbage enclosure which conforms to the Architectural Review Board's requests, with the exception that they haven't painted the doors yet. We've given them instruction to do so, and we'll be looking for results. This is based upon the weather, so painting has to occur when the weather's in the mid-40s and no less. I guess they're on it, he showed good faith.

Basically, the doors to the enclosure are going to match the red paint of the rest of the project. The stucco was fine. So we're waiting to see that. They're going to test drive the dumpsters to make sure they all fit within the enclosure. Our understanding is that they will, but obviously they have to make them work because they've already built the structure.

Chairperson Sullivan: We drove by. Jamie had brought this to our attention that the doors were bright white.

Mr. Koch: Right, and they're going to take care of the plantings that have been requested by this board on the south and west side of the enclosure, which is the river side basically.

Then the other project is 32-34 Washington. We asked for them to resubmit some information regarding the retaining walls and cheek walls around the driveway, which is quite deep. We are still waiting for that.

Building Inspector Minozzi: Just to add to that, I have spoken with Christina and she has spoken with the client. They will be submitting before building permit.

Chairperson Sullivan: Just to bring to people's memory, we had approved 32-34 with two conditions. One was that they working with the ARB on some of the site elements. The other was that they would work with Jamie, Bill and myself, if I'm not mistaken, on landscape. So we're waiting for both those components. Mitch is just giving us an update on that.

Mr. Koch: Right. When we last met, we approved some changes: the patio door and some other changes to the site work in the front. But there was stuff that, as you explored the site plan, needed more explanation. That's what we're waiting for.

Chairperson Sullivan: I think the thing we'd like to do, these guys are doing this work kind of under our conditional approval. When ARB is content, we should take a look at it at some point.

Village Attorney Whitehead: I don't remember there was a condition to come back to the Planning Board.

Chairperson Sullivan: Not so much, but for us just to see what the ARB's done. We're trusting them to resolve this. We don't want to make it a back and forth. But I think Jamie's going to be the liaison, or myself, so just copy us on it and we can make sure the Planning Board sees it.

Mr. Koch: As we left it, we will receive some submissions, between ARB meetings, by e-mail. Then we reviewed them in a group e-mail. If and when that happens, I can make a presentation to you or copy you within that discussion. That's probably the most effective way to do that.

Chairperson Sullivan: Just so we can know what your final decision is, that is good for us.

Mr. Koch: Sure.

Chairperson Sullivan: One thing, I'd like the Board not to be surprised when they go by after it's built.

Mr. Koch: You mean us, the Architectural Review Board.

Boardmember Ambrozek: Actually, I appreciate your input because I drove past Saw Mill River Lofts earlier this week and was very surprised to see the individual garbage units outside the shed.

Mr. Koch: They'd actually gotten the wrong units, and those are going back I think.

Building Inspector Minozzi: That's correct.

Boardmember Ambrozek: I was concerned because they were also in the public parking area for the parkland, parking for the parkland. Are any of the units actually occupied yet?

Boardmember O'Reilly: Oh, yeah.

Building Inspector Minozzi: The south building is 75 percent occupied, the middle building's 100 percent occupied, and the north building has a couple of people in it.

Boardmember Ambrozek: So they really need to have the proper garbage containers.

Building Inspector Minozzi: No, they're there; they're inside, inside the shed.

Boardmember O'Reilly: The new ones.

Building Inspector Minozzi: The ones they're using.

Boardmember Ambrozek: Oh, so the ones that are outside are ...

Building Inspector Minozzi: Those are the ones that were ordered wrong, and I think I sent the Board an e-mail on it. Those are the ones that are ordered wrong, and they're waiting to be picked up and brought to another job.

Boardmember Ambrozek: OK.

Building Inspector Minozzi: Basically, they thought they were doing their own garbage so they got front-load containers. When the super realized it was a Village pickup – we need rear-load dumpsters, not front-load dumpsters – they had to get all new ones, which they did.

Boardmember Ambrozek: But they won't throw out the other dumpsters. They'll use them at another site.

Building Inspector Minozzi: They're bringing them to another site. They're brand-new, yes.

Chairperson Sullivan: Thank you.

Mr. Koch: All right, good night.

3. Warburton Avenue (aka Nodine Street) – Proposed Construction of Six Townhouses

Lou Bruno, project contractor: Christina and I will be presenting this project this evening. I'm a local contractor; our offices are down on Southside. We own other properties in the neighborhood so we have a vested interest in that area. We're excited about this project because we feel it could add more residents to have access to the neighborhood. I enjoy the neighborhood on a daily basis. I'd like to say I appreciate your time, and I'm going to default to Christina for details on the project. Thank you.

Ms. Griffin: We're just introducing this proposal for townhouses. The name of the project is Townhouses at Woodbank. Woodbank is the name of the estate that used to be here in 1834, and we wanted to tie this to some kind of history of the area. What we're planning to do is to – hold on a second, OK? – develop this property. I'm sorry, I'm just going to have to see how I can fix this.

Village Attorney Whitehead: It worked on the other screen. See, the mouse worked.

Mitch did it.

Ms. Griffin: Just let me show you the newest layout.

Boardmember Alligood: You're saying "latest layout"? That's a different elevation from the view. Is that what you mean?

Ms. Griffin: Our plan is to have six townhouses built on this property. There are currently two small buildings on the property.

Building Inspector Minozzi: You have to use the microphone.

Ms. Griffin: Now, there are some photographs of the site. Just so you can see, right now this is the site, the big view at the top. We started our view study, and there's some small buildings on the site. We're planning to remove them and have this new townhouse project built here.

This is our garage plan. We're planning to meet the zoning code to have 12 parking spaces for the six units. So we have a garage at the ground floor level. This plan – I think I should blow this up for you – is showing the setbacks. This is in the MR-1.5 zone. The setbacks are related to formulas for the front yard and side yard. This dash line is our required setbacks. The building, for the most part, fits in the setback for this piece, the back here.

This proposal will require a variance for lot coverage. We're planning to have a total development coverage of 40.9 percent. Fifty percent is allowed, and there are many examples of buildings with this coverage.

Building Inspector Minozzi: Just a quick clarification, Christina. It's just coverage. It's not development.

Ms. Griffin: The whole building and everything that touches ground, OK.

Building Inspector Minozzi: It's just coverage in this particular zone.

Chairperson Sullivan: Yeah, that's very confusing.

Building Inspector Minozzi: I know.

Ms. Griffin: We've laid out the units so there's like a party wall between each unit. They are three-bedroom, 2-1/2 baths, with a family room on the third floor. We have access from

the garage, through one stair and an elevator, to these four units to the right. Then to the left, we have just a stair access to these two units. This is our level above the garage, which has the living room, dining room, kitchen. Then on our second floor, we have three-bedroom, two baths. Then on the third floor we have a family room with decks.

This building is nestled between the Aqueduct and Nodine. We have our cross-sections through the building. There's a large retaining wall going up to the Aqueduct up here. The building will be sitting down below the top of the Aqueduct so we will not affect views looking from the path. Right now, we have an area that could be steep slopes. But we're exploring it because this is filled with debris and we're going to have some excavation done to see if this is actually just debris or part of the slope. It's possible that this is really the original slope. The third floor allows for a roof deck and views of the river, and there's some small decks off the lower levels. The garage is entered right off the street.

That's our site plan showing the six units. We have extra space here that would probably be used as open greenspace in front of the building. I started looking at elevations. What we want to do is try to treat these as individual townhouses. We gave you prints tonight because we are working on design of the building. We've internalized these entrances so now you can enter and take either the stair or elevator up to the units. The 3-D sketch we distributed reflects that. So you enter into the building – there's one entrance here, one over here – and then go up the stair to your unit above.

We have started to look at ... this is our location map, which has located our view studies with arrows locating them. This is right to the north of a 10- or 11-unit building right now. It's kind of parallel, right on the same street, Nodine. These are our view studies we started setting up, where we're looking at views from neighbors on the south side; looking at the building – looking down from the Aqueduct as with this view – number four, then views looking from the properties north of the site.

Tonight, we just wanted to see if you have any comment, any input we can have before we make our official submission.

Boardmember Ambrozek: I'd just like to make an observation that actually also relates to 425 Warburton. That is, if we look at scheme B that you started out with of the garage ...

Ms. Griffin: Yes.

Boardmember Ambrozek: ... it shows the turning radius being 25 feet in the garage.

Ms. Griffin: Yes.

Boardmember Ambrozek: But, in fact, vehicles do not need to make a complete circle inside the garage. They only need to make a 90-degree turn. So the statement that this is the radius, that the radius is 25 feet, is correct. It's not the diameter because they do not have to have to turn 360 degrees or even 180 degrees; they just turn 90 degrees. This is the same observation for 425 Warburton, where that 25-foot turning radius doesn't really mean diameter; it's truly a radius.

Ms. Griffin: I see what you're saying.

Boardmember Ambrozek: Do you understand, Kathleen?

Chairperson Sullivan: I understand your point. What I was referring to was a certain type of calculation for turning radius around turns. So it's separate from this.

Boardmember Ambrozek: It's different to this.

Chairperson Sullivan: Yeah.

Boardmember Ambrozek: Well, I think maybe Christina needs to know what you're trying to say with the radius there.

Chairperson Sullivan: It's actually a national transportation standard based on a vehicle.

Ms. Griffin: It is.

Chairperson Sullivan: I can share this.

Building Inspector Minozzi: Yeah, it's also on our code as well, where you need a space of 25 feet to back out and make the turn.

Ms. Griffin: Yes.

Chairperson Sullivan: I'll share with you guys what I was referring to regarding the vehicle standard.

Boardmember Ambrozek: OK, thank you. Otherwise, in general I'm very happy that you have considered very carefully the view impact for the neighboring house and from the Old Croton Aqueduct. These are very early preliminary designs. I presume what you're showing us here is actually the site because it was not clear from the earlier information to understand

what was the actual lot that was being developed on. You are trying to show the setbacks. I have not had time to do any calculations on whether the lot coverage is within reason, and a lot of these pieces of information we'll need. I really cannot make a lot of comments so I'll let somebody else say something.

Chairperson Sullivan: Bill, do you have any comments or questions for them?

Boardmember O'Reilly: No, I do not.

Chairperson Sullivan: Eva?

Boardmember Alligood: Yeah, well, the second sketch, or elevation, is an improvement. The first one you gave us in this I feel is just way too busy and has too much going on. This is starting to simplify and bringing it together.

But my major comment on the design is that I like the idea that you're bringing greenspace into the park. But the fact that the whole ground floor is parking and really not pedestrian-oriented and everything, is lifted up, it makes it feel very devoid of street light. I know it's not a major street, but if you want to create the townhouse feel you would want to have people come up to their house and not feel like it was just designed for their car but was designed to experience it as a pedestrian, somebody who is going to want to enjoy that feeling of a street for kids playing out there or just people walking in from town. You don't want to have that link – well, I shouldn't say "you" -- *I* would recommend that it be designed for that feel of pedestrian-friendly.

Mr. Bruno: (Off-mic).

Ms. Griffin: Over here? Yes, a good point. Lou just mentioned that we have like a space over here. I totally agree with you, but we also have an additional space on the left. So maybe we can develop that into a park-like space for the residents. It's kind of a narrow site from the back so it's not easy. We can't really get much of a ramp at all down to the parking area because we have to keep it that 3 percent slope off the street. The garage has to be pretty close to street level.

Boardmember Alligood: In the set of plans you gave us, it's busy. On the ground floor there's a set of garage doors, but then there's actually doors and windows. I'm not saying they're worked out – I don't think this is a beautiful design – but the idea of walking on street level, I have a sense this is a house, not staring at a garage.

Ms. Griffin: Yes, good point.

Boardmember Alligood: I think a townhome is not going to have a whole ground floor read as garage. It's just alienating.

Ms. Griffin: Other than the garage door, I think the rest of it should look like almost part of the unit. Agreed.

Boardmember Alligood: Oh, I see. It wasn't apparent to me looking at it here up on the screen. You're saying everyone enters in that middle section and behind it is the garage.

Ms. Griffin: I like to treat the façade so it looks residential, like a function rather than garage.

Boardmember Alligood: But even having some connection – having it have more of a brownstone feel where you can walk from the outside, and not having to go into the garage to get to the first floor. That's what brownstones accomplish: There's a feeling that the stairs are coming down from the garden, or the first floor, there's a connection to the street. It creates this environment that's very pleasant.

Chairperson Sullivan: On this second set of plans, these three units here, actually have accesses from the back.

Boardmember Alligood: From the back, and the back is going to feel very dark and cramped because you're up against the Aqueduct. I would suggest you find a way to create that access at the front. I think that would look better, and be more inviting, be visually more pleasing, and probably a more pleasant way to enter. You're not going to go inside and walk up internal stairs. It's a better way to enter the building.

Ms. Griffin: We'll take that into consideration. I think the original scheme, where you had the access in the front, it seemed like we couldn't fit it in the setback. That's another reason.

Chairperson Sullivan: I think that's part of the issue, too. I think when you come back I'd like to see it as an as of right plan to show us what you could have on this site and not go over coverage. Because right now my feeling is that the setback lines were drawn and the building was put in between. We know this is a complicated zone, but I think to some of the concerns you're expressing, there's not the space to provide for some of the other things we would like to see. This is an unusual area. Seeing your building on the other side – before you renovated it and after you renovated, and you did a lovely job – I still feel like you go there and you're in the middle of a parking lot. That's just the nature of it.

So when these folks come in I would like this to have some buffers the setbacks and some of the space we need. I appreciate trying to get the parking and all that good stuff. I'd sort of like to explore, earlier, some other massing options on the site. Which, I know, six units – and ought to be looking at less than six units, ones with four units and by right – we can understand what some options are. The other thing I know from talking to Buddy is that Nodine is a paper street right now, if I'm not mistaken and there's some development that has to go along to accommodate this. That just looks like it's part of your property, and it looks like it's part of other people's property. I think there's some parking there.

So I don't know where the sidewalks are going to go and where the curbs are going to go. This little area here is going to get curbs and sidewalks, and I'd love to know how that sort of gets integrated into your site plan. Is the sidewalk on your property, is it in the street? – you know, kind of what's going on. I haven't dealt with that. This is a lot right now for you to address, but I think that's something we'd like to start seeing. There's some connections here from back there down on Nodine. Should we provide sidewalks? I know from talking to Buddy that was going to be another piece of this project.

Ms. Griffin: Right now the neighbors are parking up ...

Chairperson Sullivan: In the street, right?

Ms. Griffin: I think so.

Chairperson Sullivan: Yeah, that's what I was afraid of when I went back there.

I sort of jumped ahead of Kerry.

Boardmember Gould-Schmit: No, those are excellent points.

Chairperson Sullivan: Your thoughts, Kerry?

Boardmember Gould-Schmit: It's just a popular neighborhood. We did a lot of projects in this neighborhood. It's certainly interesting, and the site could use improvement. As I look at the view, the locations, I'm like, "Oh, Marble Terrace again." I just think it'll be interesting the responses to it when you do submit it formally.

Boardmember Ambrozek: Kathleen, I have another. You mentioned at the back of the property the slope is right now pretty difficult to determine because of an apparent large amount of rubbish. I'm wondering if one could use that rear slope situation somehow to your advantage. To use it and somehow make that space a lot of the garage area; sort of shift

things, sort of bring the entrance to the garage so it comes into the back there. I don't know, have a grass-covered roof which is open space there. I don't know how that affects our setback calculations when we use existing slopes because it looks like that's almost the height of the four you would need for the garage.

Chairperson Sullivan: This is (unintelligible).

Boardmember Ambrozek: They would not be impacting it. Can you show us the edge of the Aqueduct? The embankment for the Aqueduct, I think, is that vertical line. Then you're saying there's rubbish that has been deposited over the decades.

Mr. Bruno: It's just decades of tree debris.

Boardmember Ambrozek: So the embankment, you seem to indicate it there with a dashed line. You would not have to touch that; you would leave it untouched. You know, you'd probably leave a few feet. But there's a substantial amount of space, and you could still have greenspace there as well. I'm just trying to think differently.

Boardmember Gould-Schmit: Do you know what that distance is right now from the back of the building to the ...

Ms. Griffin: Yes, yes, it's on our site plan. It's 30 feet for most of the building, then at this end it goes down to 25.3 feet.

Boardmember Gould-Schmit: Because it's an irregular lot.

Ms. Griffin: Yeah.

Chairperson Sullivan: So the retaining wall is outside your property line, but I think it's the state's. Isn't that the state?

Boardmember Ambrozek: Yes, the Aqueduct is state property.

Village Attorney Whitehead: And it's their retaining wall.

Chairperson Sullivan: The reason I mentioned it is, if there's any intention to move close to it you have to make sure that's something the state would approve.

Boardmember Ambrozek: I think this whole development will have to get approved through the state because it's so close to it.

Boardmember Gould-Schmit: This was a big issue in Dobbs Ferry, and they ended up building much closer to the Aqueduct than people imagined. I think Paddy Steinschneider's project is maybe 10 feet from that.

Village Attorney Whitehead: We worked on one of those projects.

Boardmember Gould-Schmit: This just came to me. People will want to weigh in on it (cross-talk) ...

Village Attorney Whitehead: Well, they have to be notified.

Boardmember Gould-Schmit: ... because it was very controversial.

Village Attorney Whitehead: They're an adjacent property owner. They have to be notified.

Ms. Griffin: That is a 10-unit project being built right now, and the building's about 50 feet from the Aqueduct. The Planning Board asked us to make the Old Croton Aqueduct aware of the project and asked them if they had any comments. I think there was something official, part of their process. They actually responded and said they did the review and didn't have any comment. But I don't think there are any other regulations other than that that I know of.

Chairperson Sullivan: So, Michael, thinking to (unintelligible) have this structure some type of parking. Is that what you're suggesting?

Boardmember Ambrozek: Use the space that is currently being allowed as rear yard, but since it's already below grade it might be permissible.

Ms. Griffin: Interesting. That's a creative idea. I think you're saying maybe push the garage underneath that area and try to get that section back here. Is that what you're saying? Since there's already a garage buried, 8 feet of it here, maybe more could go under here? Is that what you're saying?

Boardmember Ambrozek: Yeah.

Chairperson Sullivan: What you could do by doing that is maybe drop down some of the living space on street level.

Boardmember Ambrozek: And also you could make the entrance into the garage slightly sloped perhaps so more of it's below grade. Then you bring the whole building down.

Ms. Griffin: We already have a 3 percent slope. You have to have a certain percentage, and we can't make that steeper.

Boardmember Ambrozek: Right, but if the garage part is further away from the street.

Ms. Griffin: Oh, you mean make it longer. Yes, that's possible.

Chairperson Sullivan: I think getting areas for people to walk out individually.

Boardmember Alligood: You could have a mud room or something, an actual space you use, rather than just all garage. It could be part of that connection I was talking about. People like that when you have like a transition to dump your stuff.

Chairperson Sullivan: It's an individual entry rather than a shared one. I still would like to see some other massing options. Not just to come back with six units but something in between to see what happens.

Ms. Griffin: Yeah, we can come back with a few options.

Chairperson Sullivan: Good. That's a good suggestion, Michael. Thank you.

Anything else, folks? Well, thank you very much.

Ms. Griffin: Thank you so much.

Chairperson Sullivan: I think it would make sense to come back one more time for the discussion rather than the solution.

Building Inspector Minozzi: They've all been noticed for next month already.

Chairperson Sullivan: There we go.

Building Inspector Minozzi: So we *shall* get going.

Boardmember Ambrozek: Bud, I wanted to say it's very nice having somebody who lives in the community developing the community. I meant to say that earlier.

VIII. ANNOUNCEMENTS

Next Meeting Date – February 16, 2017

IX. ADJOURNMENT

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

Chairperson Sullivan: Thank you very much. Then off to a good year.