

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
FEBRUARY 16, 2017**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, February 16, 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 James Cameron, Boardmember Eva Alligood, Boardmember Michael Ambrozek, Boardmember, Boardmember Richard Bass, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Planning Board Secretary Mary Ellen Ballantine

I. ROLL CALL

II. APPROVAL OF MINUTES

Meeting of December 15, 2016

Meeting of January 19, 2017

Chairperson Sullivan: The next item is approval of the minutes. Does anyone have any comments?

Boardmember Cameron: On the December 15, 2016 minutes do we have a quorum here of people who were at that meeting? Could you tell us, Mary Ellen?

Deputy Village Clerk Ballantine: Yes, we have Boardmember Cameron, Boardmember Alligood – Boardmember O'Reilly's not here – and Boardmember Bass.

Village Attorney Whitehead: And the chair.

Boardmember Cameron: And the chair makes four.

Village Attorney Whitehead: So yes, you have a quorum for the December 15 meeting.

Boardmember Cameron: Does anybody have any comments on the December 15, 2016 minutes?

Boardmember Ambrozek: I was not present.

Boardmember Cameron: Well, that's true.

Boardmember Bass: I'm good.

Chairperson Sullivan: No.

Boardmember Alligood: No.

Boardmember Cameron: So on behalf of the chair I will ask if anybody would like to propose we approve them?

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Bass with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of December 15, 2016 were approved as presented.

Boardmember Cameron: Do you want to pick up January? I can do the simple stuff.

Chairperson Sullivan: No, I want to keep you in reserve for some tougher stuff. Thank you very much for that. Are there any comments?

Boardmember Ambrozek: I have no comments.

Boardmember Cameron: I wasn't here.

Boardmember Bass: I wasn't here.

Boardmember Cameron: So we can't approve them.

Chairperson Sullivan: OK.

Village Attorney Whitehead: You don't have a quorum to approve those.

Boardmember Cameron: That was quick.

Chairperson Sullivan: I'll have some comments that I'll hand to you.

Building Inspector Minozzi: OK, you're going to ...

Chairperson Sullivan: Put them aside until the next meeting.

Building Inspector Minozzi: OK.

III. NEW PUBLIC HEARINGS

Chairperson Sullivan: Tonight we add several new public hearings. Some of them we have seen before. The first one that's up is an accessory apartment approval application of Jill Shellow, 21 Flower Avenue; the SBL is 4.2022; waivers are required for square footage and parking.

1. Accessory Apartment Approval - Application of Jill Shellow - 21 Flower Avenue - SBL: 4.2022. Waivers Required for Square Footage and Parking.

Buddy, do you want to give a report on this accessory apartment?

Building Inspector Minozzi: Sure. There have been no changes in this accessory apartment since its last application. No complaints have been received by this office in the last three years. We recommend approval. Two waivers are required. There's a square footage over the 9 percent – 34 percent on the principal structure – and we need one off-street parking space waiver. So, those are the two waivers that are being requested tonight.

Chairperson Sullivan: Anyone here from the public that would like to speak?

Jill Shellow, applicant - 21 Flower Avenue: I'm prepared to answer any questions if you have them.

Chairperson Sullivan: All right. Any comments from the Board, any questions?

Boardmember Cameron: No.

Brenda Maglich, 30 Rosedale Avenue: I'd like to speak.

Chairperson Sullivan: Oh, thank you. Please go ahead, thank you so much. I didn't see you there, I apologize.

Ms. Maglich: Thomas Drake is representing Farragut ...

Village Attorney Whitehead: This is about an accessory apartment for 21 Flower.

Ms. Maglich: Oh, I thought you had already been on to ...

Chairperson Sullivan: No, we have not.

Ms. Maglich: OK, that's the next thing? That's the next item.

Boardmember Bass: It's the third item.

Ms. Maglich: OK, sorry.

Chairperson Sullivan: Yes, thank you, Richard. You can count better than I can. This is the third item.

Boardmember Ambrozek: This is the same house where we approved the giraffe-esque for view preservation.

Chairperson Sullivan: Yeah, I wanted to ask about them actually. I hope they're well.

Boardmember Ambrozek: They are doing well.

Jill Shellow, applicant: The giraffes are well and they are very happy in their front yard. A bit chilly at the moment, but other than that they're well.

Boardmember Ambrozek: Well, I thought it was a very good introduction to civil politics that you had your son bring the view preservation to us.

Chairperson Sullivan: And you're the owner? Thank you very much for bringing the giraffes to the community.

Ms. Shellow: My pleasure.

Chairperson Sullivan: Any comments? May I have a motion to approve the accessory apartment?

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Cameron with a voice vote of all in favor, the Board resolved to approve the accessory apartment permit

renewal for 21 Flower Avenue with waivers for both square footage and parking.

Chairperson Sullivan: Thank you very much.

2. **Site Plan Approval – Application of Amy Colley, as per Sections 295104, for the parking area for a home office in accordance with Section 29567.C(1)(e) at her single-family dwelling at 120 High Street. Said property is located in the R10 Zoning District and is known as SBL: 4.11010856 on the Village Tax Maps.**

Chairperson Sullivan: Jill's apartment we have seen before in a couple different ways. This one we also saw last month. It's a site plan approval application of Amy Colley.

Building Inspector Minozzi: I would just like to add that this did go to the Zoning Board last month and was approved so she's back today for her official site plan approval.

Chairperson Sullivan: And what they approved was what there, Buddy?

Building Inspector Minozzi: They approved the parking, the ...

Village Attorney Whitehead: Variance.

Building Inspector Minozzi: ... nonconforming parking – the parking variance.

Village Attorney Whitehead: So the variance for the additional parking space.

Chairperson Sullivan: Good, I just wanted to make sure we said it.

Village Attorney Whitehead: As what was shown to you last month.

Chairperson Sullivan: Correct, good. Awesome. Anyone want to speak to this?

Amy Colley, applicant: I don't really have anything to say. I'm happy that it got approved. If you have any questions, I'm ...

Boardmember Bass: I have a question. Somewhat unrelated, but there's been complaints about speeding and traffic on High Street. Can you speak to your personal experience?

Ms. Colley: I think it's no different than a lot of places in Hastings. Yes, there are people that do speed on our road.

Boardmember Bass: Yeah, and do you have any ideas on how you would mitigate that, or ...

Ms. Colley: Me personally?

Boardmember Bass: You're a resident, you live there.

Ms. Colley: Stand out there and say "Slow down." I don't ... you know that's ... I feel like ...

Village Attorney Whitehead: This is unrelated to your application.

Boardmember Bass: Right. I have you in front of me, I figured I'd ask.

Ms. Colley: So have people been complaining?

Boardmember Bass: Some of your neighbors have complained, and I'm on the transportation committee so I'm getting those complaints. I figured while you're here I could ask you, but I have no other questions.

Chairperson Sullivan: All right. So, thank you very much. We have the site plan approval which we looked at. And I think, Eva, you succinctly put it "this is ridiculous" ...

Boardmember Alligood: I remember.

Chairperson Sullivan: ... if I remember correctly. So, may I have a motion to ...

Boardmember Ambrozek: She wants to speak to the next item, number 3, subdivision approval.

Chairperson Sullivan: I should also say would anyone else from the public like to speak to this application?

May I have a motion to approve the site plan approval of Amy Colley?

On MOTION of Boardmember Bass, SECONDED by Boardmember Ambrozek with a voice vote of all in favor, the Board resolved to approve the site plan for the parking area for a home office at 120 High Street.

Chairperson Sullivan: All right, thank you very much.

Ms. Colley: Thank you.

- 3. Subdivision Approval Application of The Admiral Farragut Memorial Building Association of Hastings-on-Hudson, Inc., pursuant to the provisions of Section 295120, for their property located on Farragut Avenue (aka 215 Farragut Avenue). Said property is in R-10 Zoning district and is known as 4.110-103-4&12 on the Village Tax Maps.**

Chairperson Sullivan: This is something we saw in a pre-submission a number of months ago. It's a subdivision approval, the application of the Admiral Farragut Memorial Building Association of Hastings-on-Hudson, Inc.

Linda, this is a preliminary plat hearing, correct?

Village Attorney Whitehead: Correct.

Chairperson Sullivan: So we're going to be looking at the preliminary plat for the subdivision, and maybe you could just explain kind of what our goal is tonight.

Village Attorney Whitehead: Sure, and because this is a two-lot subdivision it is an action subject to SEQRA – it's an unlisted action under SEQRA. There is another agency approval required, which is actually not indicated on the EAF but will need the Westchester County Department of Health approval. I assume you want to be the lead agency under SEQRA so you should indicate that you declare your intent to be lead agency. We'll circulate a notice which only has to go to the Department of Health so at the next meeting you can actually *become* the lead agency. Or actually not at the next meeting because 30 days won't be up. That will allow you to undertake the SEQRA review.

You should be looking at – and let the applicant present, as well – the layout of the subdivision; if it works, if it creates any potential impacts. There's a couple things. I'll let them make their presentation, and then there's a few things I noted that you might want some

additional information.

Chairperson Sullivan: Good. Thank you very much, I appreciate it.

Matthew Kerner, Nobile, Magarian & DiSalvo, LLP: We represent the Admiral Farragut Association. Do we need to take any action in regard to the county health ...

Village Attorney Whitehead: You will before you can file your subdivision map, but not at this time.

Mr. Kerner: OK, thank you.

As Ms. Sullivan indicated, we appeared in July for the initial conference. The Board brought up a few issues, such as proposed location of a driveway, utilities, and house, which we have, but believe we have addressed in the revised survey.

The issue of a future subdivision: we wanted to carve out an additional third lot down the line. They wanted to know, if we were planning the second proposed lot, if that would interfere with a further third subdivision, which we are not contemplating at this time. But we have determined that a third lot could be carved out within the zoning regulations in the, I believe, northeast corner. We have the second proposed lot in the southeast, and a third one could potentially be carved out in the northeast corner as well.

Village Attorney Whitehead: Which would require relocating the driveway and the existing (cross-talk) ...

Mr. Kerner: Yes, it would. We would have to do a new curbcut or some easements, yeah. But it is (cross-talk) ...

Village Attorney Whitehead: But that's not before the Board.

Mr. Kerner: No, it's not. But I just wanted to mention it as it was a concern that was raised last time.

Chairperson Sullivan: OK, thank you, because I noticed you ... that wasn't mentioned in the letter because that was something that we suggested you look at.

Mr. Kerner: Oh, but I plan to speak on it tonight. And I have sketch, a rough sketch, if you'd like to see that, too.

Chairperson Sullivan: Thank you. Is So are you going to present ... is somebody going to speak to the plan?

Mr. Kerner: Oh, I can absolutely do that. I just didn't know if you were opening up questions to the public at this time.

Village Attorney Whitehead: I think we want to hear your ...

Boardmember Bass: You get to go first.

Mr. Kerner: As you can see, the lot is in substantial conformity to the rest of the neighborhood. We don't believe that any natural ... it will preserve the natural integrity of the neighborhood. It has the proper setbacks, proper lot size. We believe that we have met the zoning requirements and would like to hear from the Board.

Chairperson Sullivan: Could we put up one of our drawings just so it can be available to the public?

Mr. Kerner: Absolutely.

Chairperson Sullivan: Thank you. Awesome. Just if you can point things out.

Mr. Kerner: Absolutely. I'm going to do the best I can here.

Chairperson Sullivan: Thank you, good. All right.

Mr. Kerner: So, yes – proposed lot two we've shown the gas service, the water service and the sanitary service, as well as the proper setbacks. As you can see, the driveway – if you were going to do this third lot – would be in this northeast area here. The driveway is currently ... we'd probably have to do a curbcut down the middle over here, or ...

Village Attorney Whitehead: If you're not proposing the third lot now I wouldn't even address it.

Mr. Kerner: OK, fine.

Village Attorney Whitehead: Otherwise, you're going to have to do it now.

Boardmember Ambrozek: I think it was a driveway for this development as proposed, this lot. You don't show a driveway on this, and my concern there is that there's a street directly opposite. You're directly opposite an intersection.

Chairperson Sullivan: There's a curbcut that's shown.

Boardmember Ambrozek: No, no. That's the existing driveway for the existing VFW building.

Village Attorney Whitehead: This driveway for the new house.

Boardmember Cameron: No, they have a proposed curbcut right here. You can't see it very well.

Boardmember Ambrozek: OK.

Village Attorney Whitehead: But you don't show the actual driveway.

Mr. Kerner: Well, we had planned to give an easement and just allow them to use this current driveway if we did not want to do a proposed curbcut. So, there's another option ...

Village Attorney Whitehead: Right.

Mr. Kerner: ... just to allow them to use the current driveway.

Village Attorney Whitehead: You've got to decide which way you're going with that and show the current driveway. The Board would have to determine if they were OK with the use of the current driveway for this house, or show where a new driveway could be located to service the lot.

Mr. Kerner: OK.

Chairperson Sullivan: Yeah, that was my concern as well. Because when I looked at a bigger neighborhood map, my question was sort of can these backyards be lined up in any way. And they really can't because it's sort of an unusual shape.

Mr. Kerner: Yeah, it's at an angle there.

Chairperson Sullivan: But I noticed that the driveway is across – I think it's from – Nichols Drive, which is not a ... I think it's a dead-end street.

Village Attorney Whitehead: Yes.

Chairperson Sullivan: But it would be worth looking at just to see if there's a way to make that alignment be safer; either lining it up very closely to the center line of Nichols or offsetting it enough so they don't get in conflict. But I think there's more traffic in front of it on Rosedale rather than coming in from that particular side street.

Mr. Kerner: Sure, sure.

Boardmember Bass: I have a question about the width of the curbcut. It's 30 feet, which is almost as wide as the road. Why do you need a curbcut that's that wide? Most driveways are not 30 feet wide.

Mr. Kerner: I don't think it was our intention to actually go through with the curbcut. We would prefer to just grant the easement and keep the driveway where it is.

Village Attorney Whitehead: Right. If you're proposing that, then you should be showing the easement and where the driveway for the new house would come off of ... where the easement would be, essentially.

Mr. Kerner: OK, sure.

Boardmember Ambrozek: Yes, and how the new driveway would come in to this proposed lot.

Mr. Kerner: We can have the surveyor work on that, absolutely.

Boardmember Ambrozek: And if you are, in the back of your minds, thinking about the third lot you might need to also ...

Mr. Kerner: We have no plans to carve out a third lot at this time, but if the Board would like to see that when we prepare the easement for the second lot we can take into consideration the possibility of a ...

Boardmember Cameron: Our comment to you last July was really that we don't know whether you're going to do a third lot or not. But you're a not-for-profit organization. We're trying to help you, to make sure you don't accidentally create a situation where you need an easement for a third lot and will come here and ask us for an easement. Just we were trying to get ahead of the game. And I think you've done it all right, so if you don't put your

driveway in through the common property you'll be able to put another lot there. But that was just the concern on our part. We didn't want you to lose the money and be in here saying, well, we have to somehow get some variances because we don't have a legal third lot. I think you still do, but that's up to you to determine.

Mr. Kerner: Thank you.

Boardmember Cameron: That was the purpose for the comment.

Chairperson Sullivan: A couple things on ... Linda had spoke to the SEQRA. I noticed that we need to have some indication of topography, contour lines. You can ask your surveyor to help you with that. It's a very flat lot. I'm not concerned about slopes, but that's something that should be part of our application. I think when you look in the zoning code there's an appendix that indicates some items: names of property owners and things like that, adjacent as well as across the street. So, those things should be on the next go-around, their just small kind of looking at the checklist and getting those things.

Mr. Kerner: Absolutely.

Chairperson Sullivan: The thing I got concerned about – and I think Jamie's going to be familiar with this – is that this lot is over an acre before it gets subdivided, if I'm not mistaken. There is discussion of taking down a number of trees on that property that is in the area where the new lot is being proposed, and does that trigger this tree preservation.

Building Inspector Minozzi: No, because they're not taking the trees down now. This lot could sit for years before anything's done with it. So, it would be up to the new ... whoever buys this lot or purchases this lot from the post it would then be on them to take care of the tree removal. At that point it would be under an acre and wouldn't require anything from the Tree Board.

Chairperson Sullivan: I'm trying to think, though. Did you talk about taking trees down in your letter?

Mr. Kerner: No, I did not.

Village Attorney Whitehead: No.

Chairperson Sullivan: OK.

Building Inspector Minozzi: And also one thing to keep in mind, those are very

young-growth trees there.

Chairperson Sullivan: Right.

Building Inspector Minozzi: And our tree law is any tree over 8 inches at 4 foot off the ground.

Chairperson Sullivan: Right.

Building Inspector Minozzi: So it wouldn't be ... I'm sorry, that's Irvington's. Twelve inches, 4 foot off the ground. Sorry, getting confused. Wrong municipality.

Chairperson Sullivan: Right, I just wanted to mention it. I didn't think it was an issue.

Building Inspector Minozzi: Unless they're going to start cutting trees down before they get to subdivision. Then at that point, yes.

Village Attorney Whitehead: If the new lot is less than an acre.

Mr. Kerner: Yeah, we had no intention of that.

Chairperson Sullivan: OK.

Boardmember Bass: Can someone explain how you can do that, where you subdivide so you can avoid a requirement? Isn't that ...

Village Attorney Whitehead: Well, they're not really avoiding ... no, just share this so we don't have too many of them open. Where are the trees that are ...

Mr. Kerner: There are no trees identified on the proposed lot.

Chairperson Sullivan: But by driving by, and I do every day ...

Village Attorney Whitehead: No.

Chairperson Sullivan: They're in the lot, the new lot that you propose.

Village Attorney Whitehead: And are they over 12 inches? Because they didn't show them on here.

Building Inspector Minozzi: I don't know how many of them are over 12 inches.

Village Attorney Whitehead: What's shown on here is the larger trees, and none of them are in that lot. So, there's probably no regulated trees in that lot so there's no regulated trees proposed to come down.

Boardmember Bass: But do we know that?

Village Attorney Whitehead: Well, I'm assuming if the surveyor showed other trees they showed them because they were the ones that had to be shown because they're regulated trees.

Boardmember Bass: But do we *know* that?

Chairperson Sullivan: Well, let's ask. Let's make that as you're going to be adding topography to this survey, please add any trees that meet our threshold for our tree preservation law.

Village Attorney Whitehead: Confirm with the surveyor. You could, if you want to ... you know, they are a not-for-profit and I know you're trying to work with them. I don't think you need to make them do topo for the entire property.

Chairperson Sullivan: I was actually going to make a suggestion.

Village Attorney Whitehead: Yeah.

Chairperson Sullivan: That Greenburgh has a GIS – a geographic information system – as well as Westchester County. And that topography – I've looked at it – looks like it would be appropriate to use by your surveyor. So, they can get that and identify it as the source. On steeper lots it's a little questionable – you want to have a surveyor go out and look at it – but it's pretty accurate.

Mr. Kerner: So you think this is fine because it's a relatively flat lot.

Village Attorney Whitehead: You can use either the Westchester County or the Greenburgh GIS. And the surveyor should know how to ...

Mr. Kerner: So I can pass that info on to the surveyor.

Village Attorney Whitehead: Yeah.

Mr. Kerner: Great.

Chairperson Sullivan: You know, it's a great resource for people.

Village Attorney Whitehead: Yeah.

Mr. Kerner: Thank you.

Chairperson Sullivan: In this case you just download it.

Village Attorney Whitehead: And this board has the authority to allow you to use another form without having to have it actually surveyed.

Mr. Kerner: OK.

Chairperson Sullivan: But I guess, to our point, though, if you could have someone look at the trees.

Mr. Kerner: The trees and the topo, definitely.

Village Attorney Whitehead: Yeah, confirm that there's no regulated trees ...

Mr. Kerner: In proposed lot number two.

Village Attorney Whitehead: ... in the proposed lot.

Mr. Kerner: OK.

Village Attorney Whitehead: Or where the driveway will be going.

Mr. Kerner: Sure, sure.

Chairperson Sullivan: All right, so we talked about the curbcut and the driveway alignment. We've also talked about looking at some of appendix A and making sure some of it'll go into details of other information that needed to be added.

Mr. Kerner: To the survey.

Chairperson Sullivan: To the survey?

Mr. Kerner: Yes.

Chairperson Sullivan: To your preliminary plat, looking at topo information you discussed as well as looking at the trees. Anything else we need these folks to do before we open it up? Any other comments?

Boardmember Ambrozek: Do we have anybody else?

Chairperson Sullivan: Yeah, I'm going to open it up after we're done. I think we also had to look at preliminary construction drawings, which I think in our case will only be that one curbcut.

Village Attorney Whitehead: Yeah, they have no public improvements here. It'll be the driveway.

Chairperson Sullivan: Yeah, a simple looking at a curbcut, making sure it's the one that the Village uses.

Mr. Kerner: Show where the driveway would go and where the easement would be.

Village Attorney Whitehead: And the only other thing would be if you had any concerns about drainage for the new house or for the existing. With the existing, they don't have to provide it. You just want to make sure if there's anything on this lot. That would be the only other thing, I think, that would be of any concern. And if the lot's big enough I don't think it's a problem.

Chairperson Sullivan: When you say what you're thinking would be a concern, it's not ...

Village Attorney Whitehead: Just making sure they can accommodate the runoff from the new construction on the lot.

Chairperson Sullivan: They have a very nice lot.

Village Attorney Whitehead: Yeah, it's a big plat, I don't think it's an issue.

Chairperson Sullivan: OK, then do we vote on our intention to be the lead agency?

Village Attorney Whitehead: Yes. You just circulate your notice of intent to be lead agency.

Chairperson Sullivan: May I have a motion to circulate our intention to be the lead agency on the SEQRA process for this subdivision?

On MOTION of Boardmember Alligood, SECONDED by Boardmember Bass with a voice vote of all in favor, the Board resolved appoint themselves to be lead agency on the SEQRA process for the subdivision application of The Admiral Farragut Memorial Building Association of Hastings-on-Hudson, Inc., for their property located on Farragut Avenue.

Chairperson Sullivan: All right, we'll take care of that business. Anyone from the public like to speak on this subdivision? Please come up and say your name and address into the microphone, please.

Ms. Maglich: We're the neighbors across the street, hi. So, you have a July meeting that we kind of heard. It was really hard to hear, OK? But I kind of heard that there was a July meeting, a preliminary meeting. Many of us were not at that meeting. We're not up to date on where you are.

I kind of understand that Thomas Drake is involved with the property and that there is one lot that is now going to be subdivided, according to this letter. Just now, it's so confusing – as confusing as mud – with, is there a house that is going to be built?; is there a driveway that is going to come in from the street, or are you using the existing driveway? If there is a house that is going to be built, then are we talking about the trees that are on the property?

Before I can get into my other questions and comments, I need to understand what actually is already approved, and what's going on and where we are.

Village Attorney Whitehead: Nothing's approved yet.

Ms. Maglich: Nothing is approved yet. So, is tonight an approval to cut out that 10,000 square foot lot?

Chairperson Sullivan: The summer of last year we had a preliminary discussion about the subdivision, but tonight's the first time we're starting any approvals process. So you're here at the beginning, the information's available online to see the drawing we held up. You should be able to get (cross-talk) ...

Ms. Maglich: And I've really had a hard time seeing it. So, is it three lots that are being applied for, or one? It reads from the letter that there is a 40,000 square foot, 1.375-acre lot they're asking to carve out a 10,000 square foot lot.

Chairperson Sullivan: Right.

Ms. Maglich: OK, and then there's going to be a next step where they ask to build on that?

Village Attorney Whitehead: Well, subdividing a lot, it's subdivided as a building lot so they could build a house on it.

Ms. Maglich: So there is a driveway. And you're talking about Nichols, there is no driveway right at Nichols. Using the present tense confuses me because the driveway is away from Nichols. So, when they're applying for this lot – this 10,000 square foot lot – they're also applying to have a driveway come in from Rosedale. Would the driveway go down like it does, at 2 and 17? Are they applying for the driveway to go down?

Chairperson Sullivan: What we've asked them to do is indicate where the driveway would go in the future. But we're only looking at the curbcut and where the driveway would go from the street to the house, whether they do the below-grade garage like the two houses you're talking about. We're not going to contemplate that right now because they're not coming to us with a building design for construction at this point.

Ms. Maglich: OK, so (cross-talk) ...

Chairperson Sullivan: (Cross-talk) make sure that the layout would work. And you heard us mention that we were concerned about where the new driveway for the new lot would go in relationship to Nichols and make sure it would be safe for everybody that drives on that street, drives on Nichols, and comes in and out of that driveway.

Ms. Maglich: So then when people are using language like "so the driveway *is*," which is present tense, that driveway's way over there. So, is it a potential that they would be coming in to the house from the existing driveway and not cutting the curb?

Chairperson Sullivan: Yes, that was something that they just mentioned as an option. We'll see that on the next iteration (cross-talk) ...

Ms. Maglich: OK, so that needs to be clear to us because (cross-talk) ...

Boardmember Ambrozek: Or they may propose a relocation of the existing driveway to some other location and request a curbcut for that relocated driveway.

Ms. Maglich: Because the idea of putting a drive ...

Boardmember Ambrozek: There is nothing set about where any driveway would start. We are asking them to come to us in the future regarding the driveway.

Village Attorney Whitehead: Well, the next meeting.

Ms. Maglich: And when ...

Boardmember Cameron: Before the subdivision is done.

Boardmember Ambrozek: Before the subdivision is done, yes.

Ms. Maglich: And when would the subdivision be done, and ...

Chairperson Sullivan: That's the process we're in right now.

Ms. Maglich: Who decides ...

Boardmember Ambrozek: This is the first meeting where we're talking about that.

Ms. Maglich: OK, and then who ...

Boardmember Ambrozek: Every meeting is open to the public, and it's ...

Ms. Maglich: So when would the next meeting be, about?

Boardmember Ambrozek: It's the third Thursday of every month.

Ms. Maglich: And how would people decide, and who ... is it this committee that will decide whether that's a safe place to have cars going in and out right there at Nichols? Because I can tell you, I've lived across the street for 10 years and that's not a safe place to have cars going in and out.

Boardmember Ambrozek: We're always concerned about safety.

Ms. Maglich: Good, because when I asked when 17 was being built – which was supposed to really be kind of really a renovation and an extension and it ended up being a completely new building – I asked at this point, number one, to hold onto a tree that was a lot bigger than 12 inches in diameter, and ...

Boardmember Cameron: What was her name?

Ms. Maglich: Mark was about the only person that listened to me about that. And trees are landmarks and they do need to be protected, and that was not protected and it took four days and many men to take that tree out. And I'm still upset about that tree being gone. That's number one, and I don't care if I'm called a tree hugger. Yeah, I'm still upset about that tree.

And number two, a driveway was put down and gone down, and there has been flooding there. And that is not a safe place. I asked, too, during those meetings could we get people to put in some sidewalks along there to increase safety. Because my daughter had written repeated letters to the Mayor that Rosedale Avenue – which we've lived on for almost 10 years – is not safe to walk up and down and to go to Farragut Middle School. And there were no sidewalks put in.

The idea of having another driveway going in off of Rosedale is not appealing. I also do not like what has happened up at Rosedale street and High. Rose and High, there's a new building going up. It's a gigantic McMansion on a postage stamp. And I want to make sure that ... because I feel that at 17 they had not ... they had ended up being a very large building. This says that it will only be 2-1/2 stories high, it'll be X number of feet back. I want to make sure that it really is X number of feet from the road, that there really is safety because I don't feel that the Board really helped out and listened when we were doing other building along that street.

We can see the building, OK?, going on in Dobbs and in Hastings. You'd have to be blind to not see what's going on around you. We can see that this is the way that people are making money. But each time you carve out, and each time you're taking out trees, and each time you're putting a little bit more strain and a little bit more ... you're making the town change its ambiance. You're making it ... you need to step back and say do we want to live in Elmsford or Queens or do we want to live in Elmsford-Queens, or do we want to live in Hastings. What is appealing about Hastings? Isn't it the prettiness, isn't it the trees, some of it?

OK, so just okaying everything – which is usually the way it goes ... sure, we won 9 Jefferson. We also have 45 people in here saying no. But I really ... I came, I asked for some things to be considered when another building was going on on Rosedale and I was not

heard and a little bit mocked, OK? And I ... you know what? We need bees and we need trees. And I want to really think about the access, and the access from Rosedale Avenue, because right now – and for the last 10 years, the entire time I've lived in this town – it's not a safe ... it's not safe.

Chairperson Sullivan: No, I appreciate your comments. You can keep on top of the news by getting on the Village e-mail because our agendas are sent out. In them, in those e-mails, are links to the drawings that are going to be presented at each meeting. If you're in the area near where this is occurring, I just recommend that's what you do to see the next time (cross-talk) ...

Ms. Maglich: OK. Because it feels to a lot of the residents like everything is rubber stamped, OK, just fine. And 9 Jefferson was not because there was a lot of pushback. But everything else ... and if you take a look at Rose and High, it's disgusting, it goes right up against everything. If you go down Prince there are these big houses on small properties.

Village Attorney Whitehead: But they all complied with zoning and they have not come before this board.

Ms. Maglich: And this will comply with zoning, too, and I'm saying you need to think ahead and you need to hear us.

Boardmember Alligood: We can only review what's within our purview. Safety is within our purview, but we can't tell a private owner they can't subdivide when they have enough of a lot to subdivide. We can't do that.

Village Attorney Whitehead: More than enough.

Boardmember Alligood: More than ... they could subdivide into three (cross-talk) ...

Ms. Maglich: Well, you know, I know ...

Boardmember Alligood: ... and that's their right as a property owner. We are not given the right to take that away from them.

Ms. Maglich: Right. And my right as a property owner on 30 Rosedale is to also subdivide, by the way. I have, actually, six lots – I have more than half an acre – and I'm actually thinking about maybe a slightly bigger picture. For some dumb reason I'm actually thinking about all of you as well as myself. I could make money, OK?, subdividing my property.

OK, so I'm saying take a step back and listen to us. And, yes, I know technically that it's safety that you can only address. And I'm saying you better ... you need to look at that safety issue of a driveway coming in off of Rosedale because we already have a problem with kids walking up and down that street, OK?

But also, I think you need to take a step back because that tree is gone, OK?. Gone, and that tree was hundreds of years old.

Village Attorney Whitehead: Yeah, but that tree was on a lot that was less than an acre, which means it was not regulated. There was nothing the Village could do, they had the right to take down that tree.

Ms. Maglich: I know, I got that from Mark. I know, he told me that.

Village Attorney Whitehead: There's nothing (cross-talk) ...

Boardmember Alligood: The energy could be put into changing our laws on that. That's something that could be done. But within the law, we can't rule against what a property owner is allowed to do.

Ms. Maglich: That's right.

Building Inspector Minozzi: That house also received a variance, so there was an open meeting.

Village Attorney Whitehead: Well, she referred to having been at it. That was not this board, that was the Zoning Board.

Chairperson Sullivan: Well, thank you for your comments. Thank you very much, appreciate that. Anyone else like to speak about this application? Hello.

Michelle Noe, 20 Marble Terrace: I just have a question. Did I hear somebody say this is a non-profit? Could someone explain that, and what the (off-mic) are.

Mr. Kerner: The Admiral Farragut Memorial Building Association is a 501(c)(19) not-for-profit organization. They plan on subdividing this and selling the lot as a buildable lot – not building upon it themselves – and using the proceeds to forward their exempt purpose as a local non-profit.

Boardmember Bass: Does a non-profit need AG approval to sell the land?

Mr. Kerner: I believe it may, which we are looking into.

Village Attorney Whitehead: Depends (unintelligible). Just to sell a lot, probably not.

Mr. Kerner: That's correct, and it's not all of the assets. So, I don't believe we're going to need AG approval on this.

Boardmember Bass: Well, the only reason I'm asking is, I'm doing a lot split in the city and my client has to go through the AG process. So, again, you've raised a number of questions that we don't have answers for. So maybe at the next meeting that could be addressed.

Mr. Kerner: Absolutely.

Chairperson Sullivan: I'll add it to the list.

Village Attorney Whitehead: Could I just jump in on that for one second? The AG approval wouldn't be required for the subdivision, it would be required for them to sell it.

Boardmember Bass: I understand that, but I would like to know what that process is; whether they have to or they don't have to. I think the public would also like to know because if there is community opposition that's a place where they can leverage.

Chairperson Sullivan: Thank you.

Boardmember Bass: Thank you.

Chairperson Sullivan: Anything else?

Boardmember Ambrozek: Not from me, no.

Chairperson Sullivan: OK. All right, would anyone else like to speak to this? I think, then, we have ...

Village Attorney Whitehead: We've given you direction.

Chairperson Sullivan: You have some things.

Boardmember Bass: Great, we'll see you next month.

Chairperson Sullivan: Thank you.

4. **View Preservation Advisory, Steep Slopes, and Site Plan Approval – Application of PTG Development, LLC, as per Sections 29582, 2492 and 295104, for the construction of a new building containing six (6) townhouse units on its property at Warburton Avenue (aka Nodine Street). Said property is located in the MR1.5 Zoning District and is known as SBL: 4.100947 & 8 on the Village Tax Maps.**

Chairperson Sullivan: Next up, item number four. We also saw this last month as a discussion item. This is the view preservation advisory, steep slopes, and site plan approval application of PTG Development, LLC.

Building Inspector Minozzi: Please, we're still having a meeting. Please have your conversations outside.

Chairperson Sullivan: This is an application. We, unlike the subdivision process, do not have a formal pre-submission process where we can have discussions with the applicant. So, we have in front of us an incomplete proposal. We won't be able to act on it, but we will begin the conversation again regarding what is being proposed.

Village Attorney Whitehead: Again, this is an unlisted action under SEQRA so you should also notice of intent.

Chairperson Sullivan: You know what I noticed, because I went to the PAF mapper just out of curiosity. These guys have to do a long form.

Village Attorney Whitehead: Yeah, they need to submit an EAF, which I don't think they have. So, before you can circulate we should ask them to prepare an EAF.

Chairperson Sullivan: So please say your name and address and use the microphone. It would be very helpful, thank you.

Louis Brutto, PTG - Pacific Transglobal: Good evening. We're looking to develop the six townhouses on Warburton Avenue. Appreciate the opportunity to be here before you. Given your comments on the pre-submission meeting, we are here tonight with some new drawings. I'm going to default to Christina to review those new drawings and present them to you.

Chairperson Sullivan: Thank you very much.

Mr. Brutto: Thank you for your time.

Chairperson Sullivan: I have something to share with you at some point during the meeting when we get to preservation issues.

Christina Griffin, project architect: We are proposing construction of six townhomes. The name of the project is Townhomes at Woodbank. Woodbank is the name of an old estate that was once here many years ago. Before we get started I want to hand out copies of the as-of-right type of development we could do because that wasn't in the original submission. I'm going to talk about that.

Chairperson Sullivan: Thank you very much, I appreciate that. I think that's going to be very helpful.

Ms. Griffin: (Off-mic).

Chairperson Sullivan: It's sort of a baseline to understand where you're moving from. As mentioned, it's sort of due diligence for the board.

Ms. Griffin: Yes. I'm going to first describe our proposal, then I'm going to go to the studies – the massing studies that we've done – that was requested by the Board, and then the as-of-right plans I've just given out to you.

Chairperson Sullivan: Can I suggest, would it be helpful to discuss the options from the leading up into your proposal because you chose one of those?

Ms. Griffin: We can do that.

Chairperson Sullivan: I think you went through a bunch of different options, then made the decision to take one.

Ms. Griffin: Exactly, yes.

Chairperson Sullivan: It may be helpful to understand.

Ms. Griffin: We can do that, sure.

Chairperson Sullivan: Maybe you can start in with the as-of-right.

Male Voice: Sorry, a quick question. Are these available – or will these be available – online after this meeting?

Chairperson Sullivan: That's a good question.

Building Inspector Minozzi: These? What she's handing out now?

Male Voice: Right.

Building Inspector Minozzi: No, these won't be available online, but everything that she's showing us is available online now. It's been available online for the last week.

Male Voice: Thank you.

Chairperson Sullivan: But Buddy, it is fair to say that if someone wants to see them they can come to your office?

Building Inspector Minozzi: Oh, but of course.

Chairperson Sullivan: So that's the way you can get access to them.

Building Inspector Minozzi: Yeah, they're not available online, but we will have a copy in our office.

Chairperson Sullivan: Building Department, downstairs. Very nice people, very friendly.

Ms. Griffin: OK, I think we'll start with this.

Chairperson Sullivan: All right, thank you.

Ms. Griffin: Sure. We looked at, well, two schemes to see how we could design the building to meet the setbacks and the lot coverage. This is the MR-1.5 zone, and this scheme shows a two-unit building that meets the lot coverage of 15 percent. It's just a simple shape right now with four parking spaces, which is what would be required for two units. This dash line represents the setbacks required for the lot. We could have a garage underneath the two units off of Nodine.

We have another scheme that also shows an as-of-right design where the driveway could come in with the entrance to the garage on the side, four spaces for the two units. Only two units would be ... we would only be able to design two units to meet the 50 percent setback.

I'm actually going to start with ... this is a scheme that we had shown at the pre-submission meeting. We're calling this scheme A, and we had proposed six units. These are townhouses, and we had entrances off the front. We have a garage that is going to have 12 spaces right underneath the six units. We looked at scheme B for six units. These six-unit schemes are with the garage underneath, roughly around 47 percent lot coverage. It provides the 12 parking spaces that are required for the six units. Our scheme B was just to see if we could get the entrances internalized for the building. The drawback in that scheme is that you would have to have one ... the elevator and handicapped-accessible would have to be in the back corner because of the layout of the parking, which is like a big U of parking spaces around the central area where you would have your 25-foot clearance.

Scheme C was our favorite. That's something that was discussed at the pre-submission meeting to see. We had talked about the idea of putting the entry foyers on the front of the building, then having the garage tucked into the lot so we could create a really nice streetscape. The rendering on the front cover represents this design. The entrance to the garage would be on the side – there'd be a driveway coming in the side – and then the entrance off that, which is tucking the garage. You're making all the cars concealed from view. This was our favorite of all the schemes, but I'm going to show you a few other ideas.

We also took a look at the entry to the garage on the side, with a staggered front façade. The challenge with that is, once we stagger that front we would have to have a garage push back further into the site. I'll show you – we have a steep slopes analysis. We really want to make sure we don't go too far back because of the steep slopes back there. This is scheme E, where we have the staggered front façade but have the garage entrance in the front of the building.

Now, we also looked at a few other schemes to see if we could do the six units where we have an alleyway or a break between the building. This scheme is showing two townhouses with individual garages, and then four townhouses sharing an open parking area. I think we decided we preferred to have all parking under the building concealed from view. Plus, this has a much higher coverage than the scheme where the garage is tucked under the building.

Then we have scheme G. This is also looking at breaking the building into pieces, still keeping six units. But the only way we could make this happen is to do outdoor parking. Again, we have a very high coverage for this scheme.

If our goal is to design and build six units, our favorite was scheme C. That is because the entries in the front keep the garage tucked under the building and all the cars concealed from view. I'm going to go through the design we have prepared for this scheme, starting with our

cover sheet. This is a rendering just showing the potential look of the six townhouses, where we would have a streetscape with the entries on the lower level. But they're just entries with stairs, one handicap unit with an elevator. Then the cars are totally concealed. You would have a drive around the right, with entry to the garage from the south façade. We want to break up the heights with different rooflines, a lower roofline breaking up the second and third floors.

I'm going to jump to our site plan and see if I can blow this up. I'm going to try not to blow it up because we seem to get things mixed up; it doesn't seem to work. This is the site plan for scheme C. We took a close look at this layout to see if we could develop a nice streetscape with individual entries for each unit. We're showing the driveway off to the right. You can see this dash line is our setback. We would need a variance for the rear yard setback. We are required to have 30 feet, and we have 19 feet, to the garage. But the building above meets all these setbacks. The garage is bigger than the building above because it's necessary to meet the requirements for the 12 parking spaces and the clearance to turn around inside the garage.

This is our steep slopes analysis. This is just showing the area that's hatched, the steep slopes that go from 15 percent and up. We have a chart here that indicates the allowable intrusion into the steep slopes, then the proposed. We're within the allowable so we will meet the steep slopes requirements for the site with this scheme.

This is our garage plan. This garage has been designed to have 12 parking spaces. We have five units that have three bedrooms and two with two bedrooms. We've tucked the handicapped-accessible and elevator in this corner because it is a corner of the garage where it works well. That residence would have its own entrance and access to the elevator, and the handicapped parking space is right adjacent to that entrance. We have individual entries for each unit. So, people would come into the unit there, then go up to the main level – the living room level – which is right above the garage.

This is our section. There's a terrific idea from the Board to take a look at perhaps moving the garage back into the site. When we do that, the ceiling of the garage is actually right at the grade in the back. So, it's like burying the garage underground. Even though the garage needs a setback, it would be underneath the terraces coming off the back of the building. This shows the way we would like to handle the units so we have foyer entrances in front of the garage, then living room and dining room on this level, bedrooms, and an upper level with a deck. This upper level gives them an outdoor space that will have views of the river.

We discussed the garage plan. Our first-floor plan, these units are approximately, I think, 23 hundred square feet each, except for the handicapped unit which is a two-bedroom unit more

like 19 hundred square feet. Each unit has an open layout. So, you come up the stair and then you're into an open living room-kitchen stair going up to the next level, which is the bedroom level where you've got three bedrooms, master in front. Then on the third floor there would be an open common space like a deck. The primary outdoor space is up on that third floor because of the views.

These are our elevations. We're trying to treat the building so we have the look of individual units and a very soft roofline to break up the height. This is just a location map showing the shape of the building. This is our site here, right here.

Building Inspector Minozzi: All these plans are available online, sir.

Male Voice: That's great.

Ms. Griffin: This is the beginning of our view analysis. This is locating the studies we did around the site. If you see this dark gray line here, this is Warburton Avenue. This is the street coming up from Warburton Avenue, Nodine, and an existing apartment building just south of our site – this is our site here – showing the shape of the proposed building. I'm always afraid to enlarge this because I seem to get ... that doesn't work.

Chairperson Sullivan: You can go through before enlarging it.

Ms. Griffin: I think so. I lose somehow ... it's not meant to be enlarged, I found out, but I'm still trying to find a way to do it. This is our key plan just showing where we've taken our views. I may have to come up closer. We have taken views on Nodine Street looking across the building. We're trying to see how the building would affect views from neighboring sites. We took three views from in front of the building that's across from our site, and took a view looking down from the Aqueduct and two views looking south from the neighbors north of the site.

This is the view. What we do to prepare these views, we have a before picture and after. The after is based on ... we do, on a computer, a 3-D shape based on our plan, then insert it into the picture. This is a view looking at the corner of our building on Nodine Street just south. This is the view looking also down at the building, a little bit higher up from that point on Nodine. This is before and after. Right now, this is an open site with kind of a rough ... it's not a developed street. It's undeveloped; this is before and after, also looking down from going up a little bit higher up the hill on Nodine.

The next view, view four, is looking from the Aqueduct over the building; this is before and after. You still see over the buildings to the river beyond. The Aqueduct is very high at this

point above the site. This is before and after, looking at the property just – let me see if I have that right – north of the property, and close to the Aqueduct. This is before and after, and this is the property a little closer on the north side before and after. This is an existing building that locates where our new building is, which is going to be right beyond it.

That is the extent of the view studies so far. I think I've gone through our presentation, and look forward to hearing any comments from the Board.

Chairperson Sullivan: Richard and Jamie, you guys weren't here last time. Do you have any questions or comments? Richard, do you want to go first?

Boardmember Bass: No, I'm good for the moment.

Chairperson Sullivan: Good for the moment? Jamie?

Boardmember Cameron: I have a couple questions. If you go back to S-1, which you had on the screen, in the upper right-hand side it says "Old Croton Aqueduct." What's the 143.5 that's right there on that thing? Is that the height of the wall?

Ms. Griffin: Well, 143.5 is the elevation of that wall. You see the 40-foot dimension; I'm not sure, but it's about a 40 feet or so drop from here to Nodine.

Boardmember Cameron: Just while you are at that, your building is 40 feet tall, it sits at 115; that would make it 155, and it's, say, below your 143 mark. I couldn't figure out how it got there because the elevation – the front of your building – is 115, I believe.

Ms. Griffin: Yes.

Boardmember Cameron: And the building is 40 feet tall, so that would make it 155? Top of the building, you run a line back at 155 and it's way below 143. So, there's something wrong with those numbers.

Building Inspector Minozzi: The building's not 40 feet tall.

Boardmember Ambrozek: Yes, it is.

Building Inspector Minozzi: The line that she's showing isn't 40 feet.

Ms. Griffin: This is a parallel line.

Boardmember Cameron: From the bottom of the basement – which is extended to that 115 line – it is 40 feet tall.

Chairperson Sullivan: Look at the absolute elevations. The absolute elevation on your roof's 154. Is that correct, and your relationship? And the relationship to ...

Boardmember Cameron: It says "elevation 155 to the top of the building." That's how I got there.

Chairperson Sullivan: And the Aqueduct's at 144, something like that. So, this section seems to be incorrect.

Boardmember Cameron: If you look at S-1, Buddy, you'll see it says 155.3 to the top of the building. So somehow that's 143 up there. I had a lot of problems with the pictures because in some of the pictures you're looking out and seeing to a building in front of this building. Right down to the bottom floor, you see the windows. I think someone needs to go back up on the Aqueduct and take another look at it. First of all, make sure they only take pictures from, let's say, about 5 foot 4, which is the average person; and they take them from the track of the thing and not standing on a higher piece. The pictures really don't lie.

I went over there and went to the other building, lined up what was level – and the other building, the bottom of the window on the fourth floor of your other building is the level – you're using a level, which I used from the Aqueduct, to line in there. Then I tried to bring it over. And I'm not sure quite how high that building is, but we're going to find out. I'm sure you're going to tell us. It was rather remarkable. You could see in that picture down there – that blue building down there, the building just to the right, that one – the bottom floor windows. If you move over to the other building and stand there, you can go down to the second floor and can't see those windows.

Ms. Griffin: We always try ... you know, we are going to respond to your comment because there's no intention to deceive.

Boardmember Cameron: No, actually I think you're going to be all right.

Ms. Griffin: We will take a harder look at that, for sure.

Boardmember Cameron: I think you can probably not exceed the height of the building, but if you look at them you say these just don't work, there's something wrong with them. But I may be wrong, I have been before.

Also, it'd be useful ... you know, if you look at your "after" view, the two. The two is supposedly taken from the middle, yet it shows this building at an angle and I think this building is more this way. Anyway, I think somebody could take a good look at these pictures, and I wish you would actually do it from the center of the track because that's what we're talking about – people with views.

Ms. Griffin: Sure, we can do that.

Boardmember Cameron: Do it from about 5 foot 4 or 5 foot 3. But women want to see the views, too, and all of these are 6 foot 2.

Building Inspector Minozzi: Could you respond to what is the height of your buildings that you're proposing today?

Ms. Griffin: It's fuzzy on my computer. Hold on. I think it's elevation 155.2.

Boardmember Cameron: I was measuring it from the 115 mark. I know that's not where your building starts because that was the line that appeared.

Ms. Griffin: Mm-hmm.

Boardmember Cameron: It actually lined up very nicely with the front of the next building down. Anyway, it just didn't fit for some reason.

Boardmember Ambrozek: I had the same observation about that 143.5 elevation. "T/W," I presume means top of wall; "B/W" means bottom of wall. There's just about a 5-foot difference. This plan is supposedly to scale. So according to the scale of 3/16th of an inch being 1 foot, that 5 feet should be just about a 1-foot line.

Ms. Griffin: Right.

Boardmember Ambrozek: And it's clearly 5 or 6 inches, a 1-inch height for that wall. So, that number of 143.5, to me, seems to be a radius.

Ms. Griffin: We have to look at that because ...

Building Inspector Minozzi: What's the elevation on the Aqueduct again, please?

Boardmember Ambrozek: There's a figure of 157.5.

Boardmember Cameron: No, that's the distance.

Chairperson Sullivan: That's a measurement of the back.

Boardmember Cameron: The Aqueduct, I don't actually know. I've attempted to find out. I think it could be 145, 147, somewhere in there.

Ms. Griffin: I think you're right, Jamie. I'm looking at the survey, 143. It varies – 148.

Boardmember Ambrozek: But that is very important. The elevation of the Aqueduct is extremely important relative to the top of the buildings.

Ms. Griffin: I agree. We'll take a hard look at that. Actually it's sloping down also.

Boardmember Ambrozek: Yes, there's a slope.

Ms. Griffin: So it depends where you take the section.

Boardmember Ambrozek: The top of the retaining wall is not the highest part of the Aqueduct. There is a sloped-earth berm above that.

Ms. Griffin: Right.

Boardmember Cameron: So a couple other nits, and I'm sure you're right that your lot is 15,978 square feet. But it's not 6/10ths of an acre – which it says right next to it – which is about 26,000 square feet. Somebody just made a careless error there.

Then we're still using the word "development coverage."

Building Inspector Minozzi: Could you say that one more time?

Boardmember Cameron: On the block there ...

Building Inspector Minozzi: Yes.

Boardmember Cameron: ... it says 15,978 square feet, which I assume is correct. But right next to it, it says, slash, "0.6 A-C," which may be paper. It's just no substance. But you were still using the word development coverage where it's building coverage.

Building Inspector Minozzi: It's not building coverage or development coverage, it's just coverage.

Village Attorney Whitehead: It's coverage. It's buildings and structures.

Chairperson Sullivan: We talked about that last time, and it should really be straightened out. It's confusing.

Ms. Griffin: You know, I thought it might be important to distinguish because this is the only zone where everything is in one category.

Chairperson Sullivan: Well, I think we need to piggyback a little bit on this. We should also mention open space calculations.

Ms. Griffin: Yes.

Chairperson Sullivan: You should talk about the number of stories you have. And be clear about the yards, as well, which I think you are. But when you look at the district, you should have all that information really clearly identified. Then you're welcome to slice and dice things any way you wish, but you should understand the dimensional requirements of the zone.

Ms. Griffin: We'll just put in coverage, and we'll have a separate breakdown I think because I just think that's a little ... but it's important.

Chairperson Sullivan: And I think, in addition, it's also helpful next time ... like you were very helpful in getting the diagrams on how you clearly show setbacks. We should see how you're calculating the height as well. I looked at the average grades, and I'm a little concerned.

You're actually talking about a four-story building, not a three-story building. So, you should just take a look at that. Also, when you do start identifying coverage in the past you've done a very good diagram showing what's what: you know, this is the sidewalks, these are the buildings, these are the walls. So, something else just so people can see it graphically, to back up the numbers.

Ms. Griffin: I want you to see. We did do a coverage calculation, with a breakdown.

Chairperson Sullivan: Right. But in other projects we've seen a small site plan diagram that identifies ...

Ms. Griffin: Oh, yes, yes, we can do that to make it clearer.

Chairperson Sullivan: Yeah, that's very helpful.

Ms. Griffin: So you can see graphically, not just the chart. We do have a total coverage, but the breakdown is important because it's important just to see how much of that goes into the sidewalks and driveway.

Chairperson Sullivan: No, no, it's very helpful. Again, it's like we have certain things, and Eva's mentioned it. We have a law so we might as well understand what's in the district and what our benchmarks are, then you can start the analysis. I'm not trying to suggest not to do that, it's just helpful to see the requirements in front of us.

Boardmember Cameron: So do you have a north elevation of the building? There wasn't one put in your package.

Ms. Griffin: No, not yet. You know, we're always going to keep getting into more detail as we go, depending on the tweak field. This is how far we're going with this layout, but we're going to take a hard look at the height of the Aqueduct because it varies. We'll find a better way to represent that graphically and add a few more views from the Aqueduct.

Chairperson Sullivan: Anything else, Jamie?

Boardmember Cameron: I just threw it away. Hang on, I have a couple more comments. This gets into the coverage issue, which I'm sure we'll spend a fair amount of time on. One of the things which is interesting is when you brought up the diagram showing us the steep slopes property. That constitutes much of the open space on this site. So not only do we have a 47 percent coverage in your proposal, we also have a large chunk of it on the back side which is totally not usable except by very risky kids climbing up the hillside. We really do lack open space on this that's usable, unlike, quite frankly, 32-24, since you mentioned it, where they had a lot of space where you could do things. This one is a much more constricted site, in my view. I just wanted to make that comment.

Ms. Griffin: I don't know. I also want you to see the using of the roof of a garage as decks for the outdoor space.

Boardmember Cameron: Saw that.

Ms. Griffin: So there's an outdoor deck in the back, and there's also a roof deck for outdoor space.

Boardmember Bass: I have a question for Linda. If the garage – which causes the need for the variance for the rear yard – was completely covered and wasn't a deck, does that still need ...

Village Attorney Whitehead: If it was below grade ... for setback.

Building Inspector Minozzi: Yeah, we had to address that same issue on Washington Mews.

Village Attorney Whitehead: Buddy is the interpreter of the code. My interpretation would be that if it's completely below grade, what are you setting back?

Boardmember Bass: Right, because that's not how I've seen it in other codes: if it's below grade it's below grade, and the whole point of the setback is the distance from the face of the building to the rear property line. If there's no face to the building, that's not a yard.

Village Attorney Whitehead: It's not to a wall, not a setback to a wall.

Ms. Griffin: I guess this is up for discussion. I don't know (off-mic) there's an exemption for decks.

Chairperson Sullivan: You have to look at that because there's some slope in the back. To say that it's also underground or not always at grade, I think you need to take a look at that. Richard's bringing up an interesting point, but the actual location of this building is a little bit of a question right now – the relationship to the land.

Boardmember Bass: Right. And I'm not suggesting we be cute and avoid a variance or a condition by covering it over, but it's an interesting design point.

Chairperson Sullivan: At least it's a good one to bring up.

Building Inspector Minozzi: I know this question's come up not only with setbacks, but with coverage: do you count underground structure as coverage? The last time, they did.

Boardmember Bass: Right, and I think last time I disagreed with that. So, I'm consistent.

Building Inspector Minozzi: I wasn't sitting in this seat last time either.

Village Attorney Whitehead: I'm with you.

Chairperson Sullivan: One incidence I wasn't sure was necessary (unintelligible). But, Eva, do you have any comments now that you're seeing it a second time? Michael, anything?

Boardmember Ambrozek: Again, when I suggested that the garages be put at the back, underneath the existing slope, that was because I felt the coverage would not be impacted, to Richard's point. I'm in agreement there.

I have concerns about overall height of the building relative to the Aqueduct. That's my major concern. I kind of liked one of the options where instead of having the front of the building you preferred schema C. You had some design, I think, where they're slightly set back from each other. I like that design because it's less massive, looking at it from the street. But it's not going to be seen a lot from the street by many people; it's a dead end.

Ms. Griffin: Well, we had to push the garage back into the rear yard to make that happen.

Boardmember Ambrozek: Oh, I understand the implications of what happens if you do that. I understand the implications. I'm just saying from an aesthetic appearance, stepping it back I don't know if you could consider stepping it maybe in reverse. The site is a difficult site to work with.

Ms. Griffin: We are looking at different ways to pass slight setbacks and breaks in the building to give it a nice massing. You know, the section through the building is, I think, important. You see that we're trying to make it look about the size of ... here, that this building has, that the third floor is actually up in the roofline.

Boardmember Ambrozek: Yeah.

Ms. Griffin: So it's not like a full story. It's really because it is so delightful to see the view up there. But we don't want to have a full story. We're just tucking it up in the roofline with a dormer in the back.

Chairperson Sullivan: I want to add a couple thoughts. This is a very difficult site, I think, because it's unique, because it is fronting on an alleyway. It isn't a typical situation where a house is fronting a street and across the street is another house with a front yard and a porch. This has got backyards and parking and things that are going to continue to have them. I struggle with this because I think it's a really hard design problem.

I mean, I think it needs to create its own context in some ways. For me, that means creating some kind of buffer, greenspace, kind of relief from itself. And this is 120 feet long with very little articulation, very little setback. I have a concern for adding that back in this space because it has the Aqueduct behind it, it has people's backyards on the other side, and it's just an unusual urban situation. What we talked about – and you did very well, which was bringing some of the living space down on the first floor so it made the street not be fronting to a garage – I think that's an OK direction. I'm not really keen on just having foyers and entryways and stair halls. I think that's just the beginning of what can happen.

I personally liked some of the schemes that started to break the buildings up. I'm not a big fan of a 5-foot separation between buildings. Because that's not useable; it may be a holdover from some other things we've discussed in the past. But for me, this site really needs to have some change where the buildings are pulled apart. You really need separate buildings. Frankly, I would say – and I shared this with Jamie, I'll just mention it – that the townhome arrangement is constricting. You have to have a certain width, you have to have a certain length. But mixing those with some other type of housing – be it a separate building that has apartments – I could even question is there a way you could build a building that has accessory apartments.

I'm not sure we can do that from scratch, unless it's affordable housing, in Hastings. Just a way to maybe take this site and really make it have an integrity unto itself. Because like I say, it has to kind of create its own context. There isn't much to pull from; it's not like any other property in any zone around it. I appreciate your listening, I think, to what we talked about.

I have a concern, functionally, about pushing into the rear yard setback. One of the reasons I have some historic information about your other property was because I spent some time on the New York State Historic Preservation Office's site. Very nice; they have some very neat photographs of buildings in Hastings that I'd never seen before.

What I was really looking for were drawings of the Aqueduct to try to understand what's happening behind. To me, it's a real concern constructing close to that wall. What I'm seeing is that there's the tunnel that's on the deep foundation. And the way it was constructed in this area is, they basically piled a lot of dirt on it and put a big wall against it. And the wall was not built with the huge foundation we would expect to find in our time, but others. We really need to, I think, understand either by understanding how other construction projects in this area have happened and also getting SHPO involved.

Ms. Griffin: And getting whom? I didn't hear you.

Chairperson Sullivan: The state historic preservation office.

Ms. Griffin: I see. I've actually done so many projects on the Rivertowns right up against the Aqueduct, sometimes we get in touch with them and ...

Chairperson Sullivan: I think that will be one of your next steps in this process is trying to get some guidance if they have any concerns about this construction happening so close to that historic structure.

Ms. Griffin: Yeah, the aqueduct keeper has an office in Dobbs Ferry and has quite a bit of information on the foundation and the original construction of the walls.

Boardmember Cameron: I talked to him today, but anyway ...

Ms. Griffin: Did you? Steve Oakes? Oh, I see.

Boardmember Cameron: You know, you put a slide up there that showed the side of the buildings. And that showed it fairly narrow, which is I think what you were trying to demonstrate. But you know, the funny thing is that almost no one's going to see that. I'm more worried about the people who live straight below you who will be looking up at this monolithic object. If you can figure out some way of getting big indents into that object – even if you are going back towards the Aqueduct – then I think it's going to be a much more pleasing structure from their perspective. And I know you're very good at this – you make them all different colors and what have you – but sometimes it has more effect than others.

Ms. Griffin: I would explain, also, why we're looking at six units. All the utilities; in order to build on this site – to bring all the utilities up from Warburton Avenue – there's a lot of infrastructure that has to be built.

Building Inspector Minozzi: Use that mic for a minute.

Ms. Griffin: The owner-developer has a lot of information on that, a lot of research he's done so far to find out what's involved. We have to take that into account so that's why we're looking at six units.

Boardmember Cameron: Well, what I was actually suggesting – leaving the six units aside for a moment – is, you've got, right now, six units. Maybe if you took the two middle ones and slid them straight back 15 feet as you're looking at the structure – even though they're all there – it would look much more broken up. Maybe only 6 feet's necessary. Slide them over

the garage buildings in the back.

Ms. Griffin: I see.

Boardmember Cameron: I mean, just to try to break up the visual. And I know a lot of people here will have comments on that ...

Ms. Griffin: Yes, yes, yes.

Boardmember Cameron: ... but that's just a ...

Ms. Griffin: And the challenge of this site, it's very shallow, as you can see. And it's also flat. In front it's flat so we don't have the opportunity of like going down into a garage because the driveway is so short that we can only go down a small amount. That's what lifts the building up so much because we can't get into that garage. We can't bury it under the building because we don't have enough length to do a ramp.

Boardmember Cameron: I wasn't suggesting that. If you just took the two middle units, for example, and slid them straight back – not going to the garage, just staying where they are – then you would have a much better break. I'm just trying to say as an alternative to coloration in bricks. And the different colors you presented really are just that.

Boardmember Bass: I think what you're hearing is, whether that's the option you suggested – a different coloration. But some articulation, some verticality that really defines the buildings, whether it's moving the boxes around on the site plan, or defining it better than just plain color.

I have a question on the apartment building that's just south of this site. Does anyone have any memory on how that was built and what was the ...

Building Inspector Minozzi: The owner's in the room, you can ask him.

Chairperson Sullivan: Now, which building?

Boardmember Cameron: Well, it's an old building. It wasn't (cross-talk).

Chairperson Sullivan: No, no, the one across that has its address on Warburton, or the one that's ...

Boardmember Cameron: Nodine Manor.

Chairperson Sullivan: ... south of.

Boardmember Bass: Because that's an apartment building, and that relief in terms of ... give me some history on that one.

Chairperson Sullivan: Actually it's funny that you mention that, Richard, because that was in the survey that was done in 1982. So, it's an old building.

Boardmember Cameron: Go ahead.

Mr. Brutto: Nodine Manor was a 14-unit apartment building. Several years ago I partnered up with a local Hastings resident that owned that building, George Capuano. We attempted to do a gut renovation to that building and repair a distressed structure. We took that building from a 14-unit building down to an 11-family building, reducing the level of nonconformity to allow for larger, more spacious apartments. We brought the building up to code and constructed a good residence for people to live in.

Currently the building's 11 apartments. It's a rental, it's under our management, and it's a very nice residence for people.

Boardmember Bass: When was it originally built?

Mr. Brutto: Forgive me if I don't know the exact date, but it was early 1900s – 1907 comes to mind, but don't quote me on that.

Boardmember Bass: OK.

Chairperson Sullivan: So it's been there for awhile.

Mr. Brutto: The building originally was some type of boarding house. It had community bathrooms in the hallways and just bedrooms off of it.

Boardmember Bass: Worker housing.

Boardmember Cameron: It would have been luxury (off-mic).

Mr. Brutto: We feel that we created a structure that was a betterment to the community.

Boardmember Bass: So not to beat a dead horse, Christina, but when you come back next

time it would be really helpful to have a better site plan, better elevations, more of the information that the Board's been discussing so we have a better understanding of how the building fits in with the Aqueduct.

Ms. Griffin: Yes, we'll do more views and we'll complete the elevations.

Chairperson Sullivan: I think also one item that is needed is to understand the improvements you need to make because of the street you have to improve. I understand from Buddy that Nodine, the paper street, will be turned into a street.

Mr. Brutto: Currently, the street at the top of Nodine to the left, where we're proposing the development, is a dirt-gravel pathway. Not only will we need the infrastructure of services to the building for sewer, gas, electricity, et cetera, but we will need to rework that area for a roadway to make access to the street as well as what we're proposing as greenspace at the end of the street in front of the building.

When we developed Nodine Manor, we took it upon ourselves to re-pave that street across the front of the building as well as our property and our parking lots. We incurred the cost of that, and we would look to do the same in the development project to the left.

Chairperson Sullivan: I'm just concerned. I don't know what's involved so it would be helpful if we could start understanding where do sidewalks go, where do curbs go, what kind of infrastructure has to happen just so we understand how it may impact your site.

Mr. Brutto: Understood.

Chairperson Sullivan: So we should fold that into the discussion for (unintelligible).

Boardmember Cameron: Well, the greenspace has a nice river view, by the way.

Chairperson Sullivan: All right, anything else? Michael?

Boardmember Ambrozek: No.

Mr. Brutto: I thank you for your time.

Chairperson Sullivan: Well, we have a whole group of people I'm just going to invite to come up. So, anyone from the public like to speak? If you do, please come up, say your name and address.

Brian Kincaid, 390 Warburton Avenue: I actually made a lot of the photos up there and some of the schematics. I must say my heart dropped seeing a lot of the pictures and what it would do to the neighborhood, and certainly to my backyard. Our backyard was the one that had the shed, the long backyard that starts at 390 and goes up to the Aqueduct.

We moved there 2-1/2 ... sorry ...

Chairperson Sullivan: You're right on the Quarry Trail?

Mr. Kincaid: Correct, yep. And we moved in there, I guess, about 2-1/2 years ago from Brooklyn; looking up and down the Rivertowns for our perfect spot and came upon that after a lot of looking and, after an intense bidding war, landed the house. Probably overpaid, primarily based on our love for the views that came with it of the river and the amazing backyard it offered. I look in that backyard now, with a beautiful vegetable garden, an old maple tree, a 200-year-old American sycamore tree, and what I think a lot of the neighborhood kids would say is one of the greatest backyards in that area.

So again, seeing a lot of the images there of a massive building looking directly over the backyard, looking directly into my 7-year-old son's building, are of great concern for me from kind of a personal piece of mind, but also from the financial implications of what a building like that will do to the value of my house. Which I would say, looking up our backyard, if that was staring at us in the window we certainly would not have invested what we did in the place and I don't think it would have garnered the values it had.

I think, certainly, you could talk a lot about the character of that portion of town that I think really has seen a lot of great improvements and continues to have a lot of charm. There's a lot of room for improvement there, there's a lot of existing structures that are run down that are in need of help. To think that, instead, we're going to put up this massive structure in what I know you mentioned is a very unique space feels very unfitting to drop down this huge, long, high structure there is of great concern, again, to just the character of the nature. But again, I think I can most specifically talk to the financial implications I believe this will have on my property.

It was very enlightening to hear you guys talking before with the subdivision at the VFW and implications and where you can and cannot influence decisions. But I'm curious how that relates to this. Certainly people have a right to build on their own land, but when it starts to infringe on the land around that and the values around that I'm curious if, and where, there is a limit to the development.

Chairperson Sullivan: Well, I'm not the most knowledgeable person so I'll let others on the

Board speak and, of course, Linda. But this is the beginning of a process that involves two boards here in Hastings: the Planning Board and the Zoning Board. The application has come to us with a site plan which is something that we work with the applicant on. But in areas where they are requesting a variance from the zoning code, those approvals can only be given by the Zoning Board. There'll be times where these folks will go to the Zoning Board and we'll all wait to hear what their decision is, and then they'll come back and finish our process on the site plan.

It's the beginning of a process that will take not a long, long time, but it involves consideration because what people have is their responsibility. Richard and Eva and Jamie are going to jump in because you guys have all been on the Board longer and have more experience. Any other thoughts?

Boardmember Alligood: I think whenever an applicant is asking for variances they're not conforming to the zoning. So, they're pleading a special case, and that's where you have leverage as a community member to speak up and say you think they're asking for too much.

Mr. Kincaid: Mm-hmm, and that's done here as well as at the ...

Boardmember Alligood: At the zoning boards.

Mr. Kincaid: At the zoning boards. And this seems like the project is much further along than, again, the one we saw earlier where we were just talking about cutting a curb and can something be built here.

Chairperson Sullivan: Totally different.

Village Attorney Whitehead: You can't compare the two types of applications. That was a subdivision, this is actually a site plan application, which means the Board is looking at the actual proposed building and related improvements.

Chairperson Sullivan: You look at the information available online from our first conversation, which was last month, with these folks. You'll see the same level of drawings.

Mr. Kincaid: Got it.

Chairperson Sullivan: So it'll give you a sense that this might seem super-developed. I think Christina and her folks worked madly and fast and wonderfully, but the point is that we're – like Linda was saying – into the nitty-gritty on this one, getting something available to have drawings prepared.

Mr. Kincaid: OK.

Chairperson Sullivan: Richard, anything you want to add? Jamie?

Boardmember Cameron: Not right now.

Mr. Kincaid: Yeah, and then I guess, you know, my question also is perhaps not for the Board as much as for the developers. But as you noted – and I think is immediately aware as you look at this space – this is a massive unit on a very small and unique piece of property that, again, I'm appreciating right now. There's a bunch of rundown old sheds there. This is an area that could, and will, be developed. But I do question why the massive structure, the six units, that we're trying to push through here. Thank you.

Boardmember Alligood: One thing I'll share is that, you know, we've seen ... I've been on this board for a long time. A lot of applications come before us where somebody wants to develop their property and there's a lot of potential for back and forth to make the project better. So we've engaged in conversations with the architect and the client, where the applicant takes that feedback into consideration and try to work with neighbors.

Mr. Kincaid: Right. So, again, thank you.

Chairperson Sullivan: Just continue to be involved.

Mr. Kincaid: Thank you.

Chairperson Sullivan: Please?

Mr. Brutto: Can I speak (off-mic) spoken up?

Chairperson Sullivan: Sure.

Mr. Brutto: I'd just like to say that, you know ...

Boardmember Ambrozek: Could you state your name and address, please?

Mr. Brutto: I'm the developer. I would like to say that we're a part of the community. So, we would take into consideration, and welcome, the conversation with any of the residents that are affected by this project, and discuss the project with them on a one-on-one basis. My door's open. Please come down and talk to me about it. I'd like to build something here that

betters the community, not hurts the community. And betters your property values, not hurts property values.

Currently, we've got a lot there that's a masonry yard, garages, substandard structures, a decrepit area. I'd like to make the place better. It helps my property values, owning the 11-family that's right next to it. This is a good thing, and I welcome conversation about it. Thank you.

Chairperson Sullivan: Thank you very much for that.

Ms. Noe: I'm not really sure why we didn't get a notice about this meeting. Because my neighbors who are about 20 feet to the south of us got it and the neighbors on the other side of them got it. But I just found out (cross-talk) ...

Building Inspector Minozzi: You're outside the 300-foot radius.

Ms. Noe: Really, like that 20 feet?

Building Inspector Minozzi: We checked it, yeah.

Ms. Noe: OK. So, I'm not sure you realize this, but Marble Terrace – the end of Marble Terrace – looks right at that apartment building. So, it's not a view preservation issue, I guess, but it is a consideration because we would be looking right at that side elevation that you guys, as somebody said, they didn't think anyone would actually be really looking at. But that would be what we see when we come home every day would be that end of those buildings. I just wanted to say that I think Christina's immensely talented, and I'm sort of surprised to see ... and I guess, you know, it's driven by wanting to maximize the value on the site. But to me, this looks like it could ... it just landed from outer space.

I mean, there's so much different housing – there's courtyard housing, there's terrace housing – that would have been interesting to explore on this really unique, exciting place. I would encourage the ... I think, Kathleen, everything you said really was right on in terms of the idea of some kind of open space or some kind of character that is unique to this site and really improves the neighborhood. Because right now, it just looks like something that could be anywhere USA, and this not in an anywhere USA location. And I think if you take those guidelines, those thoughts, into consideration we'll come up with a really exciting and unique solution that really enhances the property next door and doesn't look like something that, you know, why is this here. So, I appreciate your comments.

Chairperson Sullivan: Anyone else like to speak?

So, you got notices this first time. Please pay attention to the e-mails about our agendas for the next time these folks come up because you do not get another notice. Christina, would you like to say anything in closing?

Village Attorney Whitehead: Do you have enough direction?

Ms. Griffin: Of course. We have a lot of ideas. And of course I would love to design something very unique for this site, but we're starting to always go with the big picture. Then once we feel we have something viable, we start studying the design in more detail. And we're going to take all your comments into consideration and we'll show you more developed plans for the next meeting.

Chairperson Sullivan: I think in some way I guess we would like to have the existing grade sorted out, the building height sorted out.

Ms. Griffin: Yes.

Chairperson Sullivan: Make sure you're comfortable that you have a three-story building, not a four-story building, a revised view preservation as needed to – once you have the elevations sorted out. We need to come up with a way to get information on the Aqueduct structure itself and figure out a way to do that.

We should also figure out a way to get the street information to you for the improvements that might have to happen on Ridge Street – I mean Nodine Street – and I think we're starting to hear conversations about the density, the massing of the building from some Boardmembers as well as the residents. Maybe after the meeting you can make yourself available and give out your contact information to folks who might want to get in touch with you. I thank you for that suggestion.

Boardmember Ambrozek: I'd like to see (cross-talk)

Chairperson Sullivan: Come up and use the mic, say your name.

Boardmember Ambrozek: Yeah, I'd like to see some end-view drawings from the north and south ends of the building. I don't know if there's going to be any windows in those, what kind of treatments you're sort of thinking of as ideas.

Ms. Griffin: Yes.

Mr. Kincaid: This is a question maybe, Richard, also for the transportation board. But that stretch of Warburton is incredibly dangerous. There was a huge accident there ...

Boardmember Bass: Come next Tuesday. At the Trustees' meeting we have a resolution.

Mr. Kincaid: Oh, great. Yeah, I'd be curious the implications of another 12 cars coming in and out of there. There's a bus stop right there and it's already a pretty nasty little ...

Boardmember Bass: Come next Tuesday.

Mr. Kincaid: Great.

Boardmember Cameron: I almost got killed on that street. I had a total loss of a 100-day old minivan which me and my three kids ... I was the only one injured, but the car was gone.

Mr. Kincaid: Oh, gosh.

Boardmember Cameron: Someone just came right through the red light.

Mr. Kincaid: Thanks.

Chairperson Sullivan: Thank you.

Mike Didovic, 12 Marble Terrace: I just have a question and a comment. My question is around the height of the building compared to the existing apartment building just south of there. I was wondering if you had a comparison on the height of that apartment building, the 11-unit building.

Mr. Brutto: We are much lower than that, but Christina will speak to the elevations.

Ms. Griffin: I don't have the numbers of that. I can come back next meeting with that (off-mic).

Mr. Didovic: OK, that'd be great, thank you.

And then the other comment just, Kathleen, what you just said around density is I just want to echo what Michelle and Brian said. I live two doors down from this, or from Brian's place, so three doors down from this. I just don't ... I'm not a NIMBY person, I'm not anti-development by any stretch. I have no problem with the new development next to Antoinette's on Warburton. It seems to fill a nice void in the neighborhood there. But I just

don't see the need for this type of density, especially the double-stacked development behind existing apartment buildings. It just seems egregious to me.

I use the trail a lot – I have two dogs – and every time I walk south now, into Yonkers, I see those new developments – I'm not comparing this to that – and I just think to myself thank God I don't live in Yonkers where they're allowing this kind of development. Then I see this huge building right here in a backyard, next to my friend's backyard and my neighbors, and, as Michelle said, viewable from our street. And I'm thinking this is like Yonkers lite is what we're turning into, and it just makes me sad and it really does make me kind of question some of the decision-making that brought me here in the first place.

Chairperson Sullivan: Well, that's a lot to say, but this process is going to be involved with the community. So, hopefully, you'll feel that you'll have an impact on the project, and you will.

Mr. Didovic: I hope so. I mean, I'm sure we'll all be back here again.

Chairperson Sullivan: I think you'll find that people on the boards, as well as the design professionals and the applicants, work together to try to come up with a suitable project.

Mr. Didovic: That'd be great. Thank you.

Chairperson Sullivan: Jamie?

Boardmember Cameron: Christina, I'd like to get the height of Nodine Manor. It's useful to know how tall that building is. I know it's not governed by your height restrictions, but this gives you a relative perspective. Thank you. With the next packet, obviously.

Chairperson Sullivan: OK, thank you folks. Oh, did you want to say something?

Jonathan Kastner, 44 Croton Avenue: Could I say one thing? Actually, just speaking to the numbers – it being six units – I think it was asked why six. The explanation was six units because the cost of bringing utilities – sewer and all of that – which, to me, just sounds like six units to offset cost of the project, not specifically six units because this is a specific neighborhood that is begging for six units. I would say if they were six affordable housing units that might make more sense. But if the explanation for it being six is to offset the cost of utilities, to me it doesn't sound like a sufficient ...

Chairperson Sullivan: You might have noticed that we really didn't engage that conversation, that it was information for us. Eva mentioned that places where variances are

being requested – and those are areas that are open for discussion. And one of the issues this application has – coverage variances, based on the initial drawing Christina started out with shows you what was permitted by right. Then everything that's covering the land is a request to the community for that, which we don't grant. That's the Zoning Board's job.

Mr. Didovic: OK.

Chairperson Sullivan: So that's a first conversation.

Mr. Didovic: Yeah, OK.

Chairperson Sullivan: What the neighbors think that would be very important for both the boards; us, and the Zoning Board, as well as the applicant (off-mic).

Mr. Didovic: Great, thank you.

Boardmember Bass: You stay on the coverage issue, going back to the corner of Washington and Warburton we asked Christina to do a little neighborhood study. Did we ask for that this time?

Chairperson Sullivan: No, we haven't discussed that at this point and what are you thinking, Richard.

Boardmember Bass: Well, again, what our built condition is, and what our zoning code is, are vastly different things. Most of Hastings can't be built under our zoning code, so it might be interesting to have a similar study so we're comparing apples to apples. If this proposed lot coverage is consistent with the built condition of the neighborhood, then that would be important to know. Just as we're asking for information on the height of the neighboring apartment building it gives us some perspective, just comparing to the zoning code doesn't always get us to the right answer.

Chairperson Sullivan: This is the 1.5 zone, which is a very unusual zone. It covers a lot of different properties. We're very close to our 7.5 (off-mic) on Warburton. So, there's another more single-family home residential district this is very close to. Then I think there's another zone across the street on Warburton, so there's sort of a lot of different zones that this is near. I don't know, I'm almost thinking what you're saying makes a lot of sense. Do you think we should look at sort of the coverage more in the neighborhood than ...

Boardmember Bass: (off-mic)... Is a 600-foot radius excessive work? Because again, having multiple zoning districts, again, doesn't tell me what I'm look for is what's the built

condition so we're comparing apples to apples.

Chairperson Sullivan: Well, you know, there's going to be very few 120-foot long buildings that will ...

Boardmember Bass: I understand that. But that, again, becomes a design solution or it doesn't.

Chairperson Sullivan: Gotcha.

Boardmember Bass: And landscaping – which has not been part of the conversation – also is a mitigation. So, there's tricks to the trade, and as we're getting deeper into the weeds on this project we can look at that. But I would say bury the garage and you no longer have a rear yard condition. So now we're just looking at a lot coverage condition. Knowing lot coverage in the neighborhood will dictate whether this is in keeping with the neighborhood or not. You know, that it's 120 feet long I can come up with a design solution that would articulate that so it doesn't feel massive.

Chairperson Sullivan: Well, I think if 600 square feet or the 600-foot radius works for you I think that would be nicer to do than this specific zoning district. That was just my only concern.

Boardmember Bass: Is 600 feet OK?

Ms. Griffin: I don't know, I'll look into it. I need to absorb what you just suggested and see what's involved.

Boardmember Bass: Because, you know, I don't want to play a numbers game. I really want to look at impacts because if you design a four-unit that's an abomination that really impacts negatively on the building. So, six units or four units, we're doing a site plan review; let's do a site plan review.

Chairperson Sullivan: We can go so far with that, and then we need to talk to our friends on the Zoning Board.

Boardmember Bass: Right.

Chairperson Sullivan: Which is what we talked about, and this could be a project we do that at some point – we have a joint meeting with them, or figure out a really good way of communicating our site plan decisions for them so they understand it in the context of what

they're going to be doing looking at variances.

Boardmember Cameron: And to go back to what Kathy ... and I know you do your best to hide the building. This building's a little unusual in that it's not like many of the other buildings which go straight up from the street so you only have 40 or 50 feet showing up in the street and everything else is straight back. This is one that goes laterally so it's a bit of a different duck.

Chairperson Sullivan: It's like a boat getting hit by the waves broadside. All right, thank you for that suggestion, Richard. That's great. Thank you, folks. Anyone else? Now we'll go on to the next, and this picture is for you Lou.

Village Attorney Whitehead: So back to the other building.

Chairperson Sullivan: It's about your other building.

Chairperson Sullivan: You're welcome.

Mr. Brutto: Thank you for your time.

Chairperson Sullivan: Well, thank you.

IV. OLD PUBLIC HEARINGS

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

Chairperson Sullivan: All right, so we have one old public hearing. This is a view preservation advisory and site plan approval application of Tabi Realty, LLC.

Ms. Griffin, project architect: We have submitted additional drawings from the last time. We have looked into how we can have easier access to the garage below. Our goal is to provide parking for the three units. Currently, there's a building now with three units without legal parking so it would be a great benefit to the street if the new building has parking which meets code, which is six spaces. At the last meeting there was discussion about how the

driveway works and how a 25-foot turnaround could work down below at the garage. I'm sorry, I'm going to jump to the garage plan to explain that.

Let's see if I can blow this up. One change we have made is to show a 25-foot turning radius which is separate from a 25-foot clearance we need in the parking garage. In order to make this happen we actually had to push back the garage, and some of the spaces are now outdoors on an elevated area with a retaining wall around it. In this particular scheme we have no other option than to have the car turn all the way around 180 degrees in order to get to the spaces here. This elevator entry is in the same location; all the floor plans are generally the same. This allows each resident – and these are going to be condos, by the way – to come in and get access through this elevator up to each unit.

We were asked to make sure the access is very easy so people are not going to park on the street. This plan also allows the number of spaces on the street to remain. This new curbcut is actually taking away a spot, but we're giving back the spot that has the curbcut right now south of this curbcut. Because of these changes, we have another variance. We are parking in the rear yard so we have to have a variance for a 19-foot setback – 19.1 – to this retaining wall.

We also took a look at the side yard setback calculations. Sorry, I'm going to have to zoom back down here to get through here. OK, here we go. We did a very detailed calculation of each of the side yards because the walls on each side vary in height. So, we need to find out what is the height of the average wall closest to the property line in order to determine the setbacks. This is our north façade and these are our calculations. On the north side, we have a 7.8-foot required side yard, based on these calculations. We did modify the plan slightly to make sure the building above the garage meets the side yard setbacks.

Then we have a calculation for the south-side property line, for the façade facing that property line, which is the garage wall. We could not get the garage to fit within the side yard setbacks, but could get the building above to meet the 12-foot setback. We have a lower wall at the garage, and the calculations for the height of this wall gives us a required setback of 12 feet because it's whatever is greater: 12 feet, or the average height of that wall.

We were asked by the Planning Board to take a look at what would be the setback if we took the calculation at the higher wall, so we did that. This is the south façade beyond the garage wall. We did those calculations and came up with a side yard setback of 16.7 feet.

Now, the other information I'd like you to know is that we have our sections through the site and these sections were modified because we now have an elevated area in the back for the parking area. This is a section on the north property line. This is just beyond the parking

area. This is the section on the north property line, looking at the elevated parking area now – because we've enlarged our parking space – and we will have a retaining wall here that's 6 feet high on one end. We will have an evergreen screen to have a buffer between that wall and the neighbor's property. Then we also ... I think we have another section here. Yes. We had to modify our other ... we have three sections altogether. This was also modified because of the extension of the parking space in the back.

Our plans are very similar, except we have some minor changes just to make sure the building above the garage meets the side yard setbacks based on our calculations. This is the first-floor plan, very similar. We had a bump-out here. We removed that because our side yard here is 17.8 feet and we want to make sure the building meets the setbacks in every respect except for the front setback. The building's pushed all the way to the front. Just to remind the Board, that was very important to the view from a neighbor uphill. By pushing the building forward, the back edge of the building does not reduce the view any more than what exists now.

We were also asked to respond to the neighbor's concern at 427 Warburton. The concern was that the building is building close to his foundation wall. I just want to point out that the existing building is very ... let's see, I don't know if you can see this. We have a dash line showing where the existing building is. See, this shape here. The existing building touches the property line. We're pulling our building back 17.8 feet, but we do have a retaining wall we need in order to create a ramp down to the parking area. But that retaining wall is 5 feet from the property line, and we will have a structural engineer look at how this building's going to be protected during construction to make sure there isn't any effect on that property when we're doing construction.

We also will be taking a look at the condition of the wall that is at the front of the property at 427. This is a very thick, old retaining wall and, right now, it butts right in to the existing building we're removing. There's a section of the wall we're going to take a look at, and we have a note we've added to say the existing retaining wall will be protected, saved, and repaired if necessary because the end of the wall is going to be now touching the edge of our new retaining wall for the ramp. We also plan to put a privacy barrier all the way along this 5-foot buffer between the retaining wall and the property line.

I think we have a few sections to show, and I think last time we started to show you the sections. They weren't quite finished, but I'd like to go through those with you. We have sections going diagonally through the site to show what's happening. Here they are, OK: C, B and A, hmm. I'm going to have to go back quickly to the site plan to see where they're taken. We have three sections that have been taken through the site. I got it. No? OK. We have three sections through the site, cross-sections, going in the north-south direction. One

is taken towards the front of the building, crossing through the building; and the driveway one, closer to the back of the building; and one in the back of the building. I want to show you what those look like.

This is in response to getting the information to you. So, you probably want to see how the development is affected and the properties on each side, north and south. This is the section that is towards the front of the building – I'm going to blow this up right now. OK, this section is showing ... it's cut through the building, showing the proposed driveway, retaining wall on one side. We have a drop to the property line. They're taking a look at we might just have the retaining wall go straight down and might berm that property right here. But this is the 5-foot buffer we're planning to plant between the retaining wall and the 427 Warburton property. This is on the other side where we also have an existing retaining wall, where actually the grade is very similar. It's right at where it is now. There's a little alleyway between their retaining wall and the building.

Then we have another section towards the middle of the building. This is also showing the driveway and elevation on the other side at a slightly different height. Then we have a section we took through the back, section C. See if I can get this. OK, here's section C, where we are showing a section through the back. This is showing the elevated parking area, the additional parking area we've added because of the 25-foot turnaround we had to allow for. We have this elevated area, and on one side we have a drop. No retaining wall is over 6 feet; this is 4.9 feet, and this is a retaining wall and railing close to the neighbor's retaining wall on the south side. The retaining walls are manageable and not over 6 feet, and we're going to have our structural engineer do all the structural design for those walls.

We were also asked to look at the slope for the driveway. I provided, in a letter, a list of some of the slopes that are in the area. We were asked to look at how this driveway compares with other driveways in the area. So, 415 Warburton is 29 percent; 431 Warburton the driveway there is 21 percent; 439's 23 percent; 453 is 16. Then I suggested that if the Board wants to see a similar driveway you might like to go to Ridge Street, 715. The driveway, there's a ramp going down to that parking lot. That's 16, and were proposing 15 percent. The reason for this slope is simply so we can get the building so it's no higher than it is now, to prevent any impact on view. If we increase the slope we raise the building up.

I actually have a lot of experience doing sloped driveways. This is a problem in hilly areas, and in Dobbs Ferry I have two projects in construction now; one at 255 Broadway in Dobbs Ferry with an 18 percent slope. It was really necessary in order to go from the grade at the road down to where we needed to be to keep the building at a certain height; a very similar problem to what we have now.

I think I have gone through the additional items that we added to the drawings. What we're hoping is to see if the Board has any other questions and see if you might feel comfortable allowing us to take the next step to go to the Zoning Board.

Chairperson Sullivan: I'd like to start again with Richard and Jamie. You guys weren't here last time. Richard, do you have any questions or comments?

Boardmember Bass: No, I understand the zoning and this is a great example. The first variance that's needed is for the 10-foot front yard setback, and 90- or 95 percent of the existing built condition violates the 10-foot setback. Hopefully, that's going to be brought to the Zoning Board's attention. But I'm OK with the design and the improvements.

Chairperson Sullivan: OK. Well, we will try to articulate our support for these variances to the Zoning Board so they understand what our thoughts were as well as the rationale (off-mic).

Jamie, any comments – again, because you weren't here last time?

Boardmember Cameron: Right. Well, I come from snow country up north and have no problem with this slope in the driveway. We have a lot of streets in this town which are a lot steeper than that. I would say I went and tested 453. I don't think it's quite the steepness, but the Ridge Street one is the steepest, you said – 16 degrees. So, I have no problem with it. you might also think of putting some ... no, I think it's just fine.

The one question I have actually goes over to the garage. Now that you've got this new chart in here, and you've got the two spots up against the street, you really need this setback thing that's sticking out a wall. And how are you going to support the sidewall? Do you have a 30-foot steel beam you're putting in there, or what are you doing? Because I don't see ... now that you have the spare spot next to the crippled spot – or sorry, handicapped spot – you can easily, I think, have that without having this rather expensive piece of concrete sitting there. But that's your money and not mine. I don't understand the need for it.

Ms. Griffin: Actually, we are going to see if we can get the beam to span a little bit across without that pier there.

Boardmember Cameron: OK. So, I think maybe I have something else. No, everyone did such a good job that I have hardly nothing to say, anything to say. No, I'm very happy. And I'm very happy you've decided on what I call "flats" because I think they look much better. And the elevator is, in my view, a key element to getting people to use the garage. Without that, I'd be very worried they wouldn't use the garage, even if the elevator came up to the first

floor and they got out there.

Chairperson Sullivan: Michael?

Boardmember Ambrozek: Yes. Well, in regard to the variance for the front setback, I think we actually encouraged Christina. I think originally there was an idea of having about a 3-foot setback, and we encouraged it because the existing buildings in that area, for the most part, have no setback. We actually encouraged her to put it at no setbacks, as well. So, I think we want to support her in that variance.

Chairperson Sullivan: Absolutely.

Boardmember Ambrozek: I do have a question about the demolition of the existing three-story building, three-family apartments. Because part of the building is very close to the building to the north, how will that building be protected? And also, when that demolition takes place what impact it will have on the wall right along Warburton, the existing retaining wall at the sidewalk by Warburton?

Ms. Griffin: I happen to think that some of that will need to be repaired. But we have a structural engineer who's going to be looking at that problem.

Boardmember Ambrozek: OK. Those are my questions.

Chairperson Sullivan: I thank you for looking at the vehicle turning radius because that makes this work. And I'll have a suggestion. Do you want to go to the garage plan? Right now, that garage is open space. I mean, there's no use for it; there's no parking spaces except for a handicapped space that's close. I think you can fit in – right where your cursor is – if you put parking spaces in that area you would be able to put your drive aisle on the south side of the building, and you might be able to get some of the spaces from the setback in the rear yard (unintelligible) under the building. You don't need to have (unintelligible). This is similar to what you would do in the parking lot, where you're basically turning around the 20-foot wide spaces you don't typically have.

The setback, it's just a suggestion, You might be able to rework things. I've played around a little bit with it. I think you can keep the elevator where it is, but it's worth looking at, maybe, to see if you can use some of that indoor space you're constructing. Right now, the setback – the small wall that's in the setback – is nonconforming and you're using that justify having a shallower setback on the south side. My concern with that is kind of a numbers game, which is sort of like the patio on another project. I mean, it's been used to say, Oh, it's a nonconforming but we're going to use it as the element that helps calculate the height the

setback's related to. When behind it, there's a building wall that's much taller.

My biggest concern about that is, you know, you have existing neighbors on either side. And if I remember correctly, the building to the south – the living units in that building – only get their light from (unintelligible) so that's an impact on them. I personally wouldn't support that variance, but I would be curious to a zoning ordinance reading of an understanding (unintelligible) discussion. Because, frankly, it sets sort of a precedence that if anyone wants to do a nonconforming wall in a setback, then that keeps them from having to do a conforming setback because of the big wall that's hiding behind it. But, again, I will look to the Zoning Board to make that decision because I know it's been discussed with the building department.

My only suggestion in configuration, at this point, is to look at maybe sliding some, if not all, those rear yard setback parking spaces inside. Now I'm concerned more about the width of the driveway. Because if I'm coming down to Warburton and someone's coming from inside the building coming around the corner, who knows who's coming one way or the other. So, I think it does need to be a two-way driveway. I think that was a recommendation the county had. They've asked for a 16-foot – if I remember what you said ... and they said they can't advise you, or can't require you, to have a 16-foot or two-way driveway inside the lot, but it was a recommendation.

Again, that could be something you continue to discuss when you have traffic people look at it down the road. But I really feel, from a safety perspective, the wider driveway is really required, especially with the steep slope and the length of the decision-making. If I'm someone turning in on Warburton, and someone's turning to go up that hill – up that driveway – who backs up, who makes that call? I fell pretty strongly about needing to have that driveway increase. I know it impacts your building and you're going to say it impacts the setback, and that's all fine. But I think it's a safety concern.

Ms. Griffin: I'd like to address all these things, if I could please. Going back to this, you know this wall is not here just so we can reduce the setback requirement. It's because a good policy is often, at the last turn – this last space – is to have a little bit of space out here. This wall maybe could come in a little bit, but I wouldn't want to bring the wall straight here. We're going to look and see if we could take this pier and move it over, and then we'll have a very large steel beam here.

Also, I have looked at pointing the parking this way. The reason we turned it this way is because it's also a good design to have the handicapped space right next to the elevator instead of having to cross any kind of paved area. But we'll look at it again to see if maybe there's a more efficient way to do that.

On the driveway, I want you to know when we took the initiative to get hold of the county and had the county highway engineer look at this, they said the only place where they require two-way parking is at the top. So, when somebody is coming up, someone can come in and then wait for that other person to pass. But they said they were fine with the 12-foot driveway because this is only three units. And we will be submitting this to the county.

In the future, you know, they have like three departments looking at a curbcut: they have highway, storm drainage, and another engineering department. So, they do a very extensive review of any kind of new driveway off a county street. But the reason why we got their opinion early on, not only did you ask us to do that and we were very concerned about this, it seems excessive to have this 16-foot driveway for only three units. There's only a 9 foot 6 driveway for the townhomes near the bridge that, I don't know, was approved.

Chairperson Sullivan: I know. We keep on wondering who did that, but that's ...

Ms. Griffin: Well, anyway, we could also get rid of our nice green buffer and give you the 16-foot driveway.

Boardmember Alligood: I'm going to speak up. I think that's overkill, especially if the county said it's not required. I just don't agree with that recommendation. I think it's going to make the whole project seem out of proportion, and we don't need to (unintelligible) that really wide driveway.

Chairperson Sullivan: I guess I remember it differently, and that's why I guess we should take a look. But I thought it was a recommendation the county had for that driveway, but said they were not able ... they don't regulate that. So, they left it up ...

Ms. Griffin: We can send you the e-mail if you like.

Boardmember Ambrozek: I think there was a letter read in ...

Chairperson Sullivan: Maybe I'm not remembering a factual thing.

Boardmember Cameron: The letter said they only regulated the end of the road. I would have a couple small suggestions. One is a photo-activated blinking red light down at the bottom so nobody hits the other person as they're going around the corner. Also, you might actually think – if you roll it down the second – about where it says "setback." I don't know how thick that wall is, but you could put a window in there so if somebody is backing up this way they could see someone coming down the hill. But maybe just a photoelectric blinking

light. I think would get rid of your safety issue.

Boardmember Alligood: I like that idea, and I think it's only three units. We'll see if it's going to be heavily trafficked. I think we're getting to the point where we're over-engineering this. I think the architect has been very responsive to lots of feedback.

Boardmember Cameron: There's only six cars, and two of them belong to the driver.

Chairperson Sullivan: I don't disagree with you, Jamie. It's only seemed to sort it out that I'd been concerned. I'm not trying to go to the fence, go to the mat on it, I just want to raise it because that's what I feel. Other solutions are available besides increasing the driveway width, and that would be great to explore. You know, I trust the architects have looked at other ways of getting the parking spaces outside, inside, and it doesn't work and I accept that as well. I saw it as a possibility (unintelligible). OK?

Ms. Griffin: Do you think we'll be able to go to the Zoning Board?

Chairperson Sullivan: Well, let's see what we have ahead of us. Going to the Zoning Board and going to the ARB at some point, too, and that should probably happen after the Zoning Board trip. That make sense? And how do we want to go to the Zoning Board? We have a variety of variances that we'd like to communicate in some fashion. So, we should probably prepare a memo for the presentation, just to explain.

Village Attorney Whitehead: You can do just a quick memo saying you support them. If you want to give some reasoning, it may not also be a bad idea for a member of this board to go to the Zoning Board meeting. I mean, Buddy and I can pass along what you're saying, but I think it's actually helpful for them to hear it from one of you. That way, if they start going off the wall and doing something you know you're not going to like – like they did with the porches on the last one – someone can speak up.

Chairperson Sullivan: So the meeting is next week?

Village Attorney Whitehead: Well, it wouldn't be on.

Building Inspector Minozzi: No, no, it has to be renoticed because of the setbacks have changed, the variances have changed.

Village Attorney Whitehead: It wouldn't be on until March.

Building Inspector Minozzi: It'll be on in March, yeah. We have to renotice.

Chairperson Sullivan: Renotice, OK. So, will we have our meeting before that, then?

Village Attorney Whitehead: Your meeting is before theirs, but I think they need to know because they need to do an updated application and everything. I think one way you could do it is, you could say to them, Yes, we're going to support you going to the Zoning Board, put in everything for March, and if you want to finalize a memo at your meeting next month it'll still be the week before the Zoning Board meeting.

Chairperson Sullivan: That's what I was thinking, then we can also see if there's a member who would like to go.

Village Attorney Whitehead: Yeah, I would recommend if somebody is available.

Chairperson Sullivan: You think so?

Village Attorney Whitehead: That you have somebody there, I think, especially after what happened on the last one.

Boardmember Cameron: Yes.

Chairperson Sullivan: We want to improve the communication, so that's (unintelligible) communication. So, do we have to vote? Excuse me, I'm very sorry.

Ms. Noe: So we're directly ... we also haven't gotten notices about this project, but we're directly above this. I think you know that from last time. I mean, we like the project, but since there's no section I'm sure we're not going to see that parking, right? – the parking that's extended out of the building – from our top floor.

Boardmember Cameron: No.

Ms. Noe: We wouldn't be able to see it, right? But I was just wondering why ... if you would consider covering the parking because all those terraces are going to be looking right down into their relatively unattractive view.

Chairperson Sullivan: Yeah, we can do that.

Village Attorney Whitehead: Perhaps just do some landscaping that would soften the view of them.

The other thing to remember as you send this to the Zoning Board is you're also sending it for view preservation.

Boardmember Ambrozek: Well, regarding the viewing of the parking areas, what would be the implication of having a light roofing over that, something that ...

Village Attorney Whitehead: It's in the setback, right?

Boardmember Ambrozek: Something that could be colored. Because cars can be very shiny – bright and shiny – and different colors.

Chairperson Sullivan: Well, I think if you put a roof over it you're starting to put a structure ...

Boardmember Ambrozek: Yes, I understand. That's why I'm asking the question.

Chairperson Sullivan: I don't really ... I think if you're going to go with a roof we should know that now. But that's a structure. I'd personally stay away from that.

Ms. Griffin: It's just going to be ... we have to look at the lot coverage. I don't know if we ... no, I'm worried that it might add another variance.

Boardmember Ambrozek: I was just throwing it out as an idea.

Ms. Griffin: What are your thoughts? Also, we really want to heavily screen this from the neighbor's yard.

Village Attorney Whitehead: Can I suggest you show that for the Zoning Board?

Chairperson Sullivan: Show what?

Village Attorney Whitehead: The screening.

Boardmember Ambrozek: I think there's already some plants there.

Village Attorney Whitehead: Yes, it's there.

And did the Board ... because you're going to have to also send it for view preservation, are you ...

Chairperson Sullivan: Any comments on the view preservation?

Boardmember Ambrozek: Well, I think we discussed that very thoroughly at the last meeting. I was very happy with what was shown, and there's been no change in that regard today at this meeting.

Ms. Griffin: We did 13 studies and revised them two times, so we've shown each change in the scheme. And we've met with neighbors, and I know it seemed the neighbors were satisfied with the design.

Village Attorney Whitehead: So I think at this point, just procedurally, if you're comfortable with this enough for them to go ahead and go to Zoning Board they can get their application in, it can get renoticed for the March meeting, and at your March meeting a week before you can finalize your recommendations if someone wants to work on drafting before then.

Chairperson Sullivan: Now, do we need to have them do view preservation now? We really don't.

Village Attorney Whitehead: Well, otherwise you just keep going back and forth. It's not really fair to the applicant if you can do it all in one.

Chairperson Sullivan: No, I'm just wondering about ... OK, so we should vote on the view preservation.

Village Attorney Whitehead: You can do it. You can do it tonight. I think, as Michael said, you went through it in a lot of detail at the last meeting so you could vote on the view preservation tonight, then they can get their application in. But if you want to put together any comments, or a memo, it can go with your variance memo for your next meeting.

Chairperson Sullivan: So we vote on view preservation tonight.

Village Attorney Whitehead: I think it's probably a good idea to vote on view preservation tonight. That way, when Christina does her submission for the Zoning Board with all the updated documents she can say this board has approved view preservation.

Boardmember Cameron: Yeah, but if our wonderful ZBA changes the design of the building at all ...

Village Attorney Whitehead: It comes back to you anyway.

Boardmember Cameron: ... it would have to come back to us.

Chairperson Sullivan: The reason I'm hesitating is that we often talk about view preservation materials, requirements, about mechanicals in the roof and stuff like that. This project, once we get through zoning I'd like it go to the ARB for their comments.

Village Attorney Whitehead: Are you having any rooftop mechanicals?

Building Inspector Minozzi: She is showing the mechanicals in the southwestern corner.

Village Attorney Whitehead: They're not on the rooftop.

Ms. Griffin: We've been able to do that in a lot of projects.

Boardmember Cameron: The other thing is going to be my favorite topic, the color of the roof.

Ms. Griffin: The ARB (off-mic) for that.

Chairperson Sullivan: No, is there anything like that we haven't talked about or thought about?

Village Attorney Whitehead: You have spent a lot of time on this.

Chairperson Sullivan: No, but we've been talking more about the height and that kind of thing of the building itself. If we go with those conditions – the mechanicals on the roof, and the color of the roof is a color that's suitable ...

Boardmember Cameron: Well, we and the ARB are going to deal with the color. Then we're assuming, for view preservation, there'll be no mechanicals.

Boardmember Bass: I'm good with moving this forward.

Chairperson Sullivan: I am, too.

Boardmember Alligood: It's time to move it forward.

Ms. Noe: I think we're assuming no mechanicals on the roof for view preservation?

Village Attorney Whitehead: They're saying it's a condition.

Ms. Noe: It's a condition, OK.

Chairperson Sullivan: And mechanicals include any kind of protrusions, pipes and things like that?

Boardmember Ambrozek: Vent pipes are required by code.

Village Attorney Whitehead: And they don't affect view preservation.

Ms. Griffin: There's no way through it without that. They're tiny little pipes.

Chairperson Sullivan: I'm thinking of the other project that's ...

Ms. Griffin: Look at 400 Warburton as a good example. There are no mechanicals, but there are pipes.

Chairperson Sullivan: Well, they're pretty white.

Ms. Griffin: They can be a different color.

Chairperson Sullivan: Right, OK. So, may I have a motion to recommend view preservation approval for this project ...

Boardmember Bass: So moved.

Chairperson Sullivan: ... with the condition that there are no mechanicals on the roof, and pipes or colors that match the roof in some fashion, and the roof's color will be determined by the ARB and the Planning Board.

Boardmember Cameron: Just say we're retaining approval for the roof materials, together with the ARB.

Boardmember Alligood: Exactly.

On MOTION of Boardmember Bass, SECONDED by Boardmember Cameron with a voice vote of all in favor, the Board resolved to recommend view preservation approval for the application of Tabi Realty, LLC, for the demolition of an existing three-family and

construction of a new building containing three townhouse units on its property at 425 Warburton Avenue.

Chairperson Sullivan: And we are in agreement that we will pass this on to the Zoning Board for review of the variances. OK.

Boardmember Cameron: Yes.

I have a question, sorry. No, it's about process.

Ms. Griffin: You know, the escrow account was set up for review by the village engineer. Would it make sense for our engineer to enter the picture after zoning?

Chairperson Sullivan: The timing's up to you.

Village Attorney Whitehead: Yeah, if you want to wait and make sure Zoning isn't going to change your plan significantly, otherwise I would say get started on it.

Building Inspector Minozzi: When you come back to this board, after you make your trip around the boards, you're going to need to have your drainage done.

Ms. Griffin: Yeah, it seemed like we might hasten the process if we submit that soon, right?

Building Inspector Minozzi: You could get it started with our engineer before the meeting. Yeah, that's not a problem.

Village Attorney Whitehead: Yeah, if you have it done it can get submitted while you're dealing with the Zoning Board. The engineer could be working, and working with your engineer on the stormwater.

Ms. Griffin: Because you'll be checking that when we come back.

Chairperson Sullivan: Well, when you go to the Zoning Board you'll get (background noise). You'd like the ARB to be involved before they approve the project rather than later in the project so (unintelligible) before we start working together on your full package.

Ms. Griffin: It's so hard to hear you on our ...

Building Inspector Minozzi: And they could also go back and forth to the ARB while

we're working out drainage, as well.

Ms. Griffin: So the most efficient way, time-wise, for us to proceed is to perhaps start the civil engineer's work, then ARB.

Village Attorney Whitehead: And if you have everything done before you come back here it's going to make things a lot quicker when you come back.

Ms. Griffin: OK.

Chairperson Sullivan: If you go to the Zoning Board, and there's some issues that come up, then you'll probably want to come back here.

Building Inspector Minozzi: Yeah, I would say that before they go to the ARB see how they make out with at least the first Zoning Board meeting.

Boardmember Cameron: I would do that, too.

Village Attorney Whitehead: Don't go to the ARB before you go to Zoning.

Ms. Griffin: No.

Chairperson Sullivan: But as for timing with your engineer, I mean, it's really up to you.

Ms. Griffin: Good, we'll start with that. OK, thank you so much.

VI. ANNOUNCEMENTS

Next Meeting Date – March 16, 2017

VII. ADJOURNMENT

Boardmember Ambrozek: We need a motion to adjourn.

Chairperson Sullivan: We do.

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Cameron with a

voice vote of all in favor, Chairperson Sullivan adjourned the Regular Meeting.

Chairperson Sullivan: Thank you very much.