

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
MAY 19, 2016**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, May 19, 2016 at 8:15 p.m. in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Chairperson Kathleen Sullivan, Boardmember Eva Alligood (8:25 p.m.), Boardmember Michael Ambrozek, Boardmember Kerry Gould-Schmit, Boardmember William O'Reilly, Boardmember, Boardmember Richard Bass, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Planning Board Assistant Mary Ellen Ballantine

Chairperson Sullivan: First order of business, make sure that we're live and on board. Welcome to the meeting for Thursday, May 19, 2016. May I have the roll call, please?

I. ROLL CALL

II. APPROVAL OF MINUTES

Meeting of April 21, 2016

Chairperson Sullivan: Second order of business is approval of the minutes from our April 21 meeting of this year. Were there any comments on the minutes?

Boardmember Bass: I have one minor one, and I think it's on page 24: my statement, the second to the last sentence should read "because I 'wouldn't' want you" instead of "*because I 'shouldn't' want you.*" But I'm good on everything else.

Chairperson Sullivan: Kerry, did you see anything?

Boardmember Gould-Schmit: There's just one comment. I don't know – I said it – because I haven't been on the Board for five years. Oh, my pages aren't numbered.

Boardmember Bass: They're numbered up here.

Boardmember Gould-Schmit: Twenty-one. It's just I don't recall saying this. And it's sort of inconsequential. It's just Jamie says, "*Well, it's 10 ... it's been 10 years,*" and then it says "*Boardmember Gould-Schmit: I'm five.*" But I haven't been on the Board five years.

Chairperson Sullivan: That was Ms. Alligood's statement.

Boardmember Gould-Schmit: Oh, OK.

Chairperson Sullivan: Gentlemen, anything?

Boardmember O'Reilly: No, I found nothing.

Chairperson Sullivan: OK. I have a couple little things that I'll send to you guys, but nothing big. If that's OK. So may I have someone on the Planning Board make the motion to approve the minutes of the Planning Board from our meeting of April 21, 2016, and another to second that motion?

On MOTION of Boardmember Bass, SECONDED by Boardmember Gould-Schmit with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of April 21, 2016 were approved as amended.

III. NEW PUBLIC HEARINGS

Site Plan Approval – Application of the Newington-Cropsey Foundation for the installation of a new generator at Unit No. 25 on their commercial property on Cropsey Lane. Said property is in the CC Zoning District and is known as SBL: 4.70-50-6 on the Village Tax Maps.

Chairperson Sullivan: We have today a new public hearing, which is for site plan approval; the application of the Newington-Cropsey Foundation for the installation of a new generator at unit 25 on their commercial property on Cropsey Lane.

If you could just state your name.

Bill Melnychuk, Bil-Mel Construction: I have a company called Bil-Mel Construction and Briarcliff Generator Services. We were contracted by the Cropsey to do a generator for their ... for Al, who is the caretaker of the property. This is like the last stage that we're up to at this point. If you mind ... should I go up there?

Chairperson Sullivan: Thank you. That'd be very helpful.

Building Inspector Minozzi: Just to let the Board know, this application did receive a view preservation waiver.

Mr. Melnychuk: That's good.

Basically, some pictures are where the generator's going to live on the property. The building is over here, there's a wall right here, and then this goes up on a very steep angle up to Warburton Avenue. It's pretty high up. There's some utility equipment back in here, and that generator's going to be ... there's like yellow tape over, and I don't know if you can see that. But that's where the generator's actually going to live.

Those shrubs are going to be pulled forward to the front of this contour over here. What's going to happen is, you're not going to be able to see this from any direction, or even Google Maps you're not going to see it. There's a tree right here that's covering it. You're not going to see it from this location; this is looking from the driveway in. The shrubbery is going to block it like this. And obviously the hill, and the building's going to block the other sections.

That's it.

Chairperson Sullivan: Anyone from the public wish to address this application? Board comments, Michael do you have any comments?

Boardmember Ambrozek: No, I don't have any comments.

Chairperson Sullivan: Bill, any comments?

Boardmember O'Reilly: Nor do I. No, sorry.

Chairperson Sullivan: Kerry?

Boardmember Gould-Schmit: No.

Chairperson Sullivan: Richard?

Boardmember Bass: Two. How often will it be tested, and what's the noise?

Mr. Melnychuk: Every seven days it's going to run for 12 minutes at 66 decibels at 23 feet.

Boardmember Bass: OK, good answer.

Building Inspector Minozzi: That also fits within the requirements of the Village code.

Chairperson Sullivan: OK. With that then, may I have someone on the Planning Board make the motion to approve this application for site plan approval and another to second that motion?

On MOTION of Boardmember Bass, SECONDED by Boardmember Ambrozek with a voice vote of all in favor, the Board resolved to approve the application of the Newington-Cropsey Foundation for the installation of a new generator at Unit No. 25 on their commercial property on Cropsey Lane, also known as SBL: 4.70-50-6 on the Village Tax Maps.

Chairperson Sullivan: Thank you very much.

Mr. Melnychuk: Thank you. Have a good night.

Boardmember Alligood: Kathy, should I abstain?

Village Attorney Whitehead: Did you actually vote?

Boardmember Alligood: I didn't.

Village Attorney Whitehead: I only heard the motion and the second. Did everybody vote?

Boardmember O'Reilly: I put my hand up.

Chairperson Sullivan: I'll do that. Yes, you can abstain all you want.

Boardmember Alligood: Just on this one, since I missed it.

IV. OLD PUBLIC HEARINGS

- 1. Steep Slopes Approval – Application of Michael Curtis and Nancy DeNatale for the creation of a patio, stairs and retaining walls in front of their two-family dwelling at 328 Warburton Avenue. Said property is located in the R-7.5 Zoning District and is known as SBL: 4.100-96-4 on the Village Tax Maps.**

Jim Metzger, project architect: Good evening.

Building Inspector Minozzi: Just for the Board, this also received a waiver for view preservation.

Mr. Metzger: When we last came before the Board, it took a little describing for what's going on in this project. The house sits up on a hill, and all the construction you can see on this project actually is an excavation in front of the house to expose the basement so we have basement access from a front courtyard. Previously, we were creating a fairly good-sized courtyard. All the paving we were doing was actually pervious paving; we were not increasing the amount of impervious surface on the site. Due to cost considerations, we had to scale the project back. The project is very similar to what we showed you before, but the retaining wall – which originally was going to be out here – is now being moved in.

I have some sketches that'll you more clearly what it is we're doing there. We have a structural engineer on retainer who is putting drawings together for us. If you remember, the last time we has a retaining wall here because of the slope of the site that was going to be about 8-1/2 feet high. Because the site not only slopes down this way but also slopes down this way, we're actually decreasing the height of the retaining wall. It's still going to be over the maximum height allowed by code, so we're going to have to go for review by the Zoning Board for that. But we're decreasing the height of the retaining wall.

Also, if you remember from the last meeting, we're removing concrete paving that ran along the side of the house and into the back of the house. And we're replacing that, again, with pervious paving. It'll probably be a gravel bed with AZEK pervious pavers set into that as stepping stones.

The house was built in 1954. There has never been a water problem in this house, within the house itself or actually coming down onto the street. There's a retaining wall that runs along the front of the property and we've never had a flood issue, even with some of the major storms we've had recently. The only water that would actually come off of the property at any time was coming down what is the existing concrete stone steps. Aside from that, all of the water was being retained on the site and was a non-issue. If we go to the site plan, the nearest neighbors are here and over here. The house is pretty much centered on the lot so there's never been an issue of water runoff from the site to any of the neighbors.

Again, the site is relatively flat. There are some stepped terraces in the back we're not disturbing at all that go up towards the Aqueduct. This is flat to here, then the steep slope is in the front of the house going down to this retaining wall. It's been fully planted for the last

10 or 12 years. Again, there's been no issue with water runoff.

One of the other things we want to do is, there is an old asphalt drive at the entrance to the carport. We want to take the asphalt out and want to put gravel pave in there, which is also a pervious surface. I did a workup of the existing impervious surface, and the existing impervious surface – which was the house, the carport, the stairs, and this concrete walk in the driveway – was 22.3 percent of the site. We're reducing that by removing this concrete and putting in pervious surface to 14 percent, or a little bit more than 14 percent of the site. We're reducing all the possible areas water would run off. But again, there is greenspace around the entire house so water runoff has never been an issue.

When we came before you before, the retaining wall was going out to this area I show in pink. We've pulled that in so we've decreased the amount of disturbance on the site that we're doing. This green area now describes the area that's going to be excavated. The only concrete we're putting back is going to be these stairs that get up to the patio area here, and that patio area goes back to the little bump-out underneath the existing porch that'll be the new entrance into the basement. The stair that's in here, we have that designed as an aluminum frame with stone treads. Any water on the stair that would run off will be captured in this patio area.

On the front elevation here, again I've just outlined in pink the area we were going to expand to. Now we're only expanding this area. This is the existing front of the house, and you can see this is the entrance to the carport where the old asphalt is. This is the existing stone, brick and concrete stair that goes up, turns, and goes up to the house itself. Again, this is the slope, which is all heavily planted. What we're proposing to do is to excavate in this area so we can get into the basement, and it would look something like this.

Chairperson Sullivan: Nice sketch.

Mr. Metzger: This is the retaining wall that starts out at about 14 feet. As it comes away from the house and the slope keeps dropping down, that retaining wall comes and keeps stepping down. Then it turns to contain this patio area. This is the aluminum and stone stair that would go up. Again, this is the only concrete we're putting back in to do the stairs. There'll be little seat area here, and we'll be able to cap the existing stone walls on either side. This is the gravel pave that we'll be putting in in the asphalt area. Those are really the changes we're doing. We're doing a 10-foot wide by about 18-foot long excavation. We're removing a lot of concrete out of there, and we're putting it back in with pervious paving. It'll be grass and, again, the AZEK paving stones.

Chairperson Sullivan: I looked back at the last time you were here, and we had a couple of

comments. I don't know which direction to go. One comment was a technical one of sorts, that when you get drawings – hand drawings like yours – we need to get them in a more legible way, where people aren't printing things out on 8-1/2 by 11s because that doesn't help.

Nonetheless, looking at the PDFs I was able to at least understand kind of what calculations you did. We're not so much interested in the amount of impervious surface you're taking away or not, because what we're interested in is kind of the water volume you have and it's being handled. That's just what the code asks for, and we talked about needing someone to look at that and having an engineer look at that. That said, given what you're doing (Village warning horn) without knowing the direction to go.

Mr. Metzger: As I said, we've never had a problem on this ...

Chairperson Sullivan: But, Jim, my point is that in the application we brought this up. There's a need for three statements, three things. One is an architect or an engineer certifying that this is doing the least amount of disturbance, of sorts, to the steep slopes.

Mr. Metzger: OK.

Chairperson Sullivan: Then there's an engineer that looks at the pre and post development conditions and tells us how water's being handled. There's an engineer that produces a drawing and looks into that. But that being said, the scale of the project I just would love more comments on that.

Mr. Metzger: OK.

Boardmember O'Reilly: Can you see the sketch?

Chairperson Sullivan: I guess any public comment on this application? If not, we'll go to Board comments. Richard, do you have anything that you'd like to ask?

Boardmember Bass: It's a reduction in what we saw previously, but I agree with you that this was a question that was raised last time and I'd like the applicant to respond to it.

Village Attorney Whitehead: And, Jim, just to clarify it's an actual requirement of the code.

Mr. Metzger: OK.

Village Attorney Whitehead: If you look at the steep slope section of the code it requires that you provide a calculation done by an engineer on the work.

Mr. Metzger: When I looked it up – because I looked up how to do this sort of thing and went through the calculations I presented – there's never been an issue on the site with water. We're reducing the size of the project and increasing the amount of pervious surface. I didn't quite understand what the engineer would do. Everything is staying exactly the same. There are four leaders and gutters coming off the house, they're not changing. They're feeding the exact same slope they fed for the last 50 years and there's never been an issue on the property. We're taking a lot of concrete out of this area and replacing it with pervious surface. Now, I understand if we need to have an engineer come in and actually run numbers we certainly can do that.

Building Inspector Minozzi: We have to call it "semi-pervious" surface. It's not pervious.

Mr. Metzger: I know we've had a little bit of a discussion about the technical terms. Virtually no water will run off the area we're creating here. There are retaining walls and concrete here so nothing is going to go up. Whatever water ends up there is going to drain into the soil. I'm a little confused. I understand the distinction you're making because a paving stone, you hit with a hose, water's going to run off of it. But we have an area here that is basically self-enclosed, and we're reducing the situation that was there and making it better. That's why I'm just questioning why, for a project this size, we would need an engineer. If you tell me we need it we'll bring the engineer in, that's not a problem. But again, we're thinking 7 percent of the concrete, the pervious surface, away and not creating a situation here that would create any sort of runoff.

Again, the runoff from the existing house is still going to feed this side of the slope, that side of the slope. The runoff from the house is not feeding anything over in this area at all. There are leaders in the back that just feed out into the yard. We've never had a problem before, so I'm asking the Board if they would consider not requiring an engineer for something that's going to tell you the situation is going to get better. But if you tell me I need it, we'll get it done.

Chairperson Sullivan: Kerry, do you have any comments?

Boardmember Gould-Schmit: No, and Jim I understand your point, the removal of the concrete is good in that sense. But I don't know that we can ... I guess I'm going to look to Linda. I don't know that we can waive the requirement.

Mr. Metzger: Well, it's my understanding from the steep slopes – and I'm not looking to tell you your job – I was under the impression that the Board has the ability to waive the requirements except requirement seven.

Chairperson Sullivan: Right.

Mr. Metzger: And one of the requirements, I believe, was to have an engineer do the study.

Chairperson Sullivan: You can ask for a hardship, yes, and could make that request. But let's let the Board go through their comments on it.

Mr. Metzger: The reality is, I'm not going to ask for a hardship. If you tell me I need an engineer I'll bring an engineer in. That's not going to be ... I don't have a financial issue in that respect so I'm not going to claim a hardship on this. If you tell me I need an engineering study we'll provide that.

Chairperson Sullivan: Well, let's let people go through and then we can talk about that. Eva, do you have any comments?

Boardmember Alligood: I don't have a big concern that this is going to increase the amount of runoff, but I'd like to hear whether we can waive it as opposed to consider a hardship request.

Village Attorney Whitehead: What the code says is, the Planning Board may, at it's discretion, within any of the requirements of subsection A except for subsection A-7.

Chairperson Sullivan: Which is the mailing.

Village Attorney Whitehead: Which is the notice provision. It doesn't require a hardship. It gives the Board the authority to waive it, in your discretion, if you felt it wasn't necessary for you to make your decision.

Boardmember Bass: See, I'm troubled. Jim, I know you, you wouldn't pull anything over on me. But in terms of the Board, we have an application, we're having testimony by the architect that there's no runoff issues. We don't know that independently so I don't think this is a problem for this application, but in terms of a precedent for future applications how do we independently know there is runoff issues now and could be in the future. I don't know that. You're an architect, I take you at your word. But you're self-serving, you're an advocate for your client.

But I'm also torn by requiring an engineer for such a dinky little project. It's a cost that may not be necessary. But then, again, I go back to my original point. Where do we draw the line in terms of credibility and relying on experts? So I kind of throw it back to you all

Boardmember Alligood: One comment on that is, I don't think the project ... I don't think that our requirement is for ... let's say there was a runoff problem that had nothing to do with what he's doing in the middle of the house there. Just because he touches the house we now have to require him to fix an existing condition? Or are supposed to just be looking at the impact of what he's doing on this plan? I guess that would be my question.

Boardmember Bass: Well, I take a liberal view on that. If there's an existing problem and there's an application, I think it's within our purview to fix the existing problem while addressing the proposed action. I don't have a problem with that. So if I have an application before me that should cure an existing situation, yeah, why not? But I don't know if there's an existing situation, and that's where I'm troubled. Maybe there isn't on this little project, but where do we, as a board, draw the line to be consistent?

Boardmember O'Reilly: I think that question always arises when you have the flexibility of determining – or discretion in relation to – the size of the project. I don't want to call it dinky again, but it is a small project.

Boardmember Bass: Sorry, it's been a long day.

Boardmember O'Reilly: It's a disruption of a certain portion of landscape there, it's not a major. I'd be guided by the fact that if somebody came in and said, Look, we've had water problems there repeatedly or even frequently or something like that, I'd say, well, then we've got an issue for an engineer to look at. As it is, I'm more comfortable with utilizing one's discretion for a small project when there doesn't seem to be an issue just for the sake of having an engineering independent inspection. I don't think that binds us to anything in the future. Discretion is flexibility, and on that basis I have no problem with this.

Chairperson Sullivan: Michael?

Boardmember Ambrozek: I was not present for the original presentation, Jim. I do like, despite that it's a hand-drawn sketch, how you have drawn the sketch to overlay the photograph of the existing conditions to show the changes for what is proposed. Regarding the need for an engineering calculation on the runoff, what we are trying to address is the runoff being created by this proposal. I'm not sure whether this board should be trying to address runoff from to whole site, when we're looking at only changing a portion of the site. Intuitively, to me, if you're reducing the amount of pervious surface in the part of the project

you are changing, then the engineer would come back and say the runoff would decrease. I would point out, though, that even on a flat surface if you get a sufficient rate of rainfall you will get runoff even from a flat surface.

Mr. Metzger: I agree with you, and that's a possibility. Because this area is deep, we're not going to get any water entering the surface except what actually falls on the surface.

Boardmember Ambrozek: Yes, I agree with you there.

Mr. Metzger: So you're not going to have any water coming into it. The other thing is, the retaining wall comes and turns so it actually creates a barrier. The only opening out to the street is this 4-foot area of the stair.

Boardmember Ambrozek: My comment about the level surface was not to say having the semi-pervious surface in a level area completely removes runoff. I'm trying to point out that if you get a high enough rate of rainfall you will still get runoff. Even reducing the width at which the runoff will occur, the amount of runoff will remain the same for that flat surface area.

Boardmember O'Reilly: One question I have, have you changed the slope at which you're going into the garage? Because when you look at the garage – it was open today when I drove by – is it ...

Mr. Metzger: It's actually a fairly steep slope going up. The basement of the house is back at this level, and the street is obviously down here. When the house was designed originally, it was interesting. The garage was going to be on this side of the house and was going to be a two-car garage. Somewhere after the drawings were filed, but while the building was being built, they moved the garage over here. I think it got set back a little bit farther, but yes this is a fairly steep slope going up. But this carport covers everything except about the last 4 feet, 5 feet of that asphalt drive. This is all interior space in here.

Boardmember O'Reilly: The asphalt drive is not changing the slope.

Mr. Metzger: That's correct, it's not changing the slope. We're just going to put in gravel pave. I don't know if you're familiar with it. It's a plastic substrate that looks like open soda cans. It gets put down, then you put sand in and it gets compacted, then gravel – a small gravel and then a larger gravel as the top surface – and the plastic grid basically keeps that gravel from moving around at all. It's got, I believe, a 90 percent flow rate. Obviously, now it's a 100 percent flow rate with the asphalt.

Village Attorney Whitehead: There's two requirements in section 249-7 that require an engineer. Number five is: *"A plan submitted under the seal of a licensed PE showing and certifying the following"*; that that is the calculation of the runoff, et cetera, that section. Then there's another section, six, which says, *"A statement made under the seal of a licensed professional engineer certifying that the proposed activity will disturb the steep slopes to the minimum extent possible and, the mitigation will prevent the maximum parallel adverse effect of any disturbance of the steep slope."* Section four requires a statement by a licensed architect, registered landscape architect, or engineer. So Jim has provided you, really, with that information.

It's really up to the Board, if you're willing to waive the requirements for the information from the licensed professional engineer. You certainly have the discretion. Remember, you're focused on the steep slope permit here so they're disturbing the steep slope to basically take part of it out.

Mr. Metzger: Actually, we're putting some of it back in. The steep slope actually, in the house now, ends kind of over here because of what's going on with the stairs. We're cutting all of this out and actually bringing the steep slope across to that point.

Village Attorney Whitehead: Restoring the slope there, and then cutting the slope.

Chairperson Sullivan: I have kind of two comments, I think. One about the waiving things. I personally would like to know that the courtyard area you're providing actually is described and able to handle the volume of rain it's supposed to think. That leads me to wanting an engineer to take a look at that and do that calculation.

Mr. Metzger: OK.

Chairperson Sullivan: The other part about the plan, it's a minimal addition perhaps. But I would be comfortable knowing ... and you described it very well. I think that's my personal preference. Another that, just as you look at your calculations on impervious just make sure. I think you forgot to add back the new stuff. Just take a look at those.

Mr. Metzger: I'm sorry, I forgot to add back?

Chairperson Sullivan: Add the courtyard back that you ...

Mr. Metzger: Well, the courtyard is all grass and pervious paving stones. There's no paving to speak of in the courtyard.

Chairperson Sullivan: Well, I leave that to Buddy, then, to decide.

Village Attorney Whitehead: That's not 100 percent pervious.

Mr. Metzger: Because of the paving stones, even if we're using an AZEK pervious paver. I want to go back. I thought I had actually indicated the ...

Building Inspector Minozzi: Even if you were using gravel it wouldn't be 100 percent pervious.

Mr. Metzger: OK. We certainly could use gravel, that's not an issue.

(cross-talk)

It's not all gravel without any paving stones whatsoever.

Building Inspector Minozzi: It's still not 100 percent.

Village Attorney Whitehead: If you have an engineer do the calculations they know how it's typically done in terms of percentage.

Mr. Metzger: That's fine. I have general question for the Board. I understand exactly what you're saying. If this patio area was gravel, and we put some stones in there – a place to walk that was not in the gravel – the water could never get past the gravel. It would hit the stone, but it would run off so is that still considered impervious surface? I guess this is one of these technical things. But as you say, an engineer would probably be able ...

Building Inspector Minozzi: It's semi-pervious and, unfortunately, our code doesn't recognize semi-pervious. It's either pervious or it's non-pervious.

Village Attorney Whitehead: But when engineers do stormwater calculations they have ways to ...

Building Inspector Minozzi: Yes.

Mr. Metzger: I think, in a worst case scenario, if there was an issue, the idea of putting even maybe a small French drain in there to pick up the actual water ...

Village Attorney Whitehead: But that's what an engineer does.

Mr. Metzger: Look, I will have our engineer go through this. It shouldn't take him very long – that's why I said I'm not going to claim a hardship here – and we will present that to you.

Chairperson Sullivan: That would be great.

Mr. Metzger: That way nobody has ... and I totally understand setting precedent, I really do.

Boardmember Ambrozek: And can you have the engineer address both the permeability issue and the steep slope disturbance so we address both of the clauses?

Mr. Metzger: Yes, I will go through the code and have a discussion with Buddy probably about what I need to give to the engineer so he can give us the proper documents.

Chairperson Sullivan: The other thing, too, and we talked a little bit about this. The legibility. We should see an existing drawing that shows where the steep slopes are and what slope they are. There's two categories of slope.

Mr. Metzger: OK.

Chairperson Sullivan: That's very small. Let me finish. Then we should understand how much of that slope you're disturbing in the square footage, and then we'll understand. Because we have a certain limitation where we do get into – if you're over a certain percentage – asking for that.

Mr. Metzger: Right.

Chairperson Sullivan: I mean, your drawings are exquisite, your sketch is beautiful.

Mr. Metzger: Thank you.

Chairperson Sullivan: But we don't know where the slopes are.

Mr. Metzger: No, I understand. I actually asked the surveyor to do that work because I have no way of doing that as an architect. Yes, this drawing is too small. The PDF that you opened is an 8-1/2 by 11. I will have this reproduced full size. He indicates, actually, all the slopes and percentages on the site.

Village Attorney Whitehead: What you need to show, then, is the slopes and the percent of each one that's being disturbed.

Building Inspector Minozzi: I'll go over it with you.

Mr. Metzger: OK.

Building Inspector Minozzi: That's a topographical survey? Because I really can't see it from here.

Mr. Metzger: Yes, that is a topographical survey and I have a full size of that. I reduced it to fit on the drawings.

Village Attorney Whitehead: Good. Since this is a steep slopes application, it would be really helpful to have it that size.

Mr. Metzger: If we're adding to the steep slope ...

Chairperson Sullivan: I think we'll talk about this more.

Mr. Metzger: That's fine. I will discuss it with Buddy and we'll see you next month.

Chairperson Sullivan: We'll see you again.

Boardmember Ambrozek: That's exactly why we want the engineer's report. Because when you disturb steep slopes, although you felt that removing the existing concrete steps might be reducing the steep slopes there's a way you could interpret that it's you increasing the steep slopes because you're reverting the slopes back to natural material, not a retaining wall type of material.

Mr. Metzger: OK.

Chairperson Sullivan: OK, we'll see you again.

Mr. Metzger: Thank you.

Chairperson Sullivan: Thank you very much. A beautiful presentation, just need the numbers.

2. **View Preservation and Site Plan Approval – Application of CCI Properties, LLC for the construction of an additional building containing five (5) townhouse units on its property at 32-34 Washington Ave. Said property is located in the MR-1.5 zoning district and is known as SBL: 4.70-53-11 on the Village Tax Maps.**

Chairperson Sullivan: The next piece of old business and public hearing is view preservation and site plan approval, the application of CCI Properties, LLC for construction of an additional building containing five townhouse units on its property at 32-34 Washington Avenue.

Before we have the applicant's representatives start the presentation, I just want to go through an e-mail that I sent to the Board. I know it was also sent to Christina. Where we left off on this application was October 15, 2015. At that time, we went through SEQRA and determined the project had no adverse impacts on the environment. We referred the view preservation to the ZBA for referral. We referred variances to the ZBA for approval, and there were certain site plan items that were outstanding. What was left outstanding was confirming that the applicant had addressed our engineer's comments. At that time of October 14, 2015, we needed to confirm the applicant address with comments and confirm that the applicant addresses the Board's questions, some of which were elevations on walkways under porch areas; trash space for every unit; planting; and the roof color. There may be others because I think everyone has gotten copies of the minutes from that meeting. I don't say that's the ...

Building Inspector Minozzi: We should have copies of the minutes from our last meeting and copies of the minutes of the ZBA meeting.

Village Attorney Whitehead: The last ZBA.

Chairperson Sullivan: Where we're picking this project back up, the ZBA has had several meetings. They've requested that the design be revised and have approved the revised variances and view preservation.

Building Inspector Minozzi: And it's also passed the Architectural Review Board.

Chairperson Sullivan: Our advisory committee, the Architectural Review Board, as Buddy said, has reviewed the revised design and has commented on it. What I put together – and Buddy and Linda had seen this – is the next steps for our review. It's for the applicant to submit the revised applications, including SWPPP, which they have. The SWPPP has gone through many reviews with our engineering. I believe he feels it's good to go.

Building Inspector Minozzi: Could I read the engineer's e-mail into the record?

Chairperson Sullivan: You may. Please do.

Building Inspector Minozzi: *"Dear Buddy, I will review the applicant's most recent SWPPP" – which I think was yesterday. "However, we finished this review prior to receiving this revision. At a quick glance, it appears they revised it accordingly. The only items that remain are landscaping and the architectural drawings. If the Board is comfortable with the landscaping and the revised architectural drawings, then we do not object to this approval. Call me with any questions. Regards, Doug Hahn."*

Chairperson Sullivan: Next, the other step for us is that we need to review the revised project because there were some revisions per our site plan standards there may or not be new issues due to the project's revision. And site plan items from before may or may not fly. We need to discuss our advisory committee's comments and decide how they may or may not impact the review of the project.

Hahn has taken a look at the SWPPP. We need to decide, as Buddy had said, whether a landscape architect should review the plan. As Linda noted, this may be a minimal thing, but we at some point will just say this revised project does or does not change our SEQRA determination. We will have a reservation of parkland discussion when we get to that point.

Building Inspector Minozzi: I'd just like to make one more comment, please, Kathy.

Chairperson Sullivan: Please do.

Building Inspector Minozzi: JMC has sent out the revised SWPPP via e-mail today. I e-mailed it to the Board. It's a very large document so I didn't make copies. I have the revised SWPPP here if anybody wants to see it. I've also asked them to submit three hard copies to us for the official record. If anybody during these discussions tonight needs to refer, instead of trying to look it up on your laptops or anything like that, I have it here.

Chairperson Sullivan: Could they maybe send us a list of what they changed and we can then determine if we want to see the hard copies?

Boardmember Ambrozek: I feel I'm not going to approve a changed document without knowing what is changed.

Chairperson Sullivan: Maybe we hit this paragraph and ...

Building Inspector Minozzi: We can ask Christina to have them supply that.

Chairperson Sullivan: Great, thank you.

Christina Griffin, project architect: Actually, Anthony Nesser from JMC Engineering is here and I'm sure he's here to answer any questions.

Chairperson Sullivan: Good, all right. I guess we ...

Ms. Griffin: I'm sure he can supply that letter. Do you want like a list of the changes?

Chairperson Sullivan: Yeah, just so we can see what you changed today in this latest revision.

Village Attorney Whitehead: It's one primary topic.

Anthony Nester, JMC Planning: Good evening, Madam Chair and members of the Board. We were in discussions with Douglas Hahn this morning. He had called us with some last-minute concerns the Board had with regards to how we were treating the overall drainage of the property with regards to our redevelopment. The state code requires, in a redevelopment, that you're allowed to take a certain percentage credit for areas that were already previously developed. But this project, in addition to redevelopment areas – which include the garage, some of the foundation areas, and some of the existing paved surfaces – include new, impervious surfaces.

So the SWPPP was revised to provide runoff volume capacity for 100 percent of all those new impervious development areas. The calculations showed the practices that were provided – to put infiltration in the rear and the bioretention off to the side – are sized large enough to handle the additional runoff requirement to have 100 percent new areas.

Chairperson Sullivan: Well, I thank you for being here. I think one of the reasons Buddy and I spoke is, we really haven't had the SWPPP person meet us so there may be questions we have about some of the things they're proposing. I don't know, I'll let you folks – Christina and you – decide who goes first.

Mr. Nester: If it's OK with the Board I'll let Christina do her presentation, and if there's any questions with regards to any of the information that was submitted I'm here to answer any questions to best of my ability.

Chairperson Sullivan: All right, thank you so much.

Mr. Nester: And we will provide tomorrow – I already got Buddy's note with regards to the SWPPP – we'll provide the three copies tomorrow with a cover letter explaining the changes.

Chairperson Sullivan: Awesome, thank you.

Christina Griffin, project architect: I'm representing CCI Properties. I'd like to go through the changes that were made in order to obtain Zoning Board approval for the five variances and the ARB approval. On February 25, at our third meeting with the ZBA, we received approval of the five variances requested. To obtain approval we made a few changes and responded to their comments. The comments, in general, regarded what would be the appropriate density and massing of the proposed development.

This is a list of some of the changes. This is in a cover letter I sent to you. One, we changed the total coverage from 41 percent to 39.8 percent by reducing the size of the front porches and the floor area of the building. Two, the building was broken into two parts; there's two separate buildings now with an alleyway in between. Instead of having a mix of 4 three-bedroom units and 1 two-bedroom unit, now we have 3 three-bedroom units and 2 two-bedroom units.

We have a 6-foot common alleyway. And the common path we had around the building we eliminated, reducing the impervious surfacing. We now have a common alleyway between these two separate buildings. There is a general feeling that this is very similar to the type of massing you would get on Warburton, where you've got groupings of attached buildings and some alleyways. The ZBA also gave us approvals for view preservation based on the same height of the building we had when we went to the Planning Board.

Then on April 4, we presented the project to the Architectural Review Board. In response to their comments we slightly widened the central steps going out from the sidewalk. In order to keep the coverage the same we just reduced one of the terraces in back of the building. They also asked for some additional information on the finishes, so we provided that. Some time at the end of April – I think April 25 – we got their approval.

I'm going to go through the drawings now just to show you. We have eliminated the 3-D rendering because it no longer represents five attached townhouses. This is showing our color scheme. This is a three-bedroom unit, two-bedroom, alleyway – two-bedroom, three-bedroom. Our site plan has changed. Oops, don't know why it's not up there. Sorry, what I see on my screen is not happening over there.

Chairperson Sullivan: There's something for that old school (inaudible) – something for having hand drawings.

Ms. Griffin: I'm going to try something else. I have this on my desktop. Maybe we can turn this on and off.

Building Inspector Minozzi: Absolutely.

Ms. Griffin: Sorry, it's still not moving. Maybe now it's going to go. This is our site plan now, and as you can see we now have two buildings. This is showing the common alleyway that gives access to the back. We've eliminated the half-round building. This path was widened by just a foot, and we slightly reduced one of the patios for this unit because it's just a two-bedroom unit and we would have the same coverage that was approved by the Zoning Board. If you can see, we now have much smaller porches in the front and slightly larger patios in the back. There was a lot of discussion that we should have larger patios, but we were asked if we could find any way possible to reduce the coverage. We did this by reducing the size of the porches.

These are our sections; we added this section. This is the section showing a space for the 44-gallon waste bins that fit under the porches, based on the elevations we've been showing on the site plan.

Boardmember Bass: The sectional doesn't show the alleyway.

Boardmember Ambrozek: Yes, I noticed that as well. So my question is, since this is the only plan that shows elevation has the grade elevation changed and has the overall height of the building changed?

Ms. Griffin: No, but the alleyway would be here. We'll make sure that's ...

Boardmember Ambrozek: So some of the units have been shifted a little bit north to allow for that?

Ms. Griffin: Slightly.

Boardmember Ambrozek: But that has not changed the grade level.

Ms. Griffin: The length of the building has changed. I don't know if I can give you exact dimensions, but I think it's about 2 feet. We reduced one of the three-bedroom units to two

bedrooms so we reduced the width of one unit. We added the alleyway, but we also shifted it this way. This alleyway is actually really a roof deck over the garage.

Boardmember Ambrozek: Yes.

Ms. Griffin: This was not done to really reduce coverage. This had to do with math.

Boardmember Ambrozek: Right, I understand that.

Boardmember O'Reilly: I'll ask a question then. I saw a comment either in the Zoning Board or the Architectural Review Board about putting windows in some of the units along the alleyway. Why would they do that? I mean, you're looking in at somebody else's ... how did that turn out anyway?

Ms. Griffin: It's a huge advantage, really.

Boardmember Bass: It adds light.

Boardmember O'Reilly: It adds light, yeah, but ...

Ms. Griffin: It's a huge benefit, light. Of course people probably will put blinds up. But sometimes townhouses can be very tunnel-like when there's just light from the front and the back. These units actually are going to be much more pleasant now that we have that.

Boardmember Bass: So why 6 feet instead of 8 feet?

Ms. Griffin: Because it would increase the footprint too much.

Boardmember Ambrozek: The coverage area.

Ms. Griffin: Yeah. We would have to continue, you know ... because this is actually ... that alleyway is over the garage. And 6 feet seems to be a comfortable width for a walkway.

Boardmember Bass: But if I gather the conversation, there's going to be windows on alleyway.

Ms. Griffin: Yes.

Boardmember Bass: OK.

Boardmember O'Reilly: On both levels?

Boardmember Ambrozek: Yes. You can see them in subsequent drawings where the windows are.

Ms. Griffin: Yes, I'll show you the floor plan. I'll show you.

Boardmember Ambrozek: Most of them are on the first floor, but there are some on the second floor.

Ms. Griffin: Even though this cross-section wasn't changed, we have changed all our floor plans. The garage level has been lengthened to show the final length of the building. Our floor plans on the first floor changed, and now we're showing windows along these walls. Now you have a living room, kitchen, dining room with windows.

Chairperson Sullivan: I think your porch in the front on unit three is not in the same location shown on the level below.

Ms. Griffin: I'll take a look at that.

Boardmember Ambrozek: Are you talking about the middle two-bedroom unit, Kathleen?

Chairperson Sullivan: Correct. At the top it says "patio unit 1, 2 and 3." See how they're sort of far apart, and here they're close together?

Boardmember Ambrozek: Oh.

Chairperson Sullivan: They flank the stair going down to the garage.

Ms. Griffin: OK, we'll make sure that's corrected.

Chairperson Sullivan: That seems correct.

Ms. Griffin: Yes, I think these roofs are correct. Anyway, this is the second-floor plan. When you have windows and bedrooms you get cross ventilation that's more natural light; less reliance on artificial lighting. These are our unfinished attics. They really have very limited headroom; they're just for storage, with pull-down stairs.

This is the color scheme we did for the ARB. The idea was to have a subtle mix of colors. Every doorway and every porch has slightly different designs. Even though they're very

similar in style, there's subtle changes in the shapes of the columns and the railings and the shapes of the little gable roofs over each porch. We're using a mix of stone veneer and brick on the foundation. We're using HardiePlank, clapboard and shingles on the walls. This is the same rear elevation we had previously, without color. The north and south elevations have remained the same, but we have added the elevations that are along the alleyways. We have north elevation as seen from the alleyway, and the south elevation.

Chairperson Sullivan: Christina, where is the garage roof? What elevation is that at?

Ms. Griffin: The garage roof will be here, I think.

Chairperson Sullivan: So that would need to be changed.

Ms. Griffin: It should be flattened out, yeah. I think we're at the same grades as before so we'll make that little change.

Chairperson Sullivan: Well, can we go back to that for a second? Actually, at the top of that deck or the top of the alleyway, which is on top of the roof, is going to be at elevation 92.5, correct?

Ms. Griffin: Yeah, I'm going to go to the site plan. Because you actually have to go up these steps, and then it's going to be flat because there's a structure underneath.

Chairperson Sullivan: And I think the grade at the back is at 90. Is that correct?

Ms. Griffin: Yes, the grade in the back is a few feet higher than the grade in the front.

Chairperson Sullivan: So the grade at the back's at 90, the top of the alleyway is at 92.5. So you're actually talking about a 2-1/2 foot change at the back, correct?

Ms. Griffin: That's correct. Let me go back to our site plan to see if we have that right. We are going to have to have a few steps up in the front and just a few in the back.

Chairperson Sullivan: But I think the grade change in the front – at least on the grading – is about 88 and up to 92.5. So we're talking 4-1/2 feet, correct?

Ms. Griffin: That's correct.

Chairperson Sullivan: So 4-1/2 feet higher than the front and 2-1/2 feet in the back.

Ms. Griffin: That's correct. We have to make that ... there will be steps going up, and we're showing 8, and there'll be a few steps in the back.

Boardmember Bass: Who would be responsible for cleaning the alleyway or maintaining the alleyway?

Ms. Griffin: There will be a community association, and they're going to be sharing facilities and services. And there would be probably a super or maintenance person. I'm just looking at the owner to see if he agrees.

Our landscape plan hasn't changed too much. We have shown a ground cover and some lawn area, and all the plant species are – well, I should say I think *most* of the plant species are – native plants, and come off the list of native plants we have as part of our green code in Hastings.

Following the architectural drawings, we have the engineering drawings. I just have them as part of the PowerPoints in case you have any questions. But it's my understanding that most of the questions, or all of them, have been addressed – the comments from Hahn Engineering have been addressed – as of today.

Let's see, do you have any other questions for us at this time?

Chairperson Sullivan: If you wouldn't mind just running through kind of how the stormwater's being handled, and talk about what the bioretention basin's for, and how the chambers are working – just sort of a layman's discussion.

Village Attorney Whitehead: How old-fashioned. She's got that plan.

Mr. Nester: I think the color would help a little bit.

Chairperson Sullivan: The color would help.

Mr. Nester: I wasn't sure whether I was going to take it with me or not.

Chairperson Sullivan: Thank you.

Building Inspector Minozzi: Can you just use the microphone, please?

Mr. Nester: I will as soon as I get my papers here.

Chairperson Sullivan: Thank you for being here.

Mr. Nester: Good evening again. I will walk through the drainage. I just wanted to state, too, that under the Village code with regards to the stormwater – the threshold for the preparation of a SWPPP – I believe is 10,000 square feet of disturbance. Our project yields 26,000 square feet of disturbance, which is less than the threshold required by the state for coverage under the general permit. So there would be no NOI file with the state with regards to this project.

The project is bound by Washington Avenue to the north, Warburton to the west. Drainage flows from west to east towards Warburton Avenue in a general direction. All the runoff from everything above the site here pretty much runs across the site, hits Warburton Avenue, runs down, and gets collected into the series of catchbasins at the intersection of Warburton and Washington Avenue. From there, it runs down to continue west further down, and ultimately discharges into the river. Under existing conditions, obviously there is no existing stormwater management practice in place at the property, so whatever falls on the ground either gets infiltrated into the pervious areas. And then all the paved areas, or impervious areas, it just gets run off and flows out into the street.

Under proposed conditions, we have designed the project to capture and treat all the new impervious areas. Which include the proposed building, all the sidewalks – the parallel sidewalk in the front – all the porches, the stairs that come from the finish floor elevation, the patios in the back. All that water gets collected and is conveyed via roof drain leaders to the back, and then it gets discharged into what we call an "underground infiltration system." So we're trying to provide some green practices for this project. We're providing three, I believe, which is: one, we're changing the existing paved surface for the existing building, the parking lot, and the pavement area to porous pavement; as well as our proposed driveway into the garage will all be porous pavement.

The other two practices we're providing is the infiltration in the rear, which is a series of underground chambers filled with gravel. Water enters this chamber via pipes, it's collected. It goes through what we call a "bypass manhole," which has a sump in it so it collects a lot of the grit and sediment before it enters the system to try to keep it clean. The water is conveyed through these chambers, and they rise and fall with the different storm events. We did provide some testing to Hahn with regards to the filtration rates in the existing soils. There is a significant infiltration rate, so together with the volume of water that we're providing back here with the infiltration we are controlling the outlet of that water with a control manhole that allows water to discharge at certain rain events so it doesn't exceed any of the existing runoff from any other storms for the 1-, 10- and 100-year storms into the street.

The way the system has been designed here, the infiltration – which is to the rear of the property, or on the east – is designed to treat the entire proposed building. And whatever small runoff that comes back into here, that is treated by the infiltration practice. The sidewalks and all the porches on the front are collected via a continuous trench drain that runs along the west side of the sidewalk, which captures all the water that runs off. That is collected and discharged into a bioretention basin which is, in simple terms, a large rain garden.

The basin is constructed of a filter medium which is a soil type and some gravel. It's a slight depression, so the volume of water – the hole that has been sized – is capable of handling the 1-, 10- and 100-year runoff from all these big surfaces in the front. That water is collected into this basin and filtered. Some of the water is filtered throughout in order to provide the water quality and volume requirements for all these areas. The discharge of the back and the front is collected via a 15-inch pipe, which is proposed to go into Warburton Avenue and discharge into the existing catchbasins.

Chairperson Sullivan: The drainage in the garage, how is that handled?

Mr. Nester: The drainage in the garage, the way it's been designed is the driveway is designed to grade away from the garage. So there will be no surface water or runoff entering into the garage whatsoever. Which was one of Hahn's comments. In the garage, we showed a small oil-water separator. What we felt we needed to do is to put that in there for snowmelt or drippings from the cars. It does collect, but it's such a small amount of flow, being just snowmelt, that it's not really getting any runoff from outside surfaces.

The whole system has been designed to meet or exceed all the existing flows that currently enter into this basin here for the project. I do have ... which is right out of the SWPPP, just for an example, the SWPPP requires, or the Village code requires, us to design all our practices for the one-year storm, the ten-year storm, and the 100-year storm. In our analysis, we've calculated with the existing rates of runoff for those years, as well as our proposed rates. All our rates are well below the rates that currently exist out there now. We're holding back a lot more water than currently exists, and we're relating it out at a slower rate as well as holding more water back into our site. Those reduction rates, if you're interested, for the one-year storm we're reducing the flow rate by 19 percent – or approximately 19 percent, it's a little higher; for the 10-year storm it's 14 percent; and for the 100-year storm it's just under 1.5 percent – it decreases in volume.

All of our proposed structures – by which I mean with structures, catchbasins and manholes – are provided with sumps. Sumps are important in stormwater management because like I

mentioned earlier they collect the sediment and runoff from the early rainfalls so it doesn't collect into the system and clog up further downstream.

Building Inspector Minozzi: You mean a sediment trap?

Mr. Nester: It's not necessarily ... well, it is considered a sediment trap in accordance with the state requirements, a sump. So what happens is, water runs in and then fills up the 18 inches. That water gets a chance to settle out so it removes the majority of the sediment through the system.

I believe that's pretty much it with regards to the stormwater. If there's any specific questions I'll do the best I can to answer them.

Chairperson Sullivan: I'm going to start with Michael. Michael, do you have any questions?

Boardmember Ambrozek: Yes, I do. I'm particularly concerned about the overall elevation in terms of making sure we don't change the height of the building for view preservation. Looking at S-2, although the last change date is May 5 of this year I see some numbers that get me a little confused. Looking at the top left quadrant, the elevations section through site A/S-2, starting from the left, the sidewalk elevation shows 82.54 feet.

There was another ... this is now the sidewalk within your lot, shows an elevation of sidewalk of 82.44, which is lower than the street level by a tenth of a foot; just over an inch. Then you have another sidewalk elevation which is basically the top of the driveway, I believe, of 82.10. Yet you say all the driveway entrance is going to drain towards Warburton. I'm not quite sure how that can happen if it has to go over a higher elevation, unless the curbcut elevation of 82 feet includes the sidewalk.

Mr. Nester: I could try to answer that here on the grading. It's a little confusing, but the garage entrance is at 82.5.

Chairperson Sullivan: Do you want to put up on screen the grading plan? I think you have it. That would be maybe helpful. Not that your drawing wasn't helpful.

Ms. Griffin: Ours?

Mr. Nester: No, mine.

Building Inspector Minozzi: C-2.

Ms. Griffin: Our elevations should be coordinated with (off-mic).

Mr. Nester: But I think one of the Boardmembers had questions on the sidewalk, so it's more of the site plan.

Chairperson Sullivan: The engineer's plan would be preferred. Christina, JMC's plan would be preferred.

Mr. Nester: One more down. You're talking about this sidewalk elevation right here, is that correct?

Boardmember Ambrozek: Yes, but looking at S-2. It's the A section from S-2, for plan S-2.

Mr. Nester: But those elevations are represented in this plane here, too.

Boardmember Ambrozek: Oh, OK.

Mr. Nester: The way this is designed is ... so this is at 82.5, which is at the garage. This is at 82 so it's ... there's a flat slope which is less than 2 percent – it's 1.6 percent slope from the driveway grade down to here. Warburton is ... it does climb, and it goes downhill here. So there is a grade change across the driveway.

Boardmember Ambrozek: As well.

Mr. Nester: Correct. If you look at 82.5 here, there's an 82 contour that goes like this and then connects back to the existing 82 in Warburton Avenue. It kind of keeps the water that's in the roadway continuing north, and not go into the driveway.

Boardmember Ambrozek: OK.

Mr. Nester: So there is positive pitch down here. This is an 82, and I believe this is an 80 ... it got kind of cut off there.

Ms. Griffin: I can (off-mic).

Chairperson Sullivan: I think the 82.44 is actually when that stair lands and takes an L-shape. I think it's like a step above the driveway.

Boardmember Ambrozek: Yes, and it's offset from the driveway so I shouldn't really be using that.

Chairperson Sullivan: Yeah, that's more of just a final ...

Boardmember Ambrozek: OK, but on the same ...

Village Attorney Whitehead: This can be the driveway information.

Boardmember Ambrozek: Again, I'm looking at S-2, section A. Now I'm looking at the east side of the building. There is a label of "finish grade elevation 91.5," which is shown as being the bottom of the first floor level as far as I can understand it.

Mr. Nester: It's a low point that's located in the back of the building. I guess when Christina did her section she took it through a particular low point. The building's over a certain area. Instead of making it flat I needed to provide drainage to get water away from all the patios and into specific drain inlets which are in the back in between the patios. The corners of the building from south to north along the east side, they're at 92. Which is a half a foot down from to finish floor, which is a typical grade difference from your living floor to the grade outside.

Chairperson Sullivan: Can we look at your plan again, your grading plan? Because that seems to ...

Boardmember Ambrozek: Then just further east from that there's another finish grade elevation of 91.27. But that is now outside, so you're trying to drain water away from the building.

Mr. Nester: Correct.

Chairperson Sullivan: Could you go into the back of the building?

Boardmember Ambrozek: That's where I'm talking about, yes.

Mr. Nester: These are structures where we have to kind of take the grades and pitch them in certain directions so ...

Boardmember Ambrozek: Water flows away from the building.

Mr. Nester: The grade is coming ... it is higher on the east, so the water is coming from here towards the building. We don't want to have it run up against the building so we have to take the building and drop it down a little bit before it goes out. In doing so, we need to direct water into these low areas here. This is at elevation 92, and this is at 92 which has been the same elevation in the buildings from almost the very beginning with this design concept. The same with the grade along the changes here, and here as well. I don't know if that answers your question at all.

Boardmember Ambrozek: Yes, you have answered my question and it does make sense to control the flow of water properly towards how you are going to drain it eventually away from the building.

Chairperson Sullivan: Michael, anything else?

Boardmember Ambrozek: No, that's all I have. Thank you.

Chairperson Sullivan: Any questions at this point?

Boardmember Gould-Schmit: No.

Chairperson Sullivan: Eva?

Boardmember Gould-Schmit: Are we just talking about the SWPPP, or are we talking in general?

Chairperson Sullivan: I think we can go any direction we want.

Boardmember Alligood: I thought you just meant on the engineering ...

Chairperson Sullivan: Let's do the engineers, then we can go to drawings. The engineer might have to assist us.

Mr. Nester: I'm here with Christina, so I'll help as best I can.

Boardmember Gould-Schmit: Go into your questions.

Chairperson Sullivan: Richard, no? OK, I'll hold mine.

How about we start on the other side. Richard, do you have any questions for Christina?

Boardmember Bass: No, I already asked them.

Chairperson Sullivan: OK. Kerry?

Boardmember Gould-Schmit: I mean, it's kind of a comment. And I know that you are responding to the Zoning Board, but I have to say in my opinion it's very unfortunate that the porches are gone.

Ms. Griffin: I know. The ARB said the same thing.

Boardmember Gould-Schmit: For a de minimis amount of coverage reduction ... I mean, I guess at one point ...

Ms. Griffin: I think those numbers meant a lot to them. We were at three meetings, and it seemed like we had to reduce it somehow. So that was ...

Boardmember Gould-Schmit: I would just say we are trying to have a walkable village, you want an active streetfront. I just do not understand why we wouldn't want porches. I mean, I can. This is not a porch to me, it's a cover of a door. But in my opinion we sort of missed a big opportunity there.

Boardmember Alligood: To add to that, I think the massing to me, the potential issues that I would have had in seeing it in this version – which I would have had, I would have commented, seeing this version earlier on – is that now I feel that the massing problem has been increased. Because by having the porches you had this transitional zone between the bulkiness of the buildings and a garden and the street. It created ... first of all, I just think it broke up the ... because each one was different, and it ... it also made sense that this is in an old-fashioned style, a traditional style. I think now that the porches are ... you know, you have part of one on the end there. It's like an old-fashioned style, but it's not really the structure of a traditional home.

I'm having trouble with what happened to it visually. The fact that they ... they're differentiated by materials, but not ... you know, previously I think there was a really interesting kind of differentiation in terms of each house, even though it was attached, it just seemed a little separate. Now I just think the only thing that's separating them is the colors and the fact that they have different stonework. I don't know how to resolve this. I feel like this is an example where we should have had a meeting where the two bodies were commenting at the same time so we could hear each other and sort of debate each other in terms of how to resolve the massing issue. Because now there's a different solution to what our concerns were.

Boardmember Bass: I have a question to our Board attorney. The Zoning Board made this less urbanistic by removing the porches. Do we have trump-ability to restore what we think is a better urban design?

Village Attorney Whitehead: Not if it increases the coverage because they gave the variance for coverage. You can always ... and this would be totally subject if the applicant wanted to do this, you could – if the applicant chose to go back to the Zoning Board – support a modified variance to allow the porches to be put back, allow additional coverage to allow the porches to be put back.

Boardmember Bass: Because the whole point of porches in this village and across this country ...

Village Attorney Whitehead: I'm not forcing you to do it. Throwing it out there.

Boardmember Bass: People sit on porches and look out on the street, and that makes it safer. This is an intersection that some of the existing residents have talked about there's an unsafe quality. By removing, or not adding, eyes to the street reinforces that. I understand the Zoning Board likes numbers, but they missed the point of the urban design.

Boardmember Gould-Schmit: I mean, we all have the minutes from the Zoning Board so we understand it's maybe not the most pleasant meeting.

Boardmember Bass: You took the words out of my mouth. You saw how hard I thought.

Village Attorney Whitehead: And that's the easiest of the three meetings.

Neil Alexander, partner - Cutty & Feder: Yeah, that was the good one.

Boardmember Gould-Schmit: In my opinion, we do live on the Hudson River and these are 10 feet above Straub. I mean, if they want to see across from the gas station, the elevation is higher here. Certainly the light alone is beautiful. I mean, I understand you did this at their behest. But just as a Planning Board member, I want it on the record I think it's very unfortunate.

Mr. Alexander: And I think for us as an applicant, you had all the meeting minutes. It was very hard and contested, and we've navigated three different boards over the past, I think, 18 months. It's been seven months since we've been back in front of you. I think you said it

best, the Boardmember who said I understand the pathos and the catharsis that you all need to have across all your boards and get each other understanding each other.

We've just been ping-ponging, candidly, and just trying to adapt to what each one said. At the first ZBA meeting we were somewhat shocked, like deer in headlights, at the issues that we were confronting, having spent so much time with you all and having a coordinated SEQRA review. We worked through, adapted, adjusted, provided an incredible amount of ... we studied 117 properties in the area to get a sense of what coverage is in the area as a matter of course across all the zones and so forth. I understand what you're saying, but I think we're caught where we are.

Boardmember Gould-Schmit: In all fairness, I do want to say a number of the meetings up front coming to us were about we repeatedly gave the same feedback. It took a long time, we were very pleased with where it ended up. But I do want to say for the record we were not heard early on in terms of some of the things that needed to get changed, and eventually they did. And thankfully a new architect was brought on who started listening. I just want to ... for the record, for the public who's listening, it's not that we were constantly changing our minds about what our feedback was because I think it was pretty consistent when the project was first brought to us.

But I do this is an unfortunate circumstance. What happened here, between the transition from going from the Planning Board – which was a long process for various reasons – to zoning, there's a disconnect now that we're frustrated by.

Mr. Alexander: You have overlapping scopes of jurisdiction. I'll leave it to your attorney to go over all that. Where the Venn diagram overlaps is, you know, we just did the best we could.

Chairperson Sullivan: Bill?

Boardmember Ambrozek: I also felt, when I saw the loss of the porches, that it was a loss in the design of the building. Of course, what we don't see in these pictures is that we are also requesting that the existing screen of trees be maintained. So trying to keep eyes on the street will not be all that possible.

I found the minutes of both the Zoning Board and the Architectural Review Board to be very interesting to read to see what their inputs were. It brought to mind a question of whether there could be joint meetings to try to handle some of the issues that have to be handled. Especially where there are overlapping of responsibilities.

Chairperson Sullivan: Michael?

Boardmember Ambrozek: Well, I think that's a reasonable point, the overlapping responsibilities. Although knowing how long it takes just us to get through one meeting, the idea of having another incorporated meeting with other boards would last even longer. But it is an issue worth raising. Because like everybody else, I was surprised at the change away from the porches. Because for somebody that loves the idea – and always says I want a house that has a porch if I can afford one – I was surprised to see them gone.

I was also interested ... even though I like the separation between the three- and the two- because it sort of lightens it up and I'm kind of thinking that. Again, I was also intrigued by the idea of so many windows in an alleyway 6 feet wide. I mean, light is important, but how much light are you going to get in a 6-foot wide alleyway. And the lack of privacy for the people who are looking across at each other, 6 feet is from here to there. But that's the way buildings are built.

I do think the idea of overlapping responsibilities, and losing something which we thought we had, was kind of disappointing. I sympathize with you.

Ms. Griffin: You know, I really went ... that's one thing I always wanted were these beautiful porches. So I still think they'll be very attractive. I have been thinking about what might be appropriate on this site for many years because I lived on Warburton Avenue for two years and I'm very charmed by that neighborhood. There are so many alleyways. And actually, when you run down to the train you can run down between buildings on the other side of Warburton Avenue. I remember watching the development in Cold Spring. I don't know if anybody knows that. Right near the border, near the downtown of Cold Spring, there was a pretty big development, larger than this. They actually built porches like they did years ago. Now that it's been there for, I think, at least five years when I go back it fits in so nicely with that village.

I always thought this kind of construction would work with a two-and-a-half story look with dormers and porches. But, you know, I think it took a lot for me to finally say we have to give them something because we weren't getting anywhere. The reality is, we have only a certain amount of time and money. This project is a huge investment to go through all these meetings and spend all this time and change all the drawings so many times. Finally, I was resigned to make it work, get the coverage down somehow. This is a solution that ... and I actually thought the alleyway is kind of very fitting because you have alleyways in Warburton. And two, the front porches really are ... you know, they're facing a commercial building on the other side, and we have those big trees. Probably the place to be will be on the other side of these townhouses.

Village Attorney Whitehead: And the Zoning Board did put in a condition that the trees be maintained.

Chairperson Sullivan: I'd like to mention something. I think there is some coordination that's lacking between the engineering drawings and your drawings. The issue of where did the alleyway ... what is the elevation, where are the steps. I think there are a lot of things that we need to see on the site worked out and coordinated better. I share my fellow Boardmembers concern about the porches, but I understand the situation you were put in.

I'd like us to focus a little bit on understanding exactly how the stairs and walkway work and what those elevations are. I'm also concerned on how you're meeting the street and what the elevations are Michael brought up, where the sidewalk elevation is and how high is the wall next to it. There are things, a lot of top-of-wall elevations, that are lacking when we are looking at the walkway in front of the townhouses, unlike in other areas.

Ms. Griffin: Yeah, we have a note somewhere that we would like all the elevations to be referred to the (off-mic) layout plan (off-mic) engineer that our drawings should be totally (off-mic) with that. I think you may have picked up on the problem of the side elevation so we'll make sure that (off-mic).

Building Inspector Minozzi: Christina, you have to use the microphone.

Ms. Griffin: Our drawings should match the gradient plan and have all the same elevations.

Chairperson Sullivan: Well, there's just some elevations that are lacking. I think we talked about some concerns about the trees and the amount of earth that you're adding near them, and I still see that distinction. I think the existing grade around the trees that ... the screen that we're trying to preserve is at 86, and the grade level is at 88. So we're talking about a 2-foot addition of a wall very close to where those trees are at.

Mr. Nester: I can address that, Madam Chair, if you'd like. And I do remember the comment because I did look at the minutes and watch the video. Then I believe we did address it in our comment memo, the last submission, with regards to your comment.

Chairperson Sullivan: OK.

Mr. Nester: And I believe you're talking these stands of trees right here.

Chairperson Sullivan: Correct.

Mr. Nester: The existing grade in that area – you are correct – is approximately elevation 86; this is an elevation 84 here. The west side of the driveway, where the drain is located, is at elevation 88.25. So there is a 2-foot change in elevation.

Chairperson Sullivan: Right.

Mr. Nester: The location of the sidewalk is kind of on the drip line at the edge of the trees. We try to push it as far away outside of the tree drip line, which is crucial for tree survival. I guess the rule of thumb is that the roots are more important within the drip line of the tree. What we did is to limit the grading from that area. We proposed a small, short wall here so that we're not filling over the top of those roots and trees over the existing grade. We're keeping the grade as close to existing as possible in that area by putting a short retaining wall.

Chairperson Sullivan: I think what I'd like to see is an elevation of that, and understand where the stairs are. Because right now, the front stair comes out and it looks like there's some walls that are actually going past your property line to the existing ...

Mr. Nester: You mean these walls here?

Chairperson Sullivan: Right.

Mr. Nester: These are required for the stairs as you come down, the cheek wall of the stairs, when you make up the different elevations and risers and treads for the stairs.

Chairperson Sullivan: Right, but you're meeting up with the existing wall at that point, aren't you?

Mr. Nester: Well, it was just that the two carried through with the look of the main entrance coming in here. They could be eliminated at the property line, where the existing retaining wall is. We were just trying to continue to look straight down as you're coming into the stairway. Where the existing retaining wall is, which is along the property line, that stone wall should be eliminated there.

Chairperson Sullivan: Again, like I said ...

Mr. Nester: It's not needed. It was just an aesthetic look to continue it down.

Chairperson Sullivan: We're at the point, I think, where we need to understand some of these site things better. So a section through the porch was helpful, but really looking at that stair as well as the retaining walls at either side of the driveway I think would be very important to understand what's going on here.

Mr. Nester: Well, the retaining walls on either side of the driveway do have tops of walls, backs of walls, and front walls on either side.

Chairperson Sullivan: But there's areas that actually would need, potentially, to have a fence of some type, a guardrail on top because of the height of the retaining wall and the fact that people will be walking so close.

Mr. Nester: There should be a safety fence on retaining walls over 3-1/2 feet high.

Chairperson Sullivan: Right. So we should understand where they're going. I'm not sure we know where they are. I'm focusing solely on the front area, solely on the front area. Because I'd like to see resolution of how you're going to transit 4-1/2 feet up to the alleyway, how you're going to transit 2-1/2 feet back.

Mr. Nester: OK, I can go through that if you'd like. I can walk you through it right now if you'd like. Besides coming out of the garage – there's a door, I believe, a garage door from the garage out that comes out underneath this unit here that you're able to walk up to get to a unit if you wanted to come outside from that area. If you are walking from Warburton Avenue along the sidewalk you enter in through the driveway and then you come in through here. There's a sidewalk that comes in, and all these slopes meet ADA requirements. They're 2 percent, they don't exceed the cross-slope of 2 percent. You walk into the driveway here, and then you enter up.

Obviously, we have to turn and then there's elevation spot grades at the top or bottom of all the stairs to show where the changing grade is with regards to the stairs. It's all been calculated based on, I think, a maximum of a 7-inch riser to provide all that. Once you get off the driveway and you make this L east to the main – I'm going to call it the main – feeder sidewalk to enter all the units, that sidewalk is at the same elevation for its entire length. It's just like a transition. It's a cross-pitch of 2 percent – it's actually less than 2 percent, 1.5 percent – so this sidewalk is at all the same elevation. The stairs, if you go all the way to the north the east side of the sidewalk is at elevation 88.32. All the finish floor elevations, the doors are at elevation 92.5.

You have this porch that everybody's been talking about, which is more of like a wooden porch from what I gather. Then there's a spot grade at the top of the stairs at elevation 92.38, which is a positive pitch away from the building.

Chairperson Sullivan: I'm interested in this stair that needs to be added. You're showing in on your drawings where you're getting up to an alleyway, exactly how that's going to look.

Mr. Nester: OK, it works the same way. I'm going from elevation 88.32, which is the east side of the feeder sidewalk, and I'm walking up – I believe it was a 5 percent slope to the bottom of the stairs ...

Chairperson Sullivan: Right.

Mr. Nester: ... which is an elevation at 88. Then I have a series of stairs to the top of the alleyway at elevation 92.5.

Chairperson Sullivan: One of the comments from our engineer was to ask for these types of things to be reflected on the architectural drawings, which would be for the elevations as well. I'd like to see those things added so we can understand how this building really works and how the site works.

Mr. Nester: I think we can do all this as part of our construction submission.

Chairperson Sullivan: I think it's some visual things that I think would be very useful to see.

Mr. Alexander: I mean, I think ... so I grabbed the drawings, and I'm looking at the fact that Christina got involved in January of 2015. Just hear me out. She got involved in January of 2015. I understand there's some details you want refined. We were really hoping to be moving, and a lot of those details can definitely become either conditions of approval we work through with the Building Department before we submit for construction or things like that. We were really hoping to get, tonight – 16 months into processing this application – an approval. When you look at site plan issues, I think we're now well past the jurisdiction of your general site plan issues.

Chairperson Sullivan: Let me read a few things from our site plan requirements just for instance. One issue that's out there is the quality of the landscape plan submission. Right now, we would like to have one from the landscape architect. What's being shown is not coordinated between the civil and the architectural schematic landscape plan. There are trees that are being shown as being saved on one that are not showing up in the other, and we don't

have an indicate of how the bioretention's going to be planted out, which is very important. That would be, I think, a request we would like to have. We've had some conversations about reed buffers, making sure they're planted correctly.

The other thing we've asked for and would like to get is the location and an attachment of mechanical equipment and other items to the exterior to the roof, and that was something that was brought up the last time we met. Screening and buffer areas are very important. We talked about the Zoning Board's interest in having the screen being preserved; we are as well. There is actually a tree protection detail we've seen on another project that would be useful and is exactly what you talk about: how to protect trees, not so much around the trunk as you're showing, but how to protect them around the drip line. I think we'd like to see that.

There was a question about whether or not you needed a transformer or not, and there was a question brought that you were going to get assurances that the electrical could come in underground. I think that would be useful for us to see copies of that correspondence so we would know that the electricity is going to come into the building underground and a transformer won't emerge at some time during construction. We talked a little bit about where fences and retaining walls are, to understand a little bit more where they're going. And we had some indication at our last meeting of where lighting was being put, and there was a lighting schedule I looked for in this submission that I couldn't find. That's coming out of our code. We have, at some point, a variety of signs that are being placed around.

Mr. Alexander: That detail's been on forever.

Chairperson Sullivan: That's been done?

Mr. Alexander: The one-way turning sign?

Chairperson Sullivan: Absolutely, and it's wonderful.

Mr. Alexander: That's been on forever.

Chairperson Sullivan: I think it would be helpful to have it reviewed, Buddy, perhaps by our police department or public safety just to make sure they concur with it. But I think that's wonderful that they're there.

The landscape plan was very important. I know speaking for Jamie, who isn't here to speak up, that's been a concern of his. I don't know if anyone disagrees with those things. I kind of highlighted some things from our site plan review that might be of use. Any objections to any of those items being prepared and presented to us?

Mr. Alexander: I'll let you go through and answer each one.

Ms. Griffin: The landscaping plan, I guess you're asking ... I'm not sure, doing this in the order you just mentioned all your comments.

Chairperson Sullivan: That's OK, you can take it in any order you want.

Ms. Griffin: Maybe we could go back through them just because I would like to address these things. I know some of the way we're showing the trees graphically a little bit different, the engineering.

Chairperson Sullivan: No, they're actually trees that you're showing that they aren't showing and vice versa. What typically you see with a landscape plan is quantities, species, an understanding of where and how things are being planted. We had talked about needing that to be reviewed by a landscape architect. It's important, you're using it for the bioretention, it's part of the stormwater solution. There's very general specs on the detail talking about trees and the shrubs, and I'm not sure you're going to be using any of that but we've seen another project that used this kind of thing and it was very useful to see the quantities and the species and how many are going where.

Ms. Griffin: I understand.

Chairperson Sullivan: I mean, you're in the right direction. You have deer-resistant, you're talking about native plants. That's all good stuff, but I think ...

Ms. Griffin: Yes, I understand. We could do a plant list and quantities. I understand what you're asking, yes.

Chairperson Sullivan: OK, thank you.

Ms. Griffin: I just want to go through each item.

Chairperson Sullivan: OK.

Ms. Griffin: I'm just going to go through what I remember.

Chairperson Sullivan: Sure.

Ms. Griffin: Rooftop: there will not be any rooftop units at all because the units will be inside the attic.

Chairperson Sullivan: What are you using?

Ms. Griffin: We're probably going to have hydro air systems and have the air handler in the attic, and we're going to have a compressor outdoor somewhere.

Chairperson Sullivan: Somewhere.

Ms. Griffin: Yeah, on the grade.

Chairperson Sullivan: That would be very useful to see, I think.

Ms. Griffin: OK.

Chairperson Sullivan: Is that correct, Buddy?

Building Inspector Minozzi: Oh, yeah. We have to see them, yes.

Chairperson Sullivan: Yep, so that would be good to see.

Building Inspector Minozzi: I have that note down, OK?

Chairperson Sullivan: Anything else you can think of, Buddy, that might be ...

Building Inspector Minozzi: Well, actually the list you just gave them is a very accurate list. I would like the landscaping plan, once complete, should be sent to our landscape professional. I could absolutely have PD review the signage. I think that's an excellent point.

Chairperson Sullivan: I'm sorry, signage?

Building Inspector Minozzi: As far as our drainage and everything, as far as that goes I think our SWPPP is pretty well set.

Chairperson Sullivan: Sounds like it is.

Building Inspector Minozzi: So we can move on past that. I think your list probably hit on every note I would have thought of.

Boardmember Ambrozek: When it comes to the lighting, I think what we really need is a diagram showing the areas that are illuminated.

Building Inspector Minozzi: Yeah, we're going to have to get a lighting diagram. That's what I said, that's correct.

Boardmember Ambrozek: And also we're looking not to shine lights upward, to make sure the lights all are directed down.

Building Inspector Minozzi: Well, there's very strict criteria in our code about lighting, commercial lighting. They're going to have to take that into consideration when they do the lighting plan.

Village Attorney Whitehead: Well, it shouldn't be commercial lighting.

Building Inspector Minozzi: What I mean by that is not one- or two-family homes. That's what I mean. This is a multi dwelling so that's what I meant by commercial.

Ms. Griffin: On our site plan we added path lighting. One thing we just need to know, there was a time when we would get Planning Board approval and then get into the details later. But if we do exterior lighting, do you want to have the specifications of each light? Because eventually we're going to be putting that on our drawings.

Building Inspector Minozzi: On a project of this caliber that would definitely be very helpful. That would be required.

Chairperson Sullivan: I'm curious about porch lighting. You might have lights in the ceilings, just that kind of stuff is helpful to understand.

Ms. Griffin: We will be specifying. I just want clarify that that is required for Planning Board approval.

Chairperson Sullivan: I think it says ... yes: "*Direction, the location, power design, time of all existing and proposed exterior lights.*" Straight out of our code. It'd be very helpful.

Ms. Griffin: I'm sorry, did I miss a few items? I just want to make sure I'm clear.

Building Inspector Minozzi: I wrote down as Kathy was talking: drawings to be respective of each other, i.e. the engineer's drawings versus the architectural drawings; elevation, walkways, driveways should coincide. Right now, there's some things that don't match up.

Ms. Griffin: I think our cross-sections ...

Building Inspector Minozzi: The landscaping design to be coordinated between the drawings, and the landscaping design to be reviewed by our landscape professional. The retention basin plantings; mechanical drawings, with screening of equipment; and its proposed locations. Transformer or not; underground wiring or above-ground, overhead wiring. That needs to be worked out. The lighting schedule, meaning the lighting plan and schedule. And I told you about PD and the signage. That's what I have.

Ms. Griffin: Sorry, tell me again about the signage.

Building Inspector Minozzi: We're going to clear it with PD.

Boardmember Ambrozek: Police department.

Building Inspector Minozzi: Police department to make sure they're in agreement with what we're proposing from our traffic study. I'll take it to the PD.

Ms. Griffin: (Off-mic).

Boardmember Ambrozek: Can you use the microphone, please?

Building Inspector Minozzi: Oh, yes, absolutely.

Ms. Griffin: OK.

Building Inspector Minozzi: I can e-mail you this list tomorrow.

Ms. Griffin: Thank you.

Building Inspector Minozzi: If that's everything that the Board wishes, unless there's more.

Boardmember Ambrozek: On mechanicals, there's one unit that has an elevator and I cannot figure out where the mechanicals to operate that elevator are located. I cannot tell if they're going to be dug down below the level of the garage or installed in it.

Ms. Griffin: It'll be hydraulic, and actually it's a residential elevator so the equipment's not that large. But we will get specs on it if you'd like and locate the equipment because we have to do that anyway.

Boardmember Ambrozek: Yes, I'm very interested.

Ms. Griffin: OK.

Boardmember Ambrozek: Thank you.

Chairperson Sullivan: I have, if I could, one suggestion. I looked at one point at the old drawings. I'm sorry I didn't bring them because we were talking about that. This project at one point was a foot-and-a-half lower, where the elevation was 81 and 91. Not proposing going back to that, but it was a significant change by increasing it up. What I think would be helpful, since we have a certain number we need to play around with, is looking at a way of decreasing some of the multiple stairs and pathways and whatnot in the front of the building, and trying to consolidate things to some degree.

Maybe where we could even push some porches together and they might start looking more like what we had. Maybe some of the pathways could be combined, and that would be square footage that could go back and give us something people have spoken about wanting to have. I just share that as a question. It's not a redesign, it's not a big thing per se, but it's maybe an advantage for everyone. I see five, six stairs, multiple pathways, that kind of thing.

If I'm a person who's in the handicapped unit, the disabled unit, I'm not going to be able to get out to the front porch nor down to deal with my trash. I brought this up, and I really think another option of decreasing some of the pervious is to create a central interior place for trash storage. Right now, you're talking about 3 feet for two bins deep, and it's going to be difficult to make that work, in my opinion. I just bring that comment up as something that maybe could help us all by looking at just sort of that front area and making it be a little less stair and pavement and more porch.

The other suggestion I have, again one thing I saw where the central stair right now is just dead on down into the garage. You know, it's just on-access with the garage. The thought would be – and I'd love people's opinions – is to take that stair and push it closer to Washington people would actually go and get to the street and be a little bit closer to downtown. It also would take the emphasis off the kind of down-to-the-cellar sort of basement appearance.

Building Inspector Minozzi: Could you repeat that one more time because I didn't follow that one?

Boardmember Gould-Schmit: Can I just make a comment, and everyone can disagree with me. I feel like we're getting into redesign issues. We have been through a lot with this project, and it just strikes me as being a little bit unfair after the process we've put them through to now ... I just feel like they're responding to lots of people, and for us now to look at the paths, and they changed the paths, and the garbage thing we talked about. It's been a long process. I just feel like, then, it's a whole nother set of drawings and it just seems unfair to me.

Chairperson Sullivan: Well, I appreciate the unfairness and I agree. Bill and Michael were talking about the joint meetings and that's something I feel strongly about. I think as we have some project that would be advantageous to do more of a joint board-to-board – I also met with the Architectural Review Board and their comments were the same – I think we all can be thoughtful about raising our hands and saying, hey, it's time for us, this looks like we might be able to do that. However, back to where these guys are in the process is that they had to do redesign in the Zoning Board. If this isn't a site plan issue that people want them to deal with I can respect that. You can share that and say don't get into that. But I think, potentially, it's a legitimate site plan issue. That's my opinion.

Mr. Alexander: Just to interject and to pick up on some of the themes. We're here for two things tonight: site plan approval and view preservation.

Village Attorney Whitehead: No, you're done with ...

Mr. Alexander: We're done with view preservation?

Chairperson Sullivan: We have it, you got it.

Mr. Alexander: OK, that's why I was confused by that. I understand there's a give-and-take and it's your community and it's our project.

Chairperson Sullivan: Right.

Mr. Alexander: Right? And it's a give-and-take and it's an interaction. But it's hard not to interpret some of this stuff as re-trading. It's really hard on our side.

Chairperson Sullivan: As what?

Mr. Alexander: As re-trading; re-trading on issues that were dealt with before and sort of now be re-dealt with. It becomes very difficult. You got to understand. I grab Christina's drawings, they're dated from February 15. And you read the minutes of the ZBA, you heard us. We were exasperated, we were completely out of ideas, thoughts, processes. The project pretty much almost died that day. And where we're getting to is like death by a thousand cuts. We're trying to be responsive, we're trying to handle every issue. But we can't let perfection be the enemy of great. This is a great project. We've worked through tons and tons and tons of issues, and we've been incredibly responsive. And no place am I aware of us ever saying no.

We've never drawn a Maginot Line. We're trying, but when a whole new litany of a list comes back on some issues we've heard before, some that we haven't, some because of other changes that other boards have made I understand. But we need a glide path, we desperately need a glide path. If you're not going to do it tonight we understand that, but we need a glide path to get this done at the next meeting. I mean, it's just desperation at this point. It's May. Before you know, we can't get this framed and closed up before the winter. And then we're carrying it for another year. And oh, by the way we have to pay ... for every two-bedroom it's \$7,500 and for every more than two-bedroom it's \$10,000 in rec fees before we can even get the construction permit.

Building Inspector Minozzi: No, that's not true.

Mr. Alexander: OK.

Building Inspector Minozzi: That's before the C of O.

Mr. Alexander: Before the C of O, OK. Other places are before that.

Building Inspector Minozzi: No, it's not here.

Mr. Alexander: There's a lot to get to here, and you're basically asking us to pass another year before we can actually get this going. We need a glide path to be done in June. We're not saying no to your ideas, or figuring them out, or that you're wrong or we disagree. But we need a glide path to be getting an approval for June. We're there.

Boardmember Gould-Schmit: I just hear the cascading effect of every change, and then it's another change. I guess I agree that I feel like at some point we have to agree with what all three boards have come up with.

Chairperson Sullivan: So I withdraw my suggestions. We're back to the list of things from our site plan approvals.

Boardmember Gould-Schmit: Well, I'm expressing my ...

Boardmember O'Reilly: Excuse me, I don't know whether you have to withdraw. But I have to admit I'm a bit with Kerry here because I sort of get a little frustrated with issues that seem to have been resolved some time ago – or should have been resolved some time ago – either out of the meeting or a private meeting. Then they're raised again at the meeting, and then there's more discussion going on and we go back. I don't know what work is done prior to the meeting outside of the meeting, but there seems to be a lot that is revisited at meetings.

And I have to agree I'm in a bit of sympathy there. I'm not saying you withdraw what you're asking for because I think probably they're legit. But some of this stuff should have been known before the meeting surely, or discussed before the meeting, so we're not revisiting every detail every time we meet. That's my reaction to sort of the way we operate in terms of meetings and things like that.

Chairperson Sullivan: What in particular are you thinking of? I mean, was it a topic that came up tonight, just out of curiosity?

Boardmember O'Reilly: Well, there is a list of things which obviously have to be done in a site plan, right? We've discussed the site plan how many times now? It's that that I'm referring to. We've discussed the site plan in the time that I've been on the Board practically, and yet we're still taking about the site plan. I sort of don't know if it's a functional issue we have to deal with, or a way of proceeding. And I'm not as experienced on this board as the rest of you.

Chairperson Sullivan: I think the things I listed have been discussed in other meetings, so what I'm looking for – to the point of the glide path – is, here are the things we are missing for us to have, in drawing form, so we know where it's going and we aren't going to say, well, I thought I saw it in Christina's drawings but, oh no, it was in the engineer's drawings. We just sort of need to know this is it, this is where it is, we understand what these things are, and then we can go forward on it. The landscape plan's going to take some iteration, but I understand you have thought it through. We just need to get it looked at and agreed to.

Ms. Griffin: I have a few comments because I've been listening to all of you very carefully. If you put yourself in our place, or an architect's place, you know, there will be a lot more detail added to all these drawings. You have to go from the big picture to smaller detail. When you're developing a project, you have to, at some point ... we have now the overall

layout, then we have the overall layout, the floor plans of the building; we have the elevations, and now we're going to look at the materials.

We have a lighting layout, now we're going to specify the lighting. If we're actually developing the project as part of getting our site plan approval it makes a lot of sense and I think we'd be happy to do that. But if there are things where we have to actually go back and redesign the porches, and then perhaps go back to the Zoning Board and the ARB, I think after all this time it actually is very chaotic and very complicated.

You know, we have been redrawing and redrawing. At this point, if we have to develop the landscaping plan we're actually going to take that plan and add more information to it. We're going to get it to another level that you'll feel comfortable approving. We're happy to do that because we have to do that anyway in order to build the project.

Chairperson Sullivan: I'm taking my suggestions, and my suggestions were only if they would help get a better project by getting porches. End of story. Drop that, I withdraw all that commentary and let's go back to the list of things we need for site plan.

Building Inspector Minozzi: Kathy, could I interject for one second?

Chairperson Sullivan: You may, as well.

Building Inspector Minozzi: Christina, what you just said is very consistent in what this list represents. I don't see this list as changes. I see this list as developing this project that you would have to do anyway. So if it's you're going to lose a month with my office or you're going to lose a month up front, you're still going to have to respond to all these issues. Even if it wasn't at this level, it would be at the next level. But they still have to be responded to. I agree with you that this isn't a redesign because Kathy did withdraw her last comment. I believe everything else the Board has mentioned is a further development of the existing project, and to get rid of some inconsistencies that we need to get done.

Ms. Griffin: You know, it's interesting. At some point, our clients feel there's a comfort level where they can say let's keep on going with the drawings, let's start developing the construction drawings. I know we have to get this information anyway, we have to work out these problems and get to this level of detail. I think we're happy to do that, but we're hoping that's based on the assumption that we will get approval once you get the information. We will be continuing with our drawings.

Building Inspector Minozzi: I mean, I don't want to put words in the mouths of the Boardmembers, but that sounds to me like that's what you're saying.

Boardmember Alligood: Can I clarify?

Building Inspector Minozzi: Please.

Boardmember Alligood: I said I could not sit here without commenting on my disappointment about the porches. But I'm sympathetic. I don't want to reopen up the whole process. I think it is what it is. We had another board that ...

Chairperson Sullivan: Jumped in.

Boardmember Alligood: ... reviewed this – reviewed this for two meetings – then you had two meetings with the ARB and this is where we are. It's disappointing, but we need to move on. That's how I feel about it.

Boardmember Ambrozek: I would like to say I would like to see the site plan move forward. And we should realize that we do have the option of saying we approve subject to this condition or this condition, and it's the responsibility of the Building Department to see that those conditions are met.

Chairperson Sullivan: Potentially, yes.

Mr. Alexander: And to further that, if any point the Building Inspector doesn't feel it's clear to him he can bring us back. I think that's what Christina's point was, too, and I think several of you picked up on it. You know how developers' financings work. We need to get to that next step because we're just out, we're done. We need to hit that next step so financing flows to pay to go all the way to that detail and the next step. I k that's what we're trying to bridge here with you. It's not like we're trying to make an end run around these issues. We know. And I agree with you, as a building inspector. But the difference is, it's a different source of use of funds at C-Ds than it is at DDs.

Village Attorney Whitehead: Well, we're not asking for CDs, just to clarify. I mean, this is typical if you look at the code and you look at what's required for site plan. And I understand you might not want to add that level of detail until you know the Board has comfort level with the layout, with the plan itself. I don't want to put words in anybody's mouth, but I think what you've heard here tonight is that most of the comments have been about getting that detail, not about changing the layout other than the disappointment about the porches disappearing. They understand you can't just poof, put the porches back.

Mr. Alexander: In trying to bridge all this – and well-noted, well-taken, and understood – I'm going to be bold because I guess that's my fatal flaw as a human being. We come back ... there's a little bit too much agreement over there. Huzzah, right? In any event, what we'd love to do is ... we understand what you're saying, and we're willing to come back next month – I think, unless Andrew's going to come up here and throw me on the ground right now – come back next month and have worked on most of that. Can we try and bridge it, though? If everything isn't totally perfect that we can draft resolution of approval that works on conditions to bridge that gap. That way, we know it's done in June and that we're getting to that next phase.

We're not trying to give short shrift to anything, and you've known Christina forever and you know JMC's reputation is such that you're going to get their best quality work anyway between now and then. It's not like anyone's going to pull up short because we're creating this quote, unquote, "bargain," so to speak. If that could happen, I think that would make a huge difference for us. Then I'll sit down and be quiet and get out of everyone's way.

Village Attorney Whitehead: I don't think the Board can make that promise. I think you have to get as much of it done as you can, and we'll determine ...

Mr. Alexander: But you can be ready to draft ...

Village Attorney Whitehead: ... based upon what they say.

Mr. Alexander: But as opposed to getting to the meeting next time, and you guys will be like, Oh, everything is perfect, Linda will you draft a resolution for next month.

Village Attorney Whitehead: They don't do that, so don't worry. If they have ... if they are satisfied with what they have next month they will be ready to act.

Mr. Alexander: OK.

Village Attorney Whitehead: If they are satisfied.

Chairperson Sullivan: I would say that's a fair statement from us all.

Mr. Alexander: And I'm not trying to cast any aspersions. I'm just trying to breach everyone's interest.

Village Attorney Whitehead: This moving forward. This is trying to do what you want.

Mr. Alexander: We are stepping back.

Building Inspector Minozzi: I think the Board is telling you what you want to hear.

Mr. Alexander: I'm done for the night.

Building Inspector Minozzi: OK.

Ms. Griffin: And you'll send me the list?

Building Inspector Minozzi: I will send you the list tomorrow morning, absolutely.

Ms. Griffin: Thank you so much. I appreciate it. All right, so we'll be back.

Chairperson Sullivan: OK, we'll see you again thankfully.

Boardmember Bass: Before you move to adjournment, structurally how do we avoid this: not having joint meetings, not having an applicant being ping-ponged? In other jurisdictions the planning board normally is the superior board.

Village Attorney Whitehead: But you can't be the superior board on something that requires a variance. Only the Zoning Board can grant the variance. You know, it's a difficult thing and the ping-ponging happens everywhere. I think that maybe having had this experience, if you have another project like this where there's a lot of design sensitivities and it does have to go to the Zoning Board I think rather than just making your recommendations I think you invite them to ... you can have a joint meeting, yeah.

Boardmember Alligood: We should have joint meeting.

Village Attorney Whitehead: Right. I think it's too late for this project.

Boardmember Alligood: Yes.

Village Attorney Whitehead: I don't think it's fair to go back. But I think if you get another project that needs this kind of sensitivity you can ask them to have a joint meeting.

Boardmember Bass: We're not violating state law, where you join the actions to one board. The State of New Jersey allows you ...

Village Attorney Whitehead: New York State does ... you are not authorized to vary the

requirements of the zoning ordinance. Only the Zoning Board has that.

Chairperson Sullivan: That's why we sent the approval. The mews project was the same kind of scenario.

Boardmember Bass: It's just disappointing because it's inefficient, it results in bad urban design.

Village Attorney Whitehead: And it happens everywhere in New York State.

Boardmember Bass: Right.

Village Attorney Whitehead: It's frustrating for the applicant.

Boardmember Bass: If that's so wrong, then if we can't fix it on a local level we should maybe fix it on a state level.

Village Attorney Whitehead: Feel free to go speak to the legislature. I think we can work on it.

Boardmember Alligood: I have hope. I actually think that when you have different bodies talking to each other so you're looking the same issues, you're having the same debate, it could be helpful.

Chairperson Sullivan: Very much.

Village Attorney Whitehead: I still think it would be good to do it at a point where you're comfortable.

Boardmember Alligood: Yeah.

Village Attorney Whitehead: But the point where you sent it, taking this application as an example, and you made your recommendations to them, at the same time you said we'd like to have a joint meeting ...

Boardmember Alligood: To explain our thinking and all the process we went through, yes.

Village Attorney Whitehead: Right. So when they first get it you have the opportunity to sort of explain where you've been coming from. Because they had to the certain extent, but not ... you didn't know where they were going to go. If you could have been in a room with

them and heard sort of where they were looking to go ... and by the way, it took them three meetings to figure out where they were going.

Building Inspector Minozzi: They wanted to cut it to four units, and at that point it wasn't a viable project. How do you get around this, and this is where they were struggling for, like Linda said, three meetings. It was tough.

Village Attorney Whitehead: And they had different people at every meeting, which also ... it was a really difficult process.

Building Inspector Minozzi: It was, agreed.

Village Attorney Whitehead: In the end, at the last meeting the people who were there – and there was one dissenting vote – really went through it and really focused.

Boardmember Alligood: Did the defector want the porches?

Village Attorney Whitehead: No, the dissenter didn't like the project.

Building Inspector Minozzi: Didn't like the project at all.

Boardmember Gould-Schmit: The bigger discussion, I guess just prepping for next month is it better if we like give them a date when they need to have their landscape plan submitted?

Building Inspector Minozzi: They have a sufficient deadline, two weeks.

Boardmember Gould-Schmit: So we can get it to our ... like I wonder if maybe we could ...

Building Inspector Minozzi: No, there's a whole ...

Boardmember Gould-Schmit: I'm saying how do we sort of ...

Village Attorney Whitehead: But I would encourage them on the landscape plan, to get it in as soon as possible because we need to send it out.

Building Inspector Minozzi: We send it to our third party, absolutely.

Boardmember Ambrozek: And the lighting.

Village Attorney Whitehead: You can go through and say this is here, this is here, this is here.

Chairperson Sullivan: Could you give them that tree protection detail from the Ginsburg project?

Building Inspector Minozzi: I can.

Chairperson Sullivan: Because they had like the New York parks one, which is just ...

Village Attorney Whitehead: Just around the trunk, but here you need (cross-talk) ...

Chairperson Sullivan: Especially in the screen areas that we were trying to protect?

Building Inspector Minozzi: I can certainly send that to Christina.

Chairperson Sullivan: The screen seems to be important for us all.

Village Attorney Whitehead: And trust me, JMC has that detail. I mean, they're an engineering and landscape architecture firm.

Chairperson Sullivan: They know the fine detail.

Boardmember Gould-Schmit: Maybe we can have dialogue even before the meeting. Like it gets distributed to us and we have questions about the landscaping. I'm just trying to think of ways that ...

Village Attorney Whitehead: That's what happened even this time when Kathy raised an issue about the SWPPP. And that's what led to the last revision to address. Hahn has sort of braved that question, Kathy expanded on it, and it got resolved.

Chairperson Sullivan: What happened is, it was a technicality and at the end of the day the project didn't change but it was more being in paper saying that they're doing one things versus another. I just sort of felt as a board we wanted to have the cracked scenario out there for record. Kerry's suggestion of anything you get for this application try to transmit to everyone ...

Village Attorney Whitehead: Instead of waiting to when you normally send the packages, maybe when it comes in send it out.

Building Inspector Minozzi: Sure.

Boardmember Gould-Schmit: The landscape plan has to go to this third party.

Building Inspector Minozzi: Well that we have to get.

Village Attorney Whitehead: The landscape plan she's got to get in.

Building Inspector Minozzi: She's got to get that fast.

Boardmember Gould-Schmit: Then you could go to comments.

Building Inspector Minozzi: Because it turns into this week. This week was the week from hell, with all these changes. I can't even tell you how overworked this project made myself and my staff. It was a very, very difficult week for everybody, and we don't want to have that again. Just because everything happened in the last hour.

Boardmember Ambrozek: Am I right in understanding that they still need to give us the list of changes to the SWPPP?

Chairperson Sullivan: Yeah, that gentleman will take care of it.

Boardmember Ambrozek: Because I'm interested in that.

Chairperson Sullivan: All right, anything else? I think, Kerry, we'll try, with Buddy's staff and mine try to not to go too crazy. I think to expedite, see things, and help them along we owe it to them.

*****Deferred until June Meeting*****

3. **Amendments to the Previously-Approved Site Plan - Application of Ginsburg Development Companies, LLC for the development of a 7.45 acre tract of land situated on the westerly side of Saw Mill River Road (State Route 9-A) immediately south of the municipal boundary with the unincorporated area of the Town of Greenburgh, and approximately 0.3 mile south of the intersection of Lawrence Street and Saw Mill River Road, into a public space and a multi-family dwelling complex with a total of 66 dwelling units, 12 of which are proposed to be affordable units. The Amendments**

proposed make modifications to certain site improvements. Subject tract of land is situated in the Village's Mixed Use Planned Development District (MUPDD) as designated on the zoning map of the Village of Hastings-on- Hudson. The property is designated as Lots 4.60-46-3.1, 3.2, 3.3 & 3.4 on the Village Assessment Roll.

V. NEW BUSINESS - None

VI. DISCUSSION ITEM - None

VII. ANNOUNCEMENTS

Next Meeting Date – June 16, 2016

VIII. ADJOURNMENT

Chairperson Sullivan: We're going to do it the right way. May I have someone on the Planning Board make the motion to adjourn the meeting and another to second that motion?

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember O'Reilly, with a voice vote of all in favor Chairperson Sullivan adjourned the Regular Meeting.