

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
PLANNING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
DECEMBER 19, 2019**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, December 19, 2019 at 8:15 p.m. in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

**PRESENT:** Acting Chairperson Eva Alligood, Boardmember Kathleen Sullivan, Boardmember Emily Goldman, Boardmember Thomas Speyer, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Deputy Building Inspector Steven Stanislawczyk

**Acting Chairperson Alligood:** Welcome to the Planning Board meeting of December 19th.

**I. ROLL CALL**

**Acting Chairperson Alligood:** I guess we'll take the roll call first.

**Bldg. Inspector Minozzi:** Just do the other members that are not present, please.

**Deputy Bldg. Inspector Stanislawczyk:** Members not present are Chairperson William O'Reilly, Richard Bass, Kerry Gould-Schmidt, Richard Martin, and Patrick Cleary.

**Acting Chairperson Alligood:** Okay, Patrick Cleary is our Village planner/consultant. So he's not a boardmember, but he's not here tonight.

**Deputy Bldg. Inspector Stanislawczyk:** I'm sorry.

**Bldg. Inspector Minozzi:** That's okay.

**Acting Chairperson Alligood:** Yes, I was hoping you didn't tell him to come for tonight's meeting.

**II. WELCOME NEW BOARDMEMBER**

**Acting Chairperson Alligood:** Well, before we get on to our one item – one agenda item of the meeting – I wanted to welcome Tom Steyer (sic), who is our newest ...

**Boardmember Speyer:** Steyer's the billionaire who is running for president.

**Acting Chairperson Alligood:** Of course I'm going to make that mistake for the next few months.

**Boardmember Speyer:** He's on TV tonight, too, but ...

**Acting Chairperson Alligood:** So please correct me. What was your ...

**Boardmember Speyer:** "Speyer," S-P.

**Acting Chairperson Alligood:** Speyer, okay. Tom Speyer is our newest member of the Planning Board, and we want to welcome you. We're real excited to have you here, and would you like to say a few words about your background and your interest in being on the board?

**Boardmember Speyer:** Yes, thank you. I'm happy to be here. Let's see, I'm a long-time Rivertowns' resident. I was born in Dobbs, lived in Hastings for many years, graduated from Hastings High School, class of 1971. So I know the Village and its neighborhoods, and what they used to be like and how they've changed over the years.

**Village Attorney Whitehead:** I know that, too; class of '79.

**Boardmember Speyer:** Good for you.

**Boardmember Speyer:** Before living in Hastings I was in Dobbs Ferry, and there I served on the zoning board of appeals and on the land use committee which rewrote all of Dobbs Ferry's land use laws.

**Boardmember Sullivan:** Interesting.

**Boardmember Speyer:** So I'm really interested in land use in the Rivertowns. I'm really happy to be back in Hastings where I grew up, and excited to be a part of this. My wife, Bettina, serves on the Affordable Housing Committee and I have an interest in affordable housing, too. So that is at least one perspective that I bring to this job.

**Acting Chairperson Alligood:** That's wonderful. Is that part of your professional background, too, or just your interest?

**Boardmember Speyer:** No, not really. My professional background – although I went to law school so I understand the law, I know how to read statutes and so on – really, I spent most of career in publishing as a technology guy and a project manager, or a program manager, in digital publishing technology. So my career isn't all that relevant to this,

although I spent some of it in legal publishing so I understand how codes are written, how laws are organized and published and so on. And also the technology stuff and the project management may be of some use.

**Boardmember Sullivan:** I find it really interesting that you were part of Dobbs' process because their zoning's very unique and it would be interesting to get your take on certain things that we address.

**Boardmember Speyer:** Yes, I think they did some good things with view preservation and view planes, which ...

**Boardmember Sullivan:** Well, they also did stuff with neighborhood character also.

**Boardmember Speyer:** Yes.

**Boardmember Sullivan:** Wasn't the zoning sort of tied more to the ...

**Village Attorney Whitehead:** They did the vision plan for the downtown.

**Boardmember Speyer:** Right. Actually, the same consultants that wrote the comprehensive plan worked with Dobbs Ferry. But the plan is quite different in that it's neighborhood-based, and I like that. I like that approach, and I think it applies. Hastings has a lot of distinct neighborhoods.

**Acting Chairperson Alligood:** Well, certainly I think with all your experience you have from Dobbs Ferry there's a lot of relevant expertise and perspective to bring to this body so we're excited to have you on board.

**Boardmember Speyer:** Well, I hope so. I'm happy to be here.

**Acting Chairperson Alligood:** Great, thanks.

## **II. APPROVAL OF MINUTES**

**Meeting of October 17, 2019**

**Meeting of November 21, 2019**

*[ Deferred to future meeting ]*

## **IV. OLD PUBLIC HEARINGS**

1. **Site Plan Approval & View Preservation Advisory – Application of 15 Spring Street Realty, LLC for the demolition of the existing building and construction of a new structure, creating a mixed-use occupancy to include 10 parking spaces in the basement, two retail spaces on the first level, and six dwelling units on the second and third levels at their commercial property located at 15 Spring Street. Said property is in the CC Zoning District and is known as SBL: 4.30-22-34 on the Village Tax Maps.**

*[ This Public Hearing has been Deferred to Future Meeting ]*

2. **View Preservation Advisory & Site Plan Approval – Application of River Road, LLC for the creation of a new greenhouse and exterior renovation at their property located at 100 River Street. Said property is located in the MW Zoning District and is known as SBL: 4.30-19-4 on the Village Tax Maps.**

*[ This Public Hearing has been Deferred to Future Meeting ]*

3. **View Preservation Advisory, Steep Slopes Approval and Site Plan Approval – Application of Riverton Lofts West, LLC for the construction of a new seven-dwelling, multi-family unit on an existing lot with associated parking, located at 10 West Main Street. Said property is in the CC Zoning District and is known as SBL: 4.70-48-13 on the Village Tax Maps.**

*[ This Public Hearing has been Deferred to Future Meeting ]*

4. **View Preservation Advisory & Steep Slopes Approval – Application of Gabriel & Katalin Ce for a rear addition and retaining walls on their two-family dwelling located at 280 Warburton Avenue. Said property is located in the R-7.5 Zoning District and is known as SBL: 4.100-96-11 on the Village Tax Maps.**

*[ This Public Hearing has been Deferred to Future Meeting ]*

## **V. NEW PUBLIC HEARINGS**

1. **Accessory Apartment Renewal Approval – Application of Sarah & David Knox – 618 Broadway. Waiver required for square footage.**

**Acting Chairperson Alligood:** We will move on to the one agenda item of the meeting, which is a new public hearing for an accessory apartment renewal approval. And a waiver is required for square footage.

Before we get into it, I just want to say this is *truly* our last accessory apartment renewal approval ...

**Village Attorney Whitehead:** Yes.

**Acting Chairperson Alligood:** ... because the village law as changed. We recommended it be changed because we were getting a lot of these over the years and we were fighting. It wasn't really ...

**Boardmember Sullivan:** For very little reason.

**Village Attorney Whitehead:** Yes, and the law has been filed with the secretary of state and is now effective. So from now on the renewals will go through the Building Department.

**Bldg. Inspector Minozzi:** Unfortunately their mailings happened to go out during the whole change ...

**Village Attorney Whitehead:** Before it became effective.

**Bldg. Inspector Minozzi:** ... so they kind of got caught in between.

**Acting Chairperson Alligood:** Oh, okay.

**Village Attorney Whitehead:** Which is why I lied last month when I told you you did your last one last month.

[laughter]

**Acting Chairperson Alligood:** That's okay. Well, we'll say our last hurrah with this one and just say it is good to have some oversight of the renewals. But we determined it made sense to go through the Village and not have the burden of the applicant – the homeowner – and the board going over these when there really wasn't much that we were finding.

**Boardmember Sullivan:** Remember, when Linda brought that up it was more the time when that law came into place and people didn't know how it was going to play out. Now I think I've seen this one three times.

[laughter]

**Village Attorney Whitehead:** It's an interesting evolution, and we talked about it when the law was first drafted. People were ... there was a lot of fear. Like, what was this going to do to our single-family neighborhoods. That's why all of these restrictions and limitations were put in that now, as we sit here 25, 30 years later, we say we don't need that.

**Acting Chairperson Alligood:** And by the way, it's worth noting the context of this particular law enabling accessory apartments is the need for more housing in our village.

**Boardmember Speyer:** Right.

**Acting Chairperson Alligood:** It's a very logical way to enable people who maybe don't need as much space in their home as they used to or for income reasons would like to have the rental income. And conversely, the people who live in the apartment have something affordable because they're not renting a whole home or trying to buy a home.

So it makes a lot of sense just from a land use and use perspective, and is a way to keep our housing flexible and adaptable to the population.

**Bldg. Inspector Minozzi:** There's plenty of openings left. I think there's only 17 right now currently.

**Village Attorney Whitehead:** So we need to encourage ...

**Acting Chairperson Alligood:** Yes, we talked about this. That there should be more outreach to let people know this is something they can apply for and make available. I guess they have to file it.

**Bldg. Inspector Minozzi:** And now with this easier process, hopefully it'll be more enticing.

**Village Attorney Whitehead:** Yes. I'm going to remind the mayor. We had talked about her saying something in her mayor's message.

**Acting Chairperson Alligood:** Yes, that's a good idea.

**Village Attorney Whitehead:** Just to remind people that you can do this and the process is fairly simple.

**Boardmember Sullivan:** You know what might be a suggestion to add on to that is make a time when people can come and meet someone from the Village staff to sort of talk through whether their property's appropriate or not.

**Bldg. Inspector Minozzi:** Sure, they absolutely can. We have before.

**Boardmember Sullivan:** Like an open house. But just sort of maybe say the Inspector and his staff are available on this particular day to talk to people so people can come in with their pictures and stuff to understand the requirements and that type of thing. Because that could be kind of just some general ...

**Village Attorney Whitehead:** Well, we'll talk to Mary Beth and to Niki about that.

**Acting Chairperson Alligood:** And maybe even the Affordable Housing Committee would want to be part of the push to kind of encourage people to do it, and show examples. Again, I should say it's not an affordable housing ... it doesn't go through the affordable housing committee because you don't have to apply for ...

**Village Attorney Whitehead:** But it is a form of affordable housing.

**Boardmember Speyer:** It's an affordability strategy.

**Acting Chairperson Alligood:** Yes, it is.

**Village Attorney Whitehead:** And also the Senior Council is also very interested. They were very interested in this because it's very helpful to seniors who want to save their house.

**Boardmember Speyer:** It's great for aging in place if you can get some extra income and have people living in your home who can help you.

**Acting Chairperson Alligood:** Yes, so you're not living alone. And just refresh my memory.

**Village Attorney Whitehead:** Sorry that you're getting caught up in this discussion. This is what happens when we have nothing on the agenda.

**David Knox, applicant – 618 Broadway:** (Off-mic) sort of spin on accessory apartments.

**Village Attorney Whitehead:** With this board there certainly is.

**Bldg. Inspector Minozzi:** You really have to talk in the mic. That's the only problem.

**Mr. Knox:** (Off-mic) questions ...

**Village Attorney Whitehead:** Why don't we finish this up and see if Buddy has a report.

**Acting Chairperson Alligood:** Sure, so Buddy ...

**Boardmember Goldman:** I have one question before we ...

**Acting Chairperson Alligood:** Sure.

**Boardmember Goldman:** Forgive my ignorance here, but what is the renewal? What does this mean, the accessory apartment "renewal?"

**Acting Chairperson Alligood:** It means that it was approved as an accessory apartment many, many years ago – and Buddy probably has that in the application ...

**Mr. Knox:** Every three years. (Off-mic) any changes or complaints. We send out the letters to everybody that lives ...

**Village Attorney Whitehead:** You have to speak into the microphone.

**Mr. Knox:** We send out letters to everyone who lives in a certain radius. And if there are any objections to the existence of the accessory apartment and things like that ...

**Village Attorney Whitehead:** Right. Just to clarify, the village code provides the permits for accessory apartments and they're good for three years. They have to be renewed every three years, and the change we just made is that those renewals no longer have to come to this board; they're processed through the Building Department. We really wanted to keep a renewal process because the idea is to have inspections, find out if there's been any complaints just to keep some kind of track of it.

**Boardmember Speyer:** Oversight, yes.

**Boardmember Goldman:** Sounds good.

**David Knox, applicant – 618 Broadway:** Absolutely correct.

**Village Attorney Whitehead:** So it's the last time you will have to come here.

**Mr. Knox:** Oh, okay.

**Boardmember Sullivan:** But you're welcome any time, of course.

**Mr. Knox:** Like traffic court.

**Village Attorney Whitehead:** Anyway, you have a report?



**Acting Chairperson Alligood:** Buddy?

**Bldg. Inspector Minozzi:** Yes, we have a report. There have been no changes to this accessory apartment since its last inspection, there have been no complaints by our department received in the last three years. The apartment is in a separate, nonconforming structure from the main residence – it was a former carriage house, one of our favorite ones – and the structure is also over the allotted percentage is size.

**Village Attorney Whitehead:** Over the new allotted percentage?

**Bldg. Inspector Minozzi:** No, this all fell under the old rules.

**Village Attorney Whitehead:** Okay, 'cause we've changed the allotted percentage.

**Bldg. Inspector Minozzi:** It got caught right in the middle. This is all under the old law.

**Village Attorney Whitehead:** What is the percentage?

**Bldg. Inspector Minozzi:** It *was* 25, it's now 33.

**Village Attorney Whitehead:** No, I mean this.

**Bldg. Inspector Minozzi:** This nonconforming structure accessory apartment is 41.2 percent of the primary residence.

**Village Attorney Whitehead:** So it's still over.

**Bldg. Inspector Minozzi:** Which in the old code was 16.2 percent over. So now next time they come to us it will be ...

**Village Attorney Whitehead:** It's still over.

**Bldg. Inspector Minozzi:** It'll be a little bit less.

**Boardmember Speyer:** And what's the new code percentage?

**Bldg. Inspector Minozzi:** This is the old ...

**Village Attorney Whitehead:** The new is 33 percent?

**Boardmember Speyer:** Is more?

**Village Attorney Whitehead:** Yes.

**Boardmember Speyer:** Great.

**Bldg. Inspector Minozzi:** So this would only be 8.2 percent.

**Mr. Knox:** Isn't there a maximum size of 15-hundred square feet or something like that as part of it, as well?

**Bldg. Inspector Minozzi:** It has to be a minimum of 500 square feet. I don't think there's a maximum; the maximum is the percentage.

**Mr. Knox:** Okay, good. I thought that's where we were headed.

**Bldg. Inspector Minozzi:** Yes, the minimum is, I believe, 500 square feet. And I recommend approval of this accessory apartment application – I'm sorry, renewal.

**Acting Chairperson Alligood:** Okay, I guess there were no complaints.

**Bldg. Inspector Minozzi:** No. No complaints, no anything.

**Acting Chairperson Alligood:** You should introduce yourself. So your name and your address. Would you like to say anything about the application?

**Mr. Knox:** No. I'm glad you passed it. I didn't realize there was such a positive sort of spin on things. The Village is sort of changing a bit.

**Acting Chairperson Alligood:** Very good.

**Mr. Knox:** Do you have any questions?

**Boardmember Speyer:** I was just wondering, is the apartment occupied now?

**Mr. Knox:** Yes, my son lives there now.

**Boardmember Speyer:** Oh, good.

**Mr. Knox:** So occupied, yes. On a highly-paying basis maybe no.

[laughter]

**Village Attorney Whitehead:** I was going to say ...

**Boardmember Speyer:** My next question was going to be about the rent and a affordability. It sounds like it's ...

**Mr. Knox:** It's very affordable now.

[laughter]

**Bldg. Inspector Minozzi:** It is truly one of my *favorite* accessory apartments.

**Mr. Knox:** Nice of you to say.

**Acting Chairperson Alligood:** Okay. Well, there are no other members of the audience for us to ask for comments. So with that, any other boardmembers have questions or comments?

**Boardmember Goldman:** Yes. I can't picture this exact place, but it seems to be close to where I live so I'll notice it sometime. Have you made any modifications to this carriage house since you moved in?

**Mr. Knox:** Since I moved in, yes. Not in the last three years, not in the last several. Mostly a hardwood floor. It came to us in sort of carriage house condition. We had tenants living there and renting. This was 25 years ago or so when I moved to the Village. It sort of had a carpet over a dirt floor. The original stable was there.

**Boardmember Goldman:** Wow.

**Mr. Knox:** You could see where it was sort of ground away.

**Boardmember Goldman:** That's awesome.

**Mr. Knox:** You could see where the chute was that the hay would go out and all kinds of stuff like that.

**Bldg. Inspector Minozzi:** It's a *great* structure.

**Mr. Knox:** So anyway, we put in a hardwood floor but it's not a real deluxe kitchen or anything like that. It could maybe use a refreshing, actually.

**Boardmember Goldman:** I was mainly thinking about the footprint. So absolutely nothing to the ...

**Mr. Knox:** No, it sort of is barn-like from the outside, with the Dutch gambrel roof ...

**Boardmember Goldman:** That's amazing.

**Mr. Knox:** ... brown color. But no horses.

**Boardmember Sullivan:** Well, we might miss these applications, Buddy.

**Bldg. Inspector Minozzi:** Well, to tell you the truth – getting back to our discussion before – we actually ... when you were talking about – Linda was talking about – them coming in, and Eva was talking about them coming and Kathy, too – the last two applications ... our last two new accessory apartments both came in to see me to sit down and go over the floor plans and see what the viability was. We went out to the site and made assessments, and they both worked out great.

**Boardmember Goldman:** That's great.

**Village Attorney Whitehead:** And you *will* still see new ones.

**Bldg. Inspector Minozzi:** Yes.

**Village Attorney Whitehead:** So hopefully we'll get some of those.

**Boardmember Sullivan:** I think I've seen one new one since I've been on the board.

**Bldg. Inspector Minozzi:** You saw two.

**Boardmember Sullivan:** Two new ones, really? Okay.

**Bldg. Inspector Minozzi:** You saw Goodwin and you saw Farragut. Actually, three if you want to consider the affordable housing one as well.

**Boardmember Sullivan:** Goodwin I remember, Farragut I don't.

**Acting Chairperson Alligood:** Well, I'm going to go ahead and ask if there's a motion to approve this.

On MOTION of Boardmember Sullivan, SECONDED by Boardmember Speyer, with a voice vote of all in favor the Board resolved to approve the final, final accessory apartment renewal.

**Acting Chairperson Alligood:** So with that, your accessory apartment renewal is approved. Thank you for your patience while we talk about the overall ...

**Mr. Knox:** It's a behind-the-scenes ...

**Village Attorney Whitehead:** That's what happens when there's nothing on the agenda.

**Acting Chairperson Alligood:** That was literally the only thing on the agenda.

## **VI. DISCUSSION ITEMS – None**

**Acting Chairperson Alligood:** No discussion items.

## **VII. ANNOUNCEMENTS**

**Next Meeting Date – January 16, 2020**

## **VIII. ADJOURNMENT**

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

**Village Attorney Whitehead:** Happy holidays, everyone. Thank you, Tom. And yes, I'm also a native.