

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
JULY 20, 2023**

PlanningBoard@hastingsgov.org

***A Regular Meeting and Public Hearing was held by the Planning Board
on Thursday, July 20, 2023 at 7:00 p.m. live-streamed
via WWhoH-TV (Channel 75 and FIOS 43) and online at WWhoH-TV.org***

PRESENT: Chairperson Eva Alligood, Boardmember Richard Bass, Boardmember Kerry Gould-Schmidt, Boardmember Charles Kim, Village Counsel Linda Whitehead, Building Inspector Charles Minozzi, Jr., Planning Consultant Patrick Cleary, and Planning Board Secretary Mary Ellen Ballantine

WELCOME

Chairperson Alligood: Welcome everyone to the Planning Board meeting of July 20th, 2023. May I have the roll call, Mary Ellen?

I. ROLL CALL

II. APPROVAL OF MINUTES

Regular meeting and Public Hearing of June 15, 2023

Chairperson Alligood: Next, we have approval of the minutes of June 15, 2023. Does anyone have any comments? No? I don't either. So can I have a motion to approve?

On **MOTION** of Boardmember Bass, **SECONDED** by Boardmember Kim, with a voice vote of all in favor the Minutes of the Regular Meeting and Public Hearing of June 15, 2023 were approved as presented.

III. AGENDA

OLD PUBLIC HEARINGS

- 1. Subdivision Approval – Application of SGA Brothers Realty II, LLC for subdivision of their property located at 7 Nepera Place & 0 Farragut**

Avenue, pursuant to the provisions of Section 295-120 of the Village Code, for the creation of two building lots and a new single-family dwelling. Said property is in R-7.5 Zoning District and is known as 4.150-155-3 & 15 on the Village Tax Maps.

***** *Deferred to Future Meeting* *****

2. Subdivision and Steep Slopes Approval – Application of Richard & Joe Abirizk for creation of two conforming lots for two proposed single-family dwellings on their property located at the corner lot of Warren Street & Pearl Street, pursuant to the provisions of Section 295-115 & 295-147 of the Village Code. Said property is in R-10 Zoning District and is also known as SBL: 4.110-121-1.1 on the Village Tax Maps.

***** *Deferred to Future Meeting* *****

3. Site Plan Approval – Application of the Riverview Manor Tennis Club for construction of a new exterior staircase & handrails plus a portable restroom enclosure at their Tennis Club located at 49 Euclid Avenue. Said property is in the R-10 Zoning District and is known as SBL: 4.40-27-7 on the Village Tax Maps.

***** *Deferred to Future Meeting* *****

Chairperson Alligood: In terms of tonight's agenda, we have a few matters which are deferred awaiting new submissions from the applicants. So that's why they're on the agenda. They are listed, but they're deferred. And we have one old public hearing which we are going to cover tonight.

4. Final Site Plan Approval – Application of Warburton 1, LLC for construction of a 21-unit residential development project on four (4) existing lots located at 1 Warburton Avenue. Said property is in the MR-1.5 Zoning District and is known as SBL: 4.160-166 & 167 – 1, 3, 4 & 7 on the Village Tax Maps.

This matter was on the agenda last month, at which time we referred it to the Architectural Review Board. There are no other open items, so we had a memo from Hahn Engineering that their comments had been addressed with a few minor conditions for the resolution. I'm going to ask Richard Bass, who attended the ARB meeting, to let us know what you learned there.

Boardmember Bass: There was a lively discussion. They had some minor architectural articulation suggestions. One of the boardmembers wanted to redo the entire site plan and the other boardmembers decided that was inappropriate.

Attorney Whitehead: Thankfully. I've heard this story a few ways.

Boardmember Bass: I try to be diplomatic. I mentioned that we had discussed the site plan in particular. The issue was streetwall location and locations of the driveway, and how the buildings function in the rear and how it related to the rock outcropping. And the ARB was satisfied with my participation.

Bldg. Inspector Minozzi: I concur. You know, what we're moving towards now is just your architectural design.

Chairperson Alligood: Yes.

Bldg. Inspector Minozzi: They left the meeting with some suggestions and they'll be resubmitting for next month. Next month will you be resubmitting?

Neil DeLuca, managing partner: We might take two months (off-mic).

Bldg. Inspector Minozzi: Okay. But as far as everything that Rich has said is spot on. As far as we're concerned, as far as this board is concerned, buildings aren't moving.

Attorney Whitehead: So nothing with regard to the site plan.

Bldg. Inspector Minozzi: No.

Attorney Whitehead: They're fine with the site plan, it's just architectural detail.

Bldg. Inspector Minozzi: Correct.

Chairperson Alligood: Okay, thank you for that report, Richard and Charles. It appears that while the ARB may have that work that you just mentioned on architectural details, they're okay with the layout of the project and the items which were part of our approval so that we can proceed. Does anyone on the board ... oh, actually I see – did the applicant want to say anything or present anything?

Kristen Wilson, Blanchard & Wilson LLC: It sounds like an accurate and good summary of what happened at the ARB. I'm standing here in Mark Blanchard's stead. I think I had the opportunity to stand for the first meeting that this application was presented.

Boardmember Gould-Schmit: You get the first and the last.

[Laughter]

Ms. Wilson: I don't have anything further to add. If you have questions, I'm fully briefed on the matter. DeLuca's here as well. I won't make your meeting any longer unnecessarily.

Chairperson Alligood: Well, thank you for making yourself available. I'm going to ask the other boardmembers if they have any comments or questions at this point.

Boardmember Gould-Schmit: I do not. I feel like it's been a very thorough process and iterative, so it's always good.

Boardmember Bass: And the resolution is very thorough and well written, so no comments.

Chairperson Alligood: Well, I'm going to ask if any members of the public would like speak. But I think we're going to be met with silence 'cause we've accounted for everyone in this room of which everyone is not a member of the general public. Actually there's one item I think we should just talk about. We had a little back and forth, it's not going to hold things up.

Attorney Whitehead: We're not going to hold things up. We reached out because we'd never gotten any formal input from the Affordable Housing Committee and, of course, you do have the affordable housing units. I know you have had discussions with them over the course of the last year or so but we reached out just to make sure they didn't have any comments, since we had not gotten any formally. I think Tom is our liaison and I'm not sure if he's been at their meetings or liaised back [laughter]. The input I got was just that they had some concern that the affordable units were too large. You and I sort of spoke about this yesterday.

Chairperson Alligood: Mm-hmm.

Attorney Whitehead: I think they're about 14-hundred square feet.

Male Voice: Yes.

Attorney Whitehead: For some reason the committee thought they were 17-; they thought they were sticking to the 80 percent rule. I said no, they're not at the 80 percent rule, they're lower. There was a comment that maybe instead we could do four 1,000-foot and we said, You know what? That may be something to think about. Let's get this where we are tonight and it may be something I don't know if this board's willing to consider. Maybe you look at it and can come back with it as a site plan amendment in the future. That was just a suggestion of the Affordable Housing Committee. But you know, everything we've reviewed so far has been based on 21 units. So to go to 22, there's some additional work that would have to be done.

Mr. DeLuca: I have spoken to Art Viola many times, and certainly Patty worked with me in the county for many years. They knew I did a job in Mount Vernon about 12 years ago and it was 16 attached, zero lot line, single-family homes in buildings of four. The mayor at the time was also a practicing architect. He came to me and he said, "Instead of doing three stories, could you make an accessory apartment on grade in each unit and have the owner second and third floor?" So they know about that. Patty does, certainly, when she worked with the county. So does Art. Art spoke to me today and said if the Village was interested – after, hopefully, site plan approval – in some kind of revision, would I be interested in taking two of the units and instead of making them three-story, all owner occupied; a similar situation like that. I said, Yeah, you could do it.

At the end I think I still have 21 units. Instead of the two-stories at the top of the hill – the northeast parcel, where they are two stories because of the grade – we could put them down below. There are three stories down in the southeast. Make them, in effect, second- and third-floor owner-occupied small apartments on grade. The county's done that many times, they'd be in favor. Sorry for the long answer, but I'd be amenable to it if the Village was amenable with some minor revisions we'd bring before you. We're not going to start construction six, seven, eight months anyway. There's a lot of site work to do, so we'd have time. But conceptually, we're fine with that.

Chairperson Alligood: That's great. And thank you for sharing your thinking about that particular model because I think the idea there is that it makes those units more affordable because those owners can then get rental income, which makes it easier ...

Mr. DeLuca: That's why. The bank will probably give them 75 percent of that rental as income towards the mortgage. That's why they did it in the last project. I agree with you a hundred percent.

Chairperson Alligood: Then you're also providing housing for more families, so that's a great idea. And we will not withhold approval tonight, but we appreciate your thinking in those terms.

Attorney Whitehead: I think there's some options that can be looked at and considered. Do you have any thoughts, Pat?

Village Planner Cleary: No, I think that flexibility's appropriate. If there were some significant change to the number of dwelling units we may have to revisit SEQRA. But as Neil indicated, that does not have to happen. So I think we're fine and that SEQRA approval can remain in place. So an amendment in the future might be something we see.

Chairperson Alligood: Patrick, do have any other comments you want to make?

Village Planner Cleary: No, the only thing I would say, Madam Chairman, is that the resolution, as you saw, has 40 some odd conditions.

Chairperson Alligood: Yes.

Village Planner Cleary: We left a lot of crumbs over the course of this review over several years now. All of that's been incorporated in the resolution so I think we've done a thorough job of holding Neil's feet to the fire to make sure all those commitments are, in fact, reflected and Buddy can enforce them throughout the process.

Attorney Whitehead: We've done a lot of going back through our notes and different things like that to find the different things that have been said, both at your board and some things that were said at the Board of Trustees. Such as the monitor – paying for the third-party monitor.

Mr. DeLuca: I thought you'd remember that.

[Laughter]

Attorney Whitehead: Well yes, I did [laughter].

Village Planner Cleary: The applicant shall fund ...

Attorney Whitehead: So it took some going back through to remember all the conditions and gather them.

Chairperson Alligood: So if the board is prepared, then we can go ahead with the approval with the conditions outlined in this detailed resolution. We have the draft resolution prepared by Patrick Cleary. Do we want comments from the other boardmembers?

Attorney Whitehead: Well, what I heard so far is, nobody had a comment [laughter].

Chairperson Alligood: No, okay. Well, we had to talk about the actual resolution. In that case, do I have the motion to approve the steep slopes and site plan application, and the stormwater pollution prevention plan for the application of 1 Warburton, LLC for construction of a 21-unit residential development at 1 Warburton Avenue, subject to the conditions as set forth in the draft resolution provided?

On **MOTION** of Boardmember Bass, **SECONDED** by Boardmember Gould-Schmit, with a voice vote of all in favor the Board resolved to approve the steep slopes and site plan application, and the stormwater pollution prevention plan for the application of 1 Warburton, LLC for construction of a 21-unit residential development at 1 Warburton Avenue, subject to the conditions as set forth in the draft resolution provided.

Chairperson Alligood: Passed unanimously, all four of us.

Boardmember Bass: My only suggestion to the applicant is when you break ground I would suggest you make it a ceremony: invite the mayor and the board of trustees and all the other elected officials.

Attorney Whitehead: You know how to do it, Neil [laughter].

Mr. DeLuca: Yes, thank you.

Boardmember Bass: I think it's worth making a statement that there is growth and movement and development in Hastings. We sometimes miss that opportunity to toot our own horn or have you toot your own horn.

Mr. DeLuca: (Off-mic).

Bldg. Inspector Minozzi: On our last large project that was done, and it was very successful.

Village Planner Cleary: And Neil, you have all of our boards with skin in the game on this.

Attorney Whitehead: Yes, you've been through all four boards. And it was a pleasure, I'm sure.

Chairperson Alligood: We appreciate your willingness to work with us, and congratulations.

Mr. DeLuca: (Off-mic). But thank you all.

Chairman and Boardmembers: Thank you.

IV. ANNOUNCEMENTS

Next Meeting Date – August 17, 2023

Chairperson Alligood: So we have no other matters for the agenda tonight. I just want to take a quick poll. Are people going to be around? Kerry, you aren't.

Boardmember Bass: I'm not going anywhere, sadly.

Boardmember Kim: I have no plans to not be around, but I remember we had a discussion at some point that maybe it's not worth Planning to have a meeting 'cause nothing comes up in August. But anyway, yes I'll be around.

Chairperson Alligood: Well, I'll be here. I'm taking my vacation after that date, so for now let's just see what comes in and we'll see. We don't know about the other boardmembers.

Bldg. Inspector Minozzi: It looks like the tennis court is coming back to us.

Attorney Whitehead: Without a bathroom [laughter].

Bldg. Inspector Minozzi: We're working on a steep slope analysis to prove to the board there is indeed no steep slope being affected on the site. We're working on that now. And we may – *may* – have ... what do we call it? They had so many different addresses I don't even know.

Village Planner Cleary: Pearl Street?

Bldg. Inspector Minozzi: Pearl *may* be ready by next month.

Attorney Whitehead: With a new engineer.

Bldg. Inspector Minozzi: Yes. There have been major changes in the calculations.

Village Planner Cleary: In a good way.

Bldg. Inspector Minozzi: Not in a negative way, in a positive way. They're working on that now. I don't know if they'll be ready by August, it might be September. And I don't think there's anything coming. Oh, I have two review preservation waivers coming, but I haven't looked at them yet. I think they're going to be waivers. And we have two, we have John's Bar and the other one. So we have two coming at you soon. I think that's it so far unless something else comes up. Well, no, today's the cutoff so nothing else came in. That's what it's looking at right now.

Chairperson Alligood: Okay, well thank you for that. Congratulations everyone. I think it's going to be very nice.

Village Planner Cleary: It's a complicated project.

Chairperson Alligood: But I think it's a good development.

Attorney Whitehead: A lot of work that went into it.

Boardmember Gould-Schmit: I think so. An improvement.

V. ADJOURNMENT

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