

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
PLANNING BOARD  
REGULAR MEETING AND PUBLIC HEARING  
NOVEMBER 16, 2023**

***PlanningBoard@hastingsgov.org***

***A Regular Meeting and Public Hearing was held by the Planning Board  
on Thursday, November 16, 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 William O'Reilly, Alternate Boardmember Thomas Speyer, Boardmember John Mondello, Alternate Boardmember Richard Martin, Village Counsel Linda Whitehead, Building Inspector Charles Minozzi, Jr., Planning Consultant Patrick Cleary, and Planning Board Secretary Mary Ellen Ballantine

**I. ROLL CALL**

**Chairperson Alligood:** Good evening everyone. If you could all quiet down I'd appreciate it. We have a big crowd tonight, welcome. Welcome to the planning board meeting of November 16th, 2023. Mary Ellen, would you do roll call, please?

**II. APPROVAL OF MINUTES**

**Regular Meeting of September 21, 2023**

**Chairperson Alligood:** Well, it's a good thing we have two alternates 'cause we needed you both tonight so thank you for coming, we are covered. We definitely have a quorum.

Do I have any comments on the minutes?

**Boardmember O'Reilly:** Which one?

**Chairperson Alligood:** These are the minutes from September 21st, 2023, the last.

**Boardmember O'Reilly:** That was the one following the joint meeting?

**Attorney Whitehead:** It was the night of the joint meeting.

**Boardmember O'Reilly:** I have a comment. There's a passage in there on the top of page five; there's a passage which has nothing to do with the business of the meeting. It was while one of the presenters was struggling with the audio. I just happened to make a comment to

Linda Whitehead and she answered, but it was outside of the business of that particular part of the meeting. It's paragraph or two.

**Planning Bd. Secy. Ballantine:** I see it, but I'm just not sure if it's ...

**Attorney Whitehead:** Should they not have been transcribing yet? Was it before we started?

**Planning Bd. Secy. Ballantine:** No.

**Boardmember O'Reilly:** Oh, we were started. Okay, it had nothing to do with it but since it was in the minutes and it was said I suppose it has to remain. It just looks odd.

**Attorney Whitehead:** Well, it really wasn't ... I'll take a look at it, we might be able to take it out.

**Alt. Boardmember Speyer:** Do you have enough people to vote on this 'cause I wasn't there.

**Alt. Boardmember Speyer:** I wasn't there either.

**Boardmember O'Reilly:** Oh, you don't have enough anyway.

**Chairperson Alligood:** Okay, I was there. We need four, so unfortunately we can't pass them tonight. I know for sure the other set of minutes from July – unfortunately I just looked at the attendance there – only four of us were there.

**Bldg. Inspector Minozzi:** July 20th is going to be deferred and September 21st is going to be deferred.

**Attorney Whitehead:** And I will take a look at that, Bill, for September.

**Chairperson Alligood:** So with that, for tonight we are going to be covering an old public hearing.

## II. OLD PUBLIC HEARING

**Subdivision and Steep Slopes Approval – ApplicationFSF of Richard & Joe Abirizk for the 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.**

**Chairperson Alligood:** I see the applicants are getting ready to speak but I want to say that this matter has been before us several times, quite a number of times, and we've raised concerns about the steep slopes disturbance and access issues. I just want to remind everyone. With that, I would like to have our village planner address some things first, and then have the applicant present.

**Village Planner Cleary:** Sure. As you indicated, this application was before you four times last year, 2022, and you raised a series of concerns. It related to size of the proposed homes on the site, the amount of disturbance to the property, the encroachments into steeply sloping portions of the property, heights or retaining walls, and perhaps most importantly concern about Pearl Street and expansion/extension of Pearl Street. There was also an issue about some prior dumping on the site which I think the applicant had addressed previously.

What we have now is, the applicant has continually modified the plan. It has gotten incrementally better, but it's still essentially a two-lot subdivision and it's essentially in the same location. For example, the homes are more linear than they were square, originally. They've adjusted some of those issues, however the fundamentals of this project remain the same: the constraints on the property and the constraints on getting to the property. There is a challenge in the material that's been submitted in that it's been difficult to track the quantitative elements of the plan, how it's changed over time. So if you could look at the tables, they just don't match and it's difficult to see how things have changed over time. So if you could clarify that for us that would make it easier for us to track those changes.

That's essentially where we are, the fundamental concerns remain the same. But the project, in response to the applicant's efforts, has gotten – and I'll keep using the phrase – incrementally better.

**Chairperson Alligood:** Okay, thank you. And we're going to discuss it. I'd like to know if anyone has comments. I'll go last, but I'll start here.

**Boardmember O'Reilly:** I just have a question. Patrick, are the houses smaller or the same size?

**Village Planner Cleary:** They're smaller.

**Boardmember O'Reilly:** By how much, do we know?

**Chairperson Alligood:** Well, we'll get to that.

**Attorney Whitehead:** If you look at Pat's memo I think he looks at that table, where they were and what they are. The other thing that needs to be addressed, as Pat said, is the access and disturbance for the access.

**Chairperson Alligood:** I will invite the applicant to explain any changes, but I wanted to start with just reviewing where we were for this project because it's come before us many times. And I wanted to make sure we all had our memories refreshed about what we had reviewed and also commented on so we're not starting from scratch here. We're coming at this from where we last left off, which we were very clear in all four meetings what our feedback was. So with that, if you'd like to address any changes you made in response to our comments we would appreciate it.

**Paul Berte engineer - ARQ:** Sure. I'm the professional engineer working on the project for the owners, Joe and Richard Abirizk. The changes we've made to the project are to ... we reduced the size of the houses and we have reduced the disturbance of the steep slopes. I don't have the ... I can pull up the charts – just give me a minute – for where we were before and where are now. (*You have it? Okay. Why don't you come up*). The significant changes to the plan happen in the areas of disturbance we had previously proposed. This plan that we've done, we've made some use of cantilevering the structure onto some pier foundations to minimize disturbance to the land. We've added some additional drainage to make sure we're capturing all of the runoff from the hill before it gets off-site, treating it in infiltration systems, and then having that discharge be less than the predevelopment rate.

Just to go through some of the comments that Mr. Cleary had. The restriction of the existing house towards the beginning of Pearl Street – where there's a structure that protrudes into the street – we know that, we see that when we drive up there. But we're not in control of changing that. The slope of the driveway, we tried to match the slope of existing Pearl Street. So even though 12 percent is not ideal in winter conditions – getting here tonight I drove on roads in Hastings that are steeper than 12 percent – in this, case the purpose of maintaining 12 percent is just to continue the existing Pearl Street, continue that path going up to a plateau of where these two new sites are proposed. What it did for us also is flatten

out the driveways so the driveways aren't super-steep going from the road to the garages that are tucked under. We're at a max 12 percent slope coming up from the edge of existing pavement for about 125 feet or so, then it flattens out to 8 percent. And then flat at the top where a fire truck might sit to service these lots for fire.

Some of the drainage changes we've made. I've added a cutoff trench at the bottom of each of the lots, directing that into infiltration systems that are within the right of way. We've added a surface detention basin on proposed lot 1 to capture the runoff from this larger lot into a pond that mitigates and treats for water quality. Then we have also the treating of the additional 16-foot proposed extension for Pearl Street in which we're meeting the code and reducing the runoff to the predevelopment rate.

The biggest change on this from the previous application was, there was some history of ownership of half of Hudson Street, half of Warren, and how much of Pearl Street is owned. We analyzed it previously by including 20 feet of Hudson Street, which is on the southern end. Also we included, previously, 20 feet of Warren Street last November when we were here. We've eliminated any of those areas as part of the development. I'm not speaking about what the deed says. But in terms of how we're developing this property, we're just considering the overall dimensions of the lot; which lot 1 is 100 feet wide by 160 feet deep and lot 2 as proposed is 100-by-100. The square footages of lot ... the FAR for lot 1 is proposed to be 2,780 square feet and for lot 2, 2,960 square feet – so under 3,000. I think we were almost at 4,000 when we first started the project, so we made a pretty significant drop.

The original plan had a house that was kind of stepped back into the slope as you go further up the hill. Our architect has changed that and made those steps on a more linear basis along the contours to further reduce the disturbance. With these changes we were able to show compliance with the code for steep slopes. We're able to show compliance that we are disturbing a maximum of 25 percent of the slopes that are 25 and greater. We're not disturbing more than the threshold allowed, that the code is considered, which is 35 percent disturbance of slopes 25- to 35 percent, 25 percent of the slopes that are measured 35 and greater. So by changing the house, tightening up the disturbance limits, we're able to present an application that is in compliance with the intent of the steep slopes law, which is ...

**Boardmember:** Can you just clarify, are those percentages exclusive of that portion of the property that you counted in your right of way?

**Mr. Berte:** Yes. The slopes we have identified are only within the parcel that includes the 100-foot width for both lots; the 160-foot depth for lot 1, 100-foot depth for lot 2. It does not include any portion of Hudson, Warren or Pearl Streets. All the areas of disturbance we've analyzed for lot 1, we're at ... let's see, our thresholds here on the column on the right. For

the 15- to 25 percent slopes we're allowed to disturb 35 percent of those slopes, we're disturbing 16 percent. For slopes 25- and greater we're allowed ... the projection is to not disturb more than 25 percent and we're at 25 percent for lot 1 – which is the one on the left – the one that's 160 feet deep. For the disturbances for lot 2, which is 100-by-100, or 10,000 square feet, we're only – and I've just kind of shown you those areas on the chart here – 15,997. I think just in the analysis we're at 16,000, and for lot 2 at 10,000.

For the disturbances of slopes between 15- and 25 percent we're at 18 percent of that area. And for slopes 25 percent and greater we're disturbing 22 percent of those slopes. So overall we're within the threshold the code has specified for us to comply with. Just visually here, the slopes in red are slopes greater than 25 percent. The slopes in yellow are from 15- to 25 percent. Then we have these green areas here, which are from zero- to 15 percent slopes. So you can see most of this parcel is 25- and greater. That limit of disturbance is shown clearly on this plan we used to analyze those areas of disturbance. I don't have ... I can give you a presentation of what those numbers started out at. They started out over 35 percent when we were here last year; nothing with a range where we're at right now. We're within the thresholds set by the code.

**Boardmember O'Reilly:** And essentially you did that by moving the house closer to Pearl Street?

**Mr. Berte:** Closer. We made them a little bit ...

**Boardmember O'Reilly:** Reducing the size of the house.

**Mr. Berte:** We reduced the size significantly, we made them a little bit narrower. For lot 1 we are using piers so we're not disturbing half of that house for lot 1; all techniques that, you know, are available to us to really meet the intent of the code.

**Chairperson Alligood:** Any comments from other boardmembers, or questions?

**Alt. Boardmember Speyer:** Just a question, and one might be for Linda and Patrick. The definition of "disturbed," is it just the driveway plus the footprint of the building? And also for you, how did you ... so that's the first question: what's the legal definition. And the second question is for you: how did you calculate disturbance in your plans?

**Village Planner Cleary:** Disturbance is tree removal, it's grading. It's not just the footprint of a building, it's the associated impacts on the site to allow that building to be constructed.

**Bldg. Inspector Minozzi:** Permanent disturbance.

**Attorney Whitehead:** The code is ...

**Mr. Berte:** The houses were designed to meet that existing grade. So as he's stepped up the different levels we're not changing the grade, the adjacent grade, to that footing or the foundation. All of that has been incorporated in architecture to minimize any grading that would otherwise require a shelf, I guess, that you'd typically see on a normal lot. He's stepped it so we're staying in line with the land. The disturbance I'm showing is not just the footprint. We've, you know, gone beyond where we think we do have to grade, and of course including the new pond here in the front. But the beauty of the architecture is that he's been able to design it so it's stepped up and meeting adjacent grade instead of having to recreate plateaus for the house to fit. Again, that was one of the biggest changes from last year to here.

**Attorney Whitehead:** It's "developed, paved or re-graded."

**Alt. Boardmember Speyer:** Or "re-graded," okay.

**Attorney Whitehead:** That's why he put in the grading, areas that are graded.

**Alt. Boardmember Speyer:** So for example where you have piers under the building, if you built a traditional foundation or a slab that would be disturbed.

**Mr. Berte:** Yes.

**Alt. Boardmember Speyer:** But here the grade remains as it was and the only things that are disturbed are the footings and the piers.

**Attorney Whitehead:** Right. You see applications very often for decks, and what you're giving the permit for is just footings for the deck.

**Alt. Boardmember Speyer:** Yes, thank you.

**Mr. Berte:** I know piers, we talked about that a lot last year; about trying to kind of modify the architecture. Tom's group was able to kind of bring a different picture to the table.

**Alt. Boardmember Speyer:** Very good.

**Chairperson Alligood:** Any other questions or comments?

**Bldg. Inspector Minozzi:** We sent the application to Hahn. We haven't received his comments yet.

**Chairperson Alligood:** Okay, so we'll definitely need to get those. I mean, I remember us leading off saying we thought this should be one house. So that hasn't been addressed. And there's several things in your memo, Patrick, that still need to be addressed.

**Boardmember O'Reilly:** The thing about two houses to me, still – I think we discussed this at one point – this is an area though where during the winter and when it rains heavily there are driveways of properties down from this that often continue to have water coming through – that is coming through the ground – which becomes icy. That occurs even when you have this pre-property, you know, with nothing on it. So with addition of the properties there, I'm wondering – and I think we raised this at one point but didn't make a major point of it – how that would be affected and the extent to which we would continue to have drainage down-fill that continues even when the rain has stopped. Sometimes it continues for three days to a week.

**Mr. Berte:** Yeah, especially this whole area's a lot of rock and water gets trapped in the rocks.

**Attorney Whitehead:** That's part of what Hahn's looking at. And it's not even just the impervious for the houses. Remember, they're paving a stretch of road so they've got to provide stormwater control for all of that. And that's part of what Hahn is looking at.

**Village Planner Cleary:** And that complicates things because, again, it's off-site, it's in the right of way. Who's responsible for that? There's maintenance issues that perhaps are not the applicant's obligation, now they become the Village's obligation.

**Attorney Whitehead:** It's not a Village road.

**Village Planner Cleary:** We don't want to deal with that, so that has to be clarified. And again, the issue with this really is that road getting to the site. So the road exceeds 12 percent, the maximum grade for a residential road is 10 percent. It's exceeding the maximum grade allowable. That's a challenge, right? In addition to the challenges, as Paul described before, of driving around the red house as you come up Pearl Street to get to this extension of the property (chuckle). So the issues are two-fold: the grade itself, and getting to the site.

**Attorney Whitehead:** And it's going to be clear that this is a private road and the lot owners are responsible for maintenance of it.



**Boardmember O'Reilly:** Because on the diagrams we saw it makes it look like Hudson and Warren Streets are one continuous road that goes through from ...

**Attorney Whitehead:** That's not improved.

**Boardmember O'Reilly:** They both break off.

**Attorney Whitehead:** They're mapped, they're not improved.

**Mr. Berte:** One of the differences on this development versus the other houses you see where drainage is dropping out, there's thousands of gallons of storage on this site that weren't required when the other houses were built. That was part of our job. And we have to come here to comply with your regulations to mitigate that storm event, which most of the houses that were built before don't have these measures in place.

**Boardmember O'Reilly:** And there's no turnaround on Pearl Street for any emergency vehicle. Once it's there it's going to have to back out.

**Attorney Whitehead:** Has the fire department, Buddy ...

**Bldg. Inspector Minozzi:** Not yet.

**Attorney Whitehead:** Okay, I think you need ... I think that's an important issue and I think you need ...

**Bldg. Inspector Minozzi:** Well, if you feel it's time then we'll introduce it to them.

**Mr. Berte:** Yeah, I think it's important. Right now, Paul has presented a tradeoff where he's exceeding the road grade to accommodate driveway grades that are more acceptable. The fire department may have a different opinion. They may want the *road* grade to be more acceptable and not the driveways into the existing home. So we do need to hear from the fire department now.

**Attorney Whitehead:** And that's one of the things you have to determine is whether this road provides substantially – is approved, improved to a point – that it's acceptable to put these two houses on it. "Suitably improved" is the language used in the law, and very often that relates to emergency access.

**Mr. Berte:** We did have conversations with the fire department last year. And one of the thresholds they told us they needed was to be able to make sure that, okay – since this is not

a 24-foot wide road, it's 16 feet – we need to be able to have our outriggers out on an area where we can support our truck. One of the other benefits of climbing a little bit faster and maintaining the existing pitch of Pearl Street at 12 percent was it gets us to that higher plateau to allow that area for the emergency vehicles to have their room for those outriggers. Also, flattening out Pearl Street in front of the property gives us a way more advantageous design for stopping the runoff from going south as it does now, uncontrolled. Right now it's just draining to the east without any controls. We're flattening it, which slows the volume, the velocity, of water going down. We're also collecting it and slowing it down.

**Alt. Boardmember Speyer:** Speaking of stormwater, so is there a possibility that you're actually improving the situation for water runoff compared to the current undeveloped state?

**Mr. Berte:** Yeah, one of the key features – the permanent key features, of this – you'll actually see what's not buried are these trenches along the front of the property. It's allowing the water to stop somewhere, direct it into a catchbasin, and then into a large volume for it to meter out slowly and take advantage of infiltration. We do have some good soils in this front corner of the lot. Hahn witnessed that last year. We have a lot of rock, so the changes in characteristics of this particular site aren't as great as if you had a wooded, flat pasture. Your runoff rate is higher in the existing condition. But again, we were charged with meeting that threshold to minimize runoff to the predevelopment rate, and that's what this design includes.

**Attorney Whitehead:** And given that the plan has changed, it's a good idea to go back to the fire department.

**Male Voice:** Yep, no problem.

**Mr. Berte:** I can run – I can draw – a fire truck coming up and what that movement would be. So I actually I think I have it, I probably just didn't include it in the set. I'll see if they want that.

**Bldg. Inspector Minozzi:** I'll send your application to the fire department and ask for comments.

**Attorney Whitehead:** And is the board comfortable that you understand sort of the access where it comes in, where it's steep?

**Boardmember O'Reilly:** Think so.

**Chairperson Alligood:** Okay, then we'll wait for that additional feedback from the fire department and Hahn's memo, and then we'll come back.

**Bldg. Inspector Minozzi:** And Pat's memo.

**Attorney Whitehead:** And respond to Pat's memo.

**Mr. Berte:** Yeah, I'll go through those items and do an itemized response.

**Attorney Whitehead:** And we'll try to get you Hahn's memo.

**Bldg. Inspector Minozzi:** Yes, as soon as I get it I'll send it right to you ...

**Mr. Berte:** I'll also reach out to him separately.

**Bldg. Inspector Minozzi:** ... just like I did with Pat's memo.

**Chairperson Alligood:** Okay, thank you.

**Mr. Berte:** Yes, thank *you*.

**Chairperson Alligood:** So we have one new hearing tonight.

#### IV. NEW PUBLIC HEARINGS

**View Preservation Advisory, Site Plan Approval & Steep Slopes Approval for the demolition of an existing 3-family building and construction of an 8-unit residential project with one commercial space on (4) existing tax lots located at 425 Warburton Avenue & 0 Ridge Street. Said property in MR-0/2R-3.5 Zoning Districts and is known as SBL 4.70-52-7,10,11 & 41 on the Village Tax Maps.**

**Chairperson Alligood:** Again, this is another one that was before us – it went before us last year – and the application requires a rezoning of 0 Ridge Street to MR-O so the entire parcel can be used for the proposed project. The board of trustees referred this matter to us last year and agreed to have the planning board be the lead agency for SEQRA review. We circulated our notice of intent to be lead agency. No one objected so we are now lead agency and beginning our SEQRA review. So I'd first like to have ... again, I'm going to have Pat, our village planner, review the process and where we are. And then the applicant can present. This is on for public hearing so we can take public comments, but we really are focusing at this point on SEQRA issues.

**Village Planner Cleary:** That's right. This is an application that has several procedural components to it. As you indicated, there is rezoning of the property that's necessary for the back portion. That's a decision the legislative body has to make to the village board, subject to a referral. SEQRA is something we have designated our intent to be lead agency, so the environmental review is the preliminary step in all of this. There's site plan approval, there's a steep slope permit, there's a view preservation application. I believe there's at least one variance that's required for this depending on interpretation. So there's a lot of different boards that would be involved in this and there's a lot of different steps.

Just to be clear where we are tonight, it's simply dealing with the SEQRA issues. The applicant has submitted a typically well-prepared application that we would expect from the applicant. There's a full environmental assessment form. However, there are issues of concern to us with respect to this application. So we would ask the applicant to supplement the materials that have been submitted. For example, because we're not accessing the property from below some element of a traffic review is necessary for this application. Given the characteristics of the site, again another very steeply-sloping site, we want to have some understanding of the geotechnical conditions and I'm guessing that work's already been done by the applicant to develop the site. But we need to know is there rock, is there blasting that's necessary.

If you look at the plans, you'll see there's an awful lot of retaining walls necessary down below to make this work. So we need to understand the characteristics of the site itself with respect to geotechnical impacts and site disturbances, the amount of cut-and-fill. The same issue, we're using a narrow road to access the site. If thousands of yards of material have to be removed from the site that's an impact we need to understand a little bit better. The utility infrastructure, so sewer water, are the capabilities sufficient to accommodate that. We're talking about eight residential units. It's not a huge project, but it has an impact and we need to understand those issues and obviously visual impact of something like this.

In the past, we have had various methods of understanding the consequences of a new building – whether it's been balloons or physical models or 2-by-4s – that have replicated the edge of building. So gaining a physical understanding of what the building looks like actually in the field will help us with the view preservation recommendation in this case. That material would supplement the environmental review. Once in hand, that will give your board the opportunity to render a determination of significance, whether a negative declaration or conceivably a positive declaration. Typically we need more information to make a determination. We can't go any farther than SEQRA because it's a precursor to every other procedure that's necessary for this. So SEQRA step one: supplement the material to allow us to make that decision. Again, just as you said, we designated our intent to be lead

agency a year ago. That's been circulated to all the other agencies so now you're in a position to assume that role.

**Chairperson Alligood:** Great, thank you Patrick for walking us through that. There was a lot to it, this is a complex project. So thank you for that. With that, we will allow the applicant to make their presentation.

**Kristen Wilson, Marks DiPalmero & Wilson:** Good evening, chairwoman and members of the planning board. On with me tonight is Paddy Steinschneider and Harry Toung, RA, who will be going through a very detailed slide show presentation to refamiliarize yourselves with the property. This is an eight-unit residential-unit proposal, one of which is affordable. The one aspect of the project that Pat did not mention is that we are proposing also as part of this an approximately 3,600 square foot public park access area in the rear. The parking is off of Ridge Street and it will be accessed off of Ridge Street. In addition to the actual structure we are proposing several what I would call overall village improvements with respect to 0 Ridge Street – emergency access, similar issues with respect to a turnaround – that were just discussed in the application before.

**Village Planner Cleary:** Kristen, can I interrupt you? And there's also a commercial space in the front, right?

**Ms. Wilson:** Yes, there is a small commercial space you can see in some of the visuals here. So it is eight residential units, one of which is affordable, plus a small commercial street-level space. Really, without further adieu I'll refer to Paddy to go through the various slides. If you have any questions, happy to answer them.

**Chairperson Alligood:** Thank you.

**Padraic Steinschneider, Gotham Design:** I'm gonna ask you how much you want me to actually show tonight.

[Laughter]

**Attorney Whitehead:** In your terms, Paddy.

**Mr. Steinschneider:** Gotham is in Dobbs Ferry, with long connections here with Hastings. I always have to be very careful in this room 'cause my great uncle is looking over my shoulder. He really makes me toe the line.

[Laughter]

We think this is an exciting project. We think it's one that could do some of the things Hastings has been working hard to accomplish. You have active committees trying to create affordable housing. I think one of the things that's great about Hastings is that your understanding of affordable is a broader spectrum. That is not just a sixties or eighties, it might include hundreds, where it's very difficult for a person who works for a village these days to live in town. And they're at 100 to 110 percent of AMI. So when Kristen indicated one affordable, I'm actually ... we're doing the one that's required because that has limits in how we have to do it. But I'd like to actually see if we can expand on that and get into that kind of what we'd call "workforce housing" and have units that would do that as well.

We presented everything to you a year ago, and I'm sure you remember all of it (*if I can make this move, okay*), and I don't think I need to go through most of this. I mean, you tell me if I'm wrong. These just showed you where the property is and how it situates on the street. This is a survey. Some of the important things to figure out here is that this is two parcels right now, two totally independent parcels. One fronts on Warburton, the other fronts at the end of Ridge. Ridge Street is a remarkable street in terms of safety and issues. I do not understand how the garbage trucks function, so one of the things we've figured is that if we're gonna come in that way we should find a way of making the end of it be a place where people can turn around with like a pumper truck or something like that. The zoning on the front, Warburton is the MR-O, or "zero." I've never figured out if it's "O" or "zero." The back is the 2-R3.5. The MR-O is the one we're proposing.

**Bldg. Inspector Minozzi:** MR-O.

**Mr. Steinschneider:** Okay, the MR-O is the one we're proposing we change both to. My understanding is the MR-O is the more restrictive of the two so I think that would make sense. I remember a year ago when the village planner took a look at this and one of the comments I thought was a great one is that all the properties going north on this actually are the MR-O down to Ridge Street. This is kind of like if you extended Ridge Street straight through our property it's on that same size as would be the MR-O. So it's not a spot zoning kind of thing, we're actually extending the existing zoning down through the area so it matches the rest of the neighborhood.

This is just some context photos so you understand – you guys know this, I'm sure you've gone by there many times – and then the site which we were talking of steep slopes a minute ago and we were talking about site disturbance. One thing we're not going to be shy about here is site disturbance. This site needs to be disturbed right now. It is unstable in many areas; there was a section of stone wall that washed out in one of the hurricanes years ago. It would be great to get that all redone. So part of our concept is, as we extend the road down

onto this property we would be restoring that section of the stone wall, building a new stone wall at the base of this property so we could really stabilize this hillside and have a very robust storm drainage system. We're working with Michael Stein from Hahn Engineering and he has already, I think, submitted everything to get started with this. We have to see what Hahn has to say. I'm sure they'll have great comments. So the idea of disturbing the site is one we're actually trying to do; we're trying to fix it, we've kind of given you a context here in the drawings. You've seen all this on the drawings. I don't need to kind of walk you through all of it I don't think.

Harry is here with me, Harry Tounge, who's actually worked for Gotham ... 30 years ago?

**Harry Tounge, RA:** When Jimmy Carter was president.

[Laughter]

**Mr. Steinschneider:** And he then went on to work with a very prominent New York firm. He wanted to slow down so he wants to work back with us on projects. So he's involved in this, and one of the things he's taken on – which he'll talk about – is how we use that actually 10,000 square foot of area so we can get this kind of community park/recreational area. I know there are a whole bunch of quirky things we've got to work out on that. Obviously it's privately owned. What kind of requirements do we have to make that be accessible to the public? One of the questions that came up a year ago was, would it be possible for people – say, if they were walking to the train station – to come down that piece of property that this property owns that fronts up on Warburton, that's between the two buildings. And it seems like that would be viable. So that could any be a path that comes down. People would walk through the park and then walk out on Ridge Street coming down to the train station.

Again, it's Hastings. We're not allowed to talk about anything that doesn't have solar on the roof. We may be looking at geothermal. It's one of the things we would like to do. We have to see how that works with the costs. But it is coming down, becoming more viable. Our goal is to have a very NYStretch Code in Hastings, and we respect that. Also a member of the sustainability task force in Dobbs Ferry, and Nikki knows how to find me so we're gonna have to be very robust with that, too, and make sure we don't get in trouble.

We are under the coverage for building and for impervious. We did note that we have two variances which I think we need to take another look at. This is what the interpretation was: the eight we're proposing I think was assuming only the front parcel, which is now three. If we're combining the two properties into one I don't think we're gonna need a variance for the number of units. The 5-foot reduction for the front yard instead of the 10-foot that's required is actually picking up from the decision that this board made on the previous application for

this property.

**Bldg. Inspector Minozzi:** Correction. This board made a zero ...

**Attorney Whitehead:** Yes, this board supported zero. The zoning board pushed it back to 5.

**Mr. Steinschneider:** Yeah, well I'm a very timid person so I'm accepting what they like instead of trying the push forward to the zero. But if you want me to, I'll go for the zero. I think we've actually created kind of a nice space in front ...

**Attorney Whitehead:** Different zoning board now.

**Mr. Steinschneider:** ... which I think will be good. So this is just kind of a lot of the stuff. The floor plans, I'm sure you don't need to go through it. The units are good size, they're generous units, they all have views. The whole idea here was to create units that would have views, every unit – almost every room – having a view to the river. Very challenging to do, introduced a whole series of interesting geometries. Obviously the easier way to do this would be to have the units as blocks so you'd have four units or something on a floor smaller. You would have maybe two get the views, but I think the goal of getting them all to take advantage of that view is worth the effort.

One thing I'm showing here is that when we're building this the back portion of the lower two floors are actually embedded into the hillside so they're not sticking out. It does stick out down at the bottom, but basically what we're doing is following the topography and I'll get some drawings that actually show that. Actually, here you can see also the accessibility commercial unit, 431 square feet. I don't know if that's become a term of art yet, "ACU – accessory commercial unit." This is an area that has some small commercial. Having something in this building that would support that and have ... obviously, 431 square feet you're not gonna have something big. But you could have a small shop of some sort, which I think, you know, could give you just more activity. A woman in Dobbs just wrote a book about Jane Jacobs, which is directed towards middle school and high school students which is really ... it's actually worth getting. Rebecca Pitts is her name. So I read it, and I was realizing we need to have more of that; you know, more activity during the day. People are at work and people working now from home, the idea of getting buildings to be a little bit more active.

Here are the elevations showing the top left, the elevation up on Warburton. Bottom right is the elevation back from the river. That, of course, is stepping back dramatically. And then you can see it on the two sides, how that stepping works. We have worked this to get it so



we are under the sky plane. We have a couple of spots still that we have to finesse. It might just be not having a parapet in some areas. The line is a little deceptive. That line is actually at the property line grade. By the time we get to the building we are under it. And the only way I figured out to show that – I don't know if it's here – well, it'll be in a minute. I'll get to that. Here's actually the elevation showing the whole width of the property coming all the way down and how we're kind of fitting in retaining walls and controlling the site so this will be much more stable than what it is now.

Sections showing how we sit into the site. These are kind of interesting. The top line on each one of those sections is the sky exposure plane; you know, the plane that determines height. So we're actually getting down pretty good underneath it. You know, the only place we're tight is up in the front. But we are lower, and I will point out that the height was changed, it was lowered several years ago. So we're working with the new height, not the one that the previous application was working with.

Here's the drawing I was talking about. We paralleled the topography, set it at the permitted height and then saw where we penetrated. Right now we're penetrating with the elevator shaft, which I think we can eliminate by doing a different type of elevator. We have a skylight, which we'll see if there's some other way of doing that, and then the parapets. So I think we're in the right direction. We might be able to tighten that up a little. And of course I'm also pointing out that the buildings along the street are also breaking that about the same. Here are some renderings that show this is working. I know the last time we were here there was comment about the front looking like it was a garage entrance. I think it's really cool.

[Laughter]

You can convince me otherwise, but the idea of having something that sets in. So instead of having a canopy or something that comes out, in inclement weather you're waiting for somebody to pick you up you can be under cover and have it be something that kind of is a little bit of a different scale. And of course on the street you could stand opposite this building and say, Well, that's just a nice little rectangular building that sits in. This wall, on an angle, introduces the angle that governs on the rest of the building that's back behind. So it's kind of a whither and whence idea of cueing you to something that's going on. Front elevation of the building, there's the accessory commercial until on the right. That also has a little terrace area that can come out, which I think will be kind of fun. The landscaping would be a lot more intense. The problem is when you go more intense you can't see anything of the buildings. So this is down below showing how this all steps, follows the hillside down.

I don't think you want me to go into ... well, this is slopes. As Patrick pointed out, we're

gonna need to have Langan or somebody else who's a real geo firm come in and talk about what we're doing here. Because not only do we have the interest of this instability of slopes, we also have this slight improvement on the property that belongs to the county; the county trunk sewer line. I think it's really important we protect that. The pictures on Sunday news of when that breaks and the plume of sewage going below the George Washington bridge I think would be one I'd like to avoid. So the idea of really having people who know how to deal with that. It's makes it complicated. We did Livingston Ridge in Dobbs Ferry which had the exact same problem and it required some very sophisticated construction. But it's what's it's gonna take to make this site work.

This is view preservation. I don't think we're there yet. Do you need me to walk you through that? It's up to you.

**Attorney Whitehead:** Well, I mean, it is part of the environmental impact so it's up to the board if you want to take a look at it now. You're not looking at it from the technical view preservation standpoint, you're looking at it from the SEQRA standpoint of the visual impact of the project.

**Mr. Steinschneider:** Sure. I can fan through it pretty quick.

**Boardmember O'Reilly:** Yes, that'd be good.

**Mr. Steinschneider:** So the top is the existing photo, the bottom is what you see with the new building there. We took a lot of photos. You should have a hard copy of this which makes it a little bit easier to see. In this one you can see the building but we're seeing the building in an area where the existing trees block any other view. Same thing in this view. We are at about the same roof height as the neighboring building so it's not gonna stand up. It's not gonna be taller. It's not as tall, in fact, as most of the ones to the south; again, everywhere we're coming, obviously. Somebody pointed out to me the (unintelligible) through; we are gonna cut those trees down. When you cut those trees down the view would be a lot better. But I think we get to think in terms of what the view is now as the comparison, not what would happen if we gave you the most fabulous view, uninterrupted. We do hope the way we're approaching the building, though, we're also getting lots of people views because we do have places in the building where you're able to ... you know, people could have parties and things on the outside on the roof deck and their balconies to really be able to appreciate the river.

So just keep going with the same concept, we've got lots of trees that we're gonna block. There aren't really that many. Also here's one important point. We have an existing building that's on the property which is ... we're basically matching that building in height. So the

idea is that that's not including the parapet, I should point out. But the roof of it is the same height as that. Here you get a glimpse of where you are actually blocking a section of view where you get that view through there. If you go down a little bit you can see it again. But we took this from the apartments across the street, from a point where people could be walking along and see a very nice view. That would be lost. I think everything else is pretty straight with it. These are just ... whenever I do views I kind of like to show the other views that are not the water but what you're going to affect up and down. Then this is just a diagram that compares what you see now and what you're going to see when this is done.

The building across the street is the bottom dash line. If we don't have any building there, that's what you would be able ... you know, that's the only thing that'd be blocking you from that vantage point. If you look at the lower drawing, that's what the existing is and that's what we're matching and you don't need me to go there. So that's pretty much everything unless you want me to go into volume 2. Sorry.

[Laughter]

**Chairperson Alligood:** Okay, that was very thorough. Thank you.

**Bldg. Inspector Minozzi:** We are also waiting for Hahn's comments on this application.

**Mr. Steinschneider:** Yeah.

**Chairperson Alligood:** Okay, boardmembers. Any comments or questions?

**Alt. Boardmember Speyer:** One question. Did you way there's a roof deck on the top? It looked like there was solar panels, but there is also some space where people can stand.

**Mr. Steinschneider:** Right. To get under the sky exposure plane. I keep calling it that. I know it's not, it's just the height.

**Alt. Boardmember Speyer:** That's Dobbs Ferry.

**Mr. Steinschneider:** I know, it's riveted in my brain. The upper part where we are under with the top roof, that's got solar on it. There's another section that if we built that at the same height and had, say, two apartments on that level we would actually then be blocking, interfering with, the view. So what we've done is we've cut that out. And that has a roof that's at the floor below which is accessible to everybody in the building.

**Alt. Boardmember Speyer:** Okay. So the roof you can see from the front of the building,

from Warburton, is not going to have a deck.

**Mr. Steinschneider:** That's solar.

**Alt. Boardmember Speyer:** Yes, yes, that's solar panels.

**Mr. Steinschneider:** But the one on the side that gives you great views of the river, that's on the rest of that roof. Then every one of the apartments has a terrace or, you know, a porch deck, something on that side taking advantage of the view.

**Alt. Boardmember Speyer:** Are you going to have to have any utilities in addition to the solar panels? Any other kind of stuff on the roof, like air conditioner ...

**Mr. Steinschneider:** No, the only one that was ...

**Alt. Boardmember Speyer:** ... condensers?

**Mr. Steinschneider:** If we have one kind of elevator – have the penthouse for an elevator – the more I watch old meetings the more I'm encouraged to come up with a way that doesn't have anything that's breaking that sky plane. So we do know there's a type of elevator we could do that would not need that. The other thing was, you know, obviously we're thinking either VO or air-to-air heat pumps. But with the forms we have on the side of the buildings we have an area that's accessible to each one of the units. So our idea is – we checked out what the clearances are and everything for the ventilation – we can actually position those on the side. Then we're not putting them up on the roof.

**Alt. Boardmember Speyer:** Good. Thanks.

**Alt. Boardmember Martin:** You're extending Ridge Street, or is that ...

**Mr. Steinschneider:** The idea is to extend Ridge up on ... yeah, I didn't really pay enough attention to that. Ridge Street will come up onto this property and there'll be a roundabout, basically a big paved area that you can do an easy turn with a car and go back out. A pumper truck or a big garbage truck is gonna need to do a 3-point turn, but they can do that. They can pull up, back up, and go back up.

**Alt. Boardmember Martin:** No on any of your drawings, at this stage.

**Mr. Steinschneider:** It's on our drawing. It's on the ...

**Attorney Whitehead:** Site plan.

**Village Attorney Stecich:** Yeah, it's on the site plan.

**Alt. Boardmember Martin:** Oh okay, I'll have to take a look at it. So Charles, is that the same similar issue that we have with the other property? With them extending a street?

**Bldg. Inspector Minozzi:** What's the width of your street, your extension of Ridge Street?

**Mr. Steinschneider:** We're matching what's there now.

**Bldg. Inspector Minozzi:** Which is?

**Mr. Steinschneider:** Like 6 feet?

[Laughter]

No, it's narrow. I think it's like about 20 feet?

**Mr. Tong:** Twenty-some-odd feet.

**Mr. Steinschneider:** Twenty-odd. It goes in and out. It's a one-lane road.

**Bldg. Inspector Minozzi:** We would have to consider behind the building itself is ... the hook and ladder needs 26 feet for stabilization. It's something the fire department's going to have to ...

**Mr. Steinschneider:** Behind our building? We've got a great big flat area there.

**Attorney Whitehead:** That's where the turnaround is.

**Bldg. Inspector Minozzi:** I got you. I thought the turnaround was towards the park. The turnaround's behind the building. Okay.

**Mr. Steinschneider:** It's behind our building between ...

**Attorney Whitehead:** Paddy, can you just pull up the site plan maybe?

**Boardmember O'Reilly:** Did you say 26 feet?

**Bldg. Inspector Minozzi:** We *need* 26 feet. They have 20 on the street itself.

**Boardmember O'Reilly:** While were you doing that, did you say something about getting permission from the county for that extension or for that turnaround?

**Mr. Steinschneider:** No. We have to have a relationship with the county because we're building over their county trunk sewer line. So we're not putting any buildings on it. They don't mind paving. In fact, they would love to get access to some of their manholes, so this helps them. What you can see in this is Ridge Street comes up, you can pull up with a pumper. You can pull up, you can come out. But if you came in there with your hook and ladder you'd be able to set that up and have plenty of room with the outriggers and everything. That should be about 45 feet of paving across there. Then we have the cars.

**Bldg. Inspector Minozzi:** I would just refer to Linda and Pat when we want this to actually start getting attention from the fire department.

**Village Planner Cleary:** We're not quite there yet.

**Bldg. Inspector Minozzi:** I don't think we're at that point yet.

**Boardmember O'Reilly:** And parking for the units is inside, or is it ...

**Mr. Steinschneider:** We have eight parking spaces inside, we have four parking spaces outside. So we have a total of 12 parking spaces for a total of eight units, and I think we're just over what the requirement is.

**Boardmember O'Reilly:** Are we going to get into that issue where people don't use their garages, use it for storage and park somewhere else?

**Attorney Whitehead:** They're not garages

**Mr. Steinschneider:** These aren't individual garages.

**Boardmember O'Reilly:** They're individual garages.

**Attorney Whitehead:** No.

**Mr. Steinschneider:** They're not. This is one ...

**Boardmember O'Reilly:** Oh, it's one garage.

**Mr. Steinschneider:** It's like a parking garage. And we do have bike storage and other stuff in there too, but ...

**Boardmember O'Reilly:** Well, they don't have much of an option if they're not going to use their garage.

**Mr. Steinschneider:** Right. They'd be leaving stuff or else they'd be all getting together and building up little partitions. But we have included ... we have all these kind of dead basement areas in the front of the building. What we've done is given every unit a storage room that's about 10 by 15 feet so people who have other stuff they can put it in those rooms instead of taking up the space down below. So if there's no other questions, if you want to make a motion to approve it?

[Laughter]

Not tonight, okay.

**Chairperson Alligood:** Just a reminder of where we are ...

**Attorney Whitehead:** Not approving (chuckle).

**Chairperson Alligood:** ... we're not approving, we're making sure we collect all the questions, the things we want to review and determine what's significant SEQRA review.

**Attorney Whitehead:** Pat has identified.

**Chairperson Alligood:** Yes, identified them. We've asked some additional questions.

**Boardmember O'Reilly:** Can we do the public?

**Mr. Steinschneider:** Yeah. Pat's list, I think, is a good one. It gets most of the things I would've thought. And what we are hoping to do is be able to provide reports. That once you see the report you say you got questions answered, we can neg dec this.

**Chairperson Alligood:** I see there are people in the audience. If anybody from the public wants to comment I welcome them to come. I am going to say – since we have a lot of people here tonight – we have another big project. I'm going to say come and say your thing, and then if somebody comes up and has the same thing to say just say, "I agree with that," or, "I want to underscore that." Don't go through the whole thing again 'cause we'll be here 'til

midnight and we can't do that.

**Attorney Whitehead:** And you will have many more opportunities. We are at the beginning of this process.

**Chairperson Alligood:** So I'm going to ask you all to just, you know, succinctly make your point. And we do listen, so come on up where we welcome you. You just need to say your name and address.

**Joseph Sayre, 24 Ridge Street]:** Ridge Street, as he mentioned, is a one-lane street so there is no possibility ... I don't know when the last time you guys tried to drive a car into Ridge Street. Eva?

**Boardmember:** A couple weeks.

**Boardmember O'Reilly:** When I went to look at the site.

**Mr. Sayre:** So it's not a two-way street then. You know.

**Boardmember O'Reilly:** It's not a two-way street.

**Mr. Sayre:** So if there's trucks coming out of the street and people trying to drive in, all of a sudden the street becomes too long; it's no longer just a little lane, which it is. We have blind turns. We already have parking problems. It's clear that it's a nonfunctional street. Unless we're getting rid of parking on Ridge Street I don't see how ... maybe the traffic study resolved it, but I don't see how two cars can make passage simultaneously. And maybe that can be addressed.

**Camilo Lacruz, 435 Warburton Avenue:** Our driveway is right at the beginning of the proposed extension so I agree with everything you said. In addition to that, Ridge Street is full of multi-family buildings which makes it even more challenging from the point of view of both foot traffic and the number of vehicles that already try to navigate the street. There's no parking regulation that people follow because it's already overcrowded. It can take up to 20 minutes sometimes to take your kid out to the school in the morning if there's someone trying to enter the street. And as I mentioned, our driveway is at the very beginning of the proposed extension. That lane is gravel, red stone gravel, at the moment. It's no more than 6 to 8 feet wide. It like leads straight to the cliff. We would also be very curious: a lot of the photos they showed are taken from that particular space. It does not feel like you could like extend it to the point where you could like fit a truck to go in there.



**Jiney Asthappan, 15 Ridge Street:** Agree with both men on their point of view as well as where are the visuals on this. I'd really like to understand how they plan to put ... but we can't get a fire truck in now. Like I'm glad you can get a fire truck in this space but we couldn't get ... there was a person who had an accident, we couldn't get the fire truck in. Cops ran into 22 Ridge Street to get the child out. So I don't see how, even if the property can create this great space at the end, how anybody's gonna get there. Thanks.

**Rosemary Lasche, 28 Ridge Street:** I would like ... there's much concern about pedestrian safety. It's a very unsafe street as it is. There isn't sidewalk on parts of the street, and the traffic and people speeding. And there's a lot of children living on the street in the apartment houses at the end. And I'm very, very concerned about pedestrian safety, of what this project would do with increased traffic, people not being able to get through and nowhere to walk. Thank you. And I agree with everything that has been said.

**Jim Metzger, 427 Warburton Avenue:** I live in the house that's directly north of the property that you're considering. So I have a number of questions to ask, a number of comments. The first actually has to do with road access, but it's a little bit different than what's been talked about. When 435 Warburton was being developed – I don't know, 8, 10, 12 years ago, whenever it was – they were looking to actually build a street to extend Ridge to the back of that property. What was determined at that time, because there is a county sewer line underneath that dirt portion of Ridge Street, was that trying to put any sort of heavy vehicle on there without proper reinforcement was gonna become a huge problem. And when the original building at 435 was looked at they were talking about millions of dollars to reinforce the downslope, to dig up that trunk line, and then to reinforce that so you could get a fully loaded garbage truck or a hook and ladder over there without collapsing the line. It's not just a robust study that needs to be done. I believe that needs to be turned into an actual major street in order to support the traffic that's gonna be going on there.

The cars are the least of the problems. We talked about fire department access, and I know the fire department will weigh in on whether they can do their turnaround, especially with the hook and ladder. I've been told there's no way to fight a fire in that project directly from Warburton; they do need access from below. So it's something we can't say, Well, we hope we won't need it. It absolutely has to be looked at and I know our fire department will do that.

One of the other issues I have personally – and this has to do with the subject, the siting, of the project and the way it's being designed with that commercial property – they have a window facing to the north with a small patio. Well, that's gonna be overlooking my front yard and I'd like the architect to consider removing that window and that patio. It's not a public space, it's actually looking into my front yard. My house is set back from the street

about, I'm guessing, 35 or 40 feet. I want to make sure, when the project's being developed, that the siting of my house and my privacy is somewhat considered. What's very nice is, this new project is gonna give me about 15 feet of space between my house and the new project. I'm appreciative of that, but I also want to know what the retaining walls are gonna look like between their project and my house because there's a huge variation in grade. My front yard is really recessed from the sidewalk and their project is gonna be going all the way down alongside my house; I just had to redo my back deck.

I have wonderful panoramic views during the fall, winter and early spring. This project is gonna severely impact my views to the south. So I'd like to make sure, when we consider view preservation, I invite the architect and developer to come up and photograph from my deck so we could see what the disturbance to my view will be like. I'm appreciative of the fact that this project is going to be stepping down as it goes down the hill, which will minimize the impact. It will still be a significant impact to my house.

I have one other thing that was raised tonight: heat pumps. We have eight units going in there. If there are eight heat pumps going in there – if there are eight heat pumps going in – they're on the side of the building that faces my house. I'm gonna be living with that for the rest of my time in Hastings. I would prefer we try and figure out some way, siting for those things, so when they go in I don't have the sound of air conditioning blowing into my house whenever the weather gets warm. So I'd like to make sure it's not just something that's an afterthought, that we have a space and we'll put it here. I'd like them to consider what the effect of that noise will be on their neighbors. Thank you.

**Gato Gallalego: 9 Ridge Street:** I just want to second what everyone said, especially about 9 Ridge Street. I do not see how we're going to fit more cars. It's a one-way lane so a turnaround doesn't help if you have two cars like facing each other. So I'm not sure how that works. But the new thing I want to add is actually two things. I think the first for me is noise pollution. When you have delivery trucks on our street you hear them already. We're a really crowded street already. So if we become a delivery hub for a building on Warburton and they're coming down my driveway I'm gonna hear it all the time. And I'm actually 12 weeks pregnant. I came to Ridge Street because I wanted to raise my family on a street that was quiet and that felt like a family unit. But if it just becomes a hub for that building to drive up and down my street, that's not what I wanted when I bought my house.

Second of all, I use ... they want to give us a park, but we actually have a little park at the end of the street. Whatever that is – I don't know who owns it, we as a community – I walk my dog there, I know a lot of us use it. So we already have greenspace that we as a community use at the end of our street and they're just gonna build over it. So it's nice that they're offering a park, but honestly we already kind of have one for us that I use all the time

and I know my neighbors do, too. So, I mean, please really consider this because it's not fair to us.

**Danielle Goodman, 445 Warburton:** My property is a long, skinny lot. It starts at Warburton but it ends on Ridge Street. Mr. Sayre is my Ridge Street neighbor, and I agree with everything he says. I wanted to speak to the flooding that already exists on Southside Avenue which pours down from some point on Ridge periodically. That blocks – that flooding blocks – the road leading to the municipal garage, the fuel depot for police and fire. During storms the DPW is our navy. They bail us out, they drive all over the Village to pump out our basements and help out. So I want to speak to the tree removal, the disturbance of the site. There are many ... at the lower edge of Ridge Street, the southern edge of Ridge Street where it ends, are many mature trees. I'll remind you that trees stabilize hillsides and act as a natural stormwater reservoir. One mature tree will store on average 40,000 gallons of water free of charge, no engineering required.

It's mind numbing to hear the applicants talk about the kind of work they're gonna have to do. It really needs a major engineering feat. My question is, who will maintain that engineering feat after it's built, after Ridge Street is extended? Who paves it, who's gonna pay for the retaining walls? Our village is hard-pressed right now. We have staircases that are crumbling, we struggle to maintain our infrastructure. And as a taxpayer I would like to not take on more in order for applicants who are gonna build million-dollar units.

I like the notion of workforce housings. Many of us landlords, our buildings are the workforce housing. So flooding is a concern, the environment's a concern. When the MR-O generic zone was passed it was neg dec'd, so there was no environmental review of the underlying generic zone. I thank you, particularly the chair who has so many years of experience at this. I feel we're in good hands in your maintaining the standards of the environmental review that's required.

I just want to say there is already a park there. We walk there, eagles sit in the trees there. The eagles have returned. They hang out behind their condos, they're at the riverside, and they fly right up Ridge Street and sit at the end of the lane in these beautiful mature trees. So please take care of us, and I appreciate all your hard work.

**Zuri Rice, 435 Warburton Avenue:** I wanted to second, of course, everything that everyone has said about congestion on Ridge Street. I also wanted to second, as we talk about these retaining walls and kind of that maintenance of the retaining walls, that we've already had an incident right off the edge of where our driveway was. Because it's very narrow, there was an Amazon truck that went over. We have still ... I mean, it's an ongoing process for us to still like know who's in charge of that retaining wall, is that retaining wall

still good, is it being fixed. It's not the town's, like we completely understand. It's like is that MTA. So I think just adding more and more retaining walls as time goes on it's kind of unclear. Who is maintaining those is kind of already a challenge, especially with all the environmental things that are going on. It's just a concern that we would really love addressed of like all of that, especially when we're going to have a very narrow road that probably will have some people that don't quite maneuver it correctly, especially as it just starts.

**Chairperson Alligood:** Anybody else? I don't want to go on too long, but you want to just answer the question about maintaining the retaining walls? My understanding is this proposal is for this to be maintained as a private property, correct?

**Mr. Steinschneider:** Correct.

**Chairperson Alligood:** And if not, then that's an important point for us to clarify tonight.

**Mr. Steinschneider:** Right, that's the intent. It's not always as easy as just saying it because obviously there's a portion of this street that's being extended that we don't own. So that needs to be something that's worked out. I don't know if that's complicated, I don't think it should be. The retaining walls are mostly on this property, but there's one section where it was damaged in the hurricane, that washed out, that needs to be rebuilt. I mean, there's no comments made I disagree with. I think they're all very, very much the point of what this is about. One difference I'm looking at that's maybe from ...

**Attorney Whitehead:** Speak to the board, please.

**Mr. Steinschneider:** Sorry. Well, they're nice people.

[Laughter]

**Attorney Whitehead:** They hear you.

**Mr. Steinschneider:** I don't tend to look at things – and there are people who know me having this fault – as though I'm working for the guy who owns some property and he's gonna pay us money if we do something. I'm really ... what attracted me here was the opportunity of actually trying to fix something because I think there are a lot of things that are broken down there, not the least of which is the instability of the site. Yes there are good trees down there but there are a lot of trees that are not in great shape there. Having a really good planting plan and establishing it is gonna be critical to the way this works. It's

absolutely true there's nothing that stabilizes a site better and does more to absorb water than having a really good planting plan with good trees that do it.

Some of the questions ... one thing that confused me a little bit is when people are talking about the park. I think that's the private property.

**Chairperson Alligood:** Yes, that was my question, too. So that's private property.

**Mr. Steinschneider:** I know I can't turn around and look at them so I won't, but what I'm thinking we've done is noted that that seems to be how that's being used. So instead of us saying we're gonna create our own little thing here, we are required to have 36-hundred square feet for the building. But if we do something that makes that whole area totally legal – that people can come there and do stuff, do more, walk their dogs and have fun and little parties and stuff – that would be great. I mean, all the comments ... I didn't write anybody's name down, I only wrote down the comments. The deliveries are probably the easiest one to solve. Because I agree. Having the delivery trucks go down that lane to get to this building would be just silly. So any deliveries should be to the front door on Warburton where there is a place that people can park already. In terms of parking, there was parking on the street was going to be lost for the previous design. We're not taking away any parking spaces, we're actually adding on the street. So we're hoping that does make things better.

**Alt. Boardmember Speyer:** Just one other question along the lines of delivery. Trash pickup: are you anticipating trash pickup in the back along Ridge Street or in the front on Warburton?

**Mr. Steinschneider:** I'm not sure how the ... I think we need to meet with the ... just like the fire department, I think we need to meet with the DPW and say what's the best way for them to do this. Because driving the big trucks down that street, I feel uncomfortable in my Escape, you know. It's like I can't imagine a dump truck or a garbage truck coming down there.

**Alt. Boardmember Speyer:** Well, if you do it in the front, subject to the ...

**Attorney Whitehead:** The garbage trucks are going down Ridge Street already.

**Alt. Boardmember Speyer:** Yeah, you can't tell them where to go.

**Attorney Whitehead:** And they're probably going to come in to this to turn around.

**Alt. Boardmember Speyer:** Which is better than the existing. Okay.

**Mr. Steinschneider:** The goal is to have everything that we do make it better than it is now, and I think there are people there sitting behind me who will make sure.

**Chairperson Alligood:** Yes. Well, that's the point of the process.

**Boardmember O'Reilly:** I just got one question. Is parking on Ridge Street unrestricted for residents?

**Mr. Steinschneider:** It seems like it is. I mean, a lot of cars park there.

**Chairperson Alligood:** We don't have any parts of Hastings where you can only park on the public street with a permit or something.

**Attorney Whitehead:** It's not permitted parking.

**Boardmember O'Reilly:** How many residents park on the street?

**Bldg. Inspector Minozzi:** It's open parking.

**Boardmember O'Reilly:** Open parking. All residents, I guess, park on the street. Is that true?

**Mr. Steinschneider:** It's very tight.

**Boardmember O'Reilly:** I can bet it is, yeah.

**Mr. Steinschneider:** And maybe what we could do – it wouldn't be the first time – the traffic study can also include a parking study and see what peoples' patterns are at this point. And are there ways it could work.

**Boardmember O'Reilly:** Because right now it sounds like an adventure to live on Ridge Street.

**Attorney Whitehead:** This isn't a traditional traffic study. So we're not asking you to look at and analyze the impact of 20 different intersections. This is really about Ridge Street and it's about the number of cars, the amount of traffic, the existing conditions, how they're going to be impacted. I mean, you can speak with Pat, he'll talk to you about, you know, what we really want.

**Mr. Steinschneider:** What I'd also be hoping is that a lot of comments – and obviously somebody's coming up here, they're talking as brief as they can to make their point – if people want to provide letters giving us more of an understanding of what the real concerns are, that helps us.

**Chairperson Alligood:** That's great. Just so everybody knows, the process is we take all the feedback, keep asking the applicant questions. We try to problem-solve, we see if we're satisfied. That's the point of this process. So all of this is not only being taken into consideration by going straight to the applicant to try to problem-solve.

**Mr. Steinschneider:** If it wasn't hard I would be interested (chuckle).

**Chairperson Alligood:** Okay, thank you. So we look forward to getting the additional information, and we're done with this project for tonight. We needed to collect that information. We have one more discussion item for tonight. And if everybody could just be quiet on their way out 'cause we do have one more application. We want to be considerate of the *[public participants leaving chamber]*... you guys can take your conversations outside 'cause we still have one more project and we really do want to get through that and be respectful of the last applicant.

## V. DISCUSSION ITEM

### Electric Owl Studios – Continued SEQRA Review

**Chairperson Alligood:** Actually, this is a discussion item. We don't even have the applicant here, but it's important for us.

**Attorney Whitehead:** We have a representative.

**Chairperson Alligood:** Okay, we have a representative of the applicant, we don't have a formal presentation. What it is tonight is the Electric Owl SEQRA review, which is following the joint meeting. The applicant was provided with additional comments from the Village and its consultants and made a submission response. The purpose of our discussion tonight is to provide the board of trustees with any additional comments we have for them in relation to the SEQRA determination of significance, which they will be discussing – that is, the board of trustees will be discussing – at a future meeting.

Tonight we're not dealing with site plan issues here but just the environmental impact. That's the stage of the project we're at: we're determining the environmental impact. So Pat? Once

again our village planner Patrick Cleary has prepared a memo going through the comments and what was submitted. So I'd like you to take us through that, and the applicant has a representative here in case we have any questions.

**Village Planner Cleary:** If you remember, we had a joint session with the Village board.

**Chairperson Alligood:** Yes, we do remember. Nobody will forget that.

[Laughter]

**Village Planner Cleary:** What came out of that is a synthesis of comments that were delivered that evening; written comments, comments from staff, consultants. There were basically 28 comments that needed to be resolved by the applicant. To the applicant's credit they did a very good job of responding to the commentary, so you received all their responses. The memo I provided to you is a summary of their responses and how responsive the responses were. So essentially, most of the primary issues were satisfactorily addressed. Hahn and our traffic consultant, Sam Schwartz, had been interacting with the applicant back and forth so there has been an evolution of the response to many of those comments.

There are still some issues to be tidied up, but by and large the primary issues have been responded to. That doesn't mean you're accepting them, that doesn't mean the lead agency is comfortable with them. It's that you have enough information to make a judgment with respect to those issues. Some of the primary issues that were addressed related to, for example, the size of the parking garage. So the applicant has reduced the size of the parking garage, they've shifted it closer to the Graham School property, thereby reducing cut-and-fill and amount of excavation that's necessary for it. It's still a big parking garage so the conclusion that it's an acceptable parking garage in that location hasn't been made. But the applicant heard the criticism and did their best to respond to those issues.

There was concern and commentary about the amount of parking that was devoted to the school. It seemed to be excessive. They went back, have reevaluated that and reduced the parking necessary for the school. We did talk about the necessity of surface parking in front of the school. They need that area to circulate school buses and do pickups and drop-offs, which are a normal occurrence. So they couldn't reduce that area. There was commentary ... one of the issues that is sort of to be resolved relates to pedestrian circulation. They gave a response and they showed elaborate internal pedestrian circulation that worked, which is great, on the inside of the campus. Our concern really was integrating the campus with the rest of the community.



So they have two connections out to Broadway, and the sidewalk sort of just peters out. It goes to the bus stop, it's about 10 feet on Broadway. If you look to the south in front of the preserve there's a nice sidewalk that goes all the way into Yonkers. It stops as you get to the site. And there is no sidewalk all the way up past this, past Andrus. There's a church, there's a lot of community facilities in this area, and there's a bunch of bus stops along there. There ought to be a sidewalk that continues up Broadway. So that's an issue we may want to press the applicant on. And that's an issue where they chose not to do that, so collectively we may want to push them to do that.

There were issues of concern related to the appearance of the studio buildings; for example the big wall on Dudley, that's an issue. We had discussed options to move the buildings, shift the studio buildings further into the campus. There are limitations to what the applicants believe they could do in terms of their design on the campus. They've come back and said this is the best we could do. Those are examples of things where there may be tension, in your opinion, with respect to the suitability of the proposal and what the applicant needs to achieve at the end of the day.

Most of the technical comments – most of the site distance issues, the traffic-related issues, a question of a light at the intersection – DOT's provided an opinion which is it doesn't meet warrants, we can't do it there. So there were a number of issues that were resolved through the technical review issue, and that's probably more than three-quarters of the commentary that was delivered originally. Again, there's a few comments leftover, some issues that need clarification. So that's really the summary of where we are. My conclusion is the applicant has been doing a diligent job to respond to the issues. We're getting to the point where collectively both boards need to start making decisions on whether it's acceptable or not.

**Attorney Whitehead:** Again, we're at the SEQRA review point. They're going to be coming back to you for site plan, you're going to be getting into a lot of the details of the site plan at a later date. The Village board is the lead agency on this one, as you'll remember, but they've asked for your input. That's why they had the joint meeting. They are getting ready to come to the point of making a decision on the determination of significance under SEQRA. So they want, again, for you to say are you satisfied with the information that's been provided. Are there areas where you think we still need more information, is there anything that's still a concern to your board in terms of the environmental review.

**Chairperson Alligood:** I'm going to let others start, but I think what we're doing is highlighting what our concerns continue to be and whether we think any more information is needed even to say what our concerns are. Those are the two main things. So I'll let boardmembers weigh in. Any comments?

**Alt. Boardmember Speyer:** I'll just say I've been following this. Even though I haven't

been at all the meetings I've been reading all the materials. I've read all the submissions. I've been following this, lurking in the background, and I'm satisfied. I don't have further questions and I'm satisfied they've addressed the issues that've been raised, as Patrick said.

**Boardmember O'Reilly:** I was going to say I like the back and forth between Hahn and the applicant because they have been very responsive. And I would imagine that it seems there's no reason to expect that would not continue.

**Village Planner Cleary:** And I'll say, Bill, that the back and forth that's going on in many instances is site plan issues that are down ... we shouldn't be dealing with them, but they're elected to deal with them now. They're risking doing more work than necessary if the project goes in a different direction (chuckle). So they're taking a risk. It's a good move.

**Boardmember O'Reilly:** I was pleased to hear that the parking garage has sort of come into a little focus. I know there was concern, details expressed, about that at the meeting we attended with the board of trustees.

**Attorney Whitehead:** You're still going to have a chance on site plan approval to massage that garage.

**Boardmember O'Reilly:** The other thing too, I think there's an issue about Dudley Street façade, the building backing onto Dudley Street. But I know there's two issues there. There's what it looks like, and the 50 feet as opposed to ... the 50 feet, that's one thing we'll discuss. But one of the things I was thinking was that we had an issue about the greenhouse down at Harvest on Hudson where there was concern about a sturdy brick wall or something like that. But can we get it resolved by very clever planting, which means you didn't stare at a big brick wall? I think in that regard I'd be interested to see if that proposal will hash out that sort of.

**Attorney Whitehead:** You've got a number of exhibits – and I apologize, I sent you some additional things this afternoon – and there was a little mixup on what documents were included. But they have a full packet that was one of the attachments I sent you on the visual impacts. So yes, they have proposed a pretty significant planting plan, screening plan, for those studio buildings on the Dudley side.

**Village Planner Cleary:** And one of the things, Bill, they're taking advantage of is not only is there ... there is a distance – it's not abundant but it's some distance – that would support planting. It's not as though it's a narrow strip where the trees are all going to die because it's too narrow. There's a sufficient place to ...

**Attorney Whitehead:** The 30 to 50 feet.

**Village Planner Cleary:** Exactly right. There's also a change in topography – in some instances fairly significant – which could play into a beneficial visual mitigation measure. So they have things to work with, and I think once we get to site plan issues we can sharpen our pencil with respect to some of those things. The primary issue was could you move it away. And they basically came back and said the way the campus has to work we really can't do that.

**Boardmember O'Reilly:** Yes, I can understand that.

**Attorney Whitehead:** That had to do with the administration building and the circulation road.

**Boardmember O'Reilly:** When it comes to the circulation road, if I was understanding some of the diagrams it seemed like they were contemplating plantings along the roadway.

**Village Planner Cleary:** Yes.

**Boardmember O'Reilly:** And I was wondering if they had the room to do that.

**Village Planner Cleary:** I think they do. There's abundant space in between the school. There's a central quad, for lack of a better phrase, and I think the intent of this is to create a park-like setting for Leonardo DiCaprio to wander around between shots, you know.

[Laughter]

So there's a sincere effort to create a unique, competitive advantage here. Across the border there's a lot of new movie studios so Electric Owl is trying to distinguish itself in the way it's creating this campus, which is quite unique.

**Boardmember O'Reilly:** My last comment. One of the last things I was pleased to see is that they said there will be ... they are providing certain materials for any tenant – what they call the grip (unintelligible), a lot of that – on-site. So a lot of the things don't require these special trucks coming in and doing that.

**Village Planner Cleary:** Right. That was a big concern to us at the beginning, Bill. And Sam Schwartz, our traffic consultant, has been heavily dealing with it. We didn't know how a facility like this operates, how many trucks come to a facility like this. The short answer to that is not a lot because everything's gonna be here. When Bill comes in to make a

production, everything's there. You rent it from Electric Owl, that's how they make their money. But it's all there, it minimizes the back and forth of all that equipment.

**Chairperson Alligood:** I'm going to let you finish.

**Boardmember O'Reilly:** I said that was my last, this is my last. One thing I didn't sort of address and keep wondering about is I know there's trash and things to go. But what happens when you're breaking down after a movie? There's a lot of material there, and that could be a *major* excavation of material out of there at that point. And maybe there's some need to address it.

**Village Planner Cleary:** There is, Bill, and it's a curious thing. I have a friend who's in that business in Broadway and you don't reuse a 2-by-4 once ... the union requirement is it goes away. So it's a disruptive use of resources.

**Chairperson Alligood:** I just want to make a point about the comment that they're doing things differently in having all this equipment so less has to be brought in. They're doing things differently. Usually all that is rented, and it's true there's a lot of trucking required to bring everything in. There is a question about the power needed to service all that equipment. I think there's an open question about whether what they have on-site can really service what they're proposing, and that's a big, big question. Because if it doesn't, traditionally a lot of movie studios bring in a lot of generators, so that's one thing. That would be a big impact. It's a question I think needs to be proposed to the applicant. How they propose to service all that equipment and whether generators will be needed and how many. But basically yes, the impact of those generators.

**Village Planner Cleary:** And there's a potential to answer that because Con Ed services the site and Con Ed's infrastructure has a capacity of X. If this site needs X-plus-10 we have an issue. And that results in generators and so forth. If Con Ed has the ability to support X-plus-10 ...

**Chairperson Alligood:** Which is why usually a lot of these studios need generators because the amount of power needed is huge. So that's just something I haven't heard discussed and I want to make sure we address it. That's something to pass along to the board of trustees.

**Attorney Whitehead:** And the applicant's representative, I'm sure, has been writing down furiously.

**Chairperson Alligood:** We're not done with our comments, but we'll let you comment on that one (chuckle).

**Maximillian Mahalek, Cuddy & Feder:** Understood. Thank you Madam Chair, members of the board, staff. I'm here on behalf of the applicant, Electric Owl. I just wanted to cite, for the discussion, electricity demand. At page 53 of the September 14 environmental assessment part 3 supplement there is a discussion about electric demand. There is the citation to Con Edison, server of the site. There will be a confirmation on Con Edison moving forward that service can continue to be provided, that it's sufficient. But just a note here that there is solar infrastructure articulated in this part 3 supplement that showed up to a potentially 72 percent offset of the annual electricity demand for the production going through all the phases of setup, to the short days of the intense production, and wrapping up at the end of the year. I just wanted to note that the EAF has articulated this topic and the applicant feels comfortable that the electricity demands can be satisfied on the site. But of course as part of finalizing things with the board of trustees and the lead agency we can have those clarifications articulated.

**Village Planner Cleary:** And that's a great point, Max. If 70 percent of the energy is being generated from solar facilities and we have a cloudy week it's not 70 percent. To Eva's point, how are you supplementing that? It's a significant issue that requires us to dig into it quite significantly.

**Mr. Mahalek:** Understood. And we'd be happy to clarify that as part of the environmental review process, working with your building department and the lead agency.

**Chairperson Alligood:** Yes, and what I would say to the board if they ... there are some things we have outside studies done, or a review, just to make sure it checks out. So this is one I'm just going to flag. I want to make sure we are really confident on this one because it is a huge ... it could be very different from what we all anticipate if all of a sudden a lot of generators are needed.

**Mr. Mahalek:** Understood.

**Chairperson Alligood:** Thank you. More comments or questions? No? Then I have another one I just remembered.

[Laughter]

**Mr. Mahalek:** You have to ask yourself. "Eva, do you have any questions? "

**Chairperson Alligood:** Let me ask myself. I want to say I think there are quite a few things that have either been addressed or can be mitigated with some back and forth; you know, can

be massaged, I think, or brought to a better place. I continue to be concerned about that garage. And even though it has gotten a bit smaller, to me that's my biggest concern. Just the impact of a big parking garage, mostly the visual impact. And also just the idea that they're building something that large that is only going to be needed at certain times, it's an overbuilding. I think partly my understanding is, because of what the school has articulated their needs are, we raised this – and my comments, at least in other meetings – saying why would you want to build a parking garage when you could just, you know, occasionally use the space.

**Village Planner Cleary:** I went back to see. There was commentary from SHPO which was generally related to keeping the administrative building and photo-documenting the buildings. There was also separate commentary about impacts from the Aqueduct. I didn't see a conclusion to that. I saw the applicant saying we're working with them, we haven't heard back from them. That may be an issue that supports your concern if there are visual impacts from the Aqueduct that's being identified by the state. That would reinforce the requirement to reduce the size of the garage or modify it in some ways. So I think that's still an open-ended question.

**Chairperson Alligood:** Yes, I wanted to make sure to flag that. I'm not satisfied that just because they shrunk it a little bit that my concerns about the garage are addressed. They're still there.

**Attorney Whitehead:** And if I remember, I think Kerry had concerns about the garage, as well.

**Chairperson Alligood:** She and I, we were both on that. So those are our comments to pass along to the board, okay?

**Bldg. Inspector Minozzi:** You didn't ask *me*.

[Laughter]

**Mr. Mahalek:** Now you did it, Buddy.

**Bldg. Inspector Minozzi:** I'm good (chuckle).

**Chairperson Alligood:** Okay, we're not taking any action.

**Attorney Whitehead:** We will pass on ... yes.

**Chairperson Alligood:** I know we aren't taking action.

**Attorney Whitehead:** Yes, we will pass your comments on.

**Chairperson Alligood:** It's not a public hearing so we're not taking members of the public.

**Attorney Whitehead:** I think they're curious.

[Laughter]

**Chairperson Alligood:** All right Jim, come on up. You want to say something?

**Attorney Whitehead:** We figured you were curious.

**Mr. Metzger:** I'll make this very quick. Has to do with parking and electric. As we move forward, the requirement for charging stations for electric vehicles are gonna become much more important. We talk about the electricity to run the studios, we also have to start looking at the electricity to supply ...

**Chairperson Alligood:** That's a good point.

**Mr. Metzger:** ... toward the future of electric bills.

**Chairperson Alligood:** Good point, thank you for that. We hadn't thought of that one [laughter]. Okay, I think with that good point we hadn't thought of there are no other matters for tonight.

## **VI. ANNOUNCEMENTS**

### **Next Meeting Date – December 21, 2023**

**Chairperson Alligood:** Just want to remind everyone that our next meeting is right before the holidays, on December 21st, 2023. Oh, did you want to say something?

**Mr. Mahalek:** Madam Chair, thank you for allowing me ... just a quick question, just a question as to process. I understand these comments, then, are going to the board of trustees and then we will be before the board of trustees in the coming weeks to continue the SEQRA process.

**Chairperson Alligood:** Yes, they just sent a schedule for it.

**Attorney Whitehead:** There's been a lot of back and forth with Bill.

**Mr. Mahalek:** Understood. And I do have to highlight something Pat mentioned in the record I have to tell Bill. I've done more work than was needed, which I think I need to tell my bosses.

[Laughter]

They might be watching this right now. But thank you so much.

**Chairperson Alligood:** Thank you.

## **VII. ADJOURNMENT**

**Chairperson Alligood:** So with that, do I have a motion to adjourn tonight's meeting?

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

**Chairperson Alligood:** Thank you. See you all on December 21st.