

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
FEBRUARY 15, 2018**

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, February 15, 2018 at 8:15 p.m. in the Municipal Building Meeting Room, 7 Maple Avenue, Hastings-on-Hudson, New York, 10706.

PRESENT: Chairperson Kathleen Sullivan, Boardmember Eva Alligood, Boardmember Michael Ambrozek, Boardmember Kerry Gould-Schmit, Boardmember Richard Bass, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Planning Board Secretary Mary Ellen Ballantine

Chairperson Sullivan: Welcome to the Hastings-on-Hudson Planning Board for Thursday, February 15, 2018. May I have the roll call, please?

I. ROLL CALL

Chairperson Sullivan: I guess I didn't ask if the camera's up and running. Do we need to make sure?

Boardmember Ambrozek: Yes.

Chairperson Sullivan: Thank you. Excellent, appreciate that.

II. APPROVAL OF MINUTES

Meeting of January 18, 2018

Chairperson Sullivan: Next item up is approval of the minutes from our January 18 meeting. Any comments that people would like to give Mary Ellen?

Boardmember Bass: I can't vote because I wasn't here, so ...

Chairperson Sullivan: Very good reason for not doing it.

Boardmember Ambrozek: I have no comments.

Boardmember Alligood: I don't have any comments.

Chairperson Sullivan: I don't either, so that was good. We will pass over – if people don't

mind – and postpone the election of the chairperson until Kerry arrives.

Building Inspector Minozzi: We need a motion on the minutes.

Chairperson Sullivan: Excuse me, I apologize. May I have a motion to approve the minutes of our January 18, 2018 meeting?

Boardmember Alligood: I'm not sure we can do that.

Boardmember Ambrozek: Do we need to ...

Chairperson Sullivan: We will have to wait until Bill comes back.

Village Attorney Whitehead: You can't. You only have three of you.

Chairperson Sullivan: Jamie and Bill were there, so we ...

Boardmember Ambrozek: OK, so we have to move the minutes until next month?

Chairperson Sullivan: Or until Bill comes. I don't know what his schedule is. Because Jamie won't be here, then Richard and Kerry were not ...

Boardmember Ambrozek: What's the situation about trying to get a temporary replacement?

Village Attorney Whitehead: They are working on it.

Boardmember Alligood: An alternate?

Boardmember Ambrozek: An alternate, yes.

Village Attorney Whitehead: Well, you're missing a board member also.

Chairperson Sullivan: Do we have an alternate yet?

Village Attorney Whitehead: You have an alternate, actually, who's been out of town so he hasn't been here. They are also working on a replacement for Jamie.

Boardmember Bass: Who's our alternate?

Village Attorney Whitehead: I forget his name.

Chairperson Sullivan: Haven't met him yet.

Building Inspector Minozzi: Hold on.

Planning Board Secretary, Mary Ellen Ballantine: Last name "Martin"?

Chairperson Sullivan: I think so.

Building Inspector Minozzi: Let's see.

Boardmember Ambrozek: Ah, here's Kerry. Were you at the last month's meeting, Kerry?

Village Attorney Whitehead: Yes, she was.

Boardmember Alligood: No, she was not.

Village Attorney Whitehead: Oh. No, she was not. Sorry.

Boardmember Ambrozek: No, Eva was.

Village Attorney Whitehead: Eva was.

Building Inspector Minozzi: Richard Martin.

Chairperson Sullivan: Richard Martin is our alternate. We hope to meet him soon. I think he's away this morning and next, if I'm not mistaken. Get settled.

Boardmember Gould-Schmit: Thanks.

Building Inspector Minozzi: (Off-mic) just e-mail the Planning Board (mic not turned on) downstairs and print it out so Kathy can read it.

Village Attorney Whitehead: You know what? What time did it come in? It came in ...

Building Inspector Minozzi: Before the meeting started.

Village Attorney Whitehead: They're not going to ... I mean, it's not like anything getting's approved tonight, I assume ...

Chairperson Sullivan: I don't think so.

Village Attorney Whitehead: ... in one meeting. But if people want to see it.

Chairperson Sullivan: It is in reference to ...

Village Attorney Whitehead: 555.

III. ELECTION OF CHAIRPERSON

Chairperson Sullivan: We were going to go into our first item and wait for you, and do the chair election after the first item. So I think we will do the chair election. Is that good for everyone?

Village Attorney Whitehead: Here I go again.

Chairperson Sullivan: Thank you.

Like last month, we're going to do a ballot election. Michael and I are both ... have been nominated. Michael and I both were nominated to be the ...

Village Attorney Whitehead: They were both nominated last month. It was 3-to-2.

Chairperson Sullivan: Nominated to be chair.

Village Attorney Whitehead: My bet is it may be 3-to-2 again.

Chairperson Sullivan: I don't know, Eva suggested that we say a few words. I know Richard and Kerry were not here so perhaps we should do that again. Would you like to go ahead?

Boardmember Ambrozek: Sure. As I said at the last meeting, this position is not a political position. It's a position in which you help the Village in identifying how building projects should proceed.

I'm very much in favor of working towards more green-based construction; not just greenspace, but also energy – green energy. Dobbs Ferry was recently recognized as a green village by a variety of its actions in association with building construction, and although I don't need to see the same certification I feel that's a good direction to work in. That's where I sort of try to work, on the Planning Board.

Chairperson Sullivan: I think I'd like to just reiterate what I said last time. That I'm hoping to serve as your chair for another year. I think that's my goal. The reason being, there are things that happened last year that I think can be built upon to improve the process for the community as the Planning Board deals with different applications that come in. There are

certainly lessons to be learned, but when we put the Comprehensive Plan together one of the things we wanted to do was to try to make sure that the Board had the right materials to make their decisions, and also to make things work well for applicants.

I'd like to try to work on that process with Buddy and Linda and Mary Ellen, and try to make it ... I think there's things that happened last year with certain reviews that are good place to start. And like Michael had mentioned, it's really an honor to help the community as best we can to try to make a good planning process for people.

With that said, I guess we should do our voting and your associate will count them, as she did before.

Village Attorney Whitehead: Or I'll do it.

We're doing it again next month. We had a 3-0-1, with one abstention. You need more votes to win. I'm not going to fight with whoever abstained. I think it's better to do it and see if we get a fuller board. So for now, Kathy, you will continue.

Building Inspector Minozzi: What is the count?

Village Attorney Whitehead: Three-one and one abstention.

Building Inspector Minozzi: 3-1-1?

Building Inspector Minozzi: Sorry, 3-1-1.

Chairperson Sullivan: Three-one-zero. Thank you for your counting.

Next item up is our first new public hearing.

IV. NEW PUBLIC HEARINGS

Site Plan Approval & View Preservation Advisory – Application of Pam 555 Warburton Realty, LLC for the build-out of a vacant structure to create a mixed-use occupancy to include a restaurant on the basement and first-floor levels and two dwelling units and rooftop deck on the second, third and rooftop levels at their commercial property located at 555 Warburton Avenue. Said property is in the CC Zoning District and is known as SBL: 4.30-22-1 on the Village Tax Maps.

William Alicea, architect - Ward Capital Mgmt. LLC: Good evening, everyone. Do I

need this?

Chairperson Sullivan: Yes, you do.

Building Inspector Minozzi: Yes.

Chairperson Sullivan: What happens is – and that's part of your audience, that camera right there ... so maybe as you move the board it's being broadcast and recorded. We have a healthy home ...

Mr. Alicea: Is this OK to direct this like this?

Building Inspector Minozzi: That's fine.

Mr. Alicea: Starting over, I'm in-house architect for Ward Capital Management and I'm presenting tonight the adaptive reuse for 555 Warburton.

Warburton is a 1916 building, Victorian building, that's been existing since (unintelligible) here in Hastings. It's my understanding that it's been vacant for approximately 10 years. We have now endeavored to do what I consider the best use, adaptive reuse, of this building. That reuse is comprised of a restaurant on the ground floor, with an accessory use in the cellar; and on the second and third floors apartments, one apartment per floor – two in total.

We have actually added an additional addendum to this and would like to change the plan to include rooftop use for the restaurant. That's the only change.

Building Inspector Minozzi: The big change is going to be that now you're going to have to have two staircases and two ...

Boardmember Bass: Means of egress.

Boardmember Gould-Schmit: Egress.

Village Attorney Whitehead: So that's a change from what was submitted.

Building Inspector Minozzi: You're going to have to have two bulkheads on the roof now so that's going to affect your view preservation.

Mr. Alicea: Right. Well, to that point we're not looking to have an incredible amount of people on the roof. We'd like to minimize it to about 49, 50 people. The code – the current code – says if you're under a certain amount of people and travel distance you only need one means of egress. However, this is something that I think is open for discussion.

Moving ahead, I tried to actually overcompensate for the means of egress on the first and cellar floors. Also to introduce an elevator into the building for ease of use and for handicapped-accessibility. We've added an handicapped-accessible elevator which is huge, I mean big dimension-wise. You can fit a stretcher. From the restaurant level itself, first of all there are actually four different ways to get out from the first floor. From the cellar there are two different ways to get out – two means of egress – all with appropriate width for the number of people that would be using the spaces.

On the upper floor, we decided that instead of doing two apartments per floor or anything like that we just decided to make it a nice big open floor plan, 24-hundred square foot apartment, with that incredible window wall it has facing Warburton. We've actually tried to be sensitive to the center of town and just limited those second- and third floors to one apartment per floor, not trying to squeeze too many things in that basket. Also to make it a quality space.

Let's see. I can jump to the parking because that's an issue. The way I sort of sketched it out in looking at this, if we take the restaurant space as a whole, in total, my first go-round was that 25-hundred square foot is a square footage that doesn't require parking. So that's an as-of-right use. We can use that restaurant without parking. With that said, if I consider the cellar as an additional 25-hundred square feet, and I do the total computations for the required parking, I total it out to be 41 spaces. That's two spaces per apartment – that's four – and 11 spaces for employees, and the balance for the square-foot requirement of one space per 100 square feet. That totals to be 41.

Why that number is important is because we have the adjacent parking as 41 in the Chase Manhattan building, as allocated in the site plan, which shows the 30 self-park and 11 valet park. That totals 41, so just on surface we comply with the parking requirement if you agree with my statement that 25-hundred square foot is an as-of-right exempt for parking. But we're also wanting to use, to make the project viable, the cellar space as restaurant space as well.

Chairperson Sullivan: I think you have a lot of moving pieces so maybe you can explain what you're using these different levels for.

Mr. Alicea: Sure, I'll repeat it. Diagrammatically, it might be better to go through a section. So this is a building in section (off-mic). It's cut through the building and it shows the different levels. This will be clear. This board here is the cellar. This is the first floor, second floor, third floor. So you can see the first-floor restaurant. Second floor is one unit, third floor is one unit.

Chairperson Sullivan: And so the basement's being used as part restaurant and ...

Mr. Alicea: Yes.

Chairperson Sullivan: ... part kitchen, right?

Mr. Alicea: Yes. It's about an 11-foot floor-to-ceiling height in there. It's a wonderful space actually, which we'd like to take advantage of because it's a gorgeous space.

The other issue we're bumping up against is, in the adaptive reuse it should be all-encompassing because we're finding it very difficult to find people that are interested in just the first floor as a restaurant space because that gets filled up with seats and there's really not enough space for a kitchen. So we'd like to be able to utilize, and be able to get somebody interested in, both spaces. Which we've had, but we're still pending approval.

So we don't have anybody really online right now until we get a little further down the line, which is another reason why we reduced any kind of congestion on the second and third floor, made it as simple as possible, in order to sort of weigh and balance the building's use so that we could get the commercial going. And we think that the residential would not be a big hard sell.

Chairperson Sullivan: So how are you envisioning the first floor restaurant, the basement, the secondary seating space, and the roof to sort of work together? What's the plan?

Mr. Alicea: So how we're looking at it is, let me start at the roof. It'd be a pre-event situation. So if somebody reserved, let's say, the cellar – we'll call it the cellar restaurant – as a private party, they can then reserve the rooftop. Of course, we'd limit the people to 49. They reserve the rooftop for after-party sunset-watching, pretty much like the building in Irvington – Red Hat. I mean, one of the incredible advantages you have with this building is that it has a beautiful view of the Hudson. Unfortunately, the building doesn't face it; it faces Warburton.

But when you get up on the roof it's an ah-ha moment – I didn't realize this 'til you get up there – and you have a gorgeous roof. So it could be iconic for the town. It's in the center of town, it's a beautiful 1916 building. All you're lacking is that connection to what really is driving the development of these towns: the Hudson, the water. So we think that in a combination of the use for the restaurants we could make an addended (sic) use on the roof for parties that want to take advantage of the view, just to watch sunset.

Boardmember Bass: I have a technical question. Does our code permit commercial above residential?

Building Inspector Minozzi: In the CC district, it's not addressed.

Mr. Alicea: It's not addressed.

Village Attorney Whitehead: Mixed-use is permitted.

Boardmember Bass: Because in other codes, commercial is not permitted above residential.

Mr. Alicea: Unless it was preexisting.

Boardmember Bass: Right. This doesn't preexist, so ...

Mr. Alicea: Yeah, I know. You know, that's a question going back to 1916. Not sure, but in this particular case ... and I was thinking about that, too.

Boardmember Bass: I'm going to cut you off.

Mr. Alicea: Yeah.

Boardmember Bass: If something is vacant for more than two years it loses its grandfatherness. So whether it happened in 1916, it doesn't happen today. It hasn't happened in the last two years.

Mr. Alicea: Right.

Boardmember Bass: So it's not a preexisting condition.

Mr. Alicea: Right, OK. That said, you know, I was sensitive to that in that ... and that's why we basically encapsulated the two units on the upper two floors; thinking to segregate the roof with the fireproofing requirements, sprinklers. The building will be sprinklered throughout, incidentally. As far as we're concerned, that's the way to go.

Boardmember Bass: The structure you're showing on the plans on A-2.1, can you explain the purpose of that? Where it sits on the roof, how visible is it from the street?

Mr. Alicea: On the bulkhead?

Boardmember Bass: Yes.

Mr. Alicea: Yeah, so ... sorry. So it's an attempt to bring some natural light into the stairwell. It's a large stairwell, it's overly-sized. We're trying to work with what's there. This is basically a glass structure in order to also mitigate blocking of any views. So effectively, my feeling was that you would see sky through the glass. There's a bulkhead for the stair

that's there, and it rises about 7 feet above the existing parapet.

Boardmember Bass: Is that dimension somewhere on your plans? I see the height of it, but width and depth is not dimension.

Mr. Alicea: It's not noted. We just did a section through it for this, but it's pretty much the dimension of the stairwell.

Boardmember Bass: And what's the dimension of the stairwell?

Mr. Alicea: 15-6. I was trying to find it: it's 16-6 long and it's ...

Boardmember Bass: Just as a note ...

Mr. Alicea: You can't find it.

Boardmember Bass: Then it makes it difficult for a board member to find it, especially when you don't have the bulkhead dimension.

D'Wayne Prieto, applicant: It's actually right here.

Mr. Prieto: Actually on the (off-mic).

Chairperson Sullivan: Please use the mic. Thanks.

Boardmember Bass: What's the page number, please?

Mr. Prieto: It's the last page, the very last page.

Mr. Alicea: So it's in a section. It goes in at 16-6 length, with 7-foot high above the parapet. And it's 7 foot deep, so 16-6 by 7 foot by ... it's 7 foot above the parapet.

Boardmember Bass: And the parapet is how tall?

Mr. Alicea: The existing parapet is ... we're talking about 4 feet.

Boardmember Bass: OK, so the bulkhead is 11 feet ...

Mr. Alicea: From the top of the roof.

Boardmember Bass: And the existing bulkhead?

Mr. Alicea: There is none. Right now there's a scuttle that you walk up and slide to get access to the roof.

Mr. Prieto: This is the same bulkhead that was approved in 2008.

Chairperson Sullivan: Do you want to talk about the parking? We kind of jumped away from that. Do you want to run the parking scenario?

Mr. Alicea: Sure.

Chairperson Sullivan: You can maybe show it on the plan, if you wouldn't mind.

Mr. Alicea: Yeah, we have ... that'll be on page S-1. And S-1 is based on an agreement that's already in hand with the Chase Manhattan Bank that shows 30 self-parking spaces with 11 valet parking spaces, which totals to be 41. The parking requirement for the apartments are two spaces per unit, and for the commercial space it's one per hundred square feet. So rough number, you're at ... and in addition, we have an exemption in a town. The restaurant is 25-hundred square feet or less and is exempt from parking.

Boardmember Ambrozek: This is not under 25-hundred square feet because you've got two floors ...

Mr. Alicea: Well, no, no, I understand. I'm just saying that one floor ... if we just apply it to the first floor, without attended use in the cellar, that would be ...

Chairperson Sullivan: And the roof.

Mr. Alicea: And the roof, right. The 25-hundred would be exempt.

Chairperson Sullivan: Right.

Mr. Alicea: What I was trying to say was, if we take that in consideration – and include the cellar use and required parking for that – it would roughly be around 41.

Chairperson Sullivan: OK, that's not what you presented to us because you have a chart that you laid out that talks about looking at all the spaces and not the roof at this point.

Mr. Alicea: Yes.

Chairperson Sullivan: You were looking at the first floor and the cellar.

Mr. Alicea: I didn't put the exemption in there, you're right.

Chairperson Sullivan: Well, Buddy, is this exemption something that's taken into account, or ...

Village Attorney Whitehead: Let me just clarify. There are three or four different provisions in your code that are intended, in different ways, to deal with parking in the CC district for an existing building. Some of which could be interpreted to exempt even more, some of which have ... they're not consistent with each other.

Chairperson Sullivan: OK.

Village Attorney Whitehead: So it's something that Buddy and I need to look at.

Building Inspector Minozzi: We've been talking about it.

Village Attorney Whitehead: There's three or four different sections that could apply, giving different levels of exemptions. The idea being that these buildings exist ...

Chairperson Sullivan: Right.

Village Attorney Whitehead: ... without any parking, and there's no ... you know, do you want an empty building there because you can't provide parking for it? And clearly, the Board of Trustees – in putting these provisions into the code – didn't want that to happen. They wanted these buildings to be able to be used, even though parking couldn't be provided. This one actually has seven parking spaces, which is a lot more than ...

Chairperson Sullivan: Some do.

Village Attorney Whitehead: ... some do.

Chairperson Sullivan: Can I ask a question? Now, the 25-hundred square foot exemption: did that come into play after 2009, after the resolution that was put together?

Building Inspector Minozzi: I'm not sure what the date is in the code. I don't have the full code in front of me. But I know that ...

Village Attorney Whitehead: Yes.

Building Inspector Minozzi: It is, after 2009?

Village Attorney Whitehead: It was 2013. Actually, it was amended in 2013 so I don't know what the form of it was. There was something there; it's not new, it was amended.

Building Inspector Minozzi: We know that restaurants under 25-hundred square feet are exempt from the parking requirement, but there are other sections of the code – like Linda just said – that may exempt more.

Chairperson Sullivan: Yes, OK.

Building Inspector Minozzi: It's something that we're going to have to get their final occupancy count, and we're going to have to sit down and really look at the code and try to decipher the intent.

Chairperson Sullivan: OK.

Village Attorney Whitehead: And there's two different 25-hundred square foot exemptions. There's one that relates to an existing use and there's another that's just a flat within the CC a restaurant or retail use with a gross floor area of 25-hundred feet or less – exemption. And that's the 2013 one.

Chairperson Sullivan: Richard, you had a question or a comment?

Boardmember Bass: On the bank C of O, is there required parking for the bank? And what's our provisions for shared parking?

Village Attorney Whitehead: There's been an agreement in effect since the prior approval was given for this building, and it's seven spaces are actually owned by 555. The property line is actually in the middle of the parking lot. I don't know, going way back ... that bank's been there forever and I'm sure there's more parking spaces there than would be required for the bank. The bank across the street has zero spaces. So the shared parking has been in effect ...

Building Inspector Minozzi: Even before any of these approvals came up 10 years ago there was always a deal ...

Village Attorney Whitehead: We have to leave that one ... we have to leave one door open.

Female Voice: Leave it open?

Village Attorney Whitehead: Sorry.

Building Inspector Minozzi: There was always that deal. Because the restaurant needed access to their parking spaces and the bank needed the parking spaces they kind of had that deal that during the day you use my spaces, at night I use ... you know, we use your access.

Chairperson Sullivan: So shared parking before ...

Village Attorney Whitehead: If people in the back really can't hear we can tell them to ...

Building Inspector Minozzi: Yes, let me ...

Village Attorney Whitehead: Sorry.

Chairperson Sullivan: It's helpful to know that because that puts this resolution from the previous approval kind of in another context.

Village Attorney Whitehead: Well, the one that says it was amended in 2013 is the one that doesn't relate to there having been a prior use. It's the one that just flat out exempts a retail or restaurant use in the CC under 25-hundred square feet that you're required to provide parking.

Chairperson Sullivan: So I think we won't ...

Village Attorney Whitehead: But I think we also need the updated plans that show the roof because the plans that were submitted show the roof as being for the residential units.

Mr. Alicea: Yeah, that's correct.

Boardmember Bass: And the 25-hundred square feet is per use, or 25-hundred square feet per building?

Village Attorney Whitehead: That's part of what we need to look at.

Building Inspector Minozzi: It's interpretational.

Boardmember Bass: Because, again, using other codes there's tricks of the trade where there's a maximum commercial use of 10,000. So you have a baby gap that's 10,000, and a woman's gap and a men's gap. So you have, you know, 40,000 square feet of gap, but they're all individual so you get asked that requirement. That's why I'm asking.

Village Attorney Whitehead: Well, now I'm going to tell you that there's also a provision in the code that lets the Planning Board waive *any* parking requirements if you don't think that it's necessary.

Boardmember Alligood: All right, so can I share? Because I was actually ... I have my whole stack on this project.

Village Attorney Whitehead: I have Marianne's stack.

Boardmember Alligood: I have a lot of notes from all the deliberations and (unintelligible). I just want to share that what it came down to – the biggest concern when it came to restaurant use – was a proposal to do catering where you have everyone coming in and out of the space at the same time.

Village Attorney Whitehead: Right, and that's why there was the requirements for the valet.

Boardmember Alligood: Right, but I just want to be clear that we came to the conclusion ... I have studies here that were done about the need for parking to accommodate just a restaurant. There was a lot of back and forth on it and people had to get comfortable with it, but in the end we did, as a planning board, get comfortable with the restaurant being in use on both floors. We wanted the vibrancy in the downtown, but the agreement drawn up with Chase was to accommodate catering because that was a big concern. Because not only do you have ... I mean, you have all the cars coming in and out at the same time, you have the traffic issues, and we didn't feel comfortable that we could say there was enough access parking in the downtown without that special agreement. And it took ... as I recall, one reason why the project took a long time is that Chase is a large ...

Village Attorney Whitehead: They had trouble getting the agreement.

Boardmember Alligood: To get the legal agreement in place specifically for that agreement took a really long time. I don't know if that's still ... I mean, I have it here, it's signed and everything. But I doubt it's still ...

Village Attorney Whitehead: No, it was. It is. Yes, we've gotten information from the applicant. In it, it had a provision that allowed Chase to extend it. It expired in 2012, Chase could extend it for 10 years. Because remember, it also allows them to use the seven spaces.

Boardmember Alligood: Right.

Village Attorney Whitehead: So my understanding is, it was extended and the applicant is ...

Mr. Prieto: It says currently month-to-month pending on whatever changes we need to make on our application, and apply it to them.

Village Attorney Whitehead: Right. We've been provided with a copy of a draft amended agreement.

Chairperson Sullivan: So, Richard, this is your shared parking in play.

Village Attorney Whitehead: Yes, that agreement very much provided for traditional shared parking.

Boardmember Bass: Right. So that's practical shared parking and that our code doesn't really provide shared parking.

Village Attorney Whitehead: Your code has a provision, subject to the Village Attorney's review, of a shared parking agreement that allows for shared parking. They have to provide an agreement acceptable to me. So there's not one very specific, but there is a provision that recognizes that you could have shared parking and parking on another property with a written agreement so you can be sure that parking is there. And the draft agreement we've been provided is for 10 years?

Mr. Prieto: Yeah, it's 20 years total.

Village Attorney Whitehead: Twenty, yes.

Boardmember Alligood: The other thing I want to mention for historical memory purposes is that back when we approved this as a restaurant with two floors, the roof was not considered. It was considered for a use when a proposal changed and it was ...

(cross-talk)

Boardmember Alligood: ... a health ... so it was going to be a lot lighter impact. So I think I just want to point that out.

Mr. Prieto: Just to be clear on the impact, we do not want to increase the impact more than the 49. We would like to bring in the same approval that was done before for that.

Mr. Alicea: That was previously approved.

Boardmember Alligood: But I'm just saying the combination that you're proposing tonight is different from any others. And I guess it would be different ... if you're saying for sure that you would only ever have the 49 people on the roof or in the basement – the basement full, the first floor full, *and* the roof full – that would be above and beyond any proposal that's come before us. It sounded like from what you're saying that if it was some sort of function you'd start it out and then later finish it off in the basement.

Mr. Prieto: That is correct.

Boardmember Alligood: So it would be that double ...

Mr. Prieto: So we do not intend to have a restaurant in the lower level. It's just a room in case someone's having a bar mitzvah or something that they could use a room, but ...

Boardmember Alligood: It's a party space.

Mr. Prieto: ... it's a party space.

Village Attorney Whitehead: It's a private dining room.

Mr. Alicea: Also kitchen.

Boardmember Alligood: But you still have to consider ... I guess my point is that if you had a bar mitzvah party downstairs and the restaurant was full, you still have to consider ... I mean, it's the same number of diners.

Village Attorney Whitehead: The total count.

Boardmember Alligood: You might not technically count it as part of the restaurant, but you have that many more diners.

Chairperson Sullivan: Can I just ask a question, Eva?

Village Attorney Whitehead: It's 2009.

Chairperson Sullivan: In the 2009 resolution – which was the final one, and it does talk about the roof use in some fashion – what I'm curious about is, the Board was clear about the maximum number of guests being 75.

Village Attorney Whitehead: Right. This wasn't amended. It was approved in December of '08, and then amended in December of '09.

Chairperson Sullivan: Yes, and that's what Buddy sent around to us. That just sort of seems to be a number, and I'm curious where that came from because the occupancy of ...

Mr. Alicea: Seventy-five.

Chairperson Sullivan: Just a second, please. There was a bigger number, like 120-some actual seats together. So there was like a number that was OK without really going into overdrive on the parking. Then when you ... there's quite a lot of controls about ...

Mr. Prieto: (Off-mic).

Chairperson Sullivan: So, Buddy, to me it was sort of like you have 75, but then if you got into a party or an event that was bigger than that it then triggered how many valets, based on ...

Boardmember Alligood: Right. So up to 70 ... so, yes. As I recall – and I'm ...

Chairperson Sullivan: This is my question to you: where did this come from?

Boardmember Alligood: If it wasn't a party function, and it was less than 75, you didn't have to use the Chase lot. I think that's how it was. Buddy, does that sound familiar?

Building Inspector Minozzi: I don't recall 100 percent.

Village Attorney Whitehead: That's the way it reads.

Chairperson Sullivan: It also looks like it just caps it at 75.

Village Attorney Whitehead: And it did include the roof.

Boardmember Alligood: I mean, I think we ... as I recall, just broadly speaking – and I don't remember all the details, it was a long time ago – I think we got comfortable with the concept that there was enough parking in the downtown for – I'm going to call it – a "regular restaurant use."

Chairperson Sullivan: Right.

Boardmember Alligood: Where we insisted on, you know, valet and using the entire Chase lot if there was going to be a function.

Building Inspector Minozzi: We have to remember that, historically, this building was a restaurant-bar on the first floor. It did have a catering hall.

Boardmember Alligood: Right.

Village Attorney Whitehead: And it did use ...

Boardmember Alligood: That was the argument made, and ...

Building Inspector Minozzi: And even though when it closed there wasn't two apartments – one was an apartment and one was a garage studio – this is still traditionally what that building has been.

Boardmember Alligood: Right.

Village Attorney Whitehead: And just to clarify, the '09 approval – what it said, as you were saying – is, up to 75 guests in any combination of the basement. The first floor and the roof, it could have ... even without having an agreement for the Chase lot.

Boardmember Alligood: That's how I recall it.

Village Attorney Whitehead: You could not have more than 75 without having the agreement for the Chase lot.

Chairperson Sullivan: Or an agreement for someplace else.

Village Attorney Whitehead: Or another location that this board could approve.

Boardmember Alligood: Then other locations were considered, but the Chase lot ended up being the one that everyone preferred.

Village Attorney Whitehead: Then the valet was a separate requirement that related to organized events where everybody was going to be coming at once.

Chairperson Sullivan: And it could be 40 or less. It could be any number.

Village Attorney Whitehead: Right, and that was just about people arriving all at once. And it is very specifically laid out in the resolution that we have.

Chairperson Sullivan: I think the other thing – and we talked a little bit about this, Eva and I, when we bumped into each other – was sort of the issues of loading and waste, which we need to look at. You need to walk us through that. But those, I think, were concerns as well.

Boardmember Alligood: Yes, they were concerns. I mean, my view – having gone through the whole process, and lots of information was gathered – is that I think the key is if it is a catered event that is a heavier use in terms of bringing all that truck traffic and people bringing ... I don't know if they bring in special chairs or anything – they just have the things that come with a function – and it's a heavier use. And I think it's more of a concern than just ... I just want to go on record saying I would like a restaurant to be here, this building has

been vacant for way too long. I think a lot of different scenarios have been considered, brought to the Board, kind of gone through a process, approved, and then didn't go forward. So I would like to see something proposed and ...

Building Inspector Minozzi: Follow through with it.

Boardmember Alligood: Followed through. You know, approved and followed through with and brought to our downtown. So I know to some extent we're going to have to go through some of the decision-making again 'cause it's been awhile. But I feel like I should share some of the deliberation that went on. There was a lot of data gathered, a lot of analysis.

Chairperson Sullivan: For me, when we were able to put our hands on this resolution, it at least kind of encapsulated some of the thought process. I read it, and I'm like ...

Building Inspector Minozzi: Thank you for your diligence on that.

Chairperson Sullivan: Hey, what I was talking about earlier: trying to make things work. I mean, if this becomes this list of issues that we revisit to see if there's any changes that have occurred because of the time difference – almost 10 years later – and working with the applicant, depending on how they plan on envisioning the spaces working, this potentially ... you know, there's going to be issues of how it impacts people who live on Maple, which this addressed. There's going to be impacts of big events coming at one time, which you just talked about. Well, Chase wasn't a solution to that. There were loading issues, waste management issues.

I think if this helps us maybe come to a way of figuring out what we need next from these guys today, then that would push us all a little further. And I don't know, there've been a lot of traffic studies; I just don't know if that's necessary for us to get into. I guess I'd let you guys give some thoughts on what you think might be the gaps, or where you want to get ... look at something that went behind this resolution, or what might be a new issue even, from how the downtown uses ... kind of life in downtown has changed a lot since '09. There's more people living downtown and whatnot.

Mr. Prieto: Just to be 100 percent clear, we do not have any interest in having a catering facility or any function facility. This is a restaurant and a restaurant only. The three restaurateurs that we're discussing this with, their primary concern is that we ever get a plan approved, number one. Number two, whether or not there's a parking issue or not. And number three, whether or not the roof access is important or not. They want to do something very special. This is actually someone's design and someone's interest in being in this space. The issues of waste and locations of all the waste pickups and ...

Boardmember Bass: Well, the service is noted.

Mr. Prieto: ... the service is noted on the planning. It has been previously approved by the Board so we're not reinventing the wheel here. All we're doing is finding the most minimal impact that this building can still be economically feasible.

Boardmember Alligood: I have a suggestion because I prefer – again, having gone through all the many meetings that reviewed all the previous iterations and I think it would be helpful maybe to go over it, and you probably aren't prepared to do this tonight – to just compare this to what was proposed before and previously approved. If there are any differences, then we'll work out what those are. But at least we can start from here's what was proposed and approved before, here's what we're proposing now, the issues that were raised previously were addressed in the plan. So that we can kind of quickly go through the process and understand why the previous version was approved.

I'd like this to be as efficient at some point. I'd like to see this happen. I don't want us to go through all the meandering ...

Chairperson Sullivan: I think you did it once, right? You don't want to do it again.

Boardmember Alligood: Exactly what I'm saying.

Mr. Prieto: So the major difference is that on the second floor and third floor we are only having two residential units.

Mr. Alicea: There's no commercial use.

Mr. Prieto: There's no commercial use. It's not a yoga studio, it's not ... where there was Verizon on the third floor, you'll see it on the second floor, and then a spa retreat on the roof.

Mr. Alicea: On the roof, with a deck.

Mr. Prieto: This is going to be two families and that's it. On the lower levels ...

Mr. Alicea: The lower levels, it was basically as per ... pretty close to what's submitted here: full-blown restaurant on the first floor, and in the cellar it was a smaller kind of ... they called it like a speakeasy restaurant with a smaller number of seats, which is the ...

Chairperson Sullivan: Well, you had more seats in the previous iteration, correct?

Mr. Alicea: Actually it was approved in ... I have a note here that previously – and I know this doesn't matter now – in 2008, 12/17/2008, it was approved for 125 parking spaces. Now,

this current iteration ...

Chairperson Sullivan: Seats.

Mr. Alicea: I'm sorry, seats.

Chairperson Sullivan: Where did they go in the last ...

Mr. Alicea: As I went through the parking requirements for this current iteration, there's a total of 67.

Chairperson Sullivan: It sounds like there was a certain ... like you were saying, the restaurant's impact was thought not necessarily to be the thing that needed to be addressed when parking was addressed. Which could either be the exemption you guys are trying to figure out, or not; that might have been just philosophically the approach. So the issue was how to handle the inflow at a certain time – that impact on the community and on the downtown.

Mr. Alicea: Right. What I was trying to point out was that my 67 parking number does not include the 25-hundred square foot exemption.

Chairperson Sullivan: Right, right, right. So you stayed with the old ...

Mr. Alicea: I just did it here, by the numbers. It's not attaching an exemption to it.

Chairperson Sullivan: Right, right.

Mr. Alicea: Do you want to do the loading, unloading? So the site plan, you'll notice that there is, on Spring Street, an area designated for delivery, but noting the maximum length of the truck. It also states – goes further and states – the hours that deliveries can be made for Monday through Thursday, and Friday, eight deliveries; Saturday, one delivery, 10 to 4; nothing on Sunday. There's an area designated for the actual truck delivery. That coincides with the service entrance, which is another entrance on Spring Street which is separate from the restaurant. That accesses directly to the cellar, cellar kitchens, so there's no interference with the pedestrian traffic on Warburton.

Boardmember Alligood: Can you just clarify? So Monday through Thursday, you're saying 3 to 5 p.m., or 3 to 5 deliveries?

Mr. Prieto: Three to five deliveries.

Mr. Alicea: It's the frequency that's ...

Boardmember Alligood: Well, it's also the time because when people are going to the train, having two trucks parked there is more of a burden to the town. The time matters.

Mr. Prieto: We can make that more specific, absolutely.

Chairperson Sullivan: That's actually going to be a point, Eva, because what you're asking for in the comparison – I think in the resolution that was from the previous approval – there was truck deliveries must be made between the hours of 10 a.m. and 4 p.m.

Mr. Alicea: 10 and 4, and it's noted.

Boardmember Alligood: I think it's just that in some places you have a number and then some places you have the time period.

Mr. Alicea: Right.

Boardmember Alligood: I'm just suggesting, especially for Monday through Thursday ...

Mr. Prieto: I will clarify this.

Boardmember Alligood: Because I think that resolves one of the biggest concerns with deliveries because things get crazy. It's only like a half an hour window, but it's pretty tight.

Mr. Alicea: We're also trying to limit the amount of time the truck is out there. In the restaurant business it's like clockwork to have a successful restaurant. So the trucks that come will be offloaded within 15 minutes. It really shouldn't take much longer than that.

Boardmember Ambrozek: I have two comments about these deliveries. It shouldn't take much more than 15 minutes, but the reality is things always seem to take longer. Half an hour is probably more realistic. Loading times – loading zone time – is 30 minutes.

The other thing is, it's very difficult to tell a truck driver, before, where he can make a delivery. They make deliveries on their schedules, not on the restaurant schedules. If the restaurant is closed ...

Chairperson Sullivan: Nobody's there to receive a delivery.

Mr. Alicea: It's a requirement they have to ...

Boardmember Ambrozek: But if they want to come after 4 o'clock, they're going to come after 4 o'clock.

Mr. Alicea: I can only say that, you know, I'm doing projects in Manhattan. Their trucks just can't come in to Manhattan at a certain time. They have to come at a certain time in the morning, and that's sort of written into the deal.

Boardmember Ambrozek: Yes, but we're not Manhattan.

Mr. Alicea: No, I'm just saying the same idea would apply: if you want our business, this is how it runs.

Chairperson Sullivan: Michael, I think the thing, too, to look at is that the previous resolution had a restriction on truck deliveries.

Boardmember Ambrozek: I understand the resolution restriction, but I'm talking about the reality of truck drivers. They have their own schedules.

Boardmember Gould-Schmit: I guess we would have to enforce more. I mean, if it's signed and it's a regulation the answer is it's important.

Village Attorney Whitehead: It's a condition in the resolution; it's enforceable.

Boardmember Alligood: Enforceable. Then the other thing I just want to say – in the interest of us being able to kind of think about this from the standpoint of trying to make this project happen – is, if we're going to allow ... you know, if we all agree that the best use for this is a restaurant, then we have to find a way to allow them to have deliveries. The question is what is the most suitable schedule, or way, for deliveries that happen.

Chairperson Sullivan: I think that's, to your point, about looking at what was approved – the final thing in '09 – coming back to us with why you want to make a variation on that.

Boardmember Alligood: It sounds like they want to go with exactly ...

Mr. Prieto: We're not making a variation; it's exactly what you have on planning approved.

Boardmember Alligood: So that's going back to my suggestion. That wherever you're just proposing exactly what was proposed before, just like give it to us as a schedule. Like this was what was proposed before, this was one of the concerns, this is how it was addressed. I mean, you might even do a little homework with meeting minutes or something.

Mr. Alicea: Sure.

Boardmember Alligood: I think it would be worth your time and our time if you just kind

of went through some of the major issues – they were all there in the minutes – and then just explain ... because otherwise the same questions are going to be asked and I'm the only one who was there back then.

Mr. Alicea: We'll do a previous use, proposed use. And yes, we will do that. I think that would be helpful, I agree with you.

But just as an overview, looking at the previous use. That's one of the reasons I lobbied for just doing one apartment per floor as opposed to any commercial use: no health spa, no yoga, no karate schools. It's very straightforward, and I thought that would sort of mitigate any kind of issues that would come up.

Chairperson Sullivan: I think the big thing for me when I look at this resolution – because I use this to sort of understand what the Board was thinking about with the issues because this process went on for a long time – those immediate uses of the second and third floor weren't the big thing that was getting people revved up. It was how the parking was handled. You having this same agreement with Chase is great because that allows you to flex when we needed to have flex when a big event would happen.

The use of the roof, I think, is something that was interesting how it was addressed in the resolution. Because there was talk about restricting the timing of when that roof is used, talk about light spillage. Also, there was some talk about, potentially, the parapets needing to be raised – and I would almost say moved back – so there was less of a sense from the street that there's a big old event happening up there. That would be my kind of preference.

Mr. Prieto: Yeah, that's all fine. Yeah.

Chairperson Sullivan: And at least have that open for discussion.

Mr. Prieto: Yeah, we would create beam buffers, essentially, with planters and such.

Chairperson Sullivan: Yes, it was something. But again, I think the resolution's a good place to start, just to reiterate what Eva's asked for.

Mr. Alicea: Just so I know, that resolution that you're referencing is ...

Chairperson Sullivan: Available in the Planning Board meetings of December 17, 2009. You can have my copy, if you wish.

Boardmember Bass: Can I ask a new question?

Chairperson Sullivan: You always can, yes.

Boardmember Bass: I think we briefly discussed this the last time this was before us: the issue of western wall lot line windows:: whether they're permitted by zoning or by building code.

Village Attorney Whitehead: Building code.

Building Inspector Minozzi: Fire code doesn't allow it on a zero line.

Boardmember Bass: If it's sprinklered or fire-rated?

Building Inspector Minozzi: There's no provision in the code for window walls, but we had talked to the state rep about it and there was some talk about fire break glass ...

Boardmember Bass: Fusible link shutters?

Building Inspector Minozzi: Bounce spring merge shutters. There has been some talk on other projects that we were able to kind of get around it.

Mr. Prieto: We explored it in great detail, but it is my neighbor's intent to develop his property. So therefore we have no interest in poking holes in a wall that could be blocked up.

Boardmember Alligood: So you've talked to the funeral home and they want to develop that property?

Mr. Prieto: That's what I've been told.

(cross-talk)

Boardmember Gould-Schmit: I'm just wondering. I apologize, I'm looking at the older plan. I don't know if something new was submitted. But the elevator, like roof access, is the one I have; just the opening to the apartments. I'm just wondering.

Mr. Alicea: We didn't take it to the roof in this particular submission because it was basically for the two residential units that we submitted. But in doing the analysis, finish analysis, we realized that we really would need to use the roof commercially, as we're talking about. In that case, it may be that we include the elevator to the roof for accessibility.

Building Inspector Minozzi: ADA accessibility would be an issue.

Boardmember Gould-Schmit: I think you would have to.

Mr. Alicea: Yeah, it is. So that bulkhead that you see ...

Boardmember Gould-Schmit: You might get a little ...

Mr. Alicea: ... would just be extended. Actually, I have a number on that. It would be extended from 6 to 8 feet to another what would be another 7 feet. So it looks like the total would be about 24 feet; 16-6 and 7-6.

Boardmember Gould-Schmit: For a parapet

Mr. Alicea: I'll add this about the elevator bulkhead. With a hydraulic elevator we don't need a machine room up there. The elevator really has to just clear the roof surface and it really doesn't have to be higher than about 7 feet. Then we need about another 2 feet for some equipment that goes above the elevator. So that's 9 feet. With a 4-foot parapet, that's 5 feet above the parapet.

I extended the stair bulkhead a little bigger to make it sort of more light and give it more transparency – it's glass – but that could also be lowered.

Chairperson Sullivan: I really think it should be, frankly. I mean, I think it looks a little bit like a glass house on the top of the stair.

Mr. Alicea: Yeah.

Chairperson Sullivan: I mean, I think if you make it sort of slope the roof when you can, and flatten out – make a flat part – then you don't need the headroom. And maybe integrate it in a different way.

Mr. Alicea: Oh, we'd integrate it with the elevator bulkhead if that's something we can do, and we would lower it.

Chairperson Sullivan: Yes, I think the thing for me is to push it away from the edge of the building so it's less like a new addition to that existing wall. But if it's set back a little bit I think it could be nice.

Mr. Alicea: OK.

Chairperson Sullivan: Do what you want it to do to get light in ...

Mr. Alicea: Sure.

Chairperson Sullivan: ... without becoming sort of this ...

Mr. Alicea: Well, we can do that with skylights.

Chairperson Sullivan: Correct.

Anyone else have any comments? Michael?

Boardmember Ambrozek: Yes, I'm very much in favor of seeing this developed also, as a restaurant. And certainly the use of the second and third floor for residential is very appropriate. I have residual concerns about parking because the way you have the parking arranged in the Chase lot – where you put the valet cars and the self-parked cars – it kind of very often blocks ... the valet parking could block the self-parked cars. In other words ...

Mr. Prieto: Generally, you have either one or the other. So if it's valet, then all the cars will be valeted with the exception of the cars that are being used for ...

Boardmember Ambrozek: So you're saying the valet-parked cars only appear there when it's valet parking?

Mr. Prieto: Correct.

Boardmember Ambrozek: OK. Then there's also the issue of one of the parking spaces is currently used by Chase for their trash disposal in the corner, the northwest corner. Removal of the trash – and I presume there will have to be oil disposal as well, grease and oil – I understand it's going to be straight out towards Warburton. You will not be using access from the Chase parking lot. I understand that.

Mr. Prieto: Just a little bit, yes.

Boardmember Ambrozek: Just a little bit?

Mr. Prieto: If you go to the first page you'll see ...

Boardmember Ambrozek: Yes, I'm looking again. It doesn't look like there's any opening there for it.

Mr. Prieto: So where you see the bicycle racks ...

Boardmember Ambrozek: Yes.

Mr. Prieto: ... that's space we can use for the trash removal. That area is actually where all the traffic will be.

Mr. Alicea: If you look at A-1.2 ...

Boardmember Ambrozek: Yes, I'm looking at that. I see a solid line adjacent to your building jutting out about 4 foot 7 inches halfway along the building, and then coming to Warburton. I thought that was where your trash and oil flexion was going to be.

Mr. Alicea: Right.

Boardmember Ambrozek: So I don't see how ... there's a solid line there between the trash and the Chase parking, so I don't see how you're going to ... I presume that's a wall or a solid fence.

Mr. Alicea: To visually block off that sort of utilitarian use, it would be more – like 100 percent – opaque. And it could be a fence, it could be a lot of different things. But we could ...

Boardmember Ambrozek: Right, but a truck would not be able to back up to it.

Mr. Alicea: Oh, no. No, no.

Boardmember Ambrozek: So the access cannot be – the truck access cannot be – from the Chase Bank. It has to be from the Warburton Street. So now you have the problem that either the trash is closest to the street or the grease and oil is closest to the street.

Mr. Alicea: Actually, you're correct. And if you look at S-1, I placed that waste disposal vehicle in the location you're talking about.

Boardmember Ambrozek: Yes.

Mr. Alicea: So you're correct.

Boardmember Ambrozek: Yes, but my concern is that you have to have both trash and oil and grease. It's very difficult to pick up one and lift it over the other. Whichever is in front can be removed, but the one that's at the back is very difficult to remove.

Mr. Alicea: So the grease and oil are usually pumped out via a 4-inch vacuum line.

Boardmember Ambrozek: OK. So it's a permanent tank?

Mr. Alicea: No, no, no. So what they usually do is go to the oil receptors under the sinks, and they run that line to those and then pump them out. The other way is ...

Boardmember Ambrozek: OK.

Mr. Alicea: Yeah, so it's a vacuum system.

Boardmember Ambrozek: So there is only trash in this section between Chase and ...

Mr. Alicea: Yes.

Boardmember Ambrozek: OK, now I don't have so much of a concern.

Boardmember Alligood: But it does say "grease disposal barrels emptied once a month, 5 to 10 minutes removal process." And then dumpsters empty three times per week. You're saying it's going to be a different system?

Mr. Alicea: Yeah, we can use a vacuum pull-out system.

Chairperson Sullivan: OK. Anything else, folks?

Boardmember Ambrozek: Yes. Then my next concern, firstly – this probably just needs a small, minor correction – you currently show, in these plans, that the roof is going to be used by the two residential apartments.

Mr. Alicea: Correct.

Boardmember Ambrozek: But that's not really your intention.

Mr. Alicea: Yes. Since we applied, we did a study and realized that while we really would like to use that as a sort of ...

Boardmember Ambrozek: So there is no intention to allow the residential tenants to use the rooftop area for barbecues or picnic tables or ping-pong or any other outdoor activity they might want to do on the roof?

Mr. Prieto: We purchased the building about 10 months ago – have been working on this building for the better half of three years – and just could never get my head around how to make it work. Unfortunately in the Rivertowns, retail is very difficult. Retail of this size is very difficult. The only way I have been able to incentivize restaurateurs to look at this is with the carrot of having the roof deck.

Now, my original purpose in buying this building was to move my office to the first floor of this building, and then I realized that's just as bad as leaving it empty. It turns out, after

going through several restaurateurs, that no one really had an interest in the space unless it had that roof deck. Right?

Boardmember Ambrozek: I don't have an issue. I just need to know that the residential units will not be allowed access to the roof at all. Is that your intent?

Mr. Prieto: If they're a patron of the restaurant they have access to the roof deck, but you're correct.

Boardmember Ambrozek: OK. So my last concern, though, is, the existing height of the building exceeds 40 feet – especially including the parapets – so we now have view preservation issues. Your proposal to put up the elevator and the cover on the stairs now causes view preservation issues. You're saying that the covers of the stairs is going to be glass, but we've had issues where we've approved things that were supposed to be reasonably transparent and they become opaque in various ways. I'm not going to try to say how. And obviously the elevator structure would have to be opaque; that could not be glass.

Mr. Alicea: Yeah.

Boardmember Ambrozek: Certainly bringing the level down, but you're going to have to get a variance for that.

Mr. Alicea: Because of the view preservation issue?

Village Attorney Whitehead: Height.

Boardmember Ambrozek: Yes, you're over the 40-foot height.

Mr. Alicea: The building is already over 40.

Village Attorney Whitehead: And you're increasing it.

Boardmember Ambrozek: Yes, you're increasing it.

Mr. Alicea: OK, a variance for the height of the bulkheads? I just want to be clear.

Building Inspector Minozzi: Height of the bulkheads. It would be making an existing nonconformity.

Village Attorney Whitehead: Increasing it.

Mr. Alicea: Exacerbated nonconformity.

Boardmember Bass: Mechanical space is counted in height. I didn't think it was.

Building Inspector Minozzi: The structure is the structure. It's the height of the structure.

Village Attorney Whitehead: I don't think that something like this would fall into the exemptions.

Boardmember Bass: Well, we'll look at it.

Chairperson Sullivan: Again, I guess kind of back to Eva's point and others, we would like very much to see this building brought back online.

Boardmember Ambrozek: Yes, I'd like to see it occupied.

Boardmember Alligood: I'm just going to say I'm inclined to let's make the building usable. I can see why it's much more marketable with a rooftop access. We can limit the hours to however we discussed it last time, but I think it makes sense.

Mr. Alicea: We will do everything possible.

Building Inspector Minozzi: Let the Board members speak.

Mr. Alicea: OK.

Boardmember Alligood: Yes, I'm saying I would support it. And, I think, go through the view preservation process. But you know, I would recommend having it be part of the proposal. Let's let them. I mean, this is a case where I think we have to really consider the ability to use this building. It has been empty for *years*. And we have an applicant that's trying to make it marketable, to make it work, so I hope we don't throw up a lot of reasons to not ...

Boardmember Ambrozek: Well, I think the reason I bring up view preservation is that if we approve the building and we violate Village code after it's started occupancy and being used, that could be shut down because of the code violation.

Village Attorney Whitehead: It wouldn't get that far.

(cross-talk)

Boardmember Alligood: You have to have a variance.

Boardmember Ambrozek: That's why I want them to get the variance.

Village Attorney Whitehead: That's Buddy's job.

Building Inspector Minozzi: This conversation is all about crossing t's and dotting i's.

Chairperson Sullivan: Right, right, right.

Boardmember Ambrozek: But it hasn't been brought up until now.

Chairperson Sullivan: We want to walk out, I think, with things we would like these folks to do so we can make this process go. And we'll hear from the audience, as well, because the public is here. But I think from what I'm hearing, Eva's got a strong recommendation which I think you guys see the value of. Which is to look to what was approved, tell us what's different, and talk about the reasons why, if I can paraphrase that.

We will have to have a view preservation submission that's not here tonight. That will be on the list of things to do, and we will look to see where the views are. And be honest, sometimes they never get to the Board because Matt, who's the chair of the Zoning Board, and myself and Buddy go out and look at it and say no preservation issue. I'm not saying that's going to happen here, but we need to understand where there's an impact before we say there is an impact.

I think for me, personally, paying attention to not having the activity on the roof be visible from the street – and however that takes us under advisement and see where that goes – I think that was an intention in the resolution, and I think it was a wise one.

Anything else that we might want to ask them to do? Michael, anything from the points you raised?

Boardmember Ambrozek: No, I've voiced the issues I wanted to raise. Thank you.

Chairperson Sullivan: OK. And I think your conversation about the loading and the waste receptacles, that's going to be part of looking at it. I think Eva – I point to her – mentioned there may have been some varying differences between what was originally proposed and approved versus what you're showing. So let's make sure we have the right sizes and that kind of thing. I think that's what I hear people saying. I think that's what we should do going forward. And I agree, we need to try to help you get something going in our downtown again because it's been a sore spot for a long time. We want to understand the impact on the community, as well.

Mr. Prieto: Just for a point of clarity, we're going to look at the resolution from 2009.

Chairperson Sullivan: Right.

Mr. Prieto: And we're going to chart what was approved then, versus what we're ...

Building Inspector Minozzi: I have all the points we can discuss tomorrow.

Mr. Prieto: Perfect.

Village Attorney Whitehead: And you also need to revise your plans because the plans that were submitted have the roof being used for the apartments.

Chairperson Sullivan: If we could get our hands on some of – maybe Eva has them in her package – what the resolution alludes to a number of drawings.

Boardmember Alligood: I have them all here.

Chairperson Sullivan: Awesome.

Boardmember Alligood: Would you like them?

Chairperson Sullivan: I think Buddy should have them.

Boardmember Alligood: It's a good thing I haven't cleaned out my home office yet.

Chairperson Sullivan: It would be helpful to kind of maybe use that as a visual, too, if possible.

Mr. Alicea: Absolutely.

Boardmember Alligood: So what I recommend is, I do think if you could just kind of distill the issues you see from the minutes previously, and then how each one was resolved so you can say, OK, parking: here was the concern, here's how it was addressed, deliveries – just one by one – so we can kind of remember how we addressed things and what information went into the decision to resolve it in the way it was proposed.

Mr. Alicea: Yeah, we'll clarify the approved and proposed.

Boardmember Alligood: Yes, I think you guys can do more with this at this point.

Mr. Alicea: Yeah.

Chairperson Sullivan: Maybe let Buddy have it. Do you want to have her old set?

Building Inspector Minozzi: Yes, sure.

Boardmember Bass: Do you want me to hand it over?

Chairperson Sullivan: Me first. Let me sort through it.

Building Inspector Minozzi: Yes, give it to me at the end of the meeting.

Village Attorney Whitehead: You can get a copy made.

Chairperson Sullivan: I think at this point we'd like to hear from anyone in the audience who would like to speak about this potential project.

Hello, how are you?

Steve Topilnitsky, 18 Maple Avenue: I live diagonally behind 555. There's a couple points that were brought up. First off is their parking diagram. It seems a little unrealistic if you've ever been through the Chase parking lot when they've got the cars double-stacked and parked along the side of the building. If you park along the firehouse side, getting through there – the way they have it proposed – is not reasonable. Also, in fire emergencies, as we've already heard the fire alarm go about three times tonight, our firefighters zip into that parking lot so that fire truck can go out and protect the community.

Chase is used both during hours for Chase, and even when it was the Hastings House Restaurant, yes, it was mutually used. I don't know if it had the volume of what you're proposing, but it's still a concern of the parking. Myself, and there's some other residents that live directly behind that parking lot, there's always a noise issue.

Which leads into the roof proposal. Noise travels in that area quite easily, especially if you're having a party. I mean, we already had The Mill, when there was the coffee house and the theater. You could hear the clank of their dishes in our backyards in the evenings. It's not a very pleasant sound when you're trying to relax in your backyard, summer's eve.

Also parking. Over the last 10 years, parking in the downtown – especially on Maple Avenue – has gotten worse. We've gotten people displaced with Con Ed right now, we've got Maple Avenue parking, we've got commuters after hours because you've got now the Boro6 and other establishments. People park on Maple to go down Southside to the different restaurants there, into the Village.

There is also a parking concern which has to be factored in. Your formulas there – which is a little above my head – when staff comes up, when your staff comes to park, they're not going to be parking in the Chase parking lot. They're going to be finding parking on Maple and around the local downtown. Whitman Street is another one, the whole area. These are things that need to be factored in for the residents who live here on a day-to-day basis.

The other thing you pointed out about your waste disposal being taken off from Warburton Avenue. Besides the fact that it's a bus stop right where you're proposing your disposal, Warburton's a very busy street during the course of the day. I mean, this week is a perfect example, with Con Ed digging everything up, the backflow of traffic. When they're not there, Warburton's a very active street.

I agree with Boardmember Alligood with Spring Street, having your deliveries during non-commuter hours, because that is *the* thoroughfare to the train station and it is massively busy. We've also sent an e-mail with some additional points to the Board, which I'm not going to get into here to save you some time. You can read it in more detail.

Thank you.

Chairperson Sullivan: Thank you for your time.

Kelly Topilnitsky, 18 Maple Avenue: Just to clarify, this is where they're proposing their dumpster. There's not only a bus stop, but there's also the Village of Hastings street light. And we know how difficult those are to replace if you remove them. Plus, trees: you keep referencing a bike rack. There's no bike rack in this. I don't know if you're talking about putting in a bike rack. But cutting down trees, I'm kind of against that because our village doesn't have enough trees as it is and when we lose them they don't replace them.

Several years ago not even their proposal, but The Mill, proposed a deck for customers in the back. It was shot down because of the noise impact on the residents. That's basically the same space from our backyard to The Mill as it to 555. If you have a rooftop deck with 50 people out there, when The Mill was only proposing about 10 tables, I mean you're talking about echoing. The reason why the bar closed down in the Village was because of constant noise complaints, and the guy got sick of it. That's really something to consider. There's no restaurants here. We have 12 restaurants right here in downtown. None of them have outdoor like late night ... I mean, Junipers and The Bistro, the taco place, they have like a couple of tables. You're not talking about 50 people, or a party going on on top of a roof which is above everything else. Again, you have a noise issue.

Living behind the firehouse and 555, we do have a big concern about the safety issue. It's not just cramming the cars into that parking lot, but you run into the safety issue. If there is a fire, if there's an emergency, you're not getting an emergency vehicle through there. You're

not going to fit. Even a police car would have difficulty getting around the way they have the parking configured.

It looks great on paper, but the reality of it is not the same. I mean, I would suggest that everybody go into the Chase parking lot and see what it looks like with cars parked there during the day, OK? We talked to the Chase Bank, and obviously those decisions are made way above them. But they even said to us that people who live in the Village park in their parking lot overnight. Are you going to tell the people who live in the Village you're not allowed to park in Chase parking lot, going to tell the firemen you're not allowed to park there? In an emergency, are you going to have their cars towed because their cars are there when you're setting up for valet parking or for a restaurant?

Again, I don't know what the hours are of the restaurant and things like that, but we have housing, we have small kids living next to us. You have lights, you got a lot of car noises. I mean, sound echoes through the Village at night. If you don't live downtown you probably don't realize it. It can become very noisy when you have things going on. Every time people drive over those steel plates we hear clank, clank, clank, clank all night long.

You know, it's just a concern making Chase parking lot be your solution to a parking issue for a restaurant of this size. And to spring on a rooftop deck for 50 people, added on top of the 125 – I think that's what the number was, 125, between the basement and the first floor – that's a lot of additional seats up on a rooftop deck. Somebody mentioned a barbecue. Who says the restaurant's not going to put a nice grill up on the roof? You know, that wasn't asked about or discussed. How else are you going to do food? You're going to have to be making drinks in the basement and bringing them all the way up to the roof?

Also, obviously, accessibility is a question for us. You have the handicapped parking for the Chase parking lot. They share those seven spaces with them. But those are their handicapped parking spaces, there's two of them. They're planning on putting a dumpster in one of those spaces or in front of it, so how does that lead into getting the dumpster emptied three times a week? I don't know what kind of impact that will have on getting around requirements of having handicapped parking being accessible.

I don't know, I would like to see the building used. I'd like to see it utilized. It's been empty far too long. But in 10 years, since the other prior ... and these were the same concerns that we had 10 years ago and they're tenfold now because the parking has gotten so much worse. You know, we got to the point where the Village tries to alleviate one thing and then it spills into other places with parking and commuters. Until the Village addresses the overall parking issue ... you know, maybe you guys should pressure the other boards to take up the parking issue so businesses like this could get off the ground and contribute to our village.

Anyway, I think that's it. We did send you an e-mail with some other points, so appreciate

your time. Thank you.

Chairperson Sullivan: Thank you very much.

Anyone else like to speak?

Michael Ross, 24 Maple Avenue: I live across the street. Just briefly, my major concern is parking. I do support there being a viable, vibrant business – and potentially restaurant – in that location, but I just encourage you to please do whatever you can to try to minimize the impact of parking. It's a huge quality of life issue living on Maple Avenue. I've lived there for 14 years now and it's gotten markedly worse in the last several years. Anything you can possibly do to mitigate that, that's our major concern.

I think you said that there would be some limitation to the hours that there would be activity on the rooftop. Obviously we wouldn't want there to be noise late at night, living where we live. We like to use that backyard to have our windows open. We don't want noise going on through the evening there.

Chairperson Sullivan: Could you explain what you've seen change regarding parking on Maple over the 14 years?

Mr. Ross: It's just got progressively tighter. I think probably there's been turnover on the street and just, I think, people with more cars per household. I think there are more people living in the complex over here that have cars beyond what they can fit there, and they're sticking them on Maple Avenue. A lot of the businesses in town, their employees will park there. I don't think ... since they got rid of the parking app things may have eased a little bit because I think there were a lot of people from outside of Hastings who were parking there because the meters were so cheap. They had the parking app and they could just sort of park – live in Ardsley or something and come park here – then go down to the train station and have six hours for 50 cents. I think some of the recent changes may have made things a little better, but overall it's pretty difficult with parking.

Chairperson Sullivan: Thank you, appreciate that.

Anyone else like to speak? OK.

Boardmember Alligood: I just want to ask, can you remind us what your proposed hours are for using the roof?

Mr. Alicea: We don't have that. We're really open.

Boardmember Alligood: Oh, OK. You haven't decided yet.

Boardmember Ambrozek: I would like to say, Kelly, your e-mail – your e-mail letter to the Board – does cover a lot of items. It's very interesting to read. I agree, I certainly don't want any trees cut down in order to put in bicycle racks, much as I encourage the use of bicycle racks. Maybe if you could arrange for the bicycle racks to be between the trees.

Mr. Alicea: Sure.

Boardmember Ambrozek: Again, she makes a good point that for removal of trash onto Warburton Avenue. There's an existing mailbox and a light pole that would make it extremely difficult. Well, it won't make it impossible, but it ...

Ms. Topilnitsky: And the stop sign.

Boardmember Ambrozek: Yes, the bus zone. Unfortunately, vehicles park in bus zones all the time. It's the police that need to enforce that. We can't do that in the planning department. But access to where you propose to put the trash and the oil and grease tanks may be a little difficult. Just advising you.

Then lastly, for the roof I would like to make sure that any lights you put there have no light seepage. In other words, I think they would need to be downward-facing and no higher than the tops of the parapet so we don't get any light spillage. Again, I'd be very interested to know what are the proposed actual roof use is and hours of use the restaurant would propose for the roof.

Chairperson Sullivan: OK. Thank you for those points.

Boardmember Ambrozek: Thank you, Kathy.

Chairperson Sullivan: I think we have an agreement on what we see next for our next meeting with you. Do you understand?

Mr. Alicea: Yes, that's doable. Thank you all for your time.

Chairperson Sullivan: Thank you very much.

Mr. Alicea: See you in the next round.

Chairperson Sullivan: Thank you for having those plans. That's really exciting. Thank you for not cleaning out your home office.

Village Attorney Whitehead: It's a good thing Eva was here tonight to provide all the

history.

Boardmember Alligood: I feel now there was a reason.

Chairperson Sullivan: I knew you were going to say that.

Village Attorney Whitehead: I have Marianne's old file for Hastings House.

Chairperson Sullivan: It's such a mess I don't know which box is what.

I put my agenda away, which wasn't smart. Here we go.

Village Attorney Whitehead: I'll have Buddy tell them 555 also needs to submit an EAF. Buddy, just tell them.

Chairperson Sullivan: Earlier then later?

Village Attorney Whitehead: It'll be part of their submission for next time.

Chairperson Sullivan: Thank you.

V. OLD PUBLIC HEARINGS

- 1. Site Plan Approval – Application of Saeed Faghihi for the creation of a mixed-use occupancy to include two dwelling units and office space at commercial property located at 55 Main Street. Said property is in the CC Zoning District and is also known as SBL: 4.80-59-7 on the Village Tax Maps.**

Building Inspector Minozzi: We passed out the minutes from the ARB meeting from last week.

Chairperson Sullivan: Thank you for that.

Building Inspector Minozzi: And there was some points there that the applicant has submitted to us, this morning actually, to be redistributed to the ARB. Because I know we wanted them to go there to get some feedback – so this board can get some feedback – on some design issues.

Chairperson Sullivan: They have too much fun, those guys. It's what they get to talk about.

Christina Griffin, project architect: Good evening. I'm here to show you some revised plans for 55 Main. What we're planning to do is to convert the building – just to remind you – into a live-work unit on the ground floor level. So we have commercial in the front and a one-bedroom apartment in the back. Then convert the second floor into a one-bedroom apartment. We've color-coded this so you could see that.

Let's see if I can shrink this a little bit – we changed our floor plan so we would have, clearly, a commercial space in the front of the building so you would enter here. This could be the commercial space, then there'd be a common lounge and then an entrance into the one-bedroom apartment in the back. This is what we talked about last time.

The second floor is the same layout as before. We have the bedroom in the front, one bathroom, and the living/kitchen in the back. We have been to the Architectural Review Board and have a color scheme we discussed. We are returning to the Board so we can show them the details of the windows. Right now there are very narrow casement windows here. We want these windows to be more in keeping with the kind of double hung window look you can see in some of the older buildings in the downtown. We have also a cornice detail with brackets.

[computer presentation problem?]

Chairperson Sullivan: Uh-oh.

Building Inspector Minozzi: Don't want to start that now.

Village Attorney Whitehead: Just hit "close."

Chairperson Sullivan: It must be the monitor, then, hey?

Boardmember Manfredi: That'll throw a wrench in the works.

Village Attorney Whitehead: But it's only on that one, not on the other one.

Boardmember Bass: It's only on the TV. It's not on the computer, it's on the TV.

Village Attorney Whitehead: Buddy's just going to turn the TV off.

[laughter]

There it is. Yay. That always works.

Building Inspector Minozzi: Go ahead, Christina.

Ms. Griffin: OK. This is the color scheme: new windows, new cornice, new trim details, and a new awning at the entrance. It seemed the ARB was ...

Village Attorney Whitehead: It's never going to look pretty.

Ms. Griffin: ... in favor of these changes. They just asked us to give them more detail about how the window trim would work. So we submitted these drawings to them today. We are also adding a fence around the house to give it more privacy in the back.

Just to remind you, these are photographs of the way the building looks now. It has, you know, a very flat façade so we're adding a 1-foot overhang and cornice detail, with brackets. We're removing these narrow casements and making the windows longer. We're removing the lintel and the sill and putting in a wide trim detail around each window. We are keeping the door and the window for now, but replacing the awning.

Chairperson Sullivan: The windows are the same width, you're just making them longer then?

Ms. Griffin: Yes. I'm going to flip right back to the elevations. You can see that when you add ... this is actually the same opening size, but because we don't have two narrow casements – we have a double hung and then we've added the white trim – we end up with ...

Chairperson Sullivan: So they're the same size.

Ms. Griffin: Yes, they are the same size. We want to use the existing headers that are there.

Village Attorney Whitehead: It looks better, looks different.

Building Inspector Minozzi: The ARB liked the change in the windows. They weren't much in favor of the black windows.

Chairperson Sullivan: I guess my only ... I mean, I appreciate the change in the plan because that was something I was interested in; making sure there was a distinction between the residential unit on the first floor and the commercial. But there's no front door. I mean, when you get to the apartment you go through the commercial space. So I'm not sure quite how that's going to work in reality for someone who has the commercial space or someone who's living in the apartment. I mean, what if they're two different entities? It seems to still make it one space.

Ms. Griffin: I'm not sure, but Saeed might like to talk about that. Actually, the idea is that

actually he has a business that could work with this. This is so that one person would have that full space. But we had the kitchen over here so you wouldn't have the two functions kind of intermingled. We separated it not to change the idea of a live-work apartment, but to make sure the commercial space was in the front of the building and very clear.

Chairperson Sullivan: But I think, just as a practicality, live-work doesn't necessarily mean my commercial space is the entrance to my unit. I mean, I think this building would be better served down the road if there was a way to access both spaces – the commercial and the apartment – from a shared point. But knowing that someone would have the ability to rent both of them rather than not ever having the chance to having the two separate; having someone rent the apartment and rent the commercial space.

Right now, you've made this just the one way, which is still looking and kind of feeling like a first-floor apartment to me, no matter where the kitchen is. Because you can never have it be two tenants on this floor. It's always going to be one tenant because you can't get to the ...

Building Inspector Minozzi: That's what it's supposed to be. It's a live-work.

Ms. Griffin: Our intention was to have it as one tenant. So someone would have their business here, but they'd actually live in the back and they would share. Actually, Saeed may like to speak about that because he has a business and this fits his model, his business.

Saeed Faghihi, applicant: Yes, this design is based off of a business I have like for a media center where it can be mixed-use. But this is also something that when the building was being shown was something I discussed with people who had the time or interest in buying the building. That, for instance, one of them wanted to have like a tutoring center, and somebody had mentioned like a therapist's office. They had the intentions, or had mentioned pursuing, having a layout like this.

Ms. Griffin: I think I'll explain a little bit more about that. One reason is because if you close this off then you have a big ... you know, there is this existing space. We're trying to use as much of the walls and the structure that's there, and this was a waiting room once with a bathroom off it. So it makes sense that the door to the apartment is here, but you share this space because if we decided to have a separate door here you would cut this off from the existing bathroom.

I think the only way to make use of the layout, the way it is now with the way the bathrooms are, is to have live-work. You can't really separate this without cutting the bathroom off from the space, and you wouldn't want to put that bathroom ... there's just not enough square footage to move it into here. I think you'd have to do ... I'm not sure if you could even get it to work. Live-work is really popular in the city, and I don't know if there's any of that happening here but it truly is so that one person could ... one tenant takes over the space, and

there's a living area and a work area. There's a lot of uses in businesses that work this way; they *could* work this way.

Building Inspector Minozzi: We have a lot of home occupations here in the Village.

Boardmember Alligood: I want to say if it meets code I would be inclined to approve it this way because at the end of the day it's a marketing issue for the applicant. So if he has trouble selling it this way I think he made a very powerful case last time that he's trying to sell the building, trying to make it something. Again, I think we have another situation of a downtown space that is empty, and I'm inclined to try to help him make it work. I think the market will let him know. If nobody wants to have this kind of connected space he'll find out soon enough and he'll have to invest more money or sell it for less than he'd like to, you know.

Chairperson Sullivan: I'm sympathetic.

Boardmember Bass: So basically it's a two-unit building; one that's mixed-use and one that's residential.

Village Attorney Whitehead: Right.

Boardmember Ambrozek: Well, I'm much happier with this layout. It addresses the concern I had about the location of the kitchen. And I think the access situation is not really a problem. The second floor tenant has completely private access to his unit. And the downstairs being live-work is just fine that he accesses this living space through his work space.

I think this is a much better proposal. Thank you.

Mr. Faghihi: Thank you.

Chairperson Sullivan: What I'd like to see is the flexibility to have it be a type of commercial space that isn't necessarily 100 percent part of someone's residential area. I think that will serve you better in the long run. And I think the argument about an existing bathroom plugging up the works on this, I mean, you're adding in kitchens and bathrooms already so there's already a fair amount of plumbing works. I don't take that argument so necessarily to heart.

What I see is, you could potentially – and these colored plans are wonderful – extend the blue slightly through that doorway and bring it up along the side of whatever that purple is, the stair, and relocate the bathroom. You could potentially create a way to make these two spaces be separate from each other; just a way of creating a front door to the apartment. But

if it's a legal use, and the other people on the Board are comfortable with it, that's one person's opinion. Did we determine live-work was a commercial use for the downtown?

Building Inspector Minozzi: Yes.

Village Attorney Whitehead: You've done that before. That was something that was discussed last month. It's been done before.

Building Inspector Minozzi: As long as the living part isn't building abutting the street.

Village Attorney Whitehead: Right.

Building Inspector Minozzi: And what they addressed last week was the arbitrary ... if the kitchen was in the front of the building did that make the apartment in the front of the building. So the applicant did move the kitchen back, as requested. The other note I have is about the front, which they are addressing with the ARB. So it appears to be that they have addressed the two major points from last time.

Boardmember Alligood: I feel like we gave them feedback, they provided us the changes, and I think we should vote on it.

Chairperson Sullivan: The changes are much better for how the unit's condensed. My concern, like I shared, was just the front door issue. But again, one person's opinion.

Building Inspector Minozzi: If there was no other feedback, what the process would be from here would be they would have to finish up – I believe, Linda – with the ARB, and come back one more time for final. Or if they wanted to, at this point, could they be your final?

Chairperson Sullivan: The thing is, they're ...

Building Inspector Minozzi: If they wanted to.

Chairperson Sullivan: I think the ARB is acting on their own now because they're in the CC district. I mean, their advisory to us ...

Village Attorney Whitehead: In other districts.

Chairperson Sullivan: ... is, they've given us advice. But we don't have to wait for their approval.

Building Inspector Minozzi: OK.

Chairperson Sullivan: I mean, at this point we could give them feedback if we wanted to see what they're seeing. But those guys do such a nice job, it's just lovely to see what they work out.

Building Inspector Minozzi: I'm just saying if you wanted to.

Village Attorney Whitehead: And it sounds like all they're still looking at is some details on the window trim.

Chairperson Sullivan: I don't think they need to anyway. They're not an approval board so I think they've done their job. Then they have the whole separate CC work they do with you.

Building Inspector Minozzi: No problem. However the Board wants me to handle it.

Boardmember Bass: So let's move it.

Chairperson Sullivan: Yes, let's do this. May I have a motion to approve for the site plan approval application of Saeed Faghihi for the creation of a mixed-use occupancy which includes two dwelling units and office space at the commercial property located at 55 Main Street?

On MOTION of Boardmember Alligood, SECONDED by Boardmember Ambrozek, with a voice vote of all in favor the Board resolved to approve the site plan application of Saeed Faghihi for the creation of a mixed-use occupancy which includes two dwelling units and office space at the commercial property located at 55 Main Street.

Chairperson Sullivan: Thank you.

Mr. Faghihi: Thank you, guys.

Boardmember Ambrozek: Thank *you*.

2. **SEQRA Determination (Continued) – Application of Riverton Lofts West, LLC for the construction of a new seven-unit multi-family dwelling on an existing lot with associated parking and an existing building, to have an interior renovation only, at 10 West Main Street. Said property is in the CC Zoning District and is also known as SBL 4.70-48-13 on the Village Tax Maps.**

******Deferred Until Future Meeting******

VI. ANNOUNCEMENTS

Next Meeting Date – March 15, 2018

Boardmember Alligood: I will not be here.

VII. ADJOURNMENT

Chairperson Sullivan: What I'm going to do is make a motion to adjourn and then we can chat.

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