

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
PLANNING BOARD
REGULAR MEETING AND PUBLIC HEARING
JULY 19, 2018

A Regular Meeting and Public Hearing was held by the Planning Board on Thursday, July 19, 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 William O'Reilly, Boardmember Richard Bass, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr., and Planning Board Meeting Assistant Jennifer Petillo

Chairperson Sullivan: So welcome to the Planning Board meeting of Hastings-on-Hudson. This is our Thursday, July 19, 2018 meeting.

May I have the roll call, please?

I. ROLL CALL

Boardmember Ambrozek: As a question of procedure, do you know if the video is recording?

Village Attorney Whitehead: Hello?

Chairperson Sullivan: Good question, thank you.

Village Attorney Whitehead: I'm not getting a wave.

Boardmember Alligood: He usually waves to us.

Village Attorney Whitehead: Raf?

Village Technology Director Zaratzian: Okay, thank you.

Village Attorney Whitehead: How come you didn't nod to us?

Chairperson Sullivan: Thank you, Michael.

Boardmember Ambrozek: Yes.

Chairperson Sullivan: I appreciate that.

II. APPROVAL OF MINUTES

Meeting of June 21, 2018

Chairperson Sullivan: All right, next item up is approval of the minutes from our June 21 meeting. Anyone have any comments?

Boardmember Ambrozek: I was absent.

Boardmember O'Reilly: No comment.

Chairperson Sullivan: Richard, or Eva?

Boardmember Bass: I'm good.

Chairperson Sullivan: Okay, I have none as well. So may I have a to approve?

On MOTION of Boardmember Bass, SECONDED by Boardmember Alligood, with a voice vote of 4 to 1 [Boardmember Ambrozek abstained], the Minutes of the Regular Meeting and Public Hearing of June 21, 2018 were approved as presented.

Chairperson Sullivan: All right, next up is an old public hearing.

III. OLD PUBLIC HEARINGS

1. **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 bar 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.

Chairperson Sullivan: So this was re-noticed, which was for the change of use on the rooftop?

Village Attorney Whitehead: Yes, there's a change on the view preservation. It was determined that the elevator bulkhead is actually a couple of feet higher than what was shown to you before.

Building Inspector Minozzi: You just have to introduce yourself.

William Alicea, architect – Ward Capital Mgmt., LLC: Hi, I'm the architect for 555 Warburton.

So the plans, we amended the height at the bulkhead to be 12 feet above the roof surface that's shown on the current plans.

Village Attorney Whitehead: And the plans that have been submitted have amended view preservation drawings.

Building Inspector Minozzi: Correct.

Mr. Alicea: We also added that on the view, yeah.

Chairperson Sullivan: I think it'd be great if you could just walk through what you're talking about. That would be great.

Mr. Alicea: Sure.

Building Inspector Minozzi: Using boards? Okay, very good.

Chairperson Sullivan: And use the handheld mic if you wouldn't mind.

Village Attorney Whitehead: Just so you know, there are revised pictures. I checked them, they are the revised in the package, and it still shows that it doesn't ... I know they're in there, I saw them.

Boardmember O'Reilly: Yes, you're right.

Chairperson Sullivan: Also want to talk about the resolution, correct?

Village Attorney Whitehead: Yes, let's do the view preservation first and then you can go to the site plan approval resolution.

Boardmember O'Reilly: This one?

Village Attorney Whitehead: It's the one with the pictures.

Mr. Alicea: So that would be on your drawing E-2. So what we did was, we added the additional bulkhead view from the street. You see that from across the street there still is no correct view of the (off-mic) long pad. The view from the VFW building across the way is shown in these photos, with the bulkhead up one and on top of the building.

Chairperson Sullivan: So when you say the bulkhead, you mean the elevator.

Mr. Alicea: It's a stair and elevator combined. Once we had the elevator, the stair didn't require more height but the elevator did for the added machinery. So they're shown on both these views here. Then in the drawings, these sections, we also noted the additional height.

Chairperson Sullivan: Could you show us the sections and just explain where the bulkhead is?

Mr. Alicea: One of the preliminary discussions was to locate the bulkheads in this corner for sound attenuation for the surrounding neighborhood, so we kept to that. So this being the building here – this is the northwest corner of the building – that would be the stair and the elevator bulkhead basically combined at the unit. We sloped it as much as possible above the stair, and then we bumped it for the elevator requirement. I'll show that in the section.

But while we're on the plan, we also decided, per our previous meetings, that we would include the air conditioning units in this area, as well. So to keep everything in that area so that the sound would be attenuated by the bulkheads themselves.

Village Attorney Whitehead: And those units are below the parapet.

Mr. Alicea: They are below the parapet, and I included in the note that there'd be a privacy fence and that some attenuation boards would be applied to the parapet – the inside of the outside parapet – and an actual fence itself so the acoustics would baffle whatever noise there was. And the machines today are very quiet.

Chairperson Sullivan: I noticed you did that. That was appreciated, with that level of detail. Thank you for that.

Mr. Alicea: So that's where the bulkhead is located on the plan. And as far as the elevations, we also amended those. This is the Warburton site elevation. You see what I mean by bumping up that bulkhead and then sloping down over the stair. The 12 foot is actually taken from the surface of the roof area to the top of the machine room of the elevator.

If I could just scroll through the other elevations.

Chairperson Sullivan: Thank you.

Mr. Alicea: This is the front of the building where you see the highest point, the furthest away from the street, at this location. A side view coming from the west: basically, you see a flat section, a slope section, and then the bulkhead.

Chairperson Sullivan: And you found a location for kitchen exhaust up the side?

Mr. Alicea: Yeah, that's been maintained throughout. That's in the same location, again using that area as a baffle.

Boardmember Ambrozek: I'm trying to understand some of the heights on these last two drawings: A-2.3 and A-2.2. So on A-2.3 you show the highest elevation to be 8 feet above the top of the roof deck, plus something which is less than the 12 feet you say you're going to have.

Mr. Alicea: A-2.3?

Boardmember Ambrozek: Yes.

Mr. Alicea: Okay, so on the current drawing it's showing the 12 foot. I can bring it over to you and show it as bubbles, and the rise goes, so we submit those. Those are the last submittals.

Village Attorney Whitehead: He's not talking into the mic.

Mr. Alicea: Should I bring it over?

Boardmember Bass: You got to use the mic.

Mr. Alicea: Oh, I'm sorry.

So on the last submitted drawings we submitted, A-2.3, it shows the 12-foot height, which is a revised dimension on our drawings. It's bubbled.

Boardmember Ambrozek: What's the revision date, please, down at the bottom?

Mr. Alicea: We have July 2, 2018.

Boardmember Ambrozek: Okay. So mine is not the same date, that's the problem. Now I understand.

Mr. Alicea: Okay.

Building Inspector Minozzi: Is everybody else's the right date?

Boardmember Bass: No.

Building Inspector Minozzi: Your guy maybe switched the drawings.

Mr. Alicea: Okay. Yeah, we had sent one of my assistants down to change the drawings. I'm not sure what happened with that.

Village Attorney Whitehead: I know the view preservation one is definitely 7-2 because I checked that.

Building Inspector Minozzi: The view preservation ones are not correct.

Mr. Alicea: Oh, okay.

Boardmember Ambrozek: No, the dates for all of mine are A-2.1, A-2.2, and A-2.3, and all January, 2018 dates.

Mr. Alicea: We can resubmit those.

Boardmember Ambrozek: No, I just was looking for consistency. The building department will work with the latest-date drawings.

Village Attorney Whitehead: So the view preservation drawings – which is the thing you're looking at right now, those – in your package, are 7-2.

Boardmember Ambrozek: Yes.

Village Attorney Whitehead: The others need to match up with them.

Boardmember O'Reilly: Mine are January, as well.

Boardmember Ambrozek: Well, actually my VP.2 is also January 2018

Village Attorney Whitehead: There should be a revision date on it.

Boardmember O'Reilly: Or "revised."

Boardmember Ambrozek: Oh, revised April.

Boardmember O'Reilly: 23.

Boardmember Ambrozek: April 23.

Building Inspector Minozzi: Yes, 1.2, 1.1 – those are the original ...

Village Attorney Whitehead: You don't have two revision dates?

Boardmember O'Reilly: On a couple of them I have June 21, '18.

Village Attorney Whitehead: Well, Eva's has two revision dates and the second one says 7-2 on VP.2. And I know that's what was online because I looked at it online.

Boardmember Ambrozek: My VP.2 says the latest revision date is April 23. Oh no, sorry. There's a second one, July 2. Yes, okay. I have the latest revision, thank you.

Mr. Alicea: Okay.

Village Attorney Whitehead: So everybody, on the view preservation, has the 7-2.

Building Inspector Minozzi: I looked at these on the flash drive – a flash drive was correct – and looked at the hard copy of the view preservation, which was correct. So that's where the kid didn't change out the three elevation drawings.

Mr. Alicea: Oh, okay.

Boardmember Bass: Fire him.

[laughter]

Mr. Alicea: He's gone.

So it is consistent on my drawings, and we'll submit whatever ... you know, there's no changes required.

Building Inspector Minozzi: They were right on the submission that I sent out.

Mr. Alicea: Okay, let's see. What else? So all the views are basically reflecting that change. Any other questions?

Chairperson Sullivan: Michael, Bill, do you have any questions?

Boardmember O'Reilly: No.

Village Attorney Whitehead: So you had already done a recommendation on view preservation, but because of the change you need to do that again.

Chairperson Sullivan: First, any questions from Eva or Richard?

Boardmember Alligood: No.

Chairperson Sullivan: So you want to help us walk through the resolution?

Village Attorney Whitehead: Well, let's do view preservation separately because it's not in the resolution.

Chairperson Sullivan: Okay.

Village Attorney Whitehead: So you just need a motion to approve view preservation for the revised plan.

Chairperson Sullivan: An advisory to ...

Village Attorney Whitehead: Yes, view preservation recommendation to the Zoning Board for the revised plan, revised 7/2/18.

Mr. Alicea: Right.

Chairperson Sullivan: May I have a motion?

On MOTION of Boardmember Ambrozek, SECONDED by Boardmember Alligood, with a voice vote of all in favor the Board resolved to approve the view preservation recommendation to the Zoning Board for the revised plan.

Chairperson Sullivan: Okay, you'll go to the Zoning Board. The resolutions, right?

Village Attorney Whitehead: Yes.

Chairperson Sullivan: So this is for site plan approval.

Village Attorney Whitehead: Right, and this resolution was revised following the discussion at last month's meeting and includes all the revisions discussed last month.

Building Inspector Minozzi: I was asked to check with Mike Gunther about the garbage and I did, and it's going to be the same as it was before. So no problem. The applicant is going to work on the mailbox.

Village Attorney Whitehead: And that's why we have it in here. That they were going to apply to move the mailbox.

Building Inspector Minozzi: And you were supposed to bring a signed copy of the agreement.

Mr. Alicea: Which agreement?

Village Attorney Whitehead: It's a condition.

Building Inspector Minozzi: Oh, it's a condition? Okay.

Village Attorney Whitehead: Yes, that they have to provide a signed copy.

Building Inspector Minozzi: Okay, very good.

Mr. Alicea: Which agreement, Charles?

Village Attorney Whitehead: The parking agreement.

Mr. Alicea: Oh, okay. Yeah, the mailbox will basically be moved north about 10 feet.

Chairperson Sullivan: I had a couple comments, if we want to talk about the resolution. I appreciated the identification that there would be spaces that are being set aside specifically for the residents of the residential units. I think it might make sense to make no more than four spaces. And then also the shell I wanted to talk about because what if there was a resident – unit owner or unit resident – that did not want parking. So it was more like they didn't have a car and only needed one space. It may be assigned single-space or no spaces, depending on, you know, our transit-oriented downtown?

Village Attorney Whitehead: You can make it no more than four spaces within the lot will be specifically reserved for the residents of the residential units unless any resident indicates ...

Boardmember Alligood: Not sure you need to say "no more than ..."

Village Attorney Whitehead: Right, it's not saying there has to be four. If we changed it to no more than four it can be less.

Boardmember Bass: You could use the word "maximum."

Chairperson Sullivan: It says "*shall be specifically reserved.*" I would say "maybe," you know, because that gives you the ability ...

Village Attorney Whitehead: Sure, we'll change it to max.

Chairperson Sullivan: That's all I think it needs.

Village Attorney Whitehead: Okay.

Chairperson Sullivan: And the other thing, about the valet parking. We have a situation where there's 75 occupants can be there without accommodating additional parking. Then we have a situation where, right now I think – and Buddy, this is a question to you – the occupancy of each of the three spaces that are being used for the restaurant, the deck, the first floor, and the bottom floor. Potentially the legal assembly occupancy's going to be more than 75, I assume.

Building Inspector Minozzi: More than 75 people, yes. But this 77 is the parking spaces.

Chairperson Sullivan: Right, but where I'm headed is, 75 people can come – they can be open and have 75 people among those spaces – then would be a time when they would like to have more than 75 people but at an organized event. Which is the situation ... the organized event is when there's invitations and valet parking and all that comes into ...

Building Inspector Minozzi: We did talk about that last month, about organized parties and stuff like that.

Village Attorney Whitehead: Kathy's saying what if they have more than 75 *without* an organized event.

Building Inspector Minozzi: Oh. If they require more than 75 spaces without an organized event? Well, there can definitely be more than 75 people in this restaurant.

Mr. Alicea: We have a note here that we agreed to in my approval comparison chart, T-2. It says, "*More than 75 guests are allowed only during those times that parking ...*" – sorry – "*... parking spaces are exclusively available to the owner,*" and then it goes on from there.

Village Attorney Whitehead: Kathy, I think that's covered in the first paragraph. The other one, there are two separate provisions because you guys asked me to put back in the one for the organized events. It wasn't in the prior draft. So paragraph one talks about the maximum number of guests shall be 75 unless they have the valid agreement.

Chairperson Sullivan: What was added back was "*with valet parking.*" So that's why I'm wondering do we really want to have ... if, say, there's a great day and people want to go and hang out there, and there's going to be more than 75 people but it's not an organized event.

Village Attorney Whitehead: Well, this paragraph doesn't apply only to an organized event. Do you want to say they don't need valet? The problem is, for them to have the full use – to fit all the cars in that lot – they need valet.

Mr. Alicea: Yes.

Village Attorney Whitehead: To fit the 41, it has to be with valet. Because they block each other.

Boardmember Bass: I'm not following you. You're talking occupancy, not parking.

Chairperson Sullivan: I'm talking the occupancy that triggers the need for them to have the agreement and have valet parking ...

Village Attorney Whitehead: Is 75.

Chairperson Sullivan: ... is 75. And what we've had in both resolutions was it was triggered by an organized event.

Village Attorney Whitehead: No, this does not say it's triggered by an organized event. Paragraph one has nothing to do with organized events.

Chairperson Sullivan: Right, that was a change from the original ...

Village Attorney Whitehead: The prior draft of this didn't deal with organized events at all.

Chairperson Sullivan: No, I'm talking about the resolution of '09. They did not have ...

Village Attorney Whitehead: Because they weren't using it all just for restaurant. It was a different type of facility. The restaurant itself didn't because there was the wellness center.

Mr. Alicea: Right, yeah.

Village Attorney Whitehead: The restaurant itself didn't have the same capacity.

Boardmember Alligood: Can you remind us, how many people can be seated on the main floor and how many on the bottom floor and how many on the ...

Mr. Alicea: So it breaks down to the legal use is 45 in the cellar. We have 80 on the first floor, but we're allowed 120 by square footage. But the actual layout ...

Village Attorney Whitehead: You have seating for 80.

Mr. Alicea: What we're showing is 80, and the rooftop I think we did ... it was maxed out at 45.

Building Inspector Minozzi: 49.

Mr. Alicea: 49? Yeah.

Chairperson Sullivan: I'm sorry for not being as articulate as I can be. I wanted to make sure that there wasn't a need ... do need valet parking if they were not doing an organized event. But if people are comfortable with that – if they want to have more than 75 people and they have to trigger valet parking ...

Village Attorney Whitehead: I think on a Friday or a Saturday, where the restaurant is busy, they're going to want valet ...

Mr. Alicea: Yeah.

Village Attorney Whitehead: ... to make full use of the parking lot.

Mr. Alicea: Yeah.

Village Attorney Whitehead: So I don't think they have a problem with requiring valet ...

Mr. Alicea: No.

Village Attorney Whitehead: ... when there's more than 75 people.

Boardmember Alligood: And I just don't see, without an organized event, that in our town that will be (off-mic) ... 75 people.

Village Attorney Whitehead: 75 people at a time.

Chairperson Sullivan: Okay, thank you.

Village Attorney Whitehead: Probably Saturday nights, where they're going to want to have a valet anyway.

Boardmember Alligood: Or maybe Friday. But yes, I'm just saying ...

Boardmember Bass: We're up to planning board.

Chairperson Sullivan: The only other question I had was, there's references that were added – and we talked about it – about using the Zinsser commuter lot for valet parking.

Village Attorney Whitehead: Yes.

Chairperson Sullivan: Is that something that they ... do they have to have an agreement with the Village in any form or fashion?

Village Attorney Whitehead: No, because that lot is public parking at night and on weekends. So they're public.

Chairperson Sullivan: Great, thank you.

Village Attorney Whitehead: Yes, I tried to make sure to have the distinction between the Zinsser parking lot and the Zinsser commuter lot, which always causes confusion in this village.

Boardmember Bass: Mm-hmm.

Chairperson Sullivan: That was it, thank you. Any comments, Michael?

Boardmember Ambrozek: No.

Chairperson Sullivan: Bill?

Boardmember O'Reilly: No.

Boardmember Bass: I'm good.

Chairperson Sullivan: Linda, anything we have had to add in? Any questions?

Village Attorney Whitehead: No. So I think you can ... if you have a written resolution you can just have a motion to approve the site plan for 555 Warburton – or Pam 555

Warburton Realty, LLC – in accordance with the resolution, as amended.

Building Inspector Minozzi: I wanted to catch you before your eyes. Did you want to just include the approval from the ARB in your approval?

Village Attorney Whitehead: Did the ARB ...

Building Inspector Minozzi: They haven't made an application to the ARB.

Village Attorney Whitehead: Did they have to be advisory? Did they need this before they could ...

Building Inspector Minozzi: Their advisory, but they never traditionally have always come before the approvals. We've sent them to ARB lots of times after the approval, but if you just said something upon approval.

Village Attorney Whitehead: So just add a condition that says it is subject upon ARB approval, and if anything changes it has to come back to this board again.

Building Inspector Minozzi: It would, but they're just going for ... everything outside's already been approved.

Village Attorney Whitehead: Right, this is an existing building.

Boardmember Alligood: I don't understand why we would ...

Building Inspector Minozzi: That's it.

Village Attorney Whitehead: Yes, so I'm just going to add "subject to ARB approval."

Building Inspector Minozzi: It's just for the bulkhead. That's all they have to go to ARB for.

Village Attorney Whitehead: Okay.

Boardmember Bass: I accept the friendly amendment.

Boardmember Ambrozek: I accept it also.

Mr. Alicea: It's really about the bulkhead.

On MOTION of Boardmember Bass, SECONDED by Boardmember Ambrozek , with a voice vote of all in favor the Board resolved to approve the site plan for 555 Warburton – or Pam 555 Warburton Realty, LLC – in accordance with the resolution as amended, subject to ARB approval..

Village Attorney Whitehead: Do the vote again.

Chairperson Sullivan: All right, with the condition added.

Well, thank you very much. This is very exciting.

Mr. Alicea: Okay, thank you all.

Boardmember Bass: Thank you. Open quickly.

Village Attorney Whitehead: When's it opening?

Building Inspector Minozzi: When you get your design nailed down ...

Mr. Alicea: Yeah.

Building Inspector Minozzi: ... you know, when you're getting close to getting your design nailed down let me know and we'll get you on the agenda. We'll get you on the agenda two weeks before the meeting.

Mr. Alicea: Oh, okay.

Village Attorney Whitehead: To the ARB.

Mr. Alicea: Yes, so essentially it's just the bulkhead.

Building Inspector Minozzi: Yes.

Mr. Alicea: Okay, great.

Boardmember Bass: Before we go to new public hearings ...

Boardmember Ambrozek: Do they need to include any of the ... I know it's not visible from the street, but does the ARB need to know anything about the air conditioning units and ...

Building Inspector Minozzi: They're all underneath the ...

Boardmember Ambrozek: Parapet. They're all below the height of the parapet. Okay.

*** *The Following Applications are Deferred to Future Meetings* ***

2. **Steep Slopes Approval – Application of Yakov Bindler for a 252 square foot addition to an existing side yard deck at their single-family dwelling located at 41 Jefferson Avenue.** Said property is located in the R-10 Zoning District and is known as SBL: 4.80-74-7 on the Village Tax Maps.
3. **Site Plan Approval – Application of Tabi Realty LLC – 425 Warburton Avenue.**
4. **Steep Slopes Approval – Application of Mirjana Alilovic for the gross illegal re-grading and drainage of the backyard on her property located at 12 Prince Street.** Said property is located in the 2-R Zoning District and is known as SBL: 4.140-151-11.2 on the Village Tax Maps.
5. **Site Plan Approval & Steep Slopes Approval – Application of PTG Development, LLC for the construction of a new building containing six townhouse units on its property at Warburton Avenue (aka Nodine Street).** Said property is located in the MR-1.5 Zoning District and is known as SBL: 4.100-94-7 & 8 on the Village Tax Maps.

Boardmember Bass: Madam Chair, before we go on to new public hearings, item four – the 12 Prince Street that's been continuously laid over – I would really like to pursue pulling the C of O on this property.

Building Inspector Minozzi: I'll give you the update on it.

Village Attorney Whitehead: We've been talking about bringing her back into court and what steps can be done.

Building Inspector Minozzi: The architect has been released from the project, so that's strike number one. She's moved and now there's nobody living there, which is strike number two. So we're going to put her on.

Village Attorney Whitehead: You're going to bring her back into court.

Boardmember Alligood: Are there fines that are levied?

Village Attorney Whitehead: Yes, there was already a fine levied and when they bring her back in there can be new fines.

Boardmember Bass: But administratively, the building is in violation of the site plan. Can't you, as the building official, pull the C of O?

Village Attorney Whitehead: Nobody's living there.

Boardmember Bass: No, no, no, but if there's no C of O on the property no one *can* live there.

Building Inspector Minozzi: There was never a C of O for the work that was done.

Village Attorney Whitehead: It's still open.

Boardmember Bass: So no one has been living there, period.

Building Inspector Minozzi: They moved out, best we could see, about four to six months ago – best we could figure.

Boardmember Bass: Okay, I may be beating a dead horse here, but if there's no CO and they rented or someone else moves in they can be vacated out of the property because you can't occupy the building without a proper ...

Building Inspector Minozzi: I can't condemn the property, no.

Boardmember Bass: No, you're not condemning the property.

Village Attorney Whitehead: This board's not an enforcement board. We understand your concern, we're working on it, we're taking it back into court, there's no one living there right now. So does the house have a CO, the house itself?

Building Inspector Minozzi: The original structure has a C of O.

Village Attorney Whitehead: The original structure.

Building Inspector Minozzi: The work that they did, under the permit that they pulled ...

Village Attorney Whitehead: Does not have a C of O.

Chairperson Sullivan: So can we maybe have this taken off our agenda then?

Building Inspector Minozzi: Excuse me?

Chairperson Sullivan: Can we have it removed from our agenda, since we're not ...

Building Inspector Minozzi: I can remove it, if you choose. If you want me to I can do it.

Chairperson Sullivan: It's not going to come in front of us anytime soon.

Village Attorney Whitehead: At some point it is, hopefully.

Building Inspector Minozzi: If it does it'll have to be re-noticed again.

Chairperson Sullivan: It only came to us because it was a condition of whatever agreement they had made with the court.

Building Inspector Minozzi: We did get her escrow and we did cover our fees out of it so we're good there. It's just getting her to comply at this point.

Village Attorney Whitehead: Right, so she's going to get taken back into court.

Chairperson Sullivan: There are a number of applications that are deferred. The first new public hearing is a resubdivision approval, and I'm going to recuse myself from this case. So someone should step up as an acting chair for this case.

Village Attorney Whitehead: Do we have an acting chair? I wouldn't want to be the acting chair.

Boardmember Bass: I'll do it.

Chairperson Sullivan: Thank you, Richard. You get to come sit over here, if you wish.

Village Attorney Whitehead: He doesn't have to.

Boardmember Bass: I don't have to. My seat's warm.

IV. NEW PUBLIC HEARINGS

1. **Re-Subdivision Approval – Application of Eileen Hershenov & Daniel Pool and Heather & Daniel Baum for the resubdivision of their properties at 98 Old Broadway and 2 Goodwin Street, as per Section 295-120 of the Village Code, for a lot line adjustment, creating two nonconforming lots in relation to lot width. The properties are located in the R-10 Zoning District and are known as SBL: 4.140-146-27 & 28 on the Village Tax Maps.**

***** Chairperson Sullivan recused *****

Acting Chairman Bass: So this is a new public hearing for a resubdivision approval application.

Village Attorney Whitehead: Before that, I just want to clarify a couple of things. First of all, what's not clear on this map is where the existing lot line is. It sort of jogs, it's in blue on here, and that was obviously done when the lot for 2 Goodwin was created to give it the 100-foot lot width. That's why it created this irregular lot line, which they are now trying to eliminate the regular lot line. So that was one thing. I just wanted to make sure the board understood that. So they're going from this jog to a straight. Then this piece will go to that lot, and there's a strip here that goes to this lot.

Boardmember Ambrozek: Could you show us?

Village Attorney Whitehead: I've got it highlighted.

Boardmember Ambrozek: I see the original jog.

Village Attorney Whitehead: Right, this is the original.

Boardmember O'Reilly: Oh, it's that one that goes to it.

Village Attorney Whitehead: It goes like this, so that was to give this 100 feet.

Boardmember O'Reilly: Oh, wait. This has got the original property line here.

Building Inspector Minozzi: (Off-mic).

Village Attorney Whitehead: It didn't show up on some of the ... oh, okay, I'm off. Yes, it's like that. Right, it jogs in like this, okay, and comes down here. So they're moving this over to follow the existing fence. So this piece will be conveyed to this lot, and this sort of triangular piece here will be conveyed to that lot.

Boardmember Ambrozek: Oh, okay.

Village Attorney Whitehead: And the line gets straightened out.

Boardmember Ambrozek: I was puzzled by this. What is this solid line here?

Village Attorney Whitehead: I think that's just a setback.

Acting Chairman Bass: Can I suggest the applicant explain the existing condition?

Village Attorney Whitehead: Yes, it's just hard to see.

Acting Chairman Bass: Yes, I know.

Village Attorney Whitehead: Then I'll let the applicant explain, but I also just had one question.

Boardmember O'Reilly: That's where the house begins.

Village Attorney Whitehead: It seems to me that for the existing ...

Boardmember O'Reilly: It's not very clear.

Village Attorney Whitehead: ... Old Broadway was used as the front, and you're shifting the front on that lot to Goodwin.

Acting Chairman Bass: You don't happen to have a highlighter on you.

Elliott Senor, engineer/surveyor: Elliott, engineer/surveyor No, I got my pointer.

Acting Chairman Bass: I think it would be really useful if we have a highlighter and you actually trace the existing condition and the proposed condition, both for us and for the audience.

Village Attorney Whitehead: That's why I use two different colors. Go ahead.

Mr. Senor: Good evening. I'm representing the two owners of the property.

The original lot line, as you were saying, well, we have it labeled on most of it. It comes down here, jogs across here, and comes back down there. Now, that was created so that when they subdivided this lot each lot had 100 feet of frontage or 100 feet of lot width. As

Ms. Whitehead said, we are changing the lot frontage on the corner lot – the lot that used to front on Old Broadway – to be the front yard on Goodwin for the subdivision purpose. The reason for that is that the new line is closer to the building than the old line.

Originally that was rear yard, and that rear yard has to be 30 feet, right? Because of the fence location – we can go and explain how that came about – we're reducing that setback from 30 to 25.

Village Attorney Whitehead: So it would have needed ... if you left the front yard as Old Broadway it wouldn't need the lot width variance, but it would need a rear yard setback variance.

Mr. Senor: And the width variance is only about 3 percent, but the setback would have been like 15- to 18 percent. So we went with the smaller of the variances, hopefully creating this smaller variance. Depending on whether it's a width variance or a rear yard setback variance, we could change the application and go either way. But I felt that the 3 percent variance was better than, or less extensive than ...

Village Attorney Whitehead: It's an issue of whether you could re-designate a front yard that's already been designated and was already conforming.

Mr. Senor: Right. You know, that is up to you. But as far as the reasons for this, basically the people who live in the Old Broadway house have been there for many, many years. They put up the fence. They put up the fence so it wouldn't interfere with a row of trees that are there. Recently, the Goodwin house was sold. And when they had a survey done the survey showed the proper line and showed a row of trees there that crossed the line; it was started on one side and ended on the other.

The owners there wanted to remove the trees. They went to the neighbor and said, "You're going to lose trees. They're half ours, half yours. We want to cut them down." Of course that opened a can of worms about the location of the fence because the fence is inside the row of trees, which sort of creates an adverse possession claim. So the two neighbors got together and they said, "Okay, well, let's try and do, amicably, a resolution." So they decided to try and re-divide so the property line becomes the fence. The people on Goodwin get about 500 square feet, the people on Broadway get about 400 square feet, so it's a pretty even trade on lot area and made sense for them.

Otherwise, you can go to court and become an adverse possession claim, in which case the court would decide what to do about it. You don't think so?

Village Attorney Whitehead: No. Fences don't create adverse possession anymore.

Mr. Senor: It sort of piggybacks prior to that.

Village Attorney Whitehead: Anyway, it's irrelevant. They're trying to resolve it.

Mr. Senor: We're trying to resolve it.

So in any event, we subdivided the property so that the fence is on one property and that creates the line from the back to the street, as opposed to that odd jog-in.

Boardmember Alligood: Sounds like the trees are going to come down.

Mr. Senor: I think there's an application for a pool?

Mr. Harris: One of the trees fell down in one of the bad recent storms.

Acting Chairman Bass: You have to introduce yourself and speak into the mic, please.

Allen J. Harris, Dobbs Ferry: My office is in Pleasantville. I represent the folks on Old Broadway, the Baums. You want my home address or my office address?

Boardmember Ambrozek: No, offices.

Acting Chairman Bass: So you're an attorney representing them.

Mr. Harris: I am, and because I represent the folks on Old Broadway and I was trying to avoid litigation we basically came to this agreement. And, of course, the agreement requires approval so that's why we're here. I'm happy to answer any questions.

Boardmember Ambrozek: Well, I just want to be sure that we don't have any steep slopes involved, especially where the property line is changing.

Mr. Senor: No, there's no steep slopes on the property.

Village Attorney Whitehead: And there's no construction.

Mr. Harris: And there's no new construction as relating to the subdivision.

Building Inspector Minozzi: Not under this application.

Mr. Harris: Yes. There's no new density being created, that type of thing. There's no new homes going to be created.

Village Attorney Whitehead: It's just a lot line change.

Mr. Harris: And so the situation has existed for many, many years where, in addition to the line of trees, there was various shrubbery, et cetera so everybody sort of always assumed that this was the line. But, of course, when they went to the actual survey they realized no: what appears to be the line and was always treated as the line is not, in fact, the line.

Acting Chairman Bass: Okay, so other than that there's no new construction, this is just a problem-solving for the two property owners.

Mr. Harris: Avoiding an enormous amount of time and expense involved in litigation. Precisely.

Acting Chairman Bass: And since it's creating new noncompliance it has to go to the Zoning Board. Have fun.

Mr. Harris: And we're on the calendar for a week from tonight.

Village Attorney Whitehead: Technically, your subdivision regulations say that where a subdivision requires a variance that you're supposed to make a recommendation to the Zoning Board.

Mr. Senor: So before you start, could we go with the lot width variance?

Village Attorney Whitehead: Well, it's already been noticed for the Zoning Board. So if we change it, I still think it should have been done the other way.

Boardmember Ambrozek: It has to be, it should be, consistent.

Village Attorney Whitehead: I don't want to hold you up for a month-and-a-half so.

Mr. Harris: Sorry to interrupt you.

Acting Chairman Bass: No, that's okay. Before I turn to the board, is there anyone from the public who would like to speak? Seeing none, I'll close the public hearing.

Boardmembers? Comments, thoughts, concerns?

Boardmember Ambrozek: Well, my feeling is that unlike other subdivision retrenching of lines this is a very minor one. Whether we're changing the rear setback or the side setback, again really this is a situation of terminology. I'm comfortable with this resubdivision of the two lots.

Acting Chairman Bass: Bill?

Boardmember O'Reilly: I feel the same. I mean, the size of the lots, each one them, are certainly sufficient in overall area. It's just a question of making it a more sensible line between the two properties so it's consistent. Because it was an odd arrangement, but I have no problem with that. And the setback you're going for – the lesser of the two evils – is agreeable and, I would say, warranted.

Acting Chairman Bass: Thank you.

Boardmember Ambrozek: Am I correct in understanding that the lot areas are ... this is an MR-1.5?

Building Inspector Minozzi: It's R-10. Ten thousand required, and the one lot is almost 14,000 and the other one almost 19,000.

Boardmember Ambrozek: Big lots.

Building Inspector Minozzi: So they're way over the minimum lot requirement for area.

Boardmember Ambrozek: Okay.

Boardmember Alligood: I only think it's great when neighbors can work things out. So I think if this is the solution they wanted to come up I don't see a problem with it.

Acting Chairman Bass: I agree. The reconfiguration of the lot line is de minimis.

So could I have a ...

Village Attorney Whitehead: No.

Acting Chairman Bass: No?

Village Attorney Whitehead: What were you going to ... you have to do a negative declaration under SEQRA.

Acting Chairman Bass: Okay. Nuts.

Boardmember O'Reilly: That, too.

Village Attorney Whitehead: I would say first you should just make a motion for a negative declaration; that this application won't result in any potential significant adverse environmental impacts, and therefore an environmental impact statement is not required.

Acting Chairman Bass: Not to lead the Board, do I hear a motion to that effect?

On MOTION of Boardmember O'Reilly, SECONDED by Boardmember Ambrozek, with a voice vote of 4 to 0 [Chairperson Sullivan recused] the Board resolved for a negative declaration; that this application won't result in any potential significant adverse environmental impacts, and therefore an environmental impact statement is not required.

Village Attorney Whitehead: And then you want to do a recommendation to the Zoning Board.

Acting Chairman Bass: Can I have a resolution making a recommendation to the Zoning Board to support the minor variance to correct the lot line condition?

On MOTION of Boardmember O'Reilly, SECONDED by Boardmember Ambrozek, with a voice vote of 4 to 0 [Chairperson Sullivan recused] the Board resolved to approve a recommendation to the Zoning Board to support the minor variance to correct the lot line condition.

Village Attorney Whitehead: You're going to have to come back here next month, after you get the variance, for them to actually grant the subdivision approval.

Mr. Senor: Thank you for your time.

Acting Chairman Bass: Thank *you*. Have a good night.

Mr. Harris: Thanks very much.

Village Attorney Whitehead: Is Kathy coming back?

Acting Chairman Bass: Yes. Well, I was going to steal her plaque so she can't ...

Boardmember Alligood: He's teasing you.

Acting Chairman Bass: Sit down.

[laughter]

Village Attorney Whitehead: Sorry, I forgot to tell you to do SEQRA.

*** **Chairperson Sullivan returns** ***

Chairperson Sullivan: A lot of things covered in that one little application.

So next up is a site plan approval application of Temple Beth Shalom.

2. **Site Plan Approval – Application of Temple Beth Shalom, as per Section 295-104 of the Village Code, for the replacement of an existing Monument Sign with a new lighted Monument Sign on their property located at 740 North Broadway. Said property is in the R-10 Zoning District and is known as SBL: 4.20-9-6 on the Village Tax Maps.**

Chairperson Sullivan: Hello. If you could say your name and address into the mic.

Building Inspector Minozzi: Okay, so a little background. We're going to be going back and forth with the ARB. We are very, very close to approval from the ARB. Actually we're still working on one last little design issue, which the applicant and the board have been very diligent in doing his own back and forth.

Village Attorney Whitehead: Buddy, I don't think that one little issue would prevent this board from granting site plan approval.

Building Inspector Minozzi: I don't think so either.

Village Attorney Whitehead: It doesn't really change the sign.

Building Inspector Minozzi: A small issue, I just wanted to bring the board up to where we are at. It's such a small thing at this point, it doesn't have to do with the sign. It's the legs.

Village Attorney Whitehead: It's the legs.

Boardmember Ambrozek: Well, actually that was my concern was the lights.

Village Attorney Whitehead: The legs.

Building Inspector Minozzi: It's not the lights, it's the legs.

Village Attorney Whitehead: They were okay with the lights.

Boardmember Ambrozek: Oh, it's the legs.

Boardmember Bass: Can you just give some detail about the legs? Is it affecting height, it is affecting ...

Village Attorney Whitehead: The width of the legs.

Boardmember Bass: The width of the legs.

Building Inspector Minozzi: It's a visual thing.

Boardmember Bass: Okay.

Building Inspector Minozzi: It's not a structural thing or anything like that. And we worked out the issue with the lights, which the applicant will explain, with dimmable diodes and ... I'll let you explain it.

Ira Frazin, project architect: I'm assisting the temple. I'm an architect/designer who's been working out the details.

So the couple issues, I think, were we didn't want any light spillage when you're driving by from the side of the sign. And we're addressing that with (mic not turned on) blocks that anywhere from the road you wouldn't get any light seepage from the sign. And then the other issue was just hiding conduit for the power.

Boardmember Bass: Can you just describe the lighting of the sign? It's backlit, or it's ...

Mr. Frazin: It's two plates, well two sets of two plates. The front plate had cut-out letters with the Temple Beth Shalom and the address. In between, they're (off-mic) by posts. In between will run some LED lighting, which is all adjustable. Then the back plate will be ... it's a lighter shade of the brass, and that prevents light around the back. And then these triangular sets of plates are backing out.

Boardmember Bass: Thank you. We did that for the audience so they'd know what we're talking about.

Boardmember Ambrozek: Well, I'm very glad to see you using LED lights. My other concern about the lighting is that there not be lighting that goes angling above the horizontal. So trying to minimize sky pollution, sky-light pollution, lighting of the sky pollution.

Mr. Frazin: Well, we set a vertical light.

Boardmember Ambrozek: Yes.

Mr. Frazin: We're planning the bids that block the light. We're going to have lots of extremity payment (off-mic). We did want just a little bit of it below ...

Village Attorney Whitehead: Battery?

Building Inspector Minozzi: It's turned off.

Mr. Frazin: Sorry.

So the two triangles are overlapping. So we did want to get a little bit of flow on the top fin of the back one, but we can block off everything else. It's not lighting up anything.

Boardmember Ambrozek: No, that addresses my concerns. Thank you.

Mr. Frazin: Okay.

Chairperson Sullivan: How much bigger is this is the sign that was up? Because I went by and I saw the old sign has been sort of moved away.

Mr. Frazin: Yeah, we actually did a mockup for the ARB because they were concerned about the size. And I think we resolved that. The sign that's there now is about 5-1/2 foot and we're going up to 7, and we're moving it away from the street.

Chairperson Sullivan: 8-6, according to your plans.

Mr. Frazin: Oh, sorry. The fins are 7, and then 8-6 total. So we had taken photographs of the mockup and I think the ARB went to see it and it is bigger. But it's not ... they were concerned that it was going to be too big, and I think once they saw it that answered their questions; didn't have an issue.

Chairperson Sullivan: You know, it would be nice if ... I mean, in this case the ARB is consulting to us and they're going ahead with this, which is fine. But if there was a mockup that would have been useful to know about so we could have gone, as well.

Building Inspector Minozzi: The problem was that it blew over so they were making appointments with them to go. So somebody actually was standing out there holding it up so they could see it. So it didn't work out like a normal mockup would've because that would have definitely fell down.

Mr. Frazin: I think I did submit the photographs of the mockup on the second page. Yeah,

that's actually the mockup.

Boardmember Bass: And the distance of the western edge of the sign to the roadbed is ...

Mr. Frazin: 5 foot 3 inches.

Village Attorney Whitehead: I think the last sheet.

Boardmember Ambrozek: Yes, on the last page. It shows on the last page. Just to clarify, are these two circles on this diagram on the last page trees?

Mr. Frazin: Yes.

Boardmember Ambrozek: Okay.

Mr. Frazin: Yeah, they're existing trees. So we're just bringing it up to like the front edge of the trees.

Boardmember Ambrozek: Well, I think one of them just got knocked over a month or so ago.

Mr. Frazin: Actually, that one is on the ...

Chairperson Sullivan: Corner.

Mr. Frazin: ... southern corner. So this is right by the entry just north of the entryway.

Building Inspector Minozzi: All the good trees are still there.

Chairperson Sullivan: Yes, this is the one you're thinking was a large tree that was right at the corner ...

Boardmember Ambrozek: Right.

Chairperson Sullivan: ... of whatever street.

Mr. Frazin: I did inquire about the health of those trees. I was assured that they have been looked after.

Boardmember Ambrozek: I just wanted to be sure that those circles did not represent some structure that we were not aware of.

Boardmember O'Reilly: I take it the material is non-reflective in the daytime?

Mr. Frazin: Exactly. The surface material is kind of a matte bronze. The backing material is a lighter bronze. It's satin, but it's not bright. And from the backside it's angled down so you shouldn't be getting any glare.

Boardmember O'Reilly: And it's on one type. Is it the satin bronze coming south and the other one going north?

Mr. Frazin: Well, the back of both of them are ... so the front plate on both of them are the darker bronze and the back plate of them are this lighter satin. But because the sign is like this, the satin part is always facing down ...

Boardmember O'Reilly: Okay.

Mr. Frazin: ... and will be in shade.

Chairperson Sullivan: It has been well thought out, I think, and you've gone through a lot of rounds with the ARB, who are very particular.

Boardmember Ambrozek: I think it'll be a very attractive sign, something different.

Chairperson Sullivan: I think our place is to talk about it fitting on the site.

Boardmember Ambrozek: Right. So my question is, to avoid corrosion are these materials going to ... because the existing sign had corrosion problems.

Building Inspector Minozzi: Right.

Mr. Frazin: So the new sign will be a powder-coated aluminum, which I've been told is indestructible. I mean, I can't say but I've been told that it's going to be very solid.

Boardmember Ambrozek: And the posts that go into the ground?

Mr. Frazin: Are the same. They're powder-coated aluminum. The lettering is all cut out so we don't have to worry about it falling off.

Chairperson Sullivan: I think the material and mounting is something in Buddy's wheelhouse, we'll say. So I think any questions about size, location, the light questions were fantastic to get an understanding of that. So any other questions about the siting of this?

Boardmember Bass: No, I'm fine.

Chairperson Sullivan: Any visibility?

Boardmember Bass: And it beats the tariff, so we're good.

Chairperson Sullivan: The tariff?

Boardmember Bass: The aluminum tariffs.

Chairperson Sullivan: So any questions, Bill?

Boardmember O'Reilly: No.

Chairperson Sullivan: Eva, anything?

Boardmember Alligood: No, I think it'll be quite nice.

Chairperson Sullivan: Richard, any other questions?

Boardmember Bass: No.

Chairperson Sullivan: So where are we in the resolutions for this?

Village Attorney Whitehead: You just need a motion to grant site plan approval.

On MOTION of Boardmember Bass, SECONDED by Boardmember Ambrozek, with a voice vote of all in favor the Board resolved to grant site plan approval.

Chairperson Sullivan: Thank you very much.

Okay, the last items up are discussion items, some proposed modifications to local laws.

V. DISCUSSION ITEMS

1. Proposed Modifications to Local Laws

Chairperson Sullivan: There are a handful of them so, Linda, you want to walk us through what we have?

Village Attorney Whitehead: Sure. I'll start with the really easy one, which is C. What this is doing is, in the zoning board procedures section of the code there is one thing that's never done and one thing that was actually not correct in terms of county law so we're just taking them both out. One is, it actually says that every application has to come to this board for a recommendation, every variance application, which isn't done. So just taking it out. I don't think you really need to see every variance application.

And the other was a provision having to do with referrals to Westchester County Planning Board, which are really governed by both general and municipal law and the county administrative code. The language that was in here wasn't accurate. In fact, it said that if the county planning board recommends against something they just have to adopt a resolution to approve it. Well, they need do adopt a resolution to approve things anyway so this was really strictly cleanup to get rid of two sort of excess procedural provisions.

Chairperson Sullivan: So this only relates to the Zoning Board.

Village Attorney Whitehead: It's in the zoning board section of the code.

Chairperson Sullivan: So it's only for the Zoning Board needing us to take a look at something. Does it involve the Board of Trustees needing us to take a look at anything?

Village Attorney Whitehead: No. This is in the zoning board section, zoning board procedures section of the code. Any comments on that one? My direction was to find things that needed to be cleaned up.

The next one – and this one you shouldn't be surprised to be seeing – is revisions to the MR-1.5. This came as a recommendation of the Zoning Board based on some applications that both this board and the Zoning Board have seen. The Zoning Board – and in particular Ray Dovell, who's a member of the Zoning Board and an architect – spent a lot of time really analyzing the provision of the MR-1.5.

I realized they had done a memo that you didn't get, but it identified a number of issues where actually more development could be allowed on an R-7.5 lot than on a MR-1.5 lot the way the zoning was done. The setbacks didn't work because the minimum lot width is only 25 feet, but it requires setbacks of 12. So it lets you build in 1 foot.

The more they looked at it – and Ray really did a lot of work on this – the more they found things that didn't work. So the recommendations that came from the Zoning Board, and which the Board of Trustees greatly appreciated and agreed with, included what you see here. Which is doing a sliding scale for side yard requirements based on the width of the lot and reducing the side yards, frankly. Then changing the coverage, no surprise there. First of all, eliminating N-structure from building coverage; applying both a building coverage and a

development coverage in the MR-1.5; and actually putting an FAR requirement in because that gets at your bulk and your density.

Those were the requirements, and if anybody wants to ... this would be the allowable, a 25-foot wide pot. So Ray really did some where he actually compared what you could do on an MR-1.5 versus what you could do on an R-7.5 of the same size. So that's where this one comes about. Quickly, to summarize, it starts by putting in the first real change of the sliding scale for the side yard setbacks. We also took out ... open space, we're going to have to have a separate discussion of because that was the third law that didn't come through as a law at this point.

Then some cleanup things. We decided the accessory building should really – now that we have the sliding scale for the setbacks – be the same setbacks for accessory structures. We changed the building coverage. And in doing this they also looked at the two projects that both boards have looked at in the last few years: 32-34 Washington and then also ...

Chairperson Sullivan: Nodine.

Village Attorney Whitehead: ... Nodine. Looked at the coverage. These are close, but not exactly. Actually, some of the ones there were a little bit higher than this, but they felt this was realistic. The Zoning Board discussed this at two or three meetings. So we have a building coverage of 35 percent, and then a development coverage of 50 percent. Right now there's no development coverage provision in the MR-1.5, and that's what you really care about. And then adding the FAR, which controls your bulk.

Boardmember Bass: And how do we define "development?"

Village Attorney Whitehead: It's defined already in your code because it's used in some of the other zones.

Building Inspector Minozzi: All impervious.

Village Attorney Whitehead: It's all impervious, basically.

Boardmember Ambrozek: Sorry, what was that, Buddy?

Building Inspector Minozzi: All impervious surfaces.

Boardmember Ambrozek: And floor area ratio, is that also defined?

Village Attorney Whitehead: Yes.

Boardmember Ambrozek: And that is described as being the ratio of the total square footage of the floors in the building to ...

Village Attorney Whitehead: The lot area.

Boardmember Ambrozek: ... the lot area, okay.

Chairperson Sullivan: And we don't have it anywhere.

Village Attorney Whitehead: You do somewhere, because it's defined.

Chairperson Sullivan: I think in the MUPDD zone, or even the unmapped waterfront zones.

Village Attorney Whitehead: And by the way, they're now looking at the MR-2.5 even though it's not something you guys have dealt with a lot. And looking at the 1.5, we also looked at the 2.5. Actually, Ray told me – just so you know – he's going to recommend that this 0.7 actually be changed to 0.75.

Chairperson Sullivan: I've done something similar to what Ray did for all of the zones back when I first came on the board so I'd love to see his backup. My first initial reaction at this was, for me, the MR-1.5 has two different types of buildings going on. They have the very small lots and it has the larger lots. I didn't really understand how this was being addressed because we have things that have been much different than the existing context for just the sake of the lots that were available in that zone. So I'd love to just see what his thinking behind it was.

Village Attorney Whitehead: This was the memo that they sent to the Board of Trustees. Again, they put a huge amount of time into it.

Building Inspector Minozzi: He gave a lot of examples.

Village Attorney Whitehead: He gave a lot of examples, and ...

Chairperson Sullivan: No, it's good. I just would like to take a look.

Boardmember Alligood: What's our goal here?

Village Attorney Whitehead: Just advisory; just if you have any comments to give to the Board of Trustees. The code requires that they refer any zoning amendment to you.

Boardmember Bass: The height limit for this district is?

Village Attorney Whitehead: It's not changing.

Boardmember Bass: What is it now?

Chairperson Sullivan: 35?

Building Inspector Minozzi: What was that? What was the question?

Village Attorney Whitehead: The height.

Boardmember Bass: The height limit.

Building Inspector Minozzi: 40 feet, I believe.

Village Attorney Whitehead: 40 feet and three stories.

Boardmember O'Reilly: Do these changes make most of our current lots in the Village more conforming or less conforming?

Village Attorney Whitehead: I think with the changes in the side yard setbacks it probably makes things more conforming.

Building Inspector Minozzi: More conforming.

Village Attorney Whitehead: You've got a lot of things that don't comply.

Boardmember O'Reilly: Because we had a lot of nonconforming.

Village Attorney Whitehead: Anything on a smaller lot does not comply with these side yard setbacks.

Building Inspector Minozzi: Not even close. This actually will help the existing buildings become more conforming.

Village Attorney Whitehead: Yes.

Boardmember Bass: I didn't have a chance to play with the FAR and the height. When you have height limits, especially in smaller zoning, it becomes redundant. It's like having belt and suspenders because you're controlling bulk by your lot coverage and by your height. So I'm not sure where FAR really fits in this. Is it really necessary?

Village Attorney Whitehead: They thought it was, they thought it helped.

Chairperson Sullivan: If we could take a look – people that are interested – at the backup memo, I mean it's pretty specific, the requirements.

Building Inspector Minozzi: It really helps with the smaller buildings, like 32-34, that don't have three stories. It would allow the footprint to be much bigger. I think FAR does have a place here because of the different types of buildings that are allowed in this neighborhood.

Boardmember Bass: Okay.

Village Attorney Whitehead: So yes, your role is just if you have any comments on this. The Board of Trustees has scheduled the public hearing for their August 7 meeting. So it's just if this board has any comments back to them on it.

Chairperson Sullivan: Well, personally I'd love to just look at the memo, and after this meeting send them to our board and then to the Board of Trustees if there are any comments. Because I appreciate what Ray did. It was a lot of work to think through that stuff.

Village Attorney Whitehead: He's put a lot of work into it.

Building Inspector Minozzi: He did, he did a really good job.

Chairperson Sullivan: Just I'd enjoy seeing it.

Village Attorney Whitehead: Okay, I'll send it around.

Chairperson Sullivan: Yes, that'd be great.

Boardmember Bass: Okay, great.

Boardmember Ambrozek: Richard, maybe to address your concern about floor area ratio. Maybe increasing the value from 0.70 to 0.75 or something like that might help address your concern.

Boardmember Bass: Well, moving it 5-hundredths of the decimal point is de minimis. Especially in low-density zones, lot coverage and height are really what controls your bulk.

Village Attorney Whitehead: When you see it, if you want to reach out to Ray.

Boardmember Bass: Yes, if you could send me the memo I'd love to see it.

Chairperson Sullivan: Yes, that'd be great.

Village Attorney Whitehead: Okay. And they're going to be discussing it next week so actually I'll get it to you tomorrow.

Boardmember Bass: Okay.

Village Attorney Whitehead: And if anybody has any questions for Ray, if you get to him before their meeting next week ...

Chairperson Sullivan: That'd be awesome.

Boardmember Bass: Okay, good. Thank you.

Village Attorney Whitehead: They're going to discuss it. They're probably not going to spend much time discussing this one unless you have comments because it's their recommendation.

Chairperson Sullivan: It's a really nice way to funnel it to the folks that have really taken it on to figure it out.

Village Attorney Whitehead: Then the last, you don't have a proposed law in front of you right now because we drafted one and went in circles at the Board of Trustees meeting. I was directed to come to you and discuss it. This is the issue of the open space requirement that exists in your code today. You know, we've struggled with it because there's no definition of what meets open space.

There's been some discussion, and the Zoning Board discussed this also, about what are we trying to accomplish. If all we're trying to accomplish is making sure that there's green or undeveloped areas on the lots, that's really accomplished through your coverage and your setback requirements. And if you're looking for some other specific kind of open space it needs to be defined. So the Board of Trustees is looking at two alternatives and they wanted input from both boards. One is to just eliminate the open space requirement and let the coverage and setbacks and FAR and all those kinds of things naturally result in a certain amount of open space on a lot. And the other is, if we're going to leave it in, it needs to be defined.

Chairperson Sullivan: Well, I think it seems to me to be an important thing to consider in the multi-family zones. You know, that that's where we have the need for open space.

Building Inspector Minozzi: What, Kathy?

Village Attorney Whitehead: In the multi-family homes.

Chairperson Sullivan: Multi-family zones.

Building Inspector Minozzi: Okay.

Chairperson Sullivan: And it seems that that's a desire to create usable outdoor space in a multi-family situation. What we've seen – and I know Michael's been thinking about this for a long time – is that it really is sort of the setbacks and steep slopes that no one can ever use, or the porches or the things that need open space.

Building Inspector Minozzi: Well, that's why it needs definition.

Village Attorney Whitehead: Well, and the question is should porches and rooftop terraces and decks and thing like that count. It is open space, it's usable open space. Right now, it doesn't say usable open space, it says open space. So if it's going to stay in we should decide what we want it to be and make it clear that that's what the requirement is for. And it is only in the multi-family zones right now.

Chairperson Sullivan: I lean towards having some definition of whether it's usable space so it actually becomes an element that has to be considered on the lot equal to the parking or the lot building. You know, it's another element.

Building Inspector Minozzi: Not just a green roof. That's not ...

Village Attorney Whitehead: But if it was a green roof with a roof terrace, then it would be.

Building Inspector Minozzi: There you go, right.

Chairperson Sullivan: But usable, I think usable space, for people that are in a multi-family structure of some type.

I don't know. Michael how do you think?

Boardmember Ambrozek: As you say, I have had a lot of thought about this. Firstly, my natural instinct is that open space refers to ground level space. So that is my ... and I'm open to accepting other things like greener roofs or something that is built up above the natural ground level, but firstly has to be open and accessible to the public. It cannot be restricted. Any open space cannot be restricted to the use by one or a limited number of property owners.

Village Attorney Whitehead: But it's private property so it's not going to be open to the public no matter what.

Boardmember Ambrozek: Well, okay. The other area where I want to see open space, we're talking about doing it in multi-family areas. But we were thinking about the issues in places such as the Andrus Home, if that should get developed; and the two-acre lot homes along Broadway which have large open spaces right now. Even though they are privately owned, when you see those you feel involved in the environment there.

Village Attorney Whitehead: The Board of Trustees addressed some of that a couple years ago when they adopted the gateway cluster provisions requiring some buffers and things. But that's more of a buffer setback than an open space requirement.

Boardmember Ambrozek: I'm not aware about the setbacks. I know side yards, but I'm not aware of buffer setbacks.

Building Inspector Minozzi: This goes back to 400 Warburton, where the building takes up 96- or 97 percent of the lot. They created space ...

Village Attorney Whitehead: Terraces.

Building Inspector Minozzi: ... terraces, using the existing rooftop of the existing structure and then built up from there. That should have been able to be considered as open space in the front and in the rear. I think this is what the definition really has to spell out.

Village Attorney Whitehead: It's the idea of usable open space.

Building Inspector Minozzi: They have open space. That *is* open space.

Village Attorney Whitehead: That they can use. It's really outdoor space that can be used.

Building Inspector Minozzi: But whenever they talk about open space I always go right to that building because that is a prime example of creating open space when there is no yard available.

Village Attorney Whitehead: Well, the other place that this board talked about was on the Washington Mews application.

Boardmember Ambrozek: Mm-hmm, exactly.

Village Attorney Whitehead: And whether the terraces would count.

Chairperson Sullivan: Right.

Boardmember Ambrozek: Yes. The other thing is, I don't think a balcony – and this is just my opinion – should be considered open space. Because you could then make very, very deep balconies and put down roller blinds and things and have it semi-enclosed. It's not what I would call open space.

Boardmember Bass: Open space and access have to go hand-in-hand. So if I have a balcony it's my open space, but you can't use it.

Boardmember Ambrozek: Well, that's where I'm concerned about how many people get use of that open space. A green roof that's accessible to all the tenants, yes, I would consider that open space, assuming that it had appropriate parapets so people couldn't fall off.

Boardmember Bass: Right.

Boardmember Ambrozek: A proper access from either inside or outside of the building. But just having a green roof, where ...

Chairperson Sullivan: You look at it.

Boardmember Ambrozek: Well, nobody can look at it except a building above them or something.

Chairperson Sullivan: Yes, I'm in agreement.

Village Attorney Whitehead: You're really talking a rooftop terrace, not a green roof.

Building Inspector Minozzi: Right.

Boardmember Ambrozek: Well, I would hope it would be green, though.

Boardmember Bass: So we're really looking for definitions.

Chairperson Sullivan: Yes.

Building Inspector Minozzi: Yes, and if you wanted to say ... and that was a really good point: well, one person has it, one person doesn't. If you're going to use terraces and decks as open space everybody has to have it and the building has to be designed as such. Which has been the norm anyway. The last recent building, all the tenants did have pretty close to equal outdoor spaces, in the last two buildings that have been designed. But that could definitely be part of it.

Boardmember Bass: So is that your job?

Village Attorney Whitehead: You don't have to solve this tonight.

Building Inspector Minozzi: No, definitely.

Village Attorney Whitehead: What I'm hearing, clearly, from this board is that you don't want to eliminate it, you want to define it.

Boardmember Bass: Mm-hmm.

Chairperson Sullivan: And we want to think about it.

Village Attorney Whitehead: And if you want to think about how to define it we can continue the discussion at next month's meeting.

Boardmember Alligood: I think Buddy had a good idea there. I would agree with the way you put it.

Building Inspector Minozzi: Thank you.

Boardmember Alligood: Which is that ...

Village Attorney Whitehead: They can count if everybody has one.

Boardmember Alligood: Yes, exactly. Because I could see a project saying, Oh, well, when you add up the percentage of open space here, or square footage, it sounds good. Except that only the more expensive units ..."

Building Inspector Minozzi: A studio in the basement got nothing.

Boardmember Alligood: Yes, exactly. No, that's not fair.

Village Attorney Whitehead: So terraces, or patios, or whatever can count if every unit has one.

Chairperson Sullivan: But for me, part of it is if you have an open space requirement that's related to the numbers of people – or the fact that people are living in a multi-family living arrangement – you're actually helping create some of the open space, those kind of breathing spaces around the building, that may make it more in character with Hastings.

Village Attorney Whitehead: Well, the idea of the breathing space around the building is really from your coverage and your setbacks.

Building Inspector Minozzi: I agree, they work hand-in-hand. They do.

Boardmember O'Reilly: But open space doesn't include a car park, for example.

Village Attorney Whitehead: No.

Boardmember O'Reilly: It's open, but ...

Village Attorney Whitehead: But it's a parking lot.

Chairperson Sullivan: Or a slope that you can't walk up.

Boardmember Ambrozek: But you know, kids can play basketball on a car park. Doesn't do the cars any good.

Boardmember Bass: So a definition, and more thought.

Boardmember Ambrozek: Yes. The other thing is, I want to also make sure that we don't start letting open space impact lot coverage. So the way we define coverage needs to not be impacted by the definition of open space. Because we had the issue on Washington where they wanted to take the greenspace, the open space, on the roof and count that as not being lot coverage.

Village Attorney Whitehead: Well, that had to do with the garage and ...

Boardmember Ambrozek: Yes.

Village Attorney Whitehead: Okay.

Chairperson Sullivan: So what do we do?

Village Attorney Whitehead: So I will pass on that you want it defined, you don't want to eliminate it, and that you're working on the definition.

Boardmember Ambrozek: Right. And I tried looking for definitions in the Dobbs Ferry and the Irvington code – I haven't checked in the last year – but at that time I could not find any.

Village Attorney Whitehead: Yes. And the board asked me to check some, and I haven't

had a chance to do it. But there are some that do have it.

Boardmember Ambrozek: Well, I'd be very interested in seeing those.

Chairperson Sullivan: Case might have them in their land.

Boardmember Ambrozek: Richard, do you have any access to that?

Boardmember Bass: Yes, I was going to put the onus on Linda to remind me tomorrow. I'll look.

Boardmember Ambrozek: Okay.

Boardmember Bass: Because I'll forget this conversation tomorrow.

Village Attorney Whitehead: I've been out every night this week. I'll definitely forget it.

Chairperson Sullivan: Any other laws? Any other stuff?

Village Attorney Whitehead: That was it. It was those three things.

2. Waterfront Meeting

Chairperson Sullivan: So I think we had some members that attended a meeting this week. I don't know if we want to wait until our next meeting to talk about it. Eva or Bill, you want to talk about the waterfront meeting?

Village Attorney Whitehead: Or Richard, or you. Everybody was there.

Boardmember Bass: There's actually two things, if you've got five more minutes of patience. The Waterfront Committee, the Waterfront Zoning Committee, has been meeting for the last five, six months. It's a really good makeup of people with good skills. We've engaged the Pace Law Center to help us plan for the planning of the process.

We had a stakeholders meeting Tuesday night. Members of various boards – like Doe was there ...

Village Attorney Whitehead: Eva was there, Kathy was there.

Chairperson Sullivan: I was there.

Boardmember Alligood: I was right in front of you.

Chairperson Sullivan: I was there as comprehensive planning.

Boardmember O'Reilly: It was well attended, put it that way.

Village Attorney Whitehead: You guys had a quorum there.

Boardmember Bass: There were uniformed service people there. So it was a good meeting, it was a good exercise, there was some good discussions. There'll be a follow-up meeting in September. The date is in flux because the date we picked is also the primary election.

Village Attorney Whitehead: Which we all learned is actually on a Thursday this year.

Boardmember Bass: And I'm going to be in Orlando anyhow, so I'm not going to be here for either of those two things.

We hope to have the planning for the planning done sometime in early fall. There has been some movement on the waterfront. The Uhlich property has been sold. They have hired architects who proactively developed a scheme for all 42 acres, all three property owners.

Boardmember O'Reilly: Which is the one that's sold, the one at the very end?

Village Attorney Whitehead: Uhlich.

Boardmember Bass: The one at the very end. Which is hard because they don't have access through ...

Boardmember O'Reilly: They have no access to anything.

Village Attorney Whitehead: Unless they rebuild the Zinsser Bridge

Boardmember Bass: But our committee found it interesting that it wasn't a cookie-cutter waterfront development. Because if you drive from Washington, from here, all the waterfront developments tend to look the same, and that's kind of boring. Hastings should have something different. Whether we buy into their vision is neither here nor there, but it was a nice, I think, approach that they did something interesting and different.

Chairperson Sullivan: I was going to interject. This was e-mailed by the mayor to the Village last week, I think.

Village Attorney Whitehead: I was just going to say that there was a link to the plan in the mayor's – I don't know if it was his last one or the one before that – message to the Village. There was a link to this plan, and if anybody didn't see that I have the e-mail.

Boardmember Bass: And what's interesting just in ...

Village Attorney Whitehead: It's really interesting.

Boardmember Bass: It's an interesting design, but they basically came up with approximately 20 percent lot coverage, which is somewhat keeping with our village codes. I did an exercise where I did 15 percent lot coverage. The consent decree has a maximum of six stories, so if you did 15 percent times the 42 acres times six stories you come up with about 1.1 million square feet of development rights. Is that a magic number, is that something we can live with? If you cut it in half and do three stories – and I know this is crude shoeboxes – you get a half-million.

So you start playing with some numbers, and then you can start playing with shapes and locations. The committee's going to come up with planning principles and possibly their own urban design. But that's interesting.

Then on the other side, BP gave us a walking tour of the waterfront. And they are in contract with SunCal who, in my taste, has developments that are kind of pedestrian.

Village Attorney Whitehead: They're the master developer of the GM site in Sleepy Hollow.

Chairperson Sullivan: Which I criticized.

Village Attorney Whitehead: But it's not built yet. I think you meant Tarrytown. I think they all figured out you meant Tarrytown, not Sleepy Hollow.

Boardmember Bass: Right. And the Tarrytown developers, which was National Resources, was one of the finalists. You could see their developments in New Jersey and here. They're actually a former client of mine so I shouldn't badmouth them publicly. They're pushing to have some reassurance that the Village is serious about this exercise because the Village has done waterfront planning for many decades and we have a bad reputation for not implementing.

Village Attorney Whitehead: Well, you conditioned implementation until BP cleaned up their site.

Boardmember Bass: Right.

And I'm done.

Boardmember Alligood: So I was at the meeting, and I think what I found really helpful is for this attorney from Pace law school to come and tell us what the actual perimeters are, what the Village's purview is over zoning is. Well, zoning, period, but certainly on the waterfront. And what I took away – which I think is very important to keep in mind – is that the Village is under no obligation to respond to a particular plan or development scheme just because somebody bought the property or owns the property and wants to zone it a certain way.

Right now – and the mayor has said this many times previously – because the waterfront is zoning industrial it's sort of in a holding pattern. I mean, presumably somebody could develop it for industrial, but most owners would not want to.

Village Attorney Whitehead: It's not likely to happen.

Boardmember Alligood: We can't say nobody, but ...

Village Attorney Whitehead: It's not likely.

Boardmember Alligood: It's not likely. The Village cannot take away the right to use the property for economic benefit or economic purpose.

Village Attorney Whitehead: You can't take away all economics.

Boardmember Alligood: You can't take away all, so I know there have been – in some of these meetings to develop plans and deliberations that the Village has gone through – some Village residents have expressed the desire for all parkland. If the Village owned the property they could create all parkland, but because it's privately owned that would presumably be taking all economic benefit because there would be no income they could realize.

Boardmember Bass: Or the Village could rezone it as parkland, and that's an administrative taking. We would be sued, and we would then have to buy the property. So either we buy or inverse-condemn it. We would then own it, and our taxes would go up to pay for it.

Village Attorney Whitehead: I was going to say to maintain it with no revenue, which is not what the Village wants.

Boardmember Alligood: Right. To finish my point – because that's taking it a few steps in my example there – it's important to keep in mind, at least in my mind, I think the meeting

was meant to be an education for people about the parameters within which this deliberative process is going to take place. My point is, I think actually several trustees were there. Niki Armacost came up and, at one point, reminded the presenter – this law professor – that we should not conflate the economic interests of the owners or potential owners with our proposal for the zoning. Again, this parameter that you can't zone it in a way where we take away all economic benefits from owners.

So in other words, the way I look at it is if we have a developer whose normal course of business is to develop housing we don't have to come up with a scheme that includes houses. Now, we may *want* to. We could come up with ... you know, Jim Metzger's idea was, and he's been pushing this for a while, he wants us to dream about light industrial. That's a term that we could look into that has economic benefits. It's something that's utilized in many other places. I'm not pushing that personally, I just want to give it as an example. That just because an owner or a potential owner wants to derive their economic benefit through a particular use doesn't mean we have to then come up with a scheme where we say, "Okay, well, how much housing are we comfortable with or how much industrial, whatever it may be."

Chairperson Sullivan: What works for you?

Boardmember Alligood: Hmm?

Chairperson Sullivan: What works for you.

Boardmember Alligood: For me personally?

Village Attorney Whitehead: No, we don't have to come up with what works for them.

Chairperson Sullivan: Basically I'm asking – pretending I'm asking the developer – what number they would like.

Village Attorney Whitehead: Right. It doesn't have to be what works for the developer.

Boardmember Alligood: Right, right, exactly. So I think that's really important to keep in mind. Because honestly, I just want to say that when I read the message from the mayor about the urgency in rezoning I think it was easy to interpret it as, okay, well, now we have somebody proposing something so we better get our ducks in a row so we're ready to respond to that proposal or scheme that that owner is putting forward.

I think it's really important for us to ... I think it's great that a waterfront rezoning committee has been put together to kind of step back and try to take that out of the equation. I understand they're going to be at the table and that could be useful, but I think it's important

that sort of a broad view is taken that doesn't just respond to what's on the table.

Boardmember Bass: Right. The committee knows there is no urgency. The committee is serious about looking at this as an opportunity. So BP is pushing for a meeting, we're not reacting.

Chairperson Sullivan: Eva, you said so much that I thought, and I think the key points you came up with was the knowledge about how the zoning process works. And just what you said: how far do you need to go to make it economically beneficial to someone who has a very specific plan for what they think is beneficial?

What my concern is, I think, having been to the comprehensive plan process – and this is some stuff I was going to share because I was there as someone who had been involved with that – was that the committee ... I feel there has to be sort of a protocol put in place for how the citizens that are on that committee interact with the developer. And it needs to be pretty stringent.

So I would prefer ... and I think of *Get Smart*, with Maxwell – the old spy show – where there was a cone of silence. You know, the committee needs to put themselves away from all of that, all of the outside pressures, and just focus on what the community wants and how we're going to use zoning to get there. There's a time to open up the door to work with people that are property owners, but there's too much of this ... you know, even John was getting confused when we had to talk to developers. And I'm very much pro working with developers when the time comes, don't get me wrong.

I really felt there was a lot of distraction with the conversations about the developers and stuff. And I would also advise the committee that as soon as they feel they are ready to do it to get their consultant on board. Because the advice will ... I mean, a lot of the head-spinning we had as the comprehensive plan group, you know, we went through a lot of things. We're all interested and had different perspectives on the community. But getting a consultant who's going to start putting that schedule in place, telling you kind of what the steps are to help get to various decision points.

I just see that, in retrospect, how helpful that was. And we waited a little bit too long, but not ... we won't kill ourselves.

Boardmember Bass: We're working on that now.

Village Attorney Whitehead: So you're working on the RFP.

Boardmember Bass: We're working on an RFP or an RFEI, you know, RFQ.

Chairperson Sullivan: My real sense is that it would be just wise to focus on the big task you have, which is to help articulate a mission for that part of our community and understand so much. I mean, I was talking to Doug, Eva's husband, about some subsurface situations, and just a lot of factors that come into play. So it would be nice to kind of have those identified.

And even like being more ... understand what the SEQRA process will do. I mean, it was helpful when you jumped in and helped Kate, who is the chair, who had some questions about the benefits – you know, impacts – on the community. That's a process that will be available, too, to help people. So I was behind you a hundred percent.

Boardmember Bass: Bill, you had something to say?

Boardmember O'Reilly: Yes. I was going to say I thought it was a well-structured meeting, it being the first that I've had contact with what's happening as far as the thinking around the waterfront. I've been reading Peter Swiderski's letters and looking at things, but it was great to sort of get the sense of how it's being approached. Because I'm confident in the people on the waterfront planning committee, from what was introduced.

And I was also glad to see – and I said to John Nolon – that when I saw you were engaged to help in this process, well, now we're serious because now we've got to get our thinking going. I thought he was very good in setting the table by identifying the legality, the legal issues, around municipal planning and the authority that municipalities have in doing what they want to do.

I also think there's going to be a lot of obvious need to do certain things in parallel. It's not a full steam ahead position with the committee, nor is it a let's stop and think endlessly about this because we have interest in this waterfront. I think it's both a responsibility and an opportunity to do something which I think is important for the Village.

One of the things I don't think I raised very clearly was that I was wondering if the zoning code we now operate under is up to what we're going to need to be thinking about on the waterfront, whether it be multi-family housing, whether it be a certain amount of commercial mix in there, whether it be a hotel. I can imagine a hotel being on the waterfront. There is none between New York City ...

Village Attorney Whitehead: It's going to be a whole new zone.

Boardmember O'Reilly: It's going to be a whole new set of things to be thinking about, a new paradigm I think for the Village of Hastings. Because what happens there, I think, is going to have a flow-on effect up into the Village itself in terms of what's going to happen to housing in the downtown area, as well. So I'm glad that we're serious about it.

I'll be interested in how the developer who's been sort of working towards this is going to approach it. We're under no obligation to what they want to do by a time limit. So I was happy with that outcome. And I think it's going to be something which, after 40 years of hearing about development on the waterfront, is going to be nice to know that we're serious.

Boardmember Bass: Too, the interesting thing is, because it's three property owners, the zoning has to be the zoning and the vision has to be the vision. So we're not going to just react – to you, Bill – because there may be other property owners. And sometimes the Village, and people, fall into just thinking of BP because there's a consent decree. But the zoning has to affect all property owners.

The other thing is, Hunter is going to doing a fall studio kind of 40,000 square foot vision a hundred years out, looking at the Village not just at the waterfront but looking at issues like how the waterfront would affect elsewhere, looking at Zinsser parking lot. I always love to think a Moshe Safdie design there. But it'll be kind of fun and be helpful for articulating a vision going forward.

The second thing I just want to talk about quickly because I know we're all getting tired, the Transportation Committee has been meeting with the Safety Committee. We've hired Sam Schwartz as our consultant. There's multiple things going on in the Village, some of which we can control, some of which we don't control. The Ravensdale Bridge is going to be reconstructed. They're going to narrow the travel lanes to 11 feet wide. They're going to try to do it in a four-month period – four to six months. I'm trying to get them to commit to four months, and there'll be financial penalties if the contractor exceeds four months.

But Ravensdale Road from the bridge to Farragut is 13 feet wide, which is a foot wider than highway travel lanes. So people tend to speed. One of the things Schwartz has agreed to is that they'll make ... when you come off the bridge, it will be a 10-foot travel lane. The pavement's still going to be there, but you're going to have a defined travel lane that will also then allow for striping or whatever so bikers can bike on the sides. That will slow people down.

Boardmember Alligood: Can those be designated bike lanes?

Boardmember Bass: You know, I suggested that and both the county and Schwartz said they're uncomfortable doing it that way; that there will be ad hoc bike lanes.

Village Attorney Whitehead: I think it might have to do, in part, with the width.

Boardmember Bass: Right, right. But especially now with cars that have the stay-in-your-lane gadgets ...

Village Attorney Whitehead: Technology.

Boardmember Bass: Technology, thank you. And most people tend to obey the law. So if you're driving between the lanes you're not doing this. There is always some people ...

Boardmember Alligood: Can I ask another question, just a dumb question, about this? So the sidewalks are very narrow – or there's one on one side, I think.

Boardmember Bass: Just on the north side.

Boardmember Alligood: Couldn't those be just widened?

Boardmember Bass: They can be, but part of what the Transportation Committee's been trying to do is address low-hanging fruit type things. Painting travel lanes is a low-impact.

Village Attorney Whitehead: And low-cost.

Boardmember Bass: And cost. Widening a sidewalk, we have recommendations on sidewalks. Matter of fact, somewhere on the Village Web site there is a series of recommendations addressing existing crosswalks, proposed crosswalks, traffic calming, sidewalks, Ravensdale speed, James Street insanity. There's a series of recommendations, and so Schwartz has looked at Ravensdale, James Street, and just outside here in terms of our civic entrance to our civic center. Or my favorite crosswalk here is at a diagonal, and 50 percent longer than it should be.

Village Attorney Whitehead: And doesn't go where people need to go.

Boardmember Bass: Right. When you have crosswalks, you want people to safely and quickly cross the street, not extend the travel.

Chairperson Sullivan: Not meander.

Boardmember Alligood: But let me just add, I heard you say that ferge is going to get replaced.

Boardmember Bass: The bridge is going to be replaced.

Boardmember Alligood: So if it's getting replaced, what is the big deal with widening the sidewalk?

Village Attorney Whitehead: No, that side ...

Boardmember Bass: The bridge is going to have wider sidewalks.

Boardmember Alligood: Okay, that was my question.

Boardmember Bass: Oh, no, I thought you meant the sidewalk on the north side.

Boardmember Alligood: To me, I've biked over that bridge and I tend to like just stay on the sidewalk because it's very dangerous. So if that were a wider sidewalk ... because not many people walk on it so you could see if somebody ...

Village Attorney Whitehead: The bridge is going to have wider sidewalks.

Boardmember Alligood: Okay, good.

Boardmember Bass: The sidewalk will be wider and there will be a six-lane, striped, non-travel lane. So you can bike on that, you can bike on the sidewalk.

Boardmember Alligood: Okay. My problem is solved.

Village Attorney Whitehead: You'll be able to safely bike over the new bridge.

Boardmember Bass: And James Street, we're going to try using no left turns during peak hours, which will cut down the through traffic. And we will work with Google and the other ways ...

Village Attorney Whitehead: Make sure they know about it.

Boardmember Bass: ... so they know about it so they don't direct people to go through there. We'll see how that impacts the volume and the speed. And if we need to, we can go to the next steps in mitigation.

Chairperson Sullivan: That's great. That's a difficult, difficult place.

Boardmember Bass: And then the Transportation Committee is going to sunset and we're going to be done.

Chairperson Sullivan: Good. Congratulations.

Village Attorney Whitehead: Richard's on too many different committees.

Boardmember Bass: Because Richard is tired.

Chairperson Sullivan: And that was the plan, right? All right, thank you folks.

VI. ANNOUNCEMENTS

Next Meeting Date – August 16, 2018

VII. ADJOURNMENT

Chairperson Sullivan: And a motion to adjourn?

On MOTION of Boardmember Bass, SECONDED by Boardmember Ambrozek,
Chairperson Sullivan adjourned the regular meeting.