VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING & PUBLIC HEARING
JULY 22, 2021

Meeting broadcast live on WHOHTV 75 or FIOS 43, and http://whohtv.org

PRESENT:  Chairman Ray Dovell, Boardmember Joanna Berritt, Boardmember David Chen, Alternate Boardmember Sashi Nivarthi, Village Attorney Linda Whitehead, and Building Inspector Charles Minozzi, Jr.,

Chairman Dovell:  Welcome to the Zoning Board of Appeals meeting of Thursday, July 22nd, 2021.  It's nice to be back in person.  First of all, Buddy, are the mailings in order for this?

Bldg. Inspector Minozzi:  I have been informed by my staff that all the mailings are in order, sir.

Chairman Dovell:  Okay.  Note to those speaking:  please state your name for the record and speak into the microphone.

I.  AGENDA

Case No. 17-21
Dan Sbrega
583 Warburton Avenue

For View Preservation Approval as required under Section 295-82 on the application of Dan Sbrega for creation of a rooftop residential deck and rear commercial patio at his mixed-use property located at 583 Warburton Avenue.  Said property is located in the CC Zoning District and is known as SBL:4.30-22-6 on the Village Tax Maps.

Chairman Dovell:  We have one item on the agenda this evening, and that is Case 17-21 for 583 Warburton Avenue.  This application is for view preservation only; it is not for planning approval, which is under the Planning Board.  If there are comments from the public – there's no public out here, but maybe online – please limit them to view preservation only.

So with that, who will be speaking on behalf of the applicant?

Kathleen Sullivan, 17 Wilson Place:  I'm the architect for the project.

Chairman Dovell:  Why don't you go ahead and begin your presentation.
Ms. Sullivan: Thank you. The owner regrets he cannot be here tonight. He's coaching …

Chairman Dovell: Could you speak up a little bit?

Ms. Sullivan: I'm sorry. The owner regrets he cannot be here this evening. He's coaching a baseball game, so he apologizes.

This project involves renovation of the old Comfort Mill building on Warburton. The view preservation issue is a bulkhead that's being put on top for a stair to get access to a roof deck. Which is the other element that needs to have consideration because there'll be a fence, or a railing, that'll be put around the perimeter. Let me see. The area, this is the building. As people know, it's in Warburton, it's a very dense area in our town. The red sort of indicates where the building can be seen from some views on Warburton.

This is a site plan showing the building. Movie Mews is next to it, which is a very tall building, and to its north is a shorter building which is the veterinarian's office. It has a backyard which is part of the Planning Board's review of putting a patio in. This is a plan of the first floor showing the layout of the patio and then just some elements we're planning on exploring for design of the walls and fences in the back. The little dot shows where the building's located in the middle of downtown. It has some residential towards the river, the big apartment complex, as well as multi-family and single-family homes on Maple.

This is the plan of the roof deck. The one on the left shows the deck itself. What we're going to do is take advantage of an existing light well. If you remember being in that restaurant, you were in the bar section and walked back into a seating section and there was a light well. We're going to use that as part of the access from the second floor apartment to the roof. The roof is only used for the residential unit, it's not part of the commercial use on the first floor. The element on the left is the fencing, or the railing. They're planning on putting something on the very light side, the decking. For element for the bulkhead we're hoping to put sort of a transparent one. We're not creating a heated and cooled enclose; it's going to be just for with. We may look to use some structural plastics for the roofing and the sides. It's going to be a steel stair that's suspected off the back of the building.

This is just something I use to talk about the fence, the wall in the back. But I've put the person in the lower left that shows a section through the building; the roof deck, the bulkhead. The line in back is the line of the Mews. It has some variation towards the front, but that's the basic side of the building. Our bulkhead is very close to that in height. I have provided a foot of structure over the roof, and then a 3-foot-6 railing. The building itself is about 20 feet tall.
These are just some views of the different parts of it, but what I want to show you is the view preservation element. I superimposed my model over the photograph just to give a sense of what the building would be like. This is taken across from the building, of course, on Warburton. This is taken towards the north, the veterinarian's building below. This is just to give a sense of the location of the bulkhead. It's going to be quite a bit back from the street, and it's in blue. These are the pictures for view preservation I wanted to share with you. The first one you'd seen before, but it's taken from the south on Warburton, taken right across from the building. The one on the right, this is from the front. These are, again, from the north and the side – one a little further up. This is probably across from the auto shop.

The one I wanted to explore was Warburton, or Whitman, because that's the residential street that's an elevation and you can see our building and the red dot. The path I took was along the lines. The only place I found a view was between some buildings, and this is sort of indicating the Movie Mews. You can see it's sort of a corrugated, irregular top there. This was a very beautiful animation before I forgot my mouse, and what I'll explain. The white is my model. It's aligned, and you can see the second story of the Mews lines up with the windows of the upper story of our building. It really has about a story more of crenellation and decoration. I've tried to find that same place in this photograph by superimposing my elevation on it. You can see it's going to be covered by trees. The trees I was going to superimpose and hide it is in front of the building so it's really not going to, I think, impact anybody's view from the sidewalks.

That is it. Are there any questions I can answer?

**Chairman Dovell:** Was a mockup made of this?

**Ms. Sullivan:** No there was not. There's no mockup. It was made ... the Planning Board, I believe – and Buddy can correct me – it was almost like an after ... they had a long conversation about other elements. For view preservation there were very few questions.

**Chairman Dovell:** So you viewed it as not necessary?

**Bldg. Inspector Minozzi:** Yes, it had such a minimal impact it almost went for a waiver.

**Chairman Dovell:** Right.

**Bldg. Inspector Minozzi:** But it had just the smallest, smallest amount of obstruction.
Chairman Dovell: So you've evaluated the diagrams for accuracy, Buddy?

Bldg. Inspector Minozzi: Yes, and it happens to be that this building is very easy to do because the decks in the front of the building we can measure right up the sidewalk. So we have a real—not to be facetious—concrete sidewalk we can get a firm measurement from. It's a very accurate depiction of height. We didn't have to get a height survey or anything like that because we were able to measure it.

Attorney Whitehead: The Planning Board unanimously—there was only four of them here [laughter]—agreed there was no view preservation …

Ms. Sullivan: I think from the applicant position … I mean even if there was a chance of a waiver we were happy to have it be presented because of wanting to accommodate neighbors with some of the other things in the project.

Attorney Whitehead: And the neighbors who appeared at the Planning Board meeting were all from Maple—there was nobody from Whitman—so there was nobody who raised an issue about view preservation.

Chairman Dovell: From the adjacent street.

Bldg. Inspector Minozzi: Whitman Street is really the only street that's really affected, would have been affected.

Chairman Dovell: You're looking at building faces, right.

Attorney Whitehead: You have to get up a little higher, up to Whitman, before it (cross-talk) …

Chairman Dovell: Could you go back to view three, Kathy?

Ms. Sullivan: Sure, let me try. View three yes, this one?

Chairman Dovell: That's the one. We're looking at a montage here, with the railings along the top.

Ms. Sullivan: This one isn't. This is the montage you'd see. This is the one.
Boardmember Berritt: And the materials, you were saying you're going to make the structure out of (cross-talk) …

Ms. Sullivan: The owners have some strong opinions about some of the materials. What we've looked at using is (cross-talk) …

Attorney Whitehead: But the ARB hasn't looked at it yet [laughter].

Ms. Sullivan: Yes. What we're going to propose is this sort of – instead of cable rail or glass – very thin vertical railing. I've looked at some types. This was a picture we chose, but I've started looking for some materials that would be like …

Chairman Dovell: So the residential use on the second floor is simply that one rectangle in drawing number one, on the top right side?

Ms. Sullivan: Correct, it's the second story over the Mill. It's a 525 square foot apartment.

Chairman Dovell: It's very small, yes.

Ms. Sullivan: It is, yes.

Boardmember Berritt: It's a minimum of 500 square feet, right?

Chairman Dovell: Well, I have no further comment. Maybe we go down the row here. David?

Boardmember Chen: I have no comments or questions at all.

Chairman Dovell: Okay, Joanna?

Boardmember Berritt: No, I'm comfortable with it. I think the impact will be minimal.

Chairman Dovell: Sashi?

Boardmember Nivarthi: No comments.

Chairman Dovell: So I think we're ready. Would anyone like to make a motion?
Boardmember Nivarthi: I hereby move to approve Case No. 17-21, 583 Warburton Avenue, for view preservation approval as required under section 295-82 of the Village code.

On MOTION of Boardmember Nivarthi, SECONDED by Boardmember Berritt, with a voice vote of all in favor the Board resolved to approve Case No. 17-21, 583 Warburton Avenue, for view preservation as required under section 295-82 of the Village code.

Chairman Dovell: So unanimous with the four of us.

Ms. Sullivan: Twice. This was a nice light case to start your way back [laughter], so thank you for letting me come.

Boardmember Berritt: Yes, gently.

Ms. Sullivan: Thank you for letting us come

Chairman Dovell: Thank you, good luck with it.

Ms. Sullivan: Thank you very much.

Bldg. Inspector Minozzi: So next, we'll see you at ARB then.

Ms. Sullivan: Yes.

Chairman Dovell: The only remaining part of business is approval of the minutes.

II. APPROVAL OF MINUTES

Regular Meeting of June 24, 2021

Chairman Dovell: Did anyone have comments from the last go-round? David?

Boardmember Chen: No.

Chairman Dovell: Joanna?
Boardmember Berritt: No.

Chairman Dovell: Can I have a motion?

On MOTION of Boardmember Chen, SECONDED by Boardmember Nivarthi, with a voice vote of all in favor the Minutes of the Regular Meeting and Public Hearing of June 24, 2020, were approved as presented.

III. ANNOUNCEMENTS

Next Meeting Date – September 2, 2021

Chairman Dovell: I think that concludes the hearing for this evening.

Attorney Whitehead: And you go into your odd schedule for the next month.

Chairman Dovell: September 2nd.

Bldg. Inspector Minozzi: Correct.

Attorney Whitehead: You skip August and you move September up [laughter].

Boardmember Berritt: I'll just make sure I have that in my calendar.

Attorney Whitehead: Although it's odd because Labor Day is late. That's still before Labor Day. That's now become a three-meeting week for me now because everybody … Rosh Hashanah's early; Labor Day and the day after.

Boardmember Chen: It goes right into Rosh Hashanah, yes.

Attorney Whitehead: So all my Monday-Tuesday meetings pushed a week earlier. You guys will be my third or fourth meeting that week.

Boardmember Berritt: I thought it was on the 23rd. I'm actually away the 2nd so I don't know if …

Bldg. Inspector Minozzi: So Sashi, you're up again [laughter].
Boardmember Nivarthi: As of now my calendar's empty, so on the 2nd I should be able to do it.

Attorney Whitehead: Are you staying at the 7 o'clock now?

Chairman Dovell: Yes. I would prefer that if everyone is in agreement with that.

All Boardmembers: Yes.

Bldg. Inspector Minozzi: We already changed everything. We changed the calendar online, we changed everything.

Attorney Whitehead: I've got every board kind of playing with time. So just making sure everybody addresses it now that they're back in person and Ray, for your first in-person chair meeting and your first in-person meeting at all.

Chairman Dovell: Well, it is nice to be back in person.

Attorney Whitehead: Okay, so September 2nd at 7.

Boardmember Chen: We'll be finished while the sun is shining.

Bldg. Inspector Minozzi: That's it, boys and girls. That's what we got.

Boardmember Berritt: Great.

Attorney Whitehead: Now do you have to put the DOT stuff back?

Bldg. Inspector Minozzi: No, I just leave it in the box. I'm just going to take our stuff down.

IV. ADJOURNMENT

Chairman Dovell adjourned the Regular Meeting.