

Village of Hastings on Hudson

Waterfront Rezoning Committee Meeting Minutes

Date: February 11, 2019

Time: 7:30 - 9:30 pm

Location: Hastings Public Library - Orr Room

Members Present:

Shannon Rooney, Morgen Fleisig, Meg Walker, Tom Asher, Richard Bass, Katey Stechel, Spencer Orkus, Kate Starr, Danielle Galland

Minutes Prepared by: Sandra Nam Cioffi

Meeting called to order at 7:32pm

Chair's Welcome & Updates (Kate Starr)

- We are in the middle of a waiting period; Village has issued the RFP to hire a planning consultant.
- (Meg) Shoreline Report update; should go ahead and have meetings with BP or others about it while we are in holding pattern with the consultant?
 - Issued the report last summer and sent it to many stakeholders
 - There was an interest in meeting, however, BP was not ready at the time. Shannon has continued to follow up.
 - Should we be meeting with other stakeholders such as Argent, Stage, DEC (a priority), Riverkeeper, Scenic Hudson?
 - BP submitted a remedial plan, which looked different from the Shoreline plan - there were some discrepancies, therefore who we invite and when is in question.
 - Mitigation for NE extension (BP is required to give back some of that area) - we need to look at what the discrepancies are; WRC's tactic is to engage with the owners while rep from BoT is present as well as a rep from WRC; as long as there is dialogue between Shoreline and WRC, it makes sense.
 - Richard: Why doesn't DEC and BP share the submission directly with the Village?
 - Shannon: BP focused only on the remediation and not on the mitigation; their plan was driven by requirements of the cleanup, and not the shoreline.
 - Richard: it should be a standard that anything submitted to DEC should come to this committee; we shouldn't have to ask for it. Shannon has requested it, but was told we need to request it directly from BP.

- This should come from the Trustees - not part of rezoning process/committee, but it will affect the master plan; we are tangential to the process and it will have impacts.
 - Shannon to put in a formal request to the Trustees.
 - We should know prior to working with the consultants if we are in alignment with sharing this information.
- Argent is here tonight and is open to Q&A with the WRC and with the public.

RFP (Kate)

- Update on public release and next steps
 - No questions so far.
 - By March 10, check in with Village Manager what the level of activity and any other indication of what is occurring.
 - Meg knows of at least 5 consultants putting teams together.
 - Morgen has heard of 1 interested consultant.
 - Katey has heard of 2 interested consultants.
- Subcommittees for assessments and interviews
 - What Kate put forward in terms of teams, reflects what almost everyone has requested.
 - The rest of the WRC can review the proposals to help vet the process; everyone will have input to the assessment process, and the interview process by submitting questions.
 - Tom thinks this is a flawed way of doing the process - as it is expected of the WRC by the BoT; Kate agrees.
 - RFPs on the 15th, Interviews are on the 26th of March
 - RFP Assessments (review of RFP submissions):
 - Katey Stechel, Morgen Fleisig, Shannon Rooney
 - SNC to work with KS, MF, SR and BoT to meet and discuss who they want to put forward based on their sense and everyone's input - once this date is set, WRC needs at least 3-4 days with a weekend included for everyone else to submit feedback to the Assessments group.
 - Everyone can submit key questions that would want to be answered in the interview process.
 - Get these discussions in the calendar.
 - Respondent Interviews
 - Meg Walker, Richard Bass, Spencer Orkus/Kate Starr (One of us will fill in depending on schedules.)
- Evaluation Rubric
 - Katey put together the list of requirements from the proposal; it is at this point only a quantitative way to put a score to the tasks, in the form of a checklist. Doesn't give weight to any one thing.
 - Provides a good method for completeness

- Part A consists of the basic requirements. There may be some creative solutions we receive; we may say they haven't met the requirements we put in there, but how do we account for this?
- We have a lot of areas of expertise in the list, are they lumped together? Yes.
- A more subjective/notes area will be added to this rubric.
- Important to have the breakout of the subconsultants and how they will interact; so it would be good to have it in front (to see along with this list).
- Representative work will be included in proposals.
- Creativity, cohesiveness of the team, track record or portfolio of work (this will all be more qualitative, use words to comment on these elements, box for summary opinion).
- Teams to have a call with each other - to make sure they are on the same page prior to making the assessments and interviews.
- Include an area to write in what kind of direct experience a WRC member has had with a consultant.
- If questions come in by tomorrow, how will we address them?
 - SNC will collect the questions on a shared doc, WRC can comment/respond collectively, and if needed, the group can get on a call to discuss before responding.
- Change to a 5 point scale (from a 3 point scale).
- Meg: Perhaps we give a quantitative weight (A is worth more than B), so that it is not random.

Discussion with Argent Ventures

- All three owners were invited to tonight's meeting.
 - BP unable to attend, though appreciated the invitation.
 - Broadway Stages did not respond.
 - Argent took us up on the offer.
- The tone is exploration and a chance for us to hear from one of the property owners. It is still early, and there is a lot no one knows of yet.
- Argent rep: Clayton McPhail - Uhlich site, about 6.5 acres on the southern end of site
- Questions to Argent by the WRC:
 - If this committee didn't exist or is not successful, how do you see going forward with heavy industrial zoning?
 - No idea. Seeing all the work done to date has given us a lot of confidence, but it's a risk that we took.
 - Why did you do the early design with Ennead and MVVA and why did you do this for the entire site?
 - We did some previous work with MVVA in Jersey City; they're a great team. They saw some work Ennead had done with Far Rockaway after Sandy, and it was pertinent to the issues this site faces. We thought bringing these teams together would be worthwhile and turn into a fuller study to share with the Village - to put their ideas out there as simply a

vision and setting a flag in the ground as something possible. They saw a lot of development up and down the Hudson that was not as inspiring, therefore they chose to do this study.

- When they started, they didn't know what would happen with the BP piece; they thought to do the whole thing since it should be planned as a whole piece.
 - Argent has not had much interaction with Suncal so they don't know their reaction.
 - Argent has only had 1 meeting with reps from Broadway Stages and they did not get any definitive feedback; not sure how closely they looked at it frankly.
- Was there ever a cohesive planning effort with other owners/projects of this scale?
 - Jersey City (The Grand Jersey redevelopment area) - 3 different land owners. Argent is the biggest owner with a few minor land owners sprinkled around; they took a fairly comprehensive rezoning process to think about the streets and uses. They needed to meet with the hospital, because they had strong opinions.
 - Southern access bridge?
 - Two small blocks that Argent owns - near the staircase up near the street, not sure what could be done.
 - The bridge is in bad shape, and is no longer up to DOT standards; it must be rebuilt with a span. Its width is an issue as well because of traffic; ideally it would be replaced with bike and pedestrian access; one other issue is when you come out on the other side of the tracks. There is no good solution yet.
 - Who will rebuild the bridge?
 - We have old agreements with Tappan Terminal and other entities that are 50-60 yrs old. It is unclear what will happen. Not a lot of discussions with MTA.
 - The height of the bridge is several feet lower than some of the new trains going in.
 - Studio from Hunter College did 100-year planning study and they were stymied at the beginning because of the floodplain, so upon purchasing the land, how did you get comfortable with this and the issues of climate change?
 - Flooding is definitely an issue; the site is between elevation 6 - 10, so everything would have to come up. One of the ideas in studying the site is to raise the grades in the northern piece for soil caps, though not necessary at all times - which is why Ennead shows the boardwalks, active/passive spaces, built space/natural environment - to embrace the experience for a nice community rather than fighting it. It is not a one size fits all site.

- Argent is the owner of Grand Central, and Metro North has a big impact on this community; we are interested in what Argent's relationship is to Metro North.
 - Argent is fee owner of Grand Central Terminal which means we have a ground lease (180 years or so); MTA does all the retail, maintenance and operations of the terminals, tracks, and facilities even though Argent retains titles to the tracks. Argent does not have a lot of leeway with operations, but they know the right people to call if they had to. MTA has started the process to repurchase the actual terminal building from Argent, as they just received board approval to do so - except for the air rights above Grand Central.
 - Air rights above the tracks, appear to be some opportunity there, but not a lot as of right per the MTA because it needs to be renegotiated with each community.
- If negotiations break down is there eminent domain?
 - No. There is a stipulated purchase price part of the master lease.
- Given limited access and relatively small scale of this site, what was appealing to purchase this site?
 - We have a long term view of things and we have a fairly eclectic portfolio; we are not afraid of what might seem risky. We were attracted by a parcel no one could think of what to do with; it seemed like an interesting site and obviously this community is pretty special, so having this type of acreage was definitely a good opportunity.
 - Argent likes challenging projects, flooding, zoning out of date, access issues.
- Do you have examples of projects Argent has completed that are similar, or not, to this site for potential mixed use development?
 - Argent owned through a joint venture with LCOR what is now the Regeneron HQ in Tarrytown. Argent owns the buildings (purchased in 2004), an outparcel was sold off and another developer built Home Depot. Argent held onto the bio-med building and back 100-acres, and then worked over 10 years to get it rezoned so that Regeneron could use it for revitalization of their campus. Regeneron then bought it from Argent
 - Manhattan Mall
- How many units of housing were proposed for Argent's site in the vision study?
 - 650 total for the whole thing, cannot recall exactly the number for the Argent site. However, Argent's process was to reimagine and erase the property lines.
- What is the status of the cleanup? Are there any restrictions?
 - On Argent's site, cleanup has been completed for the soils. Exxon site soils has been completed as well. Right now, Chevron is still dealing with the groundwater. There is a white trailer on the site which is where the treatment plant is and where groundwater is being treated. Process will take much longer. There is a process between Chevron and DEC - so

they have to keep doing it due to odd readings, needs to be significantly attenuated.

- Development restriction - draft environmental easement for the parcel, and for the former Exxon piece which allows for restricted residential - no ground floor gardens, no detached single family.
- Is 650 a design that resulted from something? Or was it the most economical investment in the site?
 - Neither - Argent looked at it, keep a low FAR (floor area ratio, not a lot of built building relative to overall acreage), also wanted to demonstrate you could put in a lot of units and include commercial, but you don't have to go very high. There is enough land where you don't have to block anyone's views; make sure everyone's roofs look nice. The economic drivers will look different for Argent vs. Suncal, but they would assume it is a more costly transaction for Suncal.
 - Argent looked at earlier studies done and one of them had given about that density, so they used it as one other factor. Wanted to demonstrate commercial uses. Live/work/vibrancy of the area vs. other recent developments that are heavier on the residential
- Cutting the site to create marshland or wetlands - was the reality of this process discussed? Was it envisioned to cut into the landscape or flood the site to create wetland conditions?
 - Roux had done work for the waterfront and Argent had worked with them in the past; Argent spoke to Roux and got their input on what needed to be riprap vs tides coming in and out; it all has to be designed but it is doable, there is potential to bring in water, doesn't have to be as much as Argent proposed. It is easier to create new wetland rather than deal with jurisdictional wetlands.
- Why didn't you go after the BP site?
 - NDA
- Questions to Argent from the Public:
 - Do you envision widening Southside Avenue?
 - Would be up to the Village, but ideally the condition of the roadway would be beneficial if it were improved. This is outside of Argent's holding.
 - Pioneer boat club access?
 - To Argent's knowledge the boat club does not have rights, but they have been given access.
 - Are there discussions for expansions to the east side of the tracks? Parking will absorb a lot of land? Glad Argent is looking at Hastings as a unique place, and creative community - would Argent be able to work in a public-private partnership to expand cultural facilities?
 - Cultural facilities is largely what Argent had in mind.

- Ennead looked at many of these types of spaces and mix of creative uses (light industrial such as microbrewery).
- It is also something that will come up as it matures and goes into site plan approval - yes it will be something that should be encouraged.
- Is Argent's objective only to make economic gain?
 - To some extent, but it is tempered. We are not solely profit motivated, and if we were it wouldn't do us any favors in the long run. To make anything work, we have to think collaboratively.
- What are the other objectives that you have?
 - One other thing we are interested in is creating value with good design; we love great design. Eric and Clay are both reformed architects.
- In terms of the goals, seems residential is viewed favorably.
 - The study did not max out in FAR - it was a modest solution in the overall development. As far as profit motivation - there are 3 owners - everyone wants viable projects.
 - John Nolon has stated that the Village cannot deny the owner a reasonable use, nor does it need to enable profit maximization. That is not our goal.
- The bridge - is it seen as a requirement to have that bridge or rest of the waterfront? Might seem better not to have it at all.
 - Argent always looked at it as someday being rebuilt, from an ingress/egress standpoint and emergency access, but it will be dependent on the planning study.
 - Would it still be a viable project if they didn't have this bridge?
 - Depends on the connections allowed on the BP ARCO site.
- Climate Change and resiliency - 100 and 500 year flood plains - could you talk about it a little bit more?
 - It was a big reason why we looked at the site. Did not pay much attention to the existing flood maps, so everything is designed with the assumption with continued sea level rise and will continue to increase. This was part of the design. How many extra feet of freeboard was fairly significant and is something done on other waterfront sites.
- How do you see the impacts on Hastings services such as utilities, traffic, schools?
 - Currently there are no utilities on site, so everything will have to be in conjunction with BP ARCO site. There have been discussions of creating a spine of utilities - it would be more cost effective - closer to the train tracks and stubbing off; but nothing happens until BP site gets clean.

- Assumes WRC will go through all the impacts as it relates to fire or police and how it impacts with new services and traffic studies.
- It will be limited due to access to the site, but there may be some ways Argent looked at a few options to ease some of the anticipated traffic.
- Have you looked at our Shoreline Report, Infrastructure Report, Comp Plan, and Consent Decree? If you did, how did it affect the plan?
 - Yes. Argent was here for a few final Shoreline committee presentations; and asked MVVA to incorporate some of the feedback that Argent had proposed. One of the takeaways from the Shoreline Report was to make it wider along the waterfront.
- When you're looking at the results of RFPs, look for people who are aspirational in creating zoning and more so than what was done in Sleepy Hollow. We really need to get this right; let a little bit of emotional content run in (in the evaluation rubric).

WRC Monthly Meetings

- Check in with committee members - the next month is slow because we are in waiting mode.
- Next meeting is March 14th
- Anything we should be looking at?

Public Comment

- As far as the look, has the WRC looked at what the look or feel will be at the waterfront? As a Historic carpenter, I am just catching up and have been a resident for the last 3 years. Any sketches or visions about what the exterior will look like?
 - Strong sense that it is something we are focused on, but how we do this in zoning is what we are discussing. This is a subject for community engagement. Different ways we can legislate this in some zoning, other zoning that does not - but once we engage the consultant, one of the tasks is to help educate the community about what their options are.
 - We don't have an image, but we did tour waterfronts in Jersey City and toured the east side of the Hudson (we've seen the good, the bad, and mostly the ugly) - we know what we don't want to help us figure out what we might want, but we don't have any ideas now.
 - A meeting with the ARB - before the whole planning process (made up mostly of architects); might be good to get them involved in some way.
- The roads are up to the Village, not a matter of zoning. If we don't approve the roads, then no one gets on the site
- As a neighbor of the BP site - as far as stakeholders, the neighbors will be affected the most directly in terms of what they will look at and traffic. How many people live near the

site? What kind of outreach are you planning? Upset that no one on the WRC lives near the waterfront.

- There are a list of stakeholders on the RFP - there will be a moment when the consultant will reach out to these stakeholders to get input and how people will experience the site.
- Comment on the choice of the consultant - one concern is I don't see being discussed the level of independence of the consultant. Independent concerns being hired by future developers and for all kinds of consultants including lawyers. The village would consistently hire high priced consultants who the people had to look forward to sustaining their elaborate structures into the future. What is going to make this consultant of benefit to this community rather than to the entity / owner
 - Conflicts of interest were discussed in the past and this is definitely something to think about
- Community process - stakeholder interviews, if not public, then require to have complete reports for the public to have meaningful input at a later time. Interdepartmental meetings seem like important windows for public to provide input. Varying the meeting times, and the style of meetings, and varying ways people can provide comment.
- Directly to the chair - no one in the public should ever be insulted during meetings. Community members should feel free to speak and not be insulted. Expecting a public apology.
 - Civility is one of our tenets, if one feels violated, Kate apologizes for that.

Meeting adjourns at 9:16 pm