

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING
MARCH 23, 2017

A Regular Meeting was held by the Zoning Board of Appeals on Thursday, March 23, 2017 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Chairman Matthew Collins, Boardmember Ray Dovell, Boardmember David Forbes-Watkins, Boardmember Sean Hayes, Boardmember Adam Anuszkiewicz, Village Attorney Linda Whitehead, and Building Inspector Charles Minozzi, Jr.

Chairman Collins: We have several cases before us this evening, which we will get to here in just a minute.

Before we begin, I'll just lay out some ground rules and expectations. We have two microphones at your disposal, and I promise anyone who wishes to be heard this evening on any of these cases will have an opportunity to be heard. You'll see there's a standing microphone here on the floor and our building inspector, Buddy, has a handheld. We have a remote transcriptionist and that individual is going to be recording, for public minutes, everything that's said in this meeting. So we just ask that if you have something to say make it count and make sure you've got a microphone in your hand or in front of you.

Before we begin, Buddy, are the mailings in order?

Building Inspector Minozzi: Yes, I've been informed by my staff that all the mailings are in order.

Case No. 20-16
Ethan Arrow & Fabian Engelbertz
4 W. Main Street

View Preservation approval as required under section 295-82 and relief from the strict application of code Sections 295-55.A and 295-76.E.3 of the Village Code for the addition, alterations and decks to their multi-family dwelling at 4 West Main Street. Said property is located in the CC Zoning District and is known as SBL: 4.70-48-10 on the Village Tax Maps.

Variance is sought for the new addition and extension of an existing nonconformity for the roof deck:

Side Yard (against single-family residence): Existing and Proposed for addition and roof deck - approximately 5.3 feet, Required minimum - 10 feet {295-55.A and 295-76.E.3}; Variance required – 4.7 feet

Chairman Collins: OK, very good. We will begin with Case 20-16 for Ethan Arrow and Fabian Engelbertz at 4 West Main Street. Just another thing I'll point out, if I get any names wrong I apologize for my pronunciation. I'll certainly do my best.

All right, Mitch, you're up.

Mitchell Koch, project architect: I'm the architect for 4 West Main. I'm going to do a quick recap. Fabian and Ethan hired me to help them with a small addition at the back of their house. Initially, we proposed ... well, we've always proposed to go back 10 feet. Initially, I came up with a scheme in which we pushed the addition close to the side of the house that's towards Warburton Avenue because that was an as-of-right addition, no zoning variance required. But it ended up being something that the neighbors next door, Peter and Fran Rockwood, objected to.

At the last Zoning meeting we looked at a different strategy, in which we pushed the addition a little bit to the west. It was something recommended we took a look at. We had a look at it and in this last iteration we've actually chiseled the corners, basically. I'm going to just show, very quickly, what I'm talking about here. You can see, basically – remember, this is a 10-foot deep addition, but we have this console that we're going to put along the back – it's really only a 12-inch deep bank of cabinets. But we are taking the corners and knocking them back. In fact, it does enhance the view a little bit. Bear with me while my computer thinks a moment.

Chairman Collins: While we're waiting for the computer to catch up, can you quantify the view that's been restored from the first addition?

Mr. Koch: I can, and I'm looking for a graphic that's right to the right here, and bear with me. Basically, the first iteration we made – which I referred to as plan A – obstructed basically from the window behind the cash register at Rockwood & Perry; obstructed the view, and they basically had a 45-degree view. You can see it here. This is an image from the outside of the window. The initial plan A took about two-thirds of that away. Then when we moved over to plan B we gained a little bit more.

As you can see from plan C, we've managed to restore two-thirds of that view. I want to say again that the view we're discussing is the view from putting your nose up to a window behind the cash register in a retail store; it's not actually the view from inside the store, of

course. You'd have a hard time seeing the addition from within the store. The appearance of the addition is going to stick with the traditional sort of enclosed porch look, basically establishing a white-painted portion in the front. We're looking at just wrapping the setback corners with clapboard.

The view, at this point, I did a comparison. This is a photograph shot standing in the backyard underneath the window in question, the window at the back of the cash register. As you can see, I'm pointing here at the view. When you have it, which is in the wintertime, it's limited by the tall buildings on Washington and limited by the existing corner. The original plan A is in magenta, sticks out to here. Plan B, which was pushed over, you can see the yellow line aligning with the corner of the existing kitchen. That came to here. And by notching the corners, we're opening up another few degrees of view.

This is a view from below the window, directly below that window, at Rockwood & Perry. It's hard to photograph it from the interior of Rockwood & Perry because you get all this bright glazing. If I'm standing here – everybody remembers the story – here's the column right here. I'm standing sort of at the end of the corner and this very faint yellow thing going up and down is the mockup we put up for the original plan A, not plan B. You would have trouble, from this vantage point, seeing the corner of the building either in the last iteration or in this iteration. Now if I get right up to the window and put my nose against it, absolutely you can see it.

The other final thing I just wanted to say is, the view from the backyard, the tenants upstairs enjoy the backyard. And it is, for sure, obstructed partially by the addition. But I do want to point out that the table where it's currently located in the backyard – where they hang out and eat, hang out and dine – the obstruction is not nearly the same. This is a location of plan B – basically the same in plan C – whereas from back here, part of that view is obstructed. If you just step over here to the table you can see it on the left, or not so much. But I just want to say that, again, this is a very, very small addition. This is 10 feet; enough room for a dining table, just about.

I just want to reiterate – and I haven't gone there before – we are talking about a view not from someone's home, but from the back of a retail shop, from one window, that you have to go out of your way to have the view obstructed. So I feel this is a very minor obstruction.

Chairman Collins: All right, thank you for the update and for coming back with a proposal – as compared to our first conversation together – that significantly reduced the impact. I would just also note, from my perspective, that the impact on the view is very much tied to the seasons. In the spring and summer when we have fall foliage, given just the density of trees I see in the photographs there I would imagine much of the river view is occluded just

simply from what Mother Nature does. So I think we're talking about an impact here that would largely be felt when the leaves are off the trees, which we might call November through April. So it's a half-year phenomenon where this will be most acutely felt.

I want to acknowledge that even though you've done, I think, a creative job – with input from this board – on reducing the impact on the view. There will be impact. I don't want to suggest that impact won't be meaningful to some people, even from the perspective of a window that most retail customers wouldn't see. But the owner will, and I respect that. I think all things considered, from where I stand – and unless there are any other changes you want to take us through on the project – I feel as if this application has gone as far as it can go to accommodate multiple stakeholders and points of interest.

I think given the balance of the five factors we have to consider, the fact that the Planning Board approved this for view preservation in its original plan A format – and the fact that the applicant has considered many other alternatives to this – and given what they are trying to achieve, has determined that this particular layout is as modest an addition as this 10-foot bump-out is. That this is the solution that gives the applicant what they're looking for. I think they've, in my view, achieved a state where they are getting done what they need to get done as property owners, while minimizing the impact on the view.

I appreciate the lengths to which they've gone to try to accommodate many different voices in getting to this point. I want to express my appreciation for where we are today, and I think you've done a really good, clean job of giving us something I think reflects a very healthy compromise.

Gentlemen?

Boardmember Forbes-Watkins: I'd like to make a comment or two. First off, I think trimming the corners was a very creative move to save a bit of space. The one thing that really concerns me about this is the trees. We have no control over what the property owner on number 10 West Main will do with those trees. Unless there's more than an acre of land, in which case then the town has some control. Now the question is, are we making an assumption that 10 years down the line, five years down the line, a hundred years down the line for that matter, it isn't valid?

That gives me concern, and I'm really hung up on this one and haven't yet decided how I can go. I'll leave it at that point and see what other people think.

Chairman Collins: I hear what you're saying. Who knows what the future holds on any of these? I'm not comfortable, in this position, influencing my decision about what may or may not happen down the line.

Boardmember Forbes-Watkins: Well, I think that's one of the jobs of the Zoning Board: to think about what happens down the line.

Chairman Collins: I hear what you're saying, and certainly we are charged with sort of protecting the character of the neighborhood. But when it comes to changes other property owners may make, I think we try to do that in an environment of stasis; meaning that if we allow this thing to stand, how might the neighbors who inherit a property feel when suddenly a property ... for example, a big side yard variance has been granted. I think here, when we're trying to imagine now multiple different variables changing in relation to how properties are laid out or what buildings go there it becomes harder, I think for us to be able to project and to make a determination. But I hear your point.

Mr. Koch: May I speak to that? Just specifically with regard to 10 West Main, I would think the trees here on the right are within theirs. But these trees here are behind 8, then these are behind 6, and these are certainly behind 4. So it would take a conflagration to take out this lovely ... I mean, everybody loves the fact that there's this hillside of trees left, so ...

Boardmember Forbes-Watkins: Yeah, exactly.

Village Attorney Whitehead: I think on view preservation you're preserving, so you really need to look at what the condition is today; it's view preservation.

Boardmember Anuszkiewicz: I concur with that. I think you can only deal with what is right in front of us. I agree with Matt's assessment wholeheartedly. As he pointed out, this was approved for view preservation by the Planning Board in its first iteration, and we've come back twice now and the applicant has been willing to modify it significantly to address as many of the stakeholders' concerns as possible. That's really all we can ask for on this board.

I think you can't predict, to David's point, what's going to happen in the future. You don't know if the Rockwood & Perry building will be torn down and another building built there which will have a totally different view situation as related to this neighbor. I think we have to operate on what we're looking at. I think Mitch and the applicant have done a good job, and I would support this.

Chairman Collins: OK, thank you. Ray?

Boardmember Dovell: Could you just run through the sight lines from the original proposal to where you are right now, the planned sight line diagrams?

Mr. Koch: Yes. Back to that other one we were looking at, easy for you to say. Obviously, this angle was derived from using the satellite map from Google Earth, standing in the backyard and looking at that photograph I showed before which has a tall building off on the hill on the other side of the gully.

Boardmember Dovell: So that line is the limit of the picture plane.

Mr. Koch: Of the view of the Palisades and the river you can have from that window. It's actually just a best guess, honestly.

Boardmember Dovell: But that's where the view begins.

Mr. Koch: Yes. Then this corner is where the original plan A corner had been established.

Chairman Collins: Which corner's that?

Mr. Koch: I'm going to wiggle it around.

Chairman Collins: Thank you.

Mr. Koch: This is the existing dining room. Really, plan A, if you remember, started at the setback line and then came over to here. What we did was, it got a little narrower but we aligned it in iteration plan B. Now in plan C we aligned it exactly with the existing dining room.

Boardmember Dovell: So what you currently see is from both outside edges of those angles, about 30 degrees?

Mr. Koch: Yes, exactly.

Boardmember Dovell: Then take us through the three iterations.

Mr. Koch: Once again, the current view right now is about a 45-degree sweep of the river from the point where the view is obstructed by the buildings on Washington Avenue to where it's currently obstructed by the corner of the existing dining room. Notably, if I were to pan out each of the buildings on West Main and sit back so they're all sort of in a line, they

line up with this angle completely. So Ms. Rapoli's building, I believe, comes to here, maybe number 8 comes to here, and I can demonstrate that with a photograph if you care to see it.

The point is, when we did plan A it was all of this zone and the obstruction to the view would have been two-thirds of the view, based on that 45-degree arc. Now what we've done is pushed over as far as we can. And really, if you will, we've cut the obstruction in half so now it's about a third of that arc.

Boardmember Dovell: So you cut it back by a third.

Mr. Koch: By half, or whatever.

Village Attorney Whitehead: Another third.

Mr. Koch: Can Ethan say something?

Chairman Collins: Yeah, just introduce yourself into the microphone.

Ethan Arrow, applicant: I would also just point out here, what we did is stood in the back of the house and really gave it a hard look and asked the question how could we minimize – given standing below the window in the backyard, with your back up to the house – how can we minimize the controversial bit of the application being the 10-foot extension of the dining room out the back. We have not discussed, in previous meetings, the stairwell, which I think we all agreed was less view-obstructive and reasonable.

What we've done here, effectively, is made it so that even in absence of that room on the back you still have the stairwell there. If you look at the angle, what we've effectively done from that particular point – and I believe there was the question if we could quantify what the actual view obstruction is – it's relative to your angle. What we've done is take this one particular angle, standing below a window with your back up against the wall very seriously – so much so that we're losing the ability to do a corner-to-corner set of windows in the back – and also have forced in a console that's going to take away another foot of space for a dining room table. If you can imagine 9 feet, it's pretty snug.

I think at the margins I understand the view becomes even more precious, but so does the functionality of what we're trying to achieve. We've, in fact, given up enough so it's in line with portions of the project that have been somewhat blessed already. I'm sorry if that's not technically correct, but that was the thought process behind it. What we did, Fabian and I, after the last meeting – before going to Mitch and asking him to make more adjustments –

the piece about the trees. We spend a lot of time in the backyard. When you look at that picture, I don't think those are the trees from 10 West Main that you're actually looking at. I just wanted to add that, too. Thank you.

Chairman Collins: OK, thank you. Sean?

Boardmember Hayes: I've been out for a couple of months so this is the first time I'm seeing this. Which is, on the one hand, annoying because some of the benefits they're driving at I don't know because I'm sure you've explained it many times before. On the other hand, unlike, I think, everybody else here, I'm actually seeing it sort of in my view – and this is maybe my past life as a lawyer – in the light it should be seen. Which is what it is as it is relative to an application for a variance, not what it was. Because to me, that's what we should rule on. Because someone could come here and show something that blocked the entire view they had, then shrink it down and say look how much better I made it, right? Which, to me, is false, right?

I also think there's a false premise, which is the fact that it's the back of a retail store in the window. Because if they choose to make that their living room that's their right as the owners of that property, right?

Mr. Koch: They would have to get a variance.

Boardmember Hayes: To put a chair there and look out the door?

Village Attorney Whitehead: You have to make it residential. It's a retail space.

Boardmember Hayes: You can't live there.

Building Inspector Minozzi: Not as-of-right.

Village Attorney Whitehead: No, you can't have first-floor residential.

Boardmember Hayes: OK, that I didn't know. But he could put a chair there and look out the window all day, and that would make his life more bearable sitting in that store all day. I'm just saying.

Chairman Collins: Well, probably not. I mean, it sits at the top of the stairwell.

Boardmember Hayes: No, I know where it is. I've been there. It's not convenient I'm saying, but it's your place and you have that right. I do think strongly – because I think this is

something we tend to do in life, not just the Zoning Board – we look and see something pared back and say, wow, this is so much better than it was instead of saying, well, in a vacuum how is it. Because I think that's very important to do.

Can you give me 90 seconds – and I'm sorry, everybody – on why this is necessary? Because I wasn't here for that. Is that OK?

Chairman Collins: Yeah, go ahead. I it's important to state what the benefits are.

Boardmember Hayes: What's the benefit?

Mr. Koch: I think my client could (cross-talk) ...

Boardmember Hayes: Doesn't have to be you. It doesn't matter who it is, just give me 90 seconds because I wasn't here.

Mr. Koch: I understand.

Village Attorney Whitehead: Can you do that, the short version?

Chairman Collins: If you go 120 that's fine too.

Mr. Arrow: We've just been doing this a lot. There was a reassessment in the town. We bought the house in 2015 and were aware there was going to be a reassessment. However, we were not aware of the magnitude. Carrying the home, on a cash flow basis, is now very much different than we purchased the home. What we did, as a family, was try to figure out how could we make this work maintaining rental income opportunities that exceed what the original plan was, given the original understanding of what the cash flows would likely be within a reasonable range.

The reassessment, I don't know if you want to argue what's reasonable but it was well over 100 percent. What we did was, we said OK, how could we carry the cost on a monthly basis minus rental income, live in it, and still feel like it's making sense for us. We also want to have a family. I talk about this monthly in front of everybody here. That's what we're trying to do, and this isn't easy. I can follow you: you need to look at it in its current state because you don't want to incentivize among people here coming with something so large that when they pare back they're going to slip it through when, in fact, what you actually get wasn't appropriate to begin with. I can follow that.

I also think, as a part of this there is a notion of hardship. I think there's also balancing of (cross-talk) ...

Boardmember Hayes: I wasn't making a judgment about it, I was just making a statement about a viewpoint. I wasn't making a judgment about your addition. That's completely different, as you know.

Chairman Collins: I think he was just sort of seeing a way of framing things.

Mr. Arrow: A hundred percent.

Boardmember Hayes: I wasn't saying I don't think it's a good idea.

Mr. Arrow: I'm with it 100 percent. But I think also, just in terms of being a resident of Hastings buying into this process, it's certainly not cheap. You have to consider the path from where it began to where it is today. But I understand just in terms of the footprint, yes, looking at it sort of what it looks like today but also just sort of respecting where people have come from.

Boardmember Hayes: Thanks. No, I appreciate it. I get it.

Mr. Arrow: You can't do it in 90 seconds.

Chairman Collins: That's pretty good.

Mr. Koch: I'm going to summarize. Basically, they would like to grow into the house and they still need to keep it as a three-family. The effort is to make the downstairs a little bigger and, in fact, see if they can get some occupancy in the basement and do it that way. That's really what this is about.

Chairman Collins: I want to point out, too, that I know – having visited the property and spoken to the applicants – that Peter Rockwood had submitted a counterproposal for a different design. I asked about that specifically, and how the implementation of that design might work. I just want to get this on the record.

Village Attorney Whitehead: I'm sorry, do you want to (cross-talk) ...

Chairman Collins: But let me state my understanding of it because I think it's relevant. Then I'll let anybody speak, and correct me if I get any of it wrong.

I think Mr. Rockwood's proposal would have the dining room essentially move to the west-facing wall, bump out that wall to be flush with an existing wall to the north. You're bumping out in the direction of the west to be flush with a wall that's a little bit further to the north.

Mr. Koch: Our end layout is this, and what they proposed was coming out to line up there at the property line, then come back 3 feet here. That's the layout right there.

Chairman Collins: And the applicants walked me through their concerns about this particular solution. I'll give the zoning concern, which is following this approach creates a need for a much larger variance request in that side yard by a substantial amount. And I would expect the property owner to the west to have some concerns about now having that much addition that much closer to the property line. But as I understand it, that particular orientation would require a complete redo of the entire kitchen and create a budget hardship on this particular project – given the benefit the applicant is seeking to achieve – that just simply couldn't be made to work.

I want to acknowledge that. I think it's great that you offered up a solution that attempted to get to a better result for you, but I think in sizing up the benefit the applicant is trying to achieve it's hard to see that, for me anyway, being part of the equation. I just want to acknowledge the fact that that's out there and sort of size up how I've been thinking about it.

Any other questions from anyone on the Board?

Boardmember Anuskiewicz: I'm going to clarify one thing to your point. I don't think maybe you meant it that way, but they didn't really pare it down. You're not looking at something that's a shrunk version of what they showed you the first time. I mean, they came back tonight and chamfered off the corners, but they were not asked to do that by us or the Planning Board. They didn't really pare anything back. All they did, actually, was move it from an as-of-right location to another location that required a second variance, or a variance in addition to view preservation. I just want to clarify that.

Boardmember Hayes: OK, thank you.

Boardmember Dovell: Programmatically, that space has been reduced, Mitch, as well? What is the size of the new dining room now? It's about 10 by ...

Mr. Koch: Ten by 13; it came from 10 by 14-1/2. I mean, it's not a lot, it's not a very big space. It's roughly the space in front of the dais here. That little bit matters, but you can live with it.

Boardmember Dovell: If you read the repositioning of it, as you saw in the diagrams, had a big effect.

Chairman Collins: All right, then I'm going to invite anyone from the public who wishes to be heard on this. Just again, introduce into the microphone the first time you speak.

Tricia Crevey, 8 West Main: I've lived in Hastings since 1994. I'm very concerned. I mean, I understand people need to expand their apartments, but river views in Hastings are very important to all of us, even the slightest little view. It's important to all of us – winter view, full views, it's important – and I trust all of you to protect that view. I'm very concerned this will set a precedent for the building next to me, which will really affect my life. So I'm asking you to keep that in mind. If it was your river view being taken away I wonder what you would think.

I just wanted to say that. We are the Rivertowns, this is what we are, and our river views are precious. I just wanted to remind you of that. Hastings is trusting you to protect those, all right? Thank you.

Chairman Collins: Thank you. We take that charge very seriously.

Matt Pisciotta, associate – Zarin & Steinmetz: Testing, testing, there we go. I represent Peter and Fran Rockwood, obviously the owners of 525 Warburton Avenue. I kind of want to kick off where Chairman Collins started and kind of walk everyone through this alternate plan the Rockwoods have advanced. Essentially, as you can see – and as we discussed – the new plan would involve relocating this space here over to here. It reduces the expansion from to the south from 10 feet to 3 feet, and increases expansion of the house to the west by 3 feet 7 inches.

I've heard some of the responses from Chairman Collins. I don't know if anyone else shares the same sentiment, but this isn't intended to be a final plan. What we were trying to show with this is that there are alternatives that exist out there that can create a new dining room area for the applicants while taking less of the Rockwood's view. Just to give you an example, this is the original plan the applicant advanced, this is their plan B, this is plan C, and this is the Rockwood's plan.

Chairman Collins: Can you toggle back to plan C, and then yours? OK, I'm orienting. There's a tree there that's just to the left of the line that I know is blocked by plan C. OK, got it.

Mr. Pisciotta: My point in showing you this is that the Rockwood's plan further reduces the view here. I think it's important to go back to the code here. The code says that construction in the view preservation areas has to pose the least possible obstruction to existing views. It's an unqualified lease, and tonight I've heard a lot of qualifications: there's trees there, it's not an all-season view. The code is very clear, and represents a concerted effort by Hastings to protect its view. I've spoken about this before, but Hastings is even somewhat unique among the Rivertowns in that it actually has this view preservation ordinance.

I think it's important that everyone understands that because in a lot of ways the Village is at a crossroads. There's a lot of new development happening up and down Westchester, and I think there's a lot of things coming down the pipeline, even in Hastings, where hard choices are going to have to be made about view preservation. I think it's important to point out again that the code is very clear. The least possible obstruction is what should be considered. The Rockwoods aren't advancing this plan for you to approve tonight. I understand you can only approve what's before you from the applicant. But again we would ask that you send the applicant back one more time – Mr. Koch is a very creative architect – to work on something that, by incorporating this principle of moving everything to the west, leaves them with a usable dining room and reduces the view less.

I'd also like to point out that the last plan the applicant submitted, plan C, we haven't seen before tonight. For some reason, the applicants decided to cut off communication with the Rockwoods in between the last two meetings, for what reason I don't know. But we're just seeing that tonight, so at the very least I'd ask you hold the public hearing open so we can take a look at this and assess really what effect this has on the view.

Thank you very much for your time, I appreciate it.

Chairman Collins: Before you leave, tell me how, in this plan, there's a remedy for the fire escapes on the second floor. Where do those go?

Mr. Pisciotta: The fire escapes, again I'm not submitting this as a final plan. Just that by moving to the west you can reduce the view.

Chairman Collins: Sure. What I'm pointing out to you is that – and this isn't the only instance – if you solve for optimizing around the least possible view you create a different project. In this case, you create a couple of hardships that the homeowner now would need to deal with, the most important one to me being how do you solve for required fire escapes on the second floor which are already there and would no longer ... you'd have to find another solution for those.

Mr. Pisciotta: Right.

Chairman Collins: That's one. Then from this board's perspective, if you were to follow through with this plan what would the side yard variance requirement be?

Mr. Pisciotta: I don't know that off the top of my head. It's increased, I will acknowledge that.

Chairman Collins: Yeah, OK.

Mr. Pisciotta: At the same time, we're not submitting this as a complete plan. I hear your concerns, I do. Nobody's really taken a look at where we could relocate the fire escapes. I'm sure Mr. Koch is going to get up here and say it can't be done, but that hasn't really been studied.

Chairman Collins: Again, I think the context in which this board reviews decisions like this – and what I mean by that is view preservation – is, you're absolutely right that we agree that our goal is create the least impact on the view. But it's in relation to the project, what the applicant is trying to achieve, and creating a balance there.

Boardmember Anuszkiewicz: Well, there's a series of other factors we consider and one of them is cost, frankly. I think we discussed this. Your plan we're looking at is not something in front of us to be ruling on. But when we talked about it briefly last time, one of the things we talked about was that it would require significant structural work that would be very expensive. You can say the least possible view, but you have to weigh that against other things like that one factor, and there are other factors. It's not just least possible view and then you go home.

Mr. Pisciotta: I understand what you're saying. In terms of cost, we're absolutely sensitive to that. I mean, unfortunately I think construction overruns are kind of the nature of the game when you're doing a fairly major renovation. There's clearly been other homeowners in the past who started out in one place and ended up 10-, 12 thousand dollars more than they wanted to spend. It happens, unfortunately.

Boardmember Dovell: This also would require redoing the kitchen. It's not just the structural issue, but it's redoing the entire kitchen which is not an inexpensive undertaking. The scheme we're looking at, I think, preserves the kitchen, Mitch, where it is?

Chairman Collins: Yeah, it does preserve the kitchen.

Mr. Pisciotta: We hear your concerns, and I do ask that you would weigh some cost to the applicants against the loss of a substantial portion of the Rockwood's view. I believe that's where I'm going here.

Chairman Collins: OK, does anyone else wish to be heard? Yeah, please.

Jim Metzger, 427 Warburton Avenue: I've followed this project a little bit online, looking at some of the issues, and I'm not taking sides because I happen to be friends with the architect and friends with the people next door. Dealing with issues in Hastings is always a dicey issue, especially when view preservation is involved. But one thing I wanted to talk about is in this proposed plan of squaring off the addition in the back.

There are additional issues aside from just the fire escape. One of those is that there would be no ability to put windows on the west side of that addition because the addition would be on the lot line. It would create a problem in terms of laying out that room and trying to have it be an open and airy room. It also creates an issue for the people to the west of this program, in that as you build out and build over you cut off more of the early morning sun. Obviously, that's something you would have only in the winter because once the trees are out everybody's going to kind of be in shade.

There are always give and takes. I believe the code is written, especially with view preservation, to minimize impact as much as practical given a problem you're trying to solve. I'm hoping all the parties can come to a good resolution on this because I think it's a nice addition to the house. I also don't want to see anybody else's property be negatively impacted because we all go through that living in the view preservation zone. I just wanted to say there are other issues involved.

I happen to think the solution Mitch has come up with is a nice solution, especially the idea of just chamfering those corners makes a huge difference and I think that's a big deal. I'm hoping the Board will take all of that into account. Thank you.

Chairman Collins: Thank you, Mr. Metzger. Anybody else?

Again, I want to just be careful about making sure I sort of go on the record with my reasons for supporting this case, then I'll invite a motion. I think the applicant has shown a real concerted effort to minimize the impact on the view here while achieving an objective which is perfectly reasonable and any property owner would, in their position, be striving for as well. I think the extent to which they have continued to come before this board and consider the input from neighbors to find creative ways to achieve what they're trying to achieve, while minimizing the impact, is notable and has been effective.

I do think the impact on the view here has been minimized as far as it can go for the applicant to achieve it, and I think that's established from the photographs we've seen in the applicant's proposal, from the backyard as well from the retail window at the Rockwood wine shop. Again, I know the Rockwoods have proposed an alternative plan, but I think we've covered that well. I think in taking the view back it opens up a lot of other problems that become quickly unsustainable for the property owner and, quite frankly, me, and create a hardship on other neighbors.

For all those reasons on the view preservation, I'm in favor of moving this forward and I just wanted to make sure that was on the record. Can I have a motion?

Boardmember Forbes-Watkins: I'm going to pass on the motion. Let me say, first off, we should have two motions.

Village Attorney Whitehead: Yes.

Boardmember Forbes-Watkins: One on view preservation and one on the variances. I'm quite willing to move the variances.

Chairman Collins: Go for it.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Hayes with a voice vote of all in favor, the Board resolved to approve the side yard variances for Case No. 20-16, existing and proposed, for addition and roof deck approximately 5.3 feet, required minimum 10 feet; variance required 4.7 feet.

Chairman Collins: Can I get a motion on view preservation, please?

On MOTION of Boardmember Anuszkiewicz, SECONDED by Boardmember Hayes with a voice vote of all in favor, the Board resolved to approve the request for view preservation, approval as required under section 295-82, relief from strict application of code sections 295-55.A and 295-76.E.3 of the Village code for the addition, alterations and decks to their multi-family dwelling at 4 West Main Street.

Chairman Collins: OK, the vote is unanimous. Yes?

Village Attorney Whitehead: You should really put the reasons supporting it on the record.

Chairman Collins: I thought I did that.

Boardmember Forbes-Watkins: I think there's a lot of record.

Village Attorney Whitehead: We can do this a couple of ways. You can read some of the reasons supporting it. Because you want them to be part of your decision, to support your decision. If you have an appeal a court is going to look at your decision and want to see that you supported it, set forth reasons, and the reasons supported by the record.

Chairman Collins: I said I think I covered this from my perspective, but I'm happy to go through some of these things again.

I think the Planning Board has approved this already, as we stated earlier. The applicant has made modifications to this plan to further reduce the impact. The neighbors have been more than generous about providing view studies and showing mockups of what the impact would be, and those have not been disputed. We've considered the fact that the views here are seasonal and that the concern is related to a window in a retail dwelling that is sort of off the beaten path, so to speak, meaning it is not a view that would be seen or considered very often. The view from the rear yard is seasonal as well. The alternative plan was presented and, in the end, I think created more hardship for the applicant and ultimately could not be, I think, considered.

So for all those reasons on the view preservation I think we've come to the right decision.

Village Attorney Whitehead: And have all the Boardmembers visited? I think everybody has seen the property.

Boardmember Hayes: Yes.

Boardmember Forbes-Watkins: Yes.

Village Attorney Whitehead: That should be on the record as well.

Chairman Collins: Yes, every one on the Board has been to the property.

Village Attorney Whitehead: Thank you.

Chairman Collins: Thank you, Linda.

OK, let's get back to our agenda. We'll proceed to Case 4-17, Sylvia Robles.

Case No. 04-17
Sylvia Robles
9 Harvard Lane

Relief from the strict application of the Village Code Sections 295-68F.1.c and 295-55A for the demolition of an existing garage and construction of a new garage and two-story structure above at her home at 9 Harvard Lane. Said property is in R-10 Zoning District and is also known as SBL: 4.110-112-1 on the Village Tax Maps.

Variances are sought for Side Yard, and the extension of an Existing Nonconformity for garage & two-story addition:

Extension of nonconformity, side yard: Existing - 11.23 feet; Proposed - 11.23 feet; Required Minimum each side - 12 feet {295-68. F.1.c & 295-55. A}; Variance Required - 0.77 feet

Chairman Collins: Again, apologizing if I get any names wrong. Nice to see you again.

Mitchell Koch, project architect: Great to be back.

Chairman Collins: Why don't you tilt the microphone in your direction, unless you want the handheld.

Mr. Koch: It's great to be back. I'm going to start talking 'til this comes up. In this project, the clients would like to remove an existing garage, which I'll have an image for you momentarily. C'mon, baby. Here we go.

First, a view of the house. There is a one-story garage which, after an earthquake, had this horrible schism. No, this is a Google Maps.

[laughter]

Chairman Collins: Yeah, I was going to say. That's great.

Village Attorney Whitehead: Wondering what that was.

Mr. Koch: And basically, the idea is ... this is hard to see on Google Maps, but it's a pretty steep drive. The effort here is going to be to excavate the driveway pretty much level.

Chairman Collins: What's the grade now?

Mr. Koch: It's like in excess of 20 percent. I mean, it's very steep.

Chairman Collins: OK.

Mr. Koch: We're talking basketball here. Three boys in the family, an opportunity to put in basketball.

Chairman Collins: So you're going to go flat, more or less?

Mr. Koch: We're going to go pretty flat, yeah.

Chairman Collins: All right.

Mr. Koch: And then put the garage in the excavated lower portion. I'm now going to give you an image. No, sorry guys. This is like make sure you don't name these things arcane. The effort here would be to put the garage down – that's the same garage door – to make it a basement garage.

This first floor now would be exactly in the location where the garage currently is. My advice was to build a third floor that would proportion properly and give the house just a little bit more sort of balance and street presence. There's a few other moves that I'm suggesting, like doing a stucco-type EFIS treatment to that gable to have it speak to this one. There'll be new siding, presumably.

That's the gist of it. I just want to point out, you can see here what's in contention is 9 inches of encroachment into the side yard. And that's it, everything else is as-of-right. The existing garage sits 9 inches in. The idea here would be to just simply build on the existing footprint, although we would put initial a new foundation. The neighbor who lives immediately to the side has given Susheel a letter of support, which if I can I'll read it into the record.

Vickie Travis, 5 Harvard Lane: (Off-mic).

Mr. Koch: Oh, that's your house? I'm so sorry.

Ms. Travis: It must be the other side.

Mr. Koch: Are we sure? Yeah, I think this is it here. That's the neighbor. Anyway, that's the house that's most directly affected.

"To Whom It May Concern

"This letter is in regards to the variance requested for the addition of 9 Harvard Lane by Susheel Kodali and Sylvia Robles. I live at 68 Amherst Drive, southern border of Susheel and Sylvia's property and I have discussed the proposed project with them. I understand that although it will be taller, the proposed addition will extend no further south than the existing garage." – this is true.

"I have no objections to the proposed variance, and I am supportive of the renovation. Please don't hesitate to contact me with questions."

Chairman Collins: And what was the address again?

Village Attorney Whitehead: It's 68 Amherst.

Mr. Koch: That's right on the corner.

Building Inspector Minozzi: It's 68 Amherst Drive, yes.

Chairman Collins: All right.

So out of curiosity, since you're tearing out the existing garage – correct? – and you're putting down a new foundation ...

Mr. Koch: Correct.

Chairman Collins: ... why not just shrink it so you don't need any variance?

Mr. Koch: Good question. The primary reason is the fireplace – the chimney – that is actually in the garage. It encroaches into the garage. And the concern is that it's pretty tight as it is, so losing 9 inches – whereas it wouldn't be a deal breaker – matters.

Chairman Collins: Can you zoom out a little bit?

Mr. Koch: Yes. I'm going to go out further. You can see the chimney is right here, and it's currently on the exterior of the house. I'll show you: this is the existing elevation.

Chairman Collins: Oh.

Mr. Koch: That's the rub. So it's about 17 feet interior. I mean, you could live with it, but it's tight. So that was ...

Boardmember Anuszkiewicz: And you can't demolish that chimney in the basement?

Mr. Koch: We could, but that's ...

Boardmember Anuszkiewicz: Isn't that easier than building a new foundation?

Mr. Koch: Well, we're doing the new foundation anyway so that's the least of it. But that was what drove the notion of putting it where it currently is. There's some other considerations, which I don't want to get too deep into the weeds, but the hope would be to put stairs coming in. There's some kind of Murphy's Law at work that says no matter how big the property is, where you want to make your addition is always encroaching somewhere.

The stairs, to get down from the existing first floor to the garage – which would certainly be a great plus – I can barely make it. I've actually rejiggered these a few times; I'd like to eliminate that stair at the top. You know, that's an opportunity right there to fall. I can probably squeeze in winders. But if anybody's tried, with the new code, to build winders you gain 6 inches on each winder.

So each of those encroaches on the length that's allowed that's left in the garage. That's kind of what drove the decision. Yes, we can do this without the variance, but we thought it was worth a shot.

Boardmember Dovell: But the existing wall was in the same location.

Mr. Koch: Yes.

Boardmember Dovell: So it's an extension of a ...

Mr. Koch: Effectively, yes.

Chairman Collins: Well, this is a very, very minor variance request and I really like what you've done with the project design. I think you're going to be creating a lot of usable space

here by thinking very differently about how to – for lack of a better concept – build vertically in that space rather than have the garage be the dominant fixture on the first floor. I've seen a lot of homes that try to build over the garage and create some living space above it, but by moving that down and building two stories of living space above it I think you've created something that has a lot more utility to the homeowner and has a nice symmetry to it as well.

I think there could be creative ways to accommodate the three-quarters of a foot that you're off, but it seems to me that would create a hardship for I'm not sure what benefit other than for us to be able to say you don't need to be here. I think overall this is a project that I'm very comfortable with.

Anybody else have anything to add?

Boardmember Forbes-Watkins: No issues.

Ms. Travis: Can I say something? I'm the neighbor that lives ...

Chairman Collins: Yeah, just one second. Let me just make sure of the Board. Sean, you good? Ray?

Boardmember Dovell: I think it's an enormous improvement to the character of the house.

Boardmember Hayes: I agree.

Boardmember Dovell: It's sensitively done. I like the idea of putting the garage level there. I think it's very handsomely done.

Chairman Collins: OK.

Yes, please come forward and just make sure you introduce yourself into the microphone.

Ms. Travis: I'm on the opposite side. I thought this variance also had to do with the height. And maybe I'm wrong, I thought you were only allowed to go up two stories. Isn't this 2-1/2 stories above the garage?

Chairman Collins: Buddy?

Building Inspector Minozzi: You're allowed to go up 2-1/2 stories in Hastings, and this is about 2-1/3 stories with the attic space.

Village Attorney Whitehead: The garage doesn't count.

Building Inspector Minozzi: The garage doesn't count. Remember, I was explaining to you on the phone the garage doesn't count because it's on the ground.

Ms. Travis: OK. But you know, my other concern was, the houses in the neighborhood are just getting bigger and bigger and bigger and bigger. There's the house at the bottom of Harvard Lane – I mean at the bottom of Amherst Drive and Harvard Lane – and now that house is huge compared to the houses on both sides. I love my neighbors, these are the greatest neighbors ever, just want to say that. I'm just saying that going forward my whole neighborhood is getting these houses.

This house, I think, started at 1,631 square feet. It is now 3,133 square feet and now it's going to be even bigger. People are moving to Hastings, we're supposed to have affordable housing. This house is now not a 7- or 8-hundred thousand house, it's going to be a house that's going to be a million-dollar house. I just wanted to have people thinking about that a little bit because it's a concern of mine. It's like one of the largest houses – it's going to be one of the largest houses – in the neighborhood.

The other issue was whether it was going to need increased air conditioning. The units are on my side, and as it is now I have to listen to that all summer long with the air conditioning units going on and off and on and off, and the vent for the dryer. So if I sit in my backyard it's not quiet, there's just a lot of noise. He says the increased units wouldn't go on my side of the house.

Chairman Collins: Mitch, is that correct?

Mr. Koch: Yeah, they'll be ...

Chairman Collins: Speak into the microphone. Thanks.

Mr. Koch: At this point, we're looking at using heat pump kind of heating and cooling. The unit would be like the size of a suitcase and it'll be on this side of the house.

Building Inspector Minozzi: I explained to Ms. Travis that we wouldn't allow any further units to be placed on the north side of the house. And while we're there, if we see that it is a definite nuisance we could ask the homeowner to possibly put some screening up in front of those units.

Chairman Collins: OK.

Ms. Travis: That's it, thanks.

Chairman Collins: OK, thank you very much. Anybody else wish to be heard?

OK, I just want to say, in response to that last comment, I appreciate there are a lot of different views in Hastings about the character of neighborhoods, the character of the Village, and where it's going and what it's becoming. I think that's a healthy debate for folks to have. The Zoning Board does consider the character of neighborhoods as one of the considerations. We primarily are focused on how to accommodate a balance between a variance an applicant is seeking and any negative tradeoffs that might come.

From my perspective, I echo what Ray has said and others, I think, have repeated. That is, I do think that in the aggregate this unquestionably makes it bigger. I'm not disputing that, I think it's empirically clear. But I do think it improves the character of the home, and they're this close to being in the right to do it. So I appreciate it. I think a good place to take these types of concerns is to the Planning Board and the Architectural Review Board and make it very clear that you have a strong view on where the character of neighborhoods in Hastings are going. But I think from the perspective of the zoning, looking at this mostly from the point of view of the variances that an applicant is requesting, I think in this case we've got ample precedent and, I think, a demonstration that this is a modest request.

So unless there's anything else, anyone else wishes to be heard, I'm going to ask for a motion.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Hayes with a voice vote of all in favor, the Board resolved to approve, for Case 04-17, the extension of nonconformity of side yard, existing 11.23, proposed 11.23 feet; a required minimum 12 feet. Therefore, the variance required is 0.77 feet.

Chairman Collins: The vote is unanimous. Thank you.

Case No. 05-17
Kevin & Helen Moran
42 Darwin Avenue

Relief from the strict application of the Village Code Sections 295-68F.1.c, 295-55A and 295-68F.2.a(2) for the construction of a second story addition above an

existing one story, non-conformity and new rear porch, at their home at 42 Darwin Avenue. Said property is in R-10 Zoning District and is also known as SBL: 4.40-39-14 on the Village Tax Maps.

Variances are sought for Side Yard, and the extension of an Existing Nonconformity for second story addition and increased Developmental Coverage for rear porch:

Extension of nonconformity, side yard: Existing - 6.0/24.8 feet; Proposed (to addition) - 9.5/24.5 feet; Required each side - Minimum 12 feet/Both sides combined - Minimum 30 feet {295-68. F.1.c & 295-55. A}; Variance required 2.5/5.5 feet

Developmental Coverage: Existing - 40 percent; Proposed - 41%; Required Maximum - 35 percent {295-68.F.2.a(2)}; Variance Required - 6 percent .

Chairman Collins: Did you take that picture? Christina, is that your photography? You've got another skill.

Village Attorney Whitehead: She can't take credit for that one.

Christina Griffin, project architect: I'm the architect for this extension/renovation of a single-family home. We are here to ask for variances to the side yard setback and the development coverage.

This is the elevation of the house, and this is our site plan. What we're planning to do is extend the back of the house on the second floor. The second floor will provide an expansion of the very small bedroom; an expansion/renovation of a whole bath; and an expansion of the master suite so we can have more closet space and the larger master bath. The property has 6,000 square feet so it's undersized for the zoning district, where 10,000 is required. The house already is nonconforming on the side yards on the north side of the house. The side yard that's required is 15 feet, but the existing side yard is 9.5 feet.

We're planning to extend a small piece of the second floor out across the back, and this corner here – which is about 30 square feet – is going to also be nonconforming because we're lining it up with the wall of the existing house down below. We are also asking for a variance for coverage because we're planning to take the staircase that's in the back leading to the basement and putting it on the side of the house. This will allow us to rebuild the porch, which is very congested, and to take the stair away so it's separate from the porch.

These are the photographs of neighboring properties. This is the rear view of the house. The porch right here, which has like a plastic corrugated roof – now in great disrepair – we're

planning to remove and rebuild, and build a second floor extension on top of the one-story piece over here and bring that across on top of part of the porch. It's hard to see, but there's a stair going down to the basement here and we want to pull that out of the porch so the porch is a nice size. Right now it's very small and congested.

This is the first floor plan. The existing porch here has a stair going down – you see the dash lines – and we're planning to move that to the side. The dark lines are the required setback, so you can see the entire north side of the house is into the setback and has a setback of 9-1/2 feet instead of 15 feet. The stair, the exterior stair of the basement, we're planning to put on the side of the house. But that will fit within the setback. Since we're adding a little bit to the coverage of impervious surfaces on the site, we are going from a 40 percent development coverage to a 41 percent. The maximum for this zone is 35 percent, but the property is only 6,000 and undersized. It's hard to improve the situation without adding to the coverage.

Boardmember Dovell: Do have existing condition floor plans of this? It'd be very helpful to see it and try to understand, compare them side by side.

Ms. Griffin: I do not. But there is a porch. Do you see the dash lines? Right now, the porch is in the same location, but it just has this staircase alongside of it. We want to remove that and enlarge the porch, but keep it in its same position where it lines up on the back. That's the only change we're making on this level. So we're moving the stair over here rebuilding the porch, and rebuilding it so it no longer has the basement stair in it. I don't have the plans, existing and proposed, but side by side.

Most of the work is on the second floor, and I'll see if I can enlarge that a little bit. This dash line is where the exterior wall of the house is right now. This bedroom, called bedroom two, is about 8 by 11 feet. It's very small, and we're planning to extend it out about 6 feet. This will align with the walls of the floor below. You can see that this part of the house is outside of the side yard setback requirement. So this corner, which is about 30 square feet, is going to be the amount of additional floor area of the house that's going to be nonconforming and inside the side yard.

The hall bath is going to be renovated and extended; the master bath also renovated and extended, especially so we can add some closet space to the bedroom. But these extensions fit within the side yards and do not add to the coverage.

Boardmember Dovell: But for purposes of the side yard variance, it's really that small square of space that we're talking about.

Ms. Griffin: Exactly.

Boardmember Dovell: So that's the area of the ...

Ms. Griffin: Nonconformity.

Chairman Collins: You said it was about 30 square feet?

Ms. Griffin: Thirty square feet; 4 foot 1-1/2 by 6 feet – less than 30.

We're also hoping to do a big improvement to the rear elevation of the house. I showed you the photograph, and right now this roof goes straight across. We're adding this gable with some of the half-timber detail, that Tudor detail, that is already on the front of the house. We want to make this a more attractive façade. This corner piece is very important to complete the shape of this gable and to have this design for the façade. We're also planning to rebuild the porch with a stone veneer, stone pillars, and arts and crafts style columns; and replacing the corrugated plastic with fiberglass shingle roof. In order to rebuild this porch in this manner we have to remove the basement stair.

There's three variances because one is to the side yard, one is for the nonconforming coverage, and one is for extending a nonconformity.

Chairman Collins: The improvements that this design indicates – the expansion of a very small bedroom, creation of a master bath – versus the relatively minor impact, when you think about it, of the 30 square feet area of concern, it feels like the benefit is much more substantial than the tradeoff associated with this incursion. I'd like to know what the homeowner's trying to achieve other than what's plainly obvious, which is a larger bedroom and the addition of a master bath.

Ms. Griffin: It's to, really, alleviate the congestion on the second floor because the hall bath is very small and also needs to be updated. The bedroom is very tiny, and they have a growing family. The master has a closet inside the bedroom and it's undersized. By moving it out we are able to rebuild the master and also provide a bigger closet space. We're trying to actually remove what we see as deficiencies in the layout of the house. I would say the same thing for the porch because that staircase being inside the porch it's very cramped and uncomfortable.

Chairman Collins: Did you look at other possible solutions to addressing these, accomplishing the same outcome?

Ms. Griffin: I don't know if there are other options. We are always looking at options. I'll show you the floor plan because I think I can explain why we decided to expand it the way we are showing on the drawings.

Boardmember Dovell: That little square on the second floor goes all the way to the first floor? Is that going right up the building, the two floors of the building?

Village Attorney Whitehead: It's existing.

Boardmember Dovell: Does it exist down below?

Ms. Griffin: This is the laundry room/bathroom.

Boardmember Dovell: OK, so it's only at the second floor.

Ms. Griffin: It's only at the second floor that we're extending the house.

Boardmember Dovell: It would really be helpful to have existing condition drawings, but never mind.

Chairman Collins: No, you're right. That would be helpful to see.

Ms. Griffin: Yeah, I will in the future.

Chairman Collins: I think we usually see those.

Ms. Griffin: I can flip back to the first floor because under here is an existing laundry/bathroom. We're just planning to go right over it. The reason we can't put this addition over here to make this bedroom bigger is because if it fit within the setback you'd have a very awkward shape. Also, to extend the bathroom we're just going straight back. You really couldn't logically extend this bedroom unless you captured the space over the one-story piece.

Boardmember Dovell: So what you're asking for is just simply that block of space on the second floor and 1 percent of lot coverage.

Ms. Griffin: One percent additional coverage, yes. All of this is done as-of-right, this extension. The stair inside the house will be a 1 percent additional coverage.

Boardmember Dovell: And that's from the stair on the side.

Ms. Griffin: Yes.

Chairman Collins: Have you got something?

Boardmember Forbes-Watkins: Oh, I think the need is sort of fairly apparent, looking at the house. So I think it's a good approach to the whole thing.

Chairman Collins: And as Christina pointed out, they're very much constrained by a property lot size that's 60 percent of what the minimum is, right? – 10,000.

Building Inspector Minozzi: Yes, and that was with the zone.

Chairman Collins: So they just don't have a lot of options to improve the structure here without coming to have a conversation with us in some way. I think this proposal certainly is a very minimal intrusion.

Boardmember Anuszkiewicz: I don't see how you can do it any other way either, and I think that's been integrated very nicely into the elevation on the rear. So I think it's really very well done.

Boardmember Dovell: I agree. You've got a lot out of a very small variance.

Chairman Collins: Sean?

Boardmember Hayes: Yeah, I don't see the impact. I just don't.

Chairman Collins: No negative impact.

Boardmember Hayes: Yeah, that's what I mean.

Chairman Collins: Does anyone in the audience wish to be heard. OK, can I get a motion please?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Hayes with a voice vote of all in favor, the Board resolved to approve, for Case Number 05-17, the extension of nonconformity; side yard existing 6 feet and 24.8 feet proposed to additions 9.5 feet, 24.5 feet; required on each side minimum of 12 feet, both sides combined 30 feet so the

variance is 2.5 and 5.5 feet. Also, development coverage, existing 40 percent; proposed 41 percent, required maximum 35 percent.

Chairman Collins: The vote's unanimous.

Ms. Griffin: OK, thank you.

Chairman Collins: OK, moving right along we'll go to Case 06-17, Daniel Buckley from 44 Oakdale Drive.

Case No. 06-17
Daniel Buckley
44 Oakdale Drive

Relief from the strict application of the Village Code Section 295-68F.1.a for the construction of a new two-story addition at his home at 44 Oakdale Drive. Said property is in R-10 Zoning District and is also known as SBL: 4.20-16-1 on the Village Tax Maps.

**Variance is sought for the Front Yard Setback for a two-story addition:
Front Yard Setback: Existing - 10.8 feet; Proposed - 28.17 feet (to the addition); Required Minimum - 30 feet {295-68. F.1.a}; Variance Required - 1.83 feet**

Chairman Collins: You ready to go?

Mr. Koch, project architect: I'm here for Dan Buckley and Mackenzie Cadenhead. We are seeking a *very* small variance, if it pleases you.

Chairman Collins: Your specialty.

Mr. Koch: We fight for every square foot. There is – I'm going to zoom in on it again – right there, that's the variance.

Let me just go back. The unusual thing about the house is that it's located very close to the street. So as you can see, this line here is the 30-foot line and it comprises half the house. We're doing a very small addition in the back to accommodate another child or maybe parents to stay as baby-sitters. This is part of the closet of the second floor addition. I'm just

going to spin that really quick, not to take any more time, but right here you can see it's actually the back half of your hanging.

Basically, this is a small bedroom addition which is all as-of-right. This is all as-of-right, but this little bit we're just trying to eke a tad more bedroom here. That's why we're seeking the variance. I think it's 1.9 feet. And we have several letters from neighbors who are the most directly affected. Maybe, Mackenzie, you want to read them into the record? If that's OK.

Chairman Collins: Introduce yourself, please, and speak into the mic.

Mackenzie Cadenhead, applicant: I have one that's an e-mail. I'm sorry, I thought I printed it.

Chairman Collins: That's OK.

Ms. Cadenhead: But these are the people that are (cross-talk) ...

Chairman Collins: I would just ask if you can forward your e-mail to our Building Inspector.

Ms. Cadenhead: I definitely will. This one is from Steven and Lindsay Feinberg, who are at 80 Hollywood Drive. They see the back part of our yard:

"Mackenzie, Lindsay and I fully support you and Dan in your plan for the expansion. We are confident as with past improvements this one will be done with taste and sensitivity to the neighborhood's concerns.

*"Steven Feinberg
80 Hollywood Drive"*

That's the first one. Then from Bruce and Alana Levinson, at 20 Oakdale Drive:

"To Whom It May Concern,

I'm sorry, I left my glasses back there. "Please accept this as a letter of support for the recently-proposed construction at 44 Oakdale Drive, the residence of Mackenzie Cadenhead and Dan Buckley.

"As close neighbors, we have already witnessed a previous construction project on

this project, in 2014, and – our opinion during that project – the family and the workers employed to do the construction were very conscientious of noise level and construction traffic on the street. They kept us apprised of plans and progress, and the finished product is a beautiful family room which greatly enhances the functionality of their home.

"We have every reason to believe that the proposed project to create a bedroom for their third child would be approached with the same integrity and courtesy

*"Kind regards,
Alana Levinson and Bruce Levinson"*

From Allison Sheehy and Jim Markley at 23 Oakdale Drive:

"To Whom it May Concern,

"We are writing as neighbors of Mackenzie and Dan Buckley at 44 Oakdale Drive to support their application for an addition to their home.

"During previous renovation projects, Mackenzie, Dan and their contractors have made every effort to minimize the impact on the neighborhood. The results of their renovation projects have always been beautiful and in keeping with the style of their home. We enthusiastically support their upcoming project."

Last one:

"To Whom It May Concern, – oh, this is from Hillary and Eric Monohan at 17 Oakdale Drive:

"This is a letter in support of the proposed project at the Buckley-Cadenhead residence, 44 Oakdale Drive.

"We live at 17 Oakdale Drive and we are in full support of the addition that the Buckley-Cadenheads would like to do on their house. Their property is lovely, the house is very tasteful and fits in perfectly with the neighborhood. In past projects, those working on their house have always been respectable and quiet.

"Please feel free to contact us with any questions."

Chairman Collins: Great, we'll give those to our Building Inspector. Nice to have nice neighbors. That's great.

This is where I was going to have you go next, Mitch, now that we've established the relatively minor incursion this is going to create into the front yard. Seeing it from the street, from the other elevations, would be useful.

Mr. Koch: This is the eastern elevation. Basically, this addition will create a utility room down here. This is an areaway that goes to an existing set of stairs, which you can see at the bottom of the screen down here. The two bedrooms will ... this is the new bedroom in the back here, and this is the extension of the one bedroom – a 6-foot extension. It really is to accommodate a hallway going past it to the new bedroom.

That's it. You know, we'll keep sticking to the style. The Buckley-Cadenheads have always been very avid about maintaining the same language as the existing house: stone veneer base and cedar shingles above.

Chairman Collins: Can you show us – sort of pull back the detailed floor plan – how this extension is going to get oriented relative to the existing?

Mr. Koch: Yeah. The hatched areas are the additions. The current corner of the house is here – I'll show you a quick photo of it – and this is all a brand-new addition to the south. Then this is a projection out to the east, a teeny bit of which clips the front yard. Just real quick, this is the view from the street. The addition would be out here – can you see that?

Chairman Collins: I can't see. Can you go back and just wave your cursor around so we can see it a little bit better?

Mr. Koch: The addition will be here. I should have Photoshopped that for you. I've got another image that you can perhaps understand where the addition is going. This front corner is what is in the front yard setback. This is a pretty fast and dirty rendering of the areaway underneath the extension, the new bedroom, and this is the extension of the bedroom. On the ground floor will be an extension of this very small office, at-home office. It's very foreshortened, of course, so the perspective is pitched. But you can see what's currently here. Does that make sense?

Chairman Collins: Yeah. (Background noise). The gremlins in the building don't seem to like it very much.

Mr. Koch: Wow.

Village Attorney Whitehead: It's cold outside.

Chairman Collins: Happy spring.

Mr. Koch: This is why plumbers don't like to look cross-eyed at steam heat. I'm sorry, getting lost here.

Chairman Collins: Is there something else you wanted us to see?

Mr. Koch: That's it really. I'll just put up the ...

Chairman Collins: Can you go back to showing, in the drawing, what we would see if we were on Oakdale looking at the front of the house?

Mr. Koch: You know what? I actually don't have that elevation for you, I'm sorry to say. Again, the projection is 6 feet on that side of the house. The view from the street, the encroachment does not change the view at all.

Chairman Collins: Right. I'm just trying get a sense of this. You showed in that mockup sort of the outline in the photograph.

Mr. Koch: Yes.

Chairman Collins: I think that will be a pretty substantial change to the character of the house, and that's what I'm trying to get a sense of.

Mr. Koch: Well, in fact, I'm going to trace it with my cursor here. Basically, as you look at it from here you would see the roof above the line of the eave. The ridge would return back into this existing ridge, and that's what you would see. You would just see a small projection. Six feet is about the equivalent of this much of the house. I mean, I'll run home and do a Photoshop and bring it back by the end of the next one, but that's it. The actual variance does not change the appearance at all, just because from this view you wouldn't see any difference if we moved it over. It just makes a bit of a difference to the use of the bedroom upstairs, honestly.

Boardmember Anuszkiewicz: Like the comment Ray made before about existing plans, it's also helpful for us to have a 3-D, if you can have a 3-D view.

Mr. Koch: Yes, I apologize.

Boardmember Anuszkiewicz: I understand the bulk, but a lot of it is we just need to understand it.

Mr. Koch: If you bear with me for ... this was an exploration of the way the masses would actually go together that I sent out to explore different massings. You can see, in this green addition in the rear, I've changed the roofline slightly in conforming. This is the actual backside of the house. It's very flat and there's this gable end at the back of the house. Doing this push is actually going to – bear with me – enhance the appearance of the house.

I realize these are just very colorful 3-D models that I just did screen shots from AutoCAD, but here are some ... OK, I admit it, I don't have enough of the 3-D. We did a bunch of sketch-up drawings, but I didn't load them.

Chairman Collins: Well, I think it helps us, actually, and we can now see ... especially when we're here we get to see where the gaps are. And I think, Buddy, this is just another thing to zero in when the applicants are filing their stuff to make sure we've got everything we need to have the right conversation.

Boardmember Dovell: How big is the expanded bedroom?

Mr. Koch: It's now going to be 11 foot 9 – so 6 of that is new.

Boardmember Dovell: Eleven foot 9 by what?

Mr. Koch: By 12 foot 9. I'm sorry, the entire room including the closet would be 13 foot 9. Sorry, I apologize – 14 foot 6, all in.

Boardmember Dovell: To the back edge.

Mr. Koch: From the exterior here to the front of the closet.

Boardmember Dovell: So the inside of the bedroom is about 10 by 12 or something?

Mr. Koch: That's correct.

Boardmember Dovell: That's a very small bedroom.

Mr. Koch: Eleven by 12, yeah. It's a kid's room, really.

Boardmember Dovell: So unless you had custom coat hangers made it would be hard to cut back.

Mr. Koch: That's it. I mean, one of the other considerations is the elevation. We have now a requirement to have enough fenestration and enough ventilation in the room, and the double window on that elevation helps. If I begin to move it around it becomes a little bit more crowded. So it would seem like the massing itself really called for this little overlap and push.

Chairman Collins: Can you rotate that? Looks like it's upside down.

Mr. Koch: Sure. I'm used to working with clients, looking at the upside down drawing and writing backwards onto it.

Chairman Collins: That's an impressive client you have.

Mr. Koch: So the plan is a teeny little bathroom. I mean, this is really the Mom and Dad idea. Then two kids will be doubled, and the baby will be ... I don't know, it depends upon the gender really because they've got one of each right now. That's the plan at this time.

Chairman Collins: OK, any other questions or comments from the Board?

Boardmember Forbes-Watkins: I think it's a nice plan.

Chairman Collins: Anyone in the audience wish to be heard on this? OK.

I agree, I think it's a sensible project with a minimal impact overall as it relates to variances. So can I have a motion, please?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Anuszkiewicz with a voice vote of all in favor, the Board resolved the approval of Case 06-17, front yard setback existing 10.8 feet, proposed 28.17 feet to the addition to be made; required minimum 30 feet. Therefore, the variance is 1.83 feet.

Chairman Collins: The vote is unanimous. Thank you very much.

Mr. Koch: Thank you.

Chairman Collins: Congratulations and good luck.

Mr. Koch: Thanks.

Chairman Collins: All right, we'll move to Case 07-17, Richard and Liz Steinberg for 102 Lincoln Avenue.

Case No. 07-17
Richard & Liz Steinberg
102 Lincoln Avenue

Relief from the strict application of the Village Code Section 295-68F.1.a for the extension of an existing front porch at their home at 102 Lincoln Avenue. Said property is in R-10 Zoning District and is also known as SBL: 4.90-83-6 on the Village Tax Maps.

Variance is sought for the Front Yard Setback for the extension of an existing front porch:

Front Yard Setback: Existing - 25.6 feet; Proposed - 25.6 feet; Required Minimum - 30 feet {295-68. F.1.a}; Variance required - 4.4 feet

Chairman Collins: We've got Hastings lots galore.

Village Attorney Whitehead: Existing nonconforming.

Chairman Collins: Oh, yeah, this is my favorite property shape.

Boardmember Forbes-Watkins: Yeah, it's a good shape.

Ms. Griffin, project architect: We're planning to add a front porch to this house. We're replacing a roof covering over the existing platform, and we're going to extend this platform and add a new porch. The existing platform is within the 30-foot setback. The setback is 25.6 feet from the property line to the corner of the existing platform. This is the porch to the right. And this small triangle is a hatched area that represents the additional nonconforming part of the house that we are proposing.

Chairman Collins: What's the surface area of that little triangle?

Ms. Griffin: Three square feet.

Boardmember Anuszkiewicz: That's the whole variance.

Ms. Griffin: This is the new façade, so we're going to put a very handsome porch here with columns and a railing. I think it'll make a big improvement to the front façade.

Chairman Collins: I think it's lovely. I mean, I saw this and I thought this is terrific. I want to put a rocker there and have a lemonade on a hot night. It's great, it's really sweet.

Boardmember Dovell: We could arrange that for you.

Chairman Collins: Thank you. I don't know if it's just a March thing, but this is another one of those where we've got just the tiniest little sliver of an issue that needs to be reckoned with. But again, I'm in a position where I'm looking at the most minor nonconformity versus the benefit that I just think is so undeniable and so lovely that I've got nowhere to go except to say I think we need to approve this because there's nothing to object to.

Does anyone have a different point of view or would like to add any comments?

Boardmember Forbes-Watkins: Actually, of course, the nonconformity is directly under the overhang that already exists.

Chairman Collins: Correct.

Boardmember Forbes-Watkins: So that nonconformity existed on the overhang anyhow. It's silly.

Chairman Collins: Yeah, I know. You knew you were in for a treat when you saw the property dimensions. Anybody else?

Does anyone in the audience wish to be heard?

Ms. Griffin: I have two letters in support.

Chairman Collins: OK, I'll read them. We have two letters of support for the project, and I'll read them quickly.

The first is from William Cherkin and Diane Brawarsky. Again, I may get these names wrong, the pronunciation:

"March 14, 2017

To Whom It May Concern

Regarding the extension of the existing front porch at 102 Lincoln Avenue

"We have spoken with our neighbors, Richard and Liz Steinberg, in depth about the proposed plan to add an extension to the existing front porch to their home at 102 Lincoln Avenue and the need for a variance due to the nonconforming 25.6-foot front yard setback.

"We are in total support of their project and feel there would be no negative impact at all. It will enhance their property and have an overall positive effect on the entire street.

"Sincerely,

William Cherkin and Diane Brawarsky"

The second letter is from Lara Weitzman and Donna Shepherd at 101 Lincoln Avenue. I should have said the Cherkin's and Brawarsky are at 105 Lincoln Avenue. Lara Weitzman and Donna Shepherd write:

"We are writing to support the application of our neighbors, Richard and Liz Steinberg, to extend their front porch. We have spoken with them about their plan and believe it will be a welcome addition that will add to the character and beauty of our community.

"Richard and Liz are thoughtful neighbors who we are confident will execute their plan in consideration for all. Please feel free to contact us for any reason pertaining to this application.

"Sincerely,

Laura Weitzman and E. Donna Shepherd

May I have a motion?

On MOTION of Boardmember Forbes-Watkins, SECONDED by with a voice vote of all in favor, the Board resolved to approve Case Number 07-17, front yard setback existing 25.6 feet, proposed 25.6 feet, required minimum 30 feet. Therefore, the variance required is 4.4 feet.

Chairman Collins: The vote's unanimous. Thank you.

Ms. Griffin: Thank you.

Chairman Collins: OK, let's bring it home. Last but not least on our docket, we have Case 08-17, Tabi Realty LLC.

[Case No. 08-17](#)
[Tabi Realty, LLC](#)
[425 Warburton Avenue](#)

View Preservation approval, as required under Village Code Section 295-82, and relief from the strict application of code Sections 295-72.1.E(1a,b&c), 295-40.B(1&2), 295-41.A, 295-20C(2&4) and 295-29.A for the demolition of an existing three-family, and construction of a new building containing three townhouse units, on its property at 425 Warburton Avenue. Said property is located in the MR-O Zoning District and is known as SBL: 4.70-52-10&11 on the Village Tax Maps.

Non-conformity details of the proposed construction are as follows:

Front Yard Setback: Existing - 0.2 feet; Proposed - zero feet; Required - 10 feet {295-72.1.E.(1a)}; Variance required - 10.0 feet

Rear Yard Setback (to Parking Structure): Existing - 53.4 feet Proposed - 19.1 feet; Required - 30 ft {295-72.1.E.(1b)}; Variance required - 10.9 feet

Side Yard Setback: Existing - +/-50 feet; Proposed - 7.0 feet; Required - 12 feet {295-72.1.E.(1c)}; Variance required - 5 feet

Driveway Slope: Existing - 16 percent; Proposed - 15 percent; Required Maximum 12 percent {295-40.B(1)}; Variance required - 3 percent

Driveway Slope 3 percent/30 feet from Property Line: Existing - 16 percent/0 feet; Proposed - 3 percent/5.67 feet; Required Maximum - 3 percent/30 feet {295-40.B(2)}; Variance required - 3 percent/24.33 feet

Driveway Area: Existing - 500 square feet; Proposed - 1,506 square feet; Required Maximum - 960 square feet {295-41.A)}; Variance required - 546

square feet

**Parking Space Size: Existing - N/A; Proposed - 8 feet 6 inches by 18 feet;
Required - 9 feet by 18 feet {295-29.A}); Variance required - 0.5 feet
(width)**

No Paving in a Required Yard (Parking Structure) {295-20C(2&4)}

Chairman Collins: This is what we have before us. I appreciate members of the Planning Board for their helpful context to this thing. I know it came before the Planning Board recently and the Planning Board just had a lot of input on this project. So thank you for providing that backdrop and for attending tonight.

The one thing I wanted to point out – and I shared this for the Zoning Board just to keep in mind – because this is a tear-down and then rebuild, the concept of comparing it to what was is useful as a data point, but really is sort of a fiction. For all intents and purposes this is an all-new project, and the proper thing for us to do it evaluate what you are proposing against what is required, not against what was – because that building, once it's gone, there is no more.

Ms. Griffin, project architect: I understand.

Chairman Collins: That's just something for this group to keep in mind. I think it's useful for reference, but we can't really evaluate it from that perspective.

Ms. Griffin: OK. We are planning to rebuild this building. We did consider extending the existing building and renovating it. We've been to five Planning Board meetings with several schemes. We are here because we feel we have the best layout now after making many changes to make sure the neighbors were comfortable with impact on views and which has, really, a direct impact on why we designed the building the way we did. And also to provide parking.

The existing building, I think it's important just so you know context and see the layout of the existing building.

Chairman Collins: I'm just going to, for the sake of argument, ask why does it matter that we see the dimensions? If your intention is to tear it down, why does it matter?

Ms. Griffin: Because you often ask have we looked at other options, and we did look at renovating/extending the building. The reason why we didn't is because of parking. This property has no legitimate parking, even though there is a rough curbcut and there are like two cars or so that park on the grass on the side. What we wanted to do was not only provide

parking, but make sure it was concealed from view.

We decided we would put it underneath the building. It's really difficult, almost impossible, to put it under an existing building without tearing it down. But also, you see how the old building's right up against the property line, to the right. We wanted to pull that away for a variety of reasons. With current state code, you're not allowed to put windows on a zero lot line wall, at least not without a lot of expensive ways of protecting it from fire. Also for light, for a variety of reasons. Also, because the building is in great disrepair.

Chairman Collins: When you say "the building," you're talking about (cross-talk) ...

Ms. Griffin: As in great disrepair.

Chairman Collins: ... the existing building. You're not talking about the neighbor's building.

Ms. Griffin: No, the existing building. Sorry, I didn't mean that.

This is our new site plan. Tabi Realty, the owner of the property, originally wanted to have three townhouses built and provide the parking required by code. These units are around 18-hundred square feet each. Our original scheme was for three attached townhouses. After meeting with the Planning Board a few times, they made a very good point that if we had the units one on top of the other they could share a common elevator. It was an important goal of the Planning Board, I think, to make sure if there is parking that it's convenient because this neighborhood has suffered from lack of parking. And if it's not convenient people may park on the street rather than go down the ramp and use the parking lot.

We had gone through several different schemes, and after looking hard at the townhouse scheme because this was the goal of our client to do that scheme, we finally changed it to three units, one on top of the other. The existing building also has three units, by the way, so we're not increasing the number of units. We put the driveway on the right because this angle allowed us to have a longer ramp.

It became obvious that if we didn't keep the building at the same height it is now it would have an impact on view of people who live uphill. There's one neighbor in particular where it went up to his property, and we really looked hard at that and found we had to keep it at the same height and also had to keep the back of the building where it is now. Those are kind of important parameters.

Boardmember Anuskiewicz: Sorry. Why do you have to keep the back of the building

where it is now?

Ms. Griffin: The back of the building is right here now.

Chairman Collins: Why?

Boardmember Anuszkiewicz: Why do you have to keep it there?

Ms. Griffin: Because if you push it back it starts closing in the view of the river when you're looking down from uphill.

Boardmember Anuszkiewicz: Also another question. Are these rental units or are these for sale; will people own these, or are these rentals?

Ms. Griffin: I believe they're going to be condominiums.

Boardmember Anuszkiewicz: They're going to be for sale, so people living here will own those units individually?

Ms. Griffin: Right.

Boardmember Anuszkiewicz: So you have three units; you're replacing three units with three new units. But I assume the three new units are quite a bit larger than the three existing units, correct?

Ms. Griffin: Yes, they are.

We put the driveway on the right side instead of on the left because we end up with a longer ramp. And because of that we go over the maximum driveway area so we could have this ramp. The ramp is a 15 percent slope and that's over the maximum, but it's the only way we can actually go from the sidewalk that exists down to where we need to be to keep the total height of the building no higher than it is now. So we're asking for a variance for the slope.

We provided examples of driveways in the neighborhood and asked the Planning Board to look at them. I have a list of those driveways in case you would like to know because even though it's more than the maximum of 12 percent that could be allowed it's not as steep as many driveways. There's one, we found one, that is a little steeper – it's 16 percent – on Bridge Street that is a good example of something that works. We're asking for a variance so we really can go from A to B down to the garage level. That allows us, once we get minimum ... I mean, we have 8-foot ceiling heights, no higher than that, for each floor. We

are able to get the top of the building aligned with the existing building where it is now.

We've also pushed the building forward so it aligns with the front property line. The reason for that is, really, also impact on view. If we met the setback and pushed the building back it would close on the view of the river from uphill. I want to show you a study we did of buildings in the neighborhood to show that many of the buildings – you see the ones next door – are lined up with the front property line. So it's a consistent pattern in the neighborhood.

Boardmember Anuskiewicz: I think it would be interesting for you also to talk about that in terms of another consistent pattern in the neighborhood which does not require coming up to the street. I would be interested in hearing – I assume, since the Planning Board has worked on this – why coming to the street is a good idea at this location with this building, with a building of this kind of bulk, as opposed to respecting the 10-foot setback. I don't think that just a plan showing all the other buildings that come up to the street would be convincing to me on that. I'd like to know, from your perspective as an architect and a planner, why you think it's a good urban move at this location to bring the building up to the street – notwithstanding the view requirements from above.

Ms. Griffin: If I had to set aside view, I would like to show you the layout. We're also trying to get some greenspace in the back. By pushing everything forward ... there's a lot of reasons. There's a slope in the back here. You get greenspace, you are able to have this sense where you create a place with the walls of the building, which is very much a traditional kind of downtown feeling. I think there isn't a lot of choice, since if the building goes back too far – let's set aside views – it affects the views of people looking down, but it also closes in that open space you see in back of all these buildings.

I'd like to show you the floor plan so you can see how we've laid out the units and get an idea of why we are putting the ... this is our garage plan. I'm just going to jump right to the units because this is important to how the building's laid out. We have decided that the stair – the common stair and elevator – is in this corner because it happens to fit nicely in our garage layout down below. The goal is to do three-bedroom, two-bath units. One unit is under 18-hundred square feet; the rest are 1,829. The reason for this size unit is because our clients – after looking at costs for all the infrastructure we have to build – would like to do comfortable units. They're under 2,000 square feet, but they could be for small families. Each unit has the same layout.

We have to build retaining walls; we have to build this ramped driveway and this garage in order to get the parking for this building. It's an investment of considerable construction costs so the goal is to do three comfortable units that will help pay for all the infrastructure.

I wanted to go now to the basement plan just to show you how we ...

Chairman Collins: And all the units will share this layout, essentially?

Ms. Griffin: Yes.

Chairman Collins: Just stack on top of the other, and some a little bit larger than the others.

Ms. Griffin: Yes.

OK, now I'm going to go back to the garage. Most of the variances are a result of trying to fit parking onto this site for the three units. By giving parking for these three units we are going to open up parking on the street. Right now, the building doesn't have any off-site parking. We are required to do six spaces, and we have one that is handicapped-accessible with a handicapped aisle. One of the challenges for this site is that in order to get down below enough so we can keep our building low and not increase the height because of view impact we have to have a ramp that comes down that allows a 25-foot radius for a car to turn around to get into these parking spaces.

We had a different layout where we tried to get the garage to fit under the building, all the parking under the building, but the turn was too tight. We ended up with a scheme where we pushed the parking into the rear yard. That's why we're asking for a setback variance for the parking in the back. But this parking goes beyond the building.

Boardmember Dovell: So that parking area is a structured parking deck?

Ms. Griffin: There's a retaining wall around these four spots, and this is an open garage with a few spots in the front here. We have a total of six, but these are outside of the building.

Chairman Collins: It won't be covered?

Ms. Griffin: No. There's a dashed line, and that is the decks above. Some are inside and some are outside.

Boardmember Dovell: So the actual back of the building is the double dotted line at the end of the ramp. Point to the end.

Ms. Griffin: Yes, I'm sorry. This is the back of the building right here, where the cursor is.

Boardmember Dovell: So that's well inside the setback line.

Ms. Griffin: Yes. The variance for the rear yard is for the setback to this parking area here. We're also looking for a side yard setback so we can have some turning space for the cars. But this piece of building here that we need the variance for is only one story high. This is just for the garage.

I think I'd like to also show you the sections we have prepared. This is the section through the site showing the house just to the north, the property just to the north of this site. The height of the existing building is in line with the top of our new building and we're going to have the same sloped roof going back. This line here says 419 Warburton. Beyond, that's this line here, is the height and the length of the building just south of this property.

We're going to go through the view preservation studies, but you see it says "river views." If we take this mass and push it back it will affect the views looking down, from uphill, towards the river.

Boardmember Dovell: So the ramp has no transition zone coming up? It has no flat spot at the top of the ramp before you hit the street?

Ms. Griffin: There is an area. We're asking for a variance for a reduced 3 percent area, but the sidewalk is about 13 feet. We sent the layout of the driveway in our site plan to the Westchester County planning department because we are going to be going to them for a curbcut approval. I have copies of e-mails I can pass out. They did a preliminary review and asked us to just simply give them a wider area at the top. I'm going to show this to you. They felt because the sidewalk is so wide that the sidewalk here is part of that 3 percent area. Then we have another additional like 5-1/2 feet you add to that.

This area is the 3 percent slope and this also is large enough to have two cars side by side. This is 16 feet wide, then over here the driveway narrows to 12 feet. We narrowed it to 12 so we could have a 5-foot buffer of green between the property line and the driveway. The county felt as long as we have space for cars to park – so one could wait in case there are two cars coming and going – one could be up here while the other one comes up. Plus, they can turn into this driveway and out of the traffic on Warburton Avenue.

We had them take a look at it and they gave us a preliminary OK that that's what they probably would be comfortable with. But we can't get the full 30 feet of 3 percent, and the reason for that is that we're trying to get a ramp that allows us to get down a certain elevation. When we have an 8-foot ceiling height to the structure above in the garage, then

an 8-foot ceiling height which is the minimum by code for each level: that we keep our roof no higher than the roof that's there now.

Boardmember Dovell: When you're coming with your car up that ramp you're at a pretty steep slope, then before you hit the sidewalk have you satisfied yourself that you can see somebody walking down the sidewalk? You know, you're looking over the hood of a car at an angle. It's really going to obscure your view.

Ms. Griffin: We have a civil engineer who's going to do sight line studies because it's required for the county review. So there's going to be a more intensive study of this condition and we're going to have to take that step and see if that can work. But we're optimistic it can work because they've already looked at it so far. When you asked about it, I think we're going to have to do this study.

There's three departments in the county that this has be reviewed by: the highway department, the drainage department, and one other engineering department. We're going to be developing those drawings, or the civil engineer will be. Now, I just want to explain the way the driveway works. We tried very hard to tuck all the parking under the building and found it was really impossible to get that turnaround. We have pushed it into the rear yard.

We still have greenspace and we still need the requirement for open greenspace on the site. I have a few studies we did I wanted to show the Board. I'm sorry, just give me a minute. Yes, we took a look at how many properties on this street had a zero lot line front lot line. This is a chart to show that we made a list of which properties had a zero lot line at the front yard. Out of 38 properties, 16 had that. It was 42 percent of the properties of the 38 properties we looked at. I think that's important that it shows there's quite a few buildings on the street that are pushed all the way to the front. We also did another study to take a look at driveway slopes in the neighborhood.

Boardmember Anuskiewicz: I appreciate that you've done that, but I have problems with those kinds of studies. I'm sure you can tell by the way I'm asking these questions because I feel that when we're making decisions, zoning decisions, of this multitude – in neighborhoods like that which really are very sensitive on a lot of levels – that we have to consider more than just numbers. So I'm very curious to know why ... you know, there are a lot of variances being requested here. So for the community, for the character of Warburton Avenue, can you explain why this building needs to come to the street?

I think coming to the street as opposed to respecting a 10-foot setback are two different urban conditions. When you come to the street, it's a much more downtown-y feel. I think Warburton Avenue is transitioning in this area. For example, another project I know you

worked on, which was done very sensitively, I think, but made a mistake is at 400 Warburton Avenue. Where an existing building is taken down and a series of nice residential units are built, but the building is rebuilt back up to the street as it was before. I think from an urban point of view that's not helpful.

I can see it being justified because it was a precedent, it was there before. But I do believe the character of the street, and the transition from downtown to the less urban character that Warburton has as you go south, would have been enhanced by you not having done that. And I'm on the fence about it on this one. I'm not sure, and I'd just like to hear more about it. And not from a numbers perspective, not from one of these maps that shows all the buildings that were built a hundred years ago that maybe come up to the street, and that don't.

I think there's enough of a precedent, and there are enough good examples of buildings that respect the 10-foot setback, that you can make the argument that could go either way here. So I'd like to hear more about it.

Building Inspector Minozzi: Also keep in mind that the six-family building that was there that burned down was at the lot line.

Chairman Collins: I know, but we're building something from scratch.

Boardmember Anuszkiewicz: It's a new project.

Building Inspector Minozzi: Just bringing it to light.

Boardmember Anuszkiewicz: I appreciate that you brought it up, but it's not going to influence my vote on this project; not something that's not there anymore. And I'm also not as impressed by charts that say we have 16 of this type and 12 of that type. You know, we have a zoning plan in this community. We could amend it, we could study it, and we could talk about what's appropriate on Warburton Avenue, which is a very important street in our community. So I would like us to talk about this in terms of is this the best thing for the neighborhood, is this a benefit for the community, if we're going to grant this many variances.

Ms. Griffin: I would like to tell you more about this because I know this street very well and we're not just playing with numbers here. We have done a lot of studies, not just for this but many. There's something very special about Warburton Avenue. I've worked on about eight properties on this one block alone. If you go in back of the buildings there, if you move them back, there's a ripple effect that can affect older properties up and down. If we

try to cut back the building by 10 feet I don't think we would have viable three-bedroom units and I think this project isn't feasible.

I don't think you can separate the importance of view from the shape and design of the building because it is integral to the design of the building. We've also done mockups in our office. We know that if you're looking at a shape you're looking at the river, and you take that plane – even if it's the same height – and you move it back it's going to reduce the view looking down at the river. I've actually worked on different view preservation projects where we've had to keep the building aligned in the back because a lot of the properties up and down Warburton Avenue have these magnificent yards that look north and south.

So there are other kinds of spaces to respect and, historically, I know that a lot of these buildings were built a long time ago. You've got this contextual wall that creates a space like you do in downtowns, but not everywhere. Sometimes you have walls, sometimes you have spaces, sometimes you have little alleys. So there's a variety of what's going on. We had the building set back a few feet originally, but we added it to the front simply because we were pressured to make sure we did not have a negative impact on our neighbors' views. I would like to show you our view studies, and maybe you can get an understanding why that's important.

Chairman Collins: Yeah, I've gone back to the Planning Board's note on this, and the Planning Board did indicate that it was the Planning Board that suggested the applicant move the property to the front yard lot line in an effort to minimize the impact on the view.

Yeah, let's take a look at your view studies.

Ms. Griffin: I'm just going to show you the elevations we haven't discussed. This front elevation, I want to point out that even though we moved the building away from where it was on the corner – and opened up the space between the buildings – they're not touching anymore, even though we have also added more mass to the south. This is just a view of the north façade looking at our platform for parking in the back.

Now, these are our view studies starting at 20 Marble Terrace. We had before and afters. Let's see if I can get this larger. OK, this is slightly larger, it's looking from Marble Terrace. This is before, and this is after. I can just about see the existing building to the right which is going to be removed, then our building moves to the left. You have this pattern of sometimes you have walls, sometimes you have alleys, sometimes you have independent 2-1/2 story homes on the street. This is our view also looking from Marble Terrace looking down. This is before. This building here where my cursor is, this is the existing 425

Warburton Avenue. You can see this is open space to the south, this is our proposed building where this building would be removed.

Chairman Collins: And, Christina, you were saying that if we ... can you go back to the previous photograph?

Ms. Griffin: Yes.

Chairman Collins: If the Planning Board had said instead, "Hey, Christina, get as close to the 10-foot setback as possible," I'm presuming then the roofline from where I'm looking now would be lower, correct?

Ms. Griffin: If you push it back?

Chairman Collins: You'd be pushing it down the slope a little bit?

Ms. Griffin: Oh, down? No, you can't bring it down. You can't lower the building. I think you're asking can you push it back.

Chairman Collins: Mm-hmm.

Ms. Griffin: If you push back, the back corner of the building also goes back with it.

Chairman Collins: OK. All right, I see it. I see now.

Ms. Griffin: This is before, this is after.

Boardmember Forbes-Watkins: It would be helpful if (cross-talk) ...

Ms. Griffin: We haven't gotten the views where you'll see that.

Boardmember Forbes-Watkins: It would be helpful on those photo shots where you put in your new building to illuminate the hole.

Ms. Griffin: Yes, yes.

Chairman Collins: Yeah, it would also help actually to see what it will look like in winter views. You figure this is sort of a six-month-a-year view.

Ms. Griffin: I thought maybe you'd just like to see where it is compared to the old building, but we can do that: before, after. This view is looking from ... do you see the building right here where my cursor is?

Chairman Collins: This is really helpful. I appreciate you going to all this effort.

Ms. Griffin: We actually added to the views because of neighbors' concerns. This one is kind of tough to take. This is just a shade – it's hard to see – and the bottom of the deck that you'll be looking up at. The building is moved over. Even though this is taken away, we've moved it down away from this house. But you will see it looking south. This is looking from the second floor of the neighbor at 427 from his second floor. This is part of the deck. This is before and after at the south of the building. This is the existing apartment building just to the south, and this is the one-story piece of the garage that needs a side yard variance. The rest of the building will need the side yard setback.

Boardmember Anuszkiewicz: Can you also explain again why stacking these apartments one on top of the other as opposed to doing this as a traditional townhouse is an advantage?

Ms. Griffin: Because if you had independent townhouses they each have their own internal staircase and we wouldn't build an elevator for each one. The goal was to have an elevator and handicapped-accessible from the garage all the way up to each unit. It's impossible to do if they're independent townhouses.

Boardmember Anuszkiewicz: Is that a requirement for independent townhouses?

Ms. Griffin: The goal of our client was to do separate townhouses, and we changed that to have the units stacked on top of each other. So we get one common stair and elevator because that makes it convenient, and convenience is important.

Boardmember Anuszkiewicz: Yes, but I think that also increases the bulk of the project.

Ms. Griffin: Not really. There's a lot of space given to internal stairs. If you had independent townhouses you actually have to have (cross-talk) ...

Boardmember Anuszkiewicz: Well, the townhouses themselves would get smaller. I understand that, but I think you would still get the same number of bedrooms.

Ms. Griffin: It's impossible. We actually were with the Planning Board for five meetings, and with three meetings we had a townhouse scheme and finally dropped it because it really is impossible to get a common access all the way down to the garage to make it convenient

for everyone to use that garage. We don't want to have a similar situation to what happened to the affordable housing project across the street, where because it's steep and hard to get up to that parking people could just park in front and walk in. The elevator access for each apartment should be attractive for people wanting to take packages out of their cars and all the way out to the building.

This is an important view because this is a view from a neighbor uphill off Marble Terrace who was very concerned about the view. This is before, and this is after. What we wanted to do was make sure the building ... one reason why we left the building on our photos – you can just about see with my cursor – is to show our new building's going to align with the top of it; we're not going to make it any higher. This is before – after. We met with quite a few neighbors, went on their properties, and there was a lot of discussion about this before we came to you. This is after, so there's more view here, less view over there. This is a view from the patio of this property, so their view right here is very important.

Village Attorney Whitehead: The Planning Board actually made their view preservation recommendation at the February meeting, their February meeting.

Boardmember Forbes-Watkins: They're recommending?

Village Attorney Whitehead: Yes.

Boardmember Anuszkiewicz: Also, how do we change the size of parking spaces? You know, 9 by 18 is 9 by 18 because it comfortably fits large vehicles and small vehicles. I think that variance seems like you don't have enough room for the parking so you're asking us to kind of ...

Building Inspector Minozzi: Boulanger Plaza is 8-1/2 feet.

Ms. Griffin: I don't know of any 9-foot spots in Hastings. It's very common. The reason for that is, originally, I think we wanted to get all the parking inside the building. Maybe we could look at it again, but we had to ... you know, if we take 6 inches off each space you can get a more compact layout.

Boardmember Anuszkiewicz: That's one of those things that I wish were just allowed in the code or something so we wouldn't have to grant a variance.

Ms. Griffin: We used 8 foot 6 on Warburton. We've used it on many projects and we've gotten the variance several times. Eight foot six is ... Boulanger Plaza is between 8-4, 8-6. I know behind my parking lot it's only 8 feet. I know it's also a standard in some towns. So

when you have a tight site and you're trying to minimize the bulk of a garage – and the garage is the major component of this project – it's probably the reason for most of the variances we're seeking. We are trying to shave it down.

Boardmember Anuskiewicz: I think it's a great idea to get the parking off the street. It's just very big. It's a lot of building for this site.

Chairman Collins: I think that gets to my question. We're starting from sort of greenfield here, or brownfield maybe depending on your point of view. But the question I find myself asking, is this the wrong building to build for this lot, given the variances this particular proposal then necessitates? Should it be something different? I understand, I can appreciate it – and the applicant will have a point of view on this – but I find myself thinking an 18-hundred square foot condominium in a relatively urban setting strikes me as a large living space. And should this be something that's smaller, that will then not require quite so much of an impact.

It feels to me like given the variances you come here to request to me you're sort of right on the edge of where I see these as now starting to become significant. Especially when you take them in the totality. I'm concerned, and the size of it to me dictates everything that follows, including the size of the driveway, the amount of paving you need to do, the amount of parking spaces that you then have to accommodate. Should this just be a different project for the space?

Ms. Griffin: I say no. We're putting three units back, there are three units there, the reason why they're three-bedroom – and three bedrooms were only 18-hundred square feet – it's not that large. And 400 Warburton is 21-hundred square feet. Most of the townhouses I've been working on are anywhere from 18-hundred to 21-hundred square feet for three-bedrooms. There is an economic reality here. That in order to upgrade this property – replace retaining walls, provide the parking required by code, to put the parking underground and keep it concealed from the street – to do an attractive building you can't say I'm doing a single-family home. You can't do two-bedroom townhouses. If you look at the cost of construction, what it takes to build this, you need to do comfortable units.

If you drop below 18-hundred, or maybe get to 17-hundred, at some point you have to do two-bedroom units. So they're not as valuable, then the cost of the development doesn't make sense at some point. I've been working with this client for a long time, and I have many other clients. When they see this is not feasible financially they will go other places. But this is a property that has to be upgraded. And you know right now it doesn't meet code, it's really a fire trap because it doesn't have the sprinkler system. It doesn't even have egress windows, it doesn't have fire-rated walls, and it's right on the lot line so that's not a safe

condition. Even though it's grandfathered in, there's all these windows right on the wall on the property line.

So it's a big improvement. You know, I care a lot about Hastings, helped write the design guidelines. I actually like the idea that we are not going to tear down the historical street wall of the downtown. This is no longer downtown, but still parts of it are downtown. And if a building had a 10-, 20-foot setback and became independent detached houses it's going to have a different feeling. It's not going to be the old downtown we had there before. It's going to be more suburbia.

Boardmember Anuszkiewicz: I think I agree with that, but I think if it were giving a little bit more back to downtown that would be helpful too. For example, if it had retail – or a space that could be a restaurant or some other kind of retail space on the ground floor – it might make more sense than to fit it all in on the site. As it is now, you're coming right to the street with a private house so you've got that kind of downtown urban strategy without actually any retail space for a benefit like you get in a real downtown. Just conceptually it's a lot.

Boardmember Hayes: I think that's a great point, Adam. I mean, if you want to have the Canyon City feel, downtown feel, it can't just be a residence. That's my view. I think what you're saying – and it's a wrong term to say a mixed metaphor – is it's kind of mixed up, right? You're saying I want it to be a certain way to preserve the authenticity of a downtown, except the use is going to be different, right?

The whole point to a downtown, and to walk in a canyon, is to be able to do something. The only thing I can do there is knock on someone's door if I happen to know them. Otherwise, all it is is a giant façade that comes right up to the sidewalk. So I totally take your point. To me, that's very fair.

Chairman Collins: And I respect what the applicant is trying to achieve here. I think it's a fine design. The question I haven't resolved in my mind is, is this the right space to do a project like that – that's all.

Ms. Griffin: You know, I sense sometimes like kind of value judgments; like should a house be here? what is a house? But what's funny is the younger generation likes townhouses. All of a sudden this is a nice way to live; being close to neighbors, being able to walk downtown. We are not probably going to have businesses back on this street because it's all becoming residential. That's what's being attracted here, even though it's MR-O zoned.

I think an older generation feels you have to have all this space, you have to have your garden. I feel we have a lot of younger people that want low maintenance, they want convenience. We have a lot of people coming here from Brooklyn and they really like the sense of an older downtown and the walls of the downtown.

You know, I think the reason it's up against the street is not just because I feel it fits in this area on Warburton Avenue – and it is very much part of the pattern and fabric that's there – but also, again, if I push it back we're going to start to break in too much. If you go in back of those buildings on Warburton Avenue, it's really magical because you go back there and all of a sudden there's no street and you see the river. We want to keep the building towards the front so we do have that open space in the back.

Boardmember Dovell: But the open space in the back is parking. I mean, there's just not a lot back there when you're finished with the parking. I think there's another option for developing this site and I don't think you've exhausted the potential of the site to put in the three units of housing that you're looking at. I think there's probably another model that addresses some of these concerns, that take advantage more of the back.

And I'm also troubled by this ramp going down. I think it's really problematic, and I think the driveway is driving the whole design. I suspect that's the driver for the solution: it's not the housing model, it's the parking. I would just challenge you to come back with another option for this. I'm not satisfied that you looked at all the options. I know you've looked at the townhouse option. Maybe there's another model that takes advantage, perhaps, at a first floor.

You've been quite cognizant of the sight lines, which has been driving the back wall of the building. But if you pushed out at a lower level, could that be parking, could you put the parking at a first level and put side-by-side units? I just don't think you've exhausted it conceptually at this point.

Ms. Griffin: You can't have units ... to have one common stair and elevator you have to stack the units. Once you break them apart ...

Boardmember Dovell: No, I understand that. But if they were side by side and they shared an elevator stair in the middle you have access to four units, right?

Ms. Griffin: They'd be tiny units, four tiny units.

Boardmember Dovell: Well, you have quite a bit of width. Right now your building is 48 feet wide at the street wall, and it tapers back.

Ms. Griffin: I'd like you to take a look at the dimensions of the bedrooms because there is nothing that is lavish and large here. Usually when I do three-bedroom units I'm trying to get 2,000 square feet, so they're already modest. I'm trying to get this for you.

Boardmember Anuszkiewicz: I would say also that I agree with your point that people coming from Brooklyn want to come here and build Brooklyn. But you know, the more people that come in, and you're building more and more new units here, we're already experiencing kind of a revitalization downtown. If people come in there'll be more new people here and more need for more retail space. I think it's not one or the other. At a certain point, you build new housing for enough people there's going to be a need for more retail space and it will rent.

We have one very successful coffee shop right next door here and I could see there being more, particularly since you're building more expensive new housing. Which is what this is going to be, frankly.

Chairman Collins: I'm not so much troubled by that. I hear what you're saying and I think it's an interesting question to ask. But I also think it opens up a set of considerations I wouldn't necessarily expect the applicant to weave into their plan. The Village has a tough time, I think, in imagining retail space and restaurant space because in order to have those businesses have a whole lot of income it's inevitable they have to draw people from outside of Hastings.

Boardmember Anuszkiewicz: We need it to work.

Chairman Collins: Which means parking, which means advertising, which means it's a challenge. The Rivertowns are all faced with the challenge of how do they make a business go knowing that almost none of them can make it work unless they bring people from outside a village to buy and eat. I think it's a good debate to have, especially in the context of how you're positioning Christina as a – my term – "urban revival" type of an approach. I respect Sean and Adam for noting that retail is often seen in such efforts, but from my perspective I'm not as concerned about it.

Ray, you mentioned you can envision another model.

Boardmember Dovell: Well, I just don't think that it ... it's not a small site, and if you look at the actual building footprint it's actually quite modest on the site. You know, it's this little block of space and the parking seems to be driving the whole discussion. I'm just wondering

if there is a different model that might be explored to alleviate some of that and perhaps cut down on some of the width of the building.

Chairman Collins: Did you have anything specific in mind?

Boardmember Dovell: I have to draw. I'm not going to do that right now.

Chairman Collins: That's OK. Sometimes I know you've got even just the shoots of an idea and I just wanted to see if you had that.

Boardmember Dovell: It's all about parking.

Ms. Griffin: I'd like to bring the dozen schemes. I can bring in about a dozen schemes we've looked at to date. And we certainly don't want parking visible, we don't want it in the front of the building. We want it under the building. We cannot put it under the building without a ramp because we would have to raise up the building. We tried to make it a very tight garage. We had all the parking spaces inside the building, but the Planning Board was concerned about the turnaround when you get at the bottom of the ramp, which is why we ended up putting it out the back.

Actually, up and down Warburton a lot of the parking is in the back of the building, very similar to this, with a retaining wall. The neighbor just over here has that situation, which we don't have drawn here. Not that you have to repeat what the neighbors have, but it's just that there's a reason for that. Because one way to fit the parking on the site, one way to get a comfortable turnaround so people will use it – it's not an impossible space, not too steep – the townhouses on Ridge Street have a 16 percent slope going to the parking area. I actually drove down it. Well, I designed the building, but I also went back to see what slope it really was and felt it was comfortable.

I do a lot of projects in Dobbs Ferry, where they often accept steeper slopes because of this problem. Because we need to go from, really, A to B, we're trying to get down to a point where we can use the parking in back of the building and conceal it. I don't know if these units can get any tighter. Otherwise, we're going to drop a bedroom and I think that would make it so it's not financially feasible.

Chairman Collins: I've asked this before. What is the financial objective?

Ms. Griffin: You have to make sure the sale price is going to cover your cost. And there's a lot of infrastructure for building a garage, driveway, sidewalks, curbcuts and all the work that goes into this. It's one of these sites where it's expensive so we did not do five units or four

units. In fact, I think for the size of the lot you can do more units. But of course we wanted to do that ... I felt this is the only shape for the three units; this is about as far as you can go without having too much of an impact on light and view.

Even though the building is bigger than it is, we pulled it away so there's more light between this building and this one. There is some space here. We had a lot of discussions with this neighbor about how to handle it because we had looked at pushing the building in this direction so we had more space on the right. Then we pushed it to the right and had the ramp on the left. So we really have looked at ... I can bring them all in for you to see. We've had meetings with neighbors because you have to also be considerate of their needs and their views. The ramp on the right gave us a longer ramp, but it also seemed to work well because we were able to get the driveway away from the retaining wall that exists

And all the windows that are on this building, instead of looking into a driveway now they have a grassy area. There are only so many options. If we brought the driveway into the first floor we would not be able to use the first floor and would lose a unit.

Chairman Collins: But again, you speak to a desired financial outcome, which implies a financial hardship if that outcome can't be achieved because of significant costs, which I don't doubt. But what you haven't really articulated for us is, what exactly is that? Is there a hoped-for profit that comes of this that they're targeting that says this is our number and below that we just can't make it work? I understand no one wants to *lose* money.

Ms. Griffin: At this point in time we have a civil engineer coming on board and we'll be getting numbers for all the retaining walls and all the work related to the driveway and the curbcut. All this structure has to be taken into account, so once you look at what the cost of the units are and look at the cost it's not like it used to be years ago. A lot of investors are very concerned and they want to make sure it's going to be a safe investment. You can't reduce the size of a unit, really, for three-bedrooms. You'd have to take a bedroom out, so maybe you do three two-bedroom and then the value of the property goes down.

We don't have all the numbers together yet for all the infrastructure and probably an upgrade in utilities we have to do to make this work. When you have property that's over a hundred years old this is something that usually just has to be done at some point. I've worked on several properties – 433, for example. We needed a new sewer line. You know, some of the utilities on Warburton Avenue are over like a 150 years old, and we have clay pipes for sewage pipes. And all this has to be taken into account. If you say to get approval we do a two-family house or something, you won't be able to do that kind of infrastructure.

I think when the owner bought this he assumed, "I'm going to do three units, but we're going to modernize it, we're going to make them comfortable, and we're also going to do three-bedroom because it's very attractive to young families and also helps offset the cost for building a garage underneath."

Chairman Collins: I bring this up because you seem to be coming back to concern that if we make compromises in the parking, if we de-bulk this building, it has to take you down to two-bedrooms. What I think you implied is that then that becomes economically unsustainable. And what I'm trying to understand is, well, how so? You may not have all the answers to that, but I think if you're going to say the reason you can't pursue that as a solution to what are substantial variances I would just ask that you document it in some way.

Village Attorney Whitehead: Not relevant.

Chairman Collins: It *is* relevant. She's saying she cannot default to this.

Village Attorney Whitehead: I'll talk to you about it later. Just remember, too, if you go to two-bedroom units you still need six parking spaces.

Ms. Griffin: That's another thing. We don't have any kind of ... some towns give you a little bit of a break when you do two instead of three, but for two-bedrooms you still need six parking spaces. I've had my business for 29 years in Hastings and I see a lot of properties. So many people come into my office where they don't pursue projects when there's so many variances because they're afraid they won't get the variances and they won't be able to upgrade the property in a way that will be a worthwhile investment.

We have very difficult properties on Warburton Avenue, and I'm so glad that finally it's starting to move because with those kind of views – I lived there for two years – it's really a special area that I think can be upgraded. When you've got these dilapidated buildings, we have to decide how we're going to make these improvements.

Boardmember Anuszkiewicz: I agree with that, but I think maybe we need more direction at some point. Maybe our zoning for Warburton Avenue's inadequate and doesn't really accommodate the future uses that are really on our doorstep right now. I mean, these properties have already, I think, reached the point in value where this kind of investment makes sense. I mean, the reason we haven't had somebody like this in awhile is because this kind of property value hasn't increased to a point. So there's that.

What I'm concerned about is that we're doing this in sort of a case-by-case way. You know, we did this at the corner of Washington and Warburton with the other project. I think 400

Warburton was another project that was done, now this project. When you go south on this site there are a whole row of homes, individual houses, that have front yards and setbacks and spaces between them. And, well, what are we going to do when developers start assembling those lots when we have this precedent? And I'm not saying we can't develop those lots and do things like this, but I just wonder if we have, really, the adequate zoning for this or that we've thought through – on a master plan level – what is the right kind of development for Warburton Avenue going forward.

Chairman Collins: I'm very sensitive to time, and we've had some folks who've waited very, very patiently to get through a busy docket. So I'm not going to foreclose more discussion among the Board, but I do want to hear from the community and anyone who is gathered. So if anyone would like to be heard on this, again just please introduce into a microphone and we'll go from there.

Jim Metzger, 427 Warburton Avenue: My wife and I are the owners of the house directly to the north of this property. There are certain things about this project I really want to commend the architect and the applicant on in terms of providing additional space between our two houses. As you saw in the existing plan, our two houses literally are about that far apart right now. It'll increase the amount of sun we get in the morning; there are certain things about it that are very nice.

I personally don't have as much issue with building to the sidewalk line. As you might have been looking at this in a conceptual way – I'm talking about from a practical matter – we happen to have unusually wide sidewalks in this part of Warburton Avenue, which is unusual in the Village. Certainly it doesn't exist in the downtown. It doesn't create as much of a wall as you might think, especially if the façade is designed with a number of breaks. The affordable housing project across the street from us is a brick wall, it's horrible. This at least has a residential feel about it.

I'm talking about the idea of doing retail in the area. I'm sure you know this is an MR-O zone. It actually only allows as-of-right an office space on the ground floor. There are actually very few of those, and part of the problem is parking. If any of you happen to frequent Antoinette's, especially on a Saturday or Sunday morning, parking is a serious problem. We've had other proposals for retail stores on Warburton Avenue south of the Village, even just on the other side of the bridge. They never really seem to work well. There was a pizza place, there was an art gallery, there were a number of places. Most recently it was a woman that had a voice studio.

Because it's difficult to park, it's hard to get a retail business in here. Antoinette's was able to work because it was an existing retail store, an existing restaurant-deli before she moved in.

That being said, the idea of trying to introduce retail into this is going to be problematic. Even introducing an office may be problematic.

One of the things I'm very happy to say is, Christina came to our house and spent quite a bit of time with my wife and I to discuss the views from our house. I generally don't like to get up before boards and talk about personal issues because you're more concerned with how it affects the community. But I want to let you know that they were very careful about looking at the views from my house. Despite the fact that they did a really great job on keeping the depth of building such that the one view I have of the river from within my house is actually somewhat protected, I'm now going to be looking down on that parking area as opposed to looking at some trees and lawn. My backyard is going to be looking at the side of the stone retaining wall so I'm now going to be looking up at a parking deck. I'm not crazy about that idea, but if that's the way this thing folds out it's the way it folds out.

Here's my big issue: parking – parking's always been an issue. The accessibility with this 16 percent driveway, the house just to the north of me has a driveway that's about the same steepness as this. Even when it's just raining, getting in and out of that driveway is a problem. You hear the tires spinning continuously. They were required to put in parking spots at the bottom of their driveway.

It's been about 12 years since that project was done and no one's ever parked down there because you can't get out of there. If it snows at all they don't park in the driveway. You can't. To start creating a driveway that's an excessive slope, with six cars in a situation where you have potential for rain and snow and ice and all of that – especially with the lower part of the driveway being exposed – where do you put the snow, how do you shovel that out? It creates a problem.

One of the other issues I have, just from a logistic point ...

Chairman Collins: Take the handheld with you, right there behind the computer.

Mr. Metzger: I appreciate the fact that the driveway is now on the north side of the project. Again, it gives me more space, which I like. But the problem is this little bend. If you have a car coming up here and someone's making the turn to go in there, I see that as being an accident waiting to happen. If you actually project a car coming this way, and a car coming that way because of the angle, I don't believe two cars can pass there.

Somebody raised the point – on the Board – which I think is a good point, when you're coming to the top of a driveway that's that steep it's very difficult to see what's going on, especially when the building is right to the corner. At times of heavy traffic, when cars are

pulling in and pulling out in the morning, especially with Antoinette's being right here, the number of people walking up and down the sidewalk is extraordinary. There's just a constant flow from about quarter to 7 in the morning 'til probably about 8:30, quarter to 9. A lot of people from Warburton walking down getting their coffee and then coming here. So I think there are some issues there.

The other issue I have – and I appreciate the fact that they try to get all the parking underneath and in behind the building – if you take a look at the garage plan they do show the 25-foot turning radius. But I think you're looking at doing three- and four- and five-point turns to try and park down there. What that means in our neighborhood – because there are other situations like this, most notably the parking area behind the affordable housing project – they met all their required spots. But I'm guessing at any given time less than half of those spots are actually occupied.

If you live on Warburton Avenue and you're on ground level, nobody parks in that parking lot. So if you create a hardship to get in and out of parking – if there's a spot available somebody's going to park – I can tell you from personal experience if I get home after 6:30, 7 o'clock at night I'm parking down by the gas station down by what we used to affectionately call "the dog park" because that's how the neighborhood fills up.

I like the idea that they're trying to accommodate all the parking, but I think it's going to be a serious issue and a practical matter that nobody's actually going to ever use that parking area. The turns going in and out are going to be too difficult. Anybody's who's got two or three kids is going to have a minivan. Trying to negotiate a minivan down there is going to be a problem. I have an issue with this. That being said, I feel for the applicant. They bought the property, they're trying to do something; they're trying to do something nice for the Village.

I've said this at many meetings before. Christina is as good at trying to mitigate all the issues in a neighborhood as anybody who does work in the Village. But I have serious issues about the size of this project and how it's going to affect not me – because they're making my life a little bit better – but the neighborhood in general. Thank you.

Chairman Collins: OK, thank you Mr. Metzger.

Ms. Griffin: I'm sorry, I need to respond. You don't want me to go?

Chairman Collins: Go ahead.

Ms. Griffin: I just want to point out that I took the grades of the driveways in the neighborhood, and the one I think Jim is referring to at 431 Warburton is a 21 percent slope.

And 415 Warburton is a 29 percent slope; 439 is 23 percent; 453 is 16 percent. The one example that's the easiest to go and try out is down at 7 Ridge, which is 16. We're not proposing such steep driveway slopes as the neighbors where, at 15, it's different.

Also, when we had the tighter garage layout we did have to have like a five-point turn to get in there, which is why we brought the parking out the back and created a 25-foot radius so you could comfortably turn around and get into the garage.

Mr. Metzger: Just in response to that, I believe a lot of the other driveways we're talking about are being used by a single person. Here, you have the possibility of multiple cars trying to get in and out. So the idea of someone being halfway down that driveway when another car is halfway up the driveway, I just think there are some issues that are going to be created here. I'd like to make sure we look at this long enough and carefully enough that we mitigate them. I'm not saying we're going to be able to eliminate them, but that we can mitigate them to the best possible way.

Chairman Collins: Christina, what's the width of the driveway? Is that 15 or 16? Sixteen feet?

Ms. Griffin: The driveway is only 16 feet at the top and it's 12 feet going down. Now, we have studied this – not just for this, for many other properties – and there are several examples. Down the road there are three townhouses that share a 9-1/2 foot wide ramp, and there are ways to deal with that two-way traffic. We can make it 16 feet wide, but we don't want to eliminate the green buffer shown on our site plan. We're planning to put evergreens between the property line and the driveway.

Chairman Collins: What is the plan for ensuring safety on the driveway for cars that are coming and going?

Ms. Griffin: First of all, when you drop down to only three units it's very common it's a one-way driveway. People have to stop to let the other person come up. The county, when we sent it to them, said they don't expect the driveway to be any wider than 12 feet. There are ways to deal with that, and we are going to be submitting a whole procedure, sight lines, and information to the county because they do not approve of the curbcut unless they know this is going to work. We went to them early on just to get their initial opinion. We prefer not to have 16 feet of pavement because we would like to have that greenspace and I'm sure the neighbor would like that as well.

Chairman Collins: I'd like to learn more about that solution because it seems to me, given even the 15 percent slope on that, a driver coming in may not know a driver's coming out until they could be right on top of each other.

Boardmember Forbes-Watkins: Halfway.

Ms. Griffin: Yeah, we definitely can provide a more detailed study for that.

Boardmember Anuszkiewicz: The other thing is, a driver coming up to the top – without the setback – is coming right onto the sidewalk. So somebody who's walking north is not going to see that car until it's right on top of them. If the building is 10 feet back, then there's an additional 10 feet where you see the car before it comes to the stairway.

The other thing is that maybe there are other ways you can make that safer. Maybe you can have ... you should probably have a gate or something so when a car comes right up to the top it can't just barrel right through there. Because there is a significant amount of pedestrian traffic there.

Chairman Collins: Yes, ma'am, go ahead.

Cindy Travis, 427 Warburton Avenue: A couple things. I walk to the train every morning, and I get my coffee first. There's a very large young child population in our neighborhood. There's a school bus that stops right in front of Antoinette's. So there are kids that are getting out of their house, running down the street to grab the bus with their moms walking behind them. That's a very fast area for young children. I was thinking, as they were talking about this, that any car that ... because our neighbors to the other side of us who have the stairway that's always skidding, they have open space on both sides to be able to slow down, creep up onto the sidewalk, look through. They have to go really slow and they're just one car, so I want to point that out.

Chairman Collins: OK.

Ms. Travis: Two, the parking. It looks like because of the driveway on the other side of 427 – which is the other one – then this new driveway, are we eliminating it down to one parking spot? I see what's in front of this building, but you're not showing what's happening on the north that way, to the right.

Ms. Griffin: Over here?

Ms. Travis: There's usually two parking spots before you get to the current brick building, and it looks like this driveway's going to cut that off. We don't want to lose two parking spots.

Ms. Griffin: Well, there is a curbcut we're taking away.

Ms. Travis: But that's a single driveway, not a double.

Ms. Griffin: I have to look at that.

Ms. Travis: OK. That's my second point.

Three, I just want to point out – and I don't want to offend anybody on the Board – the affordable housing across the street is a mammoth wall that has no doorways. This idea of properties coming up to the sidewalk did not work there. I'm hoping for anything in the future anywhere on Warburton never repeats that because it's this elephant in the community. It's not loved by anybody, except that I'm happy for people who live there. And yes, they don't ever park in the parking lot, they're always on the street. So just keep in mind about the wall of brick, you know.

The other one is to think about the fact that the Irish Flats, which are the big white buildings just past our setback that have steps, to me that feels a lot more like our community than the affordable housing with the wall of brick. I just want to point that out, that people feel better about those, which are already in existence, because they have more of a community feel than the wall of brick of the affordable housing.

Chairman Collins: OK, thank you. Kathy, you have something?

Planning Chairperson Sullivan: I want to thank you very much for considering our letter. Jamie and myself came today because we felt we wanted to start having kind of a way of communicating with the Board when you take a project from us and it goes across the table and comes to you guys.

Ray, to your point, we had looked at a variety of models with the applicant. In fact, two of our meetings were looking at the townhome arrangement. We found the site circulation was not adequate. So some of the things Christina was referring to about trying to get a central elevator and stair from the garage level up into the units came from that. We were happy, actually, to see the flat arrangement come, and we support that arrangement on the site. The townhouse is very limited in width and length, and this is an irregular-shaped site. They were able to get a better use of the property, we felt, by going to that type of arrangement.

Jamie may speak to it, but one of the thoughts about suggesting they consider coming up to the front yard instead of the 10-yard setback was that we felt it is an unusual area – Adam, to your point – and there's a lot of buildings that exist that are on the lot line, some that are set back. We felt if that was something they wanted to explore they should feel comfortable doing so because we felt it could be looked at as being in context in the community. Christina's point about it becoming an added benefit of the view preservation – which was something that really brought neighbors out more so than the building itself – was the fact that people were very concerned about how this could impact the views they had from up towards the Aqueduct and up on Division.

Again, I would love, at some point, to hear your thoughts about how we could work together to help applicants get through the sort of approval process. We got to a certain point. I know personally I felt we needed your input because we had gone as far as we could go, in some ways, without getting your input on the variances. I actually was a little confused in some ways. It would be helpful at some point to talk about whether we could do a joint meeting and sort of be discussing things without it having to be formally on your docket, where you needed to make a decision. That may be something you can't do because of the type of board you are versus the type of board we are, but I think if there's a way there's an issue you feel needs resolution and that could be perhaps brought back to the Planning Board that might be a successful tactic.

To the points Ray and Adam were also getting into regarding the driveway and the slopes and what protective measures we would potentially use on a driveway this size, that is stuff we have not gotten a solution to. Where we are – and Linda and Buddy can speak to this – we have not finished our site plan review. We haven't even sent this to our town engineer. I know in talking to Buddy those are questions I've raised also; concerned about making sure this is safe for the vehicles and people that are going to be around this building. That would be one of the first questions we'd ask our engineer to start addressing.

I'm not defining the slope at this point, but I just know we have also some questions we will be continuing to raise as we go forward. Where that leaves it with how you feel you can make a decision, I just wanted to share that piece of information.

Chairman Collins: Yeah, thanks, Kathy. I think, just to your point about coordination, I would suggest we set some time maybe with you, myself and Linda where we can sit down and kind of map out how we could do this in a way that is right by the boards and their need for independence but, at the same time, ways that might be able to find some relief for applicants. If we can save time or deliver feedback to them that enables them to move through this process more efficiently, that's a benefit.

Planning Chairperson Sullivan: You know, we can only go so far where we don't address variances. We can maybe recommend them, but you guys put them in a context we respect because your conversation is very similar to the kind of conversations we have about these issues, concerns. Adam, there's folks on the other board who were distressed that we weren't looking at having the 10-foot setback, but there are others that were quite comfortable. You know, different opinions, but it would be great to figure out a way for us to do what we need to do and make it work for the applicant and for the community too.

Chairman Collins: Yeah, I'll reach out to the two of you and we can figure out a time.

Village Attorney Whitehead: One thing – and I had told Kathy this because we had sort of talked about it before – you remember this came up a year-and-a-half or two years ago. This board, at that time, had sort of adamantly said you didn't want something coming to you informally; you didn't want it here until it was ready for you to make a decision. So if that's still this board's position that makes it a little more difficult.

Planning Chairperson Sullivan: I can respect that, but ...

Chairman Collins: Let me suggest that we table this because I know it's already late and we still have minutes to approve. But I would suggest let's pick it up off-line.

Planning Chairperson Sullivan: No, I understand. Thank you.

Chairman Collins: Because I think the intent is there, but we can discuss it separately.

Village Attorney Whitehead: Obviously, here, you've seen the Planning Board's put a lot of time and effort in through five meetings.

Planning Chairperson Sullivan: Yeah, and two different options. We were very firm with the applicant that what we were seeing initially wasn't going to be successful for us, and I think they responded. But again, any questions I just appreciate your time and thank you for the consideration.

Chairman Collins: Thanks, Kathy. Jamie, come on up.

Planning Boardmember Cameron: Just a couple things on the ramp. First, I would urge all of you to go out and look at a 15- or 16-degree ramp. It's not very steep. We're not talking about Washington, you know. It's not that steep.

The second thing – and I come from snow country so maybe I know how to drive in snow a little bit better than some people – I don't really see there's a problem getting up and down the ramp. The second thing is, when you get to the top of the ramp you actually have 16 feet. Maybe we can figure some way to get the cars on the northern side because that would give them 8 feet, before the building appears, to see anybody coming down the street. The other way, there is no building. So you do actually have better vision.

Another thing just to throw in, we did suggest to them – and this is one of the things they're coming back with – is that, first of all, there's only six cars in that place; it's not like a big commercial parking lot. What they can do at the bottom of the thing is to put an action-triggered light. So as you're coming out, if someone's coming down that ramp it's blinking away and you just won't come out. I think there are ways to make it really quite safe as a way to go.

We actually really forced these people to do what I call flats because one of our feelings was the problems with affordable building. They've got stairs up and down. People are driving along the street and they see a parking spot, and they live on the ground floor of that building, well, they just park and go in. That's probably part of the problem. I have suggested what we do is have the person issue stickers to all the cars that have parking privileges over there, then we count to see how many of them are in the street. It's a reverse way of doing it, but the Trustees are going to be looking at this and it is a serious problem.

I think this building's a little different, though. First of all, if you come into your parking lot and you live three floors up you've got an elevator, up you go. I think the people really will go down there and park. They might park in the street for half an hour if they live on the flat on the ground floor, but much more than that they're going to go down. Particularly if they have all these kids we're talking about, and the groceries, they're going to take them up the elevator. They're not going to lug them up the stairs. So I think we have a much better chance of them actually using it. That's one of our problems. We require these parking spots, but then we've got to get the people to use the things.

The last thing I'll say is, there is a provision in the code – 290-20(d) – which talks about you having the power, if there is a consistency of frontage, to actually move the building to where the other frontage is. That's right in the code and is yours to exercise. And Linda, I'm sure, is well aware of that.

The only other thing is, those buildings to the south, they're a different zoning district. They're not coming here for a big apartment building, they can't do that. It's in a different district. I think we're protected from that. But anyway, it's great to come here and listen to you guys. I have gone to the ARB a bunch of times because I always wanted to be an

architect, but became a lawyer instead. I enjoy going there, and I enjoy coming here too. Thank you very much.

Chairman Collins: Thank you, Jamie.

Chairman Collins: You know, Buddy, it would help if ... could you find for us an example of the 15 percent slope? Somewhere where we can go and see what it looks like?

Building Inspector Minozzi: Christina has a list.

Village Attorney Whitehead: She said Ridge Street is 16.

Chairman Collins: I mean, that would be a useful point of reference because I think we are sort of working in the abstract a bit about that.

Ms. Griffin: (Off-mic).

Chairman Collins: OK.

Village Attorney Whitehead: And you said the one on Ridge Street is the most similar – it's 16.

Ms. Griffin: It's also easy to go into.

Village Attorney Whitehead: The Planning Board did that. As Jamie said, I think that helped the Planning Board a lot.

Chairman Collins: I think that would be helpful, and even better if we could like take a car on there and actually see what the experience is.

Building Inspector Minozzi: Well, you absolutely can.

Boardmember Forbes-Watkins: Those are private homes.

Building Inspector Minozzi: But the Ridge Street one goes to a parking lot and it's accessible.

Village Attorney Whitehead: You can drive in and out of that one.

Chairman Collins: Here's kind of where I am landing on this. I do believe the number of variances requested here is not as much of a concern to me as the totality of the severity of the variances.

Village Attorney Whitehead: Only one of them.

Chairman Collins: No, there are two of them that are substantial. There's a front yard setback that's substantial and a driveway area that's substantial. Those are two pretty big ones.

I would say I'm not comfortable here moving to a vote until have more information on the driveway experience. And I'm using that as a blanket term to describe the drive condition and what that experience would be like as a driver. And what safety measures will be in place to protect pedestrian traffic as well as to maintain some order for cars that are coming and going. It may be that as you study this – and it sounds like there may be a county point of view that weighs in on some of this, too – there may be some changes that come to the driveway design or to its execution that I think will be relevant to this board.

Building Inspector Minozzi: There's one thing, Matt, that can be considered. You see a lot in New York City, when there's driveways that come out onto the sidewalks, there's red and green lights that mount on the building the cars will trip. Kind of what they were saying before, but the other way. It would be actually on the streetscape and would let pedestrians know a car is coming up – it's red or it's green. I've seen those many, many times.

Boardmember Hayes: In what context? In the context of a small village with 7,000 people, or in the Bronx?

Building Inspector Minozzi: I haven't seen it in a village, but I've seen it in this particular situation more in a city setting.

Chairman Collins: I think the important thing is that there are solutions to the problem, and I would like to see some solutions to this.

Boardmember Hayes: I just want to say that that solution isn't a solution, in my view, for a village.

Chairman Collins: All right, fair enough.

Boardmember Hayes: It's doing exactly what we were talking about we're trying not to create. This is not Dyckman Street, it's a small village with 7,000 people.

Chairman Collins: Sure, that's right. We should have a debate about what the options are.

Boardmember Anuszkiewicz: You have big-building ideas.

Boardmember Hayes: Yeah, and you get the benefit when you have 60 apartments in an apartment building to a town that you don't get with three apartments.

Village Attorney Whitehead: This is only six cars, though. That's part of the difference.

Boardmember Hayes: It only takes one.

Chairman Collins: I think we're all needing to see what the solution is. Then at least, at that point, I'll feel more comfortable. I think there's probably room for more debate to be had about whether we think, as a board, the front yard setback is a good thing or not, in the aggregate. And I think to Ray's point, the parking drives everything else – no pun intended. Then the driveway is what it is.

I think if I could be made to feel comfortable of a driveway solution, and we've got a safe implementation to this – and we've studied it and we all have a chance to see what a 15 percent slope is like as a driver – then I'll feel more comfortable being able to pass judgment on the implementation here. But in the absence of that, I'm not sure I'm informed enough. That's how I'm feeling about it.

Boardmember Forbes-Watkins: I'm comfortable with that discomfort.

Chairman Collins: Does anyone else want anything else from the applicant? I know, Ray, you thought there was another approach perhaps for the parking.

Boardmember Dovell: Well, it sounds like Christina has studied a lot of things. Perhaps she shares them the next time she comes so we can walk through them.

Chairman Collins: OK, that'd be helpful.

Boardmember Dovell: A lot of work has been done, you've obviously looked at things and dismissed a lot of things. It would be interesting to see them and how you arrived at this solution.

Chairman Collins: Does anybody else have anything they'd like the applicant to come next time prepared to discuss in particular? I'm OK on view. I think they've demonstrated that to me and done the right job of that. And I'm going also by the neighbors.

Boardmember Forbes-Watkins: We're going to have to get back to the setback. If you drop back 10 feet do we mess the view?

Chairman Collins: Correct. Well, we would change the view for sure.

Boardmember Forbes-Watkins: Then maybe you're not OK with the view.

Chairman Collins: Yeah, maybe not.

Boardmember Anuszkiewicz: I think, to Ray's point, we just want to feel a little bit more comfortable and understand a little bit more. I think there is a problem with the process a little bit because you kind of go through and solve all these problems with the Planning Board and we're not really in the loop. Then coming to us almost like asking us to approve it, and we've never even seen it before, it's a lot for us to take on.

Chairman Collins: I think, then, the next steps are clear. I think if you can come with what else you've considered in the way of parking and driveway, and then also come with a finished view of how you would recommend safety for pedestrian and vehicle traffic. Thanks for patiently taking us through this.

Ms. Griffin: I'll bring all that for you.

Chairman Collins: OK, thank you.

APPROVAL OF MINUTES

Meeting of January 26, 2017

Meeting of February 23, 2017

Chairman Collins: All right, why don't we quickly get to the minutes. I was not able to attend the last meeting so I didn't review the minutes for accuracy. Does anyone have any comments or edits to the February minutes?

Boardmember Forbes-Watkins: I gave a very, very few comments to Buddy with respect to last month. And there were so few of us at last month's we can all move approval

Chairman Collins: So can I get a motion then to approve the January and February minutes?

On MOTION of Boardmember Hayes, SECONDED by Boardmember Anuszkiewicz, with a voice vote of all in favor the Minutes of the Regular Meeting and Public Hearing of January 26, 2017 were approved as amended.

On MOTION of Boardmember Hayes, SECONDED by Boardmember Anuszkiewicz, with a voice vote of all in favor the Minutes of the Regular Meeting and Public Hearing of February 23, 2017 were approved as presented.

ANNOUNCEMENTS

Next Meeting Date – April 27, 2017

ADJOURNMENT

Chairman Collins adjourned the Regular Meeting.