

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**ZONING BOARD OF APPEALS**  
**REGULAR MEETING & PUBLIC HEARING**  
**JUNE 28, 2018**

A Regular Meeting and Public Hearing was held by the Zoning Board of Appeals on Thursday, June 28, 2018 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Chairman Matthew Collins, Boardmember Ray Dovell, Boardmember Joanna Berritt, Village Attorney Linda Whitehead, and Building Inspector Charles Minozzi, Jr.

**Chairman Collins:** Gentlemen, ladies, welcome to the June 28 Zoning Board of Appeals meeting for 2018. We have two cases on our docket, which we'll get to just in a moment.

But before we do, we have a remote transcriptionist who's going to be capturing all the comments for the record. So make sure, as Mitch is, that whenever you're speaking or about to speak that you've got a microphone with you. There's the standing mic here, but our building inspector has, to his left, a handheld. So if you need to move about and point something out on the screen just make sure you take the microphone with you. And for the first time that you speak tonight just enter your name into the record so we capture that, as well, and we should be good to go.

We are down two members tonight, but we have a quorum, there are three here. But just keep that in mind for the purposes of proceeding to a vote. Applicants always have the option to defer, if they wish – if they get a read from the board that maybe the votes aren't there – and they prefer to go back and then return later with a revised proposal. You can make that decision at any time. And because we are just three, then every vote would need to be unanimous in order for a variance request to pass.

Okay. Buddy, how are we on the mailings?

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

**Case No. 10-18**  
**Samar Tannous**  
**45 High Street**  
**\*\*\* Deferred to Future Meeting \*\*\***

**For relief from the strict application of the Village Code Sections 295-70E.3(a)[1&2] and 295-70E.1.a,b,c&d for reconstruction of a new dwelling to**

replace a current dwelling at their property located at 45 High Street. Said property is in 2-R Zoning District and is also known as SBL: 4.140-151-32 on the Village Tax Maps.

Nonconformity details of the proposed new dwelling are as follows:

**Building Coverage:**

Existing – N/A; Proposed – 36.4 percent; Required Maximum – 30 percent {295-70E.3.a[1]}; Variance required – 6.4 percent

**Developmental Coverage:**

Existing – N/A; Proposed – 51 percent; Required Maximum – 40 percent {295-70E.3.a[2]}; Variance Required – 11 percent

**Front Yard:**

Existing – N/A; Proposed – 5 feet; Required Minimum – 25 feet {295-70E.1.a}; Variance Required – 20 feet

**Rear Yard:**

Existing – N/A; Proposed – 10 feet; Required Minimum – 25 feet {295-70E.1.b}; Variance Required – 15 feet

**One side/Two sides Total:**

Existing – N/A; Proposed – 8 feet/18 feet; Required Minimum – 8 feet/20 feet {295-70E.1.c} - (Side yard 1 calculated as a front yard); Variance Required – 17 feet

**Height:**

Existing – N/A; Proposed – 51 feet; Required Maximum – 35 feet {295-70E.1.d}; Variance Required – 16 feet

**Chairman Collins:** All right, then we're going to go straight in order. And we will begin with case 11-18, Danielle Steiner and Mark Christie for 181 Washington Avenue.

**Case No. 11-18**  
**Danielle Steiner & Mark Christie**  
**181 Washington Avenue**

**View Preservation Approval as per Section 295-82 of the Village Code for the construction of a rear addition on their single-family dwelling at 181 Washington Avenue. Said property is located in the MR-1.5 Zoning District and is known as SBL: 4.70-53-1.1 on the Village Tax Maps.**

**Chairman Collins:** They are here for a view preservation approval. I want to make sure, though, that that's all that there is because there are parts of this development that signaled to me that there might need to be some area variances. Well, before we get into that, Buddy – and I know you'll have something to say – does the Planning Board have a recommendation for view preservation?

**Village Attorney Whitehead:** Yes, the Planning Board reviewed this at last week's meeting and made a recommendation on view preservation.

**Chairman Collins:** Okay, thank you.

**Village Attorney Whitehead:** And did this board have the letters that the Planning Board had?

**Chairman Collins:** I don't believe so. Probably not.

**Village Attorney Whitehead:** The Planning Board sent letters from a number of neighbors.

**Building Inspector Minozzi:** All of the adjoining neighbors.

**Chairman Collins:** Unless they were in the application.

**Village Attorney Whitehead:** I think because it was on the Planning Board agenda first they all went to them.

**Building Inspector Minozzi:** Yes, they did.

**Chairman Collins:** Fair, okay.

**Village Attorney Whitehead:** If you want them we can try to get them for you.

**Building Inspector Minozzi:** I can absolutely get them to you. No problem.

**Chairman Collins:** We'll see if it's necessary. They've already been entered into the record.

**Building Inspector Minozzi:** Correct.

**Chairman Collins:** As far as I'm concerned they don't have to be entered again.

So I just want to point out that we have a situation where the side yard – existing and proposed, though changing in this – suggests to me that it falls as indicated on page two of the application. You've got an existing 1-foot side yard with a proposal for an existing side two of 17 that would get to 12. I guess that one would be okay. But the accumulation – the minimum requirement of 24 to a proposed 16 – suggested that there might be a need for a side yard variance.

**Building Inspector Minozzi:** The way we looked at it was, the west side yard – or side yard one – they're building out to the required setback in the area. Side yard two was at 1 foot and increased to 4 feet because they took down part of the front deck, or the front patio. I look at it as a gain, even though the numbers come in as a loss. It's still a gain because we're gaining more room on the side yard setback. So with that being said, I didn't feel that a variance was necessary in this particular application.

**Chairman Collins:** Is it the case, Linda – a question for you – in the event where you're building in a nonconforming yard and the building itself still maintains the nonconformity, it doesn't exacerbate it? In fact, in this case I think Buddy is able to demonstrate that the nonconformity is diminished, but it is still nonconforming as a result of the new construction. In this case, the sum of the two side yards falls 8 feet short of the minimum.

**Village Attorney Whitehead:** But now it's less.

**Chairman Collins:** It's less, but it's still 8 feet short.

**Village Attorney Whitehead:** But it's new construction.

**Building Inspector Minozzi:** Cumulative it's less, but the actual setback is ... I mean, cumulatively it's more ...

**Chairman Collins:** You're gaining more yard.

**Building Inspector Minozzi:** Right. It's more, but the setback is less.

**Chairman Collins:** Relative to the existing structure, but it's still nonconforming.

**Village Attorney Whitehead:** Is the new ... the new is in the back, right? This is where they're reducing?

**Building Inspector Minozzi:** Well, this is the front, this is side one, this is side two.

**Village Attorney Whitehead:** Right. So this side is where they're reducing it, and this side is the new.

**Building Inspector Minozzi:** Is built to minimum.

**Chairman Collins:** They've got, yes, 12 feet on that side.

**Village Attorney Whitehead:** So this is conforming. The addition is conforming.

**Building Inspector Minozzi:** Correct.

**Village Attorney Whitehead:** So yes, it wouldn't need a variance. The addition is conforming. The nonconformity is existing from what was already existing.

**Chairman Collins:** Okay.

**Boardmember Dovell:** But the total of two yards has to be 24, right?

**Village Attorney Whitehead:** But that's already nonconforming.

**Boardmember Dovell:** Required 24 feet, total of two sides?

**Village Attorney Whitehead:** Buddy, you said that's already nonconforming.

**Building Inspector Minozzi:** That's already nonconforming, correct.

**Boardmember Dovell:** Why is it not in the required column though? Required: 24.

**Chairman Collins:** And it is also the case that – again, the numbers here point out – overall, they are gaining on one yard and one of the side yards, side yard one. Side yard two is coming way down. They're going from an existing 18 feet 2 inches to 16 feet overall.

**Village Attorney Whitehead:** Right.

**Chairman Collins:** So yes, I know they're building this and the way that they've built this into that side yard is conforming to that side yard line. But cumulatively they remain short, and cumulatively ...

**Village Attorney Whitehead:** But it's caused by the other side.

**Chairman Collins:** Correct, but the ...

**Village Attorney Whitehead:** It's caused by the existing.

**Chairman Collins:** But the total of the two sides is now 2 feet 2 inches less than it was before as a result of this.

**Building Inspector Minozzi:** Well, actually you get 1 foot 10 less.

**Chairman Collins:** No, 2 feet 2 inches.

**Building Inspector Minozzi:** Sorry, yes. Correct.

**Chairman Collins:** So again, I know they're building ... what they've done in the side yard is okay, but the overall nonconformity relative to the requirement has now gotten worse because they've eaten up 5-1/2 feet on the conforming side. This is relative *only* to the total of the two side yards.

**Boardmember Dovell:** Right.

**Building Inspector Minozzi:** Because the addition still is conforming.

**Boardmember Dovell:** The addition's conforming, but ...

**Village Attorney Whitehead:** I understand the point. I hadn't looked at this before.

**Boardmember Dovell:** But the 24 feet's listed in the ordinance as a requirement, right?

**Village Attorney Whitehead:** Yes.

**Boardmember Dovell:** Then it's an increase of the nonconformance.

**Chairman Collins:** It's an increase of the nonconformity.

**Building Inspector Minozzi:** Even though it was reduced.

**Village Attorney Whitehead:** No, it's increased.

**Building Inspector Minozzi:** No, no. I know this number was reduced. But this number was gained, and that's how I was looking at it.

**Village Attorney Whitehead:** Yes, but this is separate. It's a standalone requirement.

**Boardmember Dovell:** Right, 24 feet.

**Village Attorney Whitehead:** Well, you can still do view preservation and they can come back next month for the variance.

**Chairman Collins:** Is this an issue related to notice now? Because it wasn't noticed.

**Village Attorney Whitehead:** It wasn't noticed so it'll have to be noticed, the variance. You can talk about it, but it's going to have to be noticed.

**Building Inspector Minozzi:** We'll take care of the notice then.

**Village Attorney Whitehead:** They will have to come back next month.

**Chairman Collins:** Okay, all right.

**Village Attorney Whitehead:** But you can certainly do the view preservation and look at the plan, look at the variance issue, so next month can be quick.

**Chairman Collins:** Okay.

**Village Attorney Whitehead:** All you really have to do then is see if anybody wants to speak. Because it will have been noticed. And the same thing: the neighbors have already said they have no objection to what's being done.

**Chairman Collins:** Right.

**Village Attorney Whitehead:** And I don't think they're going to object now that there's a variance, but that's a technical requirement.

**Chairman Collins:** And just for my own reminder, we also have a situation where the existing and proposed for building coverage and development coverage are over the limit of 15 percent. But since both of them are in the proposed ...

**Village Attorney Whitehead:** They're being reduced.

**Chairman Collins:** ... they're reduced. They do not need a variance for that. Okay, that's what I assumed. Okay, so really then we'll talk about the view preservation issue. And I think we can comment on the area variance, right?. So that at least the next time around when they come in we can fully ...

**Building Inspector Minozzi:** The yard.

**Chairman Collins:** Yes, sorry, side yard variance. Then we can ...

**Village Attorney Whitehead:** So that if you have any questions or anything they can ...

**Chairman Collins:** Yes, we can cover that now.

**Village Attorney Whitehead:** Yes.

**Chairman Collins:** All right, sorry. So if you would go ahead and introduce yourself and we'll get underway with your presentation.

**Mitchell Koch, representing architect:** Hi, I am an agent tonight for Ned and Jill. They are away and they asked me to baby-sit the project. I'm going to do my best to ...

**Village Attorney Whitehead:** You get a lousy job.

**Mr. Koch:** And I didn't even say anything yet. So I'm going to present it to you with the view preservation considerations.

On this slide we have several different photographs of, you know, just basically from key positions along the Croton Aqueduct. And then from three houses that are on Washington Avenue; that would be four, five and six. These photographs hope to demonstrate that there is no effect at six – sorry, at two, three, four, five and six. And at one – if we go to the next slide – if I remember ... may be not the next slide. If I remember my coaching from Jill – pardon me, it's two – there's a slight view obstruction looking northwest at the river of a part of the tips of the trees on the Palisades. You can see it here, and here.

Beyond, it's pretty much obstructed anyway. I would say that the reality is that there is no effect from this very, very slight obstruction. And more notably, they've eliminated these yellow areas on the right that are designated which partially obstructed the view from other vantage points. So going back to net gain and net loss, there's more view available now due to this work. Here, you can see a demonstration of some of the view angles. It's a very, very slight obstruction, where you can see – zooming in in the background, maybe between a



couple houses – a little bit of the tops of the trees on the Palisades. That is the only bit of obstruction.

**Village Attorney Whitehead:** And that's why there was no waiver. Because there was a tiny bit.

**Chairman Collins:** Yes, there was some impact.

**Mr. Koch:** Yes.

**Building Inspector Minozzi:** I had asked them to do a mockup because we really couldn't tell by the pictures they showed me originally. Once the mockup went up, there is only a very small corridor when you're passing this addition from the Aqueduct – just one small corridor – that if you stop right there, there is a slight area of blockage.

**Mr. Koch:** But not of the river. A portion of the Palisades to the north.

**Building Inspector Minozzi:** Of the Palisades, that's correct.

**Mr. Koch:** And also, notably, it's not from a house. It's from a parking area which is on the Aqueduct trail, yes.

**Building Inspector Minozzi:** It's barely even from the street. It's actually from the parking lot and Aqueduct is where that ...

**Mr. Koch:** So based on that, we respectfully ask the Zoning Board to grant us a waiver from the requirements of view preservation.

**Chairman Collins:** Well, we won't be able to grant you the waiver the way that the waiver is written.

**Village Attorney Whitehead:** Preservation approval.

**Chairman Collins:** But we will be talking about giving you view preservation approval.

**Mr. Koch:** Thank you.

**Chairman Collins:** They're separate, but related things.

Is there anything else you wanted us to know about the view preservation issue?

**Mr. Koch:** Mark is here. Do you have anything to add?

**Mark Christie, applicant:** You pretty much covered it.

**Mr. Koch:** I think I covered it.

**Chairman Collins:** Okay. All right, why don't you ... I think for the sake of just getting through everything, why don't you take us through, then, what you're doing here that would result in the impact on the side yards.

**Mr. Koch:** Absolutely, yes. So I'm going to now open up the permit set and we'll review what's going on here. Basically, the existing house used to go all the way across the front. Based on the demo, it turns out it was an enclosed porch – no surprise really – many, many years old. It's a teeny house, it's 17 feet wide, and basically the move that they're proposing to do – I'm sorry, I need to tilt this down – is to add a dining area in the back here on the main floor. This is the floor you would enter from the street, and you can see down here they're keeping part of that enclosure as a mud room

Then the kitchen is here, and the living room is here. And the scale of this, it looks small because it is. And there's a dining area back here, and that's a projection of about 6 feet, if I remember correctly.

**Building Inspector Minozzi:** Five foot 2.

**Mr. Koch:** Thank you, Buddy. Five foot 2, and that is the extent of the work. Of course there is a basement portion of this that is really below the view from the street. But it's a foundation part, and I don't think that this portion of the addition is in the view corridor. It's really what's upstairs above it. Otherwise, the work is really a gut/rehab of the house. And basically, the contractor is doing the heavy lifting and then the owners are going to do everything else, including painting. I think they're bringing in their own cabinets and really trying to save as much money as they can on it.

That is the project in a nutshell. It's really teeny.

**Chairman Collins:** It is. Yes, it's very modest.

Buddy, why don't we just ... maybe you have better access to this, but the current square footage, absent the addition, is ... of that first floor, that street level floor?

**Building Inspector Minozzi:** I don't have that number, but I can tell you now that the square footage change is ...

**Village Attorney Whitehead:** It's a reduction.

**Building Inspector Minozzi:** It's actually a reduction of the footprint, even with the addition, because of what they're taking away and what they're adding.

**Village Attorney Whitehead:** The two pieces that they're taking away are actually deeper.

**Mr. Koch:** And bigger in square footage, slightly. It's very close actually.

**Chairman Collins:** So this is an overall net reduction in the size of an already small ...

**Building Inspector Minozzi:** That's why I didn't notice it as a variance.

**Chairman Collins:** That's understandable.

**Boardmember Dovell:** The whole addition is about 72 square feet so it's really ...

**Chairman Collins:** That's very modest. And I walk by this house every Saturday on a walk through town. My assumption is that if Buddy had come to me asking for a waiver my assumption would have been to grant it because I never knew that there was a view to block. It's that it's in a spot of such building density and congestion that I never knew there was a line of sight. But you made the right call. I could see it in the renderings.

**Mr. Koch:** Right, it's the mockup that really told the tale.

**Building Inspector Minozzi:** They came to me with a waiver, and that's when I asked them to do the mockup because I couldn't tell ... it was too close to tell. And once they did the mockup it unfortunately became clear.

**Chairman Collins:** But the fact that the applicant thought that it would be waiver-worthy, that you had to really exercise to find some view impact. It proves really, illustrates very well, how minimal the impact is. So I am not going to object to any view preservation request here. I think it's very, very modest. And I think this property and its position is unusual. It has this built-in ... like step out of the front door of that house and you are right onto ...

**Mr. Koch:** Aqueduct Lane.

**Chairman Collins:** Right on Aqueduct Lane, and it's always been that way. And the changes to the building, the reductions in the building, are all happening right up front where you enter onto Aqueduct Lane.

**Building Inspector Minozzi:** And the street side.

**Mr. Koch:** But the instinct that Ned and Jill showed to make that little push in the back is absolutely the right thing because that's where it's open.

**Chairman Collins:** That's right.

**Mr. Koch:** You know, that's your private space.

**Chairman Collins:** It is, that's right.

**Mr. Koch:** That's where you're hanging out above the neighbors.

**Chairman Collins:** That's right.

**Mr. Koch:** It's really the right move.

**Chairman Collins:** I couldn't say it any better. So I just will sum by saying I have no further questions at this time and no objections to either the view preservation or the side yard variance request. So, Ray, do you have anything?

**Boardmember Dovell:** No. I think it reinforces some of what we were talking about, with the 1.5 for the yard requirements anyway. That they're a little too restrictive.

**Chairman Collins:** Yes, you're right.

**Boardmember Dovell:** And it's a de minimis area so I have no problem with either one.

**Mr. Koch:** Right. I want to just add a ... you know, I live in the same neighborhood and the zoning that's applied within the 1.5 seems inversely proportional to the sizes of the lots. I mean, we're required to have, actually, more ...

**Village Attorney Whitehead:** It's going to get fixed.

**Chairman Collins:** Yes, you missed some of the great work that Ray did ...

**Mr. Koch:** Thank you, Ray.

**Chairman Collins:** ... in the conversation we had about exactly this topic. You're right that there are aspects of the code that really are punishing to 1.5 and the kind of development people want to do there. We're going to work on fixing that.

**Mr. Koch:** Thank you.

**Chairman Collins:** But anyway, I think you're hearing that there are no concerns. So why don't we vote on view preservation, and then we'll come back for what ought to be a very administratively routine vote on the side yards. Okay?

**Mr. Koch:** Okay.

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

On MOTION of Boardmember Dovell, SECONDED by Boardmember Berritt with a voice vote of all in favor, the Board resolved to approve Case 11-18 for view preservation at 181 Washington Avenue.

**Chairman Collins:** So view preservation is done. We'll have you come back as soon as possible and we'll take care of the area variance question for you.

**Mr. Koch:** Is there any ... on behalf of my friends' clients, is there anything that we can do to ... you know, obviously now we have to postpone the construction in the back for a month.

**Building Inspector Minozzi:** We'll talk tomorrow.

**Mr. Koch:** We'll talk tomorrow.

**Building Inspector Minozzi:** Talk tomorrow. I will be doing this legal notice tomorrow, actually ...

**Mr. Koch:** Thank you.

**Building Inspector Minozzi:** ... because it's going in Monday's paper. I'm sending it to the paper on Monday.

**Mr. Koch:** That's great.

**Village Attorney Whitehead:** For their meeting?

**Building Inspector Minozzi:** Yes. Well, I'm doing all the notices Monday because of the holiday, getting everything in. So all the planning and zoning notices are going in Monday.

**Mr. Koch:** Well, thanks in advance for like jumping on that.

**Village Attorney Whitehead:** And again, it'll take 2 minutes. I think the three members of the board here indicated their ...

**Chairman Collins:** We have. I think the thing is – just to be mindful in terms of prep and your return – that it's very likely that we'll have at least one of our absentee boardmembers back. They may want to know what's going on. So it won't be quite as simple as rolling up, I suspect, and saying, Hi, we're here, we'll go to a vote. But it also will not take very much time.

**Mr. Koch:** I'm not certain how long my architect friends will be abroad, but I ...

**Chairman Collins:** Two weeks, I think they said, Mitch.

**Mr. Koch:** Two weeks.

**Village Attorney Whitehead:** They'll be back.

**Mr. Koch:** It'll be them, not me. All right, all of you have a great night. Thanks.

**Chairman Collins:** Thank you, Mitch.

**Village Attorney Whitehead:** Thank you.

**Chairman Collins:** So that leaves, then – before we get into the minutes for review – a discussion item for Pam 555 Warburton Realty, LLC.

**Discussion Item**  
**Pam 555 Warburton Realty, LLC**  
**555 Warburton Avenue**

**View Preservation approval discussion for a new Rooftop Bulkhead and Mechanical Equipment associated with the build-out of a vacant structure to create a mixed-use occupancy to include a restaurant on the basement and first floor levels and two dwelling units and rooftop bar on the second, third and rooftop levels at their commercial property located at 555 Warburton Avenue. Said property is in the CC Zoning District and is known as SBL: 4.30-22-1 on the Village Tax Maps.**

**Chairman Collins:** This is related to view preservation for some hardware that's been proposed for the roof of this building. Is this literally just a discussion item amongst us?

**Village Attorney Whitehead:** It wasn't noticed. We thought the applicant was going to be here. But if you want to hold it off, it was not noticed. That's why you can't act on it. The Planning Board has made its recommendation in favor of it. There's going to be an elevator bulkhead.

**Building Inspector Minozzi:** And stairway and an elevator bulkhead.

**Village Attorney Whitehead:** Yes, stairway and elevator bulkhead ...

**Building Inspector Minozzi:** That's the problem.

**Village Attorney Whitehead:** ... on the roof.

**Building Inspector Minozzi:** It's coming to us for view preservation.

**Village Attorney Whitehead:** So it's coming to you just for building permit.

**Boardmember Dovell:** I think there's some mistakes in this application. Maybe we could talk about it, or no.

**Chairman Collins:** I would, I would talk about it.

**Boardmember Berritt:** Go ahead.

**Boardmember Dovell:** I'm assuming that the elevator goes to the roof.

**Boardmember Dovell:** The bulkhead is not high enough to provide an elevator to go to the roof. He's got 9 feet above the roof. That's not enough to get required code clearance above the hoistway.

**Building Inspector Minozzi:** They're not having a machine room on top of the elevator.

**Boardmember Dovell:** I know. It's a roped hydraulic elevator?

**Building Inspector Minozzi:** Yes, I believe it's a hydraulic elevator.

**Boardmember Dovell:** You know, I talked to my elevator consultant that I use normally and I talked to Schindler and others who do these hydraulic elevators.

**Building Inspector Minozzi:** Okay.

**Boardmember Dovell:** You need a minimum of 12 feet overrun from the last stop, and he's showing 9 feet. So I think somebody needs to take a look at that.

**Building Inspector Minozzi:** We can absolutely look into that.

**Village Attorney Whitehead:** Okay. I think that's good that we talked about it tonight because Buddy can go back to him now and ...

**Boardmember Dovell:** I mean, Buddy, years ago – I mean, this is right from Schindler ...

**Building Inspector Minozzi:** Thank you. Appreciate you doing some ...

**Boardmember Dovell:** ... for a hydraulic lift.

**Village Attorney Whitehead:** So Buddy can go back to him now and try to get it straightened out before our next meeting.

**Boardmember Dovell:** He should supply a drawing from the elevator vendor or somebody to demonstrate that because it's just wrong if it's going to the roof. If it's not going to the roof it's okay.

**Building Inspector Minozzi:** It has to go to the roof for egress.

**Boardmember Dovell:** Okay. Well, for handicapped-accessibility.



**Building Inspector Minozzi:** And egress. And they need two means of egress, for fire egress and ...

**Boardmember Dovell:** The stair is going to be fine, but the elevator is not.

**Building Inspector Minozzi:** The one staircase and the one elevator, right. Because the idea of the elevator is for two purposes: so they don't have to have two bulkheads for two stairwells, and for ADA.

**Boardmember Dovell:** Right. So that's a 25-hundred pound cab that has to go to the roof, right? Okay.

**Building Inspector Minozzi:** But thank you for that information. I will look into it.

**Boardmember Dovell:** Here's some more in case you're really interested.

**Village Attorney Whitehead:** If you want to learn more about elevators.

**Building Inspector Minozzi:** Thank you.

**Boardmember Dovell:** Yes, you're welcome.

**Chairman Collins:** Yes, this potentially changes things. I mean, you're adding now 33 percent more umph to the top of this.

**Village Attorney Whitehead:** Yes, and you better find that out quickly because it might be ... Planning Board notice may have to re-notice view preservation because if it's changed it's got to ...

**Boardmember Dovell:** It's area of refuge above the cab.

**Village Attorney Whitehead:** Why don't you just stick it in just in case.

**Building Inspector Minozzi:** I have to do the Planning Board notice anyway tomorrow.

**Village Attorney Whitehead:** Right, so stick view preservation back into the Planning Board notice in case there's a change.

**Building Inspector Minozzi:** A change, okay.

**Boardmember Dovell:** It's area of refuge above the cab. If somebody's up here you can't crush them with the cab.

**Building Inspector Minozzi:** I understand.

**Boardmember Dovell:** So yes, there has to be at least 3 foot 7 or 3 foot 9 above ...

**Village Attorney Whitehead:** Yes, let him have his elevator people ...

**Building Inspector Minozzi:** I will let him produce the specs on it, sure.

**Boardmember Berritt:** From the houses on Whitman Street to the ones that are probably going to impacted the most.

**Chairman Collins:** It would be helpful, when the applicant does emerge, to do what Ned and Mitch did. Which is to just color-box in something to size, or to scale rather.

**Building Inspector Minozzi:** They did have that.

**Chairman Collins:** Oh, they did. Okay.

**Building Inspector Minozzi:** For Planning Board, and which you will be getting as well.

**Chairman Collins:** Okay, very good. I tend to find that as a very ...

**Building Inspector Minozzi:** Matter of fact, on the ZBA notice that was sent – the new format that Raf sent you, that we sent you on Friday – actually included the Planning Board's submission from 555 for you guys to take a look at it and see what it was all about.

**Chairman Collins:** Okay. I didn't see that kind of mockup, but maybe I'm looking in the wrong place. Just those photographs with the photoshopping.

**Building Inspector Minozzi:** I got you.

**Chairman Collins:** Okay.

**Building Inspector Minozzi:** We'll make sure they're there.

**Chairman Collins:** That would be helpful.

**Building Inspector Minozzi:** We'll 100 percent make sure they're there.

**Chairman Collins:** And then once those drawings are set and capturing the vantage points, including from Whitman, I think that'll help to get us a sense of really what the impact is. I'm inclined to think that this is not going to be ... even with the extra 3 feet is not going to be an issue.

**Boardmember Dovell:** I would agree, yes.

**Village Attorney Whitehead:** Really, when the Planning Board looked at it it really didn't have anything.

**Building Inspector Minozzi:** Not even from the VFW-Whitman Street.

**Boardmember Berritt:** But some of those houses that back onto the property that might ... I mean, I don't know if any of them have ...

**Building Inspector Minozzi:** From there ...

**Boardmember Berritt:** On Whitman Street, further along.

**Building Inspector Minozzi:** ... yes, there's one or two houses that would be directly affected. But I think it's the angle and the height of the building. They proved it pretty well.

**Village Attorney Whitehead:** They're pretty high there. I think they're above.

**Boardmember Berritt:** Okay.

**Boardmember Dovell:** It'll be nice to see something happen.

**Chairman Collins:** What is ... is this the third time around that we've seen something?

**Boardmember Dovell:** At least.

**Village Attorney Whitehead:** I think it's really going to happen.

**Chairman Collins:** I hope so.

**Village Attorney Whitehead:** I know the Planning Board really wants it to happen. They have a draft resolution, they're ready to vote at the next meeting.

**Chairman Collins:** Who is the architect? Is it Christina again?

**Village Attorney Whitehead:** No, it's not.

**Building Inspector Minozzi:** No, they're in-house. They're doing it in-house with their in-house firm. The owner of the property works with an in-house architectural firm.

**Chairman Collins:** That'd be great if they could make it happen.

**Village Attorney Whitehead:** And it's going to be a less intense use than the last two go-rounds because the second and third floor are just one apartment on each floor.

**Boardmember Dovell:** Yes, it's a nice thing to do. They're two nice loft units.

**Building Inspector Minozzi:** It's not a catering hall, it's a restaurant. So you won't have that kind of turnover.

**Chairman Collins:** Right. It's such a beautiful building and it's a real shame that it's a sort of like an anchor building to the whole Village.

**Village Attorney Whitehead:** So if this happens I think it'll really ... everybody really, I think, wants to see something happen there.

**Chairman Collins:** Well, I think then we'll wait for these changes to be made and then we can discuss it when we come back in July.

We'll get to the minutes in a second. Sir, did you have anything that you wanted to ask?

**Male Voice:** No, just ...

**Building Inspector Minozzi:** You got called out.

**Chairman Collins:** Appreciate the audience.

Okay, then why don't we do a quick review of the minutes.

## **APPROVAL OF MINUTES**

### **Regular Meeting of May 24, 2018**

**Chairman Collins:** I caught a few mistakes, though nothing very egregious. This, in my opinion, meeting minutes quality stepped up from the April minutes where I found quite a few mistakes. So I have submitted my suggested changes to Buddy electronically.

**Boardmember Dovell:** Here's mine.

**Chairman Collins:** Okay. Ray is sharing his hard copy.

**Building Inspector Minozzi:** Thank you.

**Chairman Collins:** Joanne has already sent hers in. So can I get a motion to approve the minutes as amended?

On MOTION of Boardmember Berritt, SECONDED by Boardmember Dovell with a voice vote of all in favor, the Minutes of the Regular Meeting of May 24, 2018 were approved as amended.

## **ANNOUNCEMENTS**

**Next Meeting Date – July 26, 2018**

## **ADJOURNMENT**

Chairman Collins adjourned the Regular Meeting.