

Planning Board
Village of Tarrytown
Regular Meeting
March 30, 2015; 7:00 p.m.

PRESENT: Chairman Friedlander; Members Tedesco, Aukland, Raiselis Birgy;
Counsels Silverberg and Zalantis; Village Administrator Blau; Village
Engineer McGarvey; Secretary Bellantoni

Village Administrator Michael Blau made a statement regarding Counsel Shumejda
resignation due to health issues.

APPROVAL OF THE MINTUES – February 23, 2015

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the
minutes of February 23, 2015, be approved as submitted. Motion carried.

ADJOURNMENTS:

Chairman Friedlander stated the following adjournments:

- Continuation of a Public Hearing: Bartolacci - 67 Miller Avenue
- Continuation of a Public Hearing: HKP Realty Inc. - 25 Main Street
- Continuation of a Public Hearing: Toll Brothers – 112 Wilson Park Drive (lot 2)
- Continuation of a Public Hearing: Sisters of the Sacred Heart – 32 Warren Ave.
- New Public Hearing: Cannavo – 17 North Washington Street
- New Public Hearing: Coco Management – 39-51 South Broadway
- New Public Hearing: Crescent Associates LLC – 155 White Plains Road

CONTINUATION OF PUBLIC HEARING – Toll Brothers – 229 Wilson Park Drive (lot 10)

Jennifer Gray of Keane and Beane on behalf of the application updated the board stating
that they are continuation to explore a resolution with the Ms. Bernaccia regarding the
landscape plan approved by Ms. Munz in July 2014. She said they have not received any
comments to the new landscape plan submitted. Ms. Gray said they will submit a new
plan once it is settled. Ms. Gray said they are here to hear any additional comments.

Chairman Friedlander opened the meeting to the public; no one came forward.

Mr. Birgy asked if they are grading any slopes 25% or greater. Ms. Gray said she doesn't
believe so but will check.

Chairman Freidlander asked about the screening of the trail. Ms. Gray said that is what they are discussing with the neighbors; hopefully it will be resolved by next month.

Robert Roch on behalf of Ms. Bernaccia of 4 County House Road said a landscape plan was submitted in October 2014 and he spoke to Ms. Bernaccia in November 2014. Ms. Bernaccia said the plans were under review. He said he will try to reach her.

Chairman Friedlander said hopefully this will be done by next month.

Mr. Tedesco said he received a report from Ms. Munz dated December 10, 2014 with two issues: Requested a change from Red Cedars to a mix of various evergreen trees along the fence line and secondly 10-11 more trees beyond lot 10's property line for screening the travel trail and dedicated open space. Ms. Munz is concerned who will be responsible for maintenance and replacement of any plantings beyond the lot 10 property line since this is dedicated open space. She doesn't want the Village to be responsible and for that reason she feels the Bernaccia's should be responsible installing their proposed plantings on their property and be responsible for their care and maintenance (copy of report attached).

Mr. Tedesco moved, seconded by Mr. Aukland to continue this public hearing to the April meeting; all in favor. Motion carried.

CONTINUATION OF A PUBLIC HEARING – Ferry Landings LLC – 2 Division Street

Ms. Raiselis recused herself from this application.

John Meyer and Sean Flynn of National Resources were present on behalf of applicant. Mr. Meyer submitted a revised plan showing:

- The exterior of the building
- Amended Master Plan
- Amended site plan
- Rendering of amended site plan showing 12 units eliminated
- Floor plans
- Location of parking

Mr. Meyer said this is a two-story existing building which they are going to rejuvenate. They are proposing a café/pub on the first floor and office space on the second, uses that are good for the entire Village which will bring people down to the waterfront.

Chairman Friedlander asked if it conforms to the fire/safety regulations. Mr. Meyer said yes it does. He said if Mr. McGarvey finds something wrong, they will fix it; but he does believe that it is compliant with the code.

Mr. Birgy asked if they have the occupancy for the pub which is needed to calculate the parking. Mr. Meyer said the occupancy or square footage. Right now they have the

square footage but they do not have a tenant yet to know the number of seat. Once they know that they will do the computations on both the square footage and the number of seat and if they need to come back for more parking, they will do so.

Mr. Meyer said they would like the board to vote on this application tonight.

Chairman Friedlander explained for the benefit of the public and so as to eliminate any confusion, this building is out of the scope of the Master Plan; it is a separate site plan before this board for approval.

Chairman Friedlander said he supports site plan approval for the stable building and the parking that goes with it.

Mr. Aukland said the parking is now all on this lot; no lot line change is required. Mr. Meyer said that is correct.

Mr. McGarvey asked if it will be fully sprinkled. Mr. Meyer said yes.

Mr. Meyer said they went to the ARB just for information purposes. ARB will approve if they don't put the awnings on.

Mr. Birgy asked how they are going to bring it up to today's energy standards. Mr. Meyer said they will bring it up to the energy code of New York State which has not been designed yet.

Chairman Friedlander opened the hearing for comments.

Counsel Silverberg asked about exterior changes to the building.

Chairman Friedlander said landscaping is a necessary item. Mr. Meyer said that was part of the Master Plan. Mr. McGarvey said not for this building and Mr. Blau agreed with Mr. McGarvey. Mr. Meyer said they are OK with that.

Mr. Janos said this building is now part of the Master Plan. Chairman Friedlander said no, this building is separate from the Master Plan and the River House.

Mr. Aukland moved, seconded by Mr. Tedesco, to close the public hearing. All in favor; motion carried.

Mr. Aukland moved, seconded by Mr. Tedesco, that the Planning Board declare itself Lead Agency for the proposed project. All in favor, motion carried.

Mr. Aukland moved, seconded by Mr. Tedesco, that there will be no significant adverse environmental impacts as a result of this proposed action. All in favor; motion carried.

Mr. Aukland moved, seconded by Mr. Tedesco, that the Board approves plans for interior alterations to the existing building on this property to accommodate a restaurant, coffee shop and offices, with 44 parking spaces, all as shown on materials received by the Village on March 25, subject to the following conditions:

1. Approval by the Building Inspector/Village Engineer.
2. Approval of a landscaping and screening plan by the Village landscape consultant.
3. Payment of any outstanding escrow or recreation fees.
4. Signing of the final site plan by the Planning Board Chair.

All in favor; motion carried.

NEW PUBLIC HEARING – Hanley – 73 High Street

Chairman Friedlander read the following public hearing notice:

*PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday March 30, 2015, at **7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:*

*Ann E. Hanley
3 High Street
Tarrytown, NY 10591*

To consider an application for the construct a 6' retaining wall in the same location as the original wall.

The property is located at 73 High Street in the Village of Tarrytown and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.190, Block 115, Lot 30 and is located in an R 7.5 Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

By Order of the Planning Board

Dale Bellantoni, Secretary to the Planning and Zoning Boards

DATED: March 20, 2015

The certified mailing receipts were submitted and the sign was posted.

Anne Hanley and James Zendman were present for this application. Mr. Zendman explained that the wall was damaged by Hurricane Sandy and they repaired it without a permit. They submitted plans showing the side view and a landscape plan which they prepared. They have proposed a total of 16 *Spiraea betulifolia*; eight on the upper level and eight on the lower level.

Chairman Friedlander asked if the material is the same as the original wall and did the original wall have two tiers. Mr. Zendman said the material is the same, railroad ties, and it was a two-tiered wall. Mr. McGarvey said it was a two-tier wall and it was replaced with a two-tier wall but the second tier was too high so it extended beyond their property. Mr. Aukland asked if it is still on the neighbor's property. Ms. Hanley said the revised plan show it removed from the neighbor. Mr. Zendman said that wall was that when Ms. Hanley bought the house. We did not realize that we were violating the code.

Chairman Friedlander opened the hearing to the public and the staff.

Mr. McGarvey said there are steep slopes on the neighbor's property and none on yours. The plan shows 125 square feet of 25% or greater to be disturbed. Mr. Zendman said we are not regarding, we are building to how it originally was. Mr. Blau asked if they are restoring the slope. Mr. Zendman said yes, it will not be steeper or more level than it is now; it will not be changed. Mr. McGarvey said the slope will not be touched. Mr. Zendman said it will be matching what is in existence behind their wall on their property now. Mr. Birgy said that is less than 220 square feet. Mr. McGarvey said there are two criteria; one has to be less than 200 square feet and the second is the band width of the steep slope contour has to be less than 10 feet in width. Mr. McGarvey said if they are not going to touch it, it's up to the board to decide if they want to waive it. Mr. Birgy said it is a relatively small area; that seems reasonable. Mr. Tedesco said we agree. Chairman Friedlander asked Mr. McGarvey if he is comfortable with it. Mr. McGarvey said yes, but it is your decision.

Ms. Hanley said she is confused; do you want us to fix the steep slope on the neighbor's property. Mr. McGarvey said no. The problem is that someone went from your property to their property to construct that portion of the wall. You cannot apply for a permit to do any work on that property unless you have their permission. Ms. Raiselis asked who the neighbor is. Mr. Zendman said the neighbors are the Islamic Church of New York and they have not responded to any of their multiple attempts to contact them. Mr. Birgy said just leave it as is. Mr. Zendman said but what if down the road the neighbor wants the wall; do we have to remediate it. Mr. McGarvey said there are going to be two walls, your wall and their wall. Counsel Silverberg asked how high the wall on the neighbor's property will be. Mr. Zendman said his estimate is that the wall at the corner and going back doesn't go any higher than 6' once they remediate their section. We have to go across the property line in order to do the work to get their wall into code. The board members asked how they can do that since they need the neighbor's permission to go on their property to take that portion of the wall down. Ms. Hanley said the wall was destroyed by Hurricane Sandy and we rebuilt it already. Counsel Silverberg said you can approve their wall but you cannot give them permission to go on their property without

written permission from the property owner. Ms. Raiselis said will that be one of the conditions of approval. Counsel Silverberg said yes. Ms. Raiselis said so we should do it that way.

Mr. Blau said they Village will try to help them by attempting to get in touch with the Church; perhaps a letter from the village will encourage them to get in touch with you so that you can obtain what you need to complete the wall.

Mr. Zendman said are we asking them for permission to move the wall or to just bring the wall within the 6' high rule. Ms. Raiselis said you are asking them for permission to go on their property to do whatever work is approved for this application. Mr. Blau said essentially you are going to do the work on your wall and remove the wall that is on their property.

Mr. Zendman asked why we weren't asked this at the prior hearing. Ms. Hanley said we have been dealing with this wall for nine months. Mr. Aukland said we are dealing with the work that you want to do on your property and how to resolve the issue of working on your neighbor's property. Ms. Hanley said why can't we just repair our wall and leave what is on their property as is. Mr. Aukland asked if that is feasible. Mr. McGarvey said he would have to go out to the site to see if that can be done.

Counsel Silverberg suggested that they draft something for the next meeting, giving Mr. McGarvey time to go out there and so that we don't leave anything out. Chairman Friedlander said we want to help you as much as we can; we just want to do it properly. You put up a wall without a permit and went on your neighbor's property. We are going to approve it but we just want another month to clean it up a bit. Counsel Silverman said one of the things that Mr. McGarvey must determine is if the wall violates the zoning code. If it does and they applicant's built it, we will have to figure out how we are going to resolve it.

Mr. Zendman told Mr. McGarvey that he can go on their property whenever he wants to.

Mr. Tedesco moved, seconded by Mr. Aukland to continue the public hearing; all in favor. Motion carried.

NEW PUBLIC HEARING - Tappan Manour Condominium - 320-330 South Broadway

Chairman Friedlander read the following PH Notice:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday March 30, 2015, at 7:00 p.m. at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Ms. Lorraine Zollo

*Property Manager
21 South Broadway
Tarrytown, NY 10591*

To consider an application for proposed parking improvements to existing parking lot to increase quantity of parking spaces, and associated stormwater improvements.

The property is located at 320-330 South Broadway (Tappan Manour Condominiums), Tarrytown, NY and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.14, Block 89, Lots 3 and is located in the M-3 Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

By Order of the Planning Board

Dale Bellantoni, Secretary to the Planning and Zoning Boards

DATED: March 20, 2015

The certified mailing receipts were submitted and the signs were posted.

Michael Stein and Dan Collins of Hudson Engineering on behalf of the applicant explained the project. Mr. Stein said the proposed parking is only on the 330 South Broadway lot. The problem is the lack of parking on the site. They just lost 30 parking spaces that they used on the Aqueduct because the New York State Department of Parks is going to restore the property to green space. They have looked into obtaining some parking on neighboring properties, but for liability reasons it did not work out.

Mr. Stein said currently there is 176 parking spaces combined on both properties with 26 of them being exterior and 50 are interior parking garages. Originally they were hoping to gain 33 spaces plus 18 tandem spaces, but now with the loss of the 30 at the Aqueduct they have reduced it down to 30 additional spaces. It is even more critical that they get more on-site parking. With the proposed additional parking they will have 227 spaces, including 18 tandem spaces along the southern property line. They will be reconfiguring the existing parking by eliminating some of the landscape islands. They are aware that they will need variances for parking in the front yard setback, side yard and landscape islands.

Chairman Friedlander asked the number of residents. Lori Zollo, property manager said there are 168 apartments.

Chairman Friedlander said there are 50 garages. Ms. Zollo said they are privately deeded; this is a condominium complex.

Ms. Raiselis asked if anyone is allowed to parking on site that is not associated with the building. Mr. Stein said no.

Mr. McGarvey asked how the tandem parking is going to work. Ms. Zollo said they are talking about a lottery system to get the tandem space; not decided yet.

Chairman Friedlander asked if all units have a space. Mr. Stein said no, some residents do not have a car. Chairman Friedlander asked if there is a breakdown of who has a space. Mr. Stein said no they do not have one. Chairman Friedlander said this site is always going to have a problem with parking. Mr. Stein said that is correct. The code says the site required 420 spaces but we are not trying to get to that number.

Mr. Stein said members of the board would like to give a presentation.

Robert Peterson, President of the Board and Dana Pellegrini, Secretary representing 168 families show a slide show and video demonstrating the difficulty incurred because of the lack of parking. The residents are using street parking on the nearby and not so nearby public streets; some of the residents have to park as far away as Paulding Avenue.

Ms. Raiselis asked if any residents use the train. Some in the audience respond that they do but they do not take their car.

Chairman Friedlander asked Mr. Blau if he had any success when he contacted the neighboring building in an effort to find parking for these residents. Mr. Blau said no success for various reasons. Mr. Stein said they had a similar situation.

Mr. Birgy asked if New York State said why they closed the lot on the Aqueduct. Mr. Blau said because they wanted to restore it to green space; technically it is a park.

Mr. Stein said they are looking for a recommendation to go to the Zoning Board.

Chairman Friedlander asked what variances are needed. Mr. Collins said they need a 60' front yard setback, possibly a side yard setback for the tandem spaces. Mr. McGarvey said what are you proposing for the front yard setback. Mr. Stein said approximately a 20' encroachment in the front yard. Chairman Friedlander said you are proposing better landscaping to off-set that. Mr. Stein said we are proposing screen in the front and more landscaping throughout. Mr. Stein said the front has quite a bit of landscaping now. Chairman Friedlander said but we want to bolster that as much as possible so that it mitigates the impact 20' setback. Mr. Stein said they are also proposing shade trees along the front and decreasing the width of the driveway and adding a second one so they will be breaking the landscaping up in the front. Mr. Collins said they have 5' for landscaping on the side yard and about 5' for landscaping

along the wall that separates the complex for the shopping center. Mr. Stein said they will also need a variance for the parking islands. For every 10 spaces you have to have a parking island breaking it up. Chairman Friedlander asked how many spaces will be added in place of the islands. Mr. Stein said 51 total.

Mr. Tedesco enumerated the items they should bring to them at the next staff meeting: show on the plan the existing and proposed impervious surface; will the existing storm water management will be adequate for the increase in impervious surface. Mr. Stein said a new storm water plan is proposed. We are proposing not only water quantity treatment but also water quality treatment. He said the existing impervious surface is approximately 77,000 and the proposed is approximately 90,000. Mr. Tedesco said to provide details of the variance and a landscape plan. Mr. Aukland said to show the islands to be removed.

Chairman Friedlander asked for a breakdown of the units. Mr. Collins said there 112 one-bedroom units and 56 two-bedroom units. Chairman Friedlander said what you are asking for maybe inadequate in the future. Mr. Stein said we can show land-banking on additional land, seven additional areas.

Ms. Raiselis said you want to lose all of this green space; parking is more important.

Chairman Friedlander asked if they ever thought about a parking garage for the future. He feels that the units will not sell in the future if there is not parking; may decrease in value. Mr. Stein said the only place is above the rear garage and it will be a huge expense.

Mr. Birgy said maybe they can get a stay from the State to park on the aqueduct just to give them time to look into alternatives.

Chairman Friedlander opened the meeting to the public.

Courtney Tomiano, 320 South Broadway, said they have already begun work on the aqueduct. She asked if there could be rules not allowing so many cars in the future; capped at what it is now.

Mr. Birgy asked how long this project will take. Mr. Stein said three months. Mr. Birgy said maybe the neighboring property will sell you a piece of their property. Mr. Stein said they have parking requirements based on their site plan approval.

Chairman Friedlander said Crescent Associates at 155 White Plains Road is building a new parking lot; they have been cooperative in the past. They are closed at night and perhaps they would be willing to share the lot. You should contact them.

Mr. Tedesco said he thinks the need is so great now and in the future and we should be proceed to granting the 51 spaces, but you should be looking into the suggestions for future use.

Linda Tissin, 330 South Broadway, feels like she is in prison. She has to be back on Sundays before 1:00 p.m. in order to get a parking space. She said she spent a lot of money for a small apartment with no parking. Carpooling is not going to work; we all don't go to the same places and we all lead very separate lives. She said we are all suffering and the faster we can do this the better for everyone.

James Wagman, 320 South Broadway, said we have to be home before 9:00 p.m. to get a parking space.

Mr. Tedesco moved, seconded by Mr. Birgy to continue the hearing; all in favor. Motion carried.

NEW PUBLIC HEARING – YMCA of Tarrytown – 62 Main Street

The Chairman read the following Notice of Public Hearing:

*PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday March 30, 2015, at **7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:*

*Family YMCA at Tarrytown
62 Main Street
Tarrytown, NY 10591*

To consider an application for interior alterations to convert the existing fitness and program space into childcare space.

The property is located at 62 Main Street in the Village of Tarrytown and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.70, Block 33, Lots 17, 21, 22, & 23 and is located in the RR and M1.5 Zoning Districts.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

By Order of the Planning Board

Dale Bellantoni, Secretary to the Planning and Zoning Boards

DATED: March 20, 2015

The certified mailing receipts were submitted and the sign was posted

Dennis Noskin, Architect, on behalf of the applicant explained that the YMCA's lease with Tappan Hill School is not going to be renewed so they will have to bring their daycare back to the Y where it originally was. Mr. Noskin showed the layout out of the building and where the daycare will go. He said the maximum number of children in the program is 110; they have limited space and they want to provide good daycare. The biggest problem will be drop-off and pick-up of the children, which they are hoping to have at the South Washington Street lot which is adjacent to the YMCA's property.

Mr. Rieira, CEO, said it will be a standard parking lot space for about 10-15 minutes while they go into the building and drop-off or pick-up. Chairman Friedlander asked how many spaces will be needed. Mr. McGarvey said there are only 24 possible spaces in that lot. Chairman Friedlander asked if they considered have people queuing in that lot with someone to meet the children and bring them into the building. It is very often done successfully in day camps, etc. Chairman Friedlander said he feels it will be safer and will work better. Mr. Rieira said it will depend on whether the Village will allow us to do that; in essence, take over that lot during those hours. Mr. Blau said that is not a possibility; it is a Village lot. Chairman Friedlander asked why they are not using their lot. Mr. Rieira said they did not want a back-up on Windle Park and we did not want parents to have to deal with issues involving others coming into the lot, members and residents.

Ms. Raiselis asked how it worked before. Mr. Rieira said the parents would park wherever they could and they would come in the front door.

Mr. McGarvey said aren't you just moving the back-up from Windle Park to South Washington Street. Mr. Rieira said the South Washington lot is not used as heavily as Windle Park and they don't have the same residential issues on South Washington as they do on Windle Park.

Mr. Rieira said historically their enrollment has been between 90 and 100 children but they can accommodate 110 children, which means there will be more parents dropping-off and picking-up. Ms. Raiselis asked how they came up with 110. Mr. Rieira said that is what the classrooms will hold according to the layout.

Mr. Aukland asked if they looked into the South Washington Lot 2. Mr. Rieira said they did look into it and asked Mr. Blau to explain why it was not possible. Mr. Blau said the number of spaces you would lose creating the connector between the two spaces just didn't make sense. Mr. Aukland said he recognizes that but following the Chairman's suggest of a formal drop-off space it would keep the traffic flowing and take much less time. Mr. Blau said the Village just can't afford to lose any spaces because of the parking problem in the Village.

Mr. Noskin said as part of a child care facility, you have to have a playground. They have tried to move the playground as close to the building as possible so as not to interfere with the residents.

Chairman Friedlander asked Mr. Rieira to explain the situation with the parking area leased by the Village. Mr. Rieira said the lease is to expire in October of 2015 and the YMCA was taking

it back even before the child care issue came about. There are 26 spaces which they are now going to use for member parking. Mr. Blau said about 20 years ago that parking area was just grass and dirt. The Village paved the area and half was used by the YMCA and the other half was leased to the Village for Village parking, and that lease is running out this year. Chairman Friedlander said what about getting three or four spaces from the Y in that area in exchange for four spaces in the South Washington Street Lot 2, which can then be used as a drop-off as Mr. Aukland suggested. Mr. Blau said that is a possibility just as long as the Village doesn't lose any spaces.

Chairman Friedlander said we have to share and that seems like a safer more efficient way to solve the problem. They have to consider all options. Chairman Friedlander said he would like to discuss this further at the April staff meeting,

Mr. Birgy asked if the playground is going to be on the roof. Mr. Noskin said no because it is financially impossible. We are just going to move it from the original location, away from the neighbor, to another location.

Mr. McGarvey asked why they are moving it. Mr. Noskin said because of a neighbor's complaints. Mr. Rieira said they need a large, not paved, soft area.

Chairman Friedlander asked about the Masonic Building. Mr. Rieira said they are actually in negotiations with them to rent space for the office staff that was housed at the Tappan Hill School and with the space comes parking for those staff members. Currently the staff is not allowed to park in our parking lot so they are now parking wherever they can find a space. When the staff is in that building, we will have ten spaces freed up from the surrounding parking lots and the street. Mr. Rieira said when they had the child care in the building previously, neither the South Washington Lot nor the leased spaces in the Masonic building existed; so in essence we do have more available parking now.

Mr. McGarvey asked the ages of the children. Mr. Rieira said from infants to four years old. Mr. McGarvey said at that age, you have to walk them into the building; you have to park the car. Mr. Rieira said we prefer to have the parent walk into the building and make contact with the staff. By not doing that there is something lost in the child's experience.

Mr. Tedesco moved, seconded by Mr. Aukland to continue the hearing; all in favor. Motion carried.

PRELIMINARY PRESENTATION-Hudson Harbor-5 Hudson View Way (River House)

John Meyer and Sean Flynn of National Resources were present on behalf of the applicant. Mr. Flynn handed out revised drawings. Mr. Meyer stated that the joint meeting of the Board of Trustees and the Planning Board for an amendment to the approved Master Plan for the overall project. The amendment was for a change in the number of units from 65 to 43 which was approved. The 12 units that were taken from this building were added to the townhouses which are proposed near the stable building; there will be a total of 20 units in the location. Mr. Meyer said this building has a two-story garage in the center of the building which will house

61 parking spaces, and there will be 20 spaces on grade outside the building. Mr. Meyer briefly went through the drawings that were handed out describing the parking layout, floor layout, and elevations. He said the front of the building is not one continuous front, there are several breaks.

Mr. Meyer said they went to the ARB just to discuss and get their opinion regarding the look of the building. He said the materials they are going to use are stone, brick and reclaimed wood; a mixture of all of the buildings on the site. The ARB liked it with minor changes which are reflected on the plans handed out.

Mr. Aukland said for clarification purposes this application is for 5 Hudson View Way which is parcel 3B. The street to the south is your property. Mr. Meyer said a portion of it is and the rest will be public. Mr. Aukland said so putting the parking on your portion is legitimate. Mr. Meyer said that is correct.

Mr. Birgy said feels like a box, warehouse-y. He would like to get back to the look of the townhouses.

Mr. Tedesco said the board would like to see the two options that were provided to the ARB.

Mr. Meyer and Mr. Flynn showed the elevations of the building.

Chairman Friedlander said this is not what we expected. It is not impressive architecturally; there are no distinguished features, it looks like a warehouse box. The other buildings have distinct features. Originally 28 townhouses were proposed for this site; and since this is different than the original, it should be nicer than the original. This is massive and unappealing. It ruins the park to the north and it ruins the Riverwalk to the south. The park to the north is dwarfed by this massive structure abutting it. There's no green space. The original design had open space in the middle, which has been given up to parking 61 cars. Mr. Meyer said the majority of that open space was paved for parking. Chairman Friedlander said he knows that but at least there was some open space and not such a massive structure. The park should be the gem of the development and this building takes away the beauty of that park. We could and should do better.

Mr. Birgy said he would like to get back to the look of West Main Street.

Mr. Meyer said at the joint Board of Trustees/Planning Board meeting it was accepted. Chairman Friedlander said no it wasn't; it was just an approval of the change (number of units on the waterfront) to the Master Plan.

Mr. Meyer reiterated that at the joint meeting the mass of this building was approved and accepted, the height of the building was approved and accepted. Chairman Friedlander said what was accepted at the joint meeting was the number of units on the waterfront from 28 to 43; not this building. Mr. Meyer said with this building there is more green space, more open

space and more views to the river. Chairman Friedlander said he would like to know specifically how much more open space there is.

Mr. Aukland said he does not have a problem with 43 units or the bulk of the building; the problem is the facade of the building.

The board discussed previous designs and proposed materials that were presented for the building. Chairman Friedlander said more people like the original architecture proposed and asked what happened to that architecture, why did you change it. Mr. Meyer said at the joint meeting were given set standards; 42' for the height, setbacks based on the original plan; and that is this building. Chairman Friedlander said the building could have been reconfigured to meeting the footprint but the architecture could have been modified not thrown out.

Mr. Meyer said the setbacks of the building, the height of the building and the number of units were all approved at that joint meeting. Mr. Birgy said but a wall of glass and brick was not approved. Mr. Blau said what was approved in the amendment was the number of units and you had to adhere to a height requirement and a setback requirement. The Board of Trustees does not get involved in the massing of the building, they have no authority over the massing of the building.

Chairman Friedlander asked if there are any alternatives to this building that they can look at. Mr. Janos of National Resources said that the Planning Board said the original rendering looked like a prison. Mr. Birgy said only the turrets.

The board agreed that they should come to the April 16th staff meeting and Mr. McGarvey said to have their architect there.

Counsel Silverstein said to bring in an architect to tell the how a particular architecture doesn't work; give details.

Mr. Tedesco moved, seconded by Mr. Aukland to continue this application as a preliminary presentation at the April 27, 2015 meeting; all in favor. Motion carried.

PRELIMINARY PRESENTATION – David Barbuti – 52 Main Street

Mr. Barbuti on behalf of his client, Mr. Suttner, said they are before this board requesting a change of use from an art gallery to a coffee shop. Mr. Barbuti did the calculations for parking using both square footage and number of seats. The space is 949 square feet divided by 100' which equals 9.5 spaces; or with 22 seats at one space for every three seats, 8 spaces would be required. The code requires that you use the larger number; therefore, it was determined that 11 spaces are required, minus the five spaces that are given leaves a balance of six spaces needed. Mr. Suttner is asking for approval from this board to pay into the parking fund for these six spaces.

Mr. Suttner said there will be no cooking on premises; just coffee brewed. He will bring in pastries and possibly pizza and sandwiches.

Mr. Tedesco said he is going to have some competition with other coffee establishments on Main Street. Mr. Suttner said he is aware of the other coffee places but his is going to be a very different kind of space. It will be a space where people can come with their computers or books and relax on his sofa, etc.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Planning Board declares their intent to be Lead Agency; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a \$2,500 escrow; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a Public Hearing; all in favor. Motion carried.

PRELIMINARY PRESENTATION – Altin Batska – 51 High Street

Hernane DeAlmeida, P.E., the applicant's engineer on behalf of the applicant explained that his client is proposing to demolish the existing house down to the foundation and rebuild a new two-family dwelling on the existing foundation. It is a very unique site in that the house is built on rock. It is existing non-conforming with the front and side yard setbacks. They are not looking to encroach any further than what exists; they will only be building up. High Street has a split down the middle and this site is right at the split where there is an 18-20' difference because of a rock outcropping on which the house is built and because of the rock there is no basement. They are proposing to increase the floor area and realize that they will have to go before the Zoning Board. Mr. DeAlmeida said parking is an issue because the house is very close to the road and can only fit one car partially on site and one car across the street in a small hammer-head. Also there is a stairway from the site to the upper part of High Street where there is a large parking area. Mr. DeAlmeida said regarding impervious coverage that most of the site is rock with a small patch of dirt in the rear where there is a shed that will be coming down which will decrease the amount of impervious surface minimally.

Chairman Friedlander asked the square footage of the existing house and how many stories it has. Mr. DeAlmeida said the total square footage of the existing house is 1,600 square feet with two stories in the rear and one story in the front. Chairman Friedlander asked how stories the proposed house will have and how many cars can fit on the site. Mr. DeAlmeida said the proposed house will have 2 ½ stories and no cars can fit on the site; all must be off site.

Ms. Raiselis said they need to have a site visit. It was decided to visit the site after the April 14th staff meeting.

Ms. Raiselis ask if the existing house can just be renovated. Mr. DeAlmeida said it was not very well maintained and presently completely it is gutted with no sheetrock, plumbing or electric. It appears that someone attempted to renovate it but just abandoned it. Ms. Raiselis asked if they are going to keep it so close to the road and why. Mr. DeAlmeida said yes because it is very costly to build on rock so they want to keep the existing foundation. He also said there is no danger in it being so close to the road because it is the last house.

Mr. Birgy said the variance seem very large. Mr. DeAlmeida said it is because of the uniqueness of the site.

Mr. Tedesco said you are increasing the floor area by about 35% of what is permitted and the floor area by about 2 ½ times what is permitted. Mr. Aukland asked why. Mr. DeAlmeida said they want two units to rent out to families who need three bedrooms. There is no basement because of the rock where other houses would have that basement area in the ground and it would not be included in the FAR. About 1/3 of the FAR would be eliminated if this house could have an in-ground basement.

Mr. Tedesco said they would like to see a plan for a zoning compliant house. He said you have enough permitted square footage to do that. Mr. DeAlmeida said he would prepare such a plan.

Mr. Birgy asked how this is good for the Village, not the owner.

Mr. DeAlmeida said this site is best for an investment because of the issues involved; not so much for a single-family house. He said it is the worst house in the neighborhood and the proposed house will be a great improvement.

Mr. Aukland asked why he cannot comply with the R7.5 zoning regulations.

Mr. DeAlmeida said the other houses in the neighborhood have a much larger visual impact than this house will have. He said he write a comparisons to the other houses in the neighborhood.

Mr. Tedesco said there will be a site visit on April 16th and they would like to see the conforming plan at the meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Planning Board declares their intent to be Lead Agency; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to set a \$2,500 escrow; all in favor. Motion carried.

Mr. Tedesco moved, seconded by Mr. Aukland, to continue this presentation as a preliminary hearing; all in favor. Motion carried.

ADJOURNMENT

Chairman Friedlander moved, seconded by Ms. Raiselis to adjourn the meeting; all in favor. Motion carried. Adjournment 10:45 p.m.

Dale Bellantoni
Secretary