



Engineering, Surveying and Landscape Architecture, P.C.

3.0

SEIS Public Hearing Minutes

PB 26-05
 Plateau Associates
 36 Water Street
 Section 89.18, Block 1, Lots 5 & 6, Zone CDD
 Section 89.14, Block 1, Lot 11, Zone PW-a

This application by Plateau Associates is with regard to property located on Water Street. The applicant is seeking a conditional use permit and site plan approval to construct a residential development.

Mr. Clarke opened the public hearing.

David Schiff and Gina Martini, planners, and P. Daniel Hollis, attorney, appeared before the Board.

Mr. Schiff said he wants to take a few minutes to review a few of the items in the history here so the people know what it is they are here for tonight – the public hearing on the Supplemental Environmental Impact Statement (SEIS). First of all he thinks to start, because it's relevant, this map showing the two portions of the property owned by his client. It's approximately 8 acres and the lower portion is about 5 acres which includes the Pill Factory building which is the subject of the SEIS, and 3 acres on the plateau which is not included in the current action but was in the previous action.

Mr. Schiff said the recent history in the environmental review, there was a Draft Environmental Impact Statement (DEIS) that was prepared on the project that included both pieces of properties, included reuse of the existing Pill Factory, included an annex behind it, construction of townhouses in front of it, and construction of residential building on the plateau. That DEIS was accepted here by this Board in 2008 and there was a public comment period, a public hearing through January 2009. In 2009 the Village itself went through a process of updating its Comprehensive Plan, its Local Waterfront Revitalization Plan (LWRP), and its Zoning Ordinance and did a Generic Environmental Impact Statement (GEIS) on that. As a result of that there were a number of changes that impacted this property, most specifically zoning changes. At the same time there were changes to the market/other issues and his clients stepped back took some time to rethink their plan and their program. In November of 2011 a revised plan focusing only on the lower property was submitted. That was discussed with this Board, was discussed with a number of the Village staff people on various issues and the plan went through some revisions. This Board then determined that they needed to supply an SEIS rather than going from the DEIS to the Final Environmental Impact Statement (FEIS). A SEIS was drafted from a scope telling them which studies they would need to do and that was adopted in August of 2012.

A preliminary SEIS was submitted in October, reviewed it, discussed this in December, scheduled a public hearing as part of the process. That is where we have gotten to at this point.

Ms. Martini said the current site plan which she thinks you've all seen but might help focus on the public to have a look at this as well. This was the subject of the SEIS. It is again only the lower portion of the site not the plateau. It is one six story building with 137 units consistent with zoning in all respects to height, unit count, density. They do require a variance for frontage along a public street. You are required to have 150 feet and they don't have any so therefore they will require a variance for that but the building in all other respects is consistent with zoning and that was the purpose of designing this building to look at your new 2009 zoning and to try to design the site for a residential use that is consistent with zoning. What they have here is a main road to access the site here. You go into the building, basically under the building to the parking garage or in this direction to at grade parking. There would be 27 at grade parking spaces and the remainder of the parking spaces would be under the building. There are pavers where fire access can get around the building. This has been reviewed with the Fire Department and the Village Engineer to ensure that they do have circulation for fire safety. This is a proposed roof garden and a green area in three locations. They have a swimming pool that would not be visible from offsite but would be for use for project residents. It's a six story building with 137 units.

Mrs. Markowitz-Moses asked Ms. Martini to break down the units for her. Ms. Martini said there are 25 one bedroom, 98 two bedroom, and 14 three bedroom and the reason why they have the 14 three bedroom is because the code requires at least 10% or a maximum. Twenty-seven surface parking spaces and 166 garage spaces. In total this unit configuration/mix requires 193 parking spaces and they would provide exactly that. The building is six stories, 68.7 feet, short of 69 feet, the code allows up to 72 feet so they are within code. The majority of the parking is under the garage except for 27 spaces here. This is the main entrance to the building here.

Mrs. Markowitz-Moses asked about their access road. Ms. Martini said the existing road would be modified on their site obviously they would widen it and right now there is more of a curve in the road and they would take that out to make less of an arch in the road there. Offsite they could widen it as much as is available to them but it ranges from 24 feet wide; here it's 25 feet wide and she believes it gets up to 26 feet wide. Where you have fire hydrants you need to be 26 feet wide so they do meet those requirements for the road width.

Mr. Clarke asked the Board if there were any questions. There were none.

Mr. Clarke said since this is a public hearing he would like to open it up to the public. Please give your name and address for the record and address the Board.

John Wunderlich of 6 North Water Street said other than the fact that they should have stuck to the original plan to save the Brandreth Pill Factory that's on the National Register. Everything since then has been ill thought. They have not answered satisfactorily the environmental concerns of runoff. The first thing that popped out was 3.1" annual range fall and he disagrees with that. The historical area concerns - his brother, himself, and Miguel Hernandez live in a historical area. This building is going to topple right over the top of us. Mr. Hernandez will be looking through the fifth or sixth floor. It will ruin the view shed in both directions. He can try to find preservation for the Brandreth property down there and this will destroy any preservation. They still don't own the road and for them to get this road to work they have to get property from the Village at their expense they'll fix it but that piece of property on the corner of Water Street and the extension is owned by the Village and has been slated a couple of times for co-op gardens and parking for Snowden Park. If you go down to Water Street any time in the morning it's a one way road. Water Street gets blocked up with tractor trailers and all this other stuff and he doesn't know that they can handle this kind of traffic. Also the amount of dirt they want to take out of that place doesn't work. He thinks it was 53,000 tons or something of dirt they have to take off the plateau to straighten this road out. They've applied every law to the demolition through neglect and he thinks they should be fined and fined heavily for what they did to this National Register building. They come in saying they're going to do this but they haven't done a thing to it. They took the roof off and let everything just drop into the ground and hoping it would rot faster than it is, but it's a well-built building. The density concerns - they've moved their baseline by 60 units or 77% through special permits, affordable housing and stuff like that. If you look at the Snowden House that's 124 units and they have 137 units. They are also anticipating only 27 children to be added to the school system. This is a classic case of if some

is good and works better too much is just right and it's not. [He doesn't think it's the right project for where it is - a commercial area and you have tractor trailers down there and the road is really a one way road] He doesn't know how they are going to widen all this without taking it by public domain.

Mr. Clarke said just so we are clear this public hearing is tonight but comments will be accepted until February 26th when we have our next meeting. He said to Mr. Wunderlich that he has issues with the environmental issues in the SEIS, the density overall, and you have issues with access which he thinks they've raised. Mr. Wunderlich said he will be sending a letter also.

Patrick Guest of 1 Lincoln Place said he is here representing Shattemuc Yacht Club next to the property. They just have a couple of questions. Where are the new storm water runoff sites because when you take a look at the property from the Boat Club perspective they would be interested in trying to understand where all runoff is going to get pushed into the Hudson River because depending on where that is from a site plan standpoint there are no (inaudible) for boats out there. Is there potential for long term silting? The sewer down there along Westerly Road has a tendency to get smelly. You have an addition of 137 units and that's all going to flow down the same existing pipeline and what's that going to do from a flow perspective. During heavy rainstorms the sewers tend to back up. What are the implications of the new flood maps? Mr. Schiff said it's higher. The other question is all of the traffic use related to weekday peak. Snowden Park is highly used on weekends and he thinks they should look at that. He understands the standards with 27 kids and that seems a little low. He doesn't know the ratios they used in their estimate compared to actual ratios that existed in terms of children for (inaudible).

Mr. Clarke said so filtration, infrastructure, flood zone, traffic on the weekends and an analysis of school children in this proposed versus what exists in similar rentals. Ossining has great public schools. People come to Ossining for the schools.

Miguel Hernandez of 10 North Water Street said he saw the DEIS was accepted in 2008. Does accepted mean that the Board approved this or just received the document. Mr. Clarke said we still haven't gotten to the end of the pike. After today, as Mrs. Monastra said, once this is done the FEIS will become our document that we will issue. Mr. Hernandez said so these are all just submissions. Mr. Clarke said right.

Mr. Schiff said this Board as lead agency determined that the document was complete and had responded to all questions and had covered all the issues. It doesn't mean they accepted the proposal but it did mean that the document was submitted. Mr. Clarke said there was a scope that we set and so then this change came. We made a determination that that wasn't complete. Mr. Hernandez asked if there was a motion... Mrs. Monastra said there was a public hearing on the DEIS and the public submitted comments and if you recall after those comments were submitted we were waiting for the FEIS to be written and at that point there was a hiatus and then the developer came back with a revised plan and now were reviewing the SEIS. Mr. Hernandez said he just wondered if there was a motion to accept and say this document is complete and was there any correspondence back to the developer saying... Mr. Clarke said we haven't made a determination on the SEIS. Right now they answer our questions and the public's questions. Once we get through this then we take another step and then we will issue a FEIS. He would quantify this information collection dissemination (inaudible). Mr. Hernandez so you collected the information and you told the developer you are accepting this as complete? Mrs. Monastra said no. The DEIS was considered complete enough for public review and public comment just like they identified the SEIS last month as complete enough for public review. Mr. Bush said there were questions that came from the public and us that now they responded to and so that's what we are sort of looking at. They've come back with those answers.

Mrs. Klapkowski asked where the waterline was going to go because the water pressure is so poor now. Mrs. Monastra said as part of their development they will have to do some work on the water main because it connects with that Snowden line and it's associated with the Harbor Square site as well. One development is going to have to upgrade the water main.

Dana White of 24 Ellis Place said she spent three years studying the history of what used to be called Sing Sing and this building we are going to lose is the last remnant of 19th century waterfront commerce. Benjamin Brandreth came to this country from England and created

industry and made millions of dollars making pills in a different factory originally other than this one that he built. She's spent a lot of time adaptive reuse and she thinks it's a shame that that wasn't explored more. She's seeing in Yonkers old buildings and trolley bars turned into lofts, in New Rochelle the Knickerbockers press building turned into lofts. We had an amazing opportunity to do something that would have retained an extraordinary piece of history that we are rapidly losing in this Village. We're going to lose that part of history that could have been a part of a bigger story for this Village. It's more than about apartment buildings which seem to be the history of what the Village is becoming. Her question is when it's torn down, because she assumes it's too far gone to be saved though it used to be savable but now it's not, will there be any sort of salvage of that building. Will the smaller building in front of the Pill Factory be saved or will it be ripped down too? Can we look into saving at least that piece of history, moving it somewhere? Before we lose something that we will never get back can we look at ways we can save pieces of it? Clearly progress is coming to take the Brandreth Pill Factory but that doesn't mean we have to sacrifice every inch of it and let it just be forgotten. It's an important building and this Hudson River Valley is built on history. We've never got enough to capitalize on what we have and add more and it's just a shame because it's a remarkable place.

2.9.30

Mr. Ludlum said plenty of thought went into it Ms. White we tried for years to get that saved.

Mr. Clarke asked if there were any more questions from the public.

Peggy Wunderlich of 8 North Water Street said she knows that with Sandy Water Street was basically a private road of North Water Street which basically flooded. Now they are talking about trying to widen it northwest towards the river so she foresees more problems with future storms. They were talking about grading so that it would tower pretty high and obviously they have to do that because of the possibility of more storms. She'd like to make sure that some more planning goes into those and in addition it's going to tremendously affect Mr. Hernandez's property, our property, John Wunderlich's property. Plus they are reserving the right to develop the plateau so she believes that in part of their environmental this should not be visible because they still have all the trees at the plateau which they are planning on utilizing down the road. She'd like to make sure we have some glimmer of what they are going to do plateau-wise in their mind.

2.15.12

2.8.1

Mr. Clarke asked if there were any additional questions. There were none. Mr. Clarke said again you can submit your questions to the Planning Department or any statements that you choose between now and February 26th.

Mr. Clarke asked for a motion to close the public hearing.

Mr. Bush made a motion to close the public hearing which motion was seconded by Mr. Ludlum and carried by the Board 7-0.

Mr. Clarke adjourned the application.