

BOARD OF TRUSTEES

June 9, 2014

PRESENT: Mayor Sellier
Trustee Schwarzfeld
Trustee Vandenberg
Trustee Annunziata
Trustee Winston
Attorney McLaughlin
Manager Pierpont

PLEDGE OF ALLEGIANCE AND FIRE SAFETY ANNOUNCEMENT

Mayor Sellier led those assembled in the Pledge of Allegiance and notified those in attendance where the fire exits were located.

MINUTES FROM THE MAY 26, 2014 REGULAR MEETING

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the minutes from the May 26, 2014 Regular Meeting be and hereby are approved.

REPORTS

Fire Commissioner Schwarzfeld discussed the monthly Fire report with Chief Ruggiero. May was a busy month. The heavy rain caused flooding and the Fire Department answered many calls all over the Village. The Commissioner noted that there were several calls to Grant Avenue. Commissioner Schwarzfeld also said that the sick rate in the department was excellent.

The Board thanked the Chief for his report

The Village Clerk's report showed that dog licenses and building permits increased. There were no questions on the Clerk's report.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the reports be and hereby are accepted.

The Mayor announced that items on the agenda would be taken out of order.

RESOLUTION TO SET JULY AND AUGUST BOARD MEETINGS

The Board normally has one meeting in July and one in August and then returns to its regular schedule in September.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, that the Board meetings be set for July 21, 2014 and August 25, 2014.

RESOLUTION TO APPROVE NEW EXIT STAIR TOWER AT LEVIN PROPERTIES

The Village’s Planning consultant said that this was consistent with the Code. The stair tower was needed for all the uses that may occupy that floor. It will be a secondary means of egress from the building.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the new exit stair tower at Levin Properties be and hereby is approved.

RESOLUTION TO EXTEND VAN TRANS LLC SCHOOL BUS PARKING PERMIT

This resolution would extend the permit for Van Trans LLC to park school buses at 1 Canal Avenue and Hillside Avenue for an additional year.

Mayor Sellier asked if this would affect the Village’s plans and was told that the applicant originally asked for a multi year extension and was told no. This one year contract should not interfere with the Village’s plans to improve the area.

Trustee Schwarzfeld said that there were two parcels involved. He asked if the fee was twenty five thousand dollars for each parcel and was told that the annual fee for parking is twenty five thousand dollars. That is the same rate as last year.

Mayor Sellier said that this area is near the old Imperia property. Plans are underway to try to consolidate that area into one parcel to maximize the use of the land. They are asking for another year. He said that he thought one year was ok because it would not interfere with the Village’s plan to maximize the tax potential of the property.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the permit for Van Trans LLC for School Bus Parking be and hereby is extended for one year.

SHORE PARK REQUESTS

Jason Jeffries, 415 Stellar Avenue, requested the use of Shore Park on Tuesday, June 17, 2014 from five o’clock in the afternoon until seven thirty in the evening for the Annual Siwanoy Dads’ Club barbeque.

Tina Raccuglia-Morselli, 111 Town Avenue, requested the use of Shore Park on Friday, June 13, 2104 from approximately three o’clock in the afternoon in the afternoon until five o’clock in the afternoon with a rain date of Friday, June 20, 2014, for a year end picnic for the Prospect Hill Daisy Troop 1571.

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the requests to use Shore Park from Jason Jeffries and Tina Raccuglia-Morselli be and hereby are approved.

RESOLUTION TO ACCEPT THE DGEIS FOR THE RETAIL ZONE AS COMPLETE

Mayor Sellier said that the DGEIS with respect to zoning change in the Retail District was available on the Village’s website. This would include the former Gristede’s shopping center and the shopping area across the street. The Mayor said that the first step in the process is to receive the Draft Generic Environmental Impact Statement. That has been done. The next step is to accept the DGEIS. Accepting the DGEIS as complete has some

consequences. The public hearing has to be scheduled from fifteen to sixty days from the acceptance of the DGEIS. There should be ample time to review the document prior to scheduling the public hearing. The Mayor said that the Board was going to defer acceptance of the DGEIS to allow more time for review. Acceptance of the document will be deferred until the July 21st meeting. At that time public comment will be allowed by speaking at the meeting, in writing or by e-mail. A public hearing will then be scheduled within sixty days of July 21st.

Jennifer Lapey, 95 Witherbee Avenue, said that she was in receipt of the DGEIS prepared by AKRF. She said that it was delivered to her home on May 29th and it requires a lot of combing through. She said that the co-chair of the Committee reviewing this document was currently out of the country. She requested that the Board defer acceptance of the report until the August 25th meeting.

The Mayor said that was fine. He again mentioned the technicality of New York law, but said that no one had to worry that the public hearing would be a one time event. He said the public hearing would be started, adjourned and then continued. He stated that everyone would have their say.

If accepted at the August 25th meeting, the first public hearing will take place in mid October.

Trustee Vandenberg said that the time it took to get the first draft could be attributed to data collection which included data from the school district.

Trustee Schwarzfeld commented that the methodology of interpreting the data also took time.

Trustee Vandenberg said that there was a time lag, but the planners were working as fast as they could.

The Mayor said that he was very interested in the process. He asked about the report and said that the consultant needed information from the school district. The Mayor said that he was not being critical of the school district. They have a school to run and budget to administer.

Jennifer Lapey, 95 Withebee Avenue, said that much of the report does not relate to the school. She said that she wanted to correct the record.

RESOLUTION TO SET PUBLIC HEARING FOR THE DGEIS FOR THE RETAIL ZONE

The resolution was not acted upon. It will be put back on the agenda for the August 25, 2014 Board meeting.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN ABSTRACT OF VOUCHERS NUMBERS 20348-20413

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Mayor be and hereby is authorized to sign Abstract of Vouchers Numbers 20348-20413.

PUBLIC COMMENT

Mayor Sellier said that public comments on the Draft would be more productive when the public hearing is held.

Mike DiFigola, 109 Country Club Lane, spoke about two hundred fifty units of housing, residential space and the impact on the school district.

It was noted that a zoning change is under consideration. No developer has contacted the Village about the properties in the retail district.

Mayor Sellier said that the Board took a look at the two sites in the Retail District and realized that we might want to do something to enhance the property. We did it to determine what, if anything, could be done with the property.

Michelle DeLillo, 933 Peace Street, said that while there is no developer, if the zoning is changed, the owner would have certain rights. She wondered if AKRF could develop what a total buildout would look like.

Mayor Sellier thought that it would be a good idea if both sides of the street were developed. He recalled that at one point the owners, Urstadt Biddle, were considering renting their store to Dollar Tree and there was some thought that was not the great use of the property. They came up with a drawing and we thought a serious, indepth study was needed.

Michelle DeLillo spoke about an artist's rendering and what it would look like if a developer exercised rights under the new zoning. She commented that the old infrastructure is already saturated.

Trustee Schwarzfeld spoke about the possibility of increased property tax revenue and Ms. DeLillo spoke about the cost of a new school.

Al Cornachio, 1011 Prospect Avenue, asked if the Board would be willing to come to his living room to discuss this issue or to have the Mayor or a Trustee come to a meeting in a house. He said that he could set that up if they were willing to attend.

Trustee Vandenberg said that every member of the Board is a member because they care about the community. He said that they don't have a position, but felt that Gristede's was a disgrace and wanted to see what could be done to improve it for the whole community. The Board put the moratorium in effect to improve the area for the whole community and to discern what changes might be brought about. He said that the Board, the committee and the public will be picking the report apart over the next few months.

Bob Walder, 590 Monterey Avenue, said that he lives right behind Gristede's shopping center. He said that he was concerned about the trees and gave the Board pictures of his property taken from the third floor of his home. He also discussed the possibility of providing not less than ten percent of affordable housing and its effect on the school.

Mayor Sellier said that the affordable housing would be capped at ten percent. The percentage would not be open ended. He said that the Village is dealing with issues with the County and urban development and is trying to keep the Federal government from taking over our zoning.

The Mayor noted that e-mails can be sent to info@pelhammanor.org. He also said that the DGEIS is on the Village's website. The address is www.pelhammanor.org.

Bob Walder asked if there was an estimate on the length of construction.

Trustee Vandenberg said that would depend on various factors.

Mayor Sellier said that we could ask for an estimate.

Gianni Magnani, 435 Carol Place, said that he was concerned about individual meetings at various homes. He said that we are one community and we should all be hearing the same

thing. He said that was why the Village has a Board of Trustees. A public meeting is held every two weeks. He said that all information should be shared at the public hearing.

Trustee Schwarzfeld said that a private meeting is not official. Anything that he said at that time would be his opinion at the time. It could change. It is only one person's opinion.

Tony Marrella, 103 Iden Avenue, said that he heard a suggestion to build senior housing at the former Imperia property. He wanted to know if that could be expanded to include affordable housing.

Mayor Sellier said that long before he came on the Board, the Board developed a compliance development district. He said that most of the property now has a nice coherent look. The rest is in the undeveloped property. The best use is to continue development of that last parcel. He said that senior housing was not consistent with a plan of maximizing property tax relief. The goal is to create a parcel that will be very attractive to a retailer and have a destination such as an ice rink.

Tony Marrella said that the Village should keep affordable housing in mind.

Keith Connolly, 1114 Washington Avenue, said that assuming the zoning stays the same, a dollar store can return rather than some level of development.

Mayor Sellier said that the local government has some ability to guide development. He said that if it weren't for the moratorium, there would be a Dollar General or Dollar Tree there. The Mayor said that is what the Village could ultimately wind up with.

Keith Connolly said that the default could be Dollar General and the Mayor said that was a good point.

Selina Regan, 656 Esplanade, asked if an RFP had been done for the DGEIS. She said that the delay had to do with the methodology.

Trustee Schwarzfeld said that the discussion between the Village's consultant and the school board took time.

The Mayor said that there was a public hearing, with a lot of discussion, where the scope of the report was discussed. He said that there was no Request for Proposal. He said that AKRF is a fantastic firm that has done work for the Village. He said that he got into public service through the Planning Board, and they were a great asset to the Planning Board.

Frank Taubner, 1015 Washington Avenue, said that normally a matter of this nature goes to long range planning for traffic flow and then it would be referred to the zoning board.

The function of the Planning Board is to review site plans. Zoning is different. The Zoning Board of Appeals is for variances. The Board of Trustees followed standard procedure.

Carmella Patella, 920 Pelhamdale Avenue, asked if driveways would be going onto Boston Post Road. She didn't know how the report could say that there wouldn't be additional traffic.

Solveigh Marcks, 434 Manor Ridge Road, said that it was hard to imagine what it would look like without a specific study. She wondered how effective an environmental study is.

Trustee Vandenberg said that this type of report is done in a way that anticipates as best as possible. It maximizes development under the zoning. For example, excavating to get the number of parking spaces might be cost prohibitive. You might hit bedrock or some other impediment.

Mayor Sellier said that this is a Generic Impact Statement where no specific proposal exists.

Trustee Vandenberg said that there is no developer or development under consideration.

Solveigh Marcks asked if there were other retail stores interested in the Gristede's property and was told no.

Some restaurants were interested but no restaurant or table service is allowed at this time. Edo's is there because it was originally supposed to be Tad's Steakhouse. They won a lawsuit against the Village. They never opened, but Edo's did.

Trustee Schwarzfeld said that there are narrow restrictions. The only tenant that expressed interest was the dollar store.

Trustee Vandenberg said that the Village spoke with the owners, Urstadt Biddle, several years ago. They want to maximize its use.

Trustee Schwarzfeld said that there are a lot of restrictions.

Trustee Winston said that strip malls are trending down.

Mayor Sellier said that the development on Pelham Parkway was originally envisioned with upscale stores. Mayor Gorman pursued many upscale stores but they were not interested in the area. What we have is not exactly the mix we would have hoped to see, but it is the reality of where we're located.

Trustee Winston said that a radius of one, three and five miles are drawn around your area and you get from that mix.

EXECUTIVE SESSION

After discussion and upon motion duly made and seconded, it was unanimously

RESOLVED, That the Board be and hereby is authorized to conduct an Executive Session to discuss the following;

Personnel Matter

No action was taken in Executive Session.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

Clerk