

The minutes of the Public Hearing of the Village of Haverstraw Board of Trustees on Monday, January 27th, 2014, beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL	Trustee Batista	- Arrived Late
	Trustee Bueno	- Present
	Trustee Watson	- Present
	Trustee Dominguez	- Present
	Mayor Kohut	- Present

Mayor Kohut: The Mayor informed the public that the purpose of this Public Hearing has to do with zoning changes and site plan amendments for Site A and the Riverside building at Harbors. He turned the meeting over to Andy Maniglia, representing Ginsberg Development, to give a presentation on the project, after which time the floor would be open to the public for questions and comments. The Mayor requested the public let Mr. Maniglia complete his presentation before making any comments.

Andy Maniglia: Mr. Maniglia introduced the final phase of the Harbors Site A Project to the public. The first item he discussed was an increase in density at Site A, mentioning that when the concept for Site A was originally designed it was to have 553 units. Since that time, the plans have been revised, ending up with 490 units. He explained that the Parkside building was removed from the plan and made into rental units instead of condominiums, explaining that it is very difficult at this time to get financing to build condo units, so rentals were then made a part of the plan for Parkside. GDC has now designed another building to be known as the Riverside Building which will contain 106 rental units, with an additional 48 rental units on the waterfront, for a total of 544 units. They are requesting an amendment to the Waterfront Development District (WDD) zoning to increase the density at Harbors from 490 to 544 units. He then explained that they are reducing the density at the adjoining site in order to increase the density on Site A. He reported that they have taken down the Sales Center and have removed all the oil tanks and cleaned out all the contamination remaining from the old Rockland Fuel Terminal tanks. He informed the public that GDC has the right under the current zoning to build 250 units on that site, however, they are reducing that number by 54 units to compensate for the 54 additional units going into Site A, bringing the number down on Site B to 196 units. He then mentioned that their "Traffic Study", which was reviewed by the Village's Technical Advisory Committee (TAC), will support the increased density at Site A. Members of the committee (TAC) were also in attendance at that night's meeting to answer any questions from the public.

Mr. Maniglia then discussed subdivisions GDC would like to make, by moving some lot lines around to make it comparable to build the additional units, including the midrise building and the waterfront units. Additionally, Mr. Maniglia spoke about the Site Plan, and whether or not the above mentioned buildings could be built. GDC believes this has been studied considerably, especially by the Village and its consultants. Also present at the meeting was the GDC's Civil Engineer, Mark Lucasic, Tektonic Engineering, who would answer any engineering questions and Andy Atzl of Atzl Scatassa & Zigler who would answer any subdivision questions. Mr. Maniglia then invited Mr. Atzl to come forward with his presentation.

Mayor Kohut: The Mayor requested copies of the zoning maps be given to the public.

Andy Atzl: Mr. Atzl pointed out and explained areas on a map of the three subdivisions that GDC would like to revise, including a portion of Harbor Town II, which encompasses all the areas except for the Riverside Apartment location. Mr. Atzl explained that the new subdivision of the three existing parcels would create the new Riverside/Harbors apartments. The remaining lots will be subdivided into Harbor Point Condominiums with four additional waterfront lots. A portion of the existing public parking would be converted to private parking for the new waterfront buildings and those public spaces would shift to a new parking lot on Leeward Drive. He pointed out on the map the revised lots which would each receive their own individual Tax ID numbers, including Riverside Drive and will be merged with the existing HOA parcel. He mentioned that the easement on Bosun Lane will be modified to provide additional back-up space for Riverside Apartments.

Andy Maniglia: Mr. Maniglia then invited Mark Lucasic to come forward.

Mark Lucasic: Mr. Lucasic, also using the map, pointed out the previously proposed location of Building #12, where they are now proposing to provide parking and consolidate two buildings into one for the new Riverside facility. He mentioned that the engineering aspects are fairly straightforward, explaining that the site was originally designed to go in a particular direction, but once this building became larger there was a need to reroute some of the infrastructure including the storm drains that handle the runoff, the water utilities that supply the buildings and the sewer system that carries waste water away. These things have been reanalyzed and in some cases the infrastructure has already been built. The existing pump station he reported is large and sufficient enough, therefore, no significant changes are necessary. The parking planned for the facility is sufficient to handle the changes for the density of the residences proposed. They are not looking to go back and infringe on parking areas currently in use. He pointed out on a map the area where they would have to increase grading on the waterfront side, which would still allow for circulation around the area itself.

Andy Maniglia: Mr. Maniglia then displayed drawings for the public to view to get an idea of what the buildings would look like. He pointed out that the original roofing on the buildings would have gone over Village height limitation; therefore, the TAC committee required them to remove the parapets from the roof to bring it to the recommended height. He explained that these changes were all a part of many studies reviewed by the TAC committee, including environmental, parking, traffic flow, drainage, utilities, etc., to be sure there would be no problem handling the proposed changes.

Max Stach: Mr. Stach informed the public that GDC has been meeting with the TAC committee from June through December of 2013 to review the proposed zoning changes. He mentioned they received initial drawings from the applicant which were reviewed and referred back to the applicant to make certain changes. Details of these meetings have been provided to the Village for review. He mentioned some of the changes they requested the applicant to make, including adding addition surface parking, because right now the parking for the 106 unit building is in garages where they are running out of room. There are several random spaces that the applicant is still proposing, but they will only count as one space because the two proposed spaces do not meet the dimensional requirements of the Village.

The committee worked with the applicant significantly to improve the parking situation with the proper number of spaces at the waterfront townhouse units as well as the eight spaces that were relocated. In addition, they requested the applicant provide additional parking along Riverfront Lane in proximity to the existing cul-de-sac. Through their review they found an incorrectly installed drafting station, which the applicant is correcting.

Andy Maniglia: Mr. Maniglia explained that this drafting station was for the Fire Department to be able to draft water from the river. He explained it was put in incorrectly at the time, but is currently in the process of being corrected.

Max Stach: Mr. Stach again addressed the height issue of the waterfront buildings, which has also been modified to meet Village requirements of 43 feet. He also mentioned that throughout the review process, they have asked the applicant to refine their drawings to provide more detail to the committee to better assess what is being proposed, which they have done, providing the Village with a better evaluation of the overall changes they are requesting. He mentioned also that the revised set of plans was significantly improved by the applicant to meet the Village's requirements. He then informed the public that his firm is responsible for the environmental review of this proposal, which he mentioned was reviewed several years ago when the initial waterfront project was proposed. He did mention, however, they have now requested the applicant to provide the committee with information on the suitability of the sewage pump facility, school child generation, traffic throughout the site and out of the site, etc., in order to be sure that the assumptions that were made on the previous Environmental Review still hold true. The committee has found that the original review predicted a larger number of people and children in this project that actually purchased or live in the Harbors. The review has been sent to their Traffic Engineer, John Sarna, who reviewed the Engineering Report prepared by the applicant and he has found that their calculations were done correctly and there will not be a traffic impact, noting that the traffic has increased some, due to Village residents now using the new overpass to enter or exit the Village.

Andy Maniglia: Mr. Maniglia had nothing further to present to the public.

Mayor Kohut entertained a motion to open the Public Hearing.

RESOLUTION #37-2014

Motion by: Emily Dominguez

Seconded by: Rafael Bueno

Motion Carries: All

Arti Taub, 3304 Leeward Drive: Mr. Taub mentioned that the Master HOA has been meeting and negotiating with the applicant over the past three months, stating that all the boards have thoroughly endorsed this project. He then stated that currently the applicant is picking up any shortfall of monies involved, but if he pulls out because the project is not approved, that shortfall would fall on all the homeowners (he gave an example of \$3 million), who would eventually go bankrupt. He believes there are some things that the applicant should try to do, including installing a swimming pool for the additional buildings because the existing one would not be adequate for the additional number of people, the applicant should put some pressure on the county to adjust the timing of the traffic light at the top of the overpass to conform with the additional traffic and he stated putting up

“STOP” signs is pointless because drivers are not stopping at any signs, which is a big problem.

Andy Maniglia: Mr. Maniglia responded that the traffic light timing would be better addressed by the Village Board going to the State to try to make this happen rather than a group of residents.

Mayor Kohut: The Mayor informed the public that the Village has a letter to the State on file, signed by the Harbor Point Condominium, Harbor Towne 1 Condominium, Bayside Condominium and Harbor Club Condominium, stating that they agreed with the proposals Mr. Ginsburg was requesting, which he then read.

Jeff Uotila, 3301 Leeward Drive: Mr. Uotila pointed out his condo unit on the map, informing the Board that whenever the excavator or dump trucks were in the vicinity he started feeling vibrations in his condo. He stated he wrote the Village a letter with regard to this matter, but never heard back from anyone. His floor was monitored and when the equipment was there his unit was vibrating. He mentioned that Mr. Ginsburg has the study that was done in case the Village had not received a copy. His fear is that it is going to affect the foundation of the building, gas pipes etc. He feels when the equipment comes in to start this project that many other units are going to start feeling the buildings vibrations. With this vibration problem he does not feel this project should be allowed to move forward. He is also concerned with getting fire equipment into Harbors with the additional number of vehicles that would come with this project, also mentioning that with more than one piece of equipment running it will just increase the vibrations.

Frank Centore, GDC Rep.: Mr. Centore stated when they received the complaint about the vibrations, GDC decided to have the vibrations assessed both in Mr. Uotila's home and the surrounding area. Mr. Centore informed the Board that Ruben Berrios, the Village Building Inspector, was also present the day the engineer was there. The engineer inspected the unit with a meter and assessed that the vibration was very low. He explained that .26 on the meter is the measurement for people walking in the house and the meter read much lower than that point. The engineer also took readings outside the building which also registered 1.5 with 4.00 being the minimal allowable reading. The vibrations, therefore, were well below the limit. The engineer informed him that with such low readings the vibrations would not cause a problem.

Jeff Uotila: Mr. Uotila feels he should not have to live with any vibrations, nor should the rest of the residents. He insisted again that the inspection was done with just one piece of construction equipment on the property and having more equipment in the area is just going to increase the vibrations.

Frank Centore: Mr. Centore stated that it does not matter how many pieces of equipment are working on the site it would not increase the vibrations.

Mayor Kohut: The Mayor responded that the reality of the situation is that Mr. Uotila's building is in a construction zone, mentioning that when he bought his unit he was facing an empty lot that he knew was going to be built on at some point. It is the Mayor's understanding that the vibration was caused by having to pound through frozen soil in order to break it up and remove it.

Jeff Uotila: Mr. Uotila insisted the vibrations started in July with the excavating.

Mayor Kohut: The Mayor inquired if that equipment would be used again once the foundations are dug.

Frank Centore: Mr. Centore stated that everyone else in Harbors lived there while additional buildings were being constructed and it was the same.

Jeff Uotila: Mr. Uotila stated that people on the bay side of the buildings would not feel any vibrations, but they can be felt on the east side.

Frank Centore: Mr. Centore inquired if Mr. Uotila felt any of the blasting from Tilcon because he can feel that vibration in the trailer.

Jeff Uotila: Mr. Uotila responded he does not feel any vibrations from the Tilcon blasting. He also spoke about the dates of the mailings to inform the residents about upcoming meetings. He did not receive the information about this meeting until late the day before.

Andy Maniglia: Mr. Maniglia responded that the notice was also published in the Journal News and at the Village Hall. He also informed Mr. Uotila that they followed the required village regulations as far as mailings go. He mentioned that the information was also slipped under the doors of the residents thereby covering notification three different ways according to Village regulations.

Joe Barbagiovanni, 19 Harbor Pointe Drive: Mr. Barbagiovanni inquired if anyone did a study on how many cars there would be from the number of people that would be occupying these units. In addition, he wanted to know if there would be any problems with the traffic in the area. He also mentioned when the existing homeowners bought their units, they had a beautiful view and now with these proposed additions that will not be the case. He then mentioned that he was trying to sell his property, which he bought at a very high price, but now is unable to get anything near what he paid. He is aware that the economy has taken a toll on everyone, which is why he is now trying to rent his unit. He inquired what the rental prices will be on the proposed units. He then mentioned that he has felt the vibrations, but that it does go away.

Mayor Kohut: The Mayor responded that Mr. Barbagiovanni may have come in late to the hearing because there were discussions on the subject of the parking studies. However the Mayor informed him that based upon the study and review of the engineers there is adequate parking, most of which will be located in the structure itself.

Joe Barbagiovanni: Mr. Barbagiovanni then inquired about the ability of the Fire Department to get around in the Harbors.

Max Stach: Mr. Stach responded that the Fire Department has had an opportunity to review the study and finds there is ample room to get around, including when there are visitors at the site.

Andy Maniglia: Mr. Maniglia reported that they have also created another emergency access to Site A, which was requested by the Fire Department. He then stated that a study has been done with regard to school children, which determined there were approximately 35 school age children, of

which 5 now attend the North Rockland School District (NRSD). The remaining children attend schools in other areas. He then mentioned the Parkside Building has 3 school age children none of which attend public schools. Mr. Maniglia stated that they do not expect many school age children to be living in the proposed buildings.

Mr. Maniglia also assured the public that all maintenance on the property will be provided by GDC.

Bill Shnipper, 31 Harbor Pointe Drive: Mr. Shnipper inquired if the whole project would be completed at once or in stages. He would like to see the project completely finished with this plan.

Andy Maniglia: Mr. Maniglia responded that if this project gets approved, he pointed out on the map which area would be completed first, mentioning that the waterfront units will be staggered.

Bill Shnipper: Mr. Shnipper then mentioned that his taxes are still what he considers extremely high. He is hoping with the additional units that something can be done to reduce the taxes.

Andy Maniglia: Mr. Maniglia feels it will probably help the residents on the maintenance side, but the tax situation is up to the Town and the School District.

Larry Levine, 1414 Round Pointe Drive: Mr. Levine inquired if GDC will continue to maintain ownership of all three buildings along with Parkside as one corporation or as separate corporations. He also inquired if GDC has the right to sell.

Andy Maniglia: Mr. Maniglia responded that they would probably be separate corporations, mentioning that currently there is GDC Parkside LLC and the new units will be known as GDC Riverside LLC and then probably GDC Waterfront LLC. He also mentioned that GDC has the right to sell as does everyone in the complex, stating they have a large number of units in the organization and he does not believe they have sold any.

Larry Levine: Mr. Levine then stated it would be impossible for one swimming pool, etc. to be able to handle the additional volume of people. He suggested GDC send out a questionnaire to see what the majority of the residents would like to see done.

Andy Maniglia: Mr. Maniglia mentioned that they tried to do a poll when they first designed the new buildings, having e-mails sent to the existing residents to see what they would rather have as an amenity in the new location; a pool, a children's playground, etc. He stated they received 49 responses out of the approximate 700 people residing in the Harbors with most people saying they did not want another pool.

Dennis McSherry, 3 Edgewater Lane: Mr. McSherry, although the parking situation has already been discussed, inquired specifically about the parking spots on Edgewater Lane.

Max Stach: Mr. Stach pointed out on the map the specific sites that would be designated for the individual buildings on the waterfront, mentioning that two of the spots would be designated for "HANDICAPPED PARKING". He also mentioned that there is also on-street parking and public parking in the

court. He also mentioned that one of the things the applicant has done is look into raising the entire periphery of the site up to 10.5 feet based on what occurred during Hurricane Sandy. He explained with this being done it would take more than a Sandy type storm to flood the streets of Harbors. As part of that, GDC is looking to add spaces in the cul-de-sac where people are parking to go fishing, to provide additional parking for the public, putting time limits on parking during the day, making more overnight parking available (he pointed these out on the map).

Liz Mello, Brooker Engineering: Ms. Mello clarified the additional spots by pointing out several areas on the map where changes will take effect, basically giving the residents better access to their buildings.

Dennis McSherry: Mr. McSherry feels there is very limited public parking around Edgewater, which is a problem when residents have visitors.

Arti Taub, 3304 Leeward Drive: Mr. Taub inquired what will happen to the statue in the circle.

Andy Maniglia: Mr. Maniglia responded that the statue will remain in its current location and the promenade, which is village property, will remain as well.

Steve Moetzing (addressing Max Stach), 24 Harbor Pointe Drive: It is his understanding that the new construction is at the lowest elevation of the Harbors. Mr. Moetzing is concerned that the existing residents will be looking down on flat roofs holding all the appurtenances to run the building.

Max Stach: Mr. Stach informed Mr. Moetzing that all the new buildings will actually be higher at a 10 foot minimum, while Parkside is at 7 feet. With the original plan the parking was at 7 feet, with the living spaces 3.5 feet above that. He explained that all of Harbors was built when the flood range was at 7 feet, therefore the parking was put at 7 feet and again the living spaces were 3 feet above that, which puts the new buildings at more than 3.5 feet above the flood zone. He mentioned that is very likely the flood zone will increase because of Hurricane Sandy and indications are pointing to 10 feet being the number. He explained that the new buildings have been planned so the first floor of the buildings is going to be at 10.5 feet. Additionally, the entire periphery of the site will be raised to 10.5 feet all the way back almost to the Clubhouse where it will decrease.

Larry Levine: Mr. Levine was not familiar with the word parapet and requested a definition.

Dan Mulvey, GDC: Mr. Mulvey explained that a parapet on a building basically is a low wall, railing or decorative tower that extends beyond the actual edge of the roof. When the parapet is higher than the recommended height for the building it would have to be removed to meet code. Therefore, it was decided a flat roof would be best for these buildings. Andy Maniglia showed him a small black & white picture of the buildings with a flat roof.

Steve Moetzing: Mr. Moetzing inquired about the daytime/nighttime parking spots in the area of the circle and cul-de-sac, which do not appear on the map.

Max Stach: Mr. Stach explained the reason for that not being a part of this map is because when this was first brought to the Village, the TAC wanted to get input from the Fire Department about whether the area was feasible for them to get around. There was a question about them possibly needing the area of the cul-de-sac to get around the site so they were waiting for input from the Fire Department. He explained that anyone from the Harbors could walk to the promenade, but anyone coming from the Village would have to park and they would typically park at the cul-de-sac. He stated it is not easy to find public parking in the Harbors if you are not from the Harbors.

Steve Moetzing: Mr. Moetzing mentioned that the area around the cul-de-sac is probably the only esthetically beautiful section of the North Rockland area because once entering the Harbors you look directly down at the sculpture and see a magnificent view of the Hudson River. He feels to litter that area with parking seems counterintuitive.

Max Stach: Mr. Stach understands Mr. Moetzing's reasoning, however, what they have presented is what is feasible and is their recommendation.

Jeff Uotila: Mr. Uotila wanted to know how they intend to deal with reverse flooding after raising the elevations as planned. Also how do they intend to prevent flooding from the inlet coming into an area he pointed out on the map.

Mark Lucasic: Mr. Lucasic responded by pointing out specific areas on the map and describing what will be done in those areas to prevent any reverse flooding. He also mentioned that the Riverside building will be built higher, as well as the street itself. All the waterfront buildings will be built on ground that is higher than today and the edge will have retaining walls to prevent any water from coming in. In the fountain area they will be getting the elevation closed off to meet the design elevation, but ultimately when they get to the next site they will carry this theme all around the waterfront. This plan will get them through until they have the entire system working as one. With regard to river surge, the flood gates with an inline jet reverse valve will handle everything.

Larry Levine: Mr. Levine inquired what the intentions are for the area where the Sales Center once stood.

Andy Maniglia: Mr. Maniglia responded that nothing has yet to be designed for that area. He reminded everyone that they once thought about putting a restaurant in that area, which never came to fruition because it was not what the residents wanted. He did state that they have the ability to build another 196 units in that area, while still maintaining the ferry lot. Currently, he advised the public, there are no plans for that area. They will, with the coming of spring, do some landscaping in the area.

Jeff Uotila: Mr. Uotila inquired how they are going to remove the soil from that site.

Mayor Kohut: The Mayor informed Mr. Uotila that soil has been moved on and off the site 5 different times and when they are done they will once again remove the soil if it is not needed.

Gwen Canfield, 1107 Round Point Dr: With the tendency of flat roofs to be damaged more easily, Ms. Canfield wanted to know who would be

responsible for the repair of those roofs, especially since it is a rental building.

Andy Maniglia: Mr. Maniglia responded it would be the owner's responsibility to take care of any damage to the roof of a building.

Gwen Canfield: Ms. Canfield then inquired if a pool is designated for renters only, who would pay for it.

Andy Maniglia: Mr. Maniglia believes the HOA was concerned about the rentals being converted into condominiums, however, no-one wanted the additional pool, therefore, it is a mute matter.

Frank Centore: Mr. Centore informed the public that if the pool was to be built, everybody would pay for the pool.

Gwen Canfield: Ms. Canfield inquired about the probability of a children's playground, which was previously mentioned.

Andy Maniglia: Mr. Maniglia pointed out on the map the location where the children's playground would be.

George Tinelli, 26 Lagoon Lane: Mr. Tinelli is in favor of the project, however, with the number of school age children in the Harbors he feels installing an additional pool makes more sense than a playground. His one concern is the extra density in the complex. It is his opinion that it would be more feasible at the original density of the project. He feels they are going too dense with this project.

Rhonda Papp, 1401 (no further address given): Ms Papp has concerns about the parking and is unclear about the plans. She stated that where she lives in the Harbors, two cars cannot pass through because of the street parking. It is her understanding with this proposal that a one bedroom apartment would be allotted one parking space, however, most of the residents are couples having two cars or people with older children who own cars. She feels safety is an issue in Harbors with all the cars coming and going. She wanted to know where they would park. She is not opposed to the new plan but is also concerned with the density.

Catherine Fullem, 1216 Round Pointe Drive: Ms. Fullem actually voted to have a playground installed stating that she is home during the week and the pool is always empty. As for the playground, she admits there are not that many kids living there, however, grandkids come to visit often and need a place where they can go with their grandparents to have some fun. She then inquired if and when there would be an extension to the promenade which she thought was in the plans when she first moved in.

Andy Maniglia: Mr. Maniglia stated that it was a very good plan, but in the interim they ran into opposition from the Elks, who did not want the boardwalk extended in front of their property. Mr. Maniglia mentioned that they have spoken with the Elks several times and hope to speak with them again regarding this matter. The other issue was they're intention to also move the ferry landing down towards Emeline, which would have been great for everyone. They have had extensive studies done with regard to moving the ferry, including the water depth, etc. The parking garage would have cost approximately \$30 million, which would have been a viable plan before the market crash and everything started to go downhill with foreclosures,

unemployment, stock losses, etc. He did say, however, GDC will continue the promenade around Site B to where the boat club is located. They are also working with Metro North, who runs the ferry, and are still seeking to extend the promenade. He mentioned that Metro North is actually considering remodeling the pier. He also mentioned that GDC will probably be purchasing some waterfront property from Tilcon sometime next year, where the promenade could be extended and an estuary built.

Mayor Kohut: The Mayor entertained a motion to leave open the Public Hearing until the next Regular Meeting scheduled of Monday, February 3rd at 8:00 PM, since some people feel they did not have enough notice for this Public Hearing. He also mentioned that people can submit letters with any questions to Village Hall if they are unable to attend the next meeting.

RESOLUTION #38-2014

Motion by: Emily Dominguez
Seconded by: Rafael Bueno
Motion Carries: All

Mayor Kohut: With no further business to be conducted by the Board, the Mayor adjourned the meeting.

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
February 24, 2014