

**Minutes of the
Waterfront Advisory Committee
November 10, 2014**

Present: Charlie Kane, Chairman
Ann Gallelli
Bruce Kauderer
Andy Levitt
Stuart Greenbaum

1. Charlie Kane called the meeting to order at 7:30 p.m.

2. REFERRALS

a) 1300 Albany Post Road—Referral from the Village board regarding Mrs. Gouveia's gift of property and funds—preliminary consistency review.

Ms. Gallelli explained that this referral is an entirely new transaction with a new set of facts--this application concerns the acceptance of the property as set forth in Mrs. Gouveia's last will and testament whereas the previous consistency review concerned the Term sheet of Mrs. Gouveia's proposed gift.

Mr. Kauderer asked about Something Good for the World and how that might affect the WAC's consistency review. Ms. Gallelli responded that there is no arrangement with Something Good for the World (SGFTW), nor any organization, at present. If SGFTW is on the property it is because the estate said they could be there—they are guests of the estate Mr. Greenbaum reiterated that, at present, there are no formal agreements with any organization, and if the village were to accept the property, then any non-profit organization, be it SGFTW or any other organizations, would have to apply to be on the property. Ms. Gallelli explained that the Village has established a "Use Committee" which is exploring possible ideas for the Gouveia property, and any interested organization would need to come before the Village Board. Mr. Greenbaum stated that the WAC's review is for the current situation, i.e. the acceptance of the gift of property and funds as specified in Mrs. Gouveia's last will and testament.

The WAC reviewed the CAF and noted that C 4 b (1) which asks "if the project site is publicly owned...will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?" the response should be "NO" and not "YES." The project maintains and protects the view of the river and will provide public access to the property but there are no water-related recreation resources and facilities at this site.

The WAC reviewed the Short Environmental Assessment Form and there were no comments or changes.

The WAC evaluated the application for consistency and believes that the following policies are relevant:

Policy 5C: Limit proposed development within those portions of the coastal zone boundary area, where traffic impacts such as site distance and carrying capacity of the roadways are restricted, particularly along Route 9A, Albany Post Road and Route 129.

This policy applies to the proposed action because the property is located on Albany Post Road/9A and the acceptance of the bequest of property is consistent with this policy because one of the uses that has been cited for the Gouveia property includes passive recreation. It is noted on the SEAF, Part 2, question #5, that there would be only a small impact in the existing level of traffic.

Policy 9B: Encourage passive recreational enjoyment of the wildlife in the designated significant fish and wildlife habitats, on the Audubon Society sanctuaries, on other public or private lands within the village, where wildlife habitats are located. Encourage the recreational use of areas where such resources are found, as well as the protection such resources.

The property is currently developed for a single-family home. The house is located along the western edge and approximately in the middle of the property. The house sits at the top of a cliff overlooking the Hudson River. The northern portion of the property has been improved so that it includes a large lawn area with landscaping a small pond. The southern portion of the property is a steeply sloped woodland area with two intermittent streams. This section of the property has not been developed.

The open lawn area and potential new trails systems would provide passive recreational opportunities such as viewing wildlife in the woodland, pond, open lawn areas and along the cliff overlooking the Hudson River.

Policy 19A: Encourage the linkage of the open space along the Hudson and Croton Rivers in the form of a trail or walkway system. Such systems should be provided along undeveloped and underutilized land as well as along previously developed land.

The Village has an over-the road- trail segment from Brinton Brook Sanctuary and the Jane Lytle Arboretum that comes down Arrowcrest Drive and is used as one of the trail links to the Graff Sanctuary which is located farther north on the west side of Route 9. This existing over-the-road trail segment runs along Albany Post Road in front of 1300 Albany Post Road. Should the Gouveia parcel be accepted, a new trail segment could be developed on the property initially providing recreational access to the wooded southerly section and ultimately to the entire property. A trail on the southerly section of the property would provide an additional destination for walkers, one that culminated in forested views of the Hudson River to the west. Additional trail segments could be installed on the northerly portion of the property and would provide panoramic views of the Hudson River and scenic views of the landscaped pond and open lawn area.

Policy 19B: Increases physical access to areas that have specific value for their physical and visual access to the Hudson River or Croton River and Bay.

The Gouveia property has a gently sloping lawn area in the northerly portion of the site and the house is situated along the west cliff overlooking the Hudson River. Visual access to scenic Hudson River views are provided by the lawn area, future trails and existing house. The house and lawn area could be used for educational and village sponsored activities.

Policy 25: Protect, restore or enhance natural and man-made resources which are not identified as being statewide significance, but which contribute to the overall scenic quality of the coastal area.

The site has approximately 140 feet of elevation change within its boundaries. The lowest elevation of 31 feet above sea level, and is at the bottom of an east to west running gorge; the highest elevation of approximately 174 feet above sea level is along the southern border with the Skyview Rehabilitation & Health Care facility. If the Village proceeds, the Hudson River views from various portions at the property will be available to the public. The late Mrs. Gouveia's home has an "all glass" main living floor that would provide visual access to sweeping views up and down the Hudson River.

Policy 44A: Wetlands, water bodies and watercourses shall be protected by preventing damage from erosion or siltation, minimizing disturbance, preserving natural habitats and protecting against flood and pollution.

Village ownership of the property would preserve the woodland area on the southern portion of the property where the intermittent streams are located. Best management practices would need to be implemented to protect the watercourses and waterbodies if any future development for park, recreation and education type uses are proposed.

Mr. Kauderer commented that should there be any future development on the property, he believed that the application be referred to the Planning Board. Ms. Gallelli responded that usually as a matter of course, the Village Board sends an application to the Planning Board for its recommendations.

There were no other comments on this referral. Mr. Greenbaum made a motion to recommend preliminary consistency, seconded by Mr. Levitt, and carried, all in favor, by a vote of 5-0.

b) Referral from Village Board regarding Local Law Introductory 4 of 2013 to amend Section 230 of the Village Code to modify the existing provisions for Customary Home Occupations and to modify the provision for existing small lots in RA and RB Districts—preliminary consistency review.

There were no comments on the Full Environmental Assessment Form, Part 1.

In reviewing the Coastal Assessment Form, the committee agreed that Section #4 is not applicable since the local law on customary home occupations refers to private residences and not to publicly owned properties. Ms. Gallelli suggested that the WAC recommend to the Village Board that this section not be applicable to the proposed law.

The Committee reviewed the LWRP policies and believes that the following policy is applicable:

Policy 1A: Existing planning and zoning documents should be reviewed and amended where necessary to ensure development within the community is consistent with adopted goals and policies.

This policy is applicable because the proposed draft law on customary home occupations is in the Zoning Code. As noted in the Full Environmental Assessment Form, the Village Board is proposing to modify certain provisions in the zoning code regarding customary home occupations in order to better reflect current employment trends and ensure that these accessory uses are compatible with the Village's neighborhood character. Also noted in the Full Environmental Assessment Form, the proposed draft law proposes to modify the provision regarding existing small lots in RA and RB districts so that the lots within approved subdivisions are grandfathered in from the new RA-60 Residential District.

Mr. Kauderer made a motion to issue preliminary consistency and to make the recommendation to the Village board that the entire Section 4 of the Coastal Assessment Form not be applicable to the proposed draft law for the reasons stated above.

3. APPROVAL OF MINUTES

Mr. Greenbaum made a motion to approve the minutes of October 7, 2014, seconded by Mr. Kauderer and carried all in favor by a vote of 5-0.

4. ADJOURNMENT

Mr. Greenbaum made a motion to adjourn the meeting, seconded by Mr. Levitt, and carried by a vote of 5-0. The meeting was adjourned at 8:37p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the WAC